UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

	X	
VIRGINIA L. GIUFFRE,		
Plaintiff,		
V.		
GHISLAINE MAXWELL,		15-cv-07433-RWS
Defendant.		
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	V	

DEFENDANT'S MOTION FOR LEAVE TO FILE A SUR-REPLY OR, ALTERNATIVELY, TO STRIKE PLAINTIFF'S MISREPRESENTATIONS OF FACT TO THE COURT

Laura A. Menninger Jeffrey S. Pagliuca HADDON, MORGAN, AND FOREMAN, P.C. 150 East 10th Avenue Denver, CO 80203 303.831.7364 Defendant Ghislaine Maxwell ("Ms. Maxwell") files this Motion for Leave to File a Sur-Reply or, Alternatively, to Strike Plaintiff's Misrepresentations of Fact from her Reply In Support of Motion For Protective Order And To Direct The Defendant To Disclose All Individuals To Whom Defendant Has Disseminated (sic) Confidential Information (Doc. #388), and states as follows:

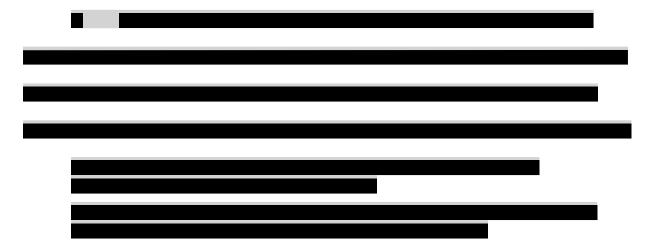
INTRODUCTION

Plaintiff's Reply makes material misrepresentations of fact. Those misstatements ca	ınnot
stand in a filed, albeit redacted, pleading. Ms. Maxwell has never	

These are but a few of the misrepresentations of fact contained in Plaintiff's Reply.

Accordingly, Ms. Maxwell seeks leave of the Court to file a Sur-Reply or, alternatively, moves the Court to strike from Plaintiff's Reply the misstatements of fact.

PLAINTIFF'S MISSTATEMENTS OF FACT



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ARGUMENT
None of these factual assertions bear on the issue before the Court whether Plaintiff's
publicly available criminal files should be deemed "confidential" under the Protective Order.
None of the witnesses has anything to do with Plaintiff's
. Indeed, in what is an almost daily occurrence in this case, Plaintiff
has selectively misquoted portions of deposition transcript testimony in an effort to mislead the
Court into believing there is evidence of
Ms. Maxwell cannot stand idly by while Plaintiff misrepresents to the Court and says, for
example, that she
It is a violation of candor to the Court to claim otherwise. Likewise,

Ms. Maxwell seeks leave of the Court to file a Sur-Reply to refute these baseless, false misrepresentations to the Court that Plaintiff included within her Reply, if Plaintiff does not honor her obligations under Rule of Professional Conduct 3.3 to withdraw them of her own accord.

Dated: August 25, 2016.

Respectfully submitted,

/s/ Laura A. Menninger

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CERTIFICATE OF SERVICE

I certify that on August 25, 2016, I electronically served this *Defendant's Motion For Leave To File A Sur-Reply Or, Alternatively, To Strike Plaintiff's Misrepresentations Of Fact To The Court* via ECF on the following:

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/s/ Nicole Simmons

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