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November 16, 2018

**VIA CM/ECF**

Honorable Magistrate Judge Sarah Netburn  
United States District Court  
Thurgood Marshall Courthouse  
40 Foley Square, Rm 430  
New York, NY 10007

**Re: *Jane Doe 43 v. Jeffrey Epstein, et al.***  
**Case No.: 17-cv-00616-JGK-SN**

Dear Magistrate Judge Netburn:

The parties have worked together to resolve the issues of the Protective Order and to incorporate your honor's ruling. The only point of contention is the scope of the language of Paragraph 3 of the Protective Order.

Ms. Maxwell's proposed paragraph 3 in the protective order would include the following:

Information designated "CONFIDENTIAL" shall be information that is confidential and implicates common law and statutory privacy interests, including information reflecting medical or psychological conditions, medical or psychological treatment, prescriptions for controlled substances, non-public personal financial information, sexual activity or sexual contact, education records, email addresses, telephone numbers, home addresses, social security numbers and similarly personally identifying information for parties and third-party witnesses, any information subject to N.Y. Civil Rights Law § 50 or 51, or any other information deemed private by a Court of competent jurisdiction to include the tort of publication of private facts.

We propose a more precise paragraph 3 for the protective order, as follows:

Information designated "CONFIDENTIAL" shall be information that is confidential whose public release would violate common law and statutory privacy interests, including information describing medical or psychological conditions, details of medical or psychological treatment, prescriptions for controlled

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substances, non-public personal financial information, the details of sexual activity or sexual contact, education records, email addresses, telephone numbers, home addresses, social security numbers and similar personal identifying information for parties and third-party witnesses, and copyrighted or trademarked materials.

Ms. Maxwell's proposed protective order would sweep in a considerable amount of material that should not be made confidential. For example, Ms. Maxwell proposed language would cover information "reflecting ... sexual activity or contact." Given that this case involves sexual trafficking, a great deal of material would be covered by this language.

Accordingly, we request that paragraph 3 of the protective order read as we propose above. As a final note, Plaintiff would be remiss not to address Defendant's repeated, unnecessary statements about "media". Plaintiff's suggested changes to the Protective Order are tailored to address confidentiality concerns while not overburdening the Court with multiple sealed filings.

Sincerely,

/s/ Sigrid S. McCawley  
Sigrid S. McCawley

SSM/

cc: All Counsel of Record