

APPLICATIONS TO PROCEED UNDER ANONYMOUS CAPTION OR REQUEST TO SEAL CASE  
AT COMMENCEMENT IN NYSCEF

**Please note that the names of the parties to an action and any documents filed in connection therewith will be available to the public unless otherwise directed by a court order.**

A Plaintiff seeking to have an action proceed under an anonymous caption and/or be sealed at commencement shall use the following procedure:

- E-file the following bearing the full (unredacted) caption: a Summons with Notice, an RJI, and a proposed OTSC or Ex Parte Order with a TRO (seeking authorization to proceed under an anonymous caption and/or seal);
- No supporting papers to the OTSC or Ex Parte Order will be filed on the NYSCEF site with the commencing documents;
- The Plaintiff shall e-mail a full working copy of the moving papers, including supporting papers, to the Supreme Court Clerk at [Suffolksupremecourt@nycourts.gov](mailto:Suffolksupremecourt@nycourts.gov);
- Within three (3) business days of the granting or denial of the TRO, the Plaintiff shall E-file the moving papers not previously uploaded and any other documents that would ordinarily have been filed at commencement, such as the Complaint, on the NYSCEF site in accordance with the signed OTSC or Ex Parte Order; and
- Opposition and Reply papers shall be filed in the ordinary course as required by the assigned judge, the Protocol for Electronic Filing in Suffolk County Supreme Court and in accordance with the signed OTSC or Ex Parte Order.

In the situation where the case file itself is not to be sealed from public view, the relief sought under the OTSC and the TRO **MUST** include a request to seal any documents containing the Plaintiff's name in the event the request for an anonymous caption is granted and a requirement that redacted versions of those documents be uploaded to the case which will be visible to the public. Upon the granting of the TRO authorizing interim use of an anonymous caption or the issuance of an order granting permanent use thereof where the entire file is not being sealed, the Plaintiff shall 1) file a CPLR 8019(c) notice advising the County Clerk of this directive and 2) to expedite the Court's directive, notify the County Clerk of the filing of the CPLR 8019(c) notice by email at [courtactions@suffolkcountyny.gov](mailto:courtactions@suffolkcountyny.gov). Any documents which have been filed previously which contain the name of the Plaintiff shall be re-filed with the authorized redactions as new documents into the case contemporaneously with the CPLR 8019(c) notice. No amendment of the caption will be performed unless and until the redacted documents have been uploaded into the electronic case file.

In the situation where the entire case is also being sealed, the Plaintiff will only need to file a CPLR 8019(c) notice unless the order directs the uploading of any redacted documents. In the latter instance, no sealing of the case or amendment of the caption will be performed unless and until the redacted documents have been uploaded into the electronic case file. It is recommended that the CPLR 8019(c) notice and the redacted documents be uploaded simultaneously to avoid unnecessary delay.