

Tekiner v Bremen House Inc.

2025 NY Slip Op 31973(U)

May 15, 2025

Supreme Court, New York County

Docket Number: Index No. 657193/2020

Judge: Joel M. Cohen

Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op 30001(U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service.

This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 03M

-----X

<p>YASEMIN TEKINER,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">- v -</p> <p>BREMEN HOUSE INC., GERMAN NEWS COMPANY, INC., BERRIN TEKINER, GONCA TEKINER, BILLUR AKIPEK, ZEYNEP TEKINER,</p> <p style="text-align: center;">Defendants.</p>	<p>INDEX NO. <u>657193/2020</u></p> <p>MOTION DATE <u>03/18/2025</u></p> <p>MOTION SEQ. NO. <u>088</u></p> <p style="text-align: center;">DECISION + ORDER ON MOTION</p>
--	--

-----X

HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 088) 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758

were read on this motion to

SEAL

Plaintiffs Yasemin and Zeynep Tekiner (“Plaintiffs”) move for an order sealing and/or redacting certain documents (NYSCEF Doc Nos. 2647, 2650, 2651, 2652, 2658, 2660, 2661, 2662, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2679, 2680, 2682, 2683, 2686, and 2691, 2692, and 2693) filed in connection with Plaintiffs’ Order to Show Cause to Enforce the Monitorship Order and Find Berrin in Contempt (Mot. Seq. 087). No parties have opposed this motion. For the following reasons, Plaintiffs’ motion is granted.

Pursuant to § 216.1 (a) of the Uniform Rules for Trial Courts, this Court may seal a filing “upon a written finding of good cause, which shall specify the grounds thereof. In determining whether good cause has been shown, the court shall consider the interests of the public as well as of the parties” (22 NYCRR § 216.1 [a]). The Appellate Division has emphasized that “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 [1st Dept 2010]). “Since the right [of public access to court proceedings] is of constitutional dimension, any order denying access must be narrowly tailored to serve compelling objectives, such as a need for secrecy that outweighs the public's right to access” (*Danco Labs., Ltd. v Chemical Works of Gedeon Richter, Ltd.*, 274 AD2d 1, 6 [1st Dept 2000] [emphasis added]; *see also, e.g. Gryphon Dom. VI, LLC v APP Intern. Fin. Co., B.V.*, 28 AD3d 322, 324 [1st Dept 2006]). “Furthermore, because confidentiality is the exception and not the rule, ‘the party seeking to seal court records has the burden to demonstrate compelling circumstances to justify restricting public access’” (*Maxim, Inc. v Feifer*, 145 AD3d 516, 517 [1st Dept 2016] [citations omitted])

The Court has already approved the sealing and/or redactions of the same content of NYSCEF 2647, 2651, 2658, 2693 (proposed redactions filed at NYSCEF 2733, 2735, 2737, and 2756; redacted versions at NYSCEF 2709, 2711, 2713, 2732), which contain sensitive and proprietary business information pertaining to the Bremen House Inc. and German News, Inc.’s ongoing business (*see* NYSCEF 2757 [Sealing Chart]; NYSCEF 2014, 1745, 2567). The Court also finds that the proposed redactions/sealing to NYSCEF 2650, 2652, 2660, 2661, 2662, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2679, 2680, 2682, 2683, 2686, and 2691, and 2692 (proposed redactions filed at NYSCEF 2734, 2726, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755; redacted versions at NYSCEF 2710, 2712, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2728, 2729, 2730, 2731) are appropriate here to protect confidential business information, including bank account information and internal company finances.

Accordingly, it is:

ORDERED that Plaintiffs’ Motion is **GRANTED**; it is further

ORDERED that the County Clerk shall maintain NYSCEF Document Number(s) 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2728, 2729, 2730, 2731, and 2732 in their current, redacted form; it is further

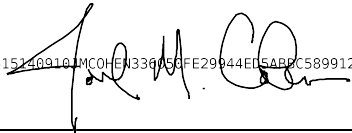
ORDERED that the County Clerk shall maintain NYSCEF Document Number(s) 2647, 2650, 2651, 2652, 2658, 2660, 2661, 2662, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2679, 2680, 2682, 2683, 2686, 2691, 2692, 2693, 2733, 2734, 2735, 2726, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756 under seal, so that the documents may only be accessible by the parties, their counsel, and authorized court personnel; it is further

ORDERED that Plaintiffs shall serve a copy of this order upon the Clerk's Office within five (5) days of the date of this Order, and such service shall be made 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); it is further

ORDERED as it related to future submissions, made by any party, that contain subject matter that the Court has authorized to be sealed by this Order, parties may file a joint stipulation, to be So Ordered, which will authorize the filing of such future submissions to be filed in redacted form on NYSCEF, provided that an unredacted copy of any redacted document is contemporaneously filed under seal; and it is further

ORDERED that nothing in this Order shall be construed as authorizing the sealing or redactions of any documents or evidence to be offered at trial.

This constitutes the decision and order of the Court.

20250515240910 JMC0HEN33305CFE29844EESABPC5899124413E1


JOEL M. COHEN, J.S.C.

5/15/2025
DATE

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