

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT OF FLORIDA, IN AND
FOR PALM BEACH COUNTY

Case No. 502009CA040800XXXXMBAG

Judge: Hafele

JEFFREY EPSTEIN,

Plaintiff,

v.

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

Defendants,

JOINT PRETRIAL STIPULATION

Pursuant to this Court's Order Setting Jury Trial and Directing Pretrial and Mediation Procedures, Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein") and Defendant/Counter-Plaintiff Bradley Edwards ("Edwards") hereby submit this Joint Pretrial Stipulation.

1. List of All Pending Motions:

- a. Edwards' Motion to Determine Entitlement to Adverse Inference and Precluding Epstein from Offering Evidence at Trial;
- b. Epstein's Motion in Limine.

2. Stipulated Facts: None.

3. Statement of Issues of Fact for Determination at Trial:

- a. Edwards contends that the following are issues of fact for determination at trial:
 1. Whether Epstein had probable cause to bring suit against Edwards for the claims brought by him;

2. Whether Epstein maliciously set in motion a chain of events that lead to the initiation of a judicial proceeding against Edwards;

3. Whether Epstein sued Edwards maliciously;

4. Whether Epstein continued the prosecution of the claims against Edwards out of malice and for the ulterior motive of attempting to extort Edwards;

5. Whether and to what extent Edwards has been damaged in the past and will continue to be damaged in the future;

6. Whether and in what amount it is appropriate to impose punitive damages against Epstein.

b. Epstein contends that the following are issues of fact for determination at trial:

1. Whether Epstein caused a civil proceeding to be filed and maintained against Edwards;

2. Whether there was probable cause to file such a proceeding for any of the claims made against Edwards in it;

3. Whether there was probable cause to continue to prosecute any of the claims for which Edwards continued to be prosecuted in that proceeding;

4. Whether Epstein acted maliciously in causing the filing of the proceeding;

5. Whether Epstein acted maliciously in causing the continued prosecution of the proceeding;

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[REDACTED]

8. **Number of Peremptory Challenges Per Party:** 3
9. **Short, Plain Statement of the Case Which Will Be Read to the Jury:**

Edwards' Proposed Statement:

Jeffrey Epstein was criminally accused of engaging in illicit sexual activity with multiple under-aged females. More than 20 persons alleging to be victims of Epstein's crimes brought civil suits against Epstein. Several of those persons were represented by Attorney Bradley Edwards. While the claims on behalf of those persons were being prosecuted by Edwards, it was publicly disclosed that the senior partner in the law firm that employed Edwards, Scott Rothstein, had conducted a fraudulent scheme which, in part, had used the claims against Epstein to induce investors to buy interests in non-existent settlements. Rothstein's scheme raised hundreds of millions of dollars and was one of the largest frauds in U.S. history.

After the Rothstein scheme unraveled and the fraud was publicly disclosed, Epstein went to his attorneys and arranged for a lawsuit to be filed against Edwards. Epstein's attorneys then filed suit against Edwards alleging that he was a knowing participant in Rothstein's fraud. Epstein later settled the claims being prosecuted by Edwards on his client's behalf, but Edwards continued to pursue an action challenging the plea deal Epstein struck with the Federal government.

Bradley Edwards defended against Epstein's lawsuit, challenging it on the grounds that it had no legal or factual support. Shortly before the Court was scheduled to rule on Mr. Edwards' challenge, Epstein dropped all of his claims against Edwards. Bradley Edwards has now sued Jeffrey Epstein alleging that the sole reason for Epstein's lawsuit was an attempt to intimidate Edwards into abandoning or compromising his clients' interests.

Epstein's Proposed Statement:

Jeffrey Epstein filed suit against Bradley Edwards after Epstein learned that the three civil cases Edwards had been prosecuting against Epstein (the Epstein cases) were used to lure investors in the largest Ponzi scheme in South Florida history. That Ponzi scheme was perpetrated through the law firm of Rothstein, Rosenfeld & Adler (RRA). Edwards was a partner at RRA at the height of the Ponzi scheme, which was during the same period he was prosecuting the Epstein cases. Prior to Epstein filing his case against Edwards, which is the subject of this litigation, Edwards's partner at RRA and the Co-Defendant in this case, Scott Rothstein, plead guilty to this scheme and is serving fifty (50) years in federal prison. Several other attorneys and co-conspirators also have plead guilty or have been convicted in connection with this Ponzi scheme and are serving time, or did serve time, in federal prison.

After Edwards joined RRA, the nature of his litigation activity in the Epstein cases changed dramatically, increasing in both volume and aggression. Edwards began filing extraneous federal lawsuits and motions and targeting for subpoena celebrities and prominent public figures with ties to Epstein. During this same period, the same Epstein cases in which Edwards had dramatically changed his litigation activity were being used to further the Ponzi scheme at RRA and defraud investors of millions of dollars.

From detailed pleadings in lawsuits filed against RRA prior to the litigation of Epstein's claims against Edwards, Epstein learned how Edwards's case files for his lawsuits against Epstein were shown to investors in the Ponzi scheme to persuade them of the substantial value of

the Epstein cases. They were also used to fraudulently show investments in fictitious settlements of similar cases against Epstein. Epstein, through counsel, sought redress for what he had reason to believe were proper claims and filed suit against Edwards and Edwards's partner Rothstein.

Edwards immediately filed his Counterclaim for Abuse of Process and Malicious Prosecution. Only the Malicious Prosecution claim remains. Epstein dismissed his case against Edwards, without prejudice, because of the difficulty he was experiencing during discovery in gathering information to prove his case while there was an ongoing criminal investigation into RRA and the Ponzi scheme and countless civil suits against them. Epstein's inability to obtain documents from the Trustee for RRA, and a series of adverse discovery rulings from the Court, made it prudent for him to withdraw his claims, without prejudice, while awaiting favorable developments that might enable him once again to resume his case and obtain the necessary discovery to prevail in his claims.

10. Detailed List of All Agreements and Stipulations that May Affect the Trial:

None

11. Certification of Counsel:

Each of the attorneys who will try the case have read the Order Setting Trial and have fully complied with the Order or will comply by the first day of trial.

DATED this _____ day of _____, 2016.

Edwards adv. Epstein
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