

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

JEFFREY EPSTEIN,  
Plaintiff,  
v.

Complex Litigation, Fla. R. Civ. Pro.1201

Case No. 50 2009 CA 040800XXXXMB AG

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

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**SUBPOENA DUCES TECUM FOR DEPOSITION**

THE STATE OF FLORIDA:

TO: Ms. 

**YOU ARE COMMANDED** to appear before a person authorized by law to take depositions at the law offices of Fowler White Burnett, P.A., 1395 Brickell Ave., 14<sup>th</sup> Floor, Miami, FL 33131 on the **17<sup>th</sup> day of May, 2011, at 10:00 a.m.**, for the taking of your deposition in this action and to have with you at that time and place the following:

***See Attached Schedule "A"***

If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

Dated on \_\_\_\_\_, 2011.

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Lilly A. Sanchez

For the Court

Lilly Ann Sanchez  
Fowler White Burnett, P.A.  
*Attorneys for Plaintiff Jeffrey Epstein*  
FOWLER WHITE BURNETT P.A.  
Espirito Santo Plaza  
1395 Brickell Ave.  
14<sup>th</sup> Floor  
Miami, FL 33131  
Telephone: (305) 789-9200  
Fax: (305) 789-9201  
Florida Bar No. 195677

## SCHEDULE "A"

### I. Definitions

1. "Document" as used herein means any document known to you and every such document which can be located or discovered by your reasonably diligent efforts and any original or copy of such in your custody, possession or control, including, but not limited to:

any printed (whether typed or written by hand), recorded, taped, electronic (e.g., e-mails and text messages), graphic, or other tangible matter from any source, however produced or reproduced, whether in draft or otherwise, whether sent or received or neither, including the original and any copies which contain markings or notations,

all attachments, amendments and addenda of any and all writings,

all correspondence, notes, notations, recordings or other memorials of any type of face to face or telephone conversations and interviews, meetings or conferences (including, but not limited to, telephone bills and long distance charge slips), letters, telegrams, facsimiles, cables, papers, newsletters, memoranda, inter-office communications, releases, agreements, contracts, books, pamphlets, minutes of meetings, reports, analyses, evaluations, statements, diaries, calendars, desk pads, appointment books, stenographer's notebooks, transcripts, worksheets, journals, summaries, lists, tabulations, digests, newspapers, periodical or magazine materials, and any material underlying, supporting or used in the preparation of any documents or record whatsoever.

2. "Written communications" means any Documents evidencing communications between you and another person or persons of any kind, including but not limited to e-mails and text messages, transcripts and notes.

3. "Referring to," "reflecting," "regarding," "supporting," "evidencing" or "relating to" means in any way directly or indirectly, concerning, disclosing, describing, confirming, or representing.

4. "And" and "or" shall be construed in the disjunctive or conjunctive as necessary in order to bring within the scope of each request all documents which might otherwise be construed to be outside its scope.

5. "Epstein" refers to Jeffrey Epstein, the Plaintiff in the captioned lawsuit.

6. "Sarnoff, "you" or "yours" refers to [REDACTED].

7. "Edwards" means Bradley J. Edwards, a defendant in the captioned lawsuit.

8. "Rothstein" means Scott W. Rothstein, a defendant in the captioned lawsuit.

9. "RRA" means the law firm of Rothstein Rosenfeldt & Adler, P.A., and any of its past or present employees, independent contractors, attorneys, partners, shareholders, investigators, agents or other representatives and persons purporting to be affiliated with such law firm.

10. "Searcy Denny" means the law firm of Searcy, Denney, Scarola, Barnhart & Shipley, P.A. and any of its past or present employees, independent contractors, attorneys, partners, shareholders, investigators, agents or other representatives of or persons purporting to be affiliated with such law firm.

11. "Farmer Jaffe" means the law firm of Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, ■■■, and any of its past or present employees, independent contractors, attorneys, partners, shareholders, investigators, agents or other representatives of or persons purporting to be affiliated with such law firm.

12. "Person" means any individual natural person, partnership, association, firm (including law firms), corporation, organization, trust, and any of his/her or its agents, employees, assigns or representatives.

13. Unless otherwise stated, the time frame for this Subpoena covers matters and Documents from January 1, 2008, through the present.

## II. Documents Requested

1. Any and all Documents reflecting or memorializing communications, whether oral or written, between you and Edwards or any past or present employees, independent contractors, attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with RRA or Farmer Jaffe regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein for the purpose of writing a book.

2. Any and all Documents reflecting or memorializing communications, whether oral or written, between you and Rothstein or any past or present employees, independent contractors, attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with RRA or Farmer Jaffe regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein for the purpose of writing a book.

3. Any and all Documents reflecting or memorializing communications between you and any of the following persons regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein for the purpose of writing a book:

A. any past or present employees, independent contractors, attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with RRA or

representing themselves to have inside knowledge of RRA or its cases against Epstein at any time, including, without limitation, Rothstein, Mike Fisten, Ken Jenne, Wayne Black, Patrick Roberts, Patrick Diaz, Rick Fandry, Cara Holmes, William Berger, Russell Adler and Mark Nurik;

B. Paul Cassell;

C. Spencer Kuvin;

D. Stuart Mermelstein;

E. any other attorneys who disclosed to you that they represent or represented in the past clients who had claims against Epstein; and

F. any past or present employees, independent contractors, attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with Searcy Denney, including without limitation John (Jack) Scarola.

4. Any and all Documents reflecting or memorializing communications between you and any of the following persons regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein, including investments in actual or purported settlements of claims involving or alleged to involve Epstein for the purpose of writing a book:

A. A.J. Discala; and

B. any persons who claim to have invested with Rothstein, including, without limitation, those who invested in Razorback Funding, LLC or D3 Capital Club, LLC.

5. Any and all Documents that you received from any of the persons (including law firms) identified in items ## 1-4 above.

6. Any and all Documents that you sent, delivered or transmitted to any of the persons or law firms identified in items ## 1-4 above.

7. Any and all Documents relating to, reflecting or memorializing the substance of interviews you conducted with, or research, information or materials you obtained from, any person about Epstein, for the purpose of writing a book.

8. Any and all Documents relating to, reflecting or memorializing the substance of interviews you conducted with, or research, information or materials you obtained from, any person about Epstein, for purposes of selling the information, in the form of an article or otherwise, to any newspaper or other publisher of news, other than a book publisher.

9. Any and all Documents reflecting or memorializing communications, whether oral or written, between you and Edwards or any past or present employees, independent contractors,

attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with RRA or Farmer Jaffe regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein for any other purpose.

10. Any and all Documents reflecting or memorializing communications, whether oral or written, between you and Rothstein or any past or present employees, independent contractors, attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with RRA or Farmer Jaffe regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein for any other purpose.

11. Any and all Documents reflecting or memorializing communications between you and any of the following persons regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein for any other purpose:

A. any past or present employees, independent contractors, attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with RRA or representing themselves to have inside knowledge of RRA or its cases against Epstein at any time, including, without limitation, Rothstein, Mike Fisten, Ken Jenne, Wayne Black, Patrick Roberts, Patrick Diaz, Rick Fandry, Cara Holmes, William Berger, Russell Adler and Mark Nurik;

B. Paul Cassell;

C. Spencer Kuvin;

D. Stuart Mermelstein;

E. any other attorneys who disclosed to you that they represent or represented in the past clients who had claims against Epstein; and

F. any past or present employees, independent contractors, attorneys, partners, shareholders, agents or other representatives of or persons purporting to be affiliated with Searcy Denney, including without limitation John (Jack) Scarola.

12. Any and all Documents reflecting or memorializing communications between you and any of the following persons regarding any pending or contemplated litigation, past or settled litigation, investigations, surveillance, incidents of misconduct or claims in any way involving or alleged to involve Epstein, including investments in actual or purported settlements of claims involving or alleged to involve Epstein for any other purpose:

A. A.J. Discala; and

B. any persons who claim to have invested with Rothstein, including, without limitation, those who invested in Razorback Funding, LLC or D3 Capital Club, LLC.

13. Any and all Documents that you received from any of the persons (including law firms) identified in items ## 9-12 above.

14. Any and all Documents that you sent, delivered or transmitted to any of the persons or law firms identified in items ## 9-12 above.

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