

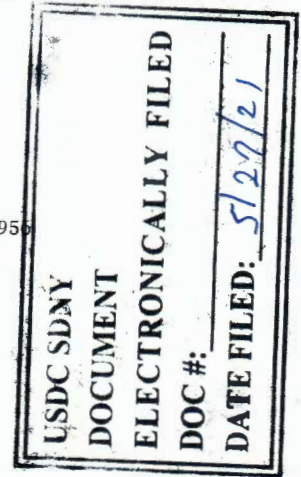


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May 24, 2021



The Honorable Louis L. 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: *MV Realty, PBC, LLC, v. Innovatus Capital Partners, LLC* (1:18-cv-07142); *Innovatus v. Neuman et. al.* (1:18-cv-04252)

Dear Judge Stanton:

I write on behalf of MV Realty and Defendants in Case No. 1:18-cv-04252 (collectively, "the MV Realty Parties") to respectfully request permission to file under seal the MV Realty Parties' May 24, 2021 letter seeking a pre-motion conference regarding Innovatus' refusal to comply with the Court's orders of February 11, 2021 (Dkt. 147) and March 23, 2021 (Dkt. 157). The letter cites documents produced by Innovatus that Innovatus designated as Highly Confidential.

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). The MV Realty Parties' letter refers to, quotes, and contains information that has been designated by Innovatus as "HIGHLY 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 their May 24, 2021 letter seeking a pre-motion conference under seal.

Sincerely,

s/ Jason C. Raofield
 Jason C. Raofield

Denied, for lack of any showing that "the interest to be protected by filing under seal outweighs the presumption of public access." As stated in the Standing Order, stipulations and confidentiality agreements are insufficient.

So ordered. Louis L. Stanton

5/27/21