

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

John Marcelletti, on behalf of himself and all others similarly situated v. GEICO General Insurance Company

Marcelletti v. GEICO · No. 6:23-CV-06211 EAW · Decided June 15, 2026

SUMMARY

The United States District Court for the Western District of New York denied GEICO General Insurance Company’s Rule 72(a) appeal of a magistrate judge’s decision granting in part and denying in part a motion to seal materials related to class certification and expert-witness motions. The court held that the magistrate judge properly applied the presumption of public access to judicial documents and that GEICO had not shown clear error or a decision contrary to law.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Elizabeth A. Wolford
JURISDICTION	United States District Court for the Western District of New York
DECIDED	June 15, 2026
DOCKET	6:23-CV-06211 EAW
DISPOSITION	other
PROCEDURAL POSTURE	Defendant appealed under Federal Rule of Civil Procedure 72(a) from a magistrate judge's non-dispositive order granting in part and denying in part a motion to seal information submitted in connection with a class-certification motion and motions concerning expert testimony.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(a), a district court may set aside a magistrate judge's determination on a non-dispositive matter only if it is clearly erroneous or contrary to law. The review is highly deferential, and reversal is appropriate only when the court is left with a definite and firm conviction that a mistake has been committed.
PRECEDENTIAL VALUE	unknown
PARTIES	GEICO General Insurance Company v. John Marcelletti, on behalf of himself and all others similarly situated

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Magistrate Judge Holland's ruling on GEICO's motion to seal was clearly erroneous or contrary to law under Federal Rule of Civil Procedure 72(a).
2. Whether GEICO satisfied its burden to overcome the common-law and First Amendment presumptions of public access to judicial documents.

HOLDINGS

1. The district court denied GEICO's Rule 72(a) appeal because GEICO failed to show that Magistrate Judge Holland's decision was clearly erroneous or contrary to law.
2. The court held that the information was judicial material subject to a significant presumption of public access, including under the First Amendment, and that GEICO did not overcome that presumption.

KEY QUOTATIONS

“Under Fed. R. Civ. P. 72(a), a District Court may set aside a Magistrate Judge’s determination on a nondispositive matter only if that determination is clearly erroneous or contrary to law.”

“To overcome the presumption of public access to judicial documents, the Court must make “specific, on-the-record findings that sealing is necessary to preserve higher values” and any sealing order must be “narrowly tailored to achieve that aim.””

FACTUAL BACKGROUND

Marcelletti brought a putative class action against GEICO concerning GEICO's alleged failure to pay sales tax for leased vehicles treated as total losses. In connection with an amended class-certification motion and motions to limit or exclude expert testimony, GEICO sought to seal information concerning its rate setting, claims databases, claims-adjustment procedures, internal memoranda, and claims-handling guide. Magistrate Judge Holland found that GEICO's conclusory allegations of competitive and economic harm did not overcome the strong presumption of public access and granted the motion to seal only in part.

PROCEDURAL HISTORY

Plaintiff commenced a putative class action alleging that GEICO breached an insurance contract by failing to pay sales tax on leased vehicles declared total losses. The case was referred to Magistrate Judge Colleen D. Holland for pretrial matters, and Judge Holland granted in part and denied in part GEICO's motion to seal. GEICO appealed that non-dispositive ruling under Rule 72(a); the district court denied the appeal and directed the parties to submit their motion papers under the existing scheduling order.

DISPOSITION

other

CASES CITED

- Eisai Ltd. v. Dr. Reddy's Labs., Inc., 406 F. Supp. 2d 341, 342 (S.D.N.Y. 2005)
- Rodriguez v. Pie of Port Jefferson Corp., 48 F. Supp. 3d 424, 425 (E.D.N.Y. 2014)
- Khaldei v. Kaspiev, 961 F. Supp. 2d 572, 575 (S.D.N.Y. 2013)
- Flaherty v. Filardi, No. 03 Civ. 2167(LTS)(HBP), 2009 WL 749570, at *19 (S.D.N.Y. Mar. 20, 2009), *aff'd*, 460 F. App'x 66 (2d Cir. 2012)
- Spectrum Dynamics Med. Ltd. v. Gen. Elec. Co., No. 18CV11386(VSB)(KHP), 2023 WL 7126251, at *1 (S.D.N.Y. Oct. 30, 2023)
- Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110, 124 (2d Cir. 2006)
- DiRussa v. Dean Witter Reynolds Inc., 121 F.3d 818, 826 (2d Cir. 1997)
- Fischer v. Gov't Emps. Ins. Co., No. 23-CV-2848-SJB-SIL, 2026 WL 482637, at *16 (E.D.N.Y. Feb. 20, 2026)
- Ndugga v. Bloomberg L.P., No. 20-CV-7464, 2025 WL 2302089, at *1 (S.D.N.Y. Aug. 11, 2025)
- Metcalf v. TransPerfect Translations Int'l Inc., No. 19CV10104(ER)(KHP), 2023 WL 7297176, at *2 (S.D.N.Y. Nov. 6, 2023)
- Cantinieri v. Verisk Analytics, Inc., No. 21CV6911(NJC)(JMW), 2024 WL 759317, at *2 (E.D.N.Y. Feb. 23, 2024)
- Wood v. Mut. Redevelopment Houses, Inc., No. 19 CIV. 9563 (AT), 2021 WL 4255054, at *8 (S.D.N.Y. Sept. 17, 2021)
- In re Terrorist Attacks on Sept. 11, 2001, No. 03MDL1570(GBD)(SN), 2020 WL 6712191, at *1 (S.D.N.Y. Nov. 16, 2020)
- Grand v. Schwarz, No. 15-CV-8779 (KMW), 2018 WL 1604057, at *2 (S.D.N.Y. Mar. 28, 2018)
- Subramanian v. Lupin Inc., No. 17-CV-5040 (RA), 2020 WL 6075523, at *2 (S.D.N.Y. Oct. 15, 2020)
- In re New York City Policing During Summer 2020 Demonstrations, No. 20-CV-8924 (CM)(GWG), 2022 WL 656808, at *2 (S.D.N.Y. Mar. 4, 2022)