

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

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

---

**PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT'S  
MOTION TO EXCLUDE DEPOSITION TESTIMONY OF  
SARAH KELLEN AND NADIA MARCINKOVA**

Sigrid McCawley  
BOIES SCHILLER FLEXNER LLP  
401 E. Las Olas Blvd., Suite 1200  
Ft. Lauderdale, FL 33301  
(954) 356-0011

Plaintiff, Virginia Giuffre, by and through her undersigned counsel, hereby files this response in opposition to Defendant's motion *in limine* (DE 673).

## PRELIMINARY STATEMENT

Ms. Giuffre has already filed her motion *in limine* to present the testimony from Sarah Kellen and Nadia Marcinkova for purposes of obtaining an adverse inference instruction. *See* Plaintiff Giuffre’s Motion to Present Testimony from Sarah Kellen and Nadia Marcinkova for Purposes of Obtaining an Adverse Inference (DE 698). In the interest of brevity before the Court, Ms. Giuffre adopts all of the facts and arguments from the aforementioned motion and incorporates them herein by reference.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

\_\_\_\_\_

**CONCLUSION**

For all the foregoing reasons, the Court should deny Defendant's motion *in limine*, and grant Ms. Giuffre's Motion to Present Testimony from Sarah Kellen and Nadia Marcinkova for Purposes of Obtaining an Adverse Inference.

Dated: March 17, 2017

Respectfully Submitted,

BOIES SCHILLER FLEXNER LLP

By: /s/ Sigrid McCawley  
Sigrid McCawley (Pro Hac Vice)  
Meredith Schultz (Pro Hac Vice)  
Boies Schiller Flexner LLP  
401 E. Las Olas Blvd., Suite 1200  
Ft. Lauderdale, FL 33301  
(954) 356-0011

David Boies  
Boies Schiller Flexner LLP  
333 Main Street  
Armonk, NY 10504

Bradley J. Edwards (Pro Hac Vice)  
FARMER, JAFFE, WEISSING,  
EDWARDS, FISTOS & LEHRMAN, P.L.  
425 North Andrews Avenue, Suite 2  
Fort Lauderdale, Florida 33301  
(954) 524-2820

Paul G. Cassell (Pro Hac Vice)  
S.J. Quinney College of Law  
University of Utah  
383 University St.  
Salt Lake City,  
UT 84112(801) 585-5202<sup>2</sup>

---

<sup>2</sup> This daytime business address is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah for this private representation.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on March 17, 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.

Laura A. Menninger, Esq.  
Jeffrey Pagliuca, Esq.  
HADDON, MORGAN & FOREMAN, P.C.  
150 East 10<sup>th</sup> Avenue  
Denver, Colorado 80203  
Tel: (303) 831-7364  
Fax: (303) 832-2628  
Email: [lmenninger@hmflaw.com](mailto:lmenninger@hmflaw.com)  
[jpagliuca@hmflaw.com](mailto:jpagliuca@hmflaw.com)

/s/ Sigrid McCawley  
Sigrid McCawley, Esq.