

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Rav Bahamas, Ltd. v. Genting Americas, Inc.

No. 24-CV-23874-LENARD/Elfenbein, United States District Court for the Southern District of Florida
(January 26, 2026)

SUMMARY

This Omnibus Order addresses competing motions to seal exhibits and related filings in litigation arising from a failed joint venture to develop and operate a casino resort in Bimini, Bahamas. The court treats the exhibits as judicial records subject to the presumption of public access and finds that full sealing is not justified. It instead orders targeted redactions for non-party identities and personal identifiers, transaction-level financial amounts, and bank account or similar financial information, with full sealing permitted only if redaction would render an exhibit substantially unintelligible.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Marty Fulg Lueira Elfenbein
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	January 26, 2026
DOCKET	24-CV-23874-LENARD/Elfenbein
DISPOSITION	other
PROCEDURAL POSTURE	Magistrate judge ruling on two motions to seal exhibits and a related motion for leave to amend in an action arising from a failed casino-resort joint venture.
STANDARD OF REVIEW	The Court applied the common-law presumption of public access to judicial records and balanced that presumption against legitimate privacy and proprietary interests under a good-cause standard, considering whether targeted redaction was a less onerous alternative to sealing.
PRECEDENTIAL VALUE	unpublished district court order; persuasive only

TOPICS

- civil procedure
- pleadings
- commercial litigation
- gambling

PRACTICE AREAS

civil procedure

commercial litigation

casino and gaming litigation

QUESTIONS PRESENTED

1. Whether the disputed exhibits attached to the amended pleadings and submitted in connection with the motion for leave to amend are judicial records subject to the common-law right of public access.
2. Whether Genting established good cause to seal the disputed exhibits in full based on non-party privacy interests, proprietary commercial information, or competitive harm.
3. Whether targeted redactions adequately protect legitimate privacy and proprietary interests while preserving public access to the judicial record.
4. Whether exhibits that the parties agreed need not remain confidential should be filed publicly.

HOLDINGS

1. Pleadings and their attachments, including the disputed exhibits attached to the First Amended Complaint and submitted in connection with the motion for leave to amend the Second Amended Complaint, are judicial records subject to the common-law presumption of public access.
2. Genting failed to establish good cause for sealing the disputed exhibits in full because generalized assertions of confidentiality, privacy, or competitive harm were insufficient without an exhibit-specific showing of likely injury.
3. The disputed exhibits must be filed publicly with targeted redactions of non-party names and identifiers, transaction-level financial amounts involving BBE or non-parties, and bank-account numbers and similar financial identifiers.
4. Information already publicly disclosed cannot be retroactively cloaked in confidentiality merely because it was produced in discovery.

KEY QUOTATIONS

“Genting has failed to satisfy its burden to show that any of the Disputed Exhibits should be sealed in full and instead adopts a uniform redaction protocol applicable across the disputed exhibits” (§ IV)

“Plaintiff SHALL file the exhibits at issue (Exhibits 47-48, 51-55, 61-63, 66-71, 74-79, 81-83, and 85-86) as well as the Motion for Leave and the proposed SAC with the following information redacted:” (Conclusion ¶ 1)

FACTUAL BACKGROUND

The case concerns a failed joint venture to develop and operate Resorts World Bimini, a casino resort in the Bahamas. Plaintiff contributed approximately twenty acres of land and alleges that Genting used the joint venture entity to incur illegitimate debt, manipulate financial reporting, and engage in self-dealing. The disputed exhibits contain financial records, intercompany communications, transaction information, personal financial information, and materials concerning casino patron Mathew Bowyer.

PROCEDURAL HISTORY

Plaintiff filed suit against Genting Americas, Inc. in October 2024. The Court dismissed the original complaint with leave to amend to add BB Entertainment Ltd. as a defendant. Plaintiff then filed a First Amended Complaint and sought leave to file a Second Amended Complaint, while the parties litigated whether exhibits and related amendment filings should be sealed under a protective order. The magistrate judge granted both motions to seal in part and denied them in part, requiring targeted redactions and public filing of specified exhibits.

DISPOSITION

other

CASES CITED

- F.T.C. v. AbbVie Products LLC, 713 F.3d 54 (11th Cir. 2013)
- Chi. Tribune Co. v. Bridgestone/Firestone, Inc., 263 F.3d 1304 (11th Cir. 2001)
- Perez-Guerrero v. U.S. Att'y Gen., 717 F.3d 1224 (11th Cir. 2013)
- Nixon v. Warner Communications, Inc., 435 U.S. 589 (1978)
- Hicklin Engineering, L.C. v. Bartell, 439 F.3d 346 (7th Cir. 2006)
- Callahan v. United Network for Organ Sharing, 17 F.4th 1356 (11th Cir. 2021)
- Romero v. Drummond Co., Inc., 480 F.3d 1234 (11th Cir. 2007)
- In re Alexander Grant & Co. Litig., 820 F.2d 352 (11th Cir. 1987)
- Brown v. Advantage Engineering, Inc., 960 F.2d 1013, 1016 (11th Cir. 1992)
- Rossbach v. Rundle, 128 F. Supp. 2d 1348, 1352 (S.D. Fla. 2000)
- Houston Specialty Insurance Co. v. Fenstersheib, No. 20-CV-60091, 2022 WL 190050, at *3 (S.D. Fla. Jan. 21, 2022)
- Echevarria v. Expedia Group, Inc., No. 19-CV-22620, 2024 WL 3969198, at *2-*3 (S.D. Fla. Aug. 28, 2024)
- Ready2Go Aviation LLC v. Galistair Trading Ltd., No. 23-CV-23318, 2023 WL 7545327, at *2 (S.D. Fla. Nov. 14, 2023)
- OJ Commerce, 34 F.4th 1234, 1246-47 (11th Cir. 2022)
- PayCargo, LLC v. CargoSprint LLC, No. 19-CV-22995, 2021 WL 2072446, at *2-*3 (S.D. Fla. May 24, 2021)
- Procaps S.A. v. Patheon Inc., No. 12-CV-24356, 2015 WL 4430955, at *6 (S.D. Fla. July 20, 2015)
- CRubin, LLC v. Escoriaza, No. 19-CV-22261, 2020 WL 2542629, at *2 (S.D. Fla. May 19, 2020)
- RTP LLC v. ORIX Real Estate Capital, Inc., 827 F.3d 689 (7th Cir. 2016)