UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

JANE DOE NO. 2,

    Plaintiff,

vs.

JEFFREY EPSTEIN,

    Defendant.

_____/

FILED *EX PARTE*
UNDER SEAL

DEFENDANT'S MOTION TO FILE *EX PARTE* AND UNDER SEAL

Pursuant to S.D. Fla. L.R. 5.4, defendant Jeffrey Epstein hereby moves to file his Notice of Continued Pendency of Federal Criminal Action, as well as this motion, *ex parte* and under seal, stating as follows:
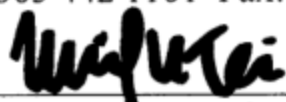
1.   In support of his motion to stay [DE 12], defendant has herewith filed a Notice of Continued Pendency of Federal Criminal Action.

2.   The Notice relates to a confidential agreement between the United States Attorney's Office for the Southern District of Florida and the defendant.

3.   The information contained in the Notice is material to this Court's consideration of Epstein's motion to stay.

4.   To avoid disclosure of confidential material, Epstein requests leave to file the Notice, and this motion, *ex parte* and under seal.

5.   Pending a ruling from this Court, Epstein has not served this motion or the Notice on counsel for plaintiff.
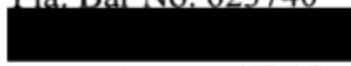
WHEREFORE, defendant Jeffrey Epstein respectfully requests leave to file

this motion and his Notice of Continued Pendency of Federal Criminal Action, *ex*

parte and under seal.

Respectfully submitted,

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By: _____
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Attorneys for Defendant Jeffrey Epstein

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this motion, in accordance with S.D. Fla. L.R.

5.4, has not been served on opposing counsel and was filed under seal on July 10,

2008.

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Michael R. Tein