

**United States District Court
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

**PLAINTIFF'S RESPONSE IN OPPOSITION TO
DEFENDANT'S SECOND MOTION TO COMPEL AND FOR SANCTIONS**

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Plaintiff Virginia Giuffre (“Ms. Giuffre”), by and through her undersigned counsel, hereby files this Response in Opposition to Defendant’s Motion to Compel and her baseless Motion for Sanctions (DE 354).

I. INTRODUCTION

[REDACTED]

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II. DEFENDANT’S ENTIRE MOTION SHOULD BE DENIED

Defendant’s motion violates Local Rule 37.1, and should be denied for that reason before the Court even reaches the merits. Local Rule 37.1 states that, “upon any motion or application

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

involving discovery or disclosure requests or responses under Fed. R. Civ. P. 37, the moving party shall specify and quote or set forth verbatim *in the motion papers* each discovery request and response to which the motion or application is addressed.” For the majority of discovery items upon which Defendant moves, Defendant has wholly failed to do this. Instead, Defendant edits out a great deal of Ms. Giuffre’s answers and objections to the interrogatories, skipping entire data sets put forth in response to the interrogatories, and skipping Ms. Giuffre most cogent objections.

This is improper conduct. Upon a motion to compel, a Court is called upon to evaluate the discovery requests *as well as the responses and objections*. Local Rule 37.1 is designed to protect against the exact type of self-serving editing of the opposing party’s objections that Defendant has done in this brief. Accordingly, the Court should deny Defendant’s motion in its entirety for failure to comply with Local Rule 37.1. *See Blodgett v. Siemens Industry, Inc.*, 2016 WL 4203490, at *1 (E.D.N.Y., 2016) (denying motion without prejudice for failure to comply with Local Rule 37.1 (which is the same rule in the Eastern District of New York)).

III. MOTION TO COMPEL RESPONSES TO INTERROGATORIES SHOULD BE DENIED

A. Interrogatory No. 5

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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B. Interrogatory No. 6

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[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED] nothing
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED] llegal

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

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[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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C. Interrogatory No. 7

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D. Interrogatory No. 8

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E. Interrogatory No. 13

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[REDACTED]

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Bar Index	Color	Relative Length (approximate)
1	Light Gray	10%
2	Black	95%
3	Black	90%
4	Black	60%
5	Black	60%
6	Black	60%
7	Black	10%

F. Interrogatory No. 14

A series of horizontal bars of varying lengths, mostly black, with one bar containing a small grey segment. The bars are arranged in a descending staircase pattern from top-left to bottom-right.

[illegible]

The image displays a series of horizontal black bars of varying lengths, arranged vertically. The bars are of different heights and are positioned at irregular intervals. Some bars have small colored segments at their left ends: a gray segment, a black segment, and a white segment. The overall composition is abstract and minimalist, resembling a data visualization or a stylized graphic design.

A series of horizontal black bars of varying lengths, arranged in a vertical stack. The bars are of different heights and widths, creating a stepped effect. Some bars have small white and gray segments at their left ends, while others are solid black. The bars are arranged in a way that suggests a sequence or a progression, with some bars appearing to be part of a larger structure or a set of data points. The overall composition is minimalist and abstract, focusing on the shapes and lengths of the bars.

[REDACTED]

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IV. PLAINTIFF'S ANSWERS TO DEFENDANT'S REQUESTS FOR ADMISSIONS ARE NOT DEFICIENT AND DEFENDANT'S MOTION SHOULD BE DENIED

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A. Requests for Admission Nos. 1-8 and 13

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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A horizontal bar chart comparing the percentage of respondents by age group for men and women. The x-axis represents the percentage from 0% to 100%. The y-axis lists age groups: 18-24, 25-34, 35-44, 45-54, 55-64, 65-74, 75-84, 85+, and 'Don't know'. For each age group, there are two bars: a blue bar for men and a red bar for women. The data is as follows:

Age Group	Men (%)	Women (%)
18-24	10	10
25-34	70	70
35-44	100	100
45-54	70	70
55-64	100	100
65-74	95	95
75-84	100	100
85+	40	40
Don't know	10	10

[REDACTED]

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B. Requests for Admission Nos. 12

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

A horizontal bar chart consisting of 13 black bars of varying lengths. The bars are arranged vertically, with the longest bar at the top and the shortest bar at the bottom. The lengths of the bars vary significantly, with some being nearly full-width and others being much shorter. The bars are arranged in a single column, with the longest bar at the top and the shortest bar at the bottom. The lengths of the bars vary significantly, with some being nearly full-width and others being much shorter.

V. PLAINTIFF'S RESPONSES TO DEFENDANT'S OVERLY BROAD REQUESTS FOR PRODUCT INFORMATION ARE COMPLIANT WITH HER DISCOVERY OBLIGATIONS UNDER THE APPLICABLE RULES AND DEFENDANT'S MOTION SHOULD BE DENIED

A. Request for Production No. 1

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A series of 20 horizontal black bars of varying lengths, arranged in a staggered, descending pattern from top-left to bottom-right, resembling a staircase or a series of steps. The bars are solid black and have no text or other markings.

B. Request for Production No. 4

C. Request for Production No. 9

[REDACTED]

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[illegible]

A series of 20 horizontal black bars of varying lengths, representing a list of redacted text. The bars are arranged in a single column, with some bars being longer than others, suggesting a list of items of different lengths.

[REDACTED]

[REDACTED]

D. Request for Production No. 10

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

E. Requests for Production No. 11 and No. 12

[REDACTED]

[REDACTED]

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[REDACTED]

VI. CONCLUSION

Defendant's brief is bereft of case law, lacking the authority upon which this Court can grant her overly-broad requests, many of which have already been fully satisfied. Similarly, Defendant's motion for sanctions is completely baseless, and should be denied. For the foregoing reasons, Ms. Giuffre respectfully requests Defendant's Motion to Compel and for Sanctions be denied in its entirety.

DATED: August 17, 2016.

Respectfully Submitted,

BOIES, SCHILLER & FLEXNER LLP

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 17, 2016, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system. I also certify that the foregoing document is being served to all parties of record via transmission of the Electronic Court Filing System generated by CM/ECF.

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