

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
VIRGINIA L. GIUFFRE,
Plaintiff,
v.
GHISLAINE MAXWELL,
Defendant.
-----X

15-cv-07433-RWS

**Reply in Support of Defendant's Motion to Exclude Evidence
Pursuant to Fed. R. Evid. 404(b)**

Laura A. Menninger
Jeffrey S. Pagliuca
Ty Gee
HADDON, MORGAN AND FOREMAN, P.C.
150 East 10th Avenue
Denver, CO 80203
303.831.7364

TABLE OF CONTENTS

INTRODUCTION	1
I. THE LEGAL CONCLUSIONS AND ATTORNEY ARGUMENT ARE IRRLEVANT TO ANYTHING	2
II. THE [REDACTED] ARE NOT “DIRECTLY RELEVANT” TO PLAINTIFF’S DEFAMATION CLAIM.....	3
III. PLAINTIFF FAILED TO IDENTIFY AN APPROPRIATE NON-PROPENSITY BASIS FOR INTRODUCTION OF EVIDENCE UNDER RULE 404(B)	6
IV. PLAINTIFF DOES NOT EVEN ATTEMPT TO SATISFY EVIDENTIARY HURDLES OF RULE 415.....	8
V. PLAINTIFF FAILED TO SATISFY BALANCING TEST OF RULE 403 FOR HER PROFFERED EVIDENCE	8
CONCLUSION.....	10
CERTIFICATE OF SERVICE	11

PAGES 1-9
REDACTED

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CONCLUSION

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dated: March 30, 2017

Respectfully submitted,

/s/ Laura A. Menninger

Laura A. Menninger (LM-1374)

Jeffrey S. Pagliuca (*pro hac vice*)

Ty Gee (pro hac vice)

HADDON, MORGAN AND FOREMAN, P.C.

150 East 10th Avenue

Denver, CO 80203

Phone: 303.831.7364

Fax: 303.832.2628

lmenninger@hmflaw.com

Attorneys for Ghislaine Maxwell

CERTIFICATE OF SERVICE

I certify that on March 30, 2017, I electronically served this *Defendant's Reply in Support of Defendant's Motion to Exclude Evidence Pursuant to Fed. R. Evid. 404(b)* via ECF on the following:

Sigrid S. McCawley
Meredith Schultz
BOIES, SCHILLER & FLEXNER, LLP
401 East Las Olas Boulevard, Ste. 1200
Ft. Lauderdale, FL 33301
smccawley@bsfllp.com
mschultz@bsfllp.com

Bradley J. Edwards
FARMER, JAFFE, WEISSING, EDWARDS,
FISTOS & LEHRMAN, P.L.
425 North Andrews Ave., Ste. 2
Ft. Lauderdale, FL 33301
brad@pathtojustice.com

Paul G. Cassell
383 S. University Street
Salt Lake City, UT 84112
cassellp@law.utah.edu

J. Stanley Pottinger
49 Twin Lakes Rd.
South Salem, NY 10590
StanPottinger@aol.com

/s/ Nicole Simmons

Nicole Simmons