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## COVINGTON

BEIJING BRUSSELS DUBAI JOHANNESBURG LONDON  
LOS ANGELES NEW YORK SAN FRANCISCO SEOUL  
SHANGHAI SILICON VALLEY WASHINGTON

Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 6000

October 9, 2020

The Honorable Louis Stanton  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Courtroom 21-C  
New York, New York 10007

**Re: Innovatus Capital Partners, LLC, v. Neuman et. al. (1:18-cv-04252)**

Dear Judge Stanton:

I write on behalf of Defendants Jonathan Neuman, Anthony Mitchell, Ritz Advisors LLC, Greg Williams, Daryl Clark, and Amanda Zachman (together, "Defendants") to respectfully request permission to file under seal Defendants Memorandum of Law in Support of Defendants Motion for Summary Judgment, Defendants Statement of Material Facts and Exhibits 12-15, and 17-19<sup>1</sup> attached thereto (collectively, the "Motion for Summary Judgment Filing") containing Protected Material under the Protective Order (No. 18-04253 Dkt. No. 75).

Although there is a presumption in favor of public access to judicial documents, a court may seal judicial documents if "closure is essential to preserve the higher values and closure is narrowly tailored to serve that interest." *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006). Defendants' Motion for Summary Judgment Filing refers to, quotes, and contains information that has been designated by the Plaintiff, Innovatus Capital Partners, LLC, as "CONFIDENTIAL" under the Protective Order. *Id.* at 2. The Protective Order further provides: "Where any Confidential or Highly Confidential Materials, or Information derived therefrom, is included in any motion or other proceeding in this Proceeding, the Parties and any involved non-party shall follow the procedures outlined in Fed. R. Civ. P. 5.2, the Standing Order Regarding Electronic Filing Under Seal in Civil and Miscellaneous Cases dated December 19, 2019, and the Individual Rules of Practice issued of the Court, or any Standing Procedural Order subsequently issued by the Court." *Id.* at 11.

Accordingly, Defendants respectfully request the Court's permission to file its Motion for Summary Judgment Filing under seal.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/14/20

Sincerely,

s/ Jason C. Raofield  
Jason C. Raofield

Louis L. Stanton  
10/14/20

<sup>1</sup> If the court is not inclined to allow for the exhibits to be filed under seal, we note that Exhibit 21 contains names and birthdates, and would thus suggest this material be redacted.

The birthdates are to be redacted.  
LRS

I have examined each of these items in detail, and find none of them - submitted to affect the determination of a motion for summary judgment - presents a most compelling reason to seal it from public access. See *Lugosch* at 123. This application is denied.