

From: "[REDACTED] (USAFLS)"

To: [REDACTED]

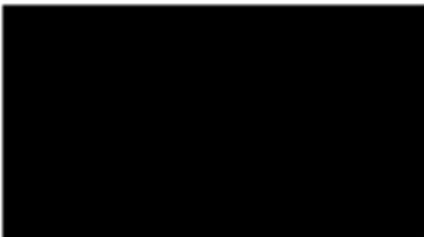
Cc: [REDACTED]

Subject: FW: Motion to Make Our Pleading Available to the Public - Government Position

Date: Mon, 07 Mar 2011 23:34:13 +0000

Importance: Normal

FYI – Maybe we can discuss tomorrow?



From: Paul Cassell [mailto:cassellp@law.utah.edu]

Sent: Monday, March 07, 2011 5:33 PM

To: [REDACTED] (USAFLS); [REDACTED] (USAFLS)

Cc: Brad Edwards

Subject: Motion to Make Our Pleading Available to the Public - Government Position

Dear [REDACTED]

We are writing to inquire about the government's position on a motion that we will be filing on March 18 along with our "summary judgment" motion. As you know, the summary judgment motion will contain quotations from e-mails that are under the magistrate judge's order requiring prior notice to the court before they are disclosed. Accordingly, on March 18, we will be filing a full, unredacted summary judgment motion under seal with Judge Marra and, for the public PACER file, a summary judgment motion with quotations from the e-mails redacted.

We will be filing simultaneously a motion for with the court for unsealing of the unredacted motion. We will provide (at least) three ground for unsealing. First, the confidentiality order was only based on an agreement to give advance notice to Epstein before using materials. Once advance notice has been given, there is no basis for confidentiality. Second, there is truly world-wide interest in the handling of the Epstein prosecution, and so our pleading should not remain under seal – instead the public should have access to it so that they can assess how this case was handled. Third, keeping the pleading under seal complicates the ability of Jane Does' attorneys to consult with victims' rights specialist about how best to proceed in the case.

We are writing to determine the Government's position on our motion to unseal the redacted pleading so that we can include that position in our motion. We hope that you will not oppose the motion, which might produce the need for further litigation. As you know, Judge Marra has promptly unsealed other pleadings in this matter when the Government tried to object.

Sincerely,

Paul Cassell

Co-Counsel for Jane Doe #1 and Jane Doe #2

Paul G. Cassell

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