

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK**

Suzanne Lucas v. Hartford Life and Accident Insurance Company

Lucas v. Hartford · No. 1:24-cv-7561 (VEC) · Decided November 24, 2025

OPINION

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admitted in Florida and New Jersey November 21, 2025.. USDC SDNY Lae 8
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Suzanne Lucas v. Hartford Life and Accident Insurance Company Case No.: 1:24-cv-7561 (VEC)
Dear Judge Caproni: The Law Office of Jeffrey Delott represents Plaintiff Suzanne Lucas, and
Robinson & Cole LLP represents Defendant Hartford Life and Accident Insurance Company
("Hartford") in the above-referenced action.

We write jointly, pursuant to Fed. R. Civ. P. 5.2(d), Sections 6 and 21 of the S.D.N.Y. Electronic
Case Filing Rules & Instructions, and Sections 1.A and 4.A of Your Honor's Individual Rules of
Practice in Civil Cases, to request entry of an order permitting Defendant to file a non-redacted
version of the exhibits to the Declaration of Jamie Lunemann submitted in support of its Motion
for Summary Judgment under seal for judicial review with the Clerk of the Court.

Specifically, Defendant seeks to file the following documents under seal: e The Administrative
Record' in this matter, which includes 1027 pages and surveillance video footage; and e The email
from Jeffrey Delott dated August 20, 2024 containing a link to Lucas' appeal and the appeal
documents themselves, which include 221 pages. District courts within the Second Circuit "enjoy
considerable discretion in determining whether good cause exists to overcome the presumption of
open access to documents filed in federal courts." Grayson v. Gen.

Elec. Co., 2015 WL 1867736, at *1 (D. Conn. Apr. 23, 2015) (citing Geller v. Branick Int'l Realty
Corp., 212 F.3d 734, 738 (2d Cir. 2000)). ' The parties dispute whether the Plaintiffs email
containing a link to her appeal submission, and the documentation in the link itself, should be
included as part of the Administrative Record and thus, those documents are discussed separately.

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Hon. Valerie Caproni November 21, 2025 Page 2 Good cause exists to seal the documents
referenced above, which spans nearly 1228 pages and contains video footage of the Plaintiff The
documents are replete with information regarding Plaintiff's medical conditions, diagnosis and

treatment that may be protected health information (“PHI”) under the Health Insurance Portability and Accountability Act (“HIPAA”) and the surveillance video captures images of people other than the Plaintiff.

See, e.g., *S.W. on behalf of AW. v. New York City Dep’t of Educ.*, No. 22 CIV. 3592 (LGS), 2023 WL 5803415, at *10 (S.D.N.Y. Sept. 7, 2023) (granting motion to seal administrative record because “the Record is voluminous and permeated with confidential information” and “[r]edacting the Record would be unduly burdensome”); *J.M. v. United Healthcare Ins.*, No. 21 CIV.

6958 (LGS), 2023 WL 6542179, at *2 (S.D.N.Y. Sept. 29, 2023) (granting motion to “seal the entire Administrative Record, which contains highly sensitive personal and medical information of Plaintiff M.M.”); *Valentini v. Grp. Health Inc.*, No. 20CV09526 (PC), 2020 WL 7646892, at *2 (S.D.N.Y. Dec. 23, 2020) (“[B]ecause a plaintiff maintains significant privacy rights to her medical information, courts regularly seal records protected from disclosure by HIPAA.”); *Tydv.*

Stanley Black & Decker Life Ins. Prog., No. 3:17-CV-1591 (VAB), 2020 WL 13149812, at *1 (D. Conn. Feb. 21, 2020) (“The Court granted the parties’ joint motion to submit the [over 1200 page] Administrative Record for Judicial Review (‘Administrative Record’) under seal in order to protect the Plaintiff’s and her husband’s personal identifiers, medical records, and financial record.”); *Offor v. Mercy Med.*

Cir., 167 F. Supp.3d 414, 445 (E.D.N.Y. 2016) (collecting cases), vacated in part on other grounds, 676 Fed. Appx. 51 (2d Cir. 2017) (“Courts in this Circuit have repeatedly held that information protected by HIPAA is not subject to a First Amendment or common-law right of access and thus have sealed docket entries and redacted documents that contain such information.”).

Accordingly, sealing the entire record is the most narrowly-tailored means available for protecting Plaintiffs PHI and the identity/images of other people in the surveillance videos. In addition, the documents comprising the record are laced with references to Plaintiffs social security number, date of birth, home address and other sensitive and personally identifiable information (PID).

In light of the sheer volume of PHI and PII spanning the Administrative Record, virtually all of the documents submitted for judicial review would need to be redacted. This would be an extremely burdensome task. Making the Administrative Record available for public inspection would serve very little, if any, public purpose and would risk significant intrusion on Plaintiffs privacy (as well as those people whose images are captured in the surveillance footage).

As a practical matter, there is no less restrictive alternative available than submitting a non-redacted copy of the above-referenced documents and surveillance video footage directly to the Clerk of the Court under seal. Robinson+Cole Hon. Valerie Caproni November 21, 2025 Page 3 In light of all of the foregoing, the parties respectfully request that the Court enter an order

permitting Defendant to file a non-redacted Administrative Record under seal for judicial review with the Clerk of the Court.

Respectfully submitted, Respectfully submitted, /s/ Jeffrey Delott /s/ Matthew P. Mazzola Jeffrey Delott Matthew P. Mazzola Law Office of Jeffrey Delott Michael H. Bernstein Robinson & Cole LLP Counsel for Plaintiff Counsel for Defendant Application GRANTED IN PART. Exhibits A, B, C, and E of the Lunemann Declaration, Dkt. 71, may be filed under seal. Exhibit D (HARTFORD 001028), however, does not appear to contain any sensitive information; accordingly, Defendant must file that Exhibit publicly or explain in greater detail why it should be filed under seal.

SO ORDERED. (¢ Velen 11/24/2025 HON. VALERIE CAPRONI UNITED STATES DISTRICT JUDGE