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October 26, 2021

VIA ECF

Honorable Lewis A. Kaplan
United States District Court
500 Pearl Street
New York, New York 10007-1312

Re: **Giuffre v. Prince Andrew, Case No. 21-cv-06702-LAK**
Our File No. 7147-2

Dear Judge Kaplan:

We represent defendant Prince Andrew in the above-referenced action. In connection with our forthcoming motion to dismiss, pursuant to your Honor's Individual Practices and the Local Rules of this Court, we respectfully request leave to file, under seal, the 2009 Settlement and General Release Agreement between Virginia Giuffre and Jeffrey Epstein (the "Release Agreement"), which the undersigned contends releases Prince Andrew and others from any and all liability, including from any purported liability arising from the claims Ms. Giuffre asserted against Prince Andrew here. Likewise, we request leave to file, in redacted form, portions of our briefing in support of the motion to dismiss that may refer to and/or quote from the Release Agreement.

Counsel for the parties in this action met and conferred telephonically on October 11, 2021 and again by email earlier today, regarding this request and the treatment of the Release Agreement. While neither Prince Andrew nor Ms. Giuffre contend that the Release Agreement must remain sealed in this case, the document is subject to a protective order entered by the Hon. Loretta A. Preska, on December 21, 2020, in *Giuffre v. Dershowitz*, Case No. 19-cv-3377 (LAP) [ECF No. 227]. Out of an abundance of caution, we are making this request to ensure that the parties do not run afoul of Judge Preska's order.

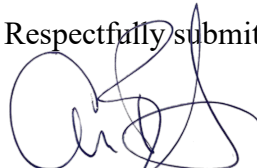
However, to the extent the Court permits the public filing of the Release Agreement (and any references thereto), the parties in this action would not object. Mr. Epstein's estate previously has consented to Ms. Giuffre providing a copy of the Release Agreement to Prince Andrew. See attached order, dated Oct. 6, 2021.

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Finally, Prince Andrew makes this request without prejudice to his right to later challenge the propriety of the confidential designation of the Release Agreement in the *Dershowitz* action.

We appreciate your Honor's consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew B. Brettler', written in a cursive style.

ANDREW B. BRETTLER

Encl.

cc: All counsel of record