

FILED

March 17, 2021

ST-2020-CV-00155

TAMARA CHARLES
CLERK OF THE COURT

**SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS / ST. JOHN**

GHISLAINE MAXWELL,

PLAINTIFF,

v.

**ESTATE OF JEFFREY E. EPSTEIN;
DARREN K. INDYKE, IN HIS CAPACITY AS
EXECUTOR OF THE ESTATE OF JEFFREY
E. EPSTEIN; RICHARD D. KAHN, IN HIS
CAPACITY AS EXECUTOR OF THE ESTATE OF
JEFFREY E. EPSTEIN; AND NES, LLC, A
NEW YORK LIMITED LIABILITY COMPANY,**

DEFENDANTS.

Case No. ST-2020-CV-00155

Action for Indemnification

ORDER

THIS MATTER was referred, *sua sponte*, by Order dated and entered February 11, 2021, to determine whether the case should be treated as complex. The Court issues this Order to set a briefing schedule for the parties to follow in addressing that question. Additionally, upon reviewing the case, the Court notes that the Government of the Virgin Islands ("Government") moved to intervene. Assuming, for purposes of this determination only, that the motion would be granted, the Court will allow the Government to be heard as to whether complex treatment is appropriate. The Court takes judicial notice that a similar order was entered on March 12, 2021, in Case No. ST-2020-CV-00014, *Government of the Virgin Islands v. Darren K. Indyke, et al.*, setting a briefing schedule for the parties to follow as to whether that case should be designated as complex. Considering that the Co-Executors are parties in both cases, and in the related probate matter, and further that the Co-Executors filed the motion in Case No. ST-2020-CV-00014 to designate it as complex, the Court will direct them to respond first, whether in support or in opposition to complex treatment, followed by Plaintiff Ghislane Maxwell and the Government. Further

ORDER

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response by the Co-Executors will only be permitted on motion showing cause but should be accompanied by the proposed surresponse, if any.

Accordingly, it is hereby

ORDERED that the Co-Executors **MAY SERVE** and **FILE** a response in writing **within ten (10) days** from the date of entry of this Order addressing whether this case should be designated as complex and/or assigned to the same judge as Case No. ST-2020-CV-00014 to avoid delay and inconsistent rulings. Plaintiff Ghislane Maxwell and the Government of the Virgin Islands **MAY SERVE** and **FILE** a reply to the Co-Executors' response **within fifteen (15) days** from the date the Co-Executors file their response, if any, or if none, then **within fifteen (15) days** from when the response was due. It is further

ORDERED that failure to file a response or reply will be construed as no objection to designating this case as complex or assigning it to the same judge as the other related cases. No extensions of time will be granted given the length of time that has already passed since the February 11, 2021 Order was entered without response from the current or prospective parties. Lastly, the Court will make its decision based on the papers without oral argument.

A copy of this Order shall be served on Kyle R. Waldner, Esq., Christopher Allen Kroblin, Esq., and Assistant Attorney General Ariel M. Smith, Esq.

DONE and so ORDERED this 17th day of March, 2021.



HAROLD W.L. WILLOCKS
Presiding Judge of the Superior Court

ATTEST:
TAMARA CHARLES
Clerk of the Court

By: 
Court Clerk III
Dated: 3/17/2021