

From:

To:

Cc:

Subject: RE: United States v. Maxwell, 20 Cr. 330 (AJN)

Date: Mon, 27 Jul 2020 22:26:28 +0000

Attachments: GM_protective_order_clean_version.docx

Attached is a Word version of the proposed protective order we submitted to the Court. In regards to your prior email, it sounds like it would be a more productive discussion after you have had the chance to review the redline of our proposed order. So we propose a call at 9:30am tomorrow morning. Let us know if that works for you and I will circulate a dial-in.

Thanks,

From:

Sent: Monday, July 27, 2020 5:43 PM

To:

Cc:

Subject: RE: United States v. Maxwell, 20 Cr. 330 (AJN)

We also request that the defense provide the Government with a Word version of its proposed protective order submitted to the Court earlier today. We are not able to run a redline using the filed version.

Regards,

From:

Sent: Monday, July 27, 2020 16:43

To:

Cc:

Subject: RE: United States v. Maxwell, 20 Cr. 330 (AJN)

Pursuant to the Court's Order of this afternoon, we write to schedule a telephonic meet and confer on issues relating to a protective order in the above-captioned case. Please let us know what time you are available today between 5:00 p.m. and 8:00 p.m., or tomorrow between 9:00 a.m. and 1:00 p.m. In particular, it would be helpful to get the defendant's current position on the following:

- Whether you are aware of any case in any federal district in which a protective order was entered in a criminal case that prevented the Government from showing its own documents to prospective witnesses or their counsel without requiring restrictions upon those witnesses and their counsel;

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- Whether you are able to describe any expected reason why it would be necessary or useful for the defendant to reference by name – rather than by pseudonym or other anonymized identifier – any victim in a public statement or publicly-docketed filing (and rather than by sealed filing, if such named identification is necessary), such that the Government may consider whether it can formulate language to address any such concerns, without conceding any right of the defendant to name any individual who has self-identified as a victim of Jeffrey Epstein or Ghislaine Maxwell at any time; and
- Whether the defense is willing to itself propose any language to address the Government's concerns in relation to the issue described immediately above, regarding the defendant's desire to be able to reference by name any victim in a public statement or publicly-docketed filing, without conceding that any such right exists.

Additionally, also relating to the production of discovery, please mail, or otherwise have delivered, a 1 terabyte hard drive for purposes of the Government's discovery production. While we are in the process of determining the size of an initial production, and the size may total substantially less than 1 terabyte, that will ensure our ability to make a robust initial production and should be suitable for subsequent productions as well. That can be sent to my attention at our Office.

Regards,

[REDACTED]

[REDACTED]

Assistant U.S. Attorney
Southern District of New York

[REDACTED]