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

TRULIEVE, INC.,

Plaintiff,

v.

NATHAN JUREWICZ,

Defendant.

_____/

Case No.: 2025-CA-001071-CAAXES
Division: J4

Judge: Hon. Alicia Polk

DEFENDANT'S MOTION TO STAY DISCLOSURE REQUIRED BY THE COURT'S JUNE 19, 2026 RULING PENDING RESOLUTION OF DEFENDANT'S MOTION TO DISMISS

COMES NOW Defendant, NATHAN JUREWICZ, appearing pro se, and respectfully moves this Court for a brief and narrowly tailored stay of the disclosure obligation imposed by the Court's oral ruling of June 19, 2026, so that a single, irreversible category of discovery is not compelled before the Court has ruled on Defendant's pending Motion to Dismiss (DIN 13). In support, Defendant states:

BACKGROUND

1. This is a defamation action. Defendant appears pro se following the withdrawal of prior counsel in January 2026.

2. On August 27, 2025, Defendant filed his Motion to Dismiss for Failure to State a Cause of Action and pursuant to Florida's Anti-SLAPP statute, section 768.295, Florida Statutes (DIN 13) (the "Motion to Dismiss").

3. On September 16, 2025, Plaintiff filed its Response in Opposition to the Motion to Dismiss (DIN 19). The Motion to Dismiss is fully briefed and ripe for resolution.

4. The Motion to Dismiss is set for hearing before this Court on July 13, 2026, at 9:00 a.m., via Zoom video conference.

5. Defendant sought to have the Motion to Dismiss heard at the earliest available date. On May 19, 2026, Defendant proposed four hearing dates—each of which would have permitted the dispositive Motion to Dismiss to be heard before the June 19, 2026 discovery hearing. Plaintiff declined all four dates and took the position that any hearing on the Motion to Dismiss should be scheduled only after June 19, 2026. The parties ultimately confirmed July 13, 2026. The parties' scheduling correspondence is attached as Exhibit A.

6. On June 19, 2026, the Court heard Plaintiff's Second Amended Motion to Compel (DIN 42) and Defendant's Motion for Protective Order (DIN 37). The Court orally granted the Motion to Compel and denied the Motion for Protective Order, and directed that Defendant make the

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compelled disclosure on July 13, 2026—specifically, within one hour after the conclusion of the July 13, 2026 hearing in the event the action is not dismissed at that hearing. As of the filing of this Motion, a written order memorializing the Court's ruling has not yet been entered.

7. The compelled disclosure includes the identity of a confidential source, together with unpublished newsgathering materials and communications. The deadline for completion of fact discovery is currently July 31, 2026, which Plaintiff's counsel represented at the June 19, 2026 hearing will need to be extended in any event.

THE NARROW RELIEF REQUESTED

8. Defendant does not ask the Court to move the July 13, 2026 date generally or to delay this litigation. Defendant seeks only two narrow refinements to the timing of a single, irreversible category of disclosure: (a) that the disclosure be tied to the Court's ruling on the dispositive Motion to Dismiss rather than to the mere occurrence of the July 13 hearing; and (b) in the event the Motion to Dismiss is denied, that a brief period be allowed for appellate review before the irreversible disclosure is made. All other discovery may proceed in the interim.

MEMORANDUM OF LAW

I. The Court Has Broad Discretion to Control the Timing and Sequence of a Single, Irreversible Disclosure.

9. A trial court possesses broad discretion to supervise discovery and to enter orders necessary to protect the parties and promote the just resolution of the action. Florida Rule of Civil Procedure 1.280 authorizes the Court, for good cause, to enter any order that justice requires to protect a party from annoyance, oppression, or undue burden, including by controlling the timing and sequence of discovery. A brief, narrow deferral of a single irreversible disclosure—pending the Court's ruling on a dispositive motion that may eliminate the need for it—falls squarely within that authority.

II. Disclosure Should Be Tied to the Court's Ruling on the Motion to Dismiss, Not Merely to the Occurrence of the July 13 Hearing.

10. The Court's June 19, 2026 ruling triggers disclosure "in the event the action is not dismissed" at the July 13 hearing. If the Court grants the Motion to Dismiss from the bench on July 13, the disclosure will be moot. If, however, the Court takes the Motion to Dismiss under advisement—a routine and appropriate course for a fully briefed dispositive motion—the action will not yet be "dismissed," and the literal terms of the ruling would compel Defendant to make an irreversible disclosure before the Court has decided the threshold question of whether the Complaint states a cause of action at all. Compelling the disclosure before the dispositive motion is resolved would be premature and would risk rendering the disclosure both needless and irreparable. The disclosure obligation is therefore best tied to the Court's ruling on the Motion to Dismiss—a result consistent with the Court's expressed willingness, at the June 19 hearing, to defer the disclosure until the date of the Motion to Dismiss hearing. For the same reason, if the July 13, 2026 hearing is canceled or continued, the disclosure should be stayed until the Court has

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actually heard and ruled on the Motion to Dismiss; otherwise Defendant could be forced to make an irreversible disclosure without the dispositive motion ever having been heard at all.

III. The Compelled Disclosure Is Irreversible "Cat Out of the Bag" Material, Warranting a Brief Window for Appellate Review.

11. The compelled disclosure includes the identity of a confidential source. Unlike ordinary discovery, the disclosure of a source's identity cannot be undone: once revealed, the information cannot be retrieved or re-protected, even if Defendant ultimately prevails on the Motion to Dismiss or on appellate review. Florida law recognizes that compelled disclosure of such material causes irreparable harm. Certiorari "is appropriate when a discovery order departs from the essential requirements of law, causing material injury to a petitioner throughout the remainder of the proceedings below and effectively leaving no adequate remedy on appeal." *Allstate Ins. Co. v. Langston*, 655 So. 2d 91, 94 (Fla. 1995). The Florida Supreme Court has specifically identified "cat out of the bag" material—including material "involving a confidential informant"—as information that "may cause such injury if disclosed." *Id.* Orders compelling disclosure of such material "are commonly reviewed by certiorari petition because the harm caused by wrongly compelling the petitioner to disclose protected material is irreparable." *Barker v. Barker*, 909 So. 2d 333, 336–37 (Fla. 2d DCA 2005). Because that review is available only before the disclosure is made, a brief deferral—ten (10) days from rendition of any order denying the Motion to Dismiss—is necessary to preserve Defendant's ability to seek it. Without such a window, a one-hour disclosure period would extinguish the very right that certiorari review exists to protect.

IV. Florida's Anti-SLAPP Statute Reflects a Strong Policy of Expeditious Resolution That Supports a Brief, Narrow Deferral.

12. Defendant's Motion to Dismiss is brought, in part, under section 768.295, Florida Statutes. The Legislature has declared its intent to protect the exercise of free speech in connection with public issues, and has provided that a person sued in violation of the statute "has a right to an expeditious resolution" of that claim, with the court directed to set a hearing on the motion "at the earliest possible time." § 768.295(1), (4), Fla. Stat. While section 768.295 does not itself impose an automatic stay of discovery, its strong expeditious-resolution policy supports the Court's exercise of discretion to defer a single, irreversible disclosure until the dispositive Anti-SLAPP motion—which that policy directs be resolved at the earliest possible time—is decided.

V. A Brief, Narrow Deferral Will Not Prejudice Plaintiff, and Defendant Has Diligently Sought Prompt Resolution.

13. The requested deferral is narrow. Only the single, irreversible disclosure of confidential-source information would be deferred, and only until the Court rules on the Motion to Dismiss (or, if the motion is denied, for ten days thereafter). Plaintiff may continue to pursue all other discovery in the interim. The current fact-discovery deadline is July 31, 2026, and Plaintiff's counsel represented at the June 19, 2026 hearing that the discovery deadlines will need to be extended in any event—which only further reduces any prejudice. No trial date is imperiled, and Plaintiff can

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identify no concrete prejudice from a short deferral of one category of discovery that the Motion to Dismiss may eliminate altogether.

14. The requested deferral does not reward delay. As reflected in the parties' scheduling correspondence (Exhibit A), Defendant sought to have the dispositive Motion to Dismiss heard at the earliest opportunity—indeed, before the June 19, 2026 discovery hearing—and the July 13, 2026 hearing date was selected only after Plaintiff declined each of the four earlier dates Defendant proposed and took the position that the hearing must occur after June 19, 2026. A brief deferral to permit the dispositive motion to be decided before an irreversible disclosure is consistent with, not contrary to, the expeditious resolution this matter warrants.

VI. The Court Should Resolve This Motion Before the One-Hour Disclosure Period Would Begin.

15. Because the disclosure obligation is triggered on July 13, 2026 itself, Defendant respectfully requests that the Court rule on this Motion in advance of, or at the outset of, the July 13, 2026 hearing, so that the timing of the disclosure is resolved before the one-hour disclosure period would otherwise begin.

WHEREFORE, Defendant, NATHAN JUREWICZ, respectfully requests that this Court enter an Order providing that:

(a) in the event the Court grants the Motion to Dismiss at the July 13, 2026 hearing, no disclosure shall be required;

(b) in the event the Court takes the Motion to Dismiss under advisement, Defendant's obligation to make the disclosure required by the June 19, 2026 ruling shall be stayed until the Court rules on the Motion to Dismiss;

(c) in the event the Court denies the Motion to Dismiss, Defendant's obligation to make the disclosure shall be deferred until ten (10) days after rendition of the written order denying the Motion to Dismiss, so as to afford Defendant a meaningful opportunity to seek appellate review before the irreversible disclosure occurs; and

(d) in the event the July 13, 2026 hearing is canceled or continued, Defendant's obligation to make the disclosure shall be stayed until the Court has heard and ruled on the Motion to Dismiss; and

(e) granting such other and further relief as the Court deems just and proper.

CERTIFICATE OF CONFERRAL

Pursuant to Florida Rule of Civil Procedure 1.202(c), the conferral requirement does not apply because Defendant is unrepresented by counsel (pro se). Defendant nevertheless conferred in good faith: on June 19, 2026, Defendant emailed counsel for Plaintiff regarding the relief requested in this Motion and requested Plaintiff's position. On June 22, 2026, counsel for Plaintiff responded that Plaintiff opposes the relief requested.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the Florida Courts E-Filing Portal to all counsel of record, including: Shannon B. Timmann, Esq. (shannon.timmann@mwpp.com); Megan L. Meier, Esq. (megan.meier@mwpp.com); Devin K. Bolger, Esq. (devin.bolger@mwpp.com); Hannah Menchel, Esq. (hannah.menchel@mwpp.com); paralegals@mwpp.com, Meier Watkins Phillips Pusch LLP, 1120 20th Street, NW, Suite 550, Washington, DC 20036; and Melanie Leitman, Esq. (mleitman@stearnsweaver.com); Andreka Ruddock (aruddock@stearnsweaver.com), Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A., 106 East College Avenue, Suite 700, Tallahassee, FL 32301, on this 22nd day of June, 2026.

Respectfully submitted,

/s/ Nathan Jurewicz
Nathan Jurewicz, Pro Se
1938 Heron Cove Dr.
Lutz, FL 33549
(727) 433-3120
realestatetaskforce@gmail.com

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EXHIBIT A

Scheduling correspondence between the parties regarding the hearing on Defendant's Motion to Dismiss (DIN 13).

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Exhibit A - Scheduling Email 1 of 7

Nate Jurewicz <realestatetaskforce@gmail.com>
to Shannon, Megan, Devin, Hannah, Melanie, Paralegals

Tue, May 19, 10:43 AM

Counsel,

Judge Polk's Judicial Assistant has provided available hearing dates. I am writing to coordinate a date to hear Defendant's Motion to Dismiss for Failure to State a Cause of Action (filed August 27, 2025), which has been fully briefed since Plaintiff's Response in Opposition was filed on September 16, 2025.

I would like to have this motion heard before the Motion to Compel hearing already scheduled for June 19, 2026. I am requesting **60 minutes**, which per Judge Polk's procedures may be conducted by Zoom or telephonically.

In order of preference, I propose the following dates and times:

- Thursday, June 11, 2026 at 1:30 p.m.
- Friday, June 12, 2026 at 9:30 a.m.
- Tuesday, June 16, 2026 at 9:45 a.m.
- Wednesday, June 17, 2026 at 11:30 a.m.

Per the JA's instructions, no date is held and slots fill quickly, so a prompt response would be appreciated. Once you confirm a date, I will notify the JA and request her confirmation before filing a Notice of Hearing.

Thank you,

Nathan Jurewicz

Defendant, Pro Se

1938 Heron Cove Dr.

Lutz, FL 33549

(727) 433-3120

realestatetaskforce@gmail.com

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Exhibit A - Scheduling Email 2 of 7

Shannon Timmann Wed, May 20, 1:24 PM

to me, Megan, Devin, Hannah, Melanie, Paralegals

Hi Nate,

We reviewed our schedules and are not available for a 60-minute hearing on the dates/times proposed.

We also don't see any basis for prioritizing the Motion to Dismiss hearing over the hearing on the Motion to Compel and Motion for Protective Order, which was scheduled weeks ago. As you note, your Motion to Dismiss was filed in August of last year and has been fully briefed and pending for over nine months. If that motion were truly urgent and/or needed to be heard before a discovery-related hearing, you could have scheduled it at any point over the last nine months.

We also note that the June 19th hearing date was selected only after we provided you with several earlier available dates that you declined. There is no equitable basis to now demand that a separate 60-minute hearing be inserted before June 19 on a motion that has sat without a hearing date for the better part of a year.

Please let us know what hearing dates and times are available following the June 19th hearing.

Best,

Shannon

Shannon B. Timmann, Partner
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Chambers USA 2025 Meier Watkins Phillips Pusch

Chambers High Net Worth 2025 Meier Watkins Phillips Pusch

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Exhibit A - Scheduling Email 3 of 7

Nate Jurewicz <realestatetaskforce@gmail.com>
to Shannon, Megan, Devin, Hannah, Melanie, Paralegals

Wed, May 20, 2:14 PM

Shannon,

I want to address the framing in your email.

The reason I am asking that the Motion to Dismiss be heard before the Motion to Compel and Motion for Protective Order is judicial economy, not priority or special treatment. The Motion to Dismiss is dispositive. If the Court grants it in whole or in part, it will narrow or moot the discovery issues raised in your Motion to Compel and my Motion for Protective Order. Hearing the dispositive motion first avoids the possibility of the Court and the parties expending resources on a discovery dispute that may be unnecessary. That is the ordinary sequencing of dispositive and non-dispositive motions, and I am not aware of any reason that ordinary sequencing should not apply here.

The merits of the Motion to Dismiss are not at issue in this correspondence and are for the Court to decide after argument. I am simply asking that we coordinate in good faith on a hearing date that allows the Court to consider the dispositive motion first.

On timing: I was represented by prior counsel for much of the period you reference and was granted thirty days to obtain substitute counsel under the Court's January 15, 2026 Order. Plaintiff was driving the discovery schedule throughout. Plaintiff also recently moved to extend the fact discovery deadline to July 31, 2026 and the dispositive motion deadline to October 2, 2026, which the Court granted on May 6, 2026. There is ample time before the close of fact discovery for the Motion to Dismiss to be heard.

You declined all four proposed dates without offering alternatives. Please provide dates and times your team is available for a sixty-minute hearing before June 19, 2026. If your team has no availability before that date, please confirm that in writing so the issue can be presented to the Court.

If I do not receive a response by end of day Friday, May 22, I will ask the Court to specially set the Motion to Dismiss and will attach this correspondence so the Court can see the coordination efforts.

Best regards,

Nathan Jurewicz
Defendant, Pro Se
1938 Heron Cove Dr.
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Exhibit A - Scheduling Email 4 of 7

Shannon Timmann
to me, Megan, Devin, Hannah, Melanie, Paralegals

Fri, May 22, 5:02 PM

Hi Nate,

I'm confused by your email. It seems to address issues that I did not raise in my prior email (like the merits of your Motion to Dismiss) and it appears to misapprehend civil procedure and the Judge's Practice Requirements for scheduling a hearing.

In particular, I'm not sure what you mean by the "ordinary sequencing of dispositive and non-dispositive motions," but it is not true that all dispositive motions are ordinarily heard before a discovery dispute. Indeed, as you note, the deadline for dispositive motions is October 2, over two months ***after*** the close of discovery. While many defendants have their motions to dismiss heard before a discovery dispute is teed up, that is because they promptly set a hearing date. But that didn't happen here. And while we certainly appreciate the fact that there was some disruption in your case when your counsel withdrew in January, you have been representing yourself for 5 months now and still did not set this motion for a hearing. You never even made mention of it when we were working with you to get the discovery dispute hearing scheduled weeks ago.

Your email also appears to misconstrue the Court's procedure for setting hearings and our request for additional dates. As you know, under the Judge's Practice Requirements, to set a hearing the moving party should first contact the Judge's JA to obtain hearing dates and times, because the Court only has specific dates and times available. And all hearings must be coordinated with opposing counsel prior to confirming a hearing date. You provided us with four dates and times for an hour-long hearing, and we are not available on those dates and times. If the Court provided you with additional dates/times before June 19th that you are available and did not send us, please let us know. If not, we can only assume that any additional dates the Court has available for a 60 min. hearing will be after June 19th, which is why we asked you to obtain additional dates after June 19th.

Please let me know if any of the above is unclear or if you have any questions.

Best,

Shannon

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Exhibit A - Scheduling Email 5 of 7

Nate Jurewicz <realestatetaskforce@gmail.com>
to Shannon, Megan, Devin, Hannah, Melanie, Paralegals

Sat, May 23, 9:59 AM

Shannon,

I have a prior commitment that conflicts with the remaining pre-June 19 dates the JA provided.

In the interest of moving this forward efficiently, please confirm your availability on the following

post-June 19 dates for a 60-minute hearing:

- Wednesday, June 24, 2026 from 9:00 a.m. to 10:00 a.m.
- Tuesday, July 7, 2026 from 9:00 a.m. to 10:00 a.m.
- Friday, July 10, 2026 from 9:00 a.m. to 10:00 a.m.
- Monday, July 13, 2026 from 9:00 a.m. to 10:00 a.m.
- Wednesday, July 15, 2026 from 9:00 a.m. to 10:00 a.m.
- Monday, July 20, 2026 from 9:00 a.m. to 10:00 a.m.

Per Judge Polk's procedures, the hearing will be conducted by Zoom or telephonically. Please confirm your first available date so I can coordinate with the JA.

Best,

Nate Jurewicz

Defendant, Pro Se

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Exhibit A - Scheduling Email 6 of 7

Shannon Timmann
to me, Megan, Devin, Hannah, Melanie, Paralegals

Wed, May 27, 12:13 PM

Hi Nate,

We are available July 13th and July 20th.

Thanks,
Shannon

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Chambers USA 2025

Chambers High Net Worth 2025

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Exhibit A - Scheduling Email 7 of 7

Nate Jurewicz <realestatetaskforce@gmail.com>
to Shannon, Megan, Devin, Hannah, Melanie, Paralegals

Wed, May 27, 4:53 PM

Shannon,

Thank you. Let's confirm Monday, July 13, 2026 at 9:00 a.m. I will email the JA to request her confirmation and will copy you on that correspondence. Once she confirms, I will file the Notice of Hearing.

Best,

Nate Jurewicz
Defendant, Pro Se
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