

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA

JANE DOE #1 and JANE DOE #2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

RESPONDENT'S MOTION FOR LEAVE OF COURT TO FILE RELEVANCE OBJECTIONS
TO PETITIONERS' FIRST REQUEST FOR PRODUCTION TO THE GOVERNMENT

Respondent, by and through its undersigned counsel, files its Motion for Leave of Court to File Relevance Objections to Petitioners' First Request for Production to The Government, and state:

1. On June 18, 2013, this Court entered its Omnibus Order, where it directed the respondent, within thirty (30) days of the entry date to (a) file answers to all outstanding requests for admissions in the open court file; (b) produce responsive documents in response to all outstanding requests for production of documents encompassing any documentary material exchanged by or between the federal government and persons or entities outside the federal government (including without limitation all correspondence generated by or between the federal government and Epstein's attorneys); and (c) produce all other responsive documents in response to all outstanding requests for production of documents. D.E. 190 at 2.

2. With regard to any claims of privilege asserted in connection with the production of materials other than communications generated between the federal government and outside persons and entities, the Court directed the government to file and serve, in the public portion of

the court file, a privilege log; and submit all responsive documents withheld on claim of privilege to the court for *in camera* inspection by submitting the same for filing with the court under seal. D.E. 190 at 2, ¶ 3(c)(i) and (ii).

3. The Court's Omnibus Order did not provide for the filing of any relevance objections by respondent in a separate document. Since lack of relevance is not an evidentiary privilege, respondent has not included any relevance objections in its Privilege Logs. Respondent respectfully requests leave of the Court to allow it to file a five-page document entitled Respondent's Relevance Objections to Petitioners' First Request for Production to The Government, attached as Exhibit A to this motion.

CERTIFICATE OF CONFERENCE

On July 30, 2013, respondent's counsel sought petitioners' position on the instant motion. Petitioners stated that they oppose the motion.

DATED: August 2, 2013

Respectfully submitted,

WILFREDO A. FERRER
UNITED STATES ATTORNEY

By: s/ Dexter A. Lee
DEXTER A. LEE
Assistant U.S. Attorney
Fla. Bar No. 0936693
99 N.E. 4th Street, Suite 300
Miami, Florida 33132
(305) 961-9320
Fax: (305) 530-7139
E-mail: dexter.lee@usdoj.gov

ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 2, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/ Dexter A. Lee
DEXTER A. LEE
Assistant U.S. Attorney

SERVICE LIST

Jane Does 1 and 2 v. United States,
Case No. 08-80736-CIV-MARRA/JOHNSON
United States District Court, Southern District of Florida
Bradley J. Edwards, Esq.,
Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, P.L.
425 North Andrews Avenue, Suite 2
Fort Lauderdale, Florida 33301
(954) 524-2820
Fax: (954) 524-2822
E-mail: brad@pathtojustice.com

Paul G. Cassell
S.J. Quinney College of Law at the
University of Utah
332 S. 1400 E.
Salt Lake City, Utah 84112
(801) 585-5202
Fax: (801) 585-6833
E-mail: casselp@law.utah.edu

Attorneys for Jane Doe # 1 and Jane Doe # 2

Roy Black
Jackie Perczek
Black, Srebnick, Kornspan & Stumpf, P.A.
201 South Biscayne Boulevard
Suite 1300
Miami, Florida 33131
(305) 371-6421
Fax: (305) 358-2006
E-mail: rblack@royblack.com
jperczek@royblack.com

Attorneys for Intervenor