

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR POLK COUNTY, FLORIDA  
CIVIL DIVISION

LUIS HINESTROZA,

Plaintiff,

CASE NO: 2023CA007113

-vs-

JOSHUA M MAYNARD and PIKE  
ELECTRIC, LLC, a Foreign Limited  
Liability Company,

Defendants.

**ORDER ON DEFENDANTS' MOTION TO COMPEL COMPLIANCE WITH SECTION  
768.0427(3) AND MOTION TO STRIKE**

THIS CAUSE, having come before the Court on October 9, 2025, on Defendants' Motion to Compel Compliance with Section 768.0427(3), and Motion to Strike after the Court previously took the issue under advisement at the October 3, 2025, hearing. The Court, having reviewed the motions and responses, heard arguments of counsel, and being otherwise fully advised, it is hereby:

**ORDERED AND ADJUDGED** as follows:

1. The Court finds that the Elite Spine & Orthopedics Deferred Payment Agreement is not a Letter of Protection under Fla. Stat. § 768.0427(9)(d) and not subject to the disclosure requirements of Fla. Stat. § 768.0427(3), because:
  - a. The Deferred Payment Agreement is offered to all patients, regardless of whether they are involved in litigation;
  - b. The Deferred Payment Agreement does not condition treatment on any recovery from a personal injury or wrongful death action, and expressly

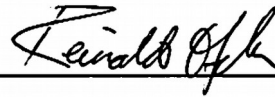
provides that the patient is personally responsible for all charges independent of any settlement or judgment;

- c. The obligations under the Deferred Payment Agreement stand alone and are not contingent on the occurrence of any other event.

2. The Court further notes it was not provided with the Spring Hill MRI Payment Agreements. By agreement of the parties, the Spring Hill MRI Payment Agreements constitute traditional Letters of Protection, and accordingly, are subject to 768.0427(3),

DONE AND ORDERED in Polk County, Florida on Thursday, November 6, 2025

53-2023-CA-007113-0000-00 11/06/2025 10:03:04 AM



Reinaldo Ojeda, Circuit Judge  
53-2023-CA-007113-0000-00 11/06/2025 10:03:04 AM

Conformed Copies to:

- A. Crosby Crane, Esq., Counsel for Plaintiff
- Peter S. Baumberger, Esq., Counsel for Defendants, Maynard and Pike Electric, LLC.
- Jeff G. Rothwell, Esq., Counsel for Defendant Elite Spine & Orthopedics