

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Toho Co., Ltd. v. The Individuals, Corporations, Limited Liability
Companies, Partnerships, and Unincorporated Associations
Identified in Schedule A

Toho Co. · No. 25-24712-CIV-MORENO · Decided January 21, 2026

SUMMARY

The United States District Court for the Southern District of Florida denied Toho Co., Ltd.’s sealed ex parte motion because the plaintiff did not establish good cause to overcome the presumption of public access to court proceedings. The court granted leave to refile the motion on the open docket.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Federico A. Moreno
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	January 21, 2026
DOCKET	25-24712-CIV-MORENO
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff filed a sealed ex parte motion seeking to seal the motion and related materials. The district court denied the motion, granting leave to refile it on the open docket.
STANDARD OF REVIEW	The court applied the public-access presumption and examined whether Plaintiff established good cause to overcome that presumption by balancing the asserted right of access against the interest in confidentiality.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff established good cause sufficient to overcome the presumption of public access to civil court filings and justify sealing its ex parte motion.

HOLDINGS

1. A party seeking to seal a civil court filing must establish good cause by addressing the character and nature of the information and balancing the asserted right of public access against the interest in confidentiality. Toho failed to make that showing, so the motion to seal was denied.

KEY QUOTATIONS

“Once a matter is brought before a court for resolution, it is no longer solely the parties’ case, but also the public’s case.”” (at 1)

“There is a “general presumption that criminal and civil actions should be conducted publicly.”” (at 1)

“This requires the Court to “balance[] the asserted right of access against the other party’s interest in keeping the information confidential.”” (at 1)

FACTUAL BACKGROUND

Toho sought to keep its ex parte motion under seal. The court found that Toho had not met its burden to establish good cause for sealing the motion, but allowed Toho to refile it on the open docket.

PROCEDURAL HISTORY

Toho filed a sealed ex parte motion on December 11, 2025. The Southern District of Florida considered the motion and the pertinent record, denied sealing for failure to establish good cause, and granted leave to refile the motion publicly.

DISPOSITION

denied

CASES CITED

- Brown v. Advantage Eng'g., Inc., 960 F.2d 1013, 1016 (11th Cir. 1992)
- FTC v. AbbVie Prods., LLC, 713 F.3d 54, 62 (11th Cir. 2013)
- Chi. Tribune Co. v. Bridgestone/Firestone, Inc., 263 F.3d 1304, 1309, 1311, 1315 (11th Cir. 2001)
- Romero v. Drummond Co., Inc., 480 F.3d 1234, 1246 (11th Cir. 2007)

OPINION

Toho Co., Ltd. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified in Schedule A

PER CURIAM.

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA

Miami Division Case Number: 25-24712-CIV-MORENO

TOHO CO., LTD.,

Plaintiff, vs.

THE INDIVIDUALS, CORPORATIONS,

LIMITED LIABILITY COMPANIES,

PARTNERSHIPS, AND

UNINCORPORATED ASSOCIATIONS

IDENTIFIED IN SCHEDULE A,

Defendants. _____/

ORDER DENYING MOTION TO SEAL

THIS CAUSE came before the Court upon Plaintiff's Sealed Ex Parte Motion (ECF 6) filed on December 11, 2025. THE COURT has considered the motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is ADJUDGED that the motion is DENIED with leave to refile on the open docket. "Once a matter is brought before a court for resolution, it is no longer solely the parties' case, but also the public's case." *Brown v. Advantage Eng'g., Inc.*, 960 F.2d 1013, 1016 (11th Cir. 1992). There is a "general presumption that criminal and civil actions should be conducted publicly." *FTC v. Abbvie Prods., LLC*, 713 F.3d 54, 62 (11th Cir. 2013)(quoting *Chi. Tribune Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1311 (11th Cir. 2001)). To overcome the presumption in favor of access, the Court must examine whether Plaintiff has shown good cause. *Romero v. Drummond Co., Inc.*, 480 F.3d 1234, 1246 (11th Cir. 2007). This requires the Court to "balance[] the asserted right of access against the other party's interest in keeping the information confidential." *Jd.* (quoting *Chi. Tribune Co.*, 263 F.3d at 1309). "Whether good cause exists is decided by the character and nature of the information in question." *Jd.* (quoting *Chi. Tribune*, 263 F.3d at 1315). In this case, Plaintiff does not meet its burden to establish good cause why the Court should seal the motion. The Court, however, grants Plaintiff leave to file the motion on the open docket. DONE AND ORDERED in Chambers at Miami, Florida, this 21st of January 2026.

FEDERICO A. MORENO

UNITED STATES DISTRICT JUDGE

Copies furnished to: Counsel of Record