



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 12, 2021

BY ECF

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Ghislaine Maxwell, 20 Cr. 330 (AJN)*

Dear Judge Nathan:

The Government submits this letter pursuant to the Court's Order dated October 5, 2021 (Dkt. No. 337) directing the parties to confer and submit a joint letter estimating when the jury is likely to begin deliberations. The parties have conferred, in accordance with the Court's Order.

Government Position: The Government estimates that it would rest within four weeks from the start of the trial. That estimate is conservative, and the Government anticipates that it could rest as early as the third week of trial, provided that the cross examinations of witnesses do not exceed the length of direct examinations. In an abundance of caution, however, the Government projects approximately four weeks for its case in chief.

As the defense notes below, conversations between the parties about the length of trial are ongoing. The Government timely produced its exhibit list, witness list, and Jencks Act material to the defense yesterday.¹

Although the anticipated length of trial may change, based on current estimates and the

¹ Specifically, the Government produced those materials by FedEx and by making them available for pickup at the U.S. Attorney's Office, as is usual practice.

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Government's conversations with the defense, the Government requests that the Court seat only jurors with availability beyond the Christmas holiday.

Defense Position: The defense anticipates it will present a defense case, which it currently estimates will last approximately two weeks. That estimate may change after the defense has had an opportunity to review the Government's witness and exhibit lists which were made available to defense counsel last night after the close of business.² Additionally, as a general matter, the defense believes that the length of cross-examination is determined by the scope of the direct examination, not its length.

Joint Position: Accordingly, the parties jointly request that the Court seat only jurors with availability beyond the Christmas holiday.

Respectfully submitted,

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Cc: Defense counsel (By ECF)

² Ms. Maxwell has not yet been provided a copy of the Government's late-night disclosures because the Government was unwilling to hand-deliver a copy of their disclosures to MDC on the due date. The Government has informed defense counsel that that Ms. Maxwell may receive the materials some time later this week via mail. After the defendant has had an opportunity to review the disclosures and confer with counsel, the defense can update the Court with any anticipated changes to its defense-case projections.