

IN THE CIRCUIT COURT OF THE  
SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and  
PAUL G. CASSELL,

Plaintiffs/Counterclaim Defendants,

vs.

ALAN M. DERSHOWITZ,

Defendant/Counterclaim Plaintiff.

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**DEFENDANT/COUNTERCLAIM PLAINTIFF ALAN M. DERSHOWITZ'S**  
**OBJECTIONS AND RESPONSES TO PLAINTIFFS'**  
**FIFTH REQUEST TO PRODUCE**

Defendant/Counterclaim Plaintiff, Alan M. Dershowitz ("Defendant"), submits the following objections and responses to the Plaintiffs' Fifth Request to Produce ("Document Requests") propounded by Plaintiffs/Counterclaim Defendants Bradley J. Edwards and Paul G. Cassell ("Plaintiffs"):

**SPECIFIC RESPONSES AND OBJECTIONS TO REQUESTS**

1. Every newspaper account and blog upon which you contend you relied in stating during an interview aired on CNN that she [referring to ██████████ ██████████ ██████████] also known as Jane Doe #3] said that Bill Clinton was with her at an orgy on Jeffrey [Epstein's] island.

**RESPONSE:**

Defendant objects to this Document Request on the grounds that it appears to be seeking information that is obtainable only through the issuance of a contention interrogatory pursuant to Florida Rule of Civil Procedure 1.340. Defendant further objects to this Document Request

because it seeks documents that are already in Plaintiffs' possession and/or that are publicly available. Defendant also objects to this Document Request to the extent it attempts to impose obligations beyond the scope of Rule 1.280 of the Florida Rules of Civil Procedure, which permits parties to request documents "that are in the possession, custody, or control of the party to whom the request is directed." Defendant did not collect documents that might be responsive to this Request before he made the statement referenced in this Document Request, and nothing in Rule 1.280 requires him to collect such documents from the public domain after the fact. Subject to and without waiving the foregoing objections, Defendant will produce any newspaper accounts and/or blog entries that Defendant may identify during the course of discovery as relevant to the statement referenced in this Document Request.

2. Every source of information upon which you have relied in publicly stating that [REDACTED] [REDACTED] [REDACTED] ever stated that Stephen Hawking was a participant in an orgy.

**RESPONSE:**

Defendant objects to this Document Request on the grounds that it appears to be seeking information that is obtainable only through the issuance of a contention interrogatory pursuant to Florida Rule of Civil Procedure 1.340. Defendant further objects to this Document Request because it seeks documents that are already in Plaintiffs' possession and/or that are publicly available. Defendant further objects to this Document Request to the extent it attempts to impose obligations beyond the scope of Rule 1.280 of the Florida Rules of Civil Procedure, which permits requests only of documents "that are in the possession, custody, or control of the party to whom the request is directed." Defendant did not collect documents that might be responsive to this Request before he made the statement referenced in this Document Request, and nothing in Rule 1.280 requires him to collect such documents from the public domain after the fact. Subject

to and without waiving the foregoing objections, Defendant will produce any documents that Defendant may identify during the course of discovery as relevant to the statement referenced in this Document Request.

3. All telephone records, notes, and documents\* of any description which describe, relate to, fix the date and time of and/or concern the duration of any and all communications by you and/or any one acting on your behalf with the individuals referenced in your deposition of October 15, 2015 s [sic] Michael and Rebecca.

**RESPONSE:**

Defendant objects to the definition of “Documents” to the extent that it seeks the production of things beyond the scope of Rule 1.280 of the Florida Rules of Civil Procedure. Defendant further objected to the definition of “Documents” to the extent that it seeks “electronic data as well as application metadata and system metadata” and “inventories and rosters of your information technology (IT) systems – e.g., hardware, software and data, including but not limited to network drawings, lists of computing devices (servicers, PCs, laptops, PDAs, cell phones, with data storage and/or transmission features), programs, data maps and security tools and protocols” as overly broad and unduly burdensome. Defendant further objects to this Document Request on the basis that it seeks information that is not relevant to any of the claims or defenses in this action and is not reasonably calculated to lead to the discovery of admissible evidence. Defendant also objects to this Document Request because it calls for the production of information that is protected by the attorney-client privilege, the work product doctrine, and/or the common interest/joint defense doctrine. Moreover, because all of the documents and communications sought by this Document Request were created on or after December 30, 2014, Prof. Dershowitz will not be logging any of the communications or documents protected by the attorney-client privilege, the work product doctrine, and/or the common interest/joint defense

doctrine because it would be unduly burdensome and because the log itself would unfairly provide Plaintiffs with information about Defendant's ongoing defense activities. Defendant further responds that he will not produce any documents in response to this Request other than the unofficial transcripts (AD-006931 to AD-006933) and the audio recordings that were previously produced to Plaintiffs.

Respectfully submitted,

/s/ Thomas E. Scott

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by electronic mail (email) at email address: [REDACTED], [REDACTED], [REDACTED] to: **Jack Scarola, Esq.**, Searcy Denney Scarola Barnhart & Shipley, P.A., Counsel for Plaintiff, 2139 Palm Beach Lakes Blvd., West Palm Beach, Florida 33409, as well as [REDACTED] to: **Joni J. Jones, Esq.**, Assistant Utah Attorney General, Counsel for Plaintiff Cassell, 160 East 300 South, Salt Lake City, Utah 84114, and I electronically filed the foregoing with the Clerk of Broward County by using the Florida Courts eFiling Portal this 9<sup>th</sup> day of December, 2015.

By: s/Thomas E. Scott  
THOMAS E. SCOTT  
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