

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-80804-CIV-MARRA/JOHNSON

JANE DOE, a/k/a  
JANE DOE #1,

Plaintiff,

vs.

JEFFREY EPSTEIN, HALEY ROBSON,  
and SARAH KELLEN,

Defendants.

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**DEFENDANT JEFFREY EPSTEIN'S  
OPPOSED MOTION TO ALIGN RESPONSE DATE**

Defendant Jeffrey Epstein moves, pursuant to S.D. Fla. L.R. 7.1(A), to align the deadline for filing his response to the complaint with the deadlines set in *Jane Doe Nos. 2 through 5* of September 4, 2008, and as grounds for this relief, respectfully states as follows:

1. This matter was removed to Federal Court on July 21, 2008. (DE 1).
2. On July 25, 2008, Mr. Epstein filed a motion to stay this action. (DE 4 & 5).
3. That same day, Mr. Epstein moved for an enlargement of time to answer or otherwise respond to the complaint until ten days after the motion for stay was decided. (DE 3).

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4. On August 6, 2008, this Court denied the motion for stay. (DE 7).

5. This Court has not yet ruled upon Mr. Epstein's motion for an enlargement of time.

6. In a series of substantially identical lawsuits brought against Mr. Epstein, however, this Court - - upon the denial of motions for stay filed in those cases - - granted Mr. Epstein an additional ten days to respond to the complaints *nunc pro tunc*. *Jane Doe No. 2 v. Epstein*, No. 08-CV-80119-KAM (S.D. Fla.) (DE 33); *Jane Doe No. 3 v. Epstein*, No. 08-CV-80232-KAM (S.D. Fla.) (DE 29); *Jane Doe No. 4 v. Epstein*, No. 08-CV-80380-KAM (S.D. Fla.) (DE 39); and *Jane Doe No. 5 v. Epstein*, No. 08-80381-CV-KAM (S.D. Fla.) (DE 38).

7. Since then, this Court (upon the parties' stipulation) has extended the time to respond to each of the complaints in *Jane Doe Nos. 2 through 5* until September 4, 2008. *Jane Doe No. 2* at DE 36; *Jane Doe No. 3* at DE 31; *Jane Doe No. 4* at DE 42; *Jane Doe No. 5* at DE 40.

8. Mr. Epstein respectfully requests an enlargement of time until September 4, 2008, coterminous with the deadlines set in *Jane Doe Nos. 2 through 5*, to respond to the plaintiff's complaint.

9. An enlargement of time will promote judicial economy because it will allow Mr. Epstein to submit (and the plaintiff to respond to, and this Court to consider) his responses to the nearly identical complaints at one time.

10. Further, such an enlargement will not prejudice the plaintiff in any way given that defendants Sarah Kellen and Haley Robson have yet to be served in this action.

WHEREFORE, Defendant Jeffrey Epstein respectfully requests an order aligning the deadline for filing his response to the complaint with the deadlines set in *Jane Doe Nos. 2 through 5* of September 4, 2008

Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1.A.3**

On August 7, 2008, undersigned counsel conferred with counsel for the plaintiff in a good faith effort to resolve the issues raised in this motion, but was unable to do so.

/s/ Michael R. Tein  
Michael R. Tein

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 8, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive Notices of Electronic Filing.

/s/ Michael R. Tein  
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