

Alter Domus (US) LLC v Brahmbhatt

2025 NY Slip Op 34855(U)

December 15, 2025

Supreme Court, New York County

Docket Number: Index No. 654771/2025

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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ALTER DOMUS (US) LLC, as collateral agent

INDEX NO. 654771/2025

Plaintiff,

MOTION DATE 08/29/2025

- v -

BANKIM BRAHMBHATT,

MOTION SEQ. NO. 002

Defendant.

**DECISION + ORDER ON
MOTION**

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HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 002) 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 192, 196

were read on this motion to SEAL.

Plaintiff Alter Domus (US) LLC (“Plaintiff”) moves for an order permanently sealing certain documents filed in connection with their motion for an order of attachment at NYSCEF 3-7, 9-10, 13, 15-43, 56-60, 62-63, and 66-72, and permission to file redacted versions of the documents filed at NYSCEF 5-7, 9-10, 13, 15, 18-43, 56-60, and 62-63. Plaintiff also moves for permission for the redacted version of the Complaint to remain redacted as currently filed at NYSCEF 2. The motion is unopposed. For the reasons set forth below, Plaintiff’s motion is granted.

Pursuant to 216.1(a) of the Uniform Rules for Trial Courts, a 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 alone are insufficient, as they 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 documents filed at NYSCEF 5-7, 9-10, 13, 15, 18-43, 56-60, and 62-63 (along with confidential copies of those documents highlighting proposed redactions, filed at NYSCEF 84-90 and 93-125), and the Complaint filed at NYSCEF 2 (along with the proposed redactions at NYSCEF 81), and finds that they comport with the applicable sealing standards set out in *Mosallem*, 76 AD3d at 348-50, and its progeny, in that they contain sensitive and/or confidential financial and business information which, if disclosed, risks causing

competitive harm to Plaintiff and those it represents. Plaintiff has proposed and justified targeted redactions that satisfy the requirements of NYCRR 216.1(a).

The Court has also reviewed the documents filed at NYSCEF 3-4, 16-17, and 66-72 (and copies filed at 82-83, 91-92, 126-131, and 190), and finds that they, similarly, comport with the applicable standards, in that they comprise confidential agreements, bank statements, and personal information concerning third parties which justifies sealing them in their entirety.

Accordingly, it is

ORDERED that Plaintiff's motion is **GRANTED**; it is further

ORDERED that the County Clerk shall maintain NYSCEF Doc. Nos. 3-7, 9-10, 13, 15-43, 56-60, 62-63, 66-72, 81-131, and 190 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 maintain NYSCEF Doc. No. 2 in its current, redacted form; it is further

ORDERED that the Plaintiff shall file redacted versions of NYSCEF Doc. Nos. 5-7, 9-10, 13, 15, 18-43, 56-60, and 62-63 within seven (7) days of the date of this Order; it is further

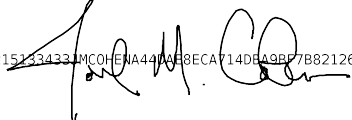
ORDERED that Plaintiff shall serve a copy of this order upon the Clerk's Office within five (5) days of the date of this order, and such service shall be made in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible at the "E-Filing" page on the court's website); it is further

ORDERED as it relates 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.

12/15/2025

DATE

CHECK ONE:	<input type="checkbox"/>	CASE DISPOSED	<input checked="" type="checkbox"/>	NON-FINAL DISPOSITION		
	<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/>	GRANTED IN PART		
		<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