

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

SUPERIOR COURT
OF THE VIRGIN ISLANDS
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IN THE MATTER OF THE ESTATE OF)	
JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB-80
)	
Deceased.)	ACTION FOR TESTATE
_____)	ADMINISTRATION

**MOTION TO FILE CERTIFIED COPY OF DEATH CERTIFICATE &
ORIGINAL WAIVER OF MARK EPSTEIN UNDER SEAL**

COME NOW Petitioners **DARREN K. INDYKE** and **RICHARD D. KAHN**, nominated Executors of the Estate of Jeffrey E. Epstein, and hereby move this Honorable Court for an Order permitting Petitioners to file a certified copy of Decedent's death certificate and the original Waiver executed by Mark Epstein under seal pursuant to Rules 5.2 and 79-1 of the Virgin Islands Rules of Civil Procedure.

Petitioners, nominated Executors of the Estate of Jeffrey E. Epstein, seek an Order permitting the filing of a certified copy of Decedent's death certificate and the original Waiver executed by Mark Epstein under seal for the safety and privacy of the Decedent's family members, to protect the assets of the Estate from additional acts of vandalism, to restrict the dissemination of highly sensitive, nonpublic, confidential information such as the Decedent's social security number, and to preserve the dignity of these proceedings.

A non-certified copy of Decedent's death certificate was filed with the Court as an attachment to the Petition, which was filed on August 15, 2019. Certain information on the death certificate was redacted, including Decedent's final resting place and the home address of Mark Epstein, Decedent's brother and heir-at-law of Decedent's Estate. Likewise, a copy of the Waiver executed by Mark Epstein, with his home address redacted, was filed on August 19, 2019.

During his lifetime, Decedent was a perennial subject of local interest and in the weeks prior to his passing, Decedent was the subject of numerous national news headlines and other media coverage. Since Decedent's death, the media coverage and public interest have intensified both locally and nationally. A property owned by Decedent located in Florida has already been subject to vandalism and defacement. Accordingly, there is good cause to protect certain private information on Decedent's death certificate, including Decedent's final resting place and the home address of Decedent's brother. Because the Waiver also includes Mark Epstein's home address, the original Waiver should also be filed under seal.

Pursuant to Rule 5.2 of the Virgin Islands Rules of Civil Procedure ("Privacy Protection for Filings Made with the Court"), given the public interest in Decedent and his Estate, Petitioners request permission to file a certified copy of Decedent's death certificate and the original Waiver executed by Mark Epstein under seal. Alternatively, Petitioners request permission to file a certified copy of Decedent's death certificate and the original Waiver executed by Mark Epstein under seal pursuant to Rule 79-1 of the Virgin Islands Rules of Civil Procedure, which provides that "in any case or proceeding deemed by the court to be sensitive, the record thereof, including all filings pertaining thereto, shall be sealed, secured and controlled by the court's administrator or the clerk of court" V.I. R. CIV. P. 79-1; *see also* Rule 16 of the Rules Governing the Superior Court of the Virgin Islands (same).¹


WHEREFORE, Petitioners Darren K. Indyke and Richard D. Kahn, nominated Executors of the Estate of Jeffrey E. Epstein, respectfully request the entry of an Order permitting the filing of

¹ Rules 5.2 and 79-1 of the Virgin Islands Rules of Civil Procedure are applicable to this probate proceeding through Rule 1 of the Virgin Islands Rules for Probate and Fiduciary Proceedings, which provides: "Where no procedural provision is included [in the Virgin Islands Rules for Probate and Fiduciary Proceedings], procedures set forth in the Virgin Islands Rules of Civil Procedure may be adapted by the court as appropriate."

a certified copy of Decedent's death certificate and the original Waiver executed by Mark Epstein under seal.

Respectfully,

Dated: August 19, 2019


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