

From: Christian Everdell <[REDACTED]>

[REDACTED]
>

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: [EXTERNAL] RE: Follow-up
Date: Fri, 15 Oct 2021 16:59:01 +0000

Inline-Images: image001.gif; image002.jpg

[REDACTED] -

Thanks for the clarification. As to your first point, we are aware of the requirements of Rule 12.2 and you have made your position on waiver clear. We do not intend to rely on any defense covered by the rule. If this becomes an issue later, you can certainly raise it with the Court. As to your second point, we cannot (and are under no obligation to) disclose our defense strategy. If you feel like you need to move in limine on this issue, you are certainly free to do so.

Thanks,

Chris

From: [REDACTED] >
Sent: Thursday, October 14, 2021 10:40 PM
To: [REDACTED]
[REDACTED]
[REDACTED] >
Subject: RE: Follow-up

Hi Chris,

Thanks for your email. On the first issue, we see that you filed a letter with the Court on the subject.

On the second issue, we think there may be a bit of confusion. We're asking you two questions separately:

1. Do you intend to offer expert evidence relating to the defendant's mental condition and bearing on the issue of guilt? If so, and as explained in our letter, we consider it waived under Rule 12.2, and in any event, we sent you a letter yesterday demanding notice so we can raise the issue with the Court if necessary.

2. Do you intend to offer evidence or argument that the defendant is a victim of abuse by Jeffrey Epstein? If so, we are assessing whether we would move on that *in limine* on Monday, so please let us know as soon as you can.

Thanks,
[REDACTED]

From: Christian Everdell <[REDACTED]>
Sent: Thursday, October 14, 2021 3:27 PM
To: [REDACTED] >

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: [EXTERNAL] Follow-up

Alison –

As promised, I am following up with you about two issues we discussed on yesterday's call.

First, we have given serious consideration to your request to set a briefing schedule for the Rule 412 motion. After reflection, we believe the timeline provided in Rule 412 is appropriate and we do not agree that any earlier briefing schedule makes sense here in light of the fact that we just received the voluminous 3500 materials.

Second, we are still considering your request regarding notice under Rule 12.2. You seemed to take the position on our call yesterday that notice under Rule 12.2 is required if we plan to argue that Ms. Maxwell "was a victim in any way." We do not understand Rule 12.2 to be that broad. If you have any authority to substantiate your interpretation, we'd be happy to consider it and then let you know our position.

Regards,

Chris

Christian R Everdell

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