

Ventura v Rosenblum
2026 NY Slip Op 31960(U)
May 6, 2026
Supreme Court, New York County
Docket Number: Index No. 651045/2024
Judge: Andrea Masley
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 48

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<p>FITZGERALD N. VENTURA, INTERCITY AGENCY, INC., LEADING RISK SOLUTIONS LLC, ICA INSURANCE SERVICES, LLC F/K/A ICA SERVICE CO., LLC,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">- v -</p> <p>JERROLD A. ROSENBLUM,</p> <p style="text-align: center;">Defendants.</p>	<p>INDEX NO. <u>651045/2024</u></p> <p>MOTION DATE <u>-</u></p> <p>MOTION SEQ. NO. <u>014</u></p> <p style="text-align: center;">DECISION + ORDER ON MOTION</p>
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HON. ANDREA MASLEY:

The following e-filed documents, listed by NYSCEF document number (Motion 014) 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 330, 340, 341, 342, 343, 344, 345

were read on this motion to/for

SEAL

In Motion 014, plaintiff Fitzgerald Ventura 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] 330, Order to Show Cause):

1. Exhibit 1 – NYSCEF 174, Plaintiff Counter-Defendants' Rule 19-a Statement of Facts¹;
2. Exhibit 2 – NYSCEF 176, Deposition of Fitzgerald N. Ventura²;
3. Exhibit 3 – NYSCEF 177, Deposition of Jerrold A. Rosenblum³;
4. Exhibit 4 – NYSCEF 178, Deposition of Nicolas Dutko⁴;
5. Exhibit 5 – NYSCEF 179, Email dated February 9, 2023 (Bates JR_00003420)⁵;
6. Exhibit 6 – NYSCEF 180, Email dated February 10, 2023 (Bates JR_00005001)⁶;
7. Exhibit 7 – NYSCEF 181, Email dated August 25, 2023 (Bates JR_00005970)⁷;

¹ Proposed redactions filed as NYSCEF 281.

² Proposed redactions filed as NYSCEF 282.

³ Proposed redactions filed as NYSCEF 283.

⁴ Proposed redactions filed as NYSCEF 284.

⁵ Proposed redactions filed as NYSCEF 285.

⁶ Proposed redactions filed as NYSCEF 286.

⁷ Proposed redactions filed as NYSCEF 287.

8. Exhibit 8 – NYSCEF 182, Email dated February 23, 2023 (Bates JR_00003404–05)⁸;
9. Exhibit 9 – NYSCEF 183, Email dated March 8, 2023 (Bates JR_00005633)⁹;
10. Exhibit 10 – NYSCEF 184, Email dated June 13, 2023 (Bates JR_00003268–69)¹⁰;
11. Exhibit 11 – NYSCEF 185, Email dated June 26, 2023 (Bates JR_00003257)¹¹;
12. Exhibit 12 – NYSCEF 186, Email dated May 17, 2023 (Bates JR_00003345–47)¹²;
13. Exhibit 13 – NYSCEF 187, Email dated August 1, 2023 (Bates JR_00005188–89)¹³;
14. Exhibit 14 – NYSCEF 188, Email dated October 4, 2023 (Bates JR_00003090–92)¹⁴;
15. Exhibit 15 – NYSCEF 189, Email dated February 13, 2024 (Bates JR_00005867–5910)¹⁵;
16. Exhibit 16 – NYSCEF 190, Email dated January 21, 2023 (Bates JR_00006288–89)¹⁶;
17. Exhibit 17 – NYSCEF 191, Email dated September 15, 2023 (Plaintiffs' Ex. 19; Bates JR_00005042)¹⁷;
18. Exhibit 18 – NYSCEF 192, SMS dated February 17, 2023 (Plaintiffs' Ex. 9; Bates JR_00006448)¹⁸;
19. Exhibit 19 – NYSCEF 193, Email dated March 11, 2023 (Plaintiffs' Ex. 10; Bates JR_00006363)¹⁹;
20. Exhibit 20 – NYSCEF 194, Email dated April 11, 2023 (Plaintiffs' Ex. 11; Bates JR_00005555)²⁰;
21. Exhibit 21 – NYSCEF 195, Email dated January 21, 2023 (Plaintiffs' Ex. 14; Bates JR_00006203)²¹;
22. Exhibit 22 – NYSCEF 196, SMS dated February 7, 2024 (Plaintiffs' Ex. 33; Bates JR_00003538–39)²²;
23. Exhibit 23 – NYSCEF 197, SMS dated February 8, 2024 (Plaintiffs' Ex. 34; Bates JR_00003525–26)²³;
24. Exhibit 24 – NYSCEF 198, SMS dated February 9, 2024 (Plaintiffs' Ex. 37; Bates JR_00003518–19)²⁴;

⁸ Proposed redactions filed as NYSCEF 288.

⁹ Proposed redactions filed as NYSCEF 289.

¹⁰ Proposed redactions filed as NYSCEF 290.

¹¹ Proposed redactions filed as NYSCEF 291.

¹² Proposed redactions filed as NYSCEF 292.

¹³ Proposed redactions filed as NYSCEF 293.

¹⁴ Proposed redactions filed as NYSCEF 294.

¹⁵ Proposed redactions filed as NYSCEF 295.

¹⁶ Proposed redactions filed as NYSCEF 296.

¹⁷ Proposed redactions filed as NYSCEF 297.

¹⁸ Proposed redactions filed as NYSCEF 298.

¹⁹ Proposed redactions filed as NYSCEF 299.

²⁰ Proposed redactions filed as NYSCEF 300.

²¹ Proposed redactions filed as NYSCEF 301.

²² Proposed redactions filed as NYSCEF 302.

²³ Proposed redactions filed as NYSCEF 303.

²⁴ Proposed redactions filed as NYSCEF 304.

25. Exhibit 25 – NYSCEF 199, Email dated February 8, 2024 (Plaintiffs' Ex. 35; Bates JR_00003839–44)²⁵;
26. Exhibit 26 – NYSCEF 200, Email dated February 22, 2024 (Plaintiffs' Ex. 42; Bates JR_00001908–13)²⁶;
27. Exhibit 27 – NYSCEF 201, Email dated March 5, 2024 (Plaintiffs' Ex. 47; Bates JR_00002738)²⁷;
28. Exhibit 28 – NYSCEF 202, SMS dated February 26, 2024 (Plaintiffs' Ex. 46; Bates JR_00003545–46)²⁸;
29. Exhibit 29 – NYSCEF 203, Email dated June 7, 2023 (Bates JR_00003286)²⁹;
30. Exhibit 30 – NYSCEF 204, Email dated January 21, 2023 (Bates JR_00006285)³⁰;
31. Exhibit 31 – NYSCEF 205, Email dated February 21, 2023 (Plaintiffs' Ex. 41)³¹;
32. Exhibit 32 – NYSCEF 206, Email dated January 21, 2023 (Bates JR_00004308–10)³²;
33. Exhibit 33 – NYSCEF 207, Email dated January 22, 2023 (Bates JR_00004290–91)³³;
34. Exhibit 34 – NYSCEF 208, Email dated January 23, 2023 (Bates JR_00006198–99)³⁴;
35. Exhibit 35 – NYSCEF 209, SMS dated December 6, 2023 (Plaintiffs' Ex. 18; Bates JR_00006377)³⁵;
36. Exhibit 36 – NYSCEF 210, Email dated February 1, 2024 (Bates JR_00005133–37)³⁶;
37. Exhibit 37 – NYSCEF 211, Email dated January 22, 2023 (Bates JR_00005750–51)³⁷;
38. Exhibit 38 – NYSCEF 212, Email dated May 30, 2023 (Bates JR_00006102)³⁸;
39. Exhibit 39 – NYSCEF 213, Email dated May 12, 2023 (Bates JR_00003350)³⁹;
40. Exhibit 40 – NYSCEF 214, Email dated February 9, 2024 (Plaintiffs' Ex. 39; Bates JR_00002612–18)⁴⁰;

²⁵ Proposed redactions filed as NYSCEF 305.

²⁶ Proposed redactions filed as NYSCEF 306.

²⁷ Proposed redactions filed as NYSCEF 307.

²⁸ Proposed redactions filed as NYSCEF 308.

²⁹ Proposed redactions filed as NYSCEF 309.

³⁰ Proposed redactions filed as NYSCEF 310.

³¹ Proposed redactions filed as NYSCEF 311.

³² Proposed redactions filed as NYSCEF 312.

³³ Proposed redactions filed as NYSCEF 313.

³⁴ Proposed redactions filed as NYSCEF 314.

³⁵ Proposed redactions filed as NYSCEF 315.

³⁶ Proposed redactions filed as NYSCEF 316.

³⁷ Proposed redactions filed as NYSCEF 317.

³⁸ Proposed redactions filed as NYSCEF 318.

³⁹ Proposed redactions filed as NYSCEF 319.

⁴⁰ Proposed redactions filed as NYSCEF 320.

41. Exhibit 41 – NYSCEF 215, Email from Nicolas Dutko dated January 16, 2024 (Plaintiffs' Ex. 27)⁴¹;
42. Exhibit 42 – NYSCEF 216, Email dated February 23, 2024 (Bates JR_00004659–67)⁴²;
43. Exhibit 43 – NYSCEF 217, Email dated February 26, 2024 (Plaintiffs' Ex. 45; Bates JR_00003749–56)⁴³;
44. Exhibit 44 – NYSCEF 220, Email from Eli Mishanie dated February 9, 2024 (Plaintiffs' Ex. 36)⁴⁴;
45. Exhibit 45 – NYSCEF 221, Email from Fitz Ventura dated March 7, 2024 (Defendant's Ex. 19)⁴⁵;
46. Exhibit 46 – NYSCEF 239, Email produced in discovery by Defendant, dated September 20, 2023 (Bates JR_00005161)⁴⁶;
47. Exhibit 47 – NYSCEF 240, Email produced in discovery by Defendant, dated February 9, 2024 (Plaintiffs' Ex. 38; Bates JR_00003823–29)⁴⁷.

Specifically, plaintiff seeks to redact certain information arguing that it is confidential, propriety, and commercially sensitive information that falls into two categories: (1) non-public personal identifying information of the parties and non-parties, including their contact information, home addresses, and private financial and asset information; (2) specific terms of the parties' business dealings and commercial agreements, including insurance renewal pricing, premium figures, and underwriting communications, and (3) any information that might tie the confidential insurance terms of an individual or entity to that individual or entity. (NYSCEF 279, plaintiff's MOL at 3-4.) There is no indication of public interest in this matter. This motion is unopposed.

⁴¹ Proposed redactions filed as NYSCEF 321.

⁴² Proposed redactions filed as NYSCEF 322.

⁴³ Proposed redactions filed as NYSCEF 323.

⁴⁴ Proposed redactions filed as NYSCEF 324.

⁴⁵ Proposed redactions filed as NYSCEF 325.

⁴⁶ Proposed redactions filed as NYSCEF 326.

⁴⁷ Proposed redactions filed as NYSCEF 327.

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

Courts have recognized a compelling interest in sealing records that contain financial information and that are of minimal public interest. (See *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, New York courts have allowed sealing documents that contain “personal and sensitive information that is traditionally shielded from the public.” These include personal information, finances...” (*Id.*) Further, New York courts have also allowed redacting third-party financial information that could impinge on the privacy rights of third parties who clearly are not litigants herein.” (*Mancheski v Gabelli Group Capital Partners*, 39 AD3d 499, 503 [2d Dept 2007].) Finally, there is also a compelling interest in sealing financial information if “disclosure could harm the private corporation’s competitive standing.” (*Id.*)

Plaintiff seeks limited redactions of documents because they contain non-public personal information of parties’ and non-parties. (NYSCEF 328, Sealing Chart at 1-2.) These include names, contact information, property information, coverage terms, and asset valuations. (*Id.* at 2.) Plaintiff further proposes redacting information like employment identification numbers, financial information, and information about employees. (*Id.* at 4.) Thus, plaintiff has shown good cause to narrowly redact information from the documents.

ORDERED that motion sequence 014 is granted; and it is further

ORDERED that the County Clerk, upon service of this order, is directed to seal NYSCEF 174, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 220, 221, 239, 240, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296,

297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 330, 340, 341, 342, 343, 344, and 345; and it is further

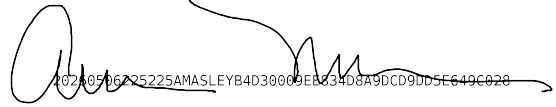
ORDERED that Fitzgerald Ventura shall file a publicly redacted version of every document sought to be redacted within 10 days of this decision; and it is further

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 Fitzgerald Ventura 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.



5/6/2026
DATE

ANDREA MASLEY, J.S.C.

CHECK ONE:

CASE DISPOSED
GRANTED

DENIED

NON-FINAL DISPOSITION

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE