

IN THE CIRCUIT COURT OF THE 15th  
JUDICIAL CIRCUIT IN AND FOR PALM  
BEACH COUNTY, FLORIDA

CASE NO: 502008CA028051XXXXMB AB

■.

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

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**PLAINTIFF ■'s RESPONSE TO DEFENDANT EPSTEIN'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT ON COUNT I OF PLAINTIFF'S  
SECOND AMENDED COMPLAINT**

Plaintiff ■ hereby responds to defendant Epstein's Motion for Partial Summary judgment on Count I. Epstein claims that he is entitled to summary judgment on Count 1 because there is no private right of action under various criminal statutes. Epstein simply misapprehends basic tort law principles. ■ is not seeking a right of action under those statutes. Rather, she has filed a tort action in which she intends to use those statutes as proof of Epstein's negligence and violation of standard of care. Because this is indisputably proper, the motion for summary judgment should be denied.

**Background**

As the Court is aware, this action involves ■'s complaint against defendant Jeffrey Epstein for numerous acts of sexual assault committed against her while she was a minor. Relevant to this motion is Count 1, in which ■ seeks to recovery for Epstein's negligence per se. In relevant part, Count 1 provides: