

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

–v–

Ghislaine Maxwell,

Defendant.

20-CR-330 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

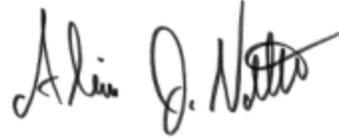
This matter has been assigned to me for all purposes. In its July 5, 2020 letter, the Government on behalf of the parties requested that the Court schedule an arraignment, initial appearance, and bail hearing in this matter in the afternoon of Friday, July 10. *See* Dkt. No. 5. In light of the COVID public health crisis, there are significant safety issues related to in-court proceedings. If the Defendant is willing to waive her physical presence, this proceeding will be conducted remotely. To that end, defense counsel should confer with the Defendant regarding waiving her physical presence. If the Defendant wishes to waive her physical presence for this proceeding, she and her counsel should sign the attached form in advance of the proceeding if feasible.

If this proceeding is to be conducted remotely, there are protocols at the Metropolitan Detention Center that limit the times at which the Defendant could be produced so that she could appear by video. In the next week, the Defendant could be produced by video at either 9:00 a.m. on July 9, 2020 or sometime during the morning of July 14, 2020. Counsel are hereby ordered to meet and confer regarding scheduling for this initial proceeding in light of these constraints. If counsel does anticipate proceeding remotely, by 9:00 p.m. tonight, counsel should file a joint

letter proposing a date and time for the proceeding consistent with this scheduling information, as well as a revised briefing schedule for the Defendant's bail application.

SO ORDERED.

Dated: July 6, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written in a cursive style.

ALISON J. NATHAN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

Defendant.
-----X

**WAIVER OF RIGHT TO BE PRESENT AT
CRIMINAL PROCEEDING**

-CR- ()

Check Proceeding that Applies

____ Arraignment

I have been given a copy of the indictment containing the charges against me and have reviewed it with my attorney. I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York to confirm that I have received and reviewed the indictment; to have the indictment read aloud to me if I wish; to enter a plea of either guilty or not guilty before the judge; and to have an attorney beside me as I do. By signing this document, I wish to advise the court that after consultation with my attorney I willingly give up my right to appear in person before the judge for my arraignment. By signing this document, I also wish to advise the court that I willingly give up any right I might have to have my attorney next to me for my arraignment so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date:

Signature of Defendant

Print Name

____ Bail Hearing

I am applying or in the future may apply for release from detention, or if not detained, for modification of the conditions of my release from custody, that is, my bail conditions. I understand that I have a right to appear in person before a judge in a courtroom in the Southern District of New York at the time that my attorney makes such an application. I have discussed these rights with my attorney and wish to give up these rights due to the COVID-19 pandemic so long as the following conditions are met. I request that my attorney be permitted to make applications for my release from custody or for modification of the conditions of my release, even though I will not be physically present. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date:

Signature of Defendant

Print Name

____ Conference

I have been charged in an indictment with violations of federal law. I understand that I have a right to be present at all conferences concerning this indictment that are held by a judge in the Southern District of New York, unless the conference involves only a question of law. I understand that at these conferences the judge may, among other things, 1) set a schedule for the case including the date at which the trial will be held, and 2) determine whether, under the Speedy Trial Act, certain periods of time should be properly excluded in setting the time by which the trial must occur. I have discussed these issues with my attorney and wish to give up my right to be physically present at the upcoming conference. By signing this document, I wish to advise the court that I willingly give up my right to be physically present at the upcoming conference in my case on account of the COVID-19 pandemic so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date: _____
Signature of Defendant

Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the charges contained in the indictment, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held in my client's absence. I will inform my client of what transpires at the proceedings and provide my client with a copy of the transcript of the proceedings, if requested.

Date: _____
Signature of Defense Counsel

Print Name

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is:
_____.

Date: _____
Signature of Defense Counsel

Accepted: _____
Signature of Judge
Date: