

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 9:08-80736-Civ-Marra/Johnson

JANE DOE #1 and JANE DOE #2

v.

UNITED STATES
_____ /

**UNOPPOSED MOTION OF JANE DOE 1 AND 2 TO FILE A SINGLE, 60-PAGE
MOTION FOR PARTIAL SUMMARY JUDGMENT**

COME NOW Jane Doe 1 and Jane Doe 2, by and through undersigned counsel, to file this unopposed motion for leave to file a single, 60-page pleading in support of partial summary judgment. The document would include both a statement of undisputed material facts as well as additional argument. Because this exceeds the length specified in the local rules, *see* Rule 56.1, this motion is required. The motion is unopposed. A proposed order is attached.

As the Court is aware, in 2011 the victims attempted to narrow the disputed issues in this case by filing a Motion for Finding of Violations of the Crime Victims' Rights Act and Request for a Hearing on Appropriate Remedies (DE 48 filed March 21, 2011). That document was 40 pages long and contained 52 proposed undisputed facts. After a Government response, the Court ultimately ruled that "some factual development is necessary to resolve the remaining issues in the case." DE 99 at 11. The Court allowed the victims to file requests for documents and requests for admission, which the victims propounded on the Government in 2011.

Before filing their summary judgment motion, the victims have been made to wait year for the Government's production of the requested documents. The Government was ordered to produce discovery responses in June, 2013. DE 189. A stay of that order was entered while an

appeal was taken, and that stay was lifted when the appellate mandate issued June, 2014. DE 254. Now, nearly four years after the discovery requests were made and a year after the stay was lifted, the Government has not yet finished producing all of the documents that the victims have requested. And, as the Court is aware, a number of documents are currently submitted to the Court for in camera review.

While the victims are due complete discovery responses, and the victims believe these additional documents would be helpful to proving and strengthening their case, the victims also believe that certain important aspects of the case are now ripe for summary judgment even with the limited discovery and information in their possession. In the interests of expediting this litigation, the victims believe that they can file a well-founded motion for *partial* summary judgment which would narrow the remaining issues before the Court. The aspects ripe for summary judgment, however, revolve around dozens and dozens of emails and letters between the prosecutors and Epstein's defense attorney's during the negotiations surrounding the non-prosecution agreement (NPA). Accordingly, to set out the full chain of circumstances surrounding the NPA, the victims must set out in some detail these materials. In addition, the victims must set out related interactions between the Government and the various victims in this case. The victims will rely on the 52 previously offered undisputed facts, as well as a number of additional facts. To do this will require a pleading of greater length than the 40 page pleading the victims filed previously.

The Court has previously allowed lengthy summary judgment pleadings in complex cases. *See, e.g., Securities and Exchange Commission v. Lauer*, NO. 9:03-cv-80612-KAM (40-page statement of material facts). The victims respectfully submit that the issues presented by this case are equally complex and equally important, warranting a longer-than-normal pleading.

For all these reasons, the Court should allow the victims to file a single, 60-page pleading in support of partial summary judgment.

DATED: May 14, 2015

Respectfully Submitted,

/s/ Bradley J. Edwards

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CERTIFICATE OF SERVICE

I certify that the foregoing document was served on May 14, 2015, on the following using the Court's CM/ECF system:

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