

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

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

CASE NO.: 50 2009 CA 040800XXXXMBAG

vs.

SCOTT ROTHSTEIN, individually,

BRADLEY J. EDWARDS, individually,

JUDGE: HAFELE

Defendant/Counter-Plaintiff.

_____ /

**PLAINTIFF/COUNTER-DEFENDANT JEFFREY EPSTEIN'S
RESPONSES TO DEFENDANT/COUNTER-PLAINTIFF BRADLEY EDWARDS'S FACT
WITNESS INTERROGATORIES**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), by and through his undersigned counsel and pursuant to Rule 1.350 of the *Florida Rules of Civil Procedure*, hereby files his responses to Defendant/Counter-Plaintiff Bradley Edward's ("Edwards") Fact Witness Interrogatories to Jeffrey Epstein as follows:

Edwards's Fact Witness Interrogatories, rather than listing sub-parts, commence as follows: "As to **every individual** identified on Jeffrey Epstein's List of Trial Witnesses, state the following:" *See Fact Witness Interrogatories served upon Epstein on October 18, 2016*, attached hereto as "Exhibit A," and rewritten below (emphasis added).

1. Each contested factual issue expected to be addressed by the witness;

ANSWER: OBJECTION, THIS INTERROGATORY IS IMPROPER, AS INTERROGATORIES ARE LIMITED TO THIRTY (30) QUESTIONS, INCLUDING SUBPARTS, AS DELINEATED IN RULE 1.340(a) OF THE FLORIDA RULES OF CIVIL PROCEDURE. EDWARDS EXCEEDED THAT AMOUNT LONG BEFORE SERVING THIS DISCOVERY REQUEST. MOREOVER, THE LAW IS CLEAR THAT AN ATTORNEY MUST OBTAIN PERMISSION FROM THE COURT, VIA MOTION,

HEARING, AND ORDER, TO PROPOUND IN EXCESS OF THE THIRTY INTERROGATORIES TO WHICH HE IS ENTITLED. IN FACT, ON SEPTEMBER 1, 2016, THE FLORIDA SUPREME COURT ENTERED AN ORDER AMENDING RULE 1.340 OF *THE FLORIDA RULES OF CIVIL PROCEDURE* IN WHICH IT STATES THAT “THE INTERROGATORIES MUST NOT EXCEED 30, INCLUDING ALL SUBPARTS, UNLESS THE COURT PERMITS A LARGER NUMBER ON MOTION AND NOTICE AND FOR GOOD CAUSE.” 2016 FLORIDA COURT ORDER 0039 (C.O. 0039) (SEPT. 1, 2016).

FURTHERMORE, EPSTEIN’S LIST OF TRIAL WITNESSES CONTAINS SEVENTY-FOUR (74) WITNESSES. AS SUCH, WHILE EDWARDS DOES NOT SPECIFY ANY SUBPARTS TO HIS REQUEST, HE IS SEEKING THIS DETAILED INFORMATION REGARDING SEVENTY-FOUR WITNESSES; WITNESSES ABOUT WHOM HE AS BEEN AWARE SINCE AT LEAST 2013 WHEN EPSTEIN FILED HIS FIRST WITNESS LIST. CONSEQUENTLY, IN ADDITION TO HIS OBJECTION AS TO THE VIOLATION OF THE APPLICABLE RULE, EPSTEIN ALSO OBJECTS TO THIS INTERROGATORY ON THE GROUNDS THAT RESPONDING TO THIS INTERROGATORY WOULD BE OPPRESSIVE AND UNDULY BURDENSOME. *SEE SLATNICK V. LEADERSHIP HOUSING SYSTEMS OF FLORIDA, INC.*, 368 So. 2d 78 (Fla. 4th DCA 1979) (STATING IN RESPONSE TO ONE INTERROGATORY THAT “THIS QUESTION ALONE, RELATIVE TO 18 CONDOMINIUM BUILDINGS, MIGHT TAKE A WEEK TO ANSWER. IT IS DIFFICULT TO IMAGINE HOW THE AUTHOR OF THESE PARTICULAR INTERROGATORIES COULD HAVE POSSIBLY CONJURED UP A MORE OPPRESSIVE AND BURDENSOME COLLECTION.”); *GREYHOUND LINES, INC. V. JACKSON*, 445 So. 2d 1107 (Fla. 4th DCA 1984). TO AVOID UNDULY BURDENSOME, ANNOYING AND HARASSING DISCOVERY, PARTIES MUST BE REQUIRED TO EMPLOY “[T]HE LEAST BURDENSOME ROUTE OF DISCOVERY.” *SYKEN V. ELKINS*, 644 So. 2d 539 (Fla. 3d DCA 1994). IN THE INSTANT CASE, THE FACT WITNESS INTERROGATORIES ARE NOT THE LEAST BURDENSOME ROUTE.

2. A detailed description of the testimony expected to be presented at trial by the witness as to each contested factual issue;

3. A description of the Trial Exhibit List number of each exhibit expected to be introduced into evidence by the witness;

ANSWER:

4. A description of the Trial Exhibit List number of each exhibit introduced through other means which the witness is expected to testify about, together with a description of the witness' expected testimony regarding each exhibit;

ANSWER:

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served upon all parties listed below, via Electronic Service, this November __, 2016.

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