

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JANE DOE NO. 2, CASE NO.: 08-CV-80119-MARRA/JOHNSON
Plaintiff,

vs.

JEFFREY EPSTEIN,
Defendant.

_____ /

JANE DOE NO. 3, CASE NO.: 08-CV-80232-MARRA/JOHNSON
Plaintiff,

vs.

JEFFREY EPSTEIN,
Defendant.

_____ /

JANE DOE NO. 4, CASE NO.: 08-CV-80380-MARRA/JOHNSON
Plaintiff,

vs. JEFFREY EPSTEIN,

Defendant.

_____ /

JANE DOE NO. 5, CASE NO.: 08-CV-80381-MARRA/JOHNSON
Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

JANE DOE NO. 6,

CASE NO.: 08-80994-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

JANE DOE NO. 7,

CASE NO.: 08-80993-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

C.M.A.,

CASE NO.: 08-80811-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

JANE DOE,

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

Plaintiff,

vs.

JEFFREY EPSTEIN et al,

Defendants.

_____ /

DOE II,

CASE NO.: 09- 80469-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN et al,

Defendants.

_____ /

JANE DOE NO. 101,

CASE NO.: 09- 80591-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

_____ /

JANE DOE NO. 102

CASE NO.: 09-
80656-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

_____ /

ORDER

THIS CAUSE is before the Court on Defendant's Response in Opposition to Plaintiff's Motion for Protective Order Regarding Treatment Records and Motion to Strike

C.M.A.'s Conditional Notice of Intent to Rely Exclusively on Statutory Damages (D.E. #216). For the following reasons said Motion is deferred to the United States District Court as the undersigned is without authority to grant the relief sought. The Response in Opposition, filed as part of the Motion, shall be considered by the undersigned when addressing Plaintiff's Motion for Protective Order.

By this Motion Plaintiff seeks two distinct forms of relief each of which, due to the nature of the relief sought, require a ruling by two different judges, the District Judge (regarding Motion to Strike C.M.A.'s Conditional Notice of Intent to Rely Exclusively on Statutory Damages) and the Magistrate Judge (regarding Defendant's Response in Opposition to Plaintiff's Motion for Protective Order Regarding Treatment Records). This fact was brought to the attention of Plaintiff's counsel's office prior to filing of the instant motion, and for purposes of judicial efficiency and docket control, it was requested that instead of filing one motion seeking the dual relief sought here, Plaintiff instead file two separate motions.

Rather than heed the Court's suggestion, however, Plaintiff's counsel has filed one motion seeking the dual relief described above, stating in a footnote "[t]he Response in Opposition to the Motions for Protective Order and the Motion to Strike are inextricably woven together in that each deal with critical discovery issues. Thus the Response and the Motion to Strike **must** be handled simultaneously by the Court." Def's Resp. and Mtn., p.4 (emphasis added). Obviously what the Court "must" do is for the Court, and not any particular party, to decide. Decision-making is and always has been the exclusive province of a judge, while a party's role is limited to that of requesting relief. This is a fact all parties would do well to remember. Having reviewed the pleadings filed incident to this Motion,

and being otherwise duly advised in the premises, it is hereby

ORDERED AND ADJUDGED that Defendant's Response in Opposition to Plaintiff's Motion for Protective Order Regarding Treatment Records and Motion to Strike C.M.A.'s Conditional Notice of Intent to Rely Exclusively on Statutory Damages (D.E. #216) is **DEFERRED TO THE UNITED STATES DISTRICT COURT**, as the undersigned is without authority to grant the relief sought. Epstein's Response in Opposition to Plaintiff's Motion for Protective Order, filed as part of the Motion, shall be considered by the undersigned when addressing Plaintiff's Motion for Protective Order.

DONE AND ORDERED this August 4, 2009, in Chambers, at West Palm Beach, Florida.



LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

CC: The Honorable Kenneth A. Marra
All Counsel of Record