

From: "[REDACTED]" <[REDACTED]>
To: Laura Menninger <lmenninger@hmflaw.com>, "[REDACTED] (USANYS)" <[REDACTED]>, "[REDACTED]" <[REDACTED]>, "[REDACTED]" <[REDACTED]>
Cc: Jeff Pagliuca <jpagliuca@hmflaw.com>, "'ceverdell@cohengresser.com'" <ceverdell@cohengresser.com>, "'Bobbi Sternheim (bcsternheim@mac.com)'" <bcsternheim@mac.com>

Subject: RE: Conferral Regarding Possible Violation of Local Criminal Rule 23.1

Date: Wed, 12 May 2021 03:03:03 +0000

Inline-Images: image001.jpg

Counsel,

To our knowledge, Spencer Kivin does not represent any of the witnesses the Government expects to call at trial in this case. Because this individual does not represent any witnesses in this case, we do not see a need to raise this issue with the Court.

We agree that compliance with Local Rule 23.1 is important. To that end, we note that David Markus, an attorney who has filed a notice of appearance in the Second Circuit on behalf of Ms. Maxwell, and who was present for the arraignment before Judge Nathan last month, has also made public statements to the press regarding this case, which run the risk of violating the rule. See, e.g., <https://nypost.com/2021/05/05/ghislaine-maxwell-on-enhanced-security-schedule-lockup-feds/>

Our hope is that by alerting you to this concern now, there will not be a need in the future to raise the issue with the Court.

Best,

From: Laura Menninger <lmenninger@hmflaw.com>

Sent: Friday, May 7, 2021 5:18 PM

To: [REDACTED] <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>

Cc: Jeff Pagliuca <jpagliuca@hmflaw.com>; 'ceverdell@cohengresser.com' <ceverdell@cohengresser.com>; 'Bobbi Sternheim (bcsternheim@mac.com)' <bcsternheim@mac.com>

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Counsel –

The linked article by the Sun dated yesterday contains a number of statements which, if made by a lawyer associated with a witness in this case, appear to violate Local Criminal Rule 23.1. See also Dkt. No. 28 (expectation of strict compliance with Rule 23.1 by "counsel for all involved parties"). The rule applies by its terms to any "lawyer participating in or associated with the investigation (including ... lawyers for targets, subjects, and witnesses in the investigation...)."

<https://www.thesun.co.uk/news/14875477/ghislaine-maxwell-plea-deal-same-fate-as-epstein/>

I am writing to confer with you prior to bringing this to the Court's attention. Please let me know if you believe Mr. Spencer Kivin represents any witness in this case.

Given the urgency of this situation, I would appreciate a response by close of business Monday.

Thanks,
Laura



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