

UNITED STATES DISTRICT COURT,  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80381-MARRA-JOHNSON

JANE DOE NO. 5,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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**DEFENDANT'S MOTION FOR ENLARGEMENT OF  
TIME TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

Defendant Jeffrey Epstein moves, pursuant to S.D. Fla. L.R. 7.1(A), for an enlargement of time to answer or otherwise respond to the complaint until ten days after his motion for a mandatory stay, filed contemporaneously with this motion, is decided, and as grounds for this relief respectfully states as follows:

1. This civil action is a private counterpart to two ongoing criminal actions, one in Palm Beach state court, the other in the Southern District of Florida.
2. These cases purport to arise from the same occurrence: the alleged sexual assault of a minor, Jane Doe No. 5.
3. On June 20, 2008, Mr. Epstein filed a motion seeking a stay of this action under 18 U.S.C. § 3509. Under that section, when an alleged sexual assault

involving a child victim results in a "criminal proceeding," a commonly derived civil suit "*shall be stayed* until the end of all phases of the criminal action." 18 U.S.C. § 3509(k) (emphasis added).

4. If Mr. Epstein's stay motion is granted, he will not be required to respond to the Complaint or otherwise litigate this action until the two pending criminal matters are resolved.

WHEREFORE, Defendant Jeffrey Epstein respectfully requests an enlargement of time to answer or otherwise respond to the complaint until ten days after his motion for a stay is decided.

Respectfully submitted,

ATTERBURY, GOLDBERGER &  
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By: /s/ Jack A. Goldberger  
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*Attorneys for Defendant Jeffrey Epstein*

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7**

Counsel for defendant has conferred in good faith with counsel for the plaintiff, who opposes the relief requested in this motion.

/s/ Jack A. Goldberger  
Jack A. Goldberger

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 20, 2008, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on counsel of record identified below by facsimile and U.S. Mail.

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/s/ Jack A. Goldberger  
Jack A. Goldberger

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ORDER

THIS CAUSE having come to be heard on the Defendant's Motion for An  
Enlargement of Time to Answer or Otherwise Respond to the Complaint, and this  
Court being fully advised, it is hereby:

ORDERED AND ADJUDGED that the Motion is hereby granted.

DONE AND ORDERED in Miami-Dade County, Florida this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008.

\_\_\_\_\_  
KENNETH A. MARRA  
UNITED STATES DISTRICT JUDGE

Copies furnished to:     Jack A. Goldberger, Esq.  
                                 Jeffrey M. Herman, Esq.