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November 14, 2019

ECF

Hon. Katherine Polk Failla
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Jane Doe v. Darren K. Indyke and Richard D. Kahn, in their capacities as the Executors of the Estate of Jeffrey E. Epstein, 1:19-cv-08673-KPF*

Dear Judge Failla:

We represent Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein (together, “Defendants”), in the referenced action. We write to respectfully request a two week extension of Defendants’ time to answer, move or otherwise respond to Plaintiff’s Complaint, from November 15, 2019 to November 29, 2019. The Initial Pretrial Conference in this matter is scheduled for December 13, 2019. The requested extension would not affect any other scheduled dates in this action. We request this short extension because motion practice at this time would be detrimental to the potential for a non-adversarial resolution of this action.

Earlier today, Defendants sought expedited approval from the Superior Court of the U.S. Virgin Islands, where Decedent’s will is in probate, to establish a voluntary claims resolution program that will allow Plaintiff the opportunity to seek to resolve her sexual abuse claims against Decedent through a voluntary, confidential, non-adversarial alternative to this litigation. Jordana Feldman (former Deputy Special Master of the September 11th Victim Compensation Fund), Kenneth R. Feinberg (the nation’s leading expert in fashioning effective dispute resolution alternatives) and Camille S. Biros (also an alternative dispute resolution expert) will design and administer the program. Plaintiff and her counsel will be invited to provide input on the program’s design.

This is the first request for an extension of this deadline. The Court previously So Ordered the parties’ agreement whereby we accepted service of Plaintiff’s Complaint, which Plaintiff filed on September 18, 2019, and setting the November 15 response deadline (ECF #10).

Yesterday, Plaintiff’s counsel submitted a letter to Your Honor preemptively objecting to this request and referring to our having made similar requests to other SDNY judges (ECF #27). It thus bears mentioning Judge Castel, Judge Daniels and Judge Ramos granted such requests.

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Thank you for your attention to this matter.

Respectfully submitted,

s/Bennet J. Moskowitz
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