

Sealed

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

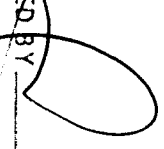
JANE DOE NO. 5,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

FILED BY 
08 JUL 10 PM 12:24
STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA - MIA

**FILED *EX PARTE*
UNDER SEAL**

DEFENDANT'S MOTION TO FILE *EX PARTE* AND UNDER SEAL



Pursuant to S.D. Fla. L.R. 5.4, defendant Jeffrey Epstein hereby moves to file his Notice of Continued Pendency of Federal Criminal Action, as well as this motion, *ex parte* and under seal, stating as follows:

1. In support of his motion to stay [DE 11], defendant has herewith filed a Notice of Continued Pendency of Federal Criminal Action.

2. The Notice relates to a confidential agreement between the United States Attorney's Office for the Southern District of Florida and the defendant.

3. The information contained in the Notice is material to this Court's consideration of Epstein's motion to stay.


4. To avoid disclosure of confidential material, Epstein requests leave to file the Notice, and this motion, *ex parte* and under seal.

5. Pending a ruling from this Court, Epstein has not served this motion or the Notice on counsel for plaintiff.

WHEREFORE, defendant Jeffrey Epstein respectfully requests leave to file this motion and his Notice of Continued Pendency of Federal Criminal Action, *ex parte* and under seal.

Respectfully submitted,

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Attorneys for Defendant Jeffrey Epstein

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this motion, in accordance with S.D. Fla. L.R. 5.4, has not been served on opposing counsel and was filed under seal on July 10, 2008.

A handwritten signature in black ink, appearing to read "M. Tein", is written over a horizontal line.

Michael R. Tein