

Greater N.Y. Mut. Ins. Co. v Skout Monitoring, LLC

2025 NY Slip Op 32226(U)

June 18, 2025

Supreme Court, New York County

Docket Number: Index No. 650539/2022

Judge: Joel M. Cohen

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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

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GREATER NEW YORK MUTUAL INSURANCE COMPANY,	INDEX NO.	<u>650539/2022</u>
Plaintiff,	MOTION DATE	<u>12/20/2024</u>
- v -	MOTION SEQ. NO.	<u>009</u>
SKOUT MONITORING, LLC, CONSOLIDATED TECHNOLOGIES, INC.,	DECISION + ORDER ON MOTION	
Defendants.		

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HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 009) 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 368, 369 were read on this motion to SEAL.

Plaintiff Greater New York Mutual Insurance Company and Defendant SKOUT Monitoring, LLC (collectively, the “Parties”) jointly move for an order sealing and redacting certain portions of NYSCEF 83, 87, 93, 102, 111, 114, 168, 205, and 286 in connection with this action. For the following reasons, the 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]). Good cause must “rest on a sound basis or legitimate need to take judicial action” (*Danco Labs.*, 274 AD2d at 9).

The Court has reviewed the proposed redactions in NYSCEF 349, 354, 356, 358, and 360¹ and finds that they comport with the applicable sealing standards as laid out in *Mosallem*, 76 AD3d at 348-50, and its progeny, in that they contain sensitive, proprietary, and confidential business information. The Court has also reviewed NYSCEF 351² and finds that there is good cause to redact portions of the document showing employees’ personal contact information (*Fanatics Collectibles Ac, Inc. v Harrison* [N.Y. Sup Ct, New York County 2024] [“[C]ourts have routinely held that good cause is established to warrant protection of third-party names and contact information”). Thus, the Parties have proposed and justified targeted redactions that satisfy the requirements of 22 NYCRR § 216.1 (a).

Accordingly, it is:

ORDERED that the Parties’ joint motion is **GRANTED**; it is further

¹ NYSCEF 349 corresponds to NYSCEF 93 and 168 (duplicates); NYSCEF 354 corresponds to NYSCEF 102; NYSCEF 356 corresponds to NYSCEF 111; NYSCEF 358 corresponds to NYSCEF 114; and NYSCEF 360 corresponds to NYSCEF 205 and 286 (duplicates).

² NYSCEF 351 corresponds to NYSCEF 83 and 87 (duplicates).

ORDERED that the County Clerk shall maintain NYSCEF Document Numbers 350, 352, 355, 357, 359, and 361 in their current, redacted form; it is further

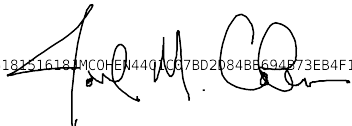
ORDERED that the County Clerk shall maintain NYSCEF Document Numbers 83, 87, 93, 102, 111, 114, 168, 205, 286, 349, 351, 354, 356, 358, and 360 under seal, so that the documents may only be accessible by the parties, their counsel, and authorized court personnel; it is further

ORDERED that the parties 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.

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JOEL M. COHEN, J.S.C.

6/18/2025
DATE

CHECK ONE:

CASE DISPOSED
GRANTED DENIED
SETTLE ORDER
INCLUDES TRANSFER/REASSIGN

NON-FINAL DISPOSITION
GRANTED IN PART OTHER
SUBMIT ORDER
FIDUCIARY APPOINTMENT REFERENCE

APPLICATION:

CHECK IF APPROPRIATE: