

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT, IN AND  
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually,  
BRADLEY J. EDWARDS, individually, and  
L.M., individually,

Defendant,

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**AMENDED COUNTERCLAIM**

Bradley J. Edwards (EDWARDS) sues Jeffrey Epstein (EPSTEIN) and alleges:

**COUNT I—ABUSE OF PROCESS**

1. This is an action for damages in an amount in excess of the minimum jurisdictional limits of this Court.
2. Counter/plaintiff, EDWARDS, is sui juris, resides in Broward County, Florida, and is an attorney licensed to practice in the State of Florida at all times material hereto.
3. Counter/defendant, EPSTEIN, is sui juris and is a resident of Palm Beach County, Florida.
4. EPSTEIN is a convicted felon having entered into a plea agreement pursuant to which he effectively conceded his having engaged in illicit sexual activity with a large number of female children over an extended period of time in violation of both State and Federal criminal laws.

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5. EPSTEIN was sued civilly by a large number of his victims. Many of the cases against him have been settled, and upon information and belief, federal law enforcement agencies continue to investigate additional allegations of EPSTEIN'S serial abuse and molestation of children; others remain pending. As a consequence, EPSTEIN continues to face the potential of further criminal prosecution and huge civil judgments for both compensatory and punitive damages in favor of many victims of his depraved criminal exploitation of children including victims represented by EDWARDS.

6. In the face of overwhelming evidence of his guilt, EPSTEIN repeatedly asserted his Fifth Amendment Right against self-incrimination and refused to answer any substantive questions regarding his sexual exploitation of his minor victims. Lacking any substantive defense to the claims against him, EPSTEIN sought to avoid his compensatory and punitive liability and to deter cooperation in the ongoing criminal investigation by employing the extraordinary financial resources at his disposal to intimidate his victims and their legal counsel into abandoning their legitimate claims or resolving those claims for substantially less than their just value.

7. In some circumstances, EPSTEIN'S tactics have proven successful, while other victims have thus far withstood this continued assault upon them and persisted in the prosecution of their claims. EDWARDS' clients are among those who continued the prosecution of their claims and the assertion of federal statutory rights afforded to them pursuant to the Federal Crime Victims' Rights Act (CVRA).

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8. While prosecuting the legitimate claims on behalf of his clients, EDWARDS has not engaged in any unethical, illegal, or improper conduct nor has EDWARDS taken any action inconsistent with the duty he has to vigorously represent the interests of his clients. EPSTEIN has no reasonable basis to believe otherwise and has never had any reasonable basis to believe otherwise.

9. Nevertheless, EPSTEIN filed civil claims against EDWARDS and EDWARDS' client, L.M. for the sole purpose of further attempting to intimidate EDWARDS, L.M., and others into abandoning or settling their legitimate claims for less than their just and reasonable value.

10. The claims filed by EPSTEIN against EDWARDS included the following:

- a. violation of F.S. §§772.101, et. seq.—  
Florida Civil Remedies for Criminal Practices Act;
- b. Florida RICO—"Racketeer Influenced and Corrupt Organization Act"  
pursuant to F.S. §§895.01, et. seq.;
- c. abuse of process;
- d. fraud;
- e. conspiracy to commit fraud.

11. EPSTEIN, in his Complaint, directly alleged that EDWARDS was a knowing participant in a civil theft and criminal enterprise when EPSTEIN was well aware that there was and is absolutely no evidence whatsoever to support such false assertions. Indeed, his Complaint was replete with speculation, conjecture, and innuendo and was entirely devoid of factual

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support for his spurious allegations. Indicative of his total disregard for the lack of any predicate for his claims, EPSTEIN ignored the statutory requirement for written notice prior to the initiation of a civil theft claim.

12. EPSTEIN knew at the time of the filing of the specified claims and throughout his failed prosecution of those claims that he could not prosecute the claims to a successful conclusion because:

- a. they were factually unsupported;
- b. he had suffered no legally cognizable injury proximately caused by the falsely alleged wrongdoing on the part of EDWARDS;
- c. he had no intention of waiving his Fifth Amendment privilege against self-incrimination in order to provide the relevant and material discovery that would be necessary in the course of prosecuting the claims and that his prosecution would consequently be barred by the sword-shield doctrine;
- d. EDWARDS' conduct in the prosecution of claims against EPSTEIN could not support the prosecution of a separate civil lawsuit against EDWARDS because of the absolute protection of the litigation privilege.

13. EPSTEIN acted purely out of malice toward EDWARDS and others, and he had ulterior motives and purposes in filing his unsupported and unsupportable claims. His real purpose was to put pressure on EDWARDS, L.M., and other victims by publishing what amounts to nothing more than a highly defamatory press release issued under the cloak of protection of the litigation privilege.

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14. EPSTEIN'S primary purpose in both filing and continuing to prosecute each of the claims against EDWARDS was to inflict a maximum economic burden on EDWARDS in having to defend against the spurious claims, to distract EDWARDS from the prosecution of claims against EPSTEIN arising out of EPSTEIN'S serial abuse of minors, and ultimately to extort EDWARDS into abandoning the claims he was prosecuting against EDWARDS.

15. EPSTEIN'S filing and prosecution of claims against EDWARDS recklessly and purposely disregarded the lack of justification for each of the claims and EPSTEIN never had as his primary purpose to establish what he did consider or reasonably could have considered to be meritorious claims.

16. Each and every pleading filed by and on behalf of EPSTEIN in his prosecution of every claim against EDWARDS, every motion, every request for production, every subpoena issued, and every deposition taken was intended with respect to EDWARDS solely and exclusively to advance EPSTEIN'S efforts at extortion as previously detailed, and constituted a perversion of process after its initial service.

17. As a result of EPSTEIN'S wrongful conduct as alleged, EDWARDS has suffered and will continue to suffer damages including but not limited to injury to his reputation, interference in his professional relationships, the loss of the value of his time required to be diverted from his professional responsibilities, and the cost of defending against EPSTEIN'S spurious and baseless claims.

WHEREFORE, EDWARDS demands judgment against EPSTEIN for compensatory damages, costs, and such other and further relief as the Court may deem appropriate under the

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circumstances. Counter/plaintiff, EDWARDS, reserves the right to assert a claim for punitive damages upon satisfying the applicable statutory prerequisites.

Counter/plaintiff, EDWARDS, further demands trial by jury.

### COUNT II—MALICIOUS PROSECUTION

Each of the factual allegations of Paragraphs 1-17 are incorporated as if each were fully set out herein and EDWARDS further alleges:

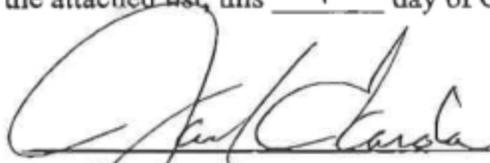
18. After unsuccessful efforts to defend and amend his maliciously filed and prosecuted claims over a period of almost two years, EPSTEIN abandoned the claims except for an ongoing effort to salvage his abuse of process claim. That abandonment brings to successful conclusion EDWARDS' defense against each of the other abandoned claims.

WHEREFORE, EDWARDS demands judgment against EPSTEIN for compensatory damages, costs, and such other and further relief as the Court may deem appropriate under the circumstances. Counter/plaintiff, EDWARDS, reserves the right to assert a claim for punitive damages upon satisfying the applicable statutory prerequisites.

Counter/plaintiff, EDWARDS, further demands trial by jury.

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I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by  
Fax and U.S. Mail to all counsel on the attached list, this 4<sup>th</sup> day of October, 2011.



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