

EXHIBIT D



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February 20, 2016

VIA EMAIL

Sigrid S. McCawley
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Re: *Giuffre v. Maxwell*, Case No. 15-cv-07433-RWS

Dear Ms. McCawley:

I write in response to your letter of February 19, 2016.

Rule 33.3, Local Rules for the Southern District of New York, permits interrogatories *inter alia* “during discovery...if they are a more practical method of obtaining the information sought than a request for production or inspection.” The interrogatories propounded on your client are just that and therefore not improper. By way of example, I seriously doubt that your client from memory will be able to recall each communication that she (and her many various attorneys) have had with law enforcement agencies or with representatives of the media, nor the names of her various health care providers, nor the sources and amounts of her income, dating back 17 years or more.

Indeed, numerous decisions by Judge Sweet have authorized the use of interrogatories during discovery. *See, e.g., Ottoson v. SMBC Leasing & Finance, Inc.*, 2015 WL 4597542, *1 (S.D.N.Y. July 30, 2015) (Sweet, J.); *Hernandez v. Bare Burger Dio Inc.*, 2013 WL 3963660 (S.D.N.Y. Aug. 1, 2013) (Sweet, J.).

If you are taking the wholesale position that your client will refuse to respond to *any* interrogatories until June 2016, please advise me of that position by close of business next Wednesday, February 24, 2016, so that we may raise the issue with the Court if necessary.

Finally, you object to the use of sub-parts in the 14 interrogatories propounded on your client. Your position is legally unfounded. The sub-parts utilized properly seek to clarify the meaning of “identify” with respect to the stated interrogatory. To the

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extent that any such sub-part seeks a broader definition of “identify” than that permitted by Local Rule 26.3(c), you may construe the interrogatory in the narrower sense provided by that rule. *See* Local Rule 26.3(c) (defining the uniform meaning of “identify” with respect to persons and documents and requiring the “type,” date, addressee and recipient of documents or, alternatively, production of same and as to persons, the name, addresses and last known place of employment).

Sincerely,

HADDON, MORGAN AND FOREMAN, P.C.

/s/ Laura A. Menninger

Laura A. Menninger