

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SPECTRUM DYNAMICS MEDICAL
LIMITED,

Plaintiff,

-against-

GENERAL ELECTRIC COMPANY et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 9/30/2022

ORDER

18-CV-11386 (VSB) (KHP)

KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE:

On September 26, 2022, Defendants sought leave to file an 8-page Letter Motion Challenging Plaintiff's Claw-Back, (ECF No. 527), sought leave to file the Motion under seal, (ECF No. 528), and filed the Motion, (ECF No. 529). On September 29, 2022, Plaintiff sought leave to file a 6-page Response (ECF No. 532), sought leave to file the Response under seal, (ECF No. 533), and filed the Response, (ECF No. 534).

The parties' motions for leave to file excess pages are GRANTED. This resolves the motions at ECF Nos. 527 and 532.

As to the parties' motions to seal, the common law and First Amendment accord a presumption of public access to judicial documents. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 124 (2d Cir. 2006). Where, as here, documents are filed in connection with a discovery dispute, the presumption of public access is "lower than the presumption applied to material introduced at trial, or in connection with dispositive motions." *Brown v. Maxwell*, 929 F.3d 41, 50 (2d Cir. 2019). "Thus, while a court must still articulate specific and substantial reasons" for sealing material filed in connection with a discovery dispute, "the reasons usually need not be as compelling as those required to seal" filings connected to a dispositive motion.

Id. Here, the Court finds that the confidential and sensitive nature of the documents is sufficient to overcome the low presumption of public access. *See DDK Hotels, LLC v. Williams-Sonoma, Inc.*, 2022 WL 2702378, at *17 (E.D.N.Y. Feb. 11, 2022). Accordingly, the motions to seal are GRANTED. This resolves the motions at ECF Nos. 528 and 533.

The Court will address the Motion at ECF No. 529 separately.

The Clerk of the Court is respectfully directed to terminate the motions at ECF Nos. 527, 528, 532, and 533.

SO ORDERED.

Dated: September 30, 2022
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge