

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF New York**

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U.S. BANK NATIONAL ASSOCIATION

Plaintiff/Petitioner,

-against-

Index No. 656028/2021

N/A

Defendant/Respondent.

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NOTIFICATION FOR SEALING IN ELECTRONICALLY-FILED CASE

To: County Clerk, County of New York _____ :

Richard J. D'Amato _____, an attorney admitted to the Bar of the State of New York and counsel for HBK Master Fund L.P. _____ in the above-captioned case, respectfully submits this notification that an order of this court, a copy of which is annexed, requires that the documents identified below be sealed. Unless the order directs the sealing of the entire case file, each document to be sealed is identified below by its Document Type, Document Number, and Date Filed as shown on the NYSCEF Document List.

Sealing of Entire File Ordered _____ [Initial here] or

Sealing of the Document(s) Identified Below Ordered:

Document Type	Document Number	Date Filed
1) Olifant Responsive Merits Bri	No. 268	6/21/2023
2) Ricardo Exhibit 1	No. 270	6/21/2023
3) Dean Smith Rebuttal Aff	No. 278	6/21/2023
4)	No.	
5)	No.	

As directed by the order, the [_____] entire file [] document(s) indicated above shall not be sealed as to:

12/18/17

EF-7

parties to the action counsel to parties to the action [] others (specify):

Dated: 9/29/2023

Signature: 

Name: Richard J. D'Amato

Firm Name: Akin Gump Strauss Hauer &

Address: One Bryant Park

New York, NY 10036

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 53

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U.S. BANK NATIONAL ASSOCIATION (AS TRUSTEE,
SECURITIES ADMINISTRATOR, PAYING AGENT,
AND/OR CALCULATION AGENT UNDER VARIOUS
POOLING AND SERVICING AGREEMENTS), U.S. BANK
TRUST COMPANY, NATIONAL ASSOCIATION (AS
TRUSTEE, SECURITIES ADMINISTRATOR, PAYING
AGENT, AND/OR CALCULATION AGENT UNDER
VARIOUS POOLING AND SERVICING AGREEMENTS),

Plaintiff,

- v -

N/A,

Defendant.

INDEX NO. 656028/2021

MOTION DATE N/A

MOTION SEQ. NO. 013

**DECISION + ORDER ON
MOTION**

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HON. ANDREW BORROK:

The following e-filed documents, listed by NYSCEF document number (Motion 013) 310, 311, 312, 313, 314, 315, 316, 317

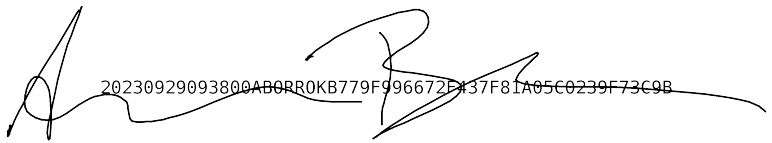
were read on this motion to/for SEAL.

Upon the foregoing documents, the motion to seal NYSCEF Doc. Nos. 268, 270, and 278 is granted because they contain confidential, proprietary, and competitively sensitive software code and modeling information, such that the good cause basis for sealing outweighs the public interest in the information (*Danco Lab., Ltd. v Chemical Works of Gedeon Richter, Ltd.*, 274 AD2d 1, 8 [1st Dept 2000]; 22 NYCRR § 216.1[a]). The data file at NYSCEF Doc. No. 270 shall be sealed in its entirety and references thereto in NYSCEF Doc. Nos. 268 and 278 are properly redacted in the publicly filed versions of those documents at NYSCEF Doc. Nos. 314 and 315.

Accordingly, it is hereby ORDERED that the Clerk of the Court is directed, upon service on him of a copy of this order with notice of entry, to seal NYSCEF Doc. Nos. 268, 270, and 278 and to separate these documents and to keep them separate from the balance of the file in this action; and it is further

ORDERED that thereafter, or until further order of the court, the Clerk of the Court shall deny access to the said sealed documents to anyone (other than the staff of the Clerk or the court) except for counsel of record for any party to this case and any party; and it is further

ORDERED that service upon the Clerk of the Court shall be made in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible at the “E-Filing” page on the court’s website).



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9/29/2023

DATE

ANDREW BORROK, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE