

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related cases:

08-80232, 08-08380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092

**DEFENDANT'S, MOTION FOR EXTENSION DIRECTED TO THE COURT
PURSUANT TO RULE 4, REVIEW AND APPEAL-SOUTHERN DISTRICT, IN
CONNECTION WITH THIS COURT'S ORDER DATED FEBRUARY 4, 2010 (DE 462)**

Defendant, Jeffrey Epstein (hereinafter "Epstein"), by and through his undersigned attorneys, and Pursuant to Rule 4, Review and Appeal – Southern District, and other applicable rules as well as this court's discretion, respectfully moves this Court for an extension of time in which to "... file with the Clerk of the Court, and serve of all parties written objections which shall specifically set forth the order, or part thereof, appealed from [and] a concise statement of the alleged error in the [] ruling, and statutory, rule, or case authority, in support of defendant's position." As good cause in support of granting the motion, Defendant states:

1. This court entered an order (DE 462) stating that Epstein must provide documents responsive to request to numbers 7, 9, 10, 12, and 13 within 14 days from the

date of said order. Federal Rule 4 allows for an appeal to be filed within 14 days of said order

2. Based upon the timing of the order to produce documents and the 14 day time period allowed for the filing of an Appeal, there remains a conflict as to the timing of both. Defendant needs an extension of time as a result of said timing conflict, and for additional the reasons set forth below.

3. Defendant seeks to appeal, pursuant to Rule 4, those portions of the order which specifically address the above requests for production. Given the breadth of the 5th Amendment addressing the above requests and the fact that the order does not address various issues in the Response (including relevance), the Defendant respectfully requests an additional 15 days from February 18, 2010 within which to “file with the Clerk of the Court, and serve of all parties written objections which shall specifically set forth the order, or part thereof, appealed from [and] a concise statement of the alleged error in the [] ruling, and statutory, rule, or case authority, in support of defendant’s position.” As such, Defendant requests that the due date effectively be moved to August 31, 2009.

4. The undersigned, Michael J. Pike, has a special set hearing in front of the Honorable Elizabeth Metzgen in Stuart, Florida on February 9, 2010. In addition, the undersigned, Robert D. Critton, Jr., Esq., is scheduled for various depositions in these related matters.

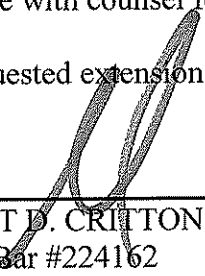
5. This request is not made to delay and will not prejudice any of the parties.

6. While this request is within the sound discretion of the court pursuant to Rule 4, the undersigned has consulted with opposing counsel and he has not agreed.

Wherefore, the undersigned respectfully requests the relief sought herein, and for such other and further relief as this court deems just and proper.

Local Rule 7.1 Statement

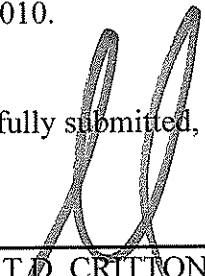
Counsel for the movant conferred by telephone with counsel for the Plaintiff and Counsel for Plaintiff is not in agreement with the requested extension.

By: 
ROBERT D. CRITTON, JR.
Florida Bar #224162
MICHAEL J. PIKE, ESQ.
Florida Bar #617296

Certificate of Service

I HEREBY 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 electronic mail (e-mail) on this 9th day of February, 2010.

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
303 Banyan Blvd., Suite 400
West Palm Beach, FL 33401
561/842-2820 Phone
561/515-3148 Fax
(Counsel for Defendant Jeffrey Epstein)

Certificate of Service
Jane Doe No. 2 v. Jeffrey Epstein
Case No. 08-CV-80119-MARRA/JOHNSON

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 Plaintiffs

*In related Cases Nos. 08-80069, 08-80119,
08-80232, 08-80380, 08-80381, 08-80993,
08-80994*

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
Counsel for Defendant Jeffrey Estein

Farmer, Jaffe, Weissing, Edwards, Fistos
& Lehrman, PL
425 N. Andrews Avenue
Suite 2
Fort Lauderdale, FL 33301
Phone: 954-524-2820
Fax: 954-524-2822
brad@pathtojustice.com
*Counsel for Plaintiff in Related Case No.
08-80893*

Paul G. Cassell, Esq.
Pro Hac Vice
332 South 1400 E, Room 101
Salt Lake City, UT 84112
801-585-5202
801-585-6833 Fax
cassellp@law.utah.edu
Co-counsel for Plaintiff Jane Doe

Isidro M. Garcia, Esq.
Garcia Law Firm, P.A.
224 Datura Street, Suite 900
West Palm Beach, FL 33401
561-832-7732
561-832-7137 F
isidrogarcia@bellsouth.net
*Counsel for Plaintiff in Related Case No.
08-80469*