

<b>Greylag Goose Leasing 1410 Designated Activity Co. v Chubb Eur. Group SE</b>
2026 NY Slip Op 31234(U)
March 24, 2026
Supreme Court, New York County
Docket Number: Index No. 654784/2023
Judge: Joel M. Cohen
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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 03M

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GREYLAG GOOSE LEASING 1410 DESIGNATED  
ACTIVITY COMPANY, GREYLAG GOOSE LEASING  
1446 DESIGNATED ACTIVITY COMPANY, AVENUE  
CAPITAL MANAGEMENT II, L.P.,

Plaintiffs,

- v -

CHUBB EUROPEAN GROUP SE, BERKSHIRE  
HATHAWAY INTERNATIONAL INSURANCE LTD.,  
HOUSTON CASUALTY COMPANY, LONDON BRANCH,  
MAPFRE ESPANA COMPANIA DE SEGUROS Y  
REASEGUROS S.A., MITSUI SUMITOMO INSURANCE  
COMPANY (EUROPE) LIMITED, GREAT LAKES  
INSURANCE SE, LLOYD'S SYNDICATE 0510 KLN,  
LLOYD'S SYNDICATE 1880 TMK, SWISS RE  
INTERNATIONAL SE, LLOYD'S SYNDICATE 2623 AFB,  
LLOYD'S SYNDICATE 0623 AFB, FIDELIS  
UNDERWRITING LIMITED, LLOYD'S SYNDICATE 0435  
FDY, LLOYD'S SYNDICATE 1919 CVS, LLOYD'S  
SYNDICATE 1084 CSL, HDI GLOBAL SPECIALTY SE,  
CONVEX INSURANCE UK LIMITED, AXIS SPECIALTY  
EUROPE SE,

Defendants.

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**INDEX NO.** 654784/2023  
**MOTION DATE** 01/06/2026,  
01/20/2026  
**MOTION SEQ. NO.** 013 014

**DECISION + ORDER ON  
MOTION**

HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 013) 210, 211, 212, 214, 217

were read on this motion to \_\_\_\_\_ SEAL \_\_\_\_\_.

The following e-filed documents, listed by NYSCEF document number (Motion 014) 218, 219, 220, 221 were read on this motion to \_\_\_\_\_ SEAL \_\_\_\_\_.

Plaintiffs move for an order permanently sealing NYSCEF Document Numbers 191, 193, 194, 203, 204, 205, 206, and 213 filed in connection with this action. No parties oppose this request. For the following reasons, Plaintiffs' motion is granted in part.

Pursuant to § 216.1(a) of the Uniform Rules for Trial Courts, this 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 are insufficient as such agreements 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 NYSCEF 193, 194, 205, and 206 and finds that they comport with the applicable sealing standards as laid out in *Mosallem*, 76 AD3d at 348-50, and its progeny, in that they comprise final arbitration awards which the courts respect as confidential.

However, as to NYSCEF 191, 203, 204, and 213, Plaintiffs have not demonstrated why any confidential information from the arbitration cannot be protected through redaction rather

than the broad sealing of the parties' memoranda of law and related submissions. In view of the admonition that sealing of court records must be "narrowly tailored to serve compelling objectives," (*Danco*, 274 AD2d at 6), Plaintiffs will need to propose and justify targeted redactions of these Agreements that satisfy the requirements of 22 NYCRR § 216 (a) and applicable case law. The documents will remain provisionally under seal to permit the prompt filing of a follow-up motion proposing and explaining the need for specific redactions.

Accordingly, it is:

**ORDERED** that Plaintiffs' motion is **GRANTED** as to the arbitration awards; the motion is otherwise **DENIED without prejudice** as to the memoranda of law and affirmation and Plaintiffs may file a new motion within 21 days to redact confidential portions of those documents consistent with this Decision and Order and applicable case law; it is further

**ORDERED** that the County Clerk shall maintain NYSCEF Document Numbers 193, 194, 205, and 206 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 documents filed as NYSCEF 191, 203, 204, and 213 shall remain provisionally sealed for 21 days from the date of the Court's entry of this Decision and Order on NYSCEF. If Plaintiff files a new motion to seal or redact confidential portions of the documents consistent with this Decision and Order within that 21-day period, the documents shall remain provisionally sealed pending resolution of that motion. If no such motion is filed within 21 days from the entry of this Decision and Order, the parties shall within three business days thereafter notify the County Clerk, and shall file unredacted/unsealed copies of the documents on NYSCEF; and it is further

**ORDERED** that Plaintiffs 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

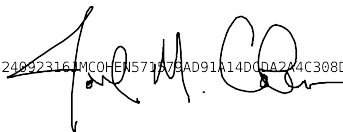
**ORDERED** as it related to future submissions, made by any party, that contain subject matter that the Court has authorized to be sealed by this Order, parties may file a joint stipulation, to be So Ordered, which will authorize the filing of such future submissions to be filed in redacted form on 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.

3/24/2026

DATE



JOEL M. COHEN, 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