

**Soneet Kapila, Trustee V. Espirito Santo Bank, Adv. No. 05-1113-BKC-AJC-A  
(In Re: Bankest Capital Corporation, Case No. 04-10941 BKC-AJC)**

Plaintiff sought to depose the Defendant. The deponent, Mr. Balestra, is the corporate representative of a party defendant and of a significant third party corporate witness. Defendant requested that all aspects of Mr. Balestra's be kept confidential by sealing the deposition testimony. Defendant asserts the testimony may be used against the Defendant in unrelated litigation.

The Court found that the Defendant did not present the compelling circumstances that would justify imposing a cloak of secrecy over a deposition in a judicial proceeding. The policy of conducting open judicial proceedings far outweighs the purely strategic concerns of the movant in this particular case.