

**White Oak Commercial Fin., LLC v
NY & Co Ecomm LLC**

2026 NY Slip Op 30397(U)

January 31, 2026

Supreme Court, New York County

Docket Number: Index No. 650682/2024

Judge: Andrea Masley

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

-----X

WHITE OAK COMMERCIAL FINANCE, LLC,

Plaintiff,

INDEX NO. 650682/2024

MOTION DATE _____

- v -

MOTION SEQ. NO. 010

NY AND CO ECOMM LLC,FASHION TO FIGURE
ECOMM LLC,LORD & TAYLOR ECOMM LLC,LETOTE
ECOMM LLC,AQUATALIA ECOMM LLC,JOSEPH
SAADIA, JACK SAADIA, NY AND CO IP LLC,FASHION
TO FIGURE IP LLC,SAADIA GROUP LLC,RTW
RETAILWINDS ACQUISITION LLC,LORD & TAYLOR
ACQUISITIONS LLC,LORD & TAYLOR IP LLC,LETOTE IP
LLC,AQUATALIA IP LLC,501 JERSEY AVENUE
LLC,BROOK WAREHOUSING AND DISTRIBUTION
LLC,1735 JERSEY AVENUE PROPERTY, LLC,SAADIA
DISTRIBUTION LLC,1000 STONY BATTERY PROPERTY
OWNER LLC, and 1000 STONEY BATTERY ROAD LLC,

**DECISION + ORDER ON
MOTION**

Defendants.

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The following e-filed documents, listed by NYSCEF document number (Motion 010) 312, 313, 314, 315,
316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 334, 335, 336, 337

were read on this motion to/for SEAL

In motion sequence 010, plaintiff, White Oak Commercial Finance, moves pursuant to the Uniform Rules of the New York State Trial Courts to seal or redact the following documents. (See NYSCEF Doc. No. [NYSCEF] 335, Order to Show Cause [OSC].)

- 1. October 21, 2025 Affirmation in support of OSC for Post-Judgment Turnover, Examination, and Restraint from which plaintiff seeks to redact addresses and Saadia SM Holding’s membership interest in other LLCs in another state action. (NYSCEF 277.¹)

¹ Proposed redactions filed as NYSCEF 314 and publicly redacted version at NYSCEF 315.

2. Operating Agreement of LLC from which plaintiff seeks to redact defendant Joseph Saadia's membership interest in certain LLCs. (NYSCEF 278².)
3. LLC Certificate of Formation filed with a State Department of the Treasury from which plaintiff seeks to redact the personal and business addresses of Saadia and the State's information. (NYSCEF 279.³)
4. Deed from which plaintiff seeks to redact signatures of the parties, description of the land, and addresses. (NYSCEF 280⁴.)
5. October 21, 2025 Memorandum of Law in Support of Motion for Post-Judgment Turnover, Examination, and Restraint (motion sequence 008) from which plaintiff seeks to redact the name of an LLC and the percentage of Saadia's membership interest in four limited companies. (NYSCEF 283⁵.)
6. Reply Memorandum of Law In Further Support of Motion by Order to Show Cause for Post-Judgment Turnover, Examination, and Restraint. (NYSCEF 303.) No proposed redactions or publicly filed version.
7. Reply Affirmation of Joseph V. De Santis in Further Support of Motion by Order to Show Cause for Post Judgment Turnover, Examination, and Restraint. (NYSCEF 305.) No proposed redactions or publicly filed version.
8. LLC Certificate of Good Standing from which plaintiff seeks to redact Saadia's address. (NYSCEF 308.⁶)

Specifically, plaintiff argues that the sealing of the supporting and reply papers for its Motion for Post Judgement Relief is proper because the information sought to be sealed is sensitive and absent a sealing order will allow competitors to use such competitive information against plaintiff's disadvantage. There is no indication of a public interest in this matter.

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

² Proposed redactions filed as NYSCEF 316 and publicly redacted version at NYSCEF 317.

³ Proposed redactions filed as NYSCEF 318 and publicly redacted version at NYSCEF 319.

⁴ Proposed redactions filed as NYSCEF 320 and publicly redacted version at NYSCEF 321.

⁵ Proposed redactions filed as NYSCEF 322 and publicly redacted version as NYSCEF 323.

⁶ Publicly redacted version filed as NYSCEF 309.

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 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

Plaintiff argues to partially seal the documents related to its Motion for Post Judgment Relief because the documents contain "sensitive information that plaintiff and its attorneys gathered through their own investigative efforts, in connection with enforcing the Judgment. Absent the requested sealing order, competing creditors will be able to use the information that plaintiff expended its own resources to compile in a manner that competitively disadvantages." (NYSCEF 326, Plaintiff's MOL at 7.)

Similarly, plaintiff argues that any "competing creditors, some of whom have already

contacted plaintiff, are able to end run plaintiff to Saadia's assets, and even worse, leverage the information that plaintiff gathered with its own time, money, and resources in a manner that will seriously undermine White Oak's interests." (*Id.*) Lastly, plaintiff maintains that as this matter involves a "purely private commercial dispute that does not implicate matters of public concern." (*Id.*)

Courts have sealed records where the disclosure of documents "could threaten a business's competitive advantage." (*Mosallem*, 76 AD3d at 350-351 [citations omitted].) Similarly, courts have recognized a compelling interest in sealing records that contain "proprietary financial information because disclosure could harm the private corporation's competitive standing." (*Mancheski v Gabrielli Group Capital Partners*, 39 AD3d 499, 502 [2d Dept 2007] [citation omitted].) Further, courts have sealed records containing "sensitive proprietary and business information ... [when] [t]he parties had an interest in protecting these documents and there was no countervailing public interest that would be furthered by their disclosure." (*Jetblue Airways Corp. v Stephenson*, 31 Misc 3d 1241[A], 2010 NY Slip Op 52405[U], *7 [Sup Ct, NY County 2010], *affd* 88 AD3d 567 [1st Dept 2011]; *see also 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] ["[d]efendants ought not to be required to make their private financial information public, merely because they have been named as defendants in a lawsuit, where no substantial public interest would be furthered by public access to that information."].) Further, courts have found good cause for redactions to prevent the disclosure of sensitive personal information. (*22NW Fund*,

L.P. v Lifecore Biomedical, Inc., 2025 NY Slip Op 31653[U] [Sup Ct, NY County 2025])
[citations omitted.]

Plaintiff has established good cause for the proposed redactions by making narrowly tailored redactions following the order dated November 16, 2025. The law requires that “any order denying access must be narrowly tailored to serve compelling objectives.” (*Danco Lab, Ltd.*, 274 AD2d at 6.) Plaintiff’s proposed redactions pertain to the membership interests of Joseph Saadia and the latter’s personal addresses which qualify as sensitive personal information. The proposed information has no relevance to the public and the unsealing of such information may disadvantage plaintiff. However, as to NYSCEF 303 and 305, plaintiff has failed to provide any proposed redactions and wholesale sealing cannot be granted. (*See Applehead Pictures LLC v Perelman*, 80 AD3d 181, 192 [1st Dept 2010] [citation omitted].) The law requires that “any order denying access must be narrowly tailored to serve compelling objectives.” (*Danco Lab, Ltd.*, 274 AD2d at 6.)

Accordingly, it is

ORDERED that motion sequence 003 is granted, in part; and it is further

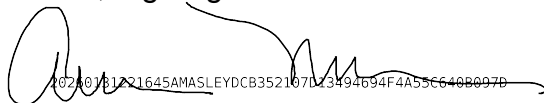
ORDERED that the County Clerk, upon service of this order, is directed to seal NYSCEF 278, 279, 280, 283, 308, 314, 316, 318, 320, and 322; and it is further

ORDERED that the County Clerk shall restrict access to the sealed documents with access to be granted only to authorized court personnel and designees, the parties and counsel of record in this action, and any representative of a party or of counsel of record upon presentation to the County Clerk of written authorization from counsel; and it is further

ORDERED that movant shall serve a copy of this order on the County Clerk in accordance with the procedures set forth in the Protocol on Courthouse County Clerk Procedures for Electronically Filed Cases (accessible at the "E-Filing" page on the court's website at the address www.nycourts.gov/supctmanh); and it is further

ORDERED that if any party seeks to redact identical information in future filings that the court is permitting to be redacted here, that party shall submit a proposed sealing order to the court (via sfc-part48@nycourts.gov and NYSCEF) instead of filing another seal motion; and it is further

ORDERED that this order does not authorize sealing or redacting for the purposes of trial or other court proceedings on the record, e.g. arguments on motions.



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1/31/2026

DATE

ANDREA MASLEY, 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