

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

JANE DOE, a/k/a
JANE DOE NO. 1,

Plaintiff,

vs.

JEFFREY EPSTEIN, HALEY
ROBSON, and SARAH KELLEN,

Defendants.

/

**DEFENDANTS JEFFREY EPSTEIN AND SARAH KELLEN'S MOTION
FOR ENLARGEMENT OF TIME TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT**

Defendants Jeffrey Epstein and Sarah Kellen move, pursuant to Rule 7.1(A) of the Local Rules of the United States District Court for the Southern District of Florida, for an enlargement of time to answer or otherwise respond to the amended complaint until ten days after their motion for stay, filed contemporaneously with this motion, is decided, and as grounds for this relief respectfully state as follows:

1. This civil action is a private counterpart to a pending federal criminal action.

Lewis Tein PL

ATTORNEYS AT LAW
3059 GRAND AVENUE, SUITE 340, COCONUT GROVE, FLORIDA 33133

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

2. The pending criminal action purports to arise from the alleged sexual assault of a minor, Jane Doe.

3. Mr. Epstein and Ms. Kellen have filed a motion, contemporaneous with the filing of this 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 and Ms. Kellen’s stay motion is granted, they will not be required to respond to the complaint or otherwise litigate this action until the pending criminal matter is resolved.

5. The undersigned are authorized to represent that defendant Sarah Kellen joins in this motion.

WHEREFORE, Defendants Jeffrey Epstein and Sarah Kellen respectfully request an enlargement of time to answer or otherwise respond to the complaint until ten days after their motion for a stay is decided.

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

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

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

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

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

/s/ Michael R. Tein
Michael R. Tein

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 25, 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 U.S. Mail.

/s/ Michael R. Tein
Michael R. Tein

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

Service List

Theodore J. Leopold, 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.
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.
Bruce E. Reinhart, P.A.
250 South Australian Avenue
Suite 1400
West Palm Beach, Florida 33401
Fax. 561 828 0983
Counsel for Defendant Sarah Kellen

Robert D. Critton, Esq.
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

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PROPOSED ORDER

THIS CAUSE having come before this Court upon the Defendants Jeffrey Epstein and Sarah Kellen's Motion for Enlargement of Time to Answer or Otherwise Respond to Complaint, and this Court being fully advised, it is hereby ORDERED AND ADJUDGED that:

1. The Motion is hereby granted.
2. Defendants shall have an enlargement of time to answer or otherwise respond to the amended complaint until ten (10) days after their motion for stay is decided.

DONE AND ORDERED this _____ day of _____, 2008.

HON. KENNETH A. MARRA
UNITED STATES DISTRICT JUDGE

Copies furnished to: All counsel