

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 08-80736-CIV-KAM

JANE DOE,)
)
 PETITIONER,)
)
 -v-)
)
 UNITED STATES OF AMERICA,)
)
 RESPONDENT.) West Palm Beach, Florida
) March 11, 2016
)
 _____)

TRANSCRIPT OF TELEPHONIC STATUS CONFERENCE PROCEEDINGS

BEFORE THE HONORABLE KENNETH A. MARRA

UNITED STATES DISTRICT JUDGE

Appearances:

(On Page 2.)

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1 APPEARANCES:

2 FOR THE PETITIONER: Seth Lehrman, ESQ.
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5 FOR THE RESPONDENT: Dexter Lee, AUSA
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7 -and-

8 Ann Marie C. Villafana, AUSA
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10 FOR THE INTERVENOR: Martin G. Weinberg, ESQ.
11 Martin G. Weinberg, P.C.
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13 * * * * *

1 (Call to the order of the Court.)

2 MR. WEINBERG: Your Honor, this is Marty Weinberg.
3 I'm an attorney in Boston for the intervener, Mr. Epstein. I
4 don't know whether I'd either be welcomed or whether I would
5 be able to participate or at least be present at today's
6 conference.

7 THE COURT: Well, it's a public proceeding, so you
8 can listen in just like anyone else could come in and listen
9 in.

10 MR. WEINBERG: Thank you very much, Your Honor.

11 MR. LEHRMAN: Good afternoon, Your Honor. This is
12 Seth Lehrman from the Farmer Jaffe firm for the Does.

13 THE COURT: Good afternoon.

14 MR. LEE: Good afternoon, Judge. This is Dexter
15 Lee.

16 THE COURT: Good afternoon, Mr. Lee.

17 MS. VILLAFANA: And in case anyone didn't hear me
18 before this is Marie Villafana, from the U.S. Attorney's
19 Office.

20 THE COURT: Are we waiting for anyone else? Is
21 Mr. Cassell going to be joining us?

22 MR. LEHRMAN: I don't believe so, Your Honor.

23 THE COURT: Do we have everyone, then?

24 MS. VILLAFANA: Everyone from the U.S. Attorney's
25 Office is here, Your Honor.

1 THE COURT: Okay. What about from the plaintiff's
2 side?

3 MR. LEHRMAN: Yes, Your Honor, I believe I'm the
4 sole person appearing for the Doe plaintiffs this afternoon.

5 THE COURT: And we have Mr. Epstein's counsel, as
6 well.

7 So let me tell you where we are.

8 Someone else is joining us. Could whoever just
9 joined the conference identify him or herself, please?

10 MR. HILL: My name is James Hill. I'm a reporter
11 with ABC News.

12 THE COURT: Okay. Good afternoon.

13 MR. HILL: Good afternoon.

14 THE COURT: All right. This is the case of Doe
15 versus United States, 08-80736-CIV-MARRA. I think everyone's
16 stated their appearances.

17 The reason for the call is -- this conference is for
18 me to update you on what I learned from my colleagues over in
19 the Middle District of Florida about attempting to have a
20 magistrate judge in the Middle District act as a mediator.

21 Bottom line, without getting into all the specifics,
22 my colleagues over there went through a great deal of effort
23 to find out whether it could be accomplished, and the
24 conclusion is that, no, it cannot be done. So they suggested
25 that I contact the Federal Bar Association there and see if I

1 could or we could get someone who would be able to perform
2 that function.

3 So in view of that, I'm not sure what the parties --
4 how you want to proceed. I can -- if you are willing to allow
5 me to make those inquiries, I'd be willing to do that and get
6 you some names of people that they might suggest; or not, as
7 you wish.

8 So Ms. Villafana, did you want to -- did you all
9 want to confer among yourselves in view of this information
10 and then get back to me as to how you want me to proceed,
11 rather than making a decision now?

12 MS. VILLAFANA: I think that probably makes sense,
13 Your Honor. I think what we'll confer about is whether we
14 want to proceed with a private mediator in the Middle
15 District, or if we would prefer a referral to a magistrate
16 judge here in the Southern District.

17 THE COURT: All right. Well, why don't you -- I'm
18 sorry, who was appearing for the plaintiffs? I forgot your
19 name, sir.

20 MR. LEHRMAN: Your Honor, this is Seth Lehrman.

21 THE COURT: Mr. Lehrman.

22 Did you -- do you agree that you want to reflect on
23 this new information and then maybe confer with Government's
24 counsel and then decide how you want to go forward?

25 MR. LEHRMAN: Yes, Your Honor, we will confer with

1 the Government's counsel.

2 THE COURT: Okay. All right. So why don't you both
3 reflect on this and then get back to me when you have your
4 respective positions as how you want to go forward. All
5 right?

6 MS. VILLAFANA: Thank you so much for your efforts,
7 Your Honor.

8 THE COURT: Thank you.

9 I'm sorry we weren't able to accomplish it, but
10 again, there was a significant amount of input and effort made
11 by the people in the Middle District to try and get this done,
12 but unfortunately it wasn't successful, so . . .

13 MR. LEHRMAN: We appreciate your efforts. Thank
14 you.

15 THE COURT: You're welcome. Have a good afternoon.
16 Bye-bye.

17 (Proceedings concluded.)

18 CERTIFICATE

19 I, Stephen W. Franklin, Registered Merit Reporter, and
20 Certified Realtime Reporter, certify that the foregoing is a
21 correct transcript from the record of proceedings in the
22 above-entitled matter.

23 Dated this 10th day of JANUARY, 2020.

24 /s/Stephen W. Franklin

25 Stephen W. Franklin, RMR, CRR