

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-80804-CIV-MARRA/JOHNSON

JANE DOE, a/k/a
JANE DOE #1,

Plaintiff,

vs.

JEFFREY EPSTEIN, HALEY ROBSON,
and SARAH KELLEN,

Defendants.

/

**DEFENDANT JEFFREY EPSTEIN'S
OPPOSED MOTION TO ALIGN RESPONSE DATE**

Defendant Jeffrey Epstein moves, pursuant to S.D. Fla. L.R. 7.1(A), to align the deadline for filing his response to the complaint with the deadlines set in *Jane Doe Nos. 2 through 5* of September 4, 2008, and as grounds for this relief, respectfully states as follows:

1. This matter was removed to Federal Court on July 21, 2008. (DE 1).
2. On July 25, 2008, Mr. Epstein filed a motion to stay this action. (DE 4 & 5).
3. That same day, Mr. Epstein moved for an enlargement of time to answer or otherwise respond to the complaint until ten days after the motion for stay was decided. (DE 3).

Lewis Tein PL
ATTORNEYS AT LAW

3059 GRAND AVENUE, SUITE 340, COCONUT GROVE, FLORIDA 33133

4. On August 6, 2008, this Court denied the motion for stay. (DE 7).

5. This Court has not yet ruled upon Mr. Epstein's motion for an enlargement of time.

6. In a series of substantially identical lawsuits brought against Mr. Epstein, however, this Court - - upon the denial of motions for stay filed in those cases - - granted Mr. Epstein an additional ten days to respond to the complaints *nunc pro tunc*. *Jane Doe No. 2 v. Epstein*, No. 08-CV-80119-KAM (S.D. Fla.) (DE 33); *Jane Doe No. 3 v. Epstein*, No. 08-CV-80232-KAM (S.D. Fla.) (DE 29); *Jane Doe No. 4 v. Epstein*, No. 08-CV-80380-KAM (S.D. Fla.) (DE 39); and *Jane Doe No. 5 v. Epstein*, No. 08-80381-CV-KAM (S.D. Fla.) (DE 38).

7. Since then, this Court (upon the parties' stipulation) has extended the time to respond to each of the complaints in *Jane Doe Nos. 2 through 5* until September 4, 2008. *Jane Doe No. 2* at DE 36; *Jane Doe No. 3* at DE 31; *Jane Doe No. 4* at DE 42; *Jane Doe No. 5* at DE 40.

8. Mr. Epstein respectfully requests an enlargement of time until September 4, 2008, coterminous with the deadlines set in *Jane Doe Nos. 2 through 5*, to respond to the plaintiff's complaint.

9. An enlargement of time will promote judicial economy because it will allow Mr. Epstein to submit (and the plaintiff to respond to, and this Court to consider) his responses to the nearly identical complaints at one time.

10. Further, such an enlargement will not prejudice the plaintiff in any way given that defendants Sarah Kellen and Haley Robson have yet to be served in this action.

WHEREFORE, Defendant Jeffrey Epstein respectfully requests an order aligning the deadline for filing his response to the complaint with the deadlines set in *Jane Doe Nos. 2 through 5* of September 4, 2008

Respectfully submitted,

LEWIS TEIN, P.L.
3059 Grand Avenue, Suite 340
Coconut Grove, Florida 33133
Tel: 305 442 1101
Fax: 305 442 6744

By: /s/ Michael R. Tein
GUY A. LEWIS
Fla. Bar No. 623740
lewis@lewistein.com
MICHAEL R. TEIN
Fla. Bar No. 993522
tein@lewistein.com

ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, Florida 33401
Tel. 561 659 8300
Fax. 561 835 8691

By: Jack A. Goldberger
Fla. Bar No. 262013
jgoldberger@agwpa.com

Attorneys for Defendant Jeffrey Epstein

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1.A.3

On August 7, 2008, undersigned counsel conferred with counsel for the plaintiff in a good faith effort to resolve the issues raised in this motion, but was unable to do so.

/s/ Michael R. Tein
Michael R. Tein

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 8, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive Notices of Electronic Filing.

/s/ Michael R. Tein
Michael R. Tein

Service List

Theodore J. Leopold, Esq.
Spencer Kuvin, Esq.
Ricci-Leopold, P.A.
2925 PGA Blvd., Suite 200
Palm Beach Gardens, FL 33410
Fax: 561 697 2383
Counsel for Plaintiff Jane Doe

Douglas M. McIntosh, Esq. (*by fax and U.S. Mail*)
Jason A. McGrath, Esq.
McIntosh, Sawran, Peltz & Cartaya, P.A.
Centurion Tower
1601 Forum Place, Suite 1110
West Palm Beach, Florida 33401
Fax. 561 682-3206
Counsel for Defendant Haley Robson

Bruce E. Reinhart, Esq. (*by fax and U.S. Mail*)
Bruce E. Reinhart, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, Florida 33401
Fax. 561 828 0983
Counsel for Defendant Sarah Kellen

Robert D. Critton, Esq. (*by fax and U.S. Mail*)
Michael J. Pike, Esq.
Burman, Critton, Luttier &
Coleman, LLP
515 N. Flagler Drive, Suite 400
West Palm Beach, Florida 33401
Fax. 561 515 3148
Co-Counsel for Jeffrey Epstein