

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 08-80736-CIV-MARRA/JOHNSON

JANE DOE #1 AND JANE DOE #2,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

**REPLY IN SUPPORT OF MOTION FOR LEAVE TO FILE
SUPPLEMENT TO REPLY IN SUPPORT OF MOTION FOR LIMITED
INTERVENTION BY ALAN M. DERSHOWITZ**

Alan M. Dershowitz hereby replies in support of his Motion for Leave to File Supplement to Reply in Support of Motion for Limited Intervention (DE 317) (“Motion for Leave”).

In both the underlying Motion for Limited Intervention (DE 282) and the instant Motion for Leave, Professor Dershowitz is simply asking for an opportunity to address irrelevant and false allegations that have been made against him. Prof. Dershowitz’s proposed Supplement (DE 317-1) is a simple and concise response to allegations that were made *after* he filed his Reply in Support of his Motion for Limited Intervention (DE 306).

Plaintiffs’ Opposition to the Motion for Leave (DE 319) is consistent with their strategy of continually making scurrilous allegations against Prof. Dershowitz and then attempting to deny Professor Dershowitz the ability to respond. At bottom, no prejudice would result from the Court’s granting of the leave sought, as the Court has not yet ruled upon the underlying Motion for Limited Intervention and the proposed Supplement strictly responds to allegations made after

the Reply had been filed. In fact, in their Opposition to the Motion for Leave, Plaintiffs make absolutely no argument of undue prejudice or burden, instead they only argue that Dershowitz “waited a full 34 days to supplement his pleading.” It is ironic for Plaintiffs to complain about “34 days” when, even under their version of the facts, they have delayed for years in making their allegations against Professor Dershowitz. No prejudice would result from the Court’s permitting of the filing.

The Court should, however, deny Plaintiffs’ request for leave to submit their Response to Prof. Dershowitz’s Supplemental Reply (DE 319-1). Plaintiffs’ proposed Response argues that because discovery documents have not yet been produced in a state court case filed by Plaintiffs’ attorneys against Prof. Dershowitz, this Court should make certain inferences about Prof. Dershowitz. Plaintiffs even attach certain discovery filings from that case. These state court papers are taken entirely out of context and, in any event, have no place in this Court’s files. Moreover, the insinuation that Prof. Dershowitz is refusing to produce documents in the state court action is not only irrelevant here, it is false – all responsive, non-privileged documents will be produced in a timely manner, as indicated in Dershowitz’s responses. Finally, Plaintiffs’ filing further illustrates their improper strategy of using the pleadings to further defame Prof. Dershowitz and to deliver documents to the media under the thin cover of the litigation privilege.

In conclusion, equity dictates that the Court should grant Prof. Dershowitz’s request for leave to file his Supplement to Reply in Support of Motion for Limited Intervention (DE 317).

Respectfully submitted,

/s/ Kendall Coffey

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by Notice of Electronic Filing generated by CM/ECF, on this 3rd day of April, 2015, on all counsel or parties of record on the Service List below.

/s/ Kendall Coffey

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