

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Telecom Business Solution, LLC, et al. v. Terra Towers Corp., et al.

Telecom Business Solution · No. 1:22-cv-01761 · Decided December 5, 2025

SUMMARY

This document is a letter motion filed by Telecom Business Solution, LLC, LATAM Towers, LLC, and AMLQ Holdings (Cay), Ltd. in the United States District Court for the Southern District of New York. Petitioners request leave to file two forthcoming motions and related responses under seal and seek expedited briefing concerning a shareholders agreement and an ongoing sale process. The court granted the requests.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Lewis A. Kaplan
DECIDED	December 5, 2025
DOCKET	1:22-cv-01761
DISPOSITION	other
PROCEDURAL POSTURE	Petitioners requested leave to file two forthcoming motions and related documents under seal and requested expedited briefing. The court granted the requests.
PRECEDENTIAL VALUE	unknown
PARTIES	Telecom Business Solution, LLC, LATAM Towers, LLC, AMLQ Holdings (Cay), Ltd. v. Terra Towers Corp.

TOPICS

- civil procedure
- commercial litigation
- contracts

PRACTICE AREAS

- civil procedure
- commercial litigation
- contracts

QUESTIONS PRESENTED

1. Whether petitioners should be permitted to file forthcoming motions and related documents under seal, with responses likewise filed under seal.
2. Whether the briefing schedule for the forthcoming motions should be expedited by shortening the response and reply periods.

HOLDINGS

1. The court granted petitioners leave to file the forthcoming motions and accompanying documents under seal and ordered that ensuing responses likewise be filed under seal.
2. The court granted petitioners' request to expedite briefing by shortening the applicable response and reply periods by three days.

KEY QUOTATIONS

“Courts have consistently found that confidential commercial information of a business—including confidential research, internal business documents and information about a business’s operations are the proper subject of sealing.” (2)

FACTUAL BACKGROUND

The action arises from a Shareholders Agreement containing confidentiality provisions and provisions governing the sale of Continental Towers Latam Holdings, Ltd. Petitioners represented that their forthcoming motions would disclose competitively sensitive and confidential information concerning the company and the court-ordered sale process. They also asserted that expedited briefing was necessary because the requested relief concerned an ongoing sale process.

PROCEDURAL HISTORY

The action concerns enforcement of a Shareholders Agreement and a court-ordered sale process involving Continental Towers Latam Holdings, Ltd. Petitioners sought sealing and expedited briefing for forthcoming motions related to that sale process, and the district court granted the requests.

DISPOSITION

other

CASES CITED

- PharmacyChecker.com LLC v. National Association of Boards of Pharmacy, 2022 WL 4956050, at *2 (S.D.N.Y. Aug. 26, 2022)
- Signify Holding B.V. v. TP-Link Research America Corp., 2022 WL 3704002, at *1 (S.D.N.Y. Aug. 26, 2022)
- Halberg on behalf of Goldman Sachs 401(k) Plan v. Goldman Sachs Group, Inc., 2022 WL 601967, at *2 (S.D.N.Y. Mar. 1, 2022)

OPINION

Telecom Business Solution, LLC, et al. v. Terra Towers Corp., et al.

PER CURIAM.

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BY CM/ECF & HAND DELIVERY

The Honorable Lewis A. Kaplan Daniel Patrick Moynihan United States Courthouse 500 Pearl Street New York, NY 10007-1312 Re: Telecom Business Solution, LLC, et al. v. Terra Towers Corp., et al., No. 22-cv-01761 Your Honor: We represent petitioners Telecom Business Solution, LLC and LATAM Towers, LLC (collectively, “Peppertree”), and AMLQ Holdings (Cay), Ltd. (“AMLQ,” together with Peppertree, “Petitioners”) in the above-captioned action. Pursuant to Federal Rule of Civil Procedure 5.2(d), S.D.N.Y. Civ. R. 7.1(e), and S.D.N.Y. ECF Rule 13.1, Petitioners respectfully request (i) leave to file under seal two forthcoming motions related to the Shareholders Agreement this action arises from (ECF 259-1) and that the Court order any responses to the motions likewise be filed under seal, and (ii) that the Court order expedited briefing on the motions. First, as the Court is aware, having previously ordered the sealing of filings in this action on multiple occasions (see, e.g., ECF 218), the Shareholders Agreement contains a confidentiality provision under which the parties agreed not to disclose any confidential information disclosed to it by another shareholder, subject to limited exceptions. See ECF 259-1 § 6.03. The Shareholders Agreement also included a provision providing for the sale of Continental Towers Latam Holdings, Ltd. (the “Company”), which this Court has issued multiple orders enforcing. See ECF 124; ECF 295. “[C]ourts have consistently found that confidential commercial information of a business—including confidential research, internal business documents and information about a business’s operations are the proper subject of sealing.”! Petitioners’ forthcoming motions contain competitively sensitive and confidential information regarding the Company and the sale process that is being conducted pursuant to the Court’s orders and that is covered by the confidentiality provisions of the Shareholders Agreement. Accordingly, Petitioners respectfully request leave to PharmacyChecker.com LLC v. Nat’l Ass’n of Boards of Pharmacy, 2022 WL 4956050, at *2 (S.D.N.Y. Aug. 26, 2022); see also Signify Holding B.V. v. TP-Link Rsch. Am. Corp., 2022 WL 3704002, at *1 (S.D.N.Y. Aug. 26, 2022) (sealing warranted to protect “sensitive business information”); Halberg on behalf of Goldman Sachs 401(k) Plan v. Goldman Sachs Grp, Inc., 2022 WL 601967, at *2 (S.D.N.Y. Mar. 1, 2022) (“Courts in this District routinely permit redaction and sealing of... competitively sensitive business information.”). woe 12° PLL DAME POEL Sree PIS Leiter 2 raye 4 Wie file the motions, and the documents filed therewith under seal, and order that any ensuing responses likewise be filed under seal. □ Second, because the motions seek relief related to the ongoing sale process that, for the

reasons set forth in Petitioners' briefs in support of the motions, is needed on an urgent basis, the Court should also order expedited briefing on the motions. Specifically, Petitioners request that the periods to file answering and reply briefs regarding the motions under Local Civ. R. 6.1(b) each be shortened by three days, such that Respondents' opposition briefs are due on Monday, December 15, and Petitioners' replies are due on Friday, December 19. This schedule would allow briefing on the motions to be completed before the upcoming holiday period. We thank the Court for its consideration of these requests. Respectfully submitted, /s/ Gregg L. Weiner /s/ Michael N. Ungar Gregg L. Weiner Michael N. Ungar Counsel for AMLO Holdings (Cay), Ltd. Counsel for Telecom Business Solution, LLC and LATAM Towers, LLC

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