

STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

SAGICOR LIFE INSURANCE
COMPANY,

Plaintiff,

v.

ALLIANCE ACTIVATION LLC,
JOHN CRISTADORO, and
JOHN DOE,

Defendants.

CIVIL ACTION FILE NO.:
24EV002511

**NON-PARTY MOTION FOR ACCESS TO RECORDS AND
OBJECTION TO THE CONSENT MOTION FOR LEAVE
TO FILE DOCUMENTS UNDER SEAL**

Stacey Owens, Jennifer Simon, Maggie Dougherty, and Heather Tolley-Bauer (hereinafter “Movants”), by and through undersigned counsel, as interested members of the public and non-parties to this action, hereby respectfully request that this Honorable Court deny the *Consent Motion for Leave to File Documents under Seal* filed with this Court on August 12, 2025. Pursuant to Uniform Superior Court (USCR) Rule 21, Georgia’s common law, and the state and federal constitutional rights of access to courts, Movants show as follows:

FACTUAL BACKGROUND

In addition to his role at Alliance Activation LLC, Defendant John Cristadoro is an elected public official who currently serves as a member of the Cobb County Board of Education (CCBOE), representing Post 5.

Cristadoro regularly highlights his business acumen and his entrepreneurial experience in campaign materials, Facebook posts, and interviews with the local press. For example, in an interview the Cobb County Courier published June 5, 2023, Cristadoro urged voters to consider him for elected office, in part, due to his “proven success in growing a very small business venture.”

Cristadoro serves as Vice-Chairman of the CCBOE. Along with his fellow Board members, Cristadoro is responsible for a budget in excess of \$1.8 billion in taxpayer monies. CCBOE policy provides that members like Cristadoro are “accountable to the public for the fiduciary and stewardship responsibility of the wise use of public funds and public trust.”¹ As a practical matter, Cristadoro often serves as the deciding vote on multi-million dollar contracts procured on behalf of the Cobb County taxpayers.

In this case, Sagicore Life Insurance Company, a former client of Cristadoro’s company, Alliance Activation, LLC, filed suit against Cristadoro and his company alleging violations of Civil RICO, conspiracy, theft, fraud, breach of fiduciary duties, and other malfeasance. In brief, Sagicore entrusted Cristadoro with \$250,000.00 paid in five equal installments over four months. After retaining a 10% agency commission, Cristadoro had a fiduciary duty to forward the funds to Sunburst Entertainment Group, LLC. Instead, Cristadoro used his client’s money to pay off Alliance’s creditors and, it would appear, Cristadoro’s personal expenses. This was

¹ See School Board Legal Status, Policy AB, *available at* <https://media.cobbk12.org/media/WWWCobb/medialib/ab.d70ebd34673.pdf>.

not a one-time event. Alliance's bank statements show that he paid the same credit card company multiple times in the same month. (See Plaintiff's Exhibit "B" attached to Plaintiff's Response in Opposition to Defendant Alliance's Motion to Open Default). In short, it would appear to be undisputed that Cristadoro, a fiduciary over his client's funds, misappropriated a significant amount of money from his client.

Cristadoro and the Plaintiff have filed a proposed consent judgment, in which this Court would judicially sanction various factual stipulations and retain jurisdiction to enforce the terms of the agreement. The presence of the "Stipulated Facts" section in a proposed consent judgment like this one points to potential admissions by Cristadoro to fraudulent and intentional misconduct, which is generally nondischargeable in bankruptcy.

The parties have asked this Court to take the extraordinary step of sealing the judgment in a case from public view. The above-named Movants are Cristadoro's constituents, who have a vested public interest in the terms of this consent judgment, including any admissions made by Cristadoro as to his liability in this case. Movants oppose secret judgments in our state's public courts, generally, and they oppose the sealing of this judgment involving their elected representative accused of serious misconduct, in particular.

ARGUMENT AND CITATION TO AUTHORITY

"In the State of Georgia, the public and the press have traditionally enjoyed a right of access to court records. Public access protects litigants both present and future, because justice faces its gravest threat when courts dispense it secretly. Our

system abhors star chamber proceedings with good reason. Like a candle, court records hidden under a bushel make scant contribution to their purpose.” *Atlanta Journal and Atlanta Constitution v. Long, et. al.*, 258 Ga. 410, 411, 369 S.E.2d 755 (1988).

In *R.W. Page Corp. v. Lumpkin*, 249 Ga. 576, 576 n.1, 292 S.E.2d 815, 817 (1982), our Supreme Court declared: “This court has sought to open the doors of Georgia’s courtrooms to the public and to attract public interest in all courtroom proceedings because it is believed that open courtrooms are a sine qua non of an effective and respected judicial system which, in turn, is one of the principal cornerstones of a free society.”

The burden of demonstrating that records should be sealed is on the party seeking sealing. To enter a seal like that requested by the parties, the Court must make factual findings on the record supporting the sealing order, after holding the required hearing. *See, e.g., In re Atlanta Journal-Constitution*, 271 Ga. 436, 438, 519 S.E.2d at 511 (1999) (“[I]t is not sufficient for the trial court to forego making findings of fact and simply state that the public’s interest in access to court records is clearly outweighed by potential harm to the parties’ privacy”).

Uniform Superior Court Rule 21 governs access to court records and provides that “*any person*, at any time, may challenge an order limiting access to court records by filing an application for review.” USCR 21.4-5, *see also* O.C.G.A. Sec. 50-13-19(b) and (h) (emphasis added). Accordingly, Movants have any required standing to file this Motion and challenge the parties’ effort to limit the Public’s access to the consent

judgment in this case involving an elected public official accused of financial improprieties. Although these Movants do have particularized and personalized reasons for wanting to access the Courts, Georgia's citizens do not need any "good" reason to show up to court proceedings or to access court dockets. It is their right as participants in our constitutional system.

Under Rule 21, there is a presumption in favor of access to court records. That presumption flows from the Georgia Constitution and common law. *See Merchant Law Firm, P.C. v. Emerson*, 301 Ga. 609, 800 S.E. 2d 557, 561 (2017) ("The right of access to court records under court rule is coextensive with the common law right of access to court proceedings."). The presumptive right of access to court records may only be overridden "in cases of clear necessity." *Atlanta Journal and Atlanta Constitution v. Long* at 413-14. The procedural framework of Rule 21 is designed to preserve the constitutional and common law right of access to court records in all but the rarest of circumstances. This is not one of those rare circumstances.

"It is immaterial whether the sealing of the record is an integral part of a negotiated settlement between the parties, even if the settlement comes with the court's active encouragement. Once a matter is brought before a court for resolution, it is no longer solely the parties' case, but also *the public's case*." *Brown v. Advantage Eng'g, Inc.*, 960 F.2d 1013, 1016 (11th Cir. 1992) (emphasis added).

The public interest in the consent judgment here outweighs any undefined privacy interest that the parties might claim. In the *Consent Motion to Seal*, no party

identifies any specific privacy interest that they seek to protect and preserve.² By way of contrast, Movants' interest as Cristadoro's constituents is self-evident. Cristadoro regularly cites his successful business ventures as evidence of his integrity, presumably convincing Post 5 voters to trust and support him. As a CCBOE member, Cristadoro holds a position of financial trust for his constituents (just as he served as a fiduciary to his former client, the Plaintiff) and casts votes that have impactful consequences for the public that he serves. The information in this case, including the extent to which Cristadoro has admitted to financial misconduct and has taken responsibility for any wrongful actions, may be relevant to the public's assessment of his fitness for his elected role.

Potential embarrassment of a litigant is insufficient. In *In re Atlanta Journal-Constitution*, 271 Ga. 436, 438, 519 S.E.2d 909, 911 (1999), the Georgia Supreme Court reversed a probate court that had entered a sealing order like the one requested here, notwithstanding the fact that the litigation involved deeply personal issues – an adult child asserting a right to the estate of the former owner of The Atlanta Falcons. Although the case involved private parties and did not implicate ethical issues arising out of government service (as this case does here), the Court did not hesitate to find that mere “embarrassment” was insufficient to overcome the overarching presumption of access to court records.

² Movants do not object to the redaction of any personal identifiers, such as social security numbers or dates of birth, as delineated in USCR 21.6(a) or O.C.G.A. § 9-11-7.1.

It is particularly important that a Court's *orders* be public, rather than secret. "A consent decree, although founded on the agreement of the parties, is a judgment." *Paradise v. Prescott*, 767 F.2d 1514, 1525 (11th Cir. 1985), *aff'd sub nom.* 480 U.S. 149 (1987). Such a judgment requires "careful scrutiny" and is not subject to "perfunctory approval." *Stovall v. City of Cocoa, Fla.*, 117 F.3d 1238, 1242 (11th Cir. 1997). The factual statements in a consent judgment are particularly significant because such a judgment "has the force of res judicata, and may be enforced by judicial sanctions." *Paradise*, 767 F.2d at 1525.

The consent judgment at issue here includes stipulated facts that presumably recount Cristadoro's breaches of his fiduciary duties to his clients. Any stipulated facts would no longer be mere allegations, but would likely contain admissions, which the parties have asked the Court to sanction with its imprimatur and its ultimate enforcement authority.³ This Court should decline to seal a judgment in this civil case.

THEREFORE, Movants respectfully requests that this Honorable Court allow them to be heard on their *Non-Party Motion for Access to Records and Objection to the Consent Motion for Leave to File Documents Under Seal* and deny the *Consent*

³ The Terms and Conditions of the consent judgment may also be of vital interest to the Public. For example, the Public has a right to know whether the consent judgment includes payment of damages in excess of the amounts of the client's money Cristadoro converted to his own use. For example, additional damages may support the conclusion that Cristadoro admitted to a civil RICO violation (treble damages).

Motion for Leave to File Documents under Seal filed with this Court on August 12, 2025.

This 20th day of October, 2025.

/s/ Zack Greenamyre
Zack Greenamyre
Georgia Bar No. 293002

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CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2025, I electronically filed the foregoing motion with the Clerk of Court using the Odyssey E-Filing System, which will automatically send e-mail notification of such filing and a copy of same to all attorneys of record.

This 20th day of October, 2025.

/s/ Zack Greenamyre
Zack Greenamyre
Georgia Bar No. 293002