

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 10-80309-CIV-

JANE DOE No. 103,

Plaintiff,

vs.

JEFFERY EPSTEIN,

Defendant.

**DEFENDANT EPSTEIN'S MOTION TO DISMISS,COUNT VI &
FOR MORE DEFINITE STATEMENT & TO STRIKE
DIRECTED TO PLAINTIFF JANE DOE NO. 103'S
COMPLAINT [dated 2/23/2010]**

Defendant, JEFFREY EPSTEIN, ("EPSTEIN"), by and through his undersigned counsel, moves to dismiss Count Six of Plaintiff JANE DOE 103's Complaint for failure to state a cause of action, as specified herein. Rule 12(b)(6), Fed.R.Civ.P. (2009); Local Gen. Rule 7.1 (S.D. Fla. 2009). Defendant further moves for More Definite Statement and to Strike. Rule 12(e) and (f), In support of his motion, Defendant states:

The Complaint attempts to allege 6 counts, all of which are purportedly brought pursuant to 18 U.S.C. §2255 – *Civil Remedies for Personal Injuries*. Count Six is subject to dismissal because the predicate act relied upon by Plaintiff for her claims did not come into effect until July 27, 2006, well after the conduct alleged by Plaintiff occurred. The More Definite Statement requested is for Plaintiff to allege her date of birth in that her being a minor has significance in the claims she alleges.