IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA

TRULIEVE, INC.

Plaintiff,

Case No. 2025-CA001071-CAAXES

v.

NATHAN JUREWICZ,

Defendant.

PLAINTIFF TRULIEVE INC.'S RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION FOR PROTECTIVE ORDER

On April 17, 2026, Plaintiff Trulieve filed a Motion to Compel Defendant, Nathan Jurewicz, to fully and properly answer and produce documents responsive to discovery requests that Trulieve had issued to Defendant months earlier. (Doc. No. 33).[1] Defendant had largely refused to respond to the discovery requests that Trulieve had propounded, arguing he was exempt from having to answer on the basis of Florida's journalist's privilege and privacy concerns; in its Motion to Compel, Trulieve argued that neither the journalist's privilege nor a right to privacy applied. (Doc. No. 42). On that same day, April 17, Trulieve also noticed the deposition of Defendant to take place remotely on April 30, 2026 at 9:30 a.m. (Doc. No. 35). Trulieve did so after first reaching out to Defendant, who is representing himself *pro se*, on April 7, 2026, offering up several dates and times for scheduling the deposition. (Ex. A.) Defendant ultimately confirmed that he was available on April 30. (*Id.*) At no point during that chain of communication did

[1] Plaintiff subsequently amended its Motion to Compel; the current operative version can be found at Doc No. 42.

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Defendant indicate he did not actually intend to sit for his deposition. Then, on April 21, 2026, Defendant sent an email (Ex. B.) informing counsel for Trulieve that he would "not be appearing for the deposition" and would be moving for a Protective Order. Simultaneously, he filed a Motion for Protective Order to: (1) stay his deposition pending the Court's ruling on Trulieve's Motion to Compel; and (2) limit the scope of "any future deposition to prohibit questions concerning," the identity of confidential sources, communications with sources, unpublished materials and work-product obtained during his "investigation," and "any other matter protected by" Florida's journalist privilege "and the First Amendment." (Doc. No. 37).

As the hearing on the Motion to Compel and the Motion for Protective Order are now scheduled together, the stay issue is technically moot at this point. However, even if it wasn't, Defendant has not met his burden of establishing the good cause necessary for a stay. Indeed, outside of vague and conclusory assertions, Defendant has not even attempted to demonstrate—nor could he—that sitting for a deposition in litigation he is already a party to would cause "unwarranted annoyance, embarrassment, oppression, or undue burden or expense." That standard exists to shield parties and non-parties from genuine hardship, not to serve as a weapon to evade legitimate discovery. Defendant's request to limit the scope of his deposition to preclude questions about his sources or any unpublished materials also lacks merit. As Trulieve illustrates more fully in its Motion to Compel, Defendant published the statements at issue as an anonymous social media character called "Ganjaleaks," not as "a professional journalist" as required by Florida law, and he cannot assert Florida's journalist's privilege. (Doc. No. 42). Nor can he avail himself—or even point to—any nebulous First Amendment protection or privilege that would shield him from discovery.

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LEGAL STANDARD

Under the Florida Rules of Civil Procedure, "Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case." Fla. R. Civ. P. 1.280(c)(1). A person or party from whom discovery is sought may oppose such discovery by seeking a protective order, but the court may only grant it "for good cause shown" and to "protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense." Fla. R. Civ. P. 1.280(d).

Importantly, "the burden of demonstrating good cause for the issuance of a protective order falls upon the party seeking protection." *Cavey v. Wells*, 313 So. 3d 188, 193 (Fla. 2d DCA 2021). "Vague assertions" are insufficient for such a showing. *Id.*; *see also Savannah Cap., LLC v. Pitisci, Dowell & Markowitz*, 313 So. 3d 953, 957 (Fla. 2d DCA 2021) (noting that the trial court abused its discretion in granting a protective order where the individuals seeking the order "failed to allege with any particularity any reason why the deposition of…a party defendant, would cause 'annoyance, embarrassment, oppression, or undue burden or expense.'"). And "Florida courts have disapproved the entry of protective orders prohibiting the taking of depositions generally and orders providing for lengthy postponements of discovery." *Bush v. Schiavo*, 866 So. 2d 136, 138 (Fla. 2d DCA 2004).

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ARGUMENT

Defendant has not, and cannot, establish that a Protective Order should be granted here. In his Motion for Protective Order, Defendant does nothing more than make vague conclusory assertions as to why deposing him before Trulieve's Motion to Compel is resolved would constitute "annoyance, embarrassment, oppression, or undue burden or expense." Fla. R. Civ. P. 1.280(d). Even though, as noted above, the stay issue is technically moot, Defendant's conclusory assertions—such as arguing that the taking of the deposition would "constitute harassment"

because "requiring Defendant to appear while critical privilege issues are pending is an unwarranted burden"—without offering anything more is simply not enough to meet Defendant's burden to establish the good cause necessary for a protective order. *Cavey*, 313 So. 3d at 193.

Defendant's request for a Court Order broadly limiting the scope of discovery to prohibit questions relating to his "confidential sources," "communications with sources," "unpublished materials and work product obtained during the investigation," and "any other matter protected by" Florida's journalist privilege and "the First Amendment" should also be denied.

First, Florida's journalist privilege does not apply to Defendant because he is not a journalist, by any measure. As discussed more thoroughly in Trulieve's Motion to Compel (Doc. No. 42), under, Florida Statute § 90.5015, Florida's journalist privilege statute, the privilege only applies to a "professional journalist", defined as "a person regularly engaged in collecting, photographing, recording, writing, editing, reporting, or publishing news, for gain or livelihood, who obtained the information sought while working as a salaried employee of, or independent contractor for, a newspaper, news journal, news agency, press association, wire service, radio or television station, network, or news magazine." Fla. Stat. § 90.5015 (1)(b). Defendant fails every measure of a "professional journalist" under Florida law. He does not work for any news outlet or network and earns no gain or livelihood from news. Nor has Defendant pointed to any evidence showing otherwise.[2] Defendant is, simply put, a social media character who hides behind the "GanjaLeaks" pseudonym and a mask to post anonymous, inflammatory claims about large cannabis companies he doesn't like.

[2] Defendant did file a Supplemental Memorandum in support of his Motion for Protective Order (Doc. No. 49), but he largely repeats the same arguments that he made in his initial Motion for Protective Order and cites to caselaw that is inapposite and irrelevant to the issues here.

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And Florida courts have agreed that Defendant is not the type of person for whom the journalist's privilege applies. *See Popcorned Planet, Inc. v. Lively*, No. 8:25-MC-28-WFJ-LSG, 2025 WL 3458601, at *1 (M.D. Fla. Dec. 2, 2025) (founder of a YouTube news channel was not a professional journalist, and therefore could not invoke the journalist's privilege, as he was self-employed, and YouTube did not constitute a "newspaper" or "news journal"); see also *Techtronic Indus. Co. Ltd. v. Victor Bonilla*, No. 823CV01734CEHAEP, 2024 WL 361247, at *1 (M.D. Fla. Jan. 31, 2024) ("Florida Courts have historically held that the journalist privilege applies to journalists employed or hired by traditional media outlets.").

Even if Defendant could establish that he is a professional journalist (he cannot), Trulieve would be able to overcome this qualified privilege; "where the media and newspaper reporter involved are defendants in the libel suit, upholding the [journalist's] privilege is also less compelling...[and] '[w]hen weighed against the possibility that [the plaintiff] stands to lose his day in court and be denied access to the courts to redress his alleged libel if the privilege is upheld, ... the privilege must give way.'" *News-J. Corp. v. Carson*, 741 So. 2d 572, 576 (Fla. 5th DCA 1999) (internal citation omitted); *see also Cable News Network, Inc. v. Black*, 308 So. 3d 997, 1000–01 (Fla. 4th DCA 2020).

Second, there is not, as Defendant argues in his Supplemental Memorandum, any broad qualified privilege under the First Amendment of the U.S. Constitution that "protects" traditional and non-traditional journalists "engaged in investigative reporting on matters of public concern" from discovery. (Doc. No. 49 at 3). And none of the cases Defendant points to support this assertion. In *Branzberg v. Hayes*, 408 U.S. 665, 667 (1972)—the case Defendant relies on for this proposition—the U.S. Supreme Court held that the First Amendment "does not" confer a broad

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testimonial privilege to shield journalists from testifying about confidential sources before state or federal grand juries. As the Supreme Court elucidated:

> A number of states have provided newsman a statutory privilege of varying breadth but the majority have not done so, and none has been provided by federal statute. Until now the only testimonial privilege for unofficial witnesses that is rooted in the Federal Constitution is the Fifth Amendment privilege against compelled self-incrimination. We are asked to create another by interpreting the First Amendment to grant newsmen a testimonial privilege that other citizens do not enjoy. This we decline to do.

Id. at 689-690.

The other two cases Defendant cites in support of the proposition that the First Amendment confers a broad qualified privilege on traditional and non-traditional news gatherers are equally inapplicable. *See Obsidian Fin. Grp., LLC v. Cox*, 740 F.3d 1284, 1291 (9th Cir. 2014) (does not consider whether a First Amendment qualified privilege shields journalists or other non-traditional media speakers, like bloggers, from disclosing confidential sources or other unpublished materials); *Too Much Media, LLC v. Hale*, 206 N.J. 209, 20 A.3d 364 (2011) (holding that a blogger and self-described journalist did not qualify for protection under New Jersey's journalist privilege statute and ordering disclosure of her confidential sources.)

Defendant is not entitled to assert any special protections or privileges and his request to limit the scope of his deposition should be denied.

CONCLUSION

For the foregoing reasons, Trulieve respectfully requests that the Court enter an order denying in its entirety Defendant's Motion for Protective Order.

Respectfully submitted,

/s/ Shannon B. Timmann
Shannon B. Timmann
Megan L. Meier (*pro hac vice*)
Hannah Menchel (*pro hac vice*)

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Counsel for the Plaintiff

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed June 11, 2026 via the Florida Court's E-Filing Portal. The undersigned also provided service via email to Nathan Jurewicz at realestatetaskforce@gmail.com.

/s/ Shannon B. Timmann
Shannon B. Timmann

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Exhibit A

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Subject: Re: Trulieve v. Jurewicz: Scheduling Nate Jurewicz's Deposition
Date: Friday, April 10, 2026 at 1:10:27 PM Eastern Daylight Time
From: Nate Jurewicz
To: Shannon Timmann
CC: Megan Meier, Hannah Menchel, Paralegals, Melanie Leitman, Andreka Ruddock
Attachments: image001.png

Ok fun fun! See you guys at 9:30 am on the 30th.

Am I allowed to wear the Ganja Leaks mask? lol jk

On Fri, Apr 10, 2026 at 12:34 PM Shannon Timmann <shannon.timmann@mwpp.com> wrote:

> Excellent. Thank you, Nate. We don't anticipate it lasting a whole day – it will hopefully be no more than 4-5 hours – but we would like to start at 9:30 am so that we have time for short breaks (including a lunch break) and guarantee you're done by 5 pm. We will get everything set up and send along a deposition notice with the details.
>
> Please let us know if you have any questions in the meantime.
>
> Best,
>
> Shannon
>
> Shannon B. Timmann, Partner
>
> MEIER WATKINS PHILLIPS PUSCH
>
> 1120 20th Street, NW, Suite 550
>
> Washington, DC 20036
>
> Direct: +1 (850) 322-8251
>
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From: Nate Jurewicz <realestatetaskforce@gmail.com>
Date: Wednesday, April 8, 2026 at 1:39 PM
To: Shannon Timmann <shannon.timmann@mwpp.com>
Cc: Megan Meier <megan.meier@mwpp.com>, Hannah Menchel <hannah.menchel@mwpp.com>, Paralegals <paralegals@mwpp.com>, Melanie Leitman <mleitman@stearnsweaver.com>, Andreka Ruddock <aruddock@stearnsweaver.com>
Subject: Re: Trulieve v. Jurewicz: Scheduling Nate Jurewicz's Deposition

OK perfect. We can do zoom. How long will it take and what time u thinking?

I can do the 30th but have to be done by 5pm.

Sincerely,

Nate Jurewicz

> On Apr 7, 2026, at 3:25 PM, Shannon Timmann <shannon.timmann@mwpp.com> wrote:
>
> Hi Nate,

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I hope all is well. We understand that you are still representing yourself in this case but, as always, if you have retained new counsel, please forward this email to them so we can engage with them going forward.

We would like to schedule your deposition for this month. We are happy to conduct the deposition either remotely, via Zoom, or in person; whichever you prefer. Of the following dates, can you please let us know what day works best for you to sit for a deposition: **April 23, 27, 28, 29, 30**.

Thank you,

Shannon

Shannon B. Timmann, Partner

MEIER WATKINS PHILLIPS PUSCH

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Washington, DC 20036

Direct: +1 (850) 322-8251

Website | Bio

<image001.png>

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Exhibit B

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Subject: Deposition Scheduled April 30, 2026 — Notice of Continuance
Date: Tuesday, April 21, 2026 at 12:50:39 PM Eastern Daylight Time
From: Nate Jurewicz
To: Shannon Timmann
CC: Megan Meier, Hannah Menchel, Paralegals, Melanie Leitman, Andreka Ruddock
Attachments: Motion For Protective Order.pdf, Defedant's Opposition to Plaintiffs Motion to Compel Discovery.pdf, Privilege Log.pdf

Dear Ms. Timmann and Counsel:

I, Nathan Jurewicz, will not be appearing for the deposition scheduled for April 30, 2026.

I am □ling a Motion for Protective Order and Opposition to Motion to Compel with the Court, which will address the scope and parameters of any deposition.

Once the Court rules on these motions, I will be available to appear for deposition at a mutually convenient time.

I've attached the 3 documents that I just □led at the court house today...

- Motion For Protective Order
- Defendants Opposition to Plaintiffs Motion
- Privilege Log

I will also send a request for your discovery information in a separate email.

Respectfully,

Nathan Jurewicz Defendant, Pro Se Case No. 2025-CA001071-CAAXES

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