

Meggitt SA v Davidson Instruments, Inc.

2025 NY Slip Op 33852(U)

October 8, 2025

Supreme Court, New York County

Docket Number: Index No. 654544/2025

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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MEGGITT SA,

Plaintiff,

- v -

DAVIDSON INSTRUMENTS, INC., DAVIDSON
DYNAMICS, LLC, DAVIDSON ENERGY, INC., DAVIDSON
IP HOLDING, LLC

Defendants.

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INDEX NO. 654544/2025

MOTION DATE 08/04/2025

MOTION SEQ. NO. 001

ORDER - SEALING

HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 001) 5, 6, 7, 8, 9, 10, 11, 14, 22, 23, 24, 25, 26

were read on this motion to SEAL.

Plaintiff moves for an order sealing and redacting portions of NYSCEF Document Numbers 1, 2, 3, 4, 6, 8, 23, 24, and 25 filed in connection with this action. No parties oppose this request. For the following reasons, Plaintiff’s motion is granted in part.

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). Agreements to seal are insufficient as such agreements do not establish “good cause” (*MBIA Ins. Corp. v Countrywide Home Loans, Inc.*, 2012 NY Slip Op 33147[U], * 9 [Sup Ct, NY County 2012]).

The Court has reviewed the proposed redactions of the Complaint, the Vez Affirmation, and the OSC Memorandum (NYSCEF 1, 6, and 8; redacted versions filed at NYSCEF 23, 24, and 25) 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/or confidential business and financial information concerning certain intellectual property and technologies. Plaintiff has proposed and justified targeted redactions that satisfy the requirements of 22 NYCRR § 216.1 (a).

However, as to the Memorandum of Understanding, Sublicense Agreement, and Amended Sublicense Agreement (the “Agreements”) (NYSCEF 2, 3, and 4) that Plaintiff seeks to seal in their entirety, Plaintiff has not demonstrated that why any confidential information cannot be protected through redaction. The fact that the parties have entered into Agreements with confidentiality provisions, is not, by itself, a reason to grant the motion (*see Aktiv Assets LLC v Centerbridge Partners, L.P.*, 2020 WL 2520019 [Sup Ct, NY County 2020]). In view of the admonition that sealing of court records must be “narrowly tailored to serve compelling objectives,” (*Danco*, 274 AD2d at 6), Plaintiff will need to propose and justify targeted

redactions of these Agreements that satisfy the requirements of 22 NYCRR § 216 (a) and applicable case law.

The Agreements will remain provisionally under seal to permit the prompt filing of a follow-up motion proposing and explaining the need for specific redactions.

Finally, Plaintiff submits that the parties are in agreement that the Affirmation of Karim Sabbidine (NYSCEF 7) can be publicly filed in its entirety (NYSCEF 22 [“Stark Affirm”] ¶11). Therefore, NYSCEF 7 shall be unsealed.

Accordingly, it is:

ORDERED that Plaintiff’s Motion is **GRANTED IN PART as to the** Complaint, the Vez Affirmation, and the OSC Memorandum; the motion is otherwise **DENIED without prejudice** as to Memorandum of Understanding, Sublicense Agreement, and Amended Sublicense Agreement, and Plaintiff may file a new motion within 21 days to redact confidential portions of the Agreements consistent with this Decision and Order and applicable case law; it is further

ORDERED that the County Clerk shall maintain NYSCEF Document Numbers 23, 24, 25 in their current, redacted form; it is further

ORDERED that the County Clerk shall maintain NYSCEF Document Numbers 1, 6, and 8 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 County Clerk shall unseal NYSCEF Document Number 7; it is further

ORDERED that the documents filed as NYSCEF 2, 3, and 4 shall remain provisionally sealed for 21 days from the date of the Court’s entry of this Decision and Order on NYSCEF. If

Plaintiff files a new motion to seal or redact confidential portions of the documents consistent with this Decision and Order within that 21-day period, the documents shall remain provisionally sealed pending resolution of that motion. If no such motion is filed within 21 days from the entry of this Decision and Order, the parties shall within three business days thereafter notify the County Clerk, and shall file unredacted/unsealed copies of the documents on NYSCEF; and it is further

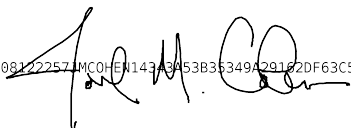
ORDERED that Plaintiff shall serve a copy of this order upon the Clerk’s Office within five (5) days of the date of this Order, and such service shall be made in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible 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.

10/8/2025

DATE



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JOEL M. COHEN, 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