

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 08-80736-CIV-MARRA/HOPKINS

JANE DOE #1 and JANE DOE #2,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

ORDER ON MOTION FOR INTERVENTION BY EPSTEIN'S ATTORNEYS

THIS CAUSE is before the Court upon the Motion to Intervene of Roy Black, Martin Weinberg, and Jay Lefkowitz ("Epstein's Attorneys") (DE 56). This matter is fully briefed and is now ripe for review. The Court has carefully considered the briefs and is fully advised in the premises.

"Permissive intervention under [Federal Rule of Civil Procedure 24(b)] is appropriate where a party's claim or defense and the main action have a question of law or fact in common and the intervention will not unduly prejudice or delay the adjudication of the rights of the original parties." Mt. Hawley Ins. Co. v. Sandy Lake Properties, Inc., 425 F.3d 1308, 1312 (11th Cir. 2005) (citing Georgia v. United States Army Corps of Eng'rs, 302 F.3d 1242, 1250 (11th Cir. 2002)). Through their Motion, Epstein's Attorneys ask to intervene "for the limited purposes of protecting against the dissemination of clearly protected correspondence exchanged with the government during plea negotiations." Motion at 5. After carefully reviewing the briefs from all parties involved, the Court finds that Epstein's Attorneys have a legitimate interest in asserting a

claim that the documents in question may be privileged. Further, the Court finds that the intervention will not unduly prejudice or delay the adjudication of the rights of the original parties. Accordingly, the Court will exercise its discretion to permit Epstein's Attorneys to intervene pursuant to Federal Rule of Civil Procedure 24(b). This order should not be construed as an indication of how the Court will rule on the merits of the claim that the documents in question are subject to a privilege.

It is therefore **ORDERED AND ADJUDGED** that the Motion to Intervene of Roy Black, Martin Weinberg, and Jay Lefkowitz (DE 56) is **GRANTED**.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida, this 29th day of March, 2012.



KENNETH A. MARRA
United States District Court