

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANNIE FARMER,

Plaintiff,

CASE NO: 19-cv-10475-LGS-DCF

DISCOVERY PLAN

v.

DARREN K. INDYKE and RICHARD D. KAHN,
in their capacities as the executors of the
ESTATE OF JEFFREY EDWARD EPSTEIN and
GHISLAINE MAXWELL,

Defendants.

Pursuant to the Court's January 14, 2020, order (Dkt. 16), the parties submit the following report addressing the required topics under Rule 26(f)(3) of the Federal Rules of Civil Procedure:

- (A) The parties have already exchanged initial disclosures.
- (B) Plaintiff seeks discovery as to Jeffrey Epstein's documents concerning
 - a. The Plaintiffs;
 - b. Mr. Epstein's sex-trafficking conspiracy;
 - c. Visitors and/or passengers at any of Mr. Epstein's multiple residences or aircraft where the sex trafficking occurred;
 - d. Communications between Mr. Epstein and his co-conspirators;
 - e. Communications between Mr. Epstein and his employees;

- f. Communications between Mr. Epstein and any government official regardless of country;
- g. Mr. Epstein's flight logs and helicopter logs;
- h. Video tapes and photographs taken at Mr. Epstein's properties or on his planes;
- i. Financial records;
- j. Mr. Epstein's message pads and any phone call logs or phone/contact directories;
and
- k. Amazon.com account details, including order history.

The Co-Executors preserve all of their discovery rights including the right to object to Plaintiff's discovery requests. The Co-Executors' position is that the general subjects of discovery in this action are: (1) Mr. Epstein's alleged abuse of Plaintiff; and (2) Plaintiff's alleged damages.

There is no need to conduct discovery in phases, or otherwise limit discovery to particular issues.

(C) The parties shall confer and stipulate as to a protocol for the exchange of documents including the production of electronically stored information, no later than April 13, 2020.

(D)– (F) There are no further issues requiring the Court's attention at this time.

A proposed scheduling order is attached hereto as Exhibit A. Where the parties are in disagreement regarding a particular deadline, their respective positions are noted.

For additional context, the Co-Executors seek a longer discovery schedule in this action than in the other actions filed against them by counsel for Plaintiff due to the following position: In *Annie Farmer*, a longer schedule than the other cases is needed so that discovery does not commence before the Court rules on Plaintiff's motion for alternative service on Defendant Ghislaine Maxwell.

Plaintiff's position is that the case should proceed without regard to Maxwell's appearance and participation in this case, so long as Maxwell continues to remain in hiding and to mask her whereabouts through her counsel representing her in *Giuffre v. Maxwell*, No. 15 Civ. 7433 (LAP). Should the need arise to extend any deadlines to accommodate Maxwell's participation, the parties may raise the issue with the Court at that time.

Respectfully submitted,

/s/ Sigrid S. McCawley
David Boies, Esq.
Joshua I. Schiller, Esq.
Sigrid S. McCawley, Esq.

/s/ Bennet J. Moskowitz
Bennet J. Moskowitz, Esq.

cc: Counsel of Record (via ECF)

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANNIE FARMER,

Plaintiff,

CASE NO: 19-cv-10475-LGS-DCF

[PROPOSED] SCHEDULING ORDER

v.

DARREN K. INDYKE and RICHARD D. KAHN,
in their capacities as the executors of the
ESTATE OF JEFFREY EDWARD EPSTEIN and
GHISLAINE MAXWELL,

Defendants.

DEBRA FREEMAN, United States Magistrate Judge:

It is hereby ORDERED that:

1. Plaintiff's proposal: The parties shall serve their initial document requests and interrogatories no later than March 12, 2020. The Co-Executors' proposal: 60 days from the Court's entry of this Order.
2. The Co-Executors' proposal: Plaintiffs shall provide HIPAA-compliant medical records release authorizations to the Defendants no later than 14 days from Defendants' request.
Plaintiff's position: Any request for HIPAA releases shall be by motion if the parties are unable to reach agreement without Court intervention, after discovery requests are served.
3. Any motions to amend the pleadings or to join any additional parties shall be filed no later than March 27, 2020.

4. The parties shall confer and stipulate as to a protocol regarding the production of documents and electronically stored information no later than April 13, 2020.
5. Plaintiff's proposal: All fact discovery shall be completed no later than June 10, 2020.
The Co-Executors' proposal: 190 days from the Court's entry of this Order.
6. Expert discovery shall be conducted on the following schedule:
 - a. Plaintiff's proposal: Each party bearing the affirmative burden of proof on a claim or defense shall serve its expert report(s) with respect to that claim or defense no later than May 27, 2020. The Co-Executors' proposal: 220 days from the Court's entry of this Order (*i.e.*, 30 days after the close of fact discovery).
 - b. Rebuttal reports shall be served no later than June 26, 2020. The Co-Executors' proposal: 250 days from the Court's entry of this Order (*i.e.*, 60 days after the close of fact discovery).
 - c. Expert discovery shall be completed no later than July 27, 2020. The Co-Executors' proposal: 270 days from the Court's entry of this Order.
7. The parties may stipulate to modify interim deadlines in this Scheduling Order, without seeking prior leave of Court.

Dated: New York, New York

February ____, 2020

SO ORDERED

DEBRA FREEMAN
United States Magistrate Judge

Copies to:

All counsel (via ECF)