Laskar v Department of Educ. of the City of N.Y.
2026 NY Slip Op 31433(U)
April 3, 2026
Supreme Court, New York County
Docket Number: Index No. 157344/2020
Judge: Matthew V. Grieco
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SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. MATTHEW V. GRIECO **PART** 30M

Justice

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JEFHREEN LASKAR

Petitioner,

- v -

THE DEPARTMENT OF EDUCATION OF THE CITY OF NEW YORK,

Respondent.

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INDEX NO. 157344/2020

MOTION DATE 12/03/2025

MOTION SEQ. NO. 002

DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 002) 34, 35, 36 were read on this motion to/for SEAL.

Upon the foregoing documents, and for the reasons stated *infra*, the motion is denied.

On September 11, 2020, petitioner, Jefhreen Laskar, commenced this Article 78 proceeding to annul the determination by respondent, Department of Education of the City of New York ("DOE"), to terminate her probationary service as a teacher (NYSCEF Doc. No. 1).

DOE cross-moved to dismiss the petition (NYSCEF Doc. No. 14), which the Court (Arthur F. Engoron, J.) granted by order entered June 17, 2021, upon finding that the DOE's actions were not arbitrary or capricious or otherwise violative of law (NYSCEF Doc. No. 27). By order entered October 20, 2022, the Appellate Division, First Department, affirmed (NYSCEF Doc. No. 32; 209 AD3d 562).

More than three years later, in December 2025, petitioner moved to (1) seal the file or alternatively certain employment documents and (2) amend the caption to a pseudonym (NYSCEF Doc. Nos. 34-36). DOE has not filed any responsive papers.

1. Request to Seal

Under New York law, there is a "broad presumption" that the public is entitled to access to court records (*Mosallem v Berenson*, 76 AD3d 345, 348 [1st Dept 2010]). Indeed, only in limited, specific areas, not applicable here, has the legislature restricted access by statute (*see id.* at 349 [collecting exemplar statutes]).

Pursuant to 22 NYCRR 216.1(a):

> 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.

The party seeking sealing bears the burden of demonstrating good cause (*see Mosallem*, 76 AD3d at 349). Even when both parties agree to a sealing, good cause must be established, because the courts must also consider the public interest in the subject matter of the case and in fair, honest, and efficient proceedings in general (*see Gryphon Domestic VI, LLC v APP Intl. Fin. Co., B.V.*, 28 AD3d 322, 324-325 [1st Dept 2006]; *Danco Labs., Ltd. v Chemical Works of Gedeon Richter, Ltd.*, 274 AD2d 1, 6-8 [1st Dept 2000]; *Matter of Hofmann*, 284 AD2d 92, 93-94 [1st Dept 2001] ["Confidentiality is clearly the exception, not the rule, and the court is always required to make an independent determination of good cause"]). Embarrassing information alone does not constitute good cause (*see Matter of Benkert*, 288 AD2d 147 [1st Dept 2001]; *Matter of*

Hofmann, 284 AD2d at 94), nor does prejudice to one's professional reputation (*see Liapakis v Sullivan*, 290 AD2d 393, 394 [1st Dept 2002] [allegations against attorney of unethical and criminal conduct]).

Petitioner's vague assertion that publicly accessible records in this proceeding "could damage [her] employment prospects" (NYSCEF Doc. No. 35 ¶ 6 [petitioner's affirmation]) is insufficient to show good cause. She did not seek a sealing until more than five years after she herself commenced this open proceeding and more than three years after the First Department issued its decision, and she has not articulated any harm or other circumstances suffered during that time. Her request amounts to a proposal that all personnel records always be sealed whenever a former employee does not prevail in litigation. Such a policy determination must be made by the legislature, which has privileged certain subjects (*see Mosallem*, 76 AD3d at 349 [citing statutes]), but not this one (*see S.E. v Diocese of Brooklyn*, 88 Misc3d 1210[A] [Sup Ct, Kings County 2026] ["there is no per se rule that personnel files are categorically exempt from public disclosure"]). That is all the more so here, where the public has a great interest in the pedological efficacy of the public school system.

2. Request to Amend Caption to Pseudonym

Related to her sealing application, petitioner also asks that the caption be amended to a "Jane Doe" pseudonym or her initials, because her unique name will make public searches more readily successful.

The determination whether to allow a party to proceed anonymously or under a fictitious name requires a balancing of that person's privacy interest against the presumption in favor of open trials and any potential prejudice to the opposing party

(*see Anonymous v Lerner*, 124 AD3d 487 [1st Dept 2015]). Even for plaintiffs suing under the Child Victims Act (CPLR 214-g), alleging sexual abuse when they were minors, "permission to use a pseudonym will not be granted automatically," but only in the exercise of the court's discretion (*Twersky v Yeshiva Univ.*, 201 AD3d 559, 559 [1st Dept 2022]). Even where "the parties seek to stipulate to such relief, the trial court should not pro forma approve an anonymous caption, but should exercise its discretion to limit the public nature of judicial proceedings sparingly and then, only when unusual circumstances necessitate it" (*Applehead Pictures LLC v Perelman*, 80 AD3d 181, 192 [1st Dept 2010] [quotes and cite omitted]).

Factors the court can consider include: "1) whether the plaintiff is challenging governmental activity or an individual's actions, 2) whether the plaintiff's action requires disclosure of information of the utmost intimacy, 3) whether identification would put the plaintiff at risk of suffering physical or mental injury, 4) whether the defendant would be prejudiced by allowing the plaintiff to proceed anonymously, and 5) the public interest in guaranteeing open access to proceedings without denying litigants access to the justice system" (*Doe v Amherst Cent. School Dist.*, 196 AD3d 9, 13 [4th Dept 2021] [internal quotes and cite omitted]). Also relevant is the extent to which the identity of the litigant has been kept confidential (*see Doe v Good Samaritan Hosp.*, 65 Misc3d 987 [Sup Ct, Nassau County 2019]). Assertions of public humiliation and embarrassment alone are insufficient (*see Lerner*, 124 AD3d at 488; *see also Doe v Yeshiva Univ.*, 195 AD3d 565, 566 [1st Dept 2021]).

As with the sealing application, petitioner has not met her burden that the caption should be anonymous or pseudonymous. She has not enunciated any actual harm, despite the fact that this proceeding has been publicly accessible for more than

five years, she has not made any effort to assert confidentiality until now, and the public has a great interest is matters of public school teachers.

It is therefore

ORDERED that petitioner's motion is denied.

This constitutes the decision and order of the Court.

4/3/2026
DATE

MATTHEW V. GRIECO, J.S.C.

CHECK ONE:	[X]	CASE DISPOSED		[ ]	NON-FINAL DISPOSITION		
	[ ]	GRANTED	[X] DENIED	[ ]	GRANTED IN PART	[ ]	OTHER
APPLICATION:	[ ]	SETTLE ORDER		[ ]	SUBMIT ORDER		
CHECK IF APPROPRIATE:	[ ]	INCLUDES TRANSFER/REASSIGN		[ ]	FIDUCIARY APPOINTMENT	[ ]	REFERENCE