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August 8, 2017

Sigrid McCawley, Esq.
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**Re: Jane Doe 43 v. Jeffrey Epstein, et al.
Civil Action No. 17-cv-616**

Dear Ms. McCawley:

We write in response to your August 7, 2017 letter (“August 7 Letter”), regarding the briefing schedule for the defendants’ motion to dismiss the plaintiff’s Amended Complaint in the above-captioned matter (“Jane Doe Matter”), and your request for an opportunity to depose Jeffrey Epstein.

As a preliminary matter, we are surprised to receive this letter from you. As you know, on July 17, 2017, Judge John Koeltl issued an Order Under Seal (“July 17 Order”), in which he granted the defendants permission to seek relief from a Protective Order in the [REDACTED] v. Maxwell matter (“[REDACTED] Matter”) “to submit documents from [the [REDACTED] Matter] in support of a motion to dismiss in [the Jane Doe Matter].” Specifically, the defendants advised Judge Koeltl that they are seeking relief from the Protective Order in the [REDACTED] Matter so that they can use the deposition testimony and documents that Jane Doe produced as a third party witness in the [REDACTED] Matter (“Jane Doe Evidence”). Judge Koeltl encouraged the parties to “attempt to obtain agreement from the parties in the [REDACTED] Matter] before seeking agreement” of the judge presiding over the [REDACTED] Matter.

On July 24, 2017, and pursuant to the Court’s admonition in the July 17 Order, we spoke with Brad Edwards, who is counsel for Jane Doe in both the [REDACTED] Matter and the Jane Doe Matter. We informed Mr. Edwards that the defendants would like to make an application to the judge presiding over the [REDACTED] Matter for relief from the Protective Order as it applies to the Jane Doe Evidence. Mr. Edwards advised that he was generally supportive of the notion that we should get access to Jane Doe’s deposition transcript, but needed to re-read the transcript. Mr.

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Edwards also said that he would likely support our use of the documents Jane Doe produced in the [REDACTED] Matter.

We have heard nothing from Mr. Edwards since the July 24, 2017 conference call. Instead, we received the July 7 Letter. Before turning to the other aspects of the July 7 Letter, please confirm whether Jane Doe consents to the defendants' application in the [REDACTED] Matter for relief from the Protective Order to use the Jane Doe Evidence in support of their motion to dismiss the Amended Complaint in the Jane Doe Matter.

In addition to sending the July 7 Letter in the midst of a meet and confer with Mr. Edwards, the July 7 Letter suggests that there is some confusion amongst the many lawyers representing Jane Doe about the briefing schedule for the defendants' motion to dismiss the Amended Complaint. The July 17 Order provides that "[t]he time to make a motion to dismiss in this case is stayed until seven (7) days after the decision in the other case as to whether to grant an exception to the Protective Order." As soon as you respond to the question set forth, above, regarding the relief defendants are seeking from the Protective Order in the [REDACTED] Matter, we will file an appropriate motion in the [REDACTED] Matter.

Finally, we decline to make Mr. Epstein available for a deposition. Discovery has been sensibly stayed in this proceeding pending further order of the Court. See Order dated May 24, 2017 (docket no. 44.) and Order dated June 14, 2017 (docket no. 48). Moreover, contrary to your assertion, the defendants are not relying on information outside of the First Amended Complaint ("FAC"), which plainly lacks factual allegations to support personal jurisdiction over Mr. Epstein.

Please respond at your earliest convenience regarding the defendants' motion for relief from the Protective Order so that this case can move forward.

Sincerely yours,

Michael C. Miller