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November 12, 2021

By ECF

The Honorable Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street, Room 2220
New York, NY 10007-1312

Re: *Giuffre v. Maxwell*, 15 Civ. 7433 (LAP)

Dear Judge Preska:

We write respectfully on behalf of non-party John Doe to request the Court clarify the Order entered on November 8, 2021 (the “Order”). *See* DE 1233.

The Order establishes a briefing schedule for the parties and *The Miami Herald* (the “*Herald*”) to respond to the objections to the unsealing of certain docket entries by a specified group of non-party Doe objectors. Specifically, the Order outlines the dates by which: (1) the parties must file their opening briefs in response to the objections of these particular non-party Does; (2) the *Herald* may file a responsive brief; and (3) the parties may submit reply briefs. *See id.* at 1–2.

The Order, however, does not indicate a date by which the objecting non-party Does themselves may respond to the parties’ briefs, even though the unsealing protocol itself specifically provides that objecting non-parties may file a reply in support of their objections within seven days of service of the parties’ briefing. *See* DE 1108 ¶ 2(d) (“Within 7 days of service of any Non-Party Objection and accompanying memorandum, if any, the Original Parties may file an opposition stating the reasons why any Sealed Item should be unsealed. The opposition shall be served on the objecting Non-Party. The objecting Non-Party may file a reply in support of its objection within 7 days of service of the Original Parties’ opposition.”).

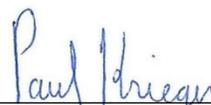
Additionally, as noted above, the Order for the first time provides the *Herald* with an opportunity to participate in the unsealing process. *See* DE 1233, at 1. However, the protocol does not explicitly contemplate a filing by the press or provide objecting non-party Does with an opportunity to respond to such a submission.

Accordingly, we respectfully request that the Court clarify its Order to: (i) make plain that objecting non-party Does may file a reply in response to the parties’ briefs, and (ii) provide objecting non-party Does with an opportunity to respond to the *Herald’s* submission to the Court. Specifically, we request that the Court provide objecting non-party Does with seven days – following service on the objecting non-party Does of the parties’ and the *Herald’s* submissions – to file a response to any such submissions. In that vein, we further request that the parties

November 12, 2021
Page 2 of 2

provide the objecting non-party Does with copies of the parties' own briefs and the *Herald's* filings as soon the parties receive them.

Respectfully Submitted,
KRIEGER KIM & LEWIN LLP

By:  _____
Nicholas J. Lewin
Paul M. Krieger

cc (by ECF): *Maxwell* Counsel of Record (15 Civ. 7433 (LAP))