



February 4, 2021

**VIA ECF**

Hon. John G. Koeltl  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

**Re: *Doe v. Indyke, et al.*, 1:20-cv-000484-JGK-DCF  
Update Regarding Settlement and Plaintiff's Pending Motion to Dismiss**

Dear Judge Koeltl:

On October 16, 2020, the Epstein Victims' Compensation Program (EVCP) made an offer of compensation to Plaintiff who accepted that offer on November 29, 2020. As the Court was previously made aware, a condition of payment of the settlement to Plaintiff was that she had to dismiss this pending action with prejudice. Plaintiff promptly attempted to do so by securing a stipulation for dismissal among the parties. Defendant Ghislaine Maxwell refused to stipulate. On December 21, 2020, Plaintiff wrote this Court requesting that it dismiss the case with prejudice pursuant to FRCP 41(a)(2) (ECF 87). In response to that letter, the Court scheduled a status conference for December 23, 2020. Following the status conference, the Court set a briefing schedule for Plaintiff's Motion to Dismiss. Pursuant to that briefing schedule, Plaintiff filed her Motion to Dismiss on January 15, 2021 (ECF 91). Her reply brief is due tomorrow.

Today, however, we received a letter from the EVCP Fund Administrator, Jordy Feldman, entitled "**Important Update Regarding the Epstein VCP.**" That letter is enclosed for the Court's reference. Ms. Feldman states, in pertinent part, "I am writing to inform you that, due to uncertainty about the liquidity of Estate assets to fund the Program, effective immediately, all compensation determination offers will be held until after the March 25, 2021 claims filing deadline or until such time that I have sufficient certainty that eligible claims can be timely and fully funded and paid."

In light of this unanticipated development, Plaintiff is requesting that the Court continue her Motion to Dismiss and defer its ruling on it until after we know whether or not the settlement reached among the parties will be honored by the EVCP.

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In addition, based on the questionable actions taken by Ms. Maxwell to delay the settlement by refusing to allow a case against her to be dismissed with prejudice, as well as the Estate's insistence that she must be dismissed even though the settlement was to be 100% from Estate assets, Plaintiff requests that the Court conduct a hearing with all interested parties (including the EVCP administrator) to determine if there have been any collusive efforts, plans or intentions by those involved to disenfranchise Plaintiff and the other sex abuse victims of Jeffrey Epstein and Ghislaine Maxwell in this litigation.

Respectfully submitted,

PANISH SHEA & BOYLE

/s/ Robert Glassman

Robert Glassman

Encl.