

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VIRGINIA L. GIUFFRE,

PLAINTIFF,

V.

GHISLAINE MAXWELL,

DEFENDANT.

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**DEFENDANT’S NOTICE OF
SUPPLEMENTAL AUTHORITY**

15-cv-07433-RWS

In further support of her Motion to Dismiss the Complaint, Defendant Ghislaine Maxwell, through her attorney Laura A. Menninger of the law firm Haddon, Morgan and Foreman, P.C., hereby respectfully submits the recent decision in *Hill v. Cosby*, 15 cv 1658 (W.D. Pa. January 21, 2016).

In *Hill v. Cosby*, the court dismissed, with prejudice, what it found to be a “very detailed and complete Complaint¹” alleging, among other things, that Cosby defamed an alleged sexual assault victim by issuing statements to the press describing the allegations against him as “unsubstantiated, fantastical stories...[that] have escalated far past the point of absurdity.” (Ex. A at 8). Citing *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 339 (1974), the court held that “[t]his sort of purely opinionated speech...is protected and not actionable as defamatory speech.” *Id.* In dismissing the case, the court further noted that Cosby’s public denial of the claims against him was a “legal position” that does not “lead to an inference that Plaintiff is a ‘liar and an extortionist.’” *Id.* at 8, 12.

¹ In fact, the *full text* of each allegedly defamatory statement was set forth in the Complaint. (Ex. A at 8).

The facts and arguments set forth in *Hill v. Cosby* are analogous to those here, and thus this newly issued decision is relevant to the arguments advanced by Ms. Maxwell in support of her Motion to Dismiss. Ms. Maxwell therefore respectfully requests that the Court take notice of this supplemental authority.

Dated: January 22, 2016.

Respectfully submitted,

s/ Laura A. Menninger

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CERTIFICATE OF SERVICE

I certify that on January 22, 2016, I electronically filed this *Notice of Supplemental Authority* with the Clerk of Court using the CM/ECF system which will send notification to the following:

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s/ Brenda Rodriguez

Brenda Rodriguez