

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.

OPINION

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