

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80381-MARRA-JOHNSON

JANE DOE NO. 5,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

**DEFENDANT'S MOTION FOR EXTENSION OF TIME IN WHICH TO RESPOND TO
PLAINTIFF'S SECOND AMENDED COMPLAINT**

Defendant, Jeffrey Epstein, (hereinafter "Epstein") by and through his undersigned attorneys, respectfully moves this Court for an extension of time in which to respond to Plaintiff's Second Amended Complaint dated February 27, 2009. Local General Rule 7.1 A.1 and Rule 6, Fed. R. Civ. P. (2009). Defendant seeks an extension until April 3, 2009, to file his response. As good cause in support of granting the motion, Defendant states:

1. Defendant's response to the Second Amended Complaint would be due on March 11, 2009 (10 days to respond, not including weekend).

2. Plaintiff's counsel also represents five (5) other Plaintiffs pursuing claims against Defendant, EPSTEIN. All Plaintiffs have also filed amended complaints bearing the same dates. In order to fully and adequately respond to this and the other complaints, Defendant is in need of an extension until April 3, 2009.

3. In addition to the multiple amended complaints, good cause for the extension also includes that counsel has been attempting to resolve discovery issues in this and

Jane Doe No. 5 v. Epstein
Page 2

other cases against Defendant, EPSTEIN; an associate of Defendant's undersigned counsel who works extensively on this case was out of the office for two weeks during the month February caring for two of her children who had the flu, and the associate herself also caught the flu; Defendant's counsel is also in the midst of preparing for two state court trials – one on a March trial docket and the other specially set in mid-May, (OLD MARSH GOLF CLUB, INC. v. OLD MARSH PARTNERS, et al, Case No. 50 2006CA001667XXXXMBAD – set on trial docket beginning March 16, 2009; CARDIOPULMONARY & PRIMARY CARE ASSOC. OF TREASURE COAST, P.A v. LEWIS, M.D., Case No. 562008CA001726, specially set for trial beginning May 13 through 15, 2009). Discovery in both of these cases is ongoing with several depositions set to prepare for trial.

4. The requested extension is fair in reasonable under the circumstances as it will provide time to allow the Defendant, EPSTEIN, to fully and adequately respond to this and the other amended complaints. In addition, this action is still at its early stages.

5. As certified below, counsel for Defendant conferred with counsel for Plaintiff, and Plaintiff's counsel is in agreement with the requested extension.

WHEREFORE, Defendant requests that this Court enter an order granting an Defendant an extension until April 3, 2009, in which to respond to the Second Amended Complaint.

Local Rule 7.1 Statement

Counsel for the movant conferred by telephone with counsel for the Plaintiff and Counsel for Plaintiff is in agreement with the requested extension until April 3, 2009 for

Jane Doe No. 5 v. Epstein
Page 3

Defendant to respond to the Second Amended Complaint.



Robert D. Critton, Jr.
Attorney for Defendant Epstein

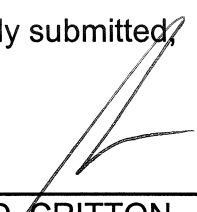
Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the following Service List in the manner specified by CM/ECF on this 4th day of March, 2009:

Adam D. Horowitz, Esq.
Stuart S. Mermelstein, Esq.
Adam D. Horowitz, Esq.
Mermelstein & Horowitz, P.A.
18205 Biscayne Boulevard
Suite 2218
Miami, FL 33160
305-931-2200
Fax: 305-931-0877
ssm@sexabuseattorney.com
ahorowitz@sexabuseattorney.com
Counsel for Plaintiff Jane Doe #5

Jack Alan Goldberger, Esq.
Atterbury Goldberger & Weiss, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, FL 33401-5012
561-659-8300
Fax: 561-835-8691
jagesq@bellsouth.net
Co-Counsel for Defendant Jeffrey Epstein

Respectfully submitted,


By: _____
ROBERT D. CRITTON, JR., ESQ.
Florida Bar No. 224162
rcrit@bclclaw.com
MICHAEL J. PIKE, ESQ.
Florida Bar #617296
mpike@bclclaw.com
BURMAN, CRITTON, LUTTIER & COLEMAN
515 N. Flagler Drive, Suite 400
West Palm Beach, FL 33401
561/842-2820 Phone
561/515-3148 Fax
Co-Counsel for Defendant Jeffrey Epstein

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80381-MARRA-JOHNSON

JANE DOE NO. 5,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

**ORDER ON DEFENDANT'S MOTION FOR EXTENSION OF TIME IN WHICH TO
RESPOND TO SECOND AMENDED COMPLAINT**

This matter came before the Court on Defendant's, JEFFREY EPSTEIN, Motion For Extension of Time In Which to Respond to Second Amended Complaint. Having considered Defendant's motion and Plaintiff's counsel being in agreement with the requested extension, it is HEREBY ORDERED and ADJUDGED that:

Defendant's motion is GRANTED. Defendant shall respond to the Second Amended Complaint on or before April 3, 2009.

DONE and ORDERED this ____ day of _____, 2009.

Kenneth A. Marra
United States District Judge

Courtesy Copies:
Counsel of Record