

Matter of Interest Fin., LLC v Drivewealth, LLC

2025 NY Slip Op 33520(U)

September 17, 2025

Supreme Court, New York County

Docket Number: Index No. 651535/2025

Judge: Melissa A. Crane

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
NEW YORK COUNTY

PRESENT: HON. MELISSA A. CRANE PART 60M

Justice

-----X

IN THE MATTER OF THE APPLICATION INTEREST FINANCIAL, LLC,

Plaintiff,

- v -

DRIVEWEALTH, LLC,

Defendant.

-----X

INDEX NO. 651535/2025

MOTION DATE 08/20/2025

MOTION SEQ. NO. 004

DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 004) 62, 63, 64, 65, 66, 67, 68, 69

were read on this motion to/for SEAL

Upon the foregoing documents, it is

In motion Sequence No. 04, respondent, Drivewealth, LLC, moved to seal EDOCS. 5, 37, 38, 42, 43, and 44 and redact EDOC certain portions of EDOC 54 (Petitioners Opposition Brief). Respondent's motion is unopposed and is granted.

Pursuant to § 216.1 (a) of the Uniform Rules for Trial Courts, this Court may seal or redact a filing "upon a written finding of good cause, which shall specify the grounds thereof." "[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 (22 NYCRR § 216 [a]). The Court must also balance the risk of privacy concerns stemming from public access to the information against the "compelling public interest in exposure of this information," if any (see MBIA Ins. Corp. v Countrywide Home Loans, Inc., 2013 WL 450030, *9 (Sup Ct, NY County Jan. 3, 2013)).

The moving party 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]). “[T]here is a broad presumption that the public is entitled to access to . . . court records” (*Mosallem v Berenson*, 76 AD3d 345, 348-350 [1st Dept 2010]).

Good cause exists to seal a document when it contains “trade secrets, confidential business information, or proprietary information.” *Maxim, Inc. v. Feifer*, 145 A.D.3d 516, 517 (1st Dep’t 2016); see also *Natixis Real Est. Cap. Tr. 2007-HE2 v. Natixis Real Est. Cap., Inc.*, 2023 N.Y. Slip Op. 50027(U), at *1 (Sup. Ct. N.Y. Co. Jan. 12, 2023) (“In the business context, courts permit records to be sealed when trade secrets are involved or when disclosure of information contained in documents ‘could threaten a business’s competitive advantage.’”). “Proprietary information, in the nature of current or future business strategies which are closely guarded by a private corporation, is akin to a trade secret, which, if disclosed, would give a competitor an unearned advantage.” *Mancheski v. Gabelli Grp. Cap. Partners*, 39 A.D.3d 499, 503 (2d Dep’t 2007).

Here, movant has established good cause to seal EDOCS 5, 37, 38, 42, 43, and 44 and to redact certain portions of EDOC 54. Specifically, movant has demonstrated that EDOCS 5, 37, 38, 42, 43, and 44 confidential pricing information, negotiated contract terms, internal business operations, protocols and procedures, and descriptions of respondent’s proprietary technology systems, all of which could harm respondent’s competitive advantage in the marketplace if made

public. Moreover, these documents were each designated as “Confidential” at arbitration, and New York Courts have routinely sealed records of Article 75 proceedings involving arbitrable disputes. (See *JetBlue Airways Corp. v. Stephenson*, 31 Misc. 3d 1241(A), 2010 N.Y. Slip Op. 52405(U), at *7 [Sup. Ct., N.Y. County 2010]). Likewise, respondent has shown that EDOC. 54, petitioners opposition brief, contains references to respondent’s confidential business information and describes the documents that respondent seeks to seal above. Moreover, respondent has established that there is little to no public interest in this information.

Accordingly it is,

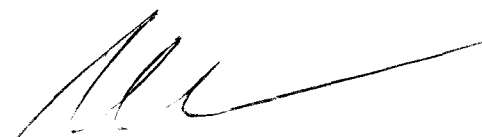
ORDERED that respondent’s unopposed motion to redact and seal is granted; and it is further

ORDERED that upon service of a copy of this Order upon the Clerk of the Court, the Clerk shall permit the NYSCEF Docs 5, 37, 38, 42, 43, and 44 to be and remain sealed wherever they shall appear in connection with this action. Furthermore, the Clerk shall permit the NYSCEF Doc 54 to be and remain redacted wherever it shall appear in connection with this action. Until further Order of the Court, the Clerk of the Court shall deny access to those unredacted and unsealed documents to anyone other than the Clerk’s staff, authorized court personnel, counsel of record for any party to this case, and any party, provided that the clerk of the Court shall not seal or redact any documents not referenced in this Order, or otherwise as described below, or as set forth in another Order of this Court; 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; and it is further

ORDERED that such service upon the County Clerk 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 – www.nycourts.gov/supctmanh).

9/17/2025
DATE


MELISSA A. CRANE, J.S.C.

CHECK ONE:

<input checked="" type="checkbox"/>	CASE DISPOSED	<input type="checkbox"/>	NON-FINAL DISPOSITION
<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/>	DENIED
<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	GRANTED IN PART
<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	SUBMIT ORDER
		<input type="checkbox"/>	FIDUCIARY APPOINTMENT
		<input type="checkbox"/>	REFERENCE

APPLICATION:

CHECK IF APPROPRIATE: