

180 Remsen LLC v St. Francis Coll.

2025 NY Slip Op 34071(U)

October 21, 2025

Supreme Court, New York County

Docket Number: Index No. 653148/2023

Judge: Melissa A. Crane

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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

180 REMSEN LLC,

Plaintiff,

- v -

ST. FRANCIS COLLEGE, ROCKROSE DEVELOPMENT
LLC, RRDC PROPERTIES LLC, BK ACQUISITION THREE
LLC,

Defendant.

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INDEX NO. 653148/2023
MOTION DATE 07/21/2025
MOTION SEQ. NO. 017

DECISION + ORDER ON
MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 017) 579, 580, 581, 582,
603, 604

were read on this motion to/for SEAL

Upon the foregoing documents, it is

In Motion Sequence No. 17 defendant St. Francis College moved to seal Exhibit 127
(EDOC. 515), and to redact Exhibits 13, 48, 82, 83, 106, 122, 123, 125, 126, and 129 (EDOCS.
401, 436, 470, 471, 494, 510, 511, 513, 517). Defendant'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]).

“In the business context, courts permit records to be sealed when . . . disclosure of information contained in the documents ‘could threaten a business’s competitive advantage.’” (*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) (quoting *Mosallem v. Berenson*, 76 A.D.3d 499, 502-03 (2nd Dep’t 2007) (affirming the defendant’s “proprietary financial information” was properly sealed because disclosure could harm its competitive standing). New York courts routinely seal confidential settlement agreements when there is little to no public need for the disclosure of its terms. (see *Goldman v. Plan. Bd. of the Town of Bedford* (In re Liebling), 2023 N.Y. Misc. LEXIS 38199, *3-4 (Westchester Cnty. 2023) (“[T]he Court finds good cause exists for the sealing of the Stipulation of Settlement based on the benefit of fostering the public interest in dispute resolution.”) (citations omitted).

Here, movant has established good cause to seal exhibit 127, and to redact exhibits 13, 48, 82, 83, 106, 122, 123, 125, 126, and 129. These documents contain sensitive and confidential information concerning parties and nonparties that could harm the parties’ competitive advantage should it become public. Furthermore, movant has established that the public would have little to no interest in the disclosure of this information.

Accordingly it is,

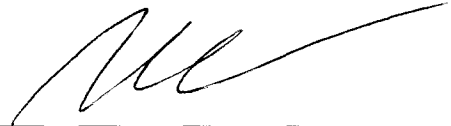
ORDERED that defendants' unopposed motion to seal and redact is granted; and it is further

ORDERED that upon service of a copy of this Order upon the Clerk of the Court, the Clerk shall permit the NYSCEF Doc 515 to be and remain sealed wherever it shall appear in connection with this action and NYSCEF Docs 401, 436, 470, 471, 494, 510, 511, 513, and 517 to be and remain redacted wherever they shall appear in connection with this action. In addition, the clerk shall permit NYSCEF Docs 559, 561, 563, 565, 567, 569, 571, 573, 575, and 577 remain sealed as the courts confidential copies. 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).

10/21/2025
DATE



MELISSA A. CRANE, J.S.C.

CHECK ONE:	<input type="checkbox"/>	CASE DISPOSED	<input checked="" type="checkbox"/>	NON-FINAL DISPOSITION		
	<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/>	DENIED	<input type="checkbox"/>	OTHER
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	SUBMIT ORDER		
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	FIDUCIARY APPOINTMENT	<input type="checkbox"/>	REFERENCE