

T.J. v Parpia

2025 NY Slip Op 34422(U)

November 20, 2025

Supreme Court, New York County

Docket Number: Index No. 160808/2020

Judge: Denis Reo

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**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. DENIS REO PART 65

Acting Justice

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INDEX NO. 160808/2020

T. J., E. S.

MOTION DATE 09/02/2025

Plaintiff,

MOTION SEQ. NO. 007

- v -

NAUSHAD PARPIA,

**DECISION + ORDER ON
MOTION**

Defendant.

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The following e-filed documents, listed by NYSCEF document number (Motion 007) 114, 115, 116, 117, 118, 119, 120, 121

were read on this motion to/for SEAL

In this action pursuant to the New York City Gender Motivated Violence Act, defendant Naushad Parpia (defendant) moves by order to show cause for an order permitting him to proceed pseudonymously as "N.P."; amending the caption of this action nunc pro tunc and substituting defendant's true name with "N.P."; temporarily restricting access to prior filings pending the re-filing of redacted versions within 14 days; requiring at hearings and at trial that counsel, witnesses and the Court refer to defendant only as "N.P." and sealing any exhibits identifying defendant by name. Plaintiffs T.J. and E.S. oppose the motion. For the reasons set forth below, the motion is DENIED in its entirety.

In support of the motion, defendant contends that the allegations brought against him, if proven, could be characterized as conduct constituting a misdemeanor or felony under New York Law and that it is fundamentally unfair that his name should remain publicly tied to allegations of criminal conduct before any adjudication has occurred. Defendant further claims that he has suffered specific, documented consequences of reputational, professional and financial harm as a

result of this lawsuit. Specifically, defendant claims that he was denied an application for financing to acquire a business by Atlantic Capital Bank; that Abrahams Company rejected providing funding to his company; that he was denied a position on the board of another company; and that a prospective buyer of his business withdrew after discovering this case online. Defendant contends that the financial impact of this lawsuit not only harms him but also current and prospective employees and their families who are negatively affected by the business opportunities defendant has lost. Defendant claims that he was unable to hire an additional 20 to 30 employees, expand salaries or invest in growth that would have created new opportunities for his workforce. Defendant further contends that his personal housing is in jeopardy because he is in the process of applying for a Federal Housing Administration (FHA) loan and FHA and other mortgage lenders routinely conduct background checks. More personally, defendant contends that friends and members of his religious community have confronted him after reading about this case online. Finally, defendant contends that it is unfair that plaintiffs are able to proceed under pseudonyms while he is not.

22 NYCRR 216.1 provides, in pertinent part, that “[e]xcept where otherwise provided by statute or rule, a court shall not enter an order 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.” There is a “substantial burden of establishing good cause to seal exhibits...since the public has a powerful interest in open court proceedings” (*Mosalle v Berenson*, 76 AD3d 345, 349-350, 905 N.Y.S.2d 575 [1st Dept 2010]). Although the term “good cause” is not defined, “a sealing order should clearly be predicated upon a sound basis or legitimate need to take judicial action” (*Gryphon Dom. VI, LLC*, 28 AD3d 322, 325 [1st Dept

2006]). “A finding of ‘good cause’ presupposes that public access to the documents at issue will likely result in harm to a compelling interest of the movant” (*Mancheski*, 39 AD3d 499, 502 [2d Dept 2007]). “Confidentiality is clearly the exception, not the rule” (*Matter of Hofman*, 284 AD2d 92, 93-94 [1st Dept 2001]), and the party seeking to seal court records has the burden to demonstrate compelling circumstances to justify restricting public access (*Mancheski*, 39 AD3d 499, 502 [2d Dept 2007]; *Danco Lab.*, 274 AD2d 1, 8 [1st Dept 2000]). Neither the potential for embarrassment or damage to reputation, nor the general desire for privacy, constitutes good cause to seal court records (*see Liapakis v Sullivan*, 290 AD2d 393, 394 [1st Dept 2002]; *Matter of Benkert*, 288 AD2d 147 [1st Dept 2001]; *Matter of Hofmann*, 284 AD2d at 94). Similarly, “[t]he determination of whether to allow a [defendant] to proceed anonymously requires the court to ‘use its discretion in balancing [defendant’s] privacy interest against the presumption in favor of open trials and against any potential prejudice to [plaintiff]’” (*Doe v Ball*, 2023 NY Slip Op 30411[U] [Sup Ct, New York County] [Tisch, J.]). While a grant of anonymity is far less impactful on the public’s right to open proceedings than the sealing of records, the default rule is still one of openness and disclosure (*Doe v Doe*, 189 AD3d 406 [1st Dept 2020]).

Applying these principles, defendant has failed to meet his substantial burden of establishing good cause to seal. Nor has he established his entitlement to proceed pseudonymously. While this case involves claims that are sexual in nature and which require a showing that defendant committed a “crime of violence motivated by gender” defendant’s proffered justifications for proceeding pseudonymously are merely intended to avoid the annoyance and criticism that may accompany the allegations being made by plaintiffs (*Doe v Ball*, 2023 NY Slip Op 30411[U]). Defendant has not made a showing that he is at risk of physical harm because of this lawsuit nor has he established that any trade secrets, confidential

business information or propriety information is at risk of being exposed in the absence of a sealing order or an order allowing him to proceed pseudonymously. Moreover, despite defendant's purported concern about his name being publicly tied to allegations of criminal conduct of a sexual nature, defendant waited nearly five (5) years from the commencement of this case to bring this motion. Defendant's failure to take prompt action undermines his claims that the allegations in this case have caused him severe reputational, professional and financial harm. Finally, to the extent defendant argues that it is unfair that plaintiffs are proceeding pseudonymously but he cannot, defendant's assumption that he and the plaintiffs are on equal footing with respect to anonymity is misplaced (*see generally ARK88 Doe v Archdiocese of New York*, 2019 NY Slip Op 33352 [U] [Sup Ct, NY County] [Silver, J.]). When enacting the Gender Motivated Violence Act, the New York City Council expressly noted that gender-motivated violence inflicts serious physical, psychological, emotional and economic harm; that victims of gender-motivated violence often face a climate of condescension, indifference and hostility in the courts; and that a private right of action is necessary to resolve the difficulty that victims face in seeking court remedies (New York City Administrative Code § 8-902). Given this legislative intent, it is not difficult to understand why plaintiffs have been afforded the protection on anonymity.

In sum, defendant's justifications in support of his motion to proceed pseudonymously and to seal amount to no more than reputational harm, economic harm and embarrassment, none of which is sufficient to entitle defendant to the relief sought. Embarrassment, damage to reputation and a general desire for privacy do not constitute good cause (*Doe v New York Univ.*, 6 Misc3d 866, 878 [Sup Ct, New York County 2004] [Edmead, J.]

Accordingly, it is hereby

ORDERED that defendant's motion is denied; and it is further

ORDERED that the temporary restriction of access to the papers and supporting submissions to the Court and the parties is hereby lifted and the County Clerk is respectfully directed to remove the restriction.



11/20/2025

DATE

DENIS REO, A.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