



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN RE AMC ENTERTAINMENT)
HOLDINGS, INC. STOCKHOLDER) Consol. C.A. No. 2023-0215-MTZ
LITIGATION)

**REPORTS AND RECOMMENDATIONS OF SPECIAL MASTER
REGARDING A. MATHEW'S MOTION TO UNSEAL**

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Special Master

Dated: May 15, 2023

PRELIMINARY STATEMENT

The Court has issued two opinions in this matter, and I have issued prior reports and recommendations, one of which contains a brief factual recitation.¹ I incorporate the factual recitation from that prior report herein and presume familiarity with the general nature of this dispute.

On May 11, 2023, A. Mathew (“Mr. Mathew”) filed a “Motion to Compel Production of Sealed Documents and Court Records from the Following Cases Involving AMC and CEO Adam Aron” (“Motion to Unseal”).² He seeks to compel the production of “sealed documents and testimonies” from one Delaware action and numerous non-Delaware actions.³ I consider the Motion to Unseal a general request to access confidential filings in the specified actions.

The Court appointed me as a Special Master in this action.⁴ A recommendation regarding the Motion to Unseal falls within the scope of my authority. I recommend that the Court deny the Motion to Unseal.

¹ Trans. ID 69924744.

² Trans. ID 69996168.

³ Motion to Unseal ¶¶ A, 1-5.

⁴ *See* Order Appointing Special Master ¶ 1 (Trans. ID 69885808); Trans. ID 69935078.

ANALYSIS AND RECOMMENDATION

Mr. Mathew seeks production of documents filed as Confidential Filings in *Lao v. Dalian Wanda Group*, C.A. No. 2019-0303-JTL (Del. Ch.).⁵ Court of Chancery Rule 5.1(f) requires a person to file a notice raising a challenge to confidential treatment with the Register in Chancery. Mr. Mathew filed the Motion to Unseal with the Register in Chancery, but did not (i) reference Rule 5.1, (ii) file the Motion to Unseal in the *Lao* action, or (iii) serve the Motion to Unseal on the parties to the *Lao* action.⁶ Rule 5.1(f) permits a party to seek to maintain confidential treatment, but any such party is unlikely to do so without notice of a Rule 5.1 challenge. As a result, I recommend that the Court deny the Motion to Unseal as to the *Lao* action.

Mr. Mathew also seeks production of sealed documents filed in four non-Delaware actions.⁷ Rule 5.1 does not apply to documents filed confidentially in other jurisdictions.⁸ Mr. Mathew has not provided any legal authority that would

⁵ Motion to Unseal ¶ 1.

⁶ See Certificate of Service to Motion to Unseal (“I hereby certify that on 5/11/2023, I electronically filed the foregoing Motion for Access to Discovery by Pro Se Intervenors with the Clerk of the Court using the [e-filing system] and that a true and correct copy of the same has been served on *all counsel of record in this case* via the [e-filing system] method permitted by the Court.”) (emphasis added).

⁷ Motion to Unseal ¶¶ A, 2-5.

⁸ See Ch. Ct. R. 1 (“**Scope and purpose of Rules.** These Rules shall govern the procedure in the Court of Chancery of the State of Delaware . . .”).

permit this Court to order another court to lift confidentiality restrictions for documents on its docket, nor am I aware of any such authority.⁹ I recommend that the Court deny the Motion to Unseal as to the non-Delaware actions.¹⁰

CONCLUSION

For the reasons set forth herein, I recommend that the Court DENY the Motion to Unseal.

Dated: May 15, 2023

PRICKETT, JONES & ELLIOTT, P.A.

/s/ Corinne Elise Amato

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Special Master

⁹ See, e.g., *Fox v. Chase Manhattan Corp.*, 1985 WL 4418, at *2 (Del. Ch. Dec. 6, 1985) (“Given the doctrine of comity, which demands of this Court due respect for the jurisdiction and processes of the courts of sister states, and *vice versa*, what this Court is being asked to do is inconsistent with the policy of comity and borders upon an unwarranted exercise of its jurisdiction.”).

¹⁰ If Mr. Mathew seeks access to confidential documents filed on the dockets of other courts, he must do so by following the procedures set out by those jurisdictions.

CERTIFICATE OF SERVICE

I, Corinne Elise Amato, certify on this 15th day of May, 2023, that I caused a copy of the foregoing *Reports and Recommendations of Special Master Regarding A. Mathew's Motion to Unseal* to be served via File & ServeXpress on the following counsel of record:

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I further certify that, on May 15, 2023, I caused a true and correct copy of the *Reports and Recommendations of Special Master Regarding A. Mathew's Motion to Unseal* to be served via email upon the following Pro Se party:

Via Email by File and ServeExpress:
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/s/ Corinne Elise Amato
Corinne Elise Amato (#4982)