

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

—v—

Ghislaine Maxwell,

Defendant.

20-CR-330 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

An arraignment, initial conference, and bail hearing in this matter is hereby scheduled to occur as a remote video/teleconference using an internet platform on **July 14, 2020 at 1 p.m.** In advance of the conference, Chambers will email counsel with further information on how to access the video conference.

To optimize the quality of the video feed, only the Court, the Defendant, defense counsel, and counsel for the Government will appear by video for the proceeding; all others may access the audio of the public proceeding by telephone. Due to the limited capacity of the internet platform system, only one attorney per party may participate by video. Co-counsel, members of the press, and the public may access the audio feed of the proceeding by calling a dial-in number, which the Court will provide in advance of the proceeding by subsequent order.

Given the high degree of public interest in this case, a video feed of the remote proceeding will be available for viewing in the Jury Assembly Room located at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY. Due to social distancing requirements, seating will be extremely limited; when capacity is reached no additional persons will be admitted. Per the S.D.N.Y. COVID-19 Courthouse Entry Program, anyone who appears at any S.D.N.Y. courthouse must complete a questionnaire on the date of the proceeding prior to

arriving at the courthouse. All visitors must also have their temperature taken when they arrive at the courthouse. Please see the instructions, attached. Completing the questionnaire ahead of time will save time and effort upon entry. Only persons who meet the entry requirements established by the questionnaire and whose temperatures are below 100.4 degrees will be allowed to enter the courthouse. Face coverings that cover the nose and mouth must be worn at all times. Anyone who fails to comply with the COVID-19 protocols that have been adopted by the Court will be required to leave the courthouse. There are no exceptions.

As discussed in the Court's previous order, defense counsel shall, if possible, discuss the Waiver of Right to be Present at Criminal Proceeding with the Defendant prior to the proceeding. *See* Dkt. No. 7. If the Defendant consents, and is able to sign the form (either personally or, in accordance with Standing Order 20-MC-174 of March 27, 2020, by defense counsel), defense counsel shall file the executed form **at least 24 hours prior to the proceeding**. In the event the Defendant consents, but counsel is unable to obtain or affix the Defendant's signature on the form, the Court will conduct an inquiry at the outset of the proceeding to determine whether it is appropriate for the Court to add the Defendant's signature to the form.

Pursuant to 18 U.S.C. § 3771(c)(1), the Government must "make their best efforts to see that crime victims are notified of, and accorded, the rights" provided to them in that section. This includes "[t]he right to reasonable, accurate, and timely notice of any public court proceeding . . . involving the crime or of any release . . . of the accused" and "[t]he right to be reasonably heard at any public proceeding in the district court involving release." *Id.* § 3771(a)(2), (4). The Court will inquire with the Government as to the extent of those efforts. So that appropriate logistical arrangements can be made, the Government shall inform the Court by

email within 24 hours in advance of the proceeding if any alleged victim wishes to be heard on the question of detention pending trial.

Finally, the time between the Defendant's arrest and July 6, 2020 is excluded under the Speedy Trial Act due to the delay involved in transferring the Defendant from another district. *See* 18 U.S.C. § 3161(h)(1)(F). And the Court further excludes time under the Speedy Trial Act from today through July 14, 2020. Due to the logistical issues involved in conducting a remote proceeding, the Court finds "that the ends of justice served by [this exclusion] outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(7)(A). The exclusion is also supported by the need for the parties to discuss a potential protective order, which will facilitate the timely production of discovery in a manner protective of the rights of third parties. *See* Dkt. No. 5.

SO ORDERED.

Dated: July 7, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is written over a horizontal line.

ALISON J. NATHAN
United States District Judge

All members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse.

On the day you are due to arrive at the courthouse, click on the following weblink, or scan the following QR code with a mobile device camera to begin the enrollment process. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance.

<https://app.certify.me/SDNYPublic>



Note: If you do not have a mobile phone or mobile phone number, you must complete the questionnaire and temperature screening at an entry device at the courthouse.