

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

In re:

Chapter 11

CINEMEX HOLDINGS USA,  
INC.,

Case No. 20-14696-LMI

Reorganized Debtor.

(Formerly Jointly Administered Under  
Lead Case: Cinemex USA Real Estate  
Holdings, Inc., Case No. 20-14695-  
LMI)

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**REORGANIZED DEBTOR'S *EX PARTE* MOTION FOR LEAVE TO FILE, UNDER SEAL, UNREDACTED VERSION OF THE REORGANIZED DEBTORS' MOTION FOR EVIDENTIARY HEARING AND/OR SUMMARY DISPOSITION ON EMERGENCY MOTION TO ENFORCE THIRD AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION AND CONFIRMATION ORDER, ECF NO. 204, AND EXHIBIT B THERETO**

Cinemex Holdings USA, Inc. (the "Reorganized Debtor") by and through its undersigned counsel, respectfully submits this *Ex Parte* Motion For Leave to File, Under Seal, Unredacted Version of the *Reorganized Debtor's Motion for an Evidentiary Hearing and/or Summary Disposition on Cinemex's Emergency Motion to Enforce the Third Amended Joint Chapter 11 Plan of Reorganization and Confirmation Order, ECF No. 204* ("Motion for Evidentiary Hearing") and Exhibit B Thereto (this "Motion"), and states as follows:

1. On October 7, 2021, the Reorganized Debtor filed a redacted version of the Motion for Evidentiary Hearing. *See* ECF No. 247.
2. The document comprising Exhibit B to the Motion for Evidentiary Hearing was produced in this litigation and was designated as "Highly Confidential" pursuant to the Confidentiality Agreement and Stipulated Protective Order entered in these joint cases ("Protective

Order”). *See* Case 20-14695, ECF No. 288 at ¶ 3 (“The Party producing any given Discovery Material may designate as ‘Highly Confidential’ any document . . . or portion(s) thereof that contains, constitutes, or reflects information that is particularly sensitive, private, or competitively valuable . . .”).

3. The Motion for Evidentiary Hearing cites information and quotes language from Exhibit B to the Motion for Evidentiary Hearing. *See* Mot. Evidentiary Hrg., ECF No. 247, ¶¶ 23, 26, and fn 2-4. Consequently, these portions of the Motion for Evidentiary Hearing contain information designated as “Highly Confidential” pursuant to the Protective Order. *See* Case 20-14695, ECF No. 288 at ¶ 3.

4. The Protective Order provides that “[a]ny Party who receives from another Party any ‘Discovery Material’ (e.g., information . . . including but not limited to . . . discovery conducted in this Case or a related Contested Matter or Adversary Proceeding . . .) that is designated as ‘Confidential’ or ‘Highly Confidential’ . . . pursuant to the terms of this Order shall not disclose such Protected Information to anyone else except as expressly permitted hereunder or as provided by such order as may be issued by the Court during the course of this Case or a related Contested Matter or Adversary Proceeding.” Case 20-14695, ECF No. 288 at ¶ 1.

5. Rule 5005-1(A)(4) of the Local Rules of the United States Bankruptcy Court for the Southern District of Florida (the “Local Rules”) provides, in part, that documents may only be filed under seal with leave of the Court. Published Procedures for Filing Documents Under Seal likewise require motion for leave to file a document under seal.

6. Local Rule 9070-1(a)(4) states that exhibits submitted for filing must comply with the federal judiciary privacy policy and Local Rule 5005-1(A)(2)(a), which codifies compliance with federal judiciary privacy policy.

**WHEREFORE**, the Reorganized Debtor respectfully requests that the Court enter an order (substantively in the form attached as Exhibit A) granting this Motion and the Reorganized Debtor leave to file, under seal, an unredacted version of the Motion for Evidentiary Hearing, and to file, under seal, Exhibit B thereto, as well as grant any other and further relief that the Court may deem just and proper.

Respectfully submitted this 7th day of October, 2021.

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SULLIVAN, LLP**

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**COUNSEL FOR CINEMEX HOLDINGS  
USA, INC.**

Exhibit A

UNITED STATES BANKRUPTCY COURT  
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MIAMI DIVISION  
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Chapter 11

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Case No. 20-14696-LMI

Reorganized Debtor.

(Formerly Jointly Administered Under  
Lead Case: Cinemex USA Real Estate  
Holdings, Inc., Case No. 20-14695-  
LMI)

\_\_\_\_\_ /

**ORDER GRANTING  
REORGANIZED DEBTOR'S *EX PARTE* MOTION FOR LEAVE TO FILE, UNDER  
SEAL, UNREDACTED VERSION OF THE REORGANIZED DEBTORS' MOTION  
FOR EVIDENTIARY HEARING AND/OR SUMMARY DISPOSITION ON  
EMERGENCY MOTION TO ENFORCE THIRD AMENDED JOINT CHAPTER 11  
PLAN OF REORGANIZATION AND CONFIRMATION ORDER, ECF NO. 204, AND  
EXHIBIT B THERETO**

THIS CAUSE came before the Court, without hearing, upon the Reorganized Debtor's *Ex Parte* Motion for Leave to File, Under Seal, Unredacted Version of the *Reorganized Debtor's*

*Motion for an Evidentiary Hearing and/or Summary Disposition on Cinemex's Emergency Motion to Enforce the Third Amended Joint Chapter 11 Plan of Reorganization and Confirmation Order, ECF No. 204* ("Motion for Evidentiary Hearing") and Exhibit B Thereto [ECF No. \_\_\_] (the "Motion").

Having considered the Motion, finding good and sufficient cause in support of the relief requested, and being otherwise fully advised in the premises, it is

ORDERED as follows:

1. The Motion is GRANTED.
2. The Reorganized Debtors are authorized to file, under seal, an unredacted version of the Motion for Evidentiary Hearing and Exhibit B to the Motion for Evidentiary Hearing.
3. The unredacted version of the Motion for Evidentiary Hearing and Exhibit B thereto shall be maintained under seal even after the administrative closing of this case; provided, however, any party in interest has the right to seek leave of the Court to have the unredacted version of the Motion for Evidentiary Hearing and Exhibit B thereto unsealed subject to the right of the Reorganized Debtor and MOAC Mall Holdings LLC or any other party to oppose such request.
4. The Court retains jurisdiction to interpret and enforce the terms of this Order.

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Order submitted by:

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Email: [pattytomasco@quinnemanuel.com](mailto:pattytomasco@quinnemanuel.com)

Copies to:

*Attorney Patricia B. Tomasco, who shall serve interested parties and file a certificate of service reflecting same.*



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COVER SHEET TO ACCOMPANY ITEMS CONVENTIONALLY  
SUBMITTED FOR SEALING OR IN CAMERA REVIEW

**INSTRUCTIONS:** Items I through III must be completed by the party filer submitting an item for sealing or review. See Local Rule 5005-1(A)(4). Conventionally filed documents must be placed in a securely sealed envelope clearly marked with the warning **DOCUMENT UNDER SEAL**. Compliance with this provision is required.

**I. CASE INFORMATION:**

Case Number: 20-14696-LMI Chapter: 11

Name of Bankruptcy Case or Adversary Proceeding: Cinemex Holdings USA, Inc.

**II. FILING INFORMATION:**

Name of Filing Party: Patricia B. Tomasco, Quinn Emanuel Urquhart & Sullivan, LLP

Address of Filing Party: 711 Louisiana, Suite 500, Houston, Texas 77002

Phone Number of Filing Party: 713-221-7000

Filed on behalf of: Cinemex Holdings USA, Inc.

**III. TYPE OF SUBMISSION (check all that apply):**

Sealed Document with:  Unsealed Motion to Seal  Sealed Motion to Seal

Sealed Document pursuant to court order entered on: \_\_\_\_\_  
Docket Entry # \_\_\_\_\_

[If conventionally filed, must attach a copy of order authorizing sealing, unless order is sealed]

In Camera (Judicial) Review