

**BC
LC** | **BURMAN, CRITTON
LUTTIER & COLEMAN, LLP**
YOUR TRUSTED ADVOCATES
A LIMITED LIABILITY PARTNERSHIP

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¹FLORIDA BOARD CERTIFIED CIVIL TRIAL LAWYER

²ADMITTED TO PRACTICE IN FLORIDA AND COLORADO

Sent by E-mail and U.S. Mail

Isaac Marcushamer, Esq.
Berger Singerman
200 South Biscayne Blvd., Suite 1000
Miami, FL 33131

January 4, 2010

ADELOU J. BENAVENTE
PARALEGAL/INVESTIGATOR
JESSICA CADWELL
BOBBIE M. MCKENNA
ASHLIE STOKEN-BARING
BETTY STOKES
PARALEGALS
RITA H. BUDNYK
OF COUNSEL
EDWARD M. RICCI
SPECIAL CONSUMER
JUSTICE COUNSEL

Re: **L.M. v. Jeffrey Epstein**
CASE NO.: 502008CA028051XXXXMBAD

Dear Isaac:

I am enclosing an Agreed Order on Preservation of Evidence. Please advise whether it is acceptable to you such that I can provide it to Magistrate Judge Linnea Johnson. Additionally, I would like to take the deposition of Mr. Stettin regarding the subject matter of the subpoena duces tecum.

I am aware that his duties are substantial and time consuming. At the same time, is there a means of which I can get access to the information which is being requested. If I can obtain access to the information, I may not need Mr. Stettin's actual deposition.

Please advise whether the order is acceptable and whether we can work out an arrangement for me to access the requested information.

Cordially yours,

Robert D. Critton, Jr.

RDC/clz

cc: Jack A. Goldberger, Esq.

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

L.M.,

Plaintiff,

v.

JEFFREY EPSTEIN

Defendant.

CASE NO. 502008CA028051XXXXMB AB

DRAFT 1/04/10

AGREED ORDER ON PRESERVATION OF EVIDENCE

Pursuant to the Magistrate' Order, DE 414, and counsel for the Defendant, Jeffrey Epstein and counsel for Herbert Stettin conferred, the following preservation order is hereby entered:

1. Herbert Stettin was initially appointed as a state court appointed receiver, and subsequently as the chief re-structuring officer of the Rothstein, Rosenfeldt & Adler, P. A. ("RRA") law firm.

2. Subsequently, RRA was placed in an involuntary bankruptcy, which was not contested, and Herbert Stettin was appointed as the Trustee in Bankruptcy for the debtor, RRA.

3. Pursuant to Herbert Stettin's obligations under the United States Bankruptcy Code, and the obligations of his office, he hereby agrees to and has not tamper, destroy or alter any evidence (including electronic data) which has been requested in the subpoena attached hereto as **Exhibit "A"**, directed to him. Should Mr. Stettin come in possession of additional documents (including electronic data) which would be in compliance with the subpoena, he will preserve the additional documents in the same manner.

Copies furnished:

ROBERT D. CRITTON, JR., ESQ., and MICHAEL J. PIKE, ESQ., 303 Banyan Boulevard, Suite 400, West Palm Beach, FL 33401 and BRAD EDWARDS, ESQ., Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, PL, 425 N. Andrews Avenue, Suite 2, Fort Lauderdale, FL 33301, JAY HOWELL, ESQ., Jay Howell & Associates, P.A., 644 Cesery Boulevard, Suite 250, Jacksonville, FL 32211, JACK A. GOLDBERGER, ESQ., Atterbury Goldberger & Weiss, P.A., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401-5012, and ISAAC MARCUSHAMER, ESQ., Berger Singerman, 200 South Biscayne Blvd., Suite 1000, Miami, FL 33131

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

L.M.

CASE NO. 502008CA028051XXXXMB AD

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

Posted
11-5-09
2:30 PM
G810

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA

TO: Herbert Stettin, as receiver for Rothstein Rosenfeldt Adler, PA
5401 Hammock Drive
Coral Gables, FL 33156-2105

YOU ARE COMMANDED to appear at Prose Court Reporting, 101 NE 3rd Avenue,
Suite #1500, Ft. Lauderdale, FL 33301, on November 19, 2009, 4:00 p.m., bring with you the
following:

See attached Exhibit A

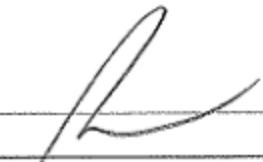
If you fail to appear, you may be in contempt of court.

You are subpoenaed by the attorney whose name appears on this subpoena and unless
excused from this subpoena by the attorney or the Court, you shall respond to this subpoena as
directed.

DATED this 5th day of November, 2009.



ROBERT D. CRITTON, JR.
(Attorneys for Defendant Jeffrey Epstein)
Burman, Critton, Luttier & Coleman
515 N. Flagler Drive, Suite 400
West Palm Beach, FL 33401


BY: 

ROBERT D. CRITTON, JR., ESQ.
For the Court

EXHIBIT A – RECORDS CUSTODIAN

DEFINITIONS AND INSTRUCTIONS

A. "Document" means any written or graphic matter or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including the **originals** and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, letters, purchase orders, telegrams, teletype, telefax bulletins, e-mails, electronic data, meetings, reports, or other communications, interoffice and intra-office telephone calls, diaries, chronological data, minutes, books, reports, charts, ledgers, invoices, worksheets, receipts, returns, trade information regarding fabric, carpets, samples etc..., computer printouts, prospectuses, financial statements, schedules, affidavits, contracts, cancelled checks, transcripts, statistics, surveys, magazine or newspaper articles, releases (and any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphs or aural records or representations of any kind, including, without limitation, photographs, charts, graphs, microfiche, microfilm, video tape, recordings, motion pictures and electronic, mechanical or electric recordings or representations of any kind (including, without limitation, tapes, cassettes, discs and recordings), and including the file and file cover.

The term "Document" also means any and all computer records, data, files, directories, electronic mail, and information of whatever kind whether printed out or stored on or retrievable from floppy diskette, compact diskette, magnetic tape, optical or magnetic-optical disk, computer memory, hard drive, zip drive, jaz drive, orb drive, microdisk, external memory stick, software, or any other fixed or removable storage media, including without limitation, all back-up copies,

dormant or remnant files, and any and all miscellaneous files and/or file fragments, regardless of the media on which they reside and regardless of whether the data consists in an active file, deleted file, or file fragment.

B. "Communications" means any oral or written statement, dialogue, colloquialism, discussion, conversation or agreement.

C. "Plaintiff" means L.M. (*L.M. v. Jeffrey Epstein, Palm Beach County Case #502008CA028051XXXXMB*), E.W. (*E.W. v. Jeffrey Epstein, Palm Beach County Case #502008CA028058XXXXMB*), Jane Doe/S.R. (*Jane Doe v. Jeffrey Epstein, United States District Court Case #08-civ-80893-Marra/Johnson*), and any other person who is or was represented by Rothstein Rosenfeldt & Adler that has not yet filed an action against Jeffrey Epstein, and any employee, agent or attorney for any plaintiff and/or any other person acting for or on behalf of any plaintiff, or under her authority and control.

D. "RRA" means Rothstein Rosenfeldt & Adler, [REDACTED].

E. "Money" means any tangible thing of value.

REQUESTED ITEMS

1. For the time period from January 1, 2008, to present, any and all documents reflecting communication between, or on behalf of RRA, its employees or agents or clients, and any third party regarding a purported settlement of any litigation between Jeffrey Epstein and RRA and/or its clients, or the financing of any litigation between Jeffrey Epstein and RRA and/or its clients, including but not limited to:

- a. Representations that litigation with Jeffrey Epstein has been settled;
- b. Soliciting or receiving money in return for settlement funds alleged paid or to be paid on behalf of Jeffrey Epstein;
- c. Soliciting money to help finance ongoing litigation against Jeffrey Epstein;
- d. Soliciting money to be given to, or used on behalf of, the plaintiffs in litigation against Jeffrey Epstein;

- e. Communication between third party investors or potential investors and the plaintiffs or their attorneys involved in litigation against Jeffrey Epstein;
 - f. Payments made by RRA to or on behalf of any plaintiff
2. Any and all fee agreements that exist or have existed between the following:
- a. Any Plaintiff and Bradley J. Edwards or any entity with which he was associated
 - b. Any Plaintiff and the law firm RRA
3. All documents reflecting the sale, purchase or investment by any person or entity (company, corporation, LLC, etc...) in the prospective settlement or resolution of any plaintiff's case against Jeffrey Epstein.
4. All emails, data, correspondence, memos, or similar documents exchanged between Bradley J. Edwards and Scott W. Rothstein, and/or any attorney or representative of RRA and any investor or third party (person or entity) in any plaintiff's case where the investor provided financing to include, money and/or any other consideration to Bradley J. Edwards, any plaintiff, or RRA with regard to the settlement or potential settlement of any plaintiff's case against Jeffrey Epstein.
5. All agreements or documents of any nature which were entered into by an investor relating to any plaintiff's case with Jeffrey Epstein and any of the following:
- a. Scott W. Rothstein
 - b. Bradley J. Edwards
 - c. RRA
 - e. any entity formed by RRA or Bradley J. Edwards or Scott W. Rothstein to create investment opportunities for third party investors to invest in any plaintiff's case against Jeffrey Epstein
6. All fee sharing agreements between Bradley J. Edwards, RRA, or Scott W. Rothstein and/or any other attorney or investor relating to any aspect of any plaintiff's case.
-
7. All investment packages, or information, settlement agreements, and any other documents made available to any investor by Bradley J. Edwards, RRA, Scott W. Rothstein or any of Scott W. Rothstein's entity to solicit "investors" for or in any plaintiff's case.
8. The names and addresses of all individuals or entities who invested in any aspect of any plaintiff's case against Jeffrey Epstein.
9. All assignments or agreements between any investor (person or entity) and any plaintiff and/or her attorneys regarding any plaintiff's case (cause of action) against Jeffrey Epstein.

10. All documents evidencing payment of any bill or costs in each plaintiff's case against Jeffrey Epstein, and the source(s) for said payments of any costs.

11. All press releases, tapes of interviews, transcripts of interviews generated by Bradley J. Edwards or any existing or former RRA attorney, regarding any plaintiff's case against Jeffrey Epstein.

VERIFIED RETURN OF SERVICE

COURT: CIRCUIT/PALM BEACH
CASE NO: 502008CA028051XXXXMB AD

L.M.
Plaintiff

vs

JEFFREY EPSTEIN
Defendant

SUBPOENA DUCES TECUM FOR DEPOSITION

TO: Herbert Stettin, as receiver for Rethstein Rosenfeldt Adler, PA
5401 Hammock Drive
Coral Gables, FL. 33156-2105

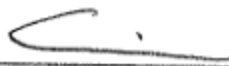
Received this Subpoena on: 11/5/09 and served the same on: 11/5/09
at: 2:30 PM by delivering a true copy of same to the within named
in Dade County, Florida

Comments pertaining to this service. This is a private gated residence a white woman with short brown hair age in her 70's about 110 lbs. 5'6" was pulling out of her driveway in a silver Mercedes Benz she stopped to ask me can I help you? I informed her that I have a Subpoena for Herbert Stettin. She said one second let me call my husband on the phone. She spoke to Herbert from her mobile phone and informed him of the nature of my visit. She then informed me that I needed to serve Herbert personally and that she would not accept service. I asked her what time will Herbert be home or does he have an office? She replied by saying his office is here in the house and does not know what time he would be home. She would not give me any more information and drove away.

Subpoena was posted on the only front gate to the house

ATTORNEY FOR DEFENDANT
ROBERT D. CRITTON, JR., ESQ.

Under penalty of perjury, I declare that I have read the foregoing Verified Return of Service and the facts stated in it are true, and have proper authority in the jurisdiction in which this service was made.


CARLOS AGUIRRE C.P.S. 810