

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

JEFFREY EPSTEIN and L.S.J., LLC.,)	CIVIL NO. ST-10-CV-443
)	
Plaintiffs,)	
)	ACTION FOR DAMAGES
v.)	
)	JURY TRIAL DEMANDED
FANCELLI PANELING, INC., and J.P.)	
MOLYNEUX STUDIO, LTD.,)	
)	
Defendants.)	
)	
)	
)	

ORDER

THIS MATTER is before the Court on Attorney Jeffrey Weiss's Motion to Withdraw and Pilar Molyneux's opposition thereto.¹ The Court will reserve decision on the Motion and designate time during the final pretrial conference to discuss the Motion and to inform the parties of the contents of unauthorized ex parte communications from Ms. Molyneux.

On Tuesday, November 27, 2012, the undersigned received an email communication from Pilar Molyneux, Vice President of J.P. Molyneux Studios, Ltd. The subject of the email was "Opposition to Motion to Withdraw Civil No. 2010/443." The email was copied to Jay Goldberg, Esq., Allison Brantley, and Jeffrey Weiss, Esq. No other attorneys of record received the email.

The Model Code of Judicial Conduct, Rule 2.9, governs ex parte communications. In this case, Rule 2.9(B) applies, since the communication was unauthorized and bore upon the substance of Attorney Weiss's Motion to Withdraw. The Rule requires that the Court notify the parties upon receipt of such a communication and disclose the substance. Complying with the applicable rule, the Court divulges that the email briefly set out the history of the case, the factual circumstances surrounding the Motion to Withdraw, and voiced Ms. Molyneux's opposition to the Motion to Withdraw.

The Court did not respond to this correspondence, and on December 11, 2012, Ms. Molyneux again sent an unauthorized communication regarding the Motion to Withdraw. This email was not copied to Attorney Weiss or any other attorney of record. The email informed the Court that its goal was to follow-up after receiving no response to the initial email, and it further set out the disagreements between Ms. Molyneux and Attorney Weiss in a similar fashion to the

¹ Denise Francois, Esq. represents Plaintiffs Jeffrey Epstein and L.S.J., LLC. Treston Moore, Esq. represents Defendant Fancelli Painting.

facts and allegations contained in Attorney Weiss's Motion to Withdraw. The email also sought advice on the current situation.

The Court cannot entertain any ex parte communications in this situation. The Court also cannot offer the parties any advice, legal or otherwise. The Court is confident that no party will gain a procedural, substantive, or tactical advantage as a result of the communications, whether regarding Attorney Weiss's Motion to Withdraw or any other issue the case presents before the Court. Moving forward, Ms. Molyneux is instructed to communicate with the Court only by proper filing procedures (preferably through an attorney), and never through email, letter, or any other form of ex parte communication. The Court will require that Ms. Molyneux attend the pretrial conference on Wednesday, January 9, 2013 at 11:45 a.m. (10:45 a.m. EST) to further discuss the above matters and the pending Motion to Withdraw.

Accordingly, it is hereby

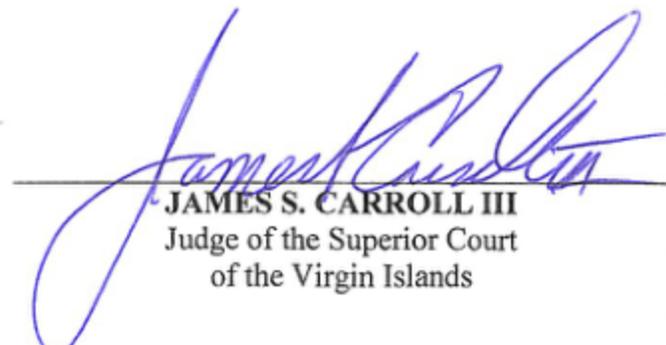
ORDERED that the Court **RESERVES DECISION** on the Motion to Withdraw; and it is further

ORDERED that Pilar Molyneux is directed to attend the pretrial conference scheduled in this matter on **Wednesday, January 9, 2013 at 11:45 a.m. (10:45 a.m. EST)**; and it is further

ORDERED that Pilar Molyneux may attend the pretrial conference by calling **(340) 693-6415** at the time of the conference; and it is further

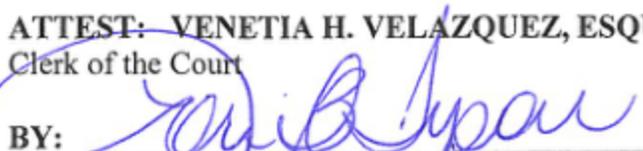
ORDERED that a copy of this Order shall be directed to counsel of record and to Pilar Molyneux, Vice President, J.P. Molyneux Studio, Ltd., at 750 Lexington Avenue, Fifth Floor, New York, NY 10022.

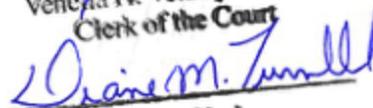
DATED: December 18, 2012



JAMES S. CARROLL III
Judge of the Superior Court
of the Virgin Islands

ATTEST: VENETIA H. VELAZQUEZ, ESQUIRE
Clerk of the Court

BY: 
LORI BOYNES-TYSON
Court Clerk Supervisor 12/19/12

CERTIFIED A TRUE COPY
Date: 12/19/2012
Venetia H. Velazquez, Esq.
Clerk of the Court
By: 
Court Clerk