

Marsh USA LLC v Hanrahan

2025 NY Slip Op 32040(U)

June 5, 2025

Supreme Court, New York County

Docket Number: Index No. 652798/2025

Judge: Andrea Masley

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 48

-----X

MARSH USA LLC and MARSH & MCLENNAN
COMPANIES, INC.,

Plaintiffs,

- v -

GARRETT HANRAHAN, JOHN ANDREWS, and WILLIS
TOWERS WATSON US LLC,

Defendants.

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INDEX NO. 652798/2025

MOTION DATE --

MOTION SEQ. NO. 007

**DECISION + ORDER ON
MOTION**

HON. ANDREA MASLEY:

The following e-filed documents, listed by NYSCEF document number (Motion 007) 64, 65, 66, 67, 68, 69, 70, 71, 72

were read on this motion to/for SEAL.

In motion sequence number 007, defendants Garrett Hanrahan, John Andrews, and Willis Towers Watson US LLC move pursuant to the Uniform Rules for Trial Courts (22 NYCRR) § 216.1 to redact (i) their opposition brief pertaining to plaintiff Marsh USA, LLC and Marsh & McLennan Companies, Inc.'s motion for a preliminary injunction (NYSCEF 57 & 63), (ii) Andrews' affirmation (NYSCEF 58), (iii) Hanrahan's affirmation (NYSCEF 59), and (iv) a settlement agreement between Hanrahan and nonparties Willis Group Holdings plc and Willis of New York, Inc. (NYSCEF 61).¹ The motion is unopposed. There is no indication that the press or public have an interest in this matter.

¹ The at-issue documents with the proposed redactions are publicly filed at NYSCEF 66 through 70.

Legal Standard

“Under New York law, 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] [citations omitted].) The public’s right to access is, however, not absolute, and under certain circumstances, “public inspection of court records has been limited by numerous statutes.” (*Id.* at 349.) For example, §216.1 (a) of the Uniform Rules for Trial Courts, which empowers courts to seal documents upon a written finding of good cause. It provides:

“Except where otherwise provided by statute or rule, a court shall not enter an order in any action or proceeding sealing the court records, whether in whole or in part, except 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. Where it appears necessary or desirable, the court may prescribe appropriate notice and opportunity to be heard.” (Uniform Rules for Trial Cts [22 NYCRR] § 216.1.)

The “party seeking to seal court records has the burden to demonstrate compelling circumstances to justify restricting public access” to the documents. (*Mosallem*, 76 AD3d at 349 [citations omitted].) Good cause must “rest on a sound basis or legitimate need to take judicial action.” (*Danco Lab Ltd. v Chemical Works of Gedeon Richter, Ltd.*, 274 AD2d 1, 8 [1st Dept 2000] [internal quotation marks omitted].) In the business context, courts have sealed records where the disclosure of documents “could threaten a business’s competitive advantage.” (*Mosallem*, 76 AD3d at 350 [citations omitted].)

Discussion

Defendants seek to redact (i) the identities of the specific clients with whom Hanrahan and Andrew allegedly have preexisting business relationships and (ii) Hanrahan and Andrews' points of contact with such clients.

The proposed redactions are warranted as disclosure of the clients' names and contact points may threaten competitive advantage of defendants who are in the business of insurance brokerage. Additionally, there appears to be no compelling public interest in disclosure of such nonparties' identities.²

Accordingly, it is

ORDERED that this motion is granted; and it is further

ORDERED that the County Clerk, upon service of this order, is directed to seal NYSCEF 57, 58, 59, 61, and 63; and it is further

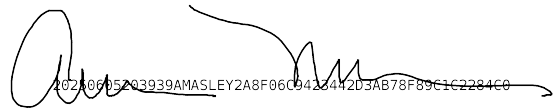
ORDERED that the County Clerk shall restrict access to the sealed documents with access to be granted only to authorized court personnel and designees, the parties and counsel of record in this action, and any representative of a party or of counsel of record upon presentation to the County Clerk of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

ORDERED that defendants shall serve a copy of this order on the County Clerk in accordance with the procedures set forth in the Protocol on Courthouse County Clerk Procedures for Electronically Filed Cases (accessible at the "E-Filing" page on the court's website at the address www.nycourts.gov/supctmanh); and it is further

² The parties are reminded that any factual assertions in support of a seal motion shall be made in an affidavit from an individual with personal knowledge, and not in a brief.

ORDERED that if any party seeks to redact identical information in future filings that the court is permitting to be redacted here, that party shall submit a proposed sealing order to the court (via SFC-Part48@nycourts.gov and NYSCEF) instead of filing another seal motion; and it is further

ORDERED that this order does not authorize sealing or redacting for the purposes of trial or other court proceedings on the record, e.g. arguments on motions.



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6/5/2025
DATE

ANDREA MASLEY, 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