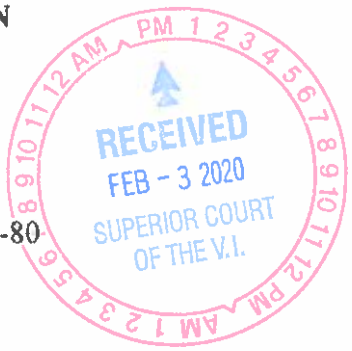
IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
PROBATE DIVISION



IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	)	Case No. ST-19-PB-80
Deceased.	)	

Notice of Filing of Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe IV, a victim of the Estate of Jeffrey E. Epstein, and submit for the consideration of the Court, the attached Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages.

Dated: Christiansted, St. Croix
January 31, 2020

Respectfully Submitted,

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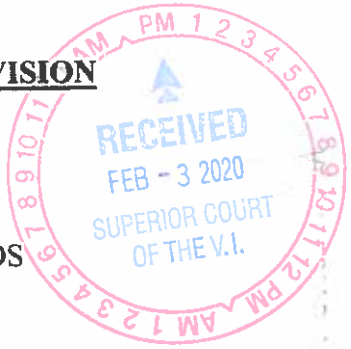
IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX



NOTICE OF FILING DOCUMENTS IN THE OTHER DIVISION

I. **Caption of Case including proper division:**

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

In the Matter of the Estate of
JEFFREY E. EPSTEIN,

Probate No. ST-19-PB-80

Deceased.

II. **Description of Documents:**	**No. of Pages**	**Document No.**
1. **Notice of Filing of Motion and Motion To Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages**	56	_____
2. **Certificate of Service**	2	_____
3. **Claim for Unliquidated and Unsecured Damages**	24	_____
4. **Certificate of Service**	2	_____

III. **Certificate of Mailing or Delivery to each of the following:**

Name of Attorney	**Date of Service**
William Blum, Esq. KELLERHALLS FERGUSON KROBLIN PLLC	
Darren K. Indyke, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC	

Richard Kahn, Executor
c/o KELLERHALLS FERGUSON KROBLIN PLLC

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RICHARD P. BOURNE-VANNECK, P.C. d/b/a
LAW OFFICES OF RICHARD P. BOURNE-VANNECK

Dated: Christiansted, St. Croix
January 31, 2020

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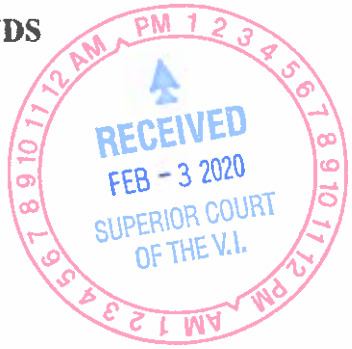
IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
PROBATE DIVISION



IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	)	Case No. ST-19-PB-80
Deceased.	)	

Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe IV ("Claimant"), a victim of the Estate of Jeffrey E. Epstein (the "Estate"), and file this Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages, and in support thereof state:

1. This motion and the subsequent notice of claim are timely and properly filed pursuant to Virgin Islands Probate and Fiduciary Rule 11 titled Notice to Creditors and Persons Indebted to the Estate which notes that "...all persons having claims against the estate [are] to present, or deliver to the executor or administrator, their claim(s), verified by affidavit, to a place within the territory specific in the notice, within six months from the date of notice..." as such a notice was dated September 13, 2019, filed on September 18, 2019 and directed such claims to be presented to the offices of their attorneys or the Clerk of this Court. See also 15 V.I.C. § 391 Publication of Notice of Administration.

2. The undersigned currently represents twelve victims, including Claimant, who has a claim to be made against the Estate of Jeffrey E. Epstein. On December 3, 2019, nine of those twelve victims, including Claimant, filed suit against the above-referenced Estate and its executors in the Supreme Court of the State of New York, County of New York. See Jane Doe I et al v.

Darren K. Indyke et al (Index No.: 950230/2019) (Hon. George J. Silver, J.S.C.). A true and correct copy of the Summons and Verified Complaint are attached hereto as Exhibit "1".

3. It is important to note that in that complaint, Claimant filed anonymously using the "Jane Doe" pseudonym.

4. Furthermore, on December 5, 2019, Bennet J. Moskowitz of Troutman Sanders LLP, attorneys for the executors of the Estate, filed a stipulation with request to so order Claimant's requests for anonymity on consent from all parties involved in that litigation. Attached hereto as Exhibit "2" is a true and correct of the fully executed stipulation.

5. The only reason that this stipulation has not been so ordered at this time is due to the current Administrative Stay placed on the case, and all other cases of similar nature, pending in the Supreme Court. Attached hereto as Exhibit "3" is a true and correct copy of the Administrative Order of Hon. George J. Silver, J.S.C.

6. Accordingly, the undersigned respectfully requests that this Court also grant Claimant the ability to present her Notice of Claim anonymously under pseudonym.

7. If the fact that both of the parties in this proceeding have already agreed for Claimant to file anonymously is not persuasive enough, courts in this Circuit have also granted such relief even when it is opposed.

8. First and foremost, this sort of decision is within the direct purview of this Court. See Doe v. C.A.R.S. Protection Plus, Inc., 527 F.3d 358, 371 (3rd Cir. 2008) ("[T]he decision whether to allow a [claimant] to proceed anonymously rests within the sound discretion of the court.").

9. Indeed, in making such decisions, courts in this circuit have continually applied a balancing test type approach using several factors outlined by the Third Circuit in the case of Doe

v. Megless and its progeny. See Doe v. Megless, 654 F.3d 404 (3rd Cir. 2011) ("Megless"); see also D.M. v. Cty. of Berks, 929 F. Supp. 2d 390 (E.D. Pa. 2013) ("Berks"); Doe v. Rutgers, 2019 U.S. Dist. LEXIS 75139 (D.N.J. 2019) ("Rutgers").

10. In this case, it is clear that when applying the nine Megless factors (six that favor anonymity and three that disfavor anonymity), an overwhelming majority of them support Claimant's use of a pseudonym while the few that do not are either not applicable to the case or do not do enough to tip the scales. See Megless, 654 F.3d at 409.

11. Regarding the first factor in favor of anonymity, the facts of this case stand in sharp contrast to instances where courts have found that anonymity would be futile because the movant's name was already widely known. See Rutgers at 5-6 (citing to Megless at 410 ([movant's] name, picture and home address had been disclosed on a publicly circulated flyer)). Here, the facts align more with Rutgers as Claimant has gone above and beyond to maintain her confidentiality, which has never been made public, including by filing her lawsuit as a "Jane Doe" and stipulating with the Estate to the same. See Megless at 410; see also Rutgers, 2019 U.S. Dist. LEXIS 75139 at 5.

12. Second, as for the reasonableness of the harm that the litigant is seeking to avoid, here, similar to the facts of Rutgers, Claimant wishes to proceed anonymously in order to protect her mental and physical health and right to fully and fairly litigate this action. See Rutgers at 6-7; see also Doe v. Roman Catholic Archdiocese of New York, 64 Misc. 3d 1220(A) (Sup Ct., Westchester Cty. 2019).

13. Indeed, as opposed to using a pseudonym merely to avoid the annoyance and criticism that may attend any litigation, Claimant seeks to proceed anonymously to preserve her privacy in this matter of a sensitive and highly personal nature that will have a lifelong impact on her and her families' lives. See Rutgers at 6-7; see also Doe v. Szul Jewelry Inc., 2008 NY Misc.

LEXIS 8733 (Sup. Ct., New York Cty. 2008); Doe v. New York Univ., 6 Misc. 3d 866 (Sup. Ct., New York Cty. 2004); Sealed Plaintiff v. Sealed Defendant, 537 F.3d 185 (2nd Cir. 2008).

14. Third, unlike Megless where the District Court recognized that there is no allegation that falsely create suspicious person alert are a widespread problem, here the facts are more similar to Berks in that disallowing anonymity would likely deter those who have been falsely accused of sexual abuse from vindicating their rights due to the stigma that invariably attaches from having one's name publicly attached to such a deplorable act. See Megless at 410; see also Berks, 929 F. Supp. 2d at 402.

15. Fourth, similar to Rutgers, there is a strong chance that this claim will not be resolved on its merits if the litigant is denied the opportunity to proceed using a pseudonym as Claimant will potentially sacrifice a potentially valid claim simply to preserve her anonymity. See Rutgers at 7-8. The Court here should decide in conformity with the court in Rutgers where they agreed with the movant's argument that the public is harmed when alleged abuse goes unchallenged because movant's fear litigating publicly. See id.

16. As for the final factor weighing in favor of anonymity, Claimant is not seeking to use a pseudonym for nefarious reasons, nor has there been any allegations that Claimant has an illegal or ulterior motive in her desire to hide her name. See Megless at 411; see also Rutgers at 10. As opposed to simple public humiliation and embarrassment, which have been determined not to be sufficient grounds for allowing a Claimant to proceed anonymously, in this case, there is no "illegitimate ulterior motive", because, as referenced above, identification of Claimant's true identity "poses a risk of mental or physical harm" and the case involves "information of the utmost intimacy". See Megless at 411; see also Rutgers at 10; Doe, 2008 NY Misc. LEXIS at 16-17; Doe, 6 Misc. 3d at 879; Sealed Plaintiff, 537 F.3d at 189-190; 1991 McKinney's Session Laws of New

York at 2211- 2212 ("sexual assault victims have unfortunately had to endure a terrible invasion of their physical privacy. They have a right to expect that this violation will not be compounded by a further invasion of their privacy").

17. Furthermore, even when turning to the other side of the scale and the factors disfavoring anonymity, Claimant still comes out ahead.

18. While Claimant acknowledges that there is a thumb on the scale that is the universal interest in favor of open judicial proceedings, she is not asking the record to be sealed, rather simply to proceed anonymously.

19. Next, the Court must consider "whether, because of the subject matter of this litigation, the status of a litigant as a public figure, or otherwise, there is a particularly strong interest in knowing the litigant's identities." See Megless at 411; see also Rutgers at 12. Here, the Claimant is not a public figure.

20. This litigation also involves "a member of a particularly vulnerable class" or "the subject matter is highly personal," the "public has an interest in protecting the identity of the litigant." See Rutgers at 12 (citing to Doe v. Rider Univ., 2018 U.S. Dist. LEXIS 133146 (D.N.J. 2018)). Here, Claimant alleges that she is a victim of sexual assault, so allowing her to proceed as a "Jane Doe" while preserving the public's right to access the docket and proceedings in this case strikes the appropriate balance between these competing interests. See Rutgers at 12 (citing to L.A. v. Hoffman, 2015 U.S. Dist. LEXIS 94564 (D.N.J. 2015) (granting [movant's] motion to proceed anonymously and observing that "although the identities of the [movants] will not be included in the filings in this matter, the public will maintain access to the docket and filings in this case.")).

21. Finally, the last factor weighing against disclosure is not applicable as there is no party opposing the use of a pseudonym.

22. Applying the factors referenced in the litany of case law to the specific facts of Claimant's case makes clear that she should be permitted to proceed pseudonymously. She is a victim of sexual abuse, a matter of a highly sensitive and personal nature; she is not seeking to avoid mere embarrassment, but rather to protect her physical and mental well-being along; it is well known that victims of sexual crimes are often not believed and have their reputations are put into question, thus identification of her poses a serious risk of retaliatory harm to her; and, the Estate will not be prejudiced because her identity will be known to it and their counsel. and thus they will be able to properly investigate her claim. As such. the Court here should find that the totality of the factors and circumstances favor anonymity.

WHEREFORE. Claimant prays that the Court grant (a) her motion seeking the right to proceeding in this action under pseudonym in its entirety; and. (c) all other further relief as this Court may deem just and proper.

Dated: Christiansted. St. Croix
January 31, 2020

Respectfully Submitted.

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CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2020, I caused a true and correct copy of the foregoing Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecure Damages to be served on the following:

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