

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JANE DOE,

CASE NO. 08-CV-80893-CIV-MARRA/JOHNSON

Plaintiff,

Vs.

JEFFREY EPSTEIN, et al.

Defendant.

Related Cases:

08-80119, 08-80232, 08-80380, 08-80381,
08-80994, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092

**PLAINTIFF JANE DOE'S MOTION FOR COURT ORDER RELEASING FBI
RECORDS REGARDING JEFFREY EPSTEIN**

Plaintiff, Jane Doe, seeks a court order releasing FBI records about Jeffrey Epstein. Under the Privacy Act, 5 U.S.C. § 552a(b)(11), this Court is authorized to release these material. The FBI has advised Jane Doe that it will release the materials if this Court enters an appropriate order. Jane Doe seeks such an order.

A brief bit of background may be in order. As the Court is well aware, Jane Doe has filed a civil damage action against Jeffrey Epstein for sexual abuse he inflicted upon her when she was child. To prove her case, Jane Doe has been attempting to undertake discovery from Epstein, only to be rebuffed at almost every turn by Epstein's invocation of his Fifth Amendment privilege against self-incrimination. See, e.g., No.

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9:08-CV-80893, Motion to Compel Answers to Plaintiff's First Request for Production, Dkt. #97 (listing discovery requests blocked by Fifth Amendment invocations).

Because Epstein has been unwilling to answer questions, Jane Doe has been forced to search for other means of discovery. She understands, on information and belief, that the FBI gathered significant information about Epstein during the course of its criminal investigation of him for sexually abusing children. She seeks that information to help support her case against him. Accordingly, she has sent the attached subpoena to the FBI (Exhibit A).

Jane Doe understands that some of the information that the FBI has gathered might contain the names of other young girls whom Epstein sexually abused and who are relevant witnesses to Jane Doe's case. Jane Doe has no wish to make the names of these potential witnesses public and will instead not disseminate those names to anyone outside of the undersigned's law office. For purposes of this specific motion only, Jane Doe identifies two persons as immediate employees (or co-conspirators as labeled in the Non-Prosecution agreement) of Epstein: [REDACTED]. Both of these individuals have been directly and significantly involved in assisting Epstein abuse minor girls and therefore any related investigation into these individuals should also be made available. See Case No. 9:08-CV-80893, Civil RICO Case Statement, Dkt. #14, Attachment 1 (recounting [REDACTED] involvement in the scheme).

Because Jane Doe's request is narrowly circumscribed, it is clear that her interests in disclosure outweigh whatever limited privacy interests Jeffrey Epstein might

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have. Jane Doe needs the information to help prove her claims against Epstein. On the other hand, Epstein has no legitimate privacy interests in the records. The records simply chronicle the FBI's criminal investigation of Epstein for sexually abusing minor girls. Epstein has, in fact, entered a guilty plea to a related sex crime in a state criminal case. To further protect Epstein's privacy, Jane Doe has no objection to the materials being provided to counsel under a protective order, barring disclosure to any person other than attorneys and support staff working directly on the case. A proposed order to that effect is attached.

CONCLUSION

The Court should order release of FBI information about its criminal investigation of Jeffrey Epstein to Jane Doe and order a protective order limiting further disclosure of the materials.

DATED: March 10, 2010

Respectfully Submitted,

s/ Bradley J. Edwards

Bradley J. Edwards
FARMER, JAFFE, WEISSING,
EDWARDS, FISTOS & LEHRMAN, P.L.

Telephone [REDACTED]
Facsimile [REDACTED]
Florida Bar No.: 542075
E-mail: [REDACTED]

and

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Paul G. Cassell
Pro Hac Vice

Telephone: [REDACTED]
Facsimile: [REDACTED]
E-Mail: [REDACTED]

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 10, 2010, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all parties on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those parties who are not authorized to receive electronically filed Notices of Electronic Filing.

s/ Bradley J. Edwards
Bradley J. Edwards

SERVICE LIST

Jane Doe v. Jeffrey Epstein
United States District Court, Southern District of Florida

Jack Alan Goldberger, Esq.
[REDACTED]

Robert D. Critton, Esq.
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Isidro Manual Garcia
[REDACTED]@ [REDACTED]

Jack Patrick Hill
[REDACTED]

Katherine Warthen Ezell
[REDACTED]

Michael James Pike

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[REDACTED]

Paul G. Cassell

[REDACTED]

Richard Horace Willits

[REDACTED]

Robert C. Josefsberg

[REDACTED]

Adam D. Horowitz

[REDACTED]

Stuart S. Mermelstein

[REDACTED]

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EXHIBIT A

AO 88A (Rev. 01/09) Subpoena to Testify at a Deposition or to Produce Documents in a Civil Action

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

Jane Doe
Plaintiff
v.
Jeffrey Epstein
Defendant
Civil Action No. 08-80893CIV-MARRAJOHNSO
(If the action is pending in another district, state where:

SUBPOENA TO TESTIFY AT A DEPOSITION
OR TO PRODUCE DOCUMENTS IN A CIVIL ACTION

To: Records Custodian, Federal Bureau Investigators,
C/O Kim Coulter, 16320 Northwest 2nd Avenue, North Miami Beach, FL 33169

Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a
deposition to be taken in this civil action. If you are an organization that is not a party in this case, you must designate
one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf
about the following matters, or those set forth in an attachment:

Place: Esquire Court Reporters
Date and Time: 11/09/2009 1:00 am

The deposition will be recorded by this method: Recorded

Production: You, or your representatives, must also bring with you to the deposition the following documents,
electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the
material:

Provide any and all evidence involving the Jeffrey Epstein investigation obtained by the FBI or taken from the Palm
Beach Police Department and the Palm Beach County Sheriffs Office to include all videos, compact discs, DVD's,
photographs, documentary evidence and any other evidence that the FBI seized from the Palm Beach P.D. or in any
way relating to any investigation of Jeffrey Epstein

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule
45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are
attached.

Date: October 15, 2009
CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Jane Doe
Seth Lehman, who issues or requests this subpoena, are:
Bred Edwards, Rothstein Rosenfeldt Adler,

UNITED STATES DISTRICT COURT
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_____ /

PRIVACY ACT COURT ORDER

This Order is entered for the purpose of protecting the right of privacy of those individuals, including Jeffrey Epstein whose names appear in records described in the attached Subpoena to Produce Documents in a Civil Action.

An agency is prohibited from disclosing records or information contained in records protected under the Privacy Act unless such disclosure falls within one of the exception set forth at U.S.C. Section 522a(b). Pursuant to 5 U.S.C. Section 522a(b)(11), disclosure is allowed if made "pursuant to the order of a court of competent jurisdiction." To invoke this exception to the Privacy Act, the Court must make a determination that the need for disclosure of information outweighs the privacy interests of the subject of the disclosure. Perry v. State Farm Fire & Casualty Company, 734 F.2d 1441, 1447 (11th Cir. 1984), cert. denied 469 U.S. 1108 (1985); Tootle v. Seaboard

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Coast Line R&R, 468 So. 2d 237, 239 (Fla. Dist. Ct. App. 1984). In this case, the Court finds that the records described are relevant to the issues raised in the above captioned case that the need of the party requesting the records outweighs the potential harm to the subjects of the disclosure. This Order permits the disclosure in the course of this action of the records described in the attached subpoena issued on October 14, 2009 and served on the Federal Bureau of Investigation October 16, 2009.

The materials are provided to counsel for Jane Doe and shall not be disclosed to any person other than attorneys and support staff working directly on the case.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida, this ___ day of _____, 2010

KENNETH A. MARRA
United States District Judge

Copies furnished to:

All counsel of record