

**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 D.C.  
08 JUL 10 PM 12:24  
STEVEN M. LARIMORE  
CLERK U.S. DIST. CT.  
S.D. OF FLA - MIAMI

**FILED EX PARTE  
UNDER SEAL**

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

8/12

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,

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

By:



GUY A. LEWIS  
Fla. Bar No. 623740  
[lewis@lewistein.com](mailto:lewis@lewistein.com)  
MICHAEL R. TEIN  
Fla. Bar No. 993522  
[tein@lewistein.com](mailto: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](mailto:jgoldberger@agwpa.com)

*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.



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Michael R. Tein