

**Citi Private Advisory, LLC v Barrett**

2025 NY Slip Op 35001(U)

December 21, 2025

Supreme Court, New York County

Docket Number: Index No. 654080/2025

Judge: Andrea Masley

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 48

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Citi Private Advisory, LLC, and Citigroup Global Markets  
Inc.,

**INDEX NO.** 654080/2025

Petitioners,

**MOTION DATE** --

- v -

**MOTION SEQ. NO.** 005

Paul Barrett,

**DECISION AND ORDER**

Respondent.

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The following e-filed documents, listed by NYSCEF document number (Motion 005) 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 196, 197, 198

were read on this motion to/for SEAL.

In motion sequence 005, respondent Paul Simon Barrett moves pursuant to the Uniform Rules of the New York State Trial Courts (22 NYCRR) § 216.1 to seal/redact the following documents (See NYSCEF Doc. No. [NYSCEF] 193, Order to Show Cause [OSC]):

1. November 28, 2018 Email from Paul Barrett to Jeffrey Epstein (NYSCEF 103<sup>1</sup>);
2. December 10, 2018 Email from Paul Barrett to Jeffrey Epstein (NYSCEF 104<sup>2</sup>);
3. December 21, 2018 Email from Paul Barrett to Richard Kahn (NYSCEF 105<sup>3</sup>);
4. January 3, 2019 Email from Paul Barrett to Jeffrey Epstein (NYSCEF 106<sup>4</sup>);
5. January 16, 2019 Email from Paul Barrett to Jeffrey Epstein (NYSCEF 107<sup>5</sup>);

<sup>1</sup> Proposed redactions are filed under seal at 179.

<sup>2</sup> Proposed redactions are filed under seal at 180.

<sup>3</sup> Proposed redactions are filed under seal at 181.

<sup>4</sup> Proposed redactions are filed under seal at 182.

<sup>5</sup> Proposed redactions are filed under seal at 183.

6. April 11, 2019 Email from Paul Barrett to Richard Kahn (NYSCEF 109<sup>6</sup>);
7. April 15, 2019 Email from Paul Barrett to Richard Kahn (NYSCEF 110<sup>7</sup>);
8. May 28, 2019 Email from Paul Barrett to Richard Kahn (NYSCEF 111<sup>8</sup>);
9. July 16, 2019 Email from Paul Barrett to Richard Kahn (NYSCEF 112<sup>9</sup>).

Specifically, respondent argues that good cause exists to seal/redact because “the documents include private and/or financial information about myself and non-parties to the present action without substantial public interest therein, as well as information about my current investment advisory practices.” (NYSCEF 176, Barrett aff ¶ 7.) Petitioners Citi Private Advisory, LLC and Citigroup Global Markets Inc. oppose the motion, arguing that the sealing request is moot because the documents have been publicly available for months, and the proposed redactions are, regardless, overbroad.

### Legal Standard

“Under New York law, 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] [citations omitted].) The public’s right to access is, however, not absolute, and under certain circumstances, “public inspection of court records has been limited by numerous statutes.” (*Id.* at 349.) For example, § 216.1(a) of the Uniform Rules for Trial Courts, empowers courts to seal documents only upon a written finding of good cause. It provides:

“Except where otherwise provided by statute or rule, a court shall not enter an order in any action or proceeding sealing the court records, whether in whole or in part, except upon a written finding of good cause, which shall

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<sup>6</sup> Proposed redactions are filed under seal at 184.

<sup>7</sup> Proposed redactions are filed under seal at 185.

<sup>8</sup> Proposed redactions are filed under seal at 186.

<sup>9</sup> Proposed redactions are filed under seal at 187.

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. Where it appears necessary or desirable, the court may prescribe appropriate notice and opportunity to be heard.” (Uniform Rules for Trial Cts [22 NYCRR] § 216.1 [a].)

The “party seeking to seal court records has the burden to demonstrate compelling circumstances to justify restricting public access” to the documents. (*Mosallem*, 76 AD3d at 349 [citations omitted].) Good cause must “rest on a sound basis or legitimate need to take judicial action.” (*Danco Lab Ltd. v Chemical Works of Gedeon Richter, Ltd.*, 274 AD2d 1, 8 [1st Dept 2000] [internal quotation marks and citation omitted].)

### Discussion

Respondent seeks to redact NYSCEF 103, 104, 105, 106, 107, 109, 110, 111, and 112 on the grounds that these emails contain (i) business practices, strategies, and fees, (ii) private financial information, (iii) information protected by Regulation S-P, and (iv) information subject to a client confidentiality agreement. (NYSCEF 176, Barrett aff at 3-4.) For the reasons set forth below, respondent fails to demonstrate good cause to redact the emails.

Respondent argues that NYSCEF 103 should be redacted because it “includes private financial information about me and my family about their expenses and need for income.” (NYSCEF 176, Barrett aff ¶ 14.) General statements regarding income and family expenses are not financial information that warrants sealing. (*See Mosallem*, 76 AD3d at 351 [“neither the potential for embarrassment or damage to reputation, nor the general desire for privacy, constitutes good cause to seal court records”] [citations omitted].)

Further, respondent seeks sealing of NYSCEF 104, 105, 106, and 107 on the grounds that these emails “feature private/financial information about me and non-parties, such as unpaid management fees owed to me by Epstein, and settlement negotiations between the parties.” (NYSCEF 176, Barrett aff ¶ 14.) Though courts have recognized a compelling interest in sealing records that contain financial information that are of minimal public interest (see *Dawson v White & Case*, 184 AD2d 246, 247 [1st Dept 1992]; *D’Amour v Ohrenstein & Brown*, 17 Misc 3d 1130[A], 2007 NY Slip Op 52207[U], \*20 [Sup Ct, NY County 2007]), respondent’s proposed redactions are overbroad. Statements such as “[i]t is obvious you longer wish to work together,” “please send your proposal this week,” and “I am happy to work in any capacity that suits you,” do not contain financial information, warranting sealing. Moreover, respondent’s proposed redactions are inconsistent; respondent proposes different redactions for the same emails. (*Compare e.g.* NYSCEF 180, December 10, 2018 Email, *with* NYSCEF 181, December 10, 2018 Email.)

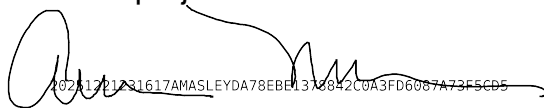
Respondent also seeks to redact NYSCEF 109, 110, 111, and 112 because these emails contain confidential financial information about client entities, accounts, transactions, and fees. (See NYSCEF 176, Barrett aff at 4.) Again, the redactions are overbroad. Information such as “confirming the terms of the deal” and “[w]e have a bunch of IPOs coming up” are not statements containing financial information about clients that warrants sealing. Similarly, some of the redactions are illogical. For instance, respondent requests to redact “[p]lease wire amount to Alpha Group Capital LLC” from an invoice with the company’s name, logo, and mailing address unredacted. (NYSCEF 111, May 28, 2019 Email Attachment.) Such redactions do not meet the

standard of being “narrowly tailored to serve compelling objectives.” (*Danco Lab, Ltd.*, 274 AD2d at 6.) Similarly, respondent seeks to redact the clients’ names from the emails because he is “not allowed to disclose the identity of [his] clients.” (NYSCEF 176, Barrett aff ¶ 11.) Meanwhile, the respondent’s other public filings describe the documents using labels such as “email between Alpha and Epstein,” “email between Alpha and Kahn,” and otherwise consistently identifies the clients by their names. (See generally NYSCEF 189, Barrett’s MOL; NYSCEF 176, Barrett aff.)

As if this was not enough, this court stated in the previous sealing order, denying sealing, that “the documents at issue are publicly available, and have been since September 12, 2025, due to respondent’s failure to ensure that the documents remained under the temporary seal originally designed by petitioner.” (NYSCEF 156, Amended Order [mot. seq. no. 003] at 5.) Despite this, respondent has not taken any steps to temporary seal the documents. Instead, respondent has refiled the emails, with proposed redactions highlighted, on the public docket. “Although not determinative, [respondent’s] failure to take prompt action undermines [his] claims that the documents contain confidential business information.” (*Mosallem*, 76 AD3d at 352.)

Accordingly, it is

ORDERED that motion sequence 005 is denied with prejudice.



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12/21/2025

DATE

ANDREA MASLEY, J.S.C.

CHECK ONE:

CASE DISPOSED  
GRANTED  DENIED  
SETTLE ORDER  
INCLUDES TRANSFER/REASSIGN

NON-FINAL DISPOSITION  
GRANTED IN PART  OTHER  
SUBMIT ORDER  
FIDUCIARY APPOINTMENT  REFERENCE

APPLICATION:

CHECK IF APPROPRIATE: