

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 08-CV-80893-MARRA/JOHNSON

JANE DOE,

Plaintiff

vs.

JEFFREY EPSTEIN,

Defendant

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**RESPONSE IN OPPOSITION TO "CONSOLIDATION" OF CASES AND OBJECTING  
TO CONSOLIDATION OF DEPOSITION OF THE DEFENDANT AND TO ANY  
DELAY IN CURRENTLY PENDING DISCOVERY**

COMES NOW plaintiff Jane Doe No. 7 (hereinafter referred to as "Plaintiff" in this pleading), by and through her undersigned counsel, to respond in opposition to consolidating her case with other cases for discovery purposes. The Court should deny consolidation, without prejudice to Jane Doe No. 3 re-filing the motion with more specific information about what the consolidation would entail.

As the Court is aware, there is currently a case management order in place in this case (DE 20), which sets the parameters of discovery. Jane Doe No. 3 (and, apparently, several other Jane Does represented by the same counsel) have filed a motion to consolidate their pending cases with Plaintiff's case. The only articulated concern of these persons was to avoid multiple – and harassing – depositions about sexual abuse. That concern has now been obviated by the Court's entry of an order (DE 43) limiting depositions of each of the Jane Does. It is therefore, unclear what Jane Doe No. 3 specifically hopes to further accomplish by consolidation. Moreover, it is unclear to what extent consolidation would alter the existing case management

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order in this case. This confusion is compounded by the fact that Jane Doe No. 3 did not (apparently contrary to the local rules) provide any proposed order that she wished the Court to enter granting specific relief on consolidation.

Plaintiff is particularly concerned about two possible ramifications of "consolidation." First, Plaintiff is concerned that she be given her own, individual opportunity to depose Epstein about the abuse that he perpetrated against *her* and about the other aspects of *her* own, individual case. Jane Doe No. 3's consolidation motion appears to envision consolidating 10 cases together, involving ten minor girls who each allege separate and specific acts of sexual abuse by Epstein against each of them over several years. If Plaintiff is given only one-tenth of a one-day deposition to ask questions about her particular case, then her ability to gather relevant evidence will be severely and unfairly limited. She will barely have enough time (assuming time is allocated pro rata) to ask about the acts of sexual abuse -- let alone the many other aspects of the case that she needs to explore to be prepared for trial. These problems are compounded by the fact that Plaintiff's legal theories and factual assertions are, in significant respects, different from those of other Jane Does and their separate legal counsel.

Second, Plaintiff is concerned that any consolidation not serve as a basis for delay by Epstein in answering her interrogatories, requests for production, and requests for admission that Plaintiff has properly served on him. Any delay would serve to severely prejudice Plaintiff.

For all these reasons, the Court should deny the motion for consolidation without prejudice. Jane Doe No. 3 could then re-file the motion with more specific information about how the consolidation would operate and how it would affect the existing case management order.

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DATED this 4th day of May, 2009.

Respectfully Submitted,

ROTHSTEIN ROSENFELDT ADLER

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on 4th day of May, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

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SERVICE LIST

Jane Doe, Plaintiff vs. Jeffrey Epstein, Defendant  
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United States District Court, Southern District of Florida

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