

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

JANE DOE NO. 2,

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

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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JANE DOE NO. 3,

CASE NO.: 08-CV-80232-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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JANE DOE NO. 4,

CASE NO.: 08-CV-80380-MARRA/JOHNSON

Plaintiff,

vs. JEFFREY EPSTEIN,

Defendant.

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JANE DOE NO. 5,

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

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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JANE DOE NO. 6,

CASE NO.: 08-80994-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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JANE DOE NO. 7,

CASE NO.: 08-80993-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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C.M.A.,

CASE NO.: 08-80811-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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JANE DOE,

CASE NO.: 08- 80893-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN et al,

Defendants.

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DOE II,

CASE NO.: 09- 80469-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN et al,

Defendants.

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JANE DOE NO. 101,

CASE NO.: 09- 80591-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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JANE DOE NO. 102

CASE NO.: 09-  
80656-CIV-MARRA/JOHNSON

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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**AMENDED ORDER**

**THIS CAUSE** is before the Court on Defendant's Response in Opposition to Plaintiff's Motion for Protective Order Regarding Treatment Records and Motion to Strike

C.M.A.'s Conditional Notice of Intent to Rely Exclusively on Statutory Damages (D.E. #216 in Case No. 08-80119). For the following reasons that portion of the Motion which seeks an order striking C.M.A.'s Conditional Notice of Intent to Rely Exclusively on Statutory Damages is deferred to the United States District Court, as the undersigned is without authority to grant the relief sought. The Response in Opposition, filed as part of the Motion, shall be considered by the undersigned when addressing Plaintiff's Motion for Protective Order.

By this Motion Defendant seeks two distinct forms of relief each of which, due to the nature of the relief sought, requires a ruling and/or consideration by two different judges, the District Judge (regarding Motion to Strike C.M.A.'s Conditional Notice of Intent to Rely Exclusively on Statutory Damages) and the Magistrate Judge (regarding Defendant's Response in Opposition to Plaintiff's Motion for Protective Order Regarding Treatment Records ). This fact was brought to the attention of Defendant's counsel's office prior to the filing of the instant motion, and for purposes of judicial efficiency and docket control, it was requested that instead of filing one motion seeking the dual relief sought here, Defendant instead file two separate motions.

Rather than heed the Court's suggestion, however, Defendant's counsel has filed one motion seeking the dual relief described above, stating in a footnote "[t]he Response in Opposition to the Motions for Protective Order and the Motion to Strike are inextricably woven together in that each deal with critical discovery issues. Thus the Response and the Motion to Strike **must** be handled simultaneously by the Court." Def's Resp. and Mtn. (DE. #216), p.4 (emphasis added). Obviously what the Court "must" do is for the Court, and not for any particular party, to decide. Decision-making is and always has been the exclusive

province of a judge, while a party's role is limited to that of requesting relief. This is a fact all parties would do well to remember. Having reviewed the pleadings filed incident to this matter, and being otherwise duly advised in the premises, it is hereby

**ORDERED AND ADJUDGED** that the portion of Defendant's Motion seeking to Strike C.M.A.'s Conditional Notice of Intent to Rely Exclusively on Statutory Damages is **DEFERRED TO THE UNITED STATES DISTRICT COURT**, as the undersigned is without authority to grant the relief sought. That portion of Defendant's Motion containing a Response in Opposition to Plaintiff's Motion for Protective Order Regarding Treatment Records shall be considered by the undersigned when addressing Plaintiff's Motion for Protective Order.

**DONE AND ORDERED** this August 10, 2009, in Chambers, at West Palm Beach, Florida.

  
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LINNEA R. JOHNSON  
UNITED STATES MAGISTRATE JUDGE

CC: The Honorable Kenneth A. Marra  
All Counsel of Record