

Verde Elec. Corp. v RailWorks Tr. LLC

2026 NY Slip Op 31012(U)

March 16, 2026

Supreme Court, New York County

Docket Number: Index No. 656047/2025

Judge: Emily Morales-Minerva

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This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. EMILY MORALES-MINERVA PART 42M

Justice

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INDEX NO. 656047/2025

VERDE ELECTRIC CORP.,

03/04/2026,

Plaintiff,

MOTION DATE 03/04/2026

- v -

MOTION SEQ. NO. 003 004

RAILWORKS TRANSIT LLC, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA & TRAVELERS CASUALTY AND SURETY COMPANY, LIBERTY MUTUAL INSURANCE COMPANY, BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, ALLIANZ TRADE (F/K/A EULER HERMES NORTH AMERICA INSURANCE COMPANY), NATIONWIDE MUTUAL INSURANCE COMPANY, MARKEL INSURANCE COMPANY

DECISION + ORDER ON MOTION

Defendants.

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The following e-filed documents, listed by NYSCEF document number (Motion 003) 32, 33, 34, 35, 36, 37

were read on this motion to/for INJUNCTION/RESTRAINING ORDER

The following e-filed documents, listed by NYSCEF document number (Motion 004) 64, 65, 66, 67, 68, 69, 72, 73

were read on this motion to/for SEAL

HON. EMILY MORALES-MINERVA, J.S.C.

Upon the foregoing documents, the Court grants defendant RAILWORKS TRANSIT LLC's unopposed order to show cause (motion sequence number 03) to seal exhibit 1 to the complaint (NYSCEF Doc. No. 02), as well as defendant RAILWORKS TRANSIT LLC's unopposed order to show cause (mot. seq. no. 04) to seal exhibit B to plaintiff VERDE ELECTRIC CORP.'s opposition to motion sequence number 07 (NYSCEF Doc. No. 54).

Pursuant to section 216.1 of the Uniform Rules for Trial Courts, the Court may seal or redact a filing "upon a written finding of good cause, which shall specify the grounds thereof" (22 NYCRR § 216.1 [a]). "[T]he court shall consider the interests of the interests of the public as well as of the parties" in determining whether there is good cause (id.). The party seeking to seal court records has the burden to set forth compelling circumstances to justify restricting public access and must demonstrate "a sound basis or legitimate need to take judicial action" (Danco Labs, Ltd. v Chemical Works of Gedeon Richter, 274 AD2d 1, 6 [1st Dept 2000]). "There is a broad presumption that the public is entitled to access to judicial proceedings and court records" (Mosallem v Berenson, 76 AD3d 345, 348-350 [1st Dept 2010]).

The Court has reviewed the filings that defendant seeks to seal, and finds that defendant has established good cause to seal said filings. The documents contain confidential information pertaining to Metro-North Railroad's and Amtrak's critical transportation infrastructure (see Mano Enterprises, Inc. v Metropolitan Life Ins. Co., 2019 NY Slip Op 30357 [U] [Sup Ct NY Cnty 2019]). Therefore, the proposed sealings are warranted since there is no public interest in these documents (see Mosallem, 76 AD3d at 350-51; Mancheski v Gabrielli Group Capital Partners, 39 AD3d 499, 502 [2d Dept 2007]).

Accordingly, it is hereby

ORDERED that defendant's motion, by order to show cause (sequence number 03) is granted entirely; it is further

ORDERED that defendant's motion, by order to show cause (sequence number 04) is granted entirely; it is further

ORDERED that the County Clerk, upon service of this order, is directed to seal NYSCEF Doc. Nos. 02 and 54; it is further

ORDERED that the County Clerk shall restrict access to the sealed documents with access to be granted only to authorized court personnel and designees, the parties and counsel of record in this action, and any representative of a party or of counsel of record upon presentation to the County Clerk of written authorization from counsel; it is further

ORDERED that defendant shall serve a copy of this order on the County Clerk in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible at the "E-Filing" page on the court's website; and it is further

ORDERED that the Clerk of Court shall mark the file accordingly.

3/16/2026

DATE


EMILY, MORALES-MINERVA, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE