

Bull Hill, LLC v HFZ Member RB Portfolio LLC

2026 NY Slip Op 31704(U)

April 17, 2026

Supreme Court, New York County

Docket Number: Index No. 654561/2022

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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BULL HILL, LLC, HARDY LANE INVESTMENT FUND,
LLC, HARDY LANE FOUNDATION, INC.,

Plaintiffs,

- v -

HFZ MEMBER RB PORTFOLIO LLC, HFZ MEMBER RB
ACQUISITIONS LLC, HFZ RB PORTFOLIO MANAGER,
LLC, HFZ RB ACQUISITIONS MANAGER, LLC, HFZ
CAPITAL GROUP, LLC, MONROE CAPITAL LLC, ZIEL
FELDMAN, HELENE FELDMAN, NIR MEIR,

Defendants.

INDEX NO. 654561/2022

MOTION DATE 11/24/2025,
01/16/2026,
02/02/2026

MOTION SEQ. NO. 020 021 022

**DECISION + ORDER ON
MOTION**

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HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 020) 503, 504, 505, 506,
507, 591, 592, 593, 594, 595, 596, 599, 600, 601, 602, 607, 608

were read on this motion to SEAL

The following e-filed documents, listed by NYSCEF document number (Motion 021) 571, 572, 573, 574,
575, 578, 603, 604, 605, 606, 609, 610

were read on this motion to SEAL

The following e-filed documents, listed by NYSCEF document number (Motion 022) 588, 589, 590, 597,
598

were read on this motion to SEAL

In advance of summary judgment briefing in this case, Defendant Monroe Capital LLC (“Monroe”), jointly with Bull Hill, LLC, Hardy Lane Investment Fund, LLC, and Hardy Lane Foundation, Inc. (“Plaintiffs”), and HFZ RB Portfolio Manager LLC, HFZ RB Acquisitions Manager, LLC, HFZ Capital Group, LCL, Ziel Feldman, Helene Feldman, HFZ Member RB Portfolio LLC, and HFZ Member RB Acquisitions LLC (“HFZ Defendants”) wrote to the Court proposing a streamlined sealing procedure, pursuant to which each Party would file supporting papers justifying the redaction and/or sealing of any submissions they seek to maintain in

redacted form and/or under seal only once at the conclusion of summary judgment briefing, which was endorsed by the Court (*see* NYSCEF 385).

Thereafter, Monroe moved for an order sealing and/or redacting portions of NYSCEF Doc. Nos. 398, 405, 421, 435, 438, 443, 445, 448, 449, 450, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 468, 469, 470, 476, 477, 478, 480, 482, 484, 485, 486, 487, 488, 491, 492, 493, 496, 502 (Mot. Seq. 020) and NYSCEF Doc. Nos. 580, 583, 585, 586 (Mot. Seq. 022). Plaintiffs moved for an order sealing and/or redacting portions of NYSCEF Doc. Nos. 510, 515, 517, 518, 519, 522, 523, 524, 526, 531, 532, 533, 542, 546, 553, 554, 556, 557, 559, 562, 564, 565, 567 (Mot. Seq. 021).

Following the conclusion of summary judgment briefing, the Parties filed supporting papers submitting that they collectively only seek to seal and/or redact NYSCEF 448, 458, 464, 480, 491, 510, 515, 518, 531, 533, and 553. These motions are not opposed. For the following reasons, the motions are granted.

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 Monroe’s request that (1) the Investment Memoranda (NYSCEF 480, 510, 531), Sales Spreadsheet (NYSCEF 533), and MOU (NYSCEF 553) be maintained under seal; and (2) the Deposition Transcripts (NYSCEF 491, 515, 518) be redacted in part, consistent with the proposed redactions set forth in NYSCEF 600, 601, and 602, and finds such sealing/redacting appropriate as these documents contain proprietary and highly sensitive non-public information related to Monroe’s business model and investment strategy, which, if disclosed, would threaten Monroe’s competitive advantage.

The Court has also reviewed Plaintiffs’ request to redact two Depositions Transcripts (NYSCEF 448 and 464), and one exhibit (NYSCEF 458), consistent with the redactions set forth in NYSCEF 592, 593, and 594, and finds that such redactions appropriate as these documents contain confidential financial information and/or confidential personal information for which there is no public interest in disclosure.

The Court appreciates that the parties have worked together in good faith to streamline the sealing process and justified their requests in accordance with 22 NYCRR § 216.1 (a).

The following remaining documents shall be unsealed: NYSCEF Doc. Nos. 398, 405, 421, 435, 438, 443, 445, 449, 450, 452, 453, 454, 455, 456, 457, 459, 460, 461, 462, 463, 465, 466, 468, 469, 470, 476, 477, 478, 482, 484, 485, 486, 487, 488, 492, 493, 496, 502, 517, 519, 522, 523, 524, 526, 532, 542, 546, 554, 556, 557, 559, 562, 564, 565, 567, 580, 583, 585, and 586.

Consistent with this Order, the Parties shall promptly confer to file revised less-redacted versions of the substantive Summary Judgment filings.

Accordingly, it is:

ORDERED that Monroe's Motions (Mot. Seq. 020 and 022) are **GRANTED**; it is further

ORDERED that Plaintiffs' Motion (Mot. Seq. 021) is **GRANTED**; it is further

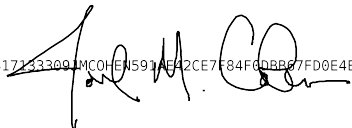
ORDERED that the County Clerk shall maintain NYSCEF 448, 458, 464, 480, 491, 510, 515, 518, 531, 533, and 553 under seal, so that the documents may only be accessible by the parties, their counsel, and authorized court personnel; it is further

ORDERED that the County Clerk shall unseal NYSCEF Doc. Nos. 398, 405, 421, 435, 438, 443, 445, 449, 450, 452, 453, 454, 455, 456, 457, 459, 460, 461, 462, 463, 465, 466, 468, 469, 470, 476, 477, 478, 482, 484, 485, 486, 487, 488, 492, 493, 496, 502, 517, 519, 522, 523, 524, 526, 532, 542, 546, 554, 556, 557, 559, 562, 564, 565, 567, 580, 583, 585, and 586; it is further

ORDERED that Monroe 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.

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JOEL M. COHEN, J.S.C.

4/17/2026
DATE

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