

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

JANE DOE No. 101,

Plaintiff,

Civil Action No. 09-80591-CIV-Marra/Johnson

vs.

JEFFREY EPSTEIN,

Defendant.

**PLAINTIFF JANE DOE NO.101'S MOTION FOR ENLARGEMENT OF TIME
AND PAGE LIMITS FOR RESPONSE TO DEFENDANT'S MOTION TO DISMISS
THE FIRST AMENDED COMPLAINT OR, IN THE ALTERNATIVE,
FOR A MORE DEFINITE STATEMENT**

Plaintiff, Jane Doe No. 101 ("Plaintiff"), moves this Court for an order enlarging the time and page limits in which she must reply to Defendant's Motion to Dismiss the First Amended Complaint or, in the Alternative, for a More Definite Statement. The grounds for this motion are as follows:

1. Plaintiff's First Amended Complaint [DE 9] was filed on May 1, 2009.
2. Pursuant to an unopposed motion for enlargement, Defendant filed his Motion to Dismiss Plaintiff's First Amended Complaint or, in the Alternative, for a More Definite Statement ("Motion to Dismiss") on May 26, 2009. [DE 29] The Motion is 36 pages.
3. Ordinarily, a response to the Motion to Dismiss would be due on June 12, 2009. As it happens, however, the Court has set a hearing on that very day for all cases consolidated for discovery and procedural issues under the case known as Jane Doe No. 2 vs. Jeffrey Epstein, Case No.09-CV-80119-MARRA/JOHNSON. Apparently the Court set the hearing as the result of

Defendant's seeking to stay/continue all civil cases pending against him and the Court's own inquiry as to whether the Defendant is in breach of the Non-Prosecution Agreement between the Defendant and the United States.

4. Under any circumstances, responding to Defendant's Motion would take more than the usual time allotted under the Local Rules for the Southern District of Florida, because of its length, comprehensiveness and complexity. In this instance, however, the fact and importance of the hearing set for June 12th is a further complication which will likely affect the substance of Plaintiff's response, as well as its timing. Furthermore, Defendant's motion combines two motions in one 36 page document. Plaintiff seeks leave to file an equal number of pages in response.

5. The issues raised by Defendant's Motion to Stay/Continue the Civil Cases Pending Against Him and the Court's inquiry are intertwined with many of those issues that will necessarily be involved in Plaintiff's response to Defendant's Motion to Dismiss. It would be a waste of the time of the undersigned attorneys to prepare a response to the Motion to Dismiss and of the judicial labor involved in reviewing it, when the response may be made obsolete, irrelevant or incomplete on the very day it is due as the result of matters to be discussed at the hearing on June 12th.

6. This motion is not made for the purpose of delay and should be granted in the interest of equity and fairness.

WHEREFORE, Plaintiff, Jane Doe No. 101, requests an enlargement of time of up to 14 days and page limits of up to 36 pages in which she must reply to Defendant's Motion to Dismiss the First Amended Complaint or, in the Alternative, for a More Definite Statement, so as to make her reply due five (5) days after the Court issues its ruling resulting from the hearing set for June 12, 2009, or on June 26, 2009, whichever is later.

**CERTIFICATE OF HAVING CONFERRED WITH OPPOSING
COUNSEL PURSUANT TO S.D.L.R. 7.1.A.3**

Katherine W. Ezell, one of the undersigned counsel for the Plaintiff hereby certifies that she has conferred with one of the attorneys for the Defendant, Robert Critton, Esq. about the matters raised in this Motion. Mr. Critton advised that the Defendant does not oppose the Motion or the relief sought herein.

DATED this 9th day of June, 2009.

Respectfully submitted,

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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on this 9th day of June, 2009, we electronically filed the foregoing document with the Clerk of the Court using CM/ECF. We also certify that the foregoing document is being served this day on all counsel of record identified on the attached Service List either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

Respectfully submitted,

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SERVICE LIST

JANE DOE NO. 101 v. JEFFREY EPSTEIN
Case No. 08-CV-80591-MARRA/JOHNSON
United States District Court, Southern District of Florida

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