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July 5, 2016

Hon. Robert W. Sweet
U.S. District Court
for the Southern District of New York
500 Pearl Street
New York, New York

Re: ***Giuffre v. Maxwell*, No. 15-cv-7433 – Subpoena to Sharon Churcher**

Dear Judge Sweet:

This firm represents non-party Sharon Churcher, who has been subpoenaed in the above-referenced case. As Your Honor is aware, Ms. Churcher has filed a motion to quash the subpoena (Dkt. Nos. 215-18 (the "Motion")), for which argument was heard on June 23, 2016. We make this letter motion to request leave of the Court to:

1) File a post-hearing Reply brief in further support of the motion (the "Reply"). We have consulted with counsel for the parties in the case, and all consent to this filing.

2) File portions of the Reply under seal pursuant to the Protective Order entered in this case. (Dkt. No. 62 (the "Protective Order").)

Leave to File Reply Brief

As I stated at the argument on the Motion on June 23, at that point, counsel for Churcher had access only to the publicly-filed redacted version of Defendant's Response to the Motion, which was filed the evening of June 22, 2016. (Dkt. No. 246 (the "Response")). Accordingly, we were not able to respond to the substance of the Defendant's arguments at the hearing or in a brief. Although we had previously offered (via email to Defendants's counsel) to sign an acknowledgment of the Protective Order entered in this case, and thereby gain access to confidential documents as counsel to a potential witness in the case (*see* Protective Order ¶¶ 5.a. & 5.g.), Defendant's counsel did not respond to our offer. Subsequent to the argument, we provided the parties with a signed acknowledgment of the Protective Order, and on the evening of June 24, 2016, Defendant's counsel provided us with Defendant's full, unredacted response to the motion to quash.

Because the Court has already held a hearing on the motion, but Churcher did not have access to the full Response at that time, it is not clear when a further reply brief (if any) would be technically due. We therefore request leave of the Court to file today a post-hearing Reply in

further support of the Motion (and in response to the arguments raised in Defendant's unredacted Response). We are filing a redacted version of the Reply on ECF simultaneously with this Letter Motion.

Leave to File Reply Brief Under Seal

Churcher also moves to file portions of the Reply under seal pursuant to the Protective Order.

The Protective Order states:

> Whenever a party seeks to tile any document or material containing CONFIDENTIAL INFORMATION with the Court in this matter, it shall be accompanied by a Motion to Seal pursuant to Section 6.2 of the Electronic Case Filing Rules & Instructions for the Southern District of New York.

See Protective Order at p. 4. The parties have designated certain information confidential pursuant to the Protective Order, including portions of Defendant's Response to the Motion and certain exhibits to the accompanying declaration of Laura A. Menninger (Dkt. Nos. 246, 247), which were filed under seal. The Reply incorporates some of this Confidential Information. Accordingly, Ms. Churcher seeks leave to file the Confidential Information under seal.

We thank Your Honor for your time and attention to these requests, and are prepared to submit or discuss anything further if it would be helpful to the Court.

Respectfully Submitted,

Davis Wright Tremaine LLP

/s/ Eric J. Feder

cc: Parties' counsel (*via* CM/ECF)