

United States District Court
Southern District of New York

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

**MOTION FOR ORDER DIRECTING THE FBI IN MIAMI, FLORIDA
TO PRODUCE PHOTOGRAPHS TO THE COURT**

In 2011, the Federal Bureau of Investigation (“FBI”) met with Plaintiff Virginia Giuffre at the United States Consulate in Sydney, Australia. During that meeting, Plaintiff informed FBI Special Agents of the existence of multiple original photographs. *See* Edwards Declaration, FBI 302 attached hereto as **Exhibit A**. On March 18, 2011, Special Agents “traveled to Giuffre’s residence where she provided 20 photographs,” which were taken into evidence. *Id.* at 12. One of those 20 photographs was the photo of Plaintiff, Defendant, and Prince Andrew, and the others related to the Plaintiff’s travel with Defendant and Epstein. The FBI Agents retained the original photographs and placed copies of the photographs on a CD to return to Plaintiff Giuffre. Plaintiff has provided those true copies to Defendant in discovery in this case.

In regards to a specific photograph depicting Defendant, Prince Andrew, and Ms. Giuffre in Defendant’s townhome, [REDACTED]

[REDACTED] Maxwell
April 22, 2016 Tr. 114:21-115:21 attached hereto as Edwards Dec at **Exhibit B**. Furthermore, the flight logs show Defendant and Mr. Giuffre on a flight to London during the relevant time frame.

Despite the presentation of an actual photograph fairly and accurately depicting Defendant's townhouse and the three individuals in the photo as they were on the day the photo was taken, as well as [REDACTED] and the flight logs confirming Defendant and Ms. Giuffre's presence in London in the relevant time frame, Defendant now refuses to stipulate to the authenticity of the photograph. Instead, Defendant apparently intends to argue that the photo is a fake.

In light of Defendant's recently raised arguments regarding authenticity, Plaintiff contacted the United States Attorney's Office for the Southern District of Florida in an effort to track down the original photographs. The Office conducted a thorough investigation into the whereabouts of the original photographs, which led to the photos being located in the FBI Field Office in Miami, Florida. Consequently, the FBI has indicated a willingness to produce and deliver the original photographs to this Honorable Court upon receipt of a Court Order directing the FBI Miami Field Office to deliver the photographs to the Court including instruction from the Court as to how the Court wants to best accomplish that. As a result of Defendant's apparent desire to argue that certain photographs produced by Plaintiff in discovery are not original, or should be given less weight because the photographs were derived from a CD, it is necessary that the Court Order the FBI to produce the original photographs. Plaintiff understands that Defendant's argument goes to the weight and not the admissibility of the photo, which may tend to sway the Court not to enter the requested Order; however, Plaintiff wants the opportunity to demonstrate to the jury just how disingenuous Defendant's argument is on this topic and in the interest of fairness believes she should have that opportunity.

WHEREFORE, Plaintiff moves this Honorable Court to Order the Federal Bureau of Investigation Miami Field Office to produce the original photographs provided by Virginia

Roberts Giuffre in original format via hand delivery by a Special Agent to the Court's Chambers prior to the start of trial on May 15, 2017.

Dated: May 5, 2017

Respectfully Submitted,

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Bradley Edwards

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of May, 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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