

**Bangladesh Bank v Rizal Commercial Banking Corp.**

2026 NY Slip Op 31700(U)

April 19, 2026

Supreme Court, New York County

Docket Number: Index No. 652051/2020

Judge: Andrea Masley

Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op 30001(U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service.

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 48

-----X

BANGLADESH BANK,

Plaintiff,

- v -

RIZAL COMMERCIAL BANKING CORPORATION, MAIA  
SANTOS DEGUITO, ANGELA RUTH TORRES,  
LORENZO V. TAN, RAUL VICTOR B. TAN, PHILREM  
SERVICE CORP., SALUD BAUTISTA, MICHAEL  
BAUTISTA, KAM SIN WONG, and JOHN DOES,

Defendants.

INDEX NO. 652051/2020

MOTION DATE \_\_\_\_\_

MOTION SEQ. NO. 058

**DECISION + ORDER ON  
MOTION**

-----X

HON. ANDREA MASLEY:

The following e-filed documents, listed by NYSCEF document number (Motion 058) 1258, 1259, 1260, 1261, 1262, 1268, 1275, 1276, 1277

were read on this motion to/for SEAL.

In motion sequence 058, defendant Rizal Commercial Banking Corporation (RCBC) 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] 1275, Order to Show Cause):

1. March 23, 2016 RCBC Report to Bangko Sentral ng Pilipinas (BSP) Governor (NYSCEF 1221);
2. Minutes of Meeting on September 25, 2013 of RCBC Board of Directors (NYSCEF 1224);
3. RCBC's Memorandum of Law in Opposition to Bangladesh Bank's Order to Show Cause for Leave to Renew Opposition to Motion for Protective Order and Leave to Reargue (NYSCEF 1226.)

Specifically, RCBC argues that good cause exists to seal the documents because they contain (1) confidential information related to the banking investigation, (2) reveal information that is protected from disclosure under the Philippine Bank Secrecy Laws, (3) contain sensitive customer and account information, and (4) contain sensitive discussions of RCBC's Executive Committee. (NYSCEF 1262, RCBC's MOL at 2.) This motion is unopposed.

### 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 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

### NYSCEF 1221

RCBC seeks to seal NYSCEF 1221 on the ground that these documents contain communications between the BSP and RCBC about BSP's investigation, which are protected from disclosure under Philippine bank secrecy laws. (NYSCEF 1261, Proposed Sealing Chart at 2.)

The court has previously found that RCBC sufficiently demonstrated good cause to seal/redact documents where the filings contain or describe correspondence related to BSP's investigations of RCBC and public disclosure would be a violation of the bank secrecy laws of the Philippines. (See NYSCEF 1042 Decision and Order [mot. seq. no. 046] at 3-4.) Therefore, NYSCEF 1221 shall remain sealed.

### NYSCEF 1224

RCBC seeks to seal NYSCEF 1224 on the ground that disclosing the minutes of the meetings of RCBC Executive Committee meetings would reveal sensitive internal information which has no public interest because they do not concern governmental decision-making, adjudicative reasoning, or matters necessary for public understanding of the court's rulings. (NYSCEF 1262, RCBC's MOL at 4.) Courts have sealed records containing "sensitive proprietary and business information ... [when] [t]he parties had an interest in protecting these documents and there [is] no countervailing public interest that would be furthered by their disclosure." (*Jetblue Airways Corp. v Stephenson*, 31 Misc 3d 1241(A), at \*7 [Sup Ct, NY County 2010], *affd* 88 AD3d 567 [1st Dept 2011].) Similarly, courts have found good cause to seal documents that contain sensitive information that could pose security concerns if disclosed. (*Matter of Crawford v New*

*York City Dept. of Info. Tech. & Telecom.*, 43 Misc 3d 735 [Sup Ct, NY County 2014], *lv dismissed* 136 AD3d 591 [1st Dept 2016].) RCBC has shown good cause to seal 1224 since if disclosed, it could endanger RCBC's internal functioning and confidential information. Thus, NYSCEF 1224 shall remain sealed.

#### NYSCEF 1226

RCBC seeks to redact information from the Opposition Memorandum of Law to the extent it references confidential regulatory and law enforcement investigations like the BSP investigation, discussions of RCBC Board of Director, and reveals customer account information protected from disclosure under Philippine Bank Secrecy Laws. (NYSCEF 1261, Proposed Sealing Chart.) RCBC thus proposes narrowed redactions targeted to protect confidential information. (*Id.*) RCBC has shown good cause to seal these documents as a non-disclosure would violate Philippine Bank Secrecy laws. Thus, NYSCEF 1226 shall remain sealed.

Accordingly, it is

ORDERED that motion sequence 058 is granted; and it is further

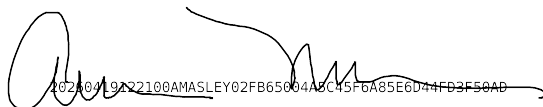
ORDERED that the County Clerk, upon service of this order, is directed to seal NYSCEF 1221, 1224, and 1226 is further

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 RCBC 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](http://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](mailto: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.



10280419202100AMASLEY02FB65004A2C45F6A85E6D44FB3F50AB

4/19/2026

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