

**United States District Court  
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

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**PLAINTIFF'S MOTION IN LIMINE TO ADMIT  
THE "BLACK BOOK" AS EVIDENCE AT TRIAL**

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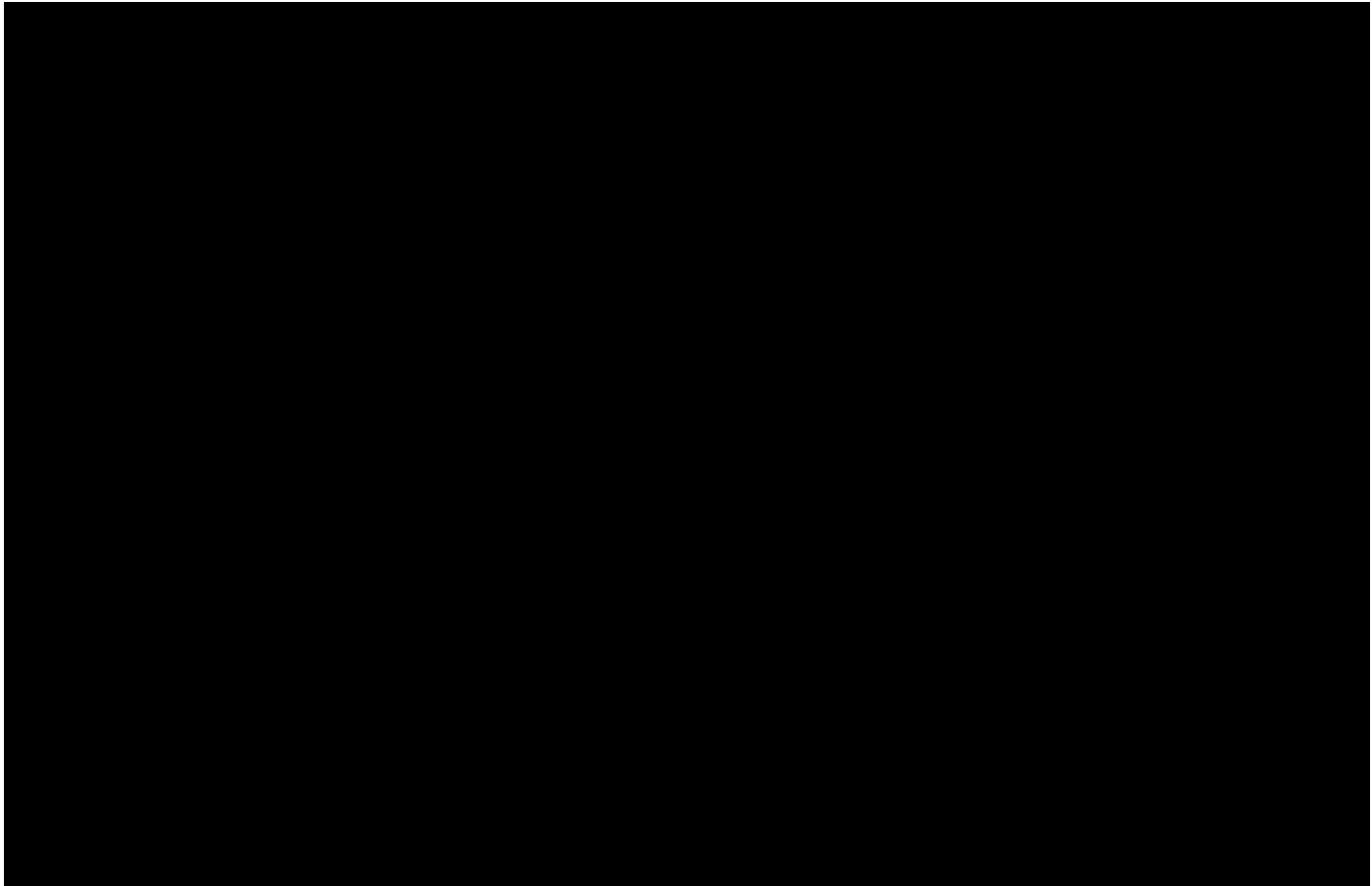
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Plaintiff, Virginia Giuffre, respectfully submits this Motion in Limine to Admit the “Black Book” as Evidence at Trial.

**BACKGROUND**

On February 6, 2017, the Court requested a hearing on the admissibility of the “black book” before it could proceed with the qualification of Ms. Giuffre’s forensic document expert Dianne Flores. *See* Transcript of 2017-02-16 Hearing at 7. Accordingly, Ms. Giuffre affirmatively moves in limine for the Court to allow the “black book” to be admitted as evidence at trial.

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**STANDARD**

The purpose of a motion in limine “is to aid the trial process by enabling the Court to rule in advance of trial on the relevance of certain forecasted evidence ... without lengthy argument at, or interruption of, the trial.” *Palmieri v. Defaria*, 88 F.3d 136, 141 (2d Cir. 1996) (internal quotation marks omitted). The power to rule on motions in limine lies within the district court’s ‘inherent authority to manage the course of its trials.’ *Carofino v. Forester*, 450 F. Supp.2d 257, 270 (S.D.N.Y. 2006). Only relevant evidence is admissible. Fed. R. Evid. 402. Evidence is relevant if ‘it has any tendency to make a fact more or less probable than it would be without the evidence.’ Fed. R. Evid. 401. ‘If an item of evidence tends to prove a fact that is of consequence to the determination of the action, it is relevant. If it does not tend to prove a material fact, it is irrelevant.’ *Arlio v. Lively*, 474 F.3d 46, 52 (2d Cir. 2007) (internal citation omitted). ‘A material fact is one that would affect the outcome of the suit under the governing law.’ *Id.*” *Ferring B.V. v. Allergan, Inc.*, No. 12 CIV. 2650, 2016 WL 6441567, at \*1 (Sweet, J.) (S.D.N.Y. Oct. 28, 2016).

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**CONCLUSION**

For all of the foregoing reasons, Ms. Giuffre respectfully requests that the Court grant this Motion in Limine to Admit the “Black Book” as Evidence at Trial.

Dated: March 3, 2017

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 3rd of March, 2017, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system. I also certify that the foregoing document is being served this day on the individuals identified below via transmission of Notices of Electronic Filing generated by CM/ECF.

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