

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE APPLICATION TO QUASH :  
SUBPOENAS TO DAILY NEWS, L.P., :  
AND GEORGE RUSH :  
-----X

No. 10 M8-85 (LLM)

**NOTICE OF MOTION**

COUNSELORS:

PLEASE TAKE NOTICE that, upon the annexed reply memorandum of law, Reply Declaration of Anne B. Carroll, and Supplementary Affidavit of George Rush, Daily News, L.P., and Daily News Journalist George Rush will move this Court in the Part One of the United States Courthouse, 500 Pearl Street, New York, New York, on May 4, 2010, or as soon thereafter as counsel can be heard, for an Order pursuant to Fed. R. Civ. Proc. 45(c)(3)(A)(iii) quashing subpoenas for an evidentiary hearing served on them by plaintiff in an action pending in the United States District Court for the Southern District of Florida captioned Jane Doe v. Jeffrey Epstein, No. 08-cv-80893-KAM, based on the qualified reporter's privilege accorded by the First Amendment to the United States Constitution and federal common law; or in the alternative for a Protective Order pursuant to Fed. R. Civ. Proc. 26(c)(1).

PLEASE TAKE FURTHER NOTICE that plaintiff's opposing affidavit and other papers must be served no later than May 4, 2010.

Dated: New York, New York  
May 4, 2010

Respectfully submitted,

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