

MEMO ENDORSED



PARDALIS & NOHAVICKA, LLP
ATTORNEYS

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April 28, 2021

VIA ECF

Hon. Andrew L. Carter, Jr.
United States District Court
for the Southern District of New York
40 Foley Square, Room 435
New York, NY 10007
ALCarterNYSChambers@nysd.uscourts.gov

RE: *Vista Food Exchange Inc. v. Lawson Foods, LLC*
Case No. 1:17-cv-07454-ALC-SN
Letter Motion to Redact or Seal ECF 228
Attachment 1

To the Honorable Court:

This office represents Defendant Lawson Foods, LLC and ostensibly non-party Simon Law with regard to the above captioned action. Defendant and Plaintiff have conferred with regard to the content herein.

This application is respectfully submitted with regard to Defendant's request to Redact or Seal pursuant to Fed R. Civ P. 5.2(a)(3), (d), (e) so much of ECF 228, Attachment 1, that includes the full name and address of a non-party minor. The individual, identified for purposes of this Letter Motion as "C.A.L.", is the minor daughter of Simon Law. C.A.L. has not yet reached the age of eighteen (18) years, and will not until June 2021.

ECF 228(1) is a recording instrument filed as an Exhibit to Plaintiff's Declaration in Support of Plaintiff's Emergency Motion for Provisional Remedies (ECF 227). Although when originally filed, the recording instrument was a public record in New York State, it was not filed as a result of a State or Administrative "proceeding" as would be exempt pursuant to Fed R. Civ P. 5.2(b)(2), (3) or otherwise exempt under Fed R. Civ P. 5.2(b)(5).

C.A.L.'s name and address appear in ECF 228(1) at *2, 3, 4 and 7. It is respectfully submitted that to potential harm of the unredacted attachment outweighs any prejudice to Plaintiff should the document be sealed or redacted.

We thank the Court for its attention to this matter.

Respectfully Submitted,

PARDALIS & NOHAVICKA, LLP

By: /s/ Gregory A. Nahas

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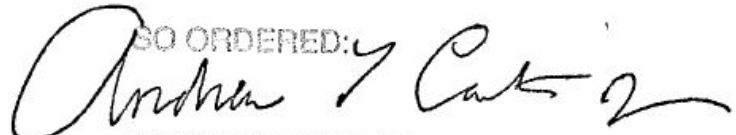
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The motion to seal is hereby DENIED. Plaintiff is directed to redact the information regarding C.A.L. discussed above and refile as soon as possible but no later than **May 7, 2021**.

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

4/29/2021