

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**MATTHEW SIMMONS, SHEILA
MURRAY, JACK MITCHELL,
and EMILY CARTER,**

Plaintiffs,

v.

Case No. 8:23-cv-201-TPB-AAS

**USI INSURANCE SERVICES LLC
and USI ADVANTAGE CORP.,**

Defendants.

_____ /

USI INSURANCE SERVICES LLC,

Counter-Plaintiff,

v.

**MATTHEW SIMMONS, JACK MITCHELL
and SOUTHEAST SERIES OF LOCKTON
COMPANIES, LLC.,**

Counter-Defendants.

_____ /

ORDER

Counter-Defendants Southeast Series of Lockton Southeast Companies, LLC, Matthew Simmons, and Jack Mitchell (collectively, Lockton) moves for leave to file under seal certain documents. (Doc. 149). Counter-Plaintiff USI

Insurance Services, LLC's (USI) does not oppose the motion. (*Id.* at p. 9).

The public has a common-law right of access to judicial proceedings, which includes the right to inspect and copy public records and court documents. *See Chicago Trib. Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1311 (11th Cir. 2001). However, "[t]he common law right of access may be overcome by a showing of good cause, which requires balancing the asserted right of access against the other party's interest in keeping the information confidential." *Romero v. Drummond Co., Inc.*, 480 F.3d 1234, 1246 (11th Cir. 2007).

Lockton's response to USI's motion for leave to take additional depositions contains redacted text on pages 3–5. (*See* Doc. 143). These redactions refer to a financial model Lockton prepared involving revenue and profit and loss projections. (*Id.*). Exhibits H and J to Lockton's response contain email correspondence with similar redacted and omitted information. (*See* Docs. 143-9, 143-11). Exhibit I to USI's response contains excerpts from the deposition of Manoj Sharma about Lockton's corporate structure, financing and operations, corporate officers, and detailed financial models. (*See* Doc. 143-10).

There is good cause to file Lockton's response to USI's motion for leave to take additional depositions and its exhibits under seal because it contains

Lockton's proprietary, non-public information. *See, e.g., Declan Flight, Inc. v. Textron Eaviation, Inc.*, No. 5:23-CV-301-GAP-PRL, 2023 WL 4847575, at *2 (M.D. Fla. July 28, 2023) ("Courts in this district have routinely recognized that maintaining the privacy of confidential business information can constitute good cause for keeping documents from the public view.").

Accordingly, Lockton's Motion to File Under Seal (Doc. 149) is **GRANTED**. Lockton may file an unredacted version of its response to USI's motion and its corresponding exhibits (Doc. 143) under seal by **January 12, 2024**. Under Local Rule 1.11(c), M.D. Fla., within 30 days after this case is closed and all appeals exhausted, this person is authorized to retrieve the sealed documents: Lyle Shapiro, Esq., 9130 S. Dadeland Boulevard, Suite 1609, Miami, FL 33156, lyle@hslawfl.com, (305) 423-1986.

ORDERED in Tampa, Florida on January 10, 2024.



AMANDA ARNOLD SANSONE
United States Magistrate Judge