

IN THE CIRCUIT COURT OF THE 17TH  
JUDICIAL CIRCUIT IN AND FOR BROWARD  
COUNTY, FLORIDA

CIVIL DIVISION

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and  
PAUL G. CASSELL,

Plaintiffs/Counterclaim Defendants,

vs.

ALAN M. DERSHOWITZ,

Defendant/Counterclaim Plaintiff.

---

**DEFENDANT/COUNTERCLAIM PLAINTIFF ALAN M. DERSHOWITZ'S  
PROPOSAL FOR SETTLEMENT TO PLAINTIFF/COUNTERCLAIM  
DEFENDANT PAUL G. CASSELL**

Proposal for Settlement pursuant to section 768.79, Florida Statutes, and Florida Rule of Civil Procedure 1.442, upon the Plaintiff/Counter-Defendant Paul G. Cassell ("Cassell"):

1. This Proposal is served pursuant to section 768.79, Florida Statutes, and Florida Rule of Civil Procedure 1.442.
2. Defendant/Counter-Plaintiff Alan Dershowitz ("Dershowitz") is making this Proposal to Cassell, individually.
3. This Proposal resolves all damages that would otherwise be awarded in a final judgment against Dershowitz in the action in which this Proposal is served, and all damages that would otherwise be awarded in a final judgment against Cassell in the Counter-Claim action in which this Proposal is served, in case number CACE 15-000072, in the Seventeenth Judicial Circuit in and for Broward County, Florida, subject to subdivision (F) of Rule 1.442(c)(2).

4. Dershowitz proposes to resolve all claims, as described above in paragraph 3, in exchange for payment to Dershowitz, by or on behalf of Cassell, in the sum of SEVENTY FIVE THOUSAND AND 00/100 DOLLARS (**\$75,000.00**).

5. There are no other conditions or non-monetary terms to this Proposal other than the following:

- a. Upon acceptance of this Proposal, Cassell and Dershowitz shall voluntarily dismiss, with prejudice, all claims and counterclaims between Cassell and Dershowitz.

6. There is presently no valid claim for punitive damages in the Complaint or Counter-Claim and, therefore, no portion of this Proposal is offered to settle any claim for punitive damages.

7. There is presently no valid claim for attorneys' fees or costs in the Complaint or Counter-Claim and, therefore no portion of this Proposal is offered to settle any claim for attorneys' fees or costs and both Dershowitz and Cassell would bear his own attorneys' fees and costs.

8. Nothing in this Proposal shall be construed as an admission of liability by Dershowitz.

9. This Proposal shall remain open for a period of thirty (30) days from date of service or until withdrawn in writing, whichever occurs first.

10. This Proposal shall be deemed rejected unless Cassell accepts this Proposal by delivery of a written notice of acceptance within thirty (30) days from the date of service hereof. No oral communications shall constitute acceptance, rejection or counteroffer of this Proposal.

11. This Proposal may be withdrawn in writing provided the written withdrawal is delivered before a written acceptance is delivered. Once withdrawn, this Proposal is void.

12. Failure of Cassell to accept this Proposal may result in an award in favor of Dershowitz that includes costs, expenses, and/or reasonable attorneys' fees, as provided for by section 768.79, Florida Statutes, and Florida Rule of Civil Procedure 1.442.

13. This Proposal for Settlement is being served upon Cassell, but it shall not be filed unless necessary to enforce the provisions.

Respectfully Submitted,

*s/Thomas E. Scott*

Thomas E. Scott

Florida Bar No. [REDACTED]

Steven R. Safra

Florida Bar No. [REDACTED]

COLE, SCOTT & KISSANE, P.A.

Miami, Florida 33156

Phone: [REDACTED]

Fax: [REDACTED]

Richard A. Simpson

(admitted *pro hac vice*)

Mary E. Borja

(admitted *pro hac vice*)

Ashley E. Eiler

(admitted *pro hac vice*)

WILEY REIN LLP

Washington, DC 20006

Phone: [REDACTED]

Fax: [REDACTED]

*Counsel for Alan M. Dershowitz*

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and accurate copy of the foregoing was served via email this 25<sup>th</sup> day of September, 2015 to: **Jack Scarola, Esq,** [REDACTED], [REDACTED], [REDACTED], Attorneys for Plaintiffs, Searcy Denney Scarola Barnhart & Shipley, P.A., [REDACTED], West Palm Beach, Florida 33409, [REDACTED], Miami, Florida 33130.

COLE, SCOTT & KISSANE, P.A.  
Attorneys for Prof. Dershowitz

[REDACTED]

Miami, Florida 33156

E-Mail Address: [REDACTED]

E-Mail Address: [REDACTED]

Telephone: [REDACTED]

Facsimile: [REDACTED]

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