

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA

JANE DOE 1 AND JANE DOE 2,
Petitioners,
vs.
UNITED STATES,
Respondent.

ORDER

This cause is before the Court upon the Government's Notice of Proposed Procedures for the Determination of a Remedy (DE 451), Jane Doe 1 and Jane Doe 2's Position on the Procedures to be Followed to Determine a Remedy for the Government's Violation of the Crime Victims' Rights Act (DE 452) and Intervenor Jeffrey Epstein's Submission Regarding the Procedure to Determine Remedy (DE 453). The Court has carefully considered the submissions and is otherwise fully advised in the premises.

Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows:

- 1) Within 30 days of the entry of this Order, Petitioners will file their submission on proposed remedies. Because Petitioners have initiated this civil case, they must make a demand for the relief they seek. See Fed. R. Civ. P. 8(a)(3). As the Defendant, the Government should be allowed to respond to Petitioners' demand for relief. Petitioners may submit affidavits or declarations in support of their proposed remedy.
- 2) The Government shall have 30 days to respond to Petitioners' submission. The Government may submit any affidavits or declarations in support of its position. If the Government wishes to obtain input from victims, they may contact any


victims not represented by counsel at any time. With respect to victims represented by counsel, the Government may only contact those individuals with the consent of their counsel.

- 3) Petitioners may file their reply, and any counter-affidavits or declarations, within 15 days of the filing of the Government's brief.
- 4) Intervenor Epstein may file his brief within 30 days from the date Petitioners' brief is filed.¹ Epstein may file affidavits or declarations in support of his position. Petitioners may file a reply within 15 days. After seeing the Government's brief, Epstein may seek leave to respond to the Government's submission to address any issues raised by the Government which were not addressed in his response to Petitioners' brief. In seeking such leave, Epstein must explain why his response to Petitioners' brief does not adequately address the issue or issues raised in the Government's brief to which he seeks to reply.
- 5) The Court has no objection to parties attempting to mediate this dispute. Epstein may participate in the mediation. The mediation will be arranged between counsel of the parties and intervenor. The date, time and location of the mediation will be subject to an order of confidentiality.
- 6) The Court will not permit further discovery in this case.

¹ Epstein's submission seeks to file a more substantive response to Petitioners' submission. Such a filing is not necessary for the Court to decide how to proceed. To the extent Epstein wishes to challenge any assertions made by Petitioners in their recent submission that may address the merits of the case, the Court will not consider those assertions in resolving the remaining issues. All of the parties will be given ample opportunity to respond to the issues on the merits.

- 7) Intervenor Epstein's Submission Regarding the Procedure to Determine Remedy (DE 453) was inadvertently filed as a motion and shall be terminated for statistical purposes.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County,
Florida, this 13th day of May, 2019.



KENNETH A. MARRA
United States District Judge