

knowledge of the cases at issue. On this basis the Court finds [\*17] the privilege raised as to these interrogatories valid, and asserted by Epstein only with reference to "genuinely threatening questions." *United States v. Goodwin*, 625 F.2d 693, 701 (5th Cir. 1980). The danger Epstein faces by being forced to testify in this instance is "substantial and real, and not merely trifling or imaginary" as required. *Apfelbaum*, 445 U.S. 115, 100 S. Ct. 948, 63 L. Ed. 2d 250. Accordingly, finding the above-mentioned interrogatories involve compelled statements that would furnish a link in the chain of evidence needed to convict Epstein of a crime, the Court finds Epstein's Fifth Amendment privilege claim validly asserted.

When one considers the nature of the allegations, to wit, a scheme and plan of sexual misconduct carried out at Epstein's various residences, and that at least one of Epstein's employees, Sarah Kellen, is alleged to have aided Epstein in his alleged sexual exploitation, then it is entirely reasonable for Epstein to assert that forcing him to testify as to anyone who came or went to his Palm Beach mansion or was employed at his Palm Beach mansion (Interrogatories 1-2), the identity of persons providing transport services (Interrogatory No. 9), and his employee's telephone numbers (Interrogatory 12), may provide a lead or clue to evidence tending to incriminate him. Not [\*18] only would such compelled testimony self-incriminate him on the elements required to establish a criminal violation, and thus serve as a link in the chain of evidence needed to prosecute Epstein for a crime, but in some cases serve to incriminate him by asking Epstein to identify potential witnesses against him. Accordingly, Epstein's Fifth Amendment privilege as it relates to Interrogatories 1, 2, 9 and 12 is sustained and Plaintiff's Motion in this regard is rejected.

The same objections raised above with respect to Interrogatories 1, 2, 9 and 12 have been raised by Epstein to justify his refusal to answer Interrogatories 7 (dates of Florida travel), 8 (identification of health care providers), and 11 (identification of Epstein's telephone numbers). These Interrogatories ask for general, identification-type information, which neither on their face nor by implication implicate Epstein's rights under the Fifth Amendment. In this regard, the Court is left with only Epstein's blanket assertion of the privilege in which he claims that requiring him to identify his health care providers, his various telephone numbers and his dates of Florida travel, "would be a link in the chain of evidence needed to convict him of a [\*19] crime." See Epstein's Resp. Brief, pp. 18-20. Unfortunately for Epstein, this objection is so general and sweeping in nature it amounts to a blanket assertion of the privilege. In these circumstances, where a blanket assertion of the privilege is asserted, the Court is required to make a "particularized inquiry," and sustain only those privileges asserted as to "genuinely threatening questions." *United States v. Goodwin*, 625 F.2d 693, 701 (5th Cir. 1980).

Here, Epstein's objections fall well short of the showing required of demonstrating that requiring him to answer these interrogatories would realistically and necessarily furnish a link in the chain of evidence needed to prove a crime against him. Discovery requests that seek background information on events and experiences of the witness for which he cannot realistically or genuinely be expected to be charged with a crime are not subject to Fifth Amendment protection. See *Krause v. Rhodes*, 390 F.Supp. 1070, 1071-72 (N.D. Ohio 1974). In summary, Epstein has failed to sustain his burden of making a particularized showing to support his claim that forcing him merely to identify his health care providers, his dates of travel and his telephone numbers, would present a substantial and real threat of criminal prosecution.

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