

IN THE SUPREME COURT OF FLORIDA

CASE NO: SC19-385

STEVEN YOUNKIN,

Petitioner,

v.

NATHAN BLACKWELDER,

Respondent.

**KAITLYN GRIJALVA’S MOTION FOR LEAVE TO
APPEAR AS AMICUS CURIAE IN SUPPORT OF RESPONDENT**

Pursuant to Florida Rule of Appellate Procedure 9.370, Kaitlyn P. Grijalva, (“Grijalva”) moves for leave to appear as amicus curiae in support of the Respondent in this case. As grounds for this motion, Grijalva states:

1. **Interest of Amicus Curiae:** Grijalva is the Respondent in *Dodgen v. Grijalva*, Case No: SC19-1118, currently stayed pending the outcome of the instant appeal. Because this Court’s decision to stay Grijalva’s appeal suggests that the outcome of this appeal will have an impact on Grijalva’s appeal, Grijalva has a direct personal interest in the outcome of this case.

2. **Issue Amicus Curiae Will Address & How Amicus Curiae Can Assist the Court:** Grijalva contends that her appeal involves an entirely different question than the one presented in the instant case. Where Younkin addresses the

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discoverability of the financial relationship between a defendant's law firm and its retained experts, Grijalva addresses discovery of the financial relationship between an insurance company and its frequently retained experts. The propriety of this discovery was put to rest by this Court in *Allstate Insurance Co. v. Boecher*, 733 So. 2d 993 (Fla. 1999) Both the Majority and the Dissenting panels in *Worley v. Central Florida Young Men's Christian Association*, 228 So. 3d 18 (Fla. 2017) made it clear that *Boecher* remains good law.

3. If granted leave, Grijalva will explain why review of her case as part of this appeal was improvidently granted and why this Court should decline to extend the certified question to include the issue in her appeal.

4. **Certificate of Consultation.** The undersigned has consulted with counsel for Petitioner and Respondent and is authorized to represent that Respondent does not oppose Grijalva's appearance as amicus curiae in this case, while Petitioner does.

WHEREFORE, Grijalva respectfully requests this Court grant this motion for leave to appear as amicus curiae in this proceeding.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail this 10th day of September 2019, to: **Kansas R. Gooden, Esq., Geneva R. Fountain, Esq.**, Boyd & Jenerette, P.A., *Attorneys for Petitioner*, 201 North Hogan Street, Suite 400, Jacksonville, FL 32202; kgooden@boydjen.com; gfountain@boydjen.com; **George H. Anderson, III, Esq.**, Dan Newlin & Partners, 7335 W. Sand Lake Road, Orlando, FL 32819; Dtuch.Anderson@newlinlaw.com; Anderson.pleadings@newlinlaw.com; **Mark A. Nation, Esq., Paul W. Pritchard, Esq.**, The Nation Law Firm, 570 Crown Oak Centre Drive, Longwood, FL 32750; bhirt@nationlaw.com; mnation@nationlaw.com; ppritchard@nationlaw.com; and **Amanda E. Wright, Esq.**, Law Offices of Robert J. Smith, 390 North Orange Ave., Suite 895, Orlando, FL 32801-1635; OrlandoLegal@Allstate.com.

Respectfully submitted,

EATON & WOLK, P.L.
Attorneys for Respondent
2665 So. Bayshore Drive, Suite 609
Miami, Florida 33133
Telephone: 305-249-1640
Telecopier: 786-350-3079
Email: deaton@eatonwolk.com
cgarcia@eatonwolk.com

By: s/ Douglas Eaton
Douglas F. Eaton
FBN: 0129577