

**IN THE CIRCUIT COURT FOR PINELLAS COUNTY, FLORIDA  
PROBATE DIVISION**

**In re: THE GUARDIANSHIP OF  
THERESA MARIE SCHIAVO,  
Incapacitated.**

**File N. 90-2908GD-003**

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**MICHAEL SCHIAVO**

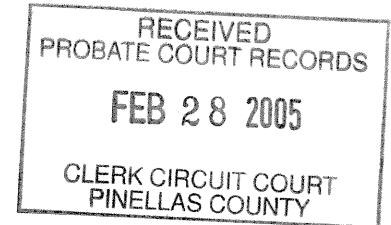
**Petitioner,**

**v.**

**ROBERT SCHINDLER and  
MARY SCHINDLER,**

**Respondents.**

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**EMERGENCY EXPEDITED MOTION FOR PERMISSION TO  
PHOTOGRAPH AND VIDEOTAPE MRS. SCHIAVO WITH HER  
FAMILY**

ROBERT and MARY SCHINDLER, Respondents herein, by and through their undersigned counsel, hereby plead with this Court to give them and their family members permission to photograph, videotape, or take other like pictorial representations of the Ward, THERESA SCHIAVO ("Terri"). In support thereof, Respondents show unto the Court as follows:

1. On October 2, 2001, this Court's Order authorized the estate of the Ward to "arrange for a videographer to be reasonably available to ROBERT and MARY SHINDLER, sometime between 10:00 a.m. and 4:00

p.m. to take memorializing videotape or still photographs of the Ward and her family.” (Order, October 2, 2001).

2. Terri reacts to the family’s presence and regularly interacts with them. The family desires to record these moments in order to remember her and to honor Terri’s memory during her final days on earth. The family treasures their frequent visits with Terri, the games they play with Terri, and Terri’s playful responses to them. They wish to have these precious memories preserved for their future comfort and enjoyment.

3. Respondents believe that a single limited time for recording might not capture the full interaction of the family since Terri’s reactions are sometimes affected by medications administered to her or by her emotional state of mind on any particular day.

4. This Court’s Order of October 2, 2001, also stated that “[s]uch video and/or still photography shall be, and remain, the property of the estate of THERESA SCHIAVO, and until the death of the Ward, shall be in the sole custody and control of attorney George Felos.”

5. Respondents request that any videotape recordings or photographs not be considered part of the estate of the Ward which would become the property of Terri’s husband by operation of law under Florida

Statutes § 732.102(1) upon her death. Respondents request that they be permitted to retain custody of any and all videotapes or pictures.

WHEREFORE, Respondents respectfully plead that this Court grant them and their family members opportunity to photograph and videotape the Ward, THERESA SCHIAVO, without limitation while her family is visiting with her to memorialize the tender expressions of love among the family members.

Respectfully submitted,

GIBBS LAW FIRM, P.A.

A handwritten signature in black ink, appearing to read "David C. Gibbs III", is written over a horizontal line.

David C. Gibbs III, FBN 0992062

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CERTIFICATE OF SERVICE

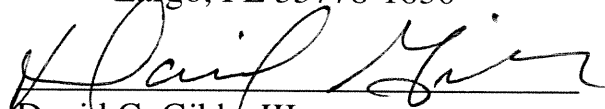
I HEREBY CERTIFY that a true copy hereof has been mailed on this  
twenty-seventh day of February 2005 to the following addressees:

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