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February 26, 2026

**VIA ECF**

The Honorable Loretta A. Preska  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2220  
New York, NY 10007-1312  
Fax: 212-805-7941

Re: *In re 650 Fifth Avenue and Related Properties*, No. 08-cv-10934  
(LAP) and Consolidated Actions

Dear Judge Preska:

Pursuant to Your Honor's Individual Rules of Practice, Sylvius von Saucken, as Trustee of the 650 Fifth Settlement Trust (the "Trustee") respectfully moves to file under seal, in its entirety, the Order Establishing Trustee and Third-Party Payment Protocols, entered on February 24, 2026 (the "Order").

Good cause exists to seal the Order in full. The Order contains information drawn directly from, and integrally connected to, the parties' Settlement Agreement that the Court approved on January 17, 2025, which remains under seal. The Order describes the establishment and administration of the 650 Fifth Settlement Trust and includes details concerning payment and administrative protocols for the Trust that implement the terms of the sealed Settlement Agreement. Public disclosure of the Order would reveal information encompassed by the sealed settlement materials and thereby frustrate the protections afforded by the Court's sealing of that agreement.

Moreover, targeted redactions would not adequately safeguard the confidentiality interests at stake. The sensitive settlement-related information is embedded throughout the Order's description of the Trust's payment and administrative frameworks. The Order sets forth protocols for remitting payments to third-party service providers and the settlement administrator and addresses the submission and approval of Trustee invoices and related reporting and administrative matters undertaken for the Settlement Trust. Given the pervasiveness of this content, line-by-line redactions would leave little of substance for the public docket and would risk inadvertent

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revelation of protected settlement information. Sealing the Order in its entirety is therefore narrowly tailored to preserve the confidentiality of the sealed settlement while maintaining public access to the remainder of the docket. Additionally, the public is not deprived of notice: the docket reflects a publicly filed text entry noting the existence of the Court's Order, and the Order itself directs that the covered materials receive confidential treatment pending the Court's *in camera* review and decision.

For these reasons, the Trustee respectfully requests that the Court approve filing of the Order under seal.

We thank the Court for its consideration.

Respectfully Submitted,

/s/ Judith L. Swartz

Judith L. Swartz

CC: All Counsel of Record (via ECF)