

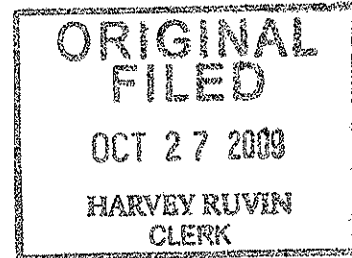
IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT IN AND  
FOR MIAMI-DADE COUNTY, FLORIDA

FAMILY DIVISION

CASE NO. 07-25984 FC 18

IN RE THE MATTER OF:  
THE BRANAM CHILDREN

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**NOTICE OF APPEAL**

Notice is hereby given that MARIA GAGLIARDO, through counsel, appeals to the Third District Court of Appeal the Order of this Court rendered on October 9, 2009 and attached hereto, titled "ORDER ON MOTION BY PETITIONER, GENNY VAN LAAR" ("Gag Order"). The Gag Order, which is found at pages 4-5 of the six-page Order at ¶ 1(C) is appealable as a Non-Final Order pursuant to Fla. R. App. P. 9.1.30(2)(B); applied to Ms. Gagliardo, a non-party, it enjoins her from "distributing . . . information about the children or what has happened to them or to their family" without court approval. *See, e.g., Stanfield v. Florida Dept. of Children & Families*, 698 So. 2d 321 (Fla. 3d DCA 1997) (treating gag order on non-party as injunction). Ms. Gagliardo does not challenge the remainder of the order, as those provisions do not apply to her.

Should the Gag Order be deemed not to be an appealable Non-Final Order, Ms. Gallardo respectfully requests that this Court instead treat this appeal as a Petition for Writ of Common Law Certiorari and grant review of the attached Gag Order.

### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of this Notice of Appeal was sent by U.S. mail this 27<sup>th</sup> day of October, 2009 to all counsel of record and *pro se* individuals on the attached Service List.

Respectfully submitted,

  
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MARIA KAYANAN, Esq.

Fla. Bar No.: 305601

RANDALL C. MARSHALL, Esq.

Fla. Bar No.: 181765

American Civil Liberties Union

Foundation of Florida, Inc.

4500 Biscayne Blvd. Suite 340

Miami, FL 33137

Tel: 786-363-2700

Fax: 786-363-3108

## SERVICE LIST

Marsha B. Elser, Esq.  
Elser & Foster-Morales, LLC  
Courthouse Tower – Suite 2100  
44 West Flagler Street  
Miami, FL 33130

Margaret C.F. Quinlivan, Esq.  
6890 S.W. 99<sup>th</sup> Terrace  
Miami, FL 33156-3066

Robert A. Rosenblatt, Esq.  
The Rosenblatt Law Firm  
7695 S.W. 104<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Pinecrest, FL 33156

Jeff & Jeanette Branam, *pro se*  
42 Star Island  
Miami Beach, FL 33139

Robert & Leanne Van Laar-Uttmark, *pro se*  
88 Rue Grand Drive  
Lake Saint Louis, MO 63367