

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

CASE NO.: CACE 15-000072

(05)

BRADLEY J. EDWARDS and PAUL G. CASSELL,

Plaintiffs / Counterclaim Defendants,

v.

ALAN M. DERSHOWITZ,

Defendant / Counterclaim Plaintiff.

**ORDER ON DEFENDANT/COUNTERCLAIM PLAINTIFF'S MOTION TO COMPEL PLAINTIFF'S PRODUCTION OF DOCUMENTS AND MOTION FOR FINDING OF WAIVER BASED ON PLAINTIFF'S FAILURE TO PROVIDE A PRIVILEGE LOG**

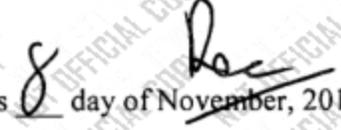
THIS CAUSE having come before the Court on Defendant/Counter Claim Plaintiff's Motion to Compel Plaintiff's Production of Documents and Defendant/Counter Claim Plaintiff's Motion for Finding of Waiver Based on Plaintiff's Failure to Provide a Privilege Log, and the Court having heard argument, reviewed the pleadings and exhibits and being otherwise fully advised in the premises, it is hereby,

ORDERED AND ADJUGED that

1. Defendant/Counterclaim Plaintiff's Motion to Compel Plaintiff's Production of Documents and complete responses to interrogatories is hereby denied. Pre March 2014 communication are protected by the work product privilege and the witness has not waived the communications that were protected by the attorney-client privilege. Also, there was no waiver by the Plaintiff's by filing suit.

2. Defendant's Motion for a finding of waiver based on Plaintiff's failure to provide a privilege log is hereby denied. However, the court orders Plaintiff's to provide an itemized privilege log within 30 days.

DONE AND ORDERED in Broward County, Florida this 8 day of November, 2015.

  
HONORABLE THOMAS LYNCH  
Circuit Court Judge

Copies furnished to: All Counsel of Record