

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

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

vs.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS, individually,

Defendant/Counter-Plaintiff.

CASE NO.: 502009 CA 040800XXXXMBAG

JUDGE: HAFELE

**PLAINTIFF/COUNTER-DEFENDANT JEFFREY EPSTEIN'S
MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO
DEFENDANT/COUNTER-PLAINTIFF'S MOTIONS FILED ON SEPTEMBER 25, 2017
AND TO CONTINUE HEARING DATE SET BY COURT**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), by and through his undersigned counsel, hereby files this Motion for an enlargement of time within which to Respond to Motions filed by Defendant/Counter-Plaintiff Bradley J. Edwards ("Edwards") and to continue the hearing set by the Court in this matter on October 3, 2017. In support thereof, Epstein states:

INTRODUCTION

On September 15, 2017, the parties to this action appeared before the Court in order to receive a date on which to present argument on Epstein's Motion for Summary Judgment; a Motion filed by Epstein June 30, 2017. At the hearing on September 15, 2017, this Court ordered the parties to file certain Motions by Monday, September 25, 2017, and further ordered that all responses to the Motions filed by opposing counsel on September 25, 2017 be filed by September 28, 2017 (a three-day turnaround). The Court also made repeated reference to the size of the firms and the large number of attorneys representing each party when it indicated that such

a deadline would not affect either side. However, at this time, it is evident that both the back-to-back hurricanes and the competing demands of Epstein's two solo practicing civil attorneys have rendered it impossible for Epstein to comply with this Court's ruling. Accordingly, for the reasons set forth below, Epstein seeks an enlargement of time within which to respond to Edward's Motions, and to continue the hearing date set for October 3, 2017.

ARGUMENT

On September 15, 2017 undersigned, who is a solo practitioner in Broward County, was still without power, internet, and telephones, both at home and at her office. The Governor had declared a statewide emergency, all Federal Courts and schools in the tri-county area were closed, and the State Courts in Miami-Dade and Broward remained closed until September 18, 2017. After the hearing on September 15, 2017, Chief Justice Jorge Labarga entered an Order regarding time parameters, deadlines, and the impact of the hurricane on court cases in Palm Beach County and other Counties affected, a true and correct copy of which is attached hereto as "Exhibit A." Undersigned was evacuated from her home as of September 8, 2017 at noon, and did not regain power or internet at work or at home until late Monday, September 18, 2017. As of the date of filing this Motion, undersigned is still without telephone service at her office.

Likewise, Plaintiff/Counter-Defendant Epstein resides on an island in the United States Virgin Islands, and his home was destroyed by hurricane Irma. Hurricane Maria came immediately thereafter and Epstein suffered another direct hit from that storm as well. As a result of these hurricanes the entirety of the United States Virgin Islands has been declared a federal disaster area. The hurricanes devastated the infrastructure throughout the United States Virgin Islands and particularly at Epstein's home. Impassible debris from numerous fallen buildings and trees throughout his home make it uninhabitable. Power outage and food and water

shortages throughout the Virgin Islands have created widely reported health, safety and security concerns, including at Epstein's home. Epstein's home is without power and his computer servers have been and continue to be inoperable and inaccessible, so that Epstein has no access to his litigation files. Moreover, Epstein has been completely occupied with massive post-hurricane clean-up efforts at his home, and, most importantly, providing desperately needed shelter and supplies for his employees ravaged by the storms. Consequently, the undersigned has had little to no communication with him. As such, Epstein has been completely unable to participate in any way regarding these critical Motions, as well as other discovery and motion practice, which are essential to the proper defense of his case. Epstein's participation in the defense of his case is not only his right, but it is also absolutely necessary given the long history of this case and the matters out of which it arose.

It is also noteworthy to mention that Rosh Hashanah also fell during the ten (10) days provided by this Court, and that both Mr. Epstein and one of his counsel are of the Jewish faith and were unavailable as a result for two (2) of those days. Yom Kippur falls on September 29 to September 30, 2017 further impeding their participation for those days which are only a short time prior to the scheduled hearing.

Epstein has four attorneys who have filed Notices of Appearance in this matter; each of whom is a solo practitioner: undersigned, who is lead counsel and responsible for drafting all pleadings and documents, and who also served as an arbitrator; Chester Brewer, who serves as local counsel in an advisory capacity and to assist in court with hearings and motions; Jack Goldberger, who is a criminal defense attorney who is involved in this case solely to advise and address the various criminal elements/issues raised by Edwards's desire to litigate this matter as a criminal prosecution and/or to impermissibly raise criminal allegations herein; and finally Fred

Haddad, who is solely in this case to act as trial co-counsel. Mr. Haddad resides in Islamorada, and his home was also destroyed by Irma. Conversely, Edwards's lead counsel is a firm with over thirty (30) attorneys; Searcy Denney et al. Edwards is also listed as his own co-counsel through his firm, which employs over ten (10) attorneys, and yesterday, at the close of business, a new firm has filed in as co-counsel in this matter, and contemporaneously with its Notice of Appearance filed a Motion (containing over 100 pages) directed at Epstein's Motion for Summary Judgment.

Epstein timely filed his four (4) additional Motions as contemplated by this Court on September 25, 2017; to wit: his Omnibus Motion in Limine; a Motion to Compel discovery related to Edwards's Privilege Log; a Motion to Compel responses to Discovery; and a Motion to Compel answers to questions posed to Edwards in his depositions. Edwards filed the following motions on September 25, 2017, to which undersigned cannot possibly respond in three (3) days with a mediation, multiple depositions, court hearings, other deadlines, and client matters already scheduled in those three days (not to mention the backlog from ten days out of the office), and with Mr. Brewer, as this Court was notified, out of town and unavailable: four (4) deposition notices and subpoenas *duces tecum* to Epstein's criminal defense counsels; three motions directed to Epstein's Motion for Summary Judgment; objections to every single one of Epstein's damages Interrogatories to Edwards; four bare-bones Motions to Compel responses to four sets of unidentified discovery responses, some predating undersigned's involvement in this case; and a Motion in Limine.

Forcing Epstein to provide and argue proper responses to all of these items, as well as prepare for argument on his motions; motions which include a request to compel answers to four separate sets of Interrogatories and Requests to Produce, especially when Epstein is unreachable

and unable to assist with the same, is improper. Moreover, in light of the time constraints created by previously scheduled depositions, mediations and hearings, the undersigned cannot possibly perform this daunting task properly and effectively, forcing her to choose between compliance with this Court's directive and providing effective assistance of counsel.

WHEREFORE Jeffrey Epstein respectfully requests that this Court enter an Order enlarging the time limitations within which Epstein must respond to the Motions filed by Edwards and continue the hearing date set for October 3, 2017 on said Motions, and such other and further relief as this Court deems just and proper.

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served upon all parties listed below, via Electronic Service, this September 27, 2017.

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