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IN THE CIRCUIT COURT OF THE 15TH JUDICIAL?
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

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

CASE NO. 50 2009CA040800XXXXMB AG

JEFFREY EPSTEIN,

Plaintiff,

vs.

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

DEPOSITION OF
RUSSELL S. ADLER

Taken on Behalf of the Plaintiff
DATE TAKEN: Wednesday, April 20, 2011
TIME: 9:10 AM - 3:00 PM
PLACE: Fowler White Burnett, P.A.
One Financial Plaza - 21st Floor
100 Southeast 3rd Avenue
Fort Lauderdale, FL 33394

Examination of the witness taken before:
Lee Lynott, Certified Merit Reporter
Registered Professional Reporter
Certified Shorthand Reporter, Florida
Hi-Tech/United Reporting, Inc.
1218 SE 3rd Avenue

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1 THEREUPON,

2 THE COURT REPORTER: Do you swear or affirm

3 that the testimony you are about to give will be

4 the truth, the whole truth, and nothing but the

5 truth?

6 * * *

7 WHEREUPON,

8 RUSSELL S. ADLER

9 acknowledged having been first duly sworn to tell the

10 truth, testified upon his oath as follows:

11 THE WITNESS: I do.

12 DIRECT EXAMINATION

13 BY MRS. APRIL:

14 Q Sir, my name is Susan April. We met just a

15 few minutes ago I guess on the other side of the room

16 here. Thank you for coming today.

17 You know, of course, Mr. Haddad is your

18 lawyer today, right?

19 A Yes.

20 Q And you know Bill King over here?

21 A Just met him.

22 Q Just met him? And you were out in the

23 hallway talking to him for a moment?

24 A Yes.

25 Q Can I ask you what you were talking about?

Page 5	Page 7
<p>1 A What we were talking about?</p> <p>2 Q Yeah.</p> <p>3 A Just the fact that much of what we</p> <p>4 anticipate that you're going to ask is protected by</p> <p>5 the work-product privilege and I told him I would</p> <p>6 invoke it as I see necessary.</p> <p>7 Q Alrighty. Let me get down some basic</p> <p>8 information. Is your full name Russell S. Adler?</p> <p>9 A Yes.</p> <p>10 Q Can I get your current address?</p> <p>11 A I'm presently residing at 2200 South Ocean</p> <p>12 Lane in Fort Lauderdale.</p> <p>13 Q Are you currently employed?</p> <p>14 A Self-employed.</p> <p>15 Q What is the name of your business?</p> <p>16 A Russell S. Adler, P.A.</p> <p>17 Q And where is your business address?</p> <p>18 A 401 East Las Olas Boulevard, Suite 1400.</p> <p>19 Q How long have you been with that firm as a</p> <p>20 self-employed attorney?</p> <p>21 A Since November 2009.</p> <p>22 Q What's your date of birth, sir?</p> <p>23 A 11/26/61.</p> <p>24 Q Are you taking any medications or anything</p> <p>25 that would impair your ability to testify truthfully</p>	<p>1 in the middle of Page 6.</p> <p>2 A I'm looking at it.</p> <p>3 Q Did you search for any documents that you</p> <p>4 believe would be responsive to these requests?</p> <p>5 A I'm reading it. Hold on.</p> <p>6 Q Well, let's go through it because it will</p> <p>7 save time I think.</p> <p>8 A Go ahead.</p> <p>9 Q The first one: Did you look to see if you</p> <p>10 had documents evidencing any and all written</p> <p>11 communications between you and Bradley Edwards</p> <p>12 regarding any pending and/or contemplating litigation</p> <p>13 against Jeffrey Epstein from September 2008 to the</p> <p>14 present?</p> <p>15 A Let me save you some time and paint with a</p> <p>16 broad brush. Any communications between myself or</p> <p>17 Brad Edwards - or I see you even have Scott Rothstein</p> <p>18 listed in another one of these requests - during the</p> <p>19 time that I was employed by the RRA firm is</p> <p>20 work-product privilege and I invoke that privilege</p> <p>21 and I will refuse to answer any questions concerning</p> <p>22 any such communications. That privilege extends to</p> <p>23 any of these documents that you're requesting that</p> <p>24 fits within those parameters.</p> <p>25 Q Well, let me --</p>
<p>Page 6</p> <p>1 today --</p> <p>2 A No.</p> <p>3 Q -- or impair your memory?</p> <p>4 Did you see a Notice of Taking Deposition</p> <p>5 with an attached subpoena for this deposition?</p> <p>6 A I saw the subpoena. I don't know that I</p> <p>7 ever saw the notice.</p> <p>8 Q Did you bring any documents with you today?</p> <p>9 A No.</p> <p>10 Q Did you understand the subpoena to request</p> <p>11 that you bring documents?</p> <p>12 A Please show it to me.</p> <p>13 Q I will.</p> <p>14 A I may have read it. I don't recall what it</p> <p>15 says as I sit here now.</p> <p>16 (WHEREUPON, the document was marked as an</p> <p>17 Plaintiff's Exhibit No. 1 for Identification and</p> <p>18 attached).</p> <p>19 A I guess you want me to look at the duces</p> <p>20 tecum?</p> <p>21 Q Please. Do you recall seeing that, sir?</p> <p>22 A Briefly.</p> <p>23 Q Can you tell me on page -- Well, it's</p> <p>24 numbered Page 6 because it was numbered I guess as an</p> <p>25 attachment to a notice, but where it says "requests"</p>	<p>Page 8</p> <p>1 A As to Number 1, there is absolutely nothing</p> <p>2 concerning this from, let's say, November or October</p> <p>3 31st, 2009 through the present.</p> <p>4 As to anything from 2008 through November</p> <p>5 of 2009, that would be the time that I was employed</p> <p>6 by RRA and you are not entitled to those documents</p> <p>7 if, in fact, they even exist because it's</p> <p>8 work-product privilege.</p> <p>9 Q Well, let me ask you this question. You</p> <p>10 just said if, in fact, they even exist. What I'm</p> <p>11 asking you is, let's go back to my earlier questions:</p> <p>12 Did you look to see if you have any documents,</p> <p>13 whether or not they would be work-product, for that</p> <p>14 period of time?</p> <p>15 A I don't even have access to those documents</p> <p>16 any more. They're the property of the bankruptcy</p> <p>17 trustee --</p> <p>18 (WHEREUPON, an off-the-record discussion</p> <p>19 was had).</p> <p>20 A First of all, you interrupted me in the</p> <p>21 middle of my answer to the question.</p> <p>22 Q I'm sorry. She barged in.</p> <p>23 A Let me finish.</p> <p>24 MRS. APRIL: How about you read it back?</p> <p>25 (WHEREUPON, the requested testimony was</p>

<p style="text-align: right;">Page 9</p> <p>1 read back by the court reporter).</p> <p>2 THE WITNESS: They're the property of the</p> <p>3 bankruptcy Trustee. I don't even know if I'm</p> <p>4 still a member of any QTASK process concerning</p> <p>5 these matters.</p> <p>6 But in any event, the Trustee has made it</p> <p>7 very clear that the files that were being</p> <p>8 handled by the firm are the property of the</p> <p>9 bankruptcy Trustee unless they have been</p> <p>10 transferred out to another attorney, and they</p> <p>11 were not transferred to me. So, no, I do not</p> <p>12 have the right to see those files or access to</p> <p>13 those files.</p> <p>14 BY MRS. APRIL:</p> <p>15 Q So you don't have them you're saying?</p> <p>16 A Correct.</p> <p>17 Q Therefore, you didn't look because you know</p> <p>18 you don't have them?</p> <p>19 A Correct.</p> <p>20 Q I think, just to be clear, that you said</p> <p>21 anything from November 1st, 2009 to the present is</p> <p>22 nothing that exists that's responsive to Number 1?</p> <p>23 A Correct.</p> <p>24 Q Number 2, did you look to see if you had</p> <p>25 any communications, and that would include e-mails,</p>	<p style="text-align: right;">Page 11</p> <p>1 Q Did you look to see if you have any?</p> <p>2 A No. But I was not even involved in Brad</p> <p>3 Edwards' compensation or benefits when he was hired</p> <p>4 by RRA, so I know I don't have anything -- I know</p> <p>5 that there's nothing like that out there. And if</p> <p>6 there is, I don't have access to it any way.</p> <p>7 Q Let me ask you about that for a minute.</p> <p>8 When Brad Edwards -- You know Brad Edwards, I take</p> <p>9 it, because you mentioned his name several times?</p> <p>10 A Yes.</p> <p>11 Q When did you first meet Brad Edwards?</p> <p>12 A Probably four or five years ago.</p> <p>13 Q Where did you meet him?</p> <p>14 A At the gym. I'm sorry. He appeared -- He</p> <p>15 did some work on a case when he was with the Kubicki,</p> <p>16 Draper firm. It was a personal injury case when he</p> <p>17 worked for Earleen Cote.</p> <p>18 Q Was that a case that you were involved in?</p> <p>19 A Yes.</p> <p>20 Q Were you on the same side?</p> <p>21 A No.</p> <p>22 Q He was opposing counsel?</p> <p>23 A Defense counsel, yes.</p> <p>24 Q Do you know what year that was?</p> <p>25 A Nope.</p>
<p style="text-align: right;">Page 10</p> <p>1 between you and Mr. Edwards about compensation or</p> <p>2 benefits that he expected or requested from the firm</p> <p>3 from September 2008 to October 31st, 2000 --</p> <p>4 A There were no such communications --</p> <p>5 Q Can I finish my question, sir? I know</p> <p>6 you've been in depositions, right?</p> <p>7 A Well, why don't you just ask me if I have</p> <p>8 anything responsive to Number 2? You don't have to</p> <p>9 read it to me on the record. I can read.</p> <p>10 Q Sir, this will go smoother and faster. I</p> <p>11 think I'm being courteous to you --</p> <p>12 A It will go a lot faster --</p> <p>13 Q If you're not going to let me finish my</p> <p>14 questions, we're going to be here really long and I</p> <p>15 have things to do also.</p> <p>16 A If you insist on reading everything to me</p> <p>17 that is right in front of me it is going to take</p> <p>18 really long, but I'm not going to tell you how to</p> <p>19 take your deposition. So, finish the question.</p> <p>20 Q Thank you. Have you had a chance to look</p> <p>21 at Number 2?</p> <p>22 A Yes.</p> <p>23 Q Do you have any documents that are</p> <p>24 responsive?</p> <p>25 A No.</p>	<p style="text-align: right;">Page 12</p> <p>1 Q About five years ago?</p> <p>2 A Approximately.</p> <p>3 Q And then you mentioned something about --</p> <p>4 A Wait a minute. Now, that would be probably</p> <p>5 seven or eight years ago now that I think about it.</p> <p>6 Sorry.</p> <p>7 Q And Earleen Coat (pronouncing), is that the</p> <p>8 name you said?</p> <p>9 A C-o-t-e.</p> <p>10 Q She was at the time an attorney at Kubicki,</p> <p>11 Draper?</p> <p>12 A Still is.</p> <p>13 Q How did that case turn out?</p> <p>14 A I don't even remember what case it was, so</p> <p>15 I can't tell you how it turned out.</p> <p>16 Q After that did you have any occasion to</p> <p>17 communicate with him before he joined RRA? And I'm</p> <p>18 going to use RRA for your former firm of Rothstein,</p> <p>19 Rosenfeldt & Adler, if that's okay?</p> <p>20 A I would see him at the gym from time to</p> <p>21 time and we would have smalltalk, but that's about</p> <p>22 it.</p> <p>23 Q What gym was that?</p> <p>24 A It was the, I think it was called The</p> <p>25 Fitness Company and it was located in the 110 Tower</p>

<p style="text-align: right;">Page 13</p> <p>1 across the street from the Broward County 2 courthouse.</p> <p>3 Q During the time that you would see him at 4 the gym and have smalltalk occasionally, did you ever 5 have any conversations before or after the gym or did 6 you ever meet with him for social activity?</p> <p>7 A No. Before he joined the firm, no. Or 8 right before he -- until right before he joined the 9 firm, no.</p> <p>10 Q From the time that you met him when he 11 worked at Kubicki, Draper, other than seeing him at 12 the gym occasionally, you had no communication with 13 him until he joined the firm, is that correct?</p> <p>14 A Until soon before he joined the firm, 15 correct.</p> <p>16 Q Can you tell me, as best as you can recall, 17 how he was recruited or if he was recruited to join 18 the firm?</p> <p>19 A He was not recruited to join. Well, I'll 20 tell you what happened, because that's subject to 21 interpretation.</p> <p>22 I received a large verdict in a sexual 23 abuse case in Palm Beach County and it was in the 24 newspaper. Brad called me and said that, I read 25 about your verdict. And he told me that he had some</p>	<p style="text-align: right;">Page 15</p> <p>1 told him about my practice group with the law firm 2 and we talked about the possibility of him joining 3 the firm.</p> <p>4 Q What cases did he tell you he had?</p> <p>5 A The Jeffrey Epstein cases.</p> <p>6 Q Do you know how many there were at that 7 time?</p> <p>8 A I don't recall.</p> <p>9 Q Were there more than three?</p> <p>10 A I believe so, but I'm not positive.</p> <p>11 Q Do you know how any of them were 12 designated, in other words, how they were named in 13 the court files?</p> <p>14 A We didn't discuss that level of detail.</p> <p>15 Q What did he tell you the cases -- what did 16 he tell you was the basis of the cases?</p> <p>17 A He told me that he represented several 18 young girls who were - I'm not sure if he used the 19 word "molested," but that's the word that sticks in 20 my mind - molested by Jeffrey Epstein.</p> <p>21 Q Did you know who Jeffrey Epstein was at 22 that time?</p> <p>23 A No.</p> <p>24 Q Did he explain to you who Jeffrey Epstein 25 was?</p>
<p style="text-align: right;">Page 14</p> <p>1 sexual abuse cases as well.</p> <p>2 And I told him, I said, Let's have lunch, 3 because I was looking for -- I was always on the 4 look-out for lawyers who I would potentially like to 5 work with and bring into the tort practice group at 6 the law firm. And so, we had lunch.</p> <p>7 Q And was anyone else at the lunch?</p> <p>8 A Nope.</p> <p>9 Q What was the case that you got the large 10 verdict in, if you remember?</p> <p>11 A It was called Doe or Jane Doe, 12 S-i-r-i-w-a-t.</p> <p>13 Q How large was the verdict?</p> <p>14 A \$24 million.</p> <p>15 Q Did Christina Kitterman also work on that 16 case?</p> <p>17 A She brought the case in. She did very 18 little on that file, if anything. I did pretty much 19 all the work.</p> <p>20 Q So you had lunch with Brad Edwards. Where 21 did you have lunch?</p> <p>22 A Yolo.</p> <p>23 Q Can you tell me what the discussion 24 consisted of?</p> <p>25 A He told me a little bit about his cases, I</p>	<p style="text-align: right;">Page 16</p> <p>1 A Briefly.</p> <p>2 Q How long did you meet, was it just a lunch 3 hour?</p> <p>4 A Correct.</p> <p>5 Q Did he tell you how far along in discovery 6 he was in those cases?</p> <p>7 A I don't believe so. I think we just spoke 8 about them generally.</p> <p>9 Q Did he tell you what he thought they were 10 valued at?</p> <p>11 A I don't think he did, no.</p> <p>12 Q Prior to that lunch, when you would see him 13 at the gym, did you ever know that he worked on those 14 kinds of cases?</p> <p>15 A No. I knew that at some point he had left 16 Kubicki, Draper and he was in solo practice, but I 17 didn't know really anything else about what kind of 18 cases he was handling.</p> <p>19 Q From your experience with him or observing 20 his work at Kubicki, Draper, did you think he was a 21 good lawyer?</p> <p>22 A Yes.</p> <p>23 Q Or, did you have an opinion about his legal 24 skills?</p> <p>25 A It was more that I liked the guy and I</p>

<p style="text-align: right;">Page 17</p> <p>1 thought he was really sharp. I didn't have that many 2 dealings with him during that case that I could, you 3 know, in order to measure his skills as a lawyer. 4 Q Was it your impression during the lunch 5 meeting with Brad that he might be interested in 6 joining with the firm, with your firm? 7 A At the time, yes. 8 Q Did he tell you he was interested in doing 9 that? 10 A I think he was interested at that point, 11 sure. 12 Q What did you tell him about the prospects 13 of his being offered an opportunity to join your 14 firm? 15 A I believe I told him I'd -- 16 MR. KING: Let me interpose an objection 17 here. If there were any discussions at all 18 relating to compensation then we're going to 19 invoke the financial and privacy privilege. 20 MRS. APRIL: What is that privilege since I 21 cannot find it and I've seen it invoked in Mr. 22 Edwards' deposition. Do you have some authority 23 for that? 24 MR. KING: It is well-recognized that 25 parties have a right to protect financial</p>	<p style="text-align: right;">Page 19</p> <p>1 Q Did you tell Scott Rothstein that you had 2 had a meeting with Brad Edwards? 3 A I'm sure I did at some point, yeah. 4 Q Did you recommend that Scott consider 5 offering him a position? 6 A Yes. 7 Q What is the next thing you recall about 8 Brad joining the firm, did Brad tell you he made an 9 appointment with Scott? 10 A I don't recall that, but I do recall he 11 joined the firm. 12 Q What month was it or what year and month 13 was it that you had the lunch meeting? 14 A I don't remember. 15 Q Do you know if Brad Edwards joined the firm 16 in 2009? 17 A I don't remember. 18 Q Do you know what day Rothstein, Rosenfeldt 19 & Adler stopped doing business? 20 A Well, we found out that there was a problem 21 on Halloween, October 31st, 2009. The day that the 22 entity formally stopped doing business I'm not clear 23 on, because a Trustee was appointed and then a 24 bankruptcy Trustee was appointed. And I don't know 25 the exact definition of operations, so I can't tell</p>
<p style="text-align: right;">Page 18</p> <p>1 privilege unless -- financial information unless 2 it is otherwise deemed relevant. And we'll take 3 that position -- 4 THE WITNESS: Well, hold on a second. Let 5 me save you some time, okay? I didn't discuss 6 compensation with him. 7 BY MRS. APRIL: 8 Q I don't think I even asked you that question 9 yet which is why I wanted to go back. 10 A It could have been part of an answer in 11 fairness. 12 MRS. APRIL: I think the objection is 13 premature and in the nature of coaching, with 14 all due respect. So, could you read my question 15 back and maybe you could answer it without 16 disclosing anything that you think is 17 improper. 18 (WHEREUPON, the last question was read 19 back by the court reporter). 20 A I told him I was interested in bringing him 21 in and that he should make an appointment to come in 22 and meet with Rothstein. 23 Q Is that how you left it when you ended your 24 lunch? 25 A I believe so, yes.</p>	<p style="text-align: right;">Page 20</p> <p>1 you any more than that. 2 Q Let's use Halloween as close enough. But 3 as a practical matter, you stopped working there on 4 or about Halloween of 2009? 5 A I stayed, I stayed around for a few more 6 weeks because I had to try and wind things up in 7 transition and everything happened very suddenly and 8 it was very shocking to everybody. So, I stayed 9 around for a couple of weeks until I made 10 arrangements to go into solo practice. 11 Q Do you recall testifying at another 12 deposition taken by Charles Lichtman in a case called 13 "In Re: Rothstein, Rosenfeldt & Adler," the 14 bankruptcy case? 15 A Yes. My deposition, yes. 16 Q Do you remember Mr. Lichtman asking you 17 whether you thought that Brad Edwards had joined the 18 firm around June of 2009? 19 A I don't recall that specific question and 20 answer, if you want to show it to me. But if it's in 21 the deposition transcript, I, obviously, was asked 22 about it. 23 Q But you don't actually know when he joined? 24 A I don't recall the specific year that he 25 joined, and I'm being very careful because I'm under</p>

<p style="text-align: right;">Page 21</p> <p>1 oath today.</p> <p>2 Q Yes, you are.</p> <p>3 A I really don't know if it was late-'08,</p> <p>4 early-'09 or what the date was. You probably know</p> <p>5 about it, though.</p> <p>6 Q Well, if I told you that I had seen</p> <p>7 communications between RRA lawyers, including Brad</p> <p>8 Edwards, that are starting in April of 2009, does</p> <p>9 that refresh your memory at all?</p> <p>10 A With all due respect, you represent Mr.</p> <p>11 Epstein and I'm not going to take anything that you</p> <p>12 tell me as the truth, especially if you're not going</p> <p>13 to be showing me documents. So, don't ask me to</p> <p>14 confirm communications that you claim to have without</p> <p>15 showing them to me. I'm not doing that.</p> <p>16 Q You don't know? Your best recollection is</p> <p>17 late-'08 or sometime in the early part of '09, is</p> <p>18 that what I understood your last --</p> <p>19 Sir, can I ask you to not --</p> <p>20 A Yes.</p> <p>21 Q If you want to take a break or make phone</p> <p>22 calls or do whatever you're doing on your phone, I'm</p> <p>23 fine with that, but I would appreciate your giving us</p> <p>24 your attention.</p> <p>25 A I'm sorry. I just told someone to stop</p>	<p style="text-align: right;">Page 23</p> <p>1 documents or communications then show me the</p> <p>2 document, mark it, and I will answer your questions</p> <p>3 if I know the answer.</p> <p>4 Q Have you talked to Brad Edwards about the</p> <p>5 fact that he has been sued by Jeffrey Epstein in the</p> <p>6 case that we're here on today, which is Jeffrey</p> <p>7 Epstein vs. Scott Rothstein and Bradley Edwards, et</p> <p>8 al?</p> <p>9 A Yes, briefly.</p> <p>10 Q What did he say to you and what did you say</p> <p>11 to him?</p> <p>12 A After he was sued, he told me about the</p> <p>13 lawsuit and that he was being sued. That was about</p> <p>14 all we talked about at that time. And then I</p> <p>15 recently spoke with him about my upcoming deposition</p> <p>16 for the same purpose I just mentioned to his lawyer,</p> <p>17 because after I was subpoenaed for deposition I</p> <p>18 called him and told him that I believe that</p> <p>19 everything that we did at the law firm during the</p> <p>20 pendency and handling of that case is work-product</p> <p>21 privilege and I intend to invoke that privilege and</p> <p>22 refuse to answer any questions encompassed by that</p> <p>23 privilege unless ordered to do so by the judge.</p> <p>24 Q You say "that case." What case are you</p> <p>25 referring to, sir?</p>
<p style="text-align: right;">Page 22</p> <p>1 texting me, to leave me alone.</p> <p>2 What was your question?</p> <p>3 Q You are under oath and this is testimony.</p> <p>4 MRS. APRIL: You want to read back the</p> <p>5 last question?</p> <p>6 (WHEREUPON, the requested testimony was</p> <p>7 read back by the court reporter).</p> <p>8 THE WITNESS: I don't have a specific</p> <p>9 recollection as I sit here today. If I gave a</p> <p>10 more exact answer under oath in my deposition in</p> <p>11 a Trustee case then that was my sworn testimony</p> <p>12 at the time and it is what it is.</p> <p>13 BY MRS. APRIL:</p> <p>14 Q You made a comment a moment ago that you</p> <p>15 don't trust me because I represent Mr. Epstein. Can</p> <p>16 I ask you what that has to do with whether -- Have</p> <p>17 you ever met me before today?</p> <p>18 A It has nothing to do with you personally or</p> <p>19 even Mr. Epstein. You are taking my deposition in</p> <p>20 litigation that I am not a party to.</p> <p>21 Q That's right.</p> <p>22 A I'm not going to take any lawyer's word</p> <p>23 that they've seen something that they haven't even</p> <p>24 shown me to use that as the basis for asking me</p> <p>25 questions. If you want to ask me about specific</p>	<p style="text-align: right;">Page 24</p> <p>1 A What do you mean that case?</p> <p>2 Q You just made a statement that included a</p> <p>3 reference, to quote, that case.</p> <p>4 THE WITNESS: Can you read back my answer,</p> <p>5 please?</p> <p>6 (WHEREUPON, the requested testimony was</p> <p>7 read back by the court reporter).</p> <p>8 A To answer your question - and I apologize -</p> <p>9 I was referring to the lawsuits against Jeffrey</p> <p>10 Epstein that Brad Edwards was handling both before he</p> <p>11 joined the RRA firm and after.</p> <p>12 Q Earlier in your testimony you mentioned</p> <p>13 that you couldn't remember the exact style of those</p> <p>14 suits or the exact amount, the number of suits. Were</p> <p>15 there additional suits filed against Jeffrey Epstein</p> <p>16 by your firm after Brad Edwards joined the firm,</p> <p>17 whenever that was?</p> <p>18 A I don't recall, because I had very little</p> <p>19 involvement in those cases at all. They were Brad's</p> <p>20 cases when he joined the firm and they remained</p> <p>21 Brad's cases after he joined the firm. I was merely</p> <p>22 the head of the Tort Litigation Division and in an</p> <p>23 administrative capacity. I don't think I did much of</p> <p>24 anything in any of those Epstein cases, and that's</p> <p>25 why I don't remember or I cannot tell you about the</p>

<p style="text-align: right;">Page 25</p> <p>1 details you're asking.</p> <p>2 Q Your position is: If you did talk to Brad</p> <p>3 Edwards about cases against Jeffrey Epstein during</p> <p>4 the time that you both worked at RRA that they're</p> <p>5 subject, those conversations, to a work-product</p> <p>6 privilege, right?</p> <p>7 A Absolutely.</p> <p>8 Q Have you read the complaint or the amended</p> <p>9 complaint filed by Jeffrey Epstein against Brad</p> <p>10 Edwards?</p> <p>11 A No.</p> <p>12 Q Have you read Brad Edwards' deposition</p> <p>13 given in that case?</p> <p>14 A Are you talking about in this case?</p> <p>15 Q In this case?</p> <p>16 A No.</p> <p>17 Q Did Brad Edwards talk to you at all about</p> <p>18 questions he was asked during his deposition in this</p> <p>19 case?</p> <p>20 A No.</p> <p>21 Q You mentioned that you had these couple of</p> <p>22 conversations with Mr. Edwards concerning this case</p> <p>23 once when he told you he had been sued by Jeffrey</p> <p>24 Epstein and then more recently when you said you</p> <p>25 were -- you told him you were going to be deposed?</p>	<p style="text-align: right;">Page 27</p> <p>1 A I don't, but I'm happy to look at what</p> <p>2 you're referring to if you would like to show it to</p> <p>3 me.</p> <p>4 Q I'm going to draw your attention to Page</p> <p>5 131 and 132 of the deposition of Russell Adler taken</p> <p>6 October 28th, 2010 by Charles Lichtman.</p> <p>7 Rather than read it to you, because that</p> <p>8 would make the record long, I'm going to ask you to</p> <p>9 start looking at: "Did you have any involvement in</p> <p>10 any" --</p> <p>11 MR. KING: Let me look over your shoulder.</p> <p>12 You don't have an extra copy, do you?</p> <p>13 MRS. APRIL: Not that's not marked up.</p> <p>14 A I've read the portions that you asked me to</p> <p>15 read and, now, I recall a little more detail.</p> <p>16 Q Do you remember Scott Rothstein calling you</p> <p>17 and Mr. Edwards and Gary Farmer and perhaps others</p> <p>18 into your office --</p> <p>19 A Into his office?</p> <p>20 Q -- into his office to ask you questions?</p> <p>21 A Yes.</p> <p>22 Q And you recall testifying - now that you've</p> <p>23 looked at this - that you wanted to know about</p> <p>24 whether or not a particular statute applied to a</p> <p>25 sexual abuse case?</p>
<p style="text-align: right;">Page 26</p> <p>1 A Correct.</p> <p>2 Q What did he say to you in response to your</p> <p>3 remarks?</p> <p>4 A He just agreed with me that any questions</p> <p>5 you ask me about any communications, thoughts,</p> <p>6 discussions or, basically, anything else we did while</p> <p>7 at the RRA firm handling those cases is work-product</p> <p>8 privilege. That was it.</p> <p>9 Q In your view, was the communication that</p> <p>10 was held between you and Scott Rothstein, Brad</p> <p>11 Edwards and several other attorneys at a conference</p> <p>12 in Mr. Rothstein's office where boxes were in the</p> <p>13 room from the Epstein cases, was that conversation</p> <p>14 privileged? Do you remember there being such a</p> <p>15 conversation, let me ask you that?</p> <p>16 A I'm thinking. I remember a conference in</p> <p>17 Rothstein's office soon before -- soon before October</p> <p>18 31st sometime I think during that month. I do not</p> <p>19 recall boxes from the Epstein case being present. If</p> <p>20 they were, I didn't -- I wasn't aware of that at the</p> <p>21 time. But if it was about that case, then it's</p> <p>22 absolutely work-product privilege.</p> <p>23 Q Do you remember testifying about the</p> <p>24 subject matter of the discussion in your deposition</p> <p>25 taken by Mr. Lichtman in the bankruptcy case?</p>	<p style="text-align: right;">Page 28</p> <p>1 A I remember exactly what I said --</p> <p>2 MR. KING: Let me interpose an objection.</p> <p>3 I didn't mean to cut you off. I want you to</p> <p>4 complete your answer.</p> <p>5 A I am not sure if at this point because of</p> <p>6 my testimony in the Trustee case it is still</p> <p>7 work-product or not work-product. Suffice it to say,</p> <p>8 I do remember asking (sic) the questions and</p> <p>9 answering them to the best of my ability in my</p> <p>10 deposition on the pages that you referenced and I</p> <p>11 stand by that testimony. Although, as to this case,</p> <p>12 I am unsure as to whether or not that is work-product</p> <p>13 privilege.</p> <p>14 MR. KING: And we would assert it to the</p> <p>15 extent that you intend to pursue it.</p> <p>16 MRS. APRIL: I'm sorry. I didn't</p> <p>17 understand your --</p> <p>18 MR. KING: We would intend to assert the</p> <p>19 work-product doctrine to the extent that you</p> <p>20 intend to pursue it beyond the question you just</p> <p>21 asked relating to whether or not his testimony</p> <p>22 was his testimony.</p> <p>23 A And I will point out that that testimony</p> <p>24 was given in a deposition where I was being sued by</p> <p>25 the Trustee that stands in the shoes of RRA. And</p>

<p style="text-align: right;">Page 29</p> <p>1 it's my understanding that, by order of Judge Rey, 2 all privileges, work-product, attorney-client are 3 preserved and that's why I am not comfortable 4 testifying openly in this deposition about those 5 dealings and conversations in light of who the 6 parties are in this case.</p> <p>7 In other words, I still think there is a 8 work-product privilege as to Mr. Epstein. And, if 9 I'm wrong, then the circuit judge in this case can 10 tell me so and order me to tell you more.</p> <p>11 Q You mentioned that there was an order of 12 Judge Rey in connection with the case where the 13 bankruptcy Trustee sued you and your wife was sued in 14 that case, too, right?</p> <p>15 A Yes.</p> <p>16 Q Do you know specifically when that order 17 was entered where Judge Rey said that?</p> <p>18 A I just have a recollection of knowing that 19 in the main bankruptcy case, of which the adversary 20 case against me was an offshoot, in the main 21 bankruptcy case there was a ruling that the Trustee 22 stood in the shoes of the law firm and that all 23 privileges were preserved, because I guess that's 24 what happens when a Trustee takes over a law firm.</p> <p>25 Q Who represented you in that case?</p>	<p style="text-align: right;">Page 31</p> <p>1 A Frankly, I don't remember how I recalled 2 that they were Epstein files. I mean, do I 3 specifically recall looking at the labels on it or 4 maybe there was writing on the boxes that they were 5 in? I just don't recall those details. I'm sorry.</p> <p>6 Q When you're talking about boxes, are you 7 referring to standard sort of banker's box that law 8 firms keep files in?</p> <p>9 A Yes.</p> <p>10 Q Do you know whether there were a large 11 number of boxes or a small number?</p> <p>12 A I don't remember whether or not I counted 13 the boxes. I probably didn't.</p> <p>14 Q Do you think there were more than two?</p> <p>15 A Probably.</p> <p>16 Q Do you think there could have been as many 17 as 19?</p> <p>18 A I really don't know. I am not comfortable 19 even giving an approximation under oath concerning 20 the number, the specific number of boxes.</p> <p>21 Q So you have no idea whether there were -- 22 Do you know how they were set up in the room; were 23 they on the table, on the floor, on the credenza?</p> <p>24 A I just remember seeing boxes on the 25 floor.</p>
<p style="text-align: right;">Page 30</p> <p>1 A In the bankruptcy adversary case?</p> <p>2 Q Yes. Did Mr. Haddad represent you there as 3 well?</p> <p>4 A Mr. Haddad represented me in that and I was 5 also represented by a few other lawyers.</p> <p>6 Q Do you know who they were?</p> <p>7 A Jason Slatkin, S-l-a-t-k-i-n, represented 8 me for most of the case. Before him, Tom Messana, 9 M-e-s-s-a-n-a, represented me.</p> <p>10 Q Well, let me ask you this: Now that you've 11 looked at these couple of pages, irrespective of 12 work-product privilege, do you recall that Scott had 13 Epstein files in his office at the meeting you 14 described?</p> <p>15 A I recalled it at the prior deposition that 16 you have shown me and I now recall it a little better 17 from reading it.</p> <p>18 Q So there were Epstein boxes in Scott's 19 room?</p> <p>20 A Apparently, in his office. Apparently, 21 there were and that's what I testified to in my prior 22 deposition.</p> <p>23 Q Today I'm asking you, do you remember -- 24 How did you know they were Epstein files? 25 That's a different question. It wasn't asked before.</p>	<p style="text-align: right;">Page 32</p> <p>1 Q Were they stacked up on the floor or were 2 they spread around so that one could --</p> <p>3 A I do not have that level of detail in my 4 recollection. I'm sorry.</p> <p>5 Q Were you surprised that the boxes were in 6 Scott's office?</p> <p>7 A I was either surprised or perplexed, or 8 both.</p> <p>9 Q Do you recall if anybody who was in 10 attendance at that time looked at any papers in the 11 boxes, including Scott?</p> <p>12 A During that meeting?</p> <p>13 Q Yes.</p> <p>14 A I don't think anyone -- I don't recall 15 seeing anyone pull anything out of boxes and start 16 looking through files at that meeting. We sat at a 17 table and there was a discussion.</p> <p>18 Q Now, I'm a little unclear about the 19 position you're taking on work-product or whether 20 it's waived or whether it's preserved, so I'm going 21 to ask you some questions. And if you think there's 22 some privilege, I'm sure you'll tell me.</p> <p>23 A Okay.</p> <p>24 Q Did Scott Rothstein tell you during that 25 meeting that the questions that he was asking you had</p>

<p style="text-align: right;">Page 33</p> <p>1 something to do with the Epstein cases? 2 MR. KING: We'll assert the work-product 3 doctrine to any conversations occurring during 4 the course of that meeting. 5 A But as to whether they pertain to Epstein 6 at all -- 7 MR. KING: Because even the failure to 8 associate a particular statement with a 9 conversation could have significance from a 10 work-product standpoint, so we'll assert the 11 work-product doctrine. 12 A And so will I. I'll leave it up to the 13 judge, although you do have my sworn testimony from 14 the other case in front of you. 15 Q Let me ask you this: Without answering the 16 question, because this will make a difference as to 17 whether we need to come back after the judge rules. 18 A Yes. 19 Q Do you know the answer to that question? 20 In other words, you're not telling it to me, but do 21 you remember if he said that at all or are you 22 allowed to tell me that? 23 A I'm just saying that, as I sit here today, 24 I don't have a clear recollection of that specific 25 matter. I think it might be covered in my answers in</p>	<p style="text-align: right;">Page 35</p> <p>1 me. Strike that. 2 Do you recall, did you testify -- Since 3 October 31st, 2009, have you testified in any other 4 lawsuits, you, as a witness? 5 A No. Other than the adversary case against 6 me, no. 7 Q Have you settled that case? 8 A Yes. 9 Q So let me be clear on this, because I do 10 not know that it would be fruitful to go through a 11 dozen or more questions that you are going to claim 12 work-product to: It's your position that anything 13 that occurred during the time that RRA existed where 14 you talked to other lawyers in the firm in any way, 15 shape, or form about Jeffrey Epstein is subject to 16 work-product privilege? 17 A Correct. That's my understanding. 18 Q So I'm going to reserve the right to ask 19 you those questions when we have a ruling from the 20 court. We believe there's been a waiver, and you're 21 telling me you don't know or you're not sure there's 22 been a waiver? 23 A As I understand waivers of the work-product 24 doctrine, I am personally of the opinion that there 25 has not been a waiver at all. My prior deposition</p>
<p style="text-align: right;">Page 34</p> <p>1 the prior deposition from what you showed me. I have 2 not reviewed the entire deposition, for the record. 3 You directed me to two pages of my prior deposition 4 and those are the only two pages that I looked at. 5 And that deposition, I think we said this already, 6 was taken on -- 7 Q Six months ago almost. October? 8 A Six months ago. October 28th, 2010. 9 Q A week short of six months. 10 Have you ever read the transcript of the 11 deposition that you gave in that case on October 28, 12 2010? 13 A Soon after I got a copy of the transcript, 14 I did. 15 Q Do you recall sitting here today who else 16 was in the room? At that time you said the Tort 17 Group, including Brad Edwards, Gary Farmer and maybe 18 Steve Jaffe. Do you recall whether Steve Jaffe was 19 there? 20 A I have no greater recollection today than I 21 did at the time of my deposition. So if that's what 22 I said in my deposition, that's the best answer I 23 can -- that's better than the answer that I can give 24 you today, to tell you the truth. 25 Q On Page 132 of that deposition -- Excuse</p>	<p style="text-align: right;">Page 36</p> <p>1 was compelled testimony that was given by way of a 2 subpoena in a case in which I was a defendant and I 3 had to answer those questions when asked by a 4 bankruptcy Trustee who stood in the shoes of the law 5 firm. I don't think that that constitutes any waiver 6 of the work-product privilege, especially as to the 7 person who was a defendant in those underlying 8 lawsuits and that's the person who you represent in 9 this case. 10 So that's my understanding, that's my 11 position that I'm taking. If the circuit judge 12 disagrees with me and he enters an order, I will do 13 what I'm ordered to do by the judge. But I say that 14 in an abundance of caution as well and in good faith, 15 of course. 16 Q You're not saying that the subpoena that 17 was delivered to you by giving it to your lawyer in 18 this case is less of a subpoena, are you? 19 You said you were compelled in that case 20 because you got a subpoena. Are you treating this 21 subpoena differently? This is a lawsuit. 22 A I know it's a lawsuit. 23 Q We issued a subpoena. Do you feel you were 24 not subpoenaed to testify truthfully and fully today? 25 A I don't know what you're talking about. I</p>

<p style="text-align: right;">Page 37</p> <p>1 know what a subpoena is. I am here testifying under 2 oath.</p> <p>3 Q Pursuant to the subpoena?</p> <p>4 A Pursuant to a subpoena. I do not have the 5 documents that you are requesting. If they exist, 6 they're in the hands of the bankruptcy Trustee, so 7 talk to him.</p> <p>8 Q Sir, thank you. I know how to talk to and 9 who to talk to.</p> <p>10 A Okay.</p> <p>11 Q My question to you is: You made a 12 statement a moment ago that you testified in a 13 certain way on October 28th, 2010 because you were 14 compelled by virtue of a subpoena in a case where you 15 were a party and the bankruptcy Trustee -- you were 16 required to give testimony.</p> <p>17 Q Do you think that the subpoena that was 18 served today is any different? Do you think you're 19 not required to give testimony when asked?</p> <p>20 A In the sense that I am required to give 21 pursuant to a subpoena, it's the same thing. It's 22 just that the parties are very different in this case 23 than they were in the adversary case against me.</p> <p>24 Q Sir, you've been practicing how long?</p> <p>25 A 24-and-a-half years.</p>	<p style="text-align: right;">Page 39</p> <p>1 lunch, do you know if Brad Edwards joined the firm?</p> <p>2 A Yes.</p> <p>3 Q Do you know whether it was a period of a 4 long stretch of time before he joined the firm or was 5 it a month or six months or a year? Can you tell me 6 approximately how long after you had that lunch that 7 he joined the firm?</p> <p>8 A I don't recall. I'm sorry.</p> <p>9 Q Was it a year?</p> <p>10 A I don't recall. I'm sorry.</p> <p>11 Q You have no recollection?</p> <p>12 A It was less than a year.</p> <p>13 Q All right.</p> <p>14 A Okay.</p> <p>15 Q Did you meet with him on any other 16 occasions for any reason to talk about a case, for 17 social reasons or otherwise, between the lunch at 18 Yolo's and his walking into the firm and saying I 19 work here now?</p> <p>20 A I don't believe so.</p> <p>21 Q Did he call you, e-mail you, or otherwise 22 communicate with you between the time of that lunch 23 and his becoming employed by RRA?</p> <p>24 A I don't recall.</p> <p>25 Q You don't recall. Do you have in your</p>
<p style="text-align: right;">Page 38</p> <p>1 Q In 24-and-a-half years you have served 2 subpoenas on witnesses and parties?</p> <p>3 A Yes.</p> <p>4 Q Is there some distinction on whether or not 5 a person has to testify truthfully and fully 6 depending on whether they're a party and who is suing 7 who?</p> <p>8 A I have told you my position in this case 9 very clearly as to the reasons behind my assertion of 10 the work-product privilege and my reasons why I don't 11 believe it has been waived. Any further questions 12 from you about my serving subpoenas and what 13 subpoenas mean, quite honestly, is badgering and it's 14 a waste of time. And I would request that you move 15 on and ask me other questions, because this is just 16 absolutely -- there's no purpose behind this 17 questioning other than to badger me.</p> <p>18 Q Let's go back to your conversations with 19 Brad Edwards before he joined the firm.</p> <p>20 A Yes.</p> <p>21 Q I had asked you questions before. Let's 22 pick up there.</p> <p>23 Q You had a lunch with Brad Edwards sometime 24 before he joined the firm and you're not sure when 25 that was, but can you tell me this: Following your</p>	<p style="text-align: right;">Page 40</p> <p>1 possession anywhere e-mails, hand notes written on 2 napkins or otherwise that would refresh your 3 recollection about the answer to that question?</p> <p>4 A I might have copies of some e-mails. But, 5 if I do, I don't think I have any e-mail attachments 6 and I would certainly have no record of phone calls I 7 don't think.</p> <p>8 Q When you say you might have some e-mails, 9 is that because you maintained e-mails on a personal 10 computer at home or are these e-mails that belonged 11 to the firm that you retrieved?</p> <p>12 A I think I took a copy of some e-mails 13 before I physically left RRA.</p> <p>14 Q Did you review those e-mails prior to 15 coming here today to see if any of them were 16 responsive to my subpoena?</p> <p>17 A No.</p> <p>18 Q And that's because you believed they were 19 not or you didn't think of it, or what?</p> <p>20 A Didn't think of it, to be honest with 21 you.</p> <p>22 Q Did you give Brad Edwards your e-mail 23 address at some point before he joined the firm?</p> <p>24 A I --</p> <p>25 Q Did you hand him a business card?</p>

<p style="text-align: right;">Page 41</p> <p>1 A I don't specifically recall doing that, but 2 any lawyer can find any other lawyer's e-mail address 3 these days.</p> <p>4 Q Well, did you send any e-mails to Brad?</p> <p>5 A Just so we're clear here, the requests in 6 the subpoena in the duces tecum section keep asking 7 about written communications.</p> <p>8 Q And you think an e-mail is not written?</p> <p>9 A That is like some esoteric issue that I 10 really don't waste my time thinking about. Written 11 communications to me mean letters, notes, handwritten 12 stuff, printed, typed, things like that.</p> <p>13 Q If you look at the subpoena on Page 5 14 there's something called "definitions." Number 2, 15 written Communications.</p> <p>16 Sir, did you read the instructions in 17 definitions before you reviewed the subpoena?</p> <p>18 A I don't recall.</p> <p>19 Q If I say to you that the instructions on 20 this subpoena, that you're choosing not to look at, 21 says:</p> <p>22 "Number 2. Written communications means any 23 documents evidencing communications between you and 24 another person or persons of any kind," would that 25 include an e-mail?</p>	<p style="text-align: right;">Page 43</p> <p>1 A The ultimate hiring decision would have 2 been made by Scott Rothstein, as would the 3 compensation. The benefits part would have been 4 handled by either Debra or someone else who worked in 5 the administrative part of the firm.</p> <p>6 Q Was that Debra Villegas?</p> <p>7 A Yes.</p> <p>8 Q Did Brad Edwards tell you prior to meeting 9 Scott Rothstein or, excuse me, prior to joining RRA 10 what he was or had been earning in prior years?</p> <p>11 A I don't think I discussed that with him.</p> <p>12 Q Did he give you any kind of a ballpark 13 about what he would need to make it worth his while 14 to move to the firm?</p> <p>15 A That was not my issue to discuss with him. 16 So, no.</p> <p>17 Q He didn't offer that information to you?</p> <p>18 A Gratuitously? Voluntarily? No, I don't 19 think he did.</p> <p>20 Q But he did contact you to say he might be 21 interested in joining up with you?</p> <p>22 A I've already answered that question.</p> <p>23 MR. HADDAD: Object to the form.</p> <p>24 MR. KING: Objection.</p> <p>25 BY MRS. APRIL:</p>
<p style="text-align: right;">Page 42</p> <p>1 A Let's put it this way, I will agree to go 2 back and look at the back-up I took to see if I have 3 anything that's responsive and that I do not feel was 4 privileged. And if I come across any such e-mails, I 5 will print those and produce those to you with a copy 6 to Brad's lawyer.</p> <p>7 Q And, sir, if you determine that they are 8 privileged, will you let us know that they exist so 9 that we can deal with that at such time as the 10 privileged question is ruled upon?</p> <p>11 A Sure.</p> <p>12 Q Thank you.</p> <p>13 I think you've testified, and I know that 14 Mr. King has objected, but I think your testimony to 15 a question I had not yet gotten to was that you 16 didn't know, but let me make it clear. Do you know 17 what salary and benefits were offered to Brad Edwards 18 when he joined RRA?</p> <p>19 A No.</p> <p>20 Q Do you know what salary and/or benefits he 21 received when he did join RRA?</p> <p>22 A No. Other people handled that part of 23 it.</p> <p>24 Q What people were those people? Who handled 25 it?</p>	<p style="text-align: right;">Page 44</p> <p>1 Q As part of your preliminary conversation, 2 is it your testimony there was no discussion 3 whatsoever about the range of money he would need to 4 move to the firm?</p> <p>5 A The only discussion that I might have had 6 with him in that regard was to tell him that I need 7 to get him in to see Rothstein so he could work out 8 the details to see, you know, with respect to numbers 9 and money and all of that, because that was something 10 that Rothstein did. I had no involvement in any of 11 the finances of the firm or salaries or compensation 12 other than, of course, my own.</p> <p>13 Q When you say you had no involvement, do you 14 mean not only that you didn't determine what salaries 15 or compensation people got but that you didn't know 16 what anyone else got? Is that clear or do you want 17 me to rephrase it?</p> <p>18 A That's basically true, yeah. It wasn't my 19 concern.</p> <p>20 Q I think you offered this information in an 21 earlier answer, that you were the head of a 22 department or a group of tort lawyers, am I 23 correct?</p> <p>24 A Correct.</p> <p>25 Q What did you call that department?</p>

<p style="text-align: right;">Page 45</p> <p>1 A The Tort Practice Group. I hesitate, 2 because we also did class-action and mass tort. 3 Q All right. 4 A That fell under the umbrella of tort. 5 Q How many lawyers did you have working in 6 that group when the firm ended, broke up? 7 A When the firm ended, I think there were 8 nine of us. 9 Q And Mr. Edwards was one of the nine? 10 A Correct. 11 Q So your testimony is, you didn't know how 12 much money any of those lawyers had been paid that 13 year or any prior time? 14 A Other than myself? 15 Q Of course, other than yourself. 16 A That's correct. That was not my function 17 in the firm to know that or to deal with that. 18 Q Did you ever make any suggestions or 19 recommendations to Mr. Rothstein about the work of 20 the – 21 You're the 9th, right? I mean, there was 22 eight, plus you in the group? 23 A Correct. 24 Q – recommendations about the compensation 25 or bonuses that you thought should be paid to any of</p>	<p style="text-align: right;">Page 47</p> <p>1 know? 2 A Yeah. 3 Q Did he ask you to produce any financials or 4 documentation as far as what your book of business 5 was? 6 A Yes. But when I came to the firm it was 7 very different, under very different circumstances 8 than when Brad Edwards came to the firm. 9 Q How so? 10 A Because I had an up-and-going law firm with 11 me and I think it was two other lawyers. I literally 12 closed my office and Rothstein hired my entire staff. 13 And I hesitate, because I'm not sure if every single 14 staff member came over. I think a couple of them 15 might not have come over, but it was, you know, it 16 involved copying machines and it involved all kinds 17 of other issues. And, yes, I did give him financials 18 when I joined for I think two years. 19 Q Did your existing firm merge into the 20 Rothstein, Rosenfeldt & Adler firm? 21 A I don't know the definition, the legal 22 definition of the term "merger," so I am reluctant to 23 say yes or no, we did or did not merge. But suffice 24 it to say, I closed my doors at my law firm and my 25 firm became the Tort Practice Group of RRA.</p>
<p style="text-align: right;">Page 46</p> <p>1 those who worked in your group? 2 A I really wasn't privy to that information. 3 That was something that Rothstein handled. 4 Q Does that mean, no, you didn't ever 5 recommend or suggest a bonus or salary for one of 6 your people? 7 A I think that is correct. 8 Q Do you know if Scott Rothstein or anyone at 9 RRA required Mr. Edwards to produce financials or 10 some information about the money he had made in the 11 prior years before joining the firm? 12 A I don't know. 13 Q You don't know? He didn't tell you that 14 was being asked of him? 15 A He didn't tell me one way or the other and 16 I never asked him about that. 17 Q When he joined the firm, you had been at 18 the firm – In 2009, how long had you been there? 19 A I started in February 2005. 20 Q When you joined, Scott Rothstein is the one 21 who determined your compensation? 22 A Yes. Well, we talked about it and we made 23 an agreement. 24 Q But he was the one who made the decision 25 from the point of view of the firm as far as you</p>	<p style="text-align: right;">Page 48</p> <p>1 Q When you joined RRA did you, as part of 2 that transaction, sign over your then-existing 3 receivables to the new firm, RRA? 4 A Assign my receivables? Well, all of my 5 cases were contingency fee cases, so there were no 6 receivables, per se. There was certainly – I think 7 a better way to put it is that the RRA firm 8 substituted in as counsel on all of my pending 9 lawsuits and there were probably a few, there were 10 some lawsuits that were carved out of the deal that 11 remained. The fees from which, if they ever came, 12 were my fees. 13 Q When you joined the firm and you brought 14 cases to RRA that were ongoing cases, did RRA 15 reimburse you or – 16 Your prior firm, what was it called, the 17 one you brought over? 18 A Karmin, K-a-r-m-i-n, Adler, P.A. I believe 19 was the name of the firm when I closed it and joined 20 RRA in February of 2005. 21 Q I take it you had incurred some 22 out-of-pocket expenses, costs in those cases when you 23 joined RRA? 24 A Yes. 25 Q Did RRA reimburse you or Karmin & Adler,</p>

<p style="text-align: right;">Page 49</p> <p>1 P.A. for money that had already been spent on cases 2 that became theirs? 3 A I know that they did when those cases were 4 settled or resolved. I would get a check cut-back 5 for the costs that I had outlaid on those cases 6 before I joined the firm. 7 If you're asking: Did they write me checks 8 from the very beginning for monies I was 9 out-of-pocket for? I don't think they did. 10 Q In the case of Brad Edwards, if you know, 11 were you aware that some of the cases he brought over 12 that there had been costs incurred by him? He was a 13 sole practitioner, I think you said, before he joined 14 RRA. 15 A I probably assumed it at the time, but I 16 don't think we discussed it. 17 Q You don't know one way or another whether 18 RRA reimbursed him for those costs or how they were 19 handled? 20 A No, because that would go back to the terms 21 of his joining the firm which was not my 22 involvement. 23 Q Do you know whether he had - he, being Brad 24 Edwards - a written contract with the firm when he 25 joined?</p>	<p style="text-align: right;">Page 51</p> <p>1 Q -- so that you could confer with him about 2 cases? 3 A Well, what would have happened was, he 4 would have provided a case list at some point in time 5 and those cases would have been inputted into our 6 case management system at RRA. So, there would have 7 been a case list that was retrievable by a lawyer. 8 Q Did those cases not need to go through a 9 conflict process before he joined the firm? 10 A Yes, they did. 11 Q Were you involved with that at all? 12 A No. 13 Q Was it a person who oversaw that at your 14 firm? 15 A What person? 16 Q If there is such a person? 17 A There were people who performed conflict 18 checks. I don't remember specific names of people 19 who did it, but I know for a fact they were done and 20 they were done before an RRA firm file number would 21 be assigned to the file. In other words, you would 22 not get a firm file number until the conflict 23 checking process was done. 24 Q Were those people administrative people or 25 attorneys that did this process?</p>
<p style="text-align: right;">Page 50</p> <p>1 A I don't know. 2 Q Did you when you joined and you brought 3 over your firm, Karmin & Adler, P.A.? 4 A A formal written contract? The answer is: 5 No, we did not. There might have been some e-mails, 6 some checklists, stuff like that. But again, the 7 circumstances under which I closed my firm and moved 8 everything over to RRA was very different than hiring 9 one lawyer who was in solo practice at the time. 10 Q Did Mr. Edwards bring over cases besides 11 cases against Jeffrey Epstein? 12 A Yes. 13 Q Do you know or is there an inventory 14 someplace that is written that describes the cases 15 that were transferred over? 16 A Yes, there was. 17 Q And - 18 A But I do not have that or have access to 19 that. 20 Q At the time that the firm was still going 21 and Mr. Edwards joined - 22 A Yes. 23 Q - did you have access to that inventory at 24 that point - 25 A Yes.</p>	<p style="text-align: right;">Page 52</p> <p>1 A That did the conflict checks? 2 Administrative people or secretarial. 3 Q Do you know who they reported to or at 4 least at the highest level who was the highest level 5 administrative person in the firm? 6 A Debra Villegas. 7 Q Have you ever discussed the case that 8 you're here on today, Epstein versus Rothstein, with 9 Debra Villegas? 10 A No. I have not seen or spoken with her 11 since before October 31st, 2009. 12 Q So, Brad Edwards joins the firm. You're 13 not sure exactly when that was, but he came alone, 14 right? He didn't bring any other lawyers? 15 A Correct. 16 Q Did he sit anywhere in proximity to your 17 office; same floor? 18 A I'm trying to think where his office was. 19 At one point he was on the same floor. And then 20 after that, he got moved I believe up to another 21 floor or down to another floor. 22 Q Was that, was there a reason for that that 23 you're aware of? 24 A Yes. 25 Q What was it?</p>

<p style="text-align: right;">Page 53</p> <p>1 A After Brad joined the firm some additional 2 space got built out, new space for us, and I think it 3 was on the 15th Floor. Brad was moved down there 4 when that space was completed. 5 Q Were other members of your group of nine 6 moved to that floor? 7 A Yes. 8 Q And you weren't? 9 A Correct. 10 Q Because you didn't want to move? 11 A I liked my office. 12 Q Fair enough. I understand the firm 13 utilized a system that's been referred to as QTASK? 14 A Yes. 15 Q Can you tell me what QTASK is? 16 A QTASK is a web-based project management and 17 collaboration tool. 18 Q Did you have anything to do with the 19 development or marketing of that tool? 20 A Yes. 21 Q Can you tell me when that started? 22 A Approximately 2007. 23 Q Does somebody own proprietary rights in 24 QTASK? 25 A What do you mean by proprietary rights?</p>	<p style="text-align: right;">Page 55</p> <p>1 software that was used to manage the scanned images 2 at RRA. That's not to say that some documents were 3 not stored in QTASK for one purpose or another or for 4 one case or another, but the firm officially used a 5 different software product to manage its scanned 6 images. 7 Q What product was that? 8 A That was called Fortis, F-o-r-t-i-s. 9 Q When Bradley Edwards joined the firm were 10 his case files brought over to RRA's offices? Paper 11 files, I mean. 12 A Were they physically brought over to RRA's 13 offices? I don't think I knew that at the time, 14 because the idea was if he was not paperless that all 15 of his files be imaged and brought into our image 16 management system at the firm, because we were a 17 paperless law firm. But did he physically bring over 18 all of his files? I don't know the answer to that 19 question. 20 Q So when you say "we were a paperless law 21 firm," using Fortis, for example, as you said – 22 A Yes. 23 Q – you'd have images of documents in lieu 24 of paper copies? 25 A All files were supposed to be imaged or</p>
<p style="text-align: right;">Page 54</p> <p>1 Q Copyright, patent? 2 A I don't know the details of that. 3 Q Do you own any part of QTASK? 4 A No. 5 Q Have you ever? 6 A No. 7 Q To your knowledge, did RRA own the rights 8 to use or market QTASK? 9 A Did we own the rights to use or market? 10 Scott Rothstein was an investor in QTASK personally. 11 Our firm was allowed to use QTASK. As far as 12 marketing QTASK, I was more of an evangelist than a 13 salesperson. I would tell people about it and I 14 would show it to them. And I also participated in 15 the design and specifications of particular features 16 and user interfaces in QTASK. 17 Q Is QTASK a tool that would allow the office 18 to have gone paperless? That term has been used 19 sometimes when talking about firms. Is it in lieu of 20 paper that you would use QTASK? 21 A QTASK is or can be used to store and manage 22 scanned images. 23 Q Did your tort group use it for that 24 purpose? 25 A For the most part, no. There was other</p>	<p style="text-align: right;">Page 56</p> <p>1 scanned, but there were exceptions to that. In other 2 words, some lawyers still used paper files over there 3 for various reasons and I cannot swear under oath 4 that every single file was, in fact, scanned or 5 imaged. 6 Q Do you know whether Mr. Edwards' files were 7 scanned or imaged when or about the time he joined 8 the firm? 9 A I'm sure some of them were, but I cannot 10 tell you if all of them were. You would have to ask 11 him. 12 Q Now, you referred earlier to the Epstein 13 cases. Those cases, did you ever actually have an 14 occasion to look at the cases; in other words, 15 whatever file he had whether it was scanned or in 16 paper? 17 A Are you asking me if I ever sat and looked 18 through any of the Epstein files whether in paper or 19 digital form? 20 Q Yeah. 21 A I don't think I did, no. 22 Q What about PACER, did you ever use the 23 public access system that provides access to Federal 24 court filings to look at any of them? 25 A No.</p>

<p style="text-align: right;">Page 57</p> <p>1 Q Do you use PACER now to look at any court 2 filings? 3 A I don't practice in Federal court, so the 4 answer is no. I don't even know how to use PACER. 5 Q Is it fair to say - and I don't know if 6 you'll think this is work-product or not, but I'll 7 ask you and you'll tell me - is it fair to say that 8 the information that you got about the Epstein cases 9 was given to you by other people rather than by 10 first-hand observation of documents? 11 A Any information I got about the Epstein 12 cases would have come from Brad Edwards. Can I swear 13 that I never looked at one piece of paper or looked 14 at one deposition from that case, no. I might have, 15 but I don't remember specifically looking at any 16 particular document or deposition. 17 I never had anything to do with those cases 18 except from an administrative viewpoint and I did 19 attend I think two depositions in that case, but I 20 did not participate in taking them. 21 Q Was one of them the brother of Jeffrey 22 Epstein, Mark? 23 A Yes, in New York City. 24 Q Why did you attend? 25 A Because I wanted to go up to New York any</p>	<p style="text-align: right;">Page 59</p> <p>1 A Commercial litigation. 2 Q Was she at the firm at the end? 3 A Yeah. 4 Q The case I think you've mentioned before, 5 that was the \$24 million verdict? 6 A Yes. Thank you for mentioning that 7 again. 8 Q That originated through her? 9 A She brought it in. She knew the mother of 10 the girl who was molested. 11 Q Do you know where she's working now, Mrs. 12 Kitterman, if she's working? 13 A Yes. 14 Q Where is that? 15 A She's in private practice. 16 Q Her own? 17 A Yes. 18 Q I mean, I'm in private practice, too, but I 19 work at Fowler, White, Burnett. 20 A I know. 21 Q But she's on her own? 22 A Yes. 23 Q Do you know if she received any 24 compensation for being the person who brought in that 25 piece of litigation?</p>
<p style="text-align: right;">Page 58</p> <p>1 way. Brad was there and I just showed up for an hour 2 or something like that. It wasn't very long. 3 Q The other one you attended, was that also 4 in New York? 5 A No, that was Jeffrey Epstein. It was his 6 deposition or a part of his deposition, I should 7 say. 8 Q And why did you attend that one? 9 A Because it was being taken up on Australian 10 Avenue in West Palm Beach. I was up there for 11 hearings that morning I believe and, again, I just 12 wanted to stop in and see what was going on. I think 13 there were two other lawyers there, Brad and someone 14 else. 15 Q Something I forgot to ask you before. When 16 you were talking about the lawyers that were in your 17 group when RRA ended you said there were nine. Was 18 Christina Kitterman in your group? 19 A No. 20 Q Had she been in your group before? 21 A No. In the Tort Group? 22 Q In the Tort Group? 23 A No. 24 Q What kind of lawyer, what kind of practice 25 did she have?</p>	<p style="text-align: right;">Page 60</p> <p>1 A What, the \$24 million verdict? 2 Q Yes. 3 A She probably received nothing, because we 4 didn't collect any money on it. We didn't collect 5 the verdict. The guy filed bankruptcy. 6 Q Now, I want to go back to the request in 7 the subpoena because I'm not entirely clear now 8 whether or not you don't have any responsive 9 documents to the seven categories or whether some of 10 them might be contained in the e-mails that you had 11 forgotten to look at. 12 Did you previous, prior to today look to 13 see whether you had any written communications, I'm 14 going to include e-mails in that, between you and Mr. 15 Rothstein about Mr. Edwards? 16 A I think the only documents I would have, as 17 you define "documents", would be e-mails. And, no, I 18 did not look, but I will. 19 Q I think I've already asked you this, but 20 just so it will be clear. Number 4, I had asked 21 about written communications to or from Mr. Edwards 22 prior to his becoming an employee of RRA. And you 23 said those may be in the e-mails or not? 24 A If I have them, I will either produce them 25 or I will describe them and invoke privilege if I</p>

<p style="text-align: right;">Page 61</p> <p>1 feel it's applicable.</p> <p>2 Q Now, if it's a communication to or from Mr.</p> <p>3 Edwards prior to his becoming an employee of RRA,</p> <p>4 what privilege would you be invoking?</p> <p>5 A I don't think there is a privilege for that</p> <p>6 particular category. Well, none that I can think of</p> <p>7 unless privacy --</p> <p>8 MR. KING: From your standpoint, financial</p> <p>9 privacy might be --</p> <p>10 MRS. APRIL: Are you taking the position</p> <p>11 that if I am looking for a job with a firm and I</p> <p>12 send an e-mail to this fellow saying, Hey, I</p> <p>13 gotta have six figures, big six figures, that</p> <p>14 would be somehow a privileged communication?</p> <p>15 MR. KING: In a certain type of case the</p> <p>16 privilege may be overridden by other interests,</p> <p>17 but in this particular case we continue to</p> <p>18 assert the privilege for the reasons that Mr.</p> <p>19 Scarola set forth in the earlier deposition.</p> <p>20 There's absolutely nothing that would</p> <p>21 outweigh -- there is nothing of interest in this</p> <p>22 case from the defendant's perspective, from our</p> <p>23 standpoint that would outweigh the interests of</p> <p>24 our client with regard to financial privacy.</p> <p>25 MRS. APRIL: We have a non-party witness</p>	<p style="text-align: right;">Page 63</p> <p>1 Q Regarding a purported settlement, not</p> <p>2 necessarily a settlement.</p> <p>3 A I don't think any of the cases had settled</p> <p>4 by the time -- by Halloween of 2009.</p> <p>5 Q So the answer is: You don't think there</p> <p>6 would be --</p> <p>7 A In fact, I'm virtually certain none of them</p> <p>8 had settled. And if none of them had settled, there</p> <p>9 would be no such e-mails at least involving me.</p> <p>10 Q Have you heard that Mr. Rothstein told</p> <p>11 third parties, persons not in your firm, that there</p> <p>12 were settlements that had occurred or were about to</p> <p>13 occur with Mr. Epstein at some point?</p> <p>14 A At some point in time did I hear it or --</p> <p>15 Q Yes.</p> <p>16 A I might have read it in the paper at some</p> <p>17 time in 2010, but never, ever before Halloween of</p> <p>18 2009 or even on Halloween of 2009.</p> <p>19 Q So you don't have any documents that would</p> <p>20 describe these purported settlements?</p> <p>21 A I knew nothing of any purported settlements</p> <p>22 at all before 2010.</p> <p>23 Q And the way you learned about it was</p> <p>24 through the press or just rumor or something?</p> <p>25 A I think what I read in the newspaper.</p>
<p style="text-align: right;">Page 62</p> <p>1 here today, so I don't want to waste his time</p> <p>2 with this silliness.</p> <p>3 MR. KING: You just asked me what our</p> <p>4 position was and I recounted it.</p> <p>5 MRS. APRIL: I know, but I just wanted to</p> <p>6 understand that you're saying your guy had some</p> <p>7 kind of expectation of privacy if he</p> <p>8 communicated with another person who he didn't</p> <p>9 even work with and that it would privileged?</p> <p>10 MR. KING: No. Our position is what I've</p> <p>11 set forth.</p> <p>12 MRS. APRIL: Okay. You don't have to</p> <p>13 repeat it. It speaks for itself, I guess.</p> <p>14 BY MRS. APRIL:</p> <p>15 Q Number 5. Between March 1, 2009 to the</p> <p>16 present date we had asked you this: For any and all</p> <p>17 documents between or on behalf of any agent of RRA,</p> <p>18 including you, and any third party, meaning someone</p> <p>19 who doesn't work at RRA, regarding a purported</p> <p>20 settlement of any litigation between Mr. Epstein and</p> <p>21 one of your clients.</p> <p>22 Did you look to see if you had any such</p> <p>23 documents?</p> <p>24 A Settlement? That's settlement with</p> <p>25 Epstein?</p>	<p style="text-align: right;">Page 64</p> <p>1 Q You don't believe everything you read in</p> <p>2 the newspaper, do you?</p> <p>3 A That's correct, I do not.</p> <p>4 Q Did you look to see if you had any</p> <p>5 documents, this is also part of Number 5, concerning</p> <p>6 the financing of any litigation by an RRA client</p> <p>7 against Mr. Epstein?</p> <p>8 In other words -- Well, I don't know. Do</p> <p>9 you have any such documents that concerns the</p> <p>10 financing of those litigation matters?</p> <p>11 A The only information I really have about</p> <p>12 that is what I spoke about in my prior deposition in</p> <p>13 the Trustee case.</p> <p>14 Q And you don't have any documents about</p> <p>15 that?</p> <p>16 A I don't think I've ever seen any documents</p> <p>17 about that.</p> <p>18 Q If you don't mind looking at Number 5 just</p> <p>19 for a minute, because there are Subparts a, b, c, d</p> <p>20 and e.</p> <p>21 A Yes.</p> <p>22 Q Just to be clear then. You don't think you</p> <p>23 have any documents concerning - let's go to "b," I</p> <p>24 think you've answered "a" already - soliciting or</p> <p>25 receiving money in return for settlement funds</p>

<p style="text-align: right;">Page 65</p> <p>1 allegedly paid or to be paid by Epstein? 2 Not necessarily a document you created, but 3 that came into your possession from Mr. Rothstein or 4 anyone else? 5 A Absolutely. Well, before 2010 I didn't 6 know of any settlement or settlement funds or 7 anything having to do with that issue involving the 8 Epstein cases -- 9 Q All right. Had you -- 10 A -- except as specifically described in 11 answers to questions in my prior deposition when the 12 questions were asked of me by Mr. Lichtman and I 13 answered them. Those questions and answers touch on 14 some of the issues you're asking me about today. 15 Q In that deposition, do you recall 16 testifying that you did not know prior to the breakup 17 of the firm that Scott Rothstein was marketing 18 structured settlements to investors? 19 A I had no idea. I did not know at all. 20 Q Did you know or hear -- Let me break it 21 into two questions. 22 Did you know that Scott Rothstein was 23 marketing investments of any kind to anybody during 24 the time that you worked at RRA? 25 A I never knew anything about that when I</p>	<p style="text-align: right;">Page 67</p> <p>1 employment agreements or documents between Mr. 2 Edwards and RRA that describes compensation? 3 A Nope. 4 Q So whether or not it's privileged, you 5 don't have it, if it exists? 6 A I don't have it, if it exists. 7 Q Sir, you said you've been a lawyer for 24 8 years. Where did you go to law school? 9 A Nova. 10 Q And currently in your -- Is it Russell S. 11 Adler, P.A.? 12 A Yes. 13 Q Do you have other lawyers who work with you 14 as employees or partners? 15 A I have no employees or partners. 16 Q Prior to RRA I think you have said the firm 17 that you were with was Kartan (pronouncing)? 18 A Karmin. 19 Q Karmin & -- 20 A It was Karmin & Adler, P.A., I believe. 21 Q Do you recall going through your prior 22 employment when asked by Mr. Lichtman about what 23 positions you had held as a lawyer before joining 24 RRA? 25 A I don't specifically recall, but if he</p>
<p style="text-align: right;">Page 66</p> <p>1 worked at RRA. 2 Q Did you hear even as rumor that he was 3 selling some kind of investments? 4 A While I worked at RRA? 5 Q Yes. 6 A Absolutely not. 7 Q I assume your answer is going to be no, but 8 let me just ask you to look at Number 6 so that I'm 9 clear on the e-mails that you're going to go back and 10 look at don't cover this. 11 Number 6, we asked you if you had any 12 documents which purport to evidence any transfer of 13 funds or property from Epstein to RRA, Mr. Rothstein 14 or any other Rothstein-related entity for the 15 settlement of any case against Epstein, real or 16 fabricated? 17 A Same answer. During the time I was at RRA, 18 the Epstein cases were all pending. Nothing had been 19 settled. There were no monies or funds or transfers 20 that I knew of. 21 Q That's why the word "purport" is in there. 22 A Whatever, but I'm just telling you. 23 Q Number 7 I believe you've answered? 24 A I have. 25 Q You do not have any copies of any</p>	<p style="text-align: right;">Page 68</p> <p>1 asked me, I would have told him. 2 Q So you graduated in 19 -- What year is 24 3 years ago? 4 A What, what year did I graduated from law 5 school? 6 Q Yes. 7 A 1986. 8 Q Can you just take me through your 9 employment, a summary of what you did first? I know 10 when you got to Karmin & Adler, but between law 11 school and that firm. 12 A So you would like to know my employment 13 history from 1986 forward, is that your question? 14 Q Yes. 15 A In 1986 I was employed by Sheldon J. 16 Schlessinger, P.A. 17 Q Okay. 18 A In early-1987 or in late-1986 I left his 19 employment and I went into solo practice for several 20 years. And then I joined the law firm of Roderman, 21 Spadara & Karmin in 1988. I'm sorry. In 1988 I 22 joined that firm Roderman, Spadara & Karmin. Two 23 years later in 1990, Karmin and I split off and 24 formed Karmin & Adler. 25 Q And that brings us up to when you --</p>

Page 69	Page 71
<p>1 A Basically, right. Carl, you know, we 2 brought some people on; some lawyers came, some 3 lawyers went. Carl went out on disability and I 4 bought him out in, I think, 2003 or 2002, but we kept 5 the firm name and I stayed there until I joined RRA 6 in February of 2005.</p> <p>7 Q I believe you testified already that you've 8 settled the case that you gave testimony, I mean, the 9 adversary proceeding that the bankruptcy Trustee 10 filed against you?</p> <p>11 A Yes.</p> <p>12 Q And you're not a party in any other 13 lawsuits at present?</p> <p>14 A At present, no.</p> <p>15 Q Have you ever been a party in a lawsuit 16 other than that one?</p> <p>17 A Yes.</p> <p>18 Q When?</p> <p>19 A In my whole life?</p> <p>20 Q Yes.</p> <p>21 A I was named in two other lawsuits arising 22 out of the RRA situation.</p> <p>23 Q Are those suits pending?</p> <p>24 A No. I settled one of them. The other I 25 believe I was dismissed from.</p>	<p>1 A There were two, I think there were two 2 malpractice suits against me. I might have been 3 deposed in one of them, but I'm not positive. And I 4 think I've been deposed a few times as like an 5 attorney's fees expert.</p> <p>6 Q That's what I was going to ask you, as an 7 expert?</p> <p>8 A Yeah. And I think that's it. There's 9 something else that there might have been another 10 time I testified, I just don't remember the details 11 of that.</p> <p>12 Q You mentioned earlier that when you – soon 13 after you gave the deposition October 28th, 2010 that 14 you did see the transcript and you looked at it?</p> <p>15 A I read it over. I might not have read it 16 word for word, but I looked through it.</p> <p>17 Q Well, typically, court reporters will give 18 you an Errata Sheet and ask the witness if they want 19 to make any corrections?</p> <p>20 A I don't think I did. I might have said I 21 will read, but I don't think I made any corrections 22 to the Errata Sheet.</p> <p>23 Q To your knowledge, were there any 24 inaccuracies in your statement?</p> <p>25 A Not to my knowledge. But again, I did not</p>
<p>1 Q And excluding –</p> <p>2 A And have had other litigation other than 3 that.</p> <p>4 Q Well, excluding like professional 5 negligence or anything relating to RRA, have you been 6 a party in any other lawsuit?</p> <p>7 A Just maybe by a credit card company or I 8 think West Publishing sued me once, I didn't pay my 9 Westlaw bill. I think that's about it subject to 10 those parameters and subject to everything else I 11 disclosed to you.</p> <p>12 Q What about a plaintiff, have you ever been 13 a plaintiff in a lawsuit?</p> <p>14 A I think I sued someone in small claims 15 court in college that I think ran into my car, but I 16 think that's it.</p> <p>17 Q Have you been deposed before last year when 18 you gave a deposition in the adversary proceeding 19 that Chuck Lichtman took your deposition?</p> <p>20 A Have I ever been deposed in my life before 21 then?</p> <p>22 Q Well, since you were a lawyer?</p> <p>23 A Yes.</p> <p>24 Q Were you deposed as a – were any of them 25 concerning your legal practice?</p>	<p>1 read it word for word. In other words, I ended up 2 effectively waiving my right to read and make 3 corrections on the Errata Sheet by not returning 4 it.</p> <p>5 Q Other than your own counsel and your 6 conversation with Brad Edwards, did you speak to 7 anyone else about the fact that you were being 8 deposed in this case?</p> <p>9 A I might have told my wife. I'm not sure.</p> <p>10 Q I understand. And again, I'm doing this to 11 save time. We can go through it more slowly, but 12 based on your prior testimony in answers to questions 13 by Mr. Lichtman, you were never actually an owner of 14 any equity in RRA, is that correct? You were 15 promised to be, but you never actually received any 16 stock, correct?</p> <p>17 A Correct.</p> <p>18 Q And that you had a title of vice-president, 19 but that was more of a title rather than a meaningful 20 functional title?</p> <p>21 A It was just that, it was a title. I never 22 acted as vice-president in any capacity. It was a 23 title I was given.</p> <p>24 Q Did you have the authority to hire or fire 25 at all?</p>

<p style="text-align: right;">Page 73</p> <p>1 A Nope.</p> <p>2 Q Even your secretary or some clerical</p> <p>3 person?</p> <p>4 A If I wanted to get rid of a secretary, I</p> <p>5 could go to Debra and tell her, Please get rid of</p> <p>6 them. And she would. So I guess I had the indirect</p> <p>7 authority to do that.</p> <p>8 Q You were head of your Tort Group. Was the</p> <p>9 firm divided into other departments similar?</p> <p>10 A Whether there other practice areas within</p> <p>11 the firm, yes.</p> <p>12 Q Do you know how many there were?</p> <p>13 A Probably five or six.</p> <p>14 Q Was there any discussion between you and</p> <p>15 other lawyers at the firm, including Scott Rothstein,</p> <p>16 about, well, vetting Mr. Edwards before he joined the</p> <p>17 firm where you sat around the table and talked about</p> <p>18 whether it would be a good idea to bring him on or</p> <p>19 you didn't sit around the table but you talked?</p> <p>20 A Other than telling Scott Rothstein that I</p> <p>21 had met with Brad and I wanted to bring him into the</p> <p>22 firm, no.</p> <p>23 Q What about references or background checks</p> <p>24 on Mr. Edwards, did you personally or did you ask</p> <p>25 someone else to do that?</p>	<p style="text-align: right;">Page 75</p> <p>1 about the case, the \$24 million case?</p> <p>2 A That Christina Kitterman had brought in.</p> <p>3 Q Yes.</p> <p>4 A And Brad called me once he saw that.</p> <p>5 Q So the connection there is strictly because</p> <p>6 Christina brought in the case, you worked on the</p> <p>7 case, the case got publicity, Brad called you about</p> <p>8 it; that's the only connection between Christina</p> <p>9 Kitterman and Brad Edwards?</p> <p>10 A Christina Kitterman had nothing at all to</p> <p>11 do with it other than the fact that she brought that</p> <p>12 Doe vs. Siriwat case into our law firm.</p> <p>13 Q Was Stuart Rosenfeldt part of your practice</p> <p>14 area group?</p> <p>15 A No.</p> <p>16 Q Was he the head of a different group?</p> <p>17 A Yes.</p> <p>18 Q What was that group called?</p> <p>19 A Labor and Employment.</p> <p>20 Q Did Brad Edwards bring over to your</p> <p>21 knowledge any Labor and Employment cases?</p> <p>22 A I don't know.</p> <p>23 Q If he did, he was in your group? He wasn't</p> <p>24 like -- Could a person be in more than one group</p> <p>25 depending on the kinds of cases they had?</p>
<p style="text-align: right;">Page 74</p> <p>1 A I didn't perform any. Whether the firm did</p> <p>2 or not, I really don't know.</p> <p>3 Q Do you know whether the firm typically</p> <p>4 would do any kind of checks on lawyers before</p> <p>5 bringing them on?</p> <p>6 A What specifically do you mean by checks on</p> <p>7 lawyers?</p> <p>8 Q Calling the Florida Bar to make sure</p> <p>9 they're in good standing, checking to see that they</p> <p>10 really went to law school, whether they have any</p> <p>11 convictions, things like that?</p> <p>12 A I don't know one way or the other.</p> <p>13 Q You didn't do it and you don't know?</p> <p>14 A I did not do it for the most part, no. I</p> <p>15 only hired lawyers that I knew.</p> <p>16 Q In your testimony that you gave on October</p> <p>17 28, 2010 you attribute, indirectly I think, Mr.</p> <p>18 Edwards coming to the firm with Christina Kitterman</p> <p>19 bringing in the case that was your \$24 million</p> <p>20 verdict. Do you remember that?</p> <p>21 MR. KING: Objection to form.</p> <p>22 BY MRS. APRIL:</p> <p>23 Q Let me ask you this, because it's not meant</p> <p>24 to impeach you, it's just to get to a point. You</p> <p>25 mentioned earlier that Brad Edwards saw some press</p>	<p style="text-align: right;">Page 76</p> <p>1 A I think that some groups were more</p> <p>2 well-defined than others within that firm and some</p> <p>3 groups were run differently than others from an</p> <p>4 administrative viewpoint. I think some groups</p> <p>5 weren't even run at all, they were just lawyers who</p> <p>6 practiced in the same area and who just worked</p> <p>7 together.</p> <p>8 Q But when Brad joined the firm I think you</p> <p>9 mentioned earlier that there was what I call an</p> <p>10 inventory or a case list of what he brought over.</p> <p>11 Did you personally look at the cases so you would</p> <p>12 have an understanding of the nature of the book of</p> <p>13 business he brought over?</p> <p>14 Let me rephrase that. I don't mean</p> <p>15 personally looked at the case files.</p> <p>16 A Right.</p> <p>17 Q But look at the style of the case and have</p> <p>18 some conversation so you know what they were about?</p> <p>19 A Once they got on our case list, I might</p> <p>20 have sat with him and said, What's this case? What's</p> <p>21 that about? What's this case? What's that about?</p> <p>22 Q Were you aware whether any of them were</p> <p>23 sexual harassment cases against an employer?</p> <p>24 A Are you asking whether I am aware that any</p> <p>25 of them were Labor & Employment cases?</p>

<p style="text-align: right;">Page 77</p> <p>1 Q Well, no. Somebody might call it that. 2 Specifically, harassment cases by an employee against 3 an employer? 4 A I really would not know about that. Not to 5 say I wouldn't have access to that, but I was 6 concerned with the tort cases that I was 7 administratively overseeing. 8 Q Are you saying that if he did have a case 9 or cases of that type that, administratively, they 10 would be overseen by Stuart Rosenfeldt or someone 11 else? 12 A If Brad, hypothetically, brought a Labor & 13 Employment case into the firm, he would deal with 14 Stuart Rosenfeldt about that. If he told me he had 15 one, I would say, Go and talk to Stuart. Lawyers 16 were encouraged to bring in other kinds of cases that 17 other lawyers in the firm handled, but I didn't 18 really keep track of what cases Brad brought into the 19 firm that were not regarding personal injury or 20 tort. 21 Q When Brad came into the firm -- Well, let 22 me back up. 23 At Rothstein, Rosenfeldt & Adler, were 24 lawyers referred to as partners or shareholders and 25 associates?</p>	<p style="text-align: right;">Page 79</p> <p>1 success rate, you know, his wins or losses or how he 2 had done in cases? 3 A We may have, but I do not specifically 4 recall. 5 Q Who besides Scott Rothstein in the firm - I 6 know now I think it's the Trustee, but at the time 7 the firm was still operating, besides Scott 8 Rothstein - who else would have known the 9 compensation package that was ultimately agreed upon 10 with Brad Edwards? 11 A I don't know for sure, but probably whoever 12 was involved in payroll and benefits and things like 13 that. I don't really know who had access to what on 14 that administrative side of the firm. 15 Q But some administrative person, you just 16 don't know who, or persons? 17 A I am not even sure under oath, you know. 18 Probably Irene Stay (phonetic), who was the 19 bookkeeper, probably had salary information I would 20 imagine, but there were several different people over 21 time who worked in that administrative part of the 22 office with Scott and Debra and all of those people. 23 They handled that. 24 Q Did you ever participate in any assessment, 25 review of the work of attorneys who worked with you,</p>
<p style="text-align: right;">Page 78</p> <p>1 A People were given titles like that. 2 Q And when Brad came in was he considered in 3 the associate group or in the partner/shareholder, if 4 you know? 5 MR. KING: Objection. Form. 6 A He would have been either an associate or a 7 partner. I don't recall what type of title he was 8 given when he came in. I don't recall. 9 Q Is that something that he talked to you 10 about when you met with him about whether or not it 11 was important what his title was? 12 A I don't recall. 13 Q Do you know how in the firm it was 14 determined whether somebody was given the associate 15 title versus partner or shareholder? 16 A I did not know the specific criteria, but 17 that was ultimately up to Scott Rothstein. 18 Q Were there any attorneys at the firm who 19 were in a different category such as of counsel or 20 senior counsel or some other title? 21 A Was anyone of counsel? I'm not sure. I 22 just don't know. 23 Q When you met with Brad Edwards at Yolo 24 during your meeting when you talked to him about his 25 possibly joining RRA, did he describe to you his</p>	<p style="text-align: right;">Page 80</p> <p>1 with Mr. Rothstein? In other words, where you 2 discussed with him how they were doing for purposes 3 of their year-end compensation or whether they would 4 have adjustments? Did you have any of those sort of 5 discussions with him? 6 A The only kind of discussions I recall, he 7 might have said, How is this person doing? Or, How 8 is that person doing? At one point I might have been 9 named to a Compensation Committee, but I don't think 10 that any Compensation Committee that I was ever 11 involved in ever even met. It was like something 12 that was said or discussed that Scott brought up, but 13 I never sat down and made compensation decisions or 14 reviewed the work for compensation purposes. 15 I oversaw the case list and the 16 distribution of cases among different attorneys and 17 staff members to make sure the cases were balanced. 18 Q Did you even, well, even fill out a written 19 evaluation of the lawyers that worked with you? 20 A No. Not a formal written evaluation. 21 Q What about an informal written evaluation 22 or an e-mail even? 23 A Did I ever send an e-mail to one of the 24 lawyers in my group about something on one of their 25 cases? I'm sure I did.</p>

<p style="text-align: right;">Page 81</p> <p>1 Q No. No. I mean, to Mr. Rothstein or the 2 Compensation Committee? You said they never met, but 3 was there ever any collection of information when you 4 were there about how the eight other lawyers in your 5 group stacked up, how they were doing? 6 A There may have been some e-mails like that. 7 I don't specifically recall. 8 Q Do you remember if there were any ever done 9 on Brad Edwards? 10 A I don't recall. He wasn't there for that 11 long, you know. 12 Q Yes. 13 A He was probably there about a year, give or 14 take. That's why I was kind of fuzzy about whether 15 he started in '08 or '09. 16 Q You said you didn't read his deposition 17 given in this case? 18 A No, never did. 19 Q Do you know where he went to work after RRA 20 closed? 21 A Yes. 22 Q Where? 23 A The Farmer, Jaffe firm. 24 Q Did you consider going to that firm? 25 A Yes.</p>	<p style="text-align: right;">Page 83</p> <p>1 Q So is it accurate to say that until Brad 2 Edwards called you about what I'm calling the \$24 3 million verdict, because it's easier than remembering 4 the name who went bankrupt, for me it is, until he 5 called you and said he had seen something in the 6 newspaper, did you even know the kinds of cases that 7 he was working on when you would see him at the gym? 8 A I knew he was handling personal injury 9 cases, but that's about all that I knew. 10 Q Did you know at that time he had any abuse 11 cases? 12 A At what time? 13 Q When you were seeing him at the gym, before 14 he called you -- 15 A Before he called me that day to 16 congratulate me about my verdict, I did not know 17 anything about any sexual abuse cases that he had or 18 that he was handling. 19 MR. HADDAD: You guys go ahead. 20 MRS. APRIL: No. Why don't we take a 21 couple minute break, is that okay? 22 (WHEREUPON, a short break took place from 23 11:10 a.m. to 11:20 a.m.) 24 BY MRS. APRIL: 25 Q Did you ever go to Brad Edwards' office</p>
<p style="text-align: right;">Page 82</p> <p>1 Q Why didn't you go there? 2 A Because soon after they began discussing 3 forming that firm, more details about the extent of 4 Rothstein's criminal acts were coming out. I'm 5 trying to think of a way to word this. I began to be 6 concerned that just because my name was part of the 7 firm name that there could be some negative 8 association by outsiders with my name and I did not 9 want anything involving my name to affect or hurt the 10 lawyers who were forming that firm. And so, I chose 11 at that point in time to go into solo practice where 12 I still am today. 13 Q Now, Brad Edwards, he has testified in his 14 deposition or you have testified today that you knew 15 him also at The Fitness Factory, the gym? 16 A The Fitness Company. 17 Q The Fitness Company. Okay. And did you 18 ever talk about cases at the gym? 19 A In smalltalk I might have said something 20 like, I'm starting trial tomorrow, or, I just hit a 21 verdict. Just things like that. Things that lawyers 22 talk about in passing when they see each other. 23 Q What about Brad to you, did he give you 24 similar sort of smalltalk? 25 A Not that I really recall.</p>	<p style="text-align: right;">Page 84</p> <p>1 before he joined your firm? 2 A No. I might have been to the Kubicki, 3 Draper firm while he was a member there, but I never 4 went into his office at that firm. 5 Q At Kubicki, Draper, this was one case you 6 had where he was on the other side, he was on the 7 defense team? 8 A I had many cases over the years with 9 Earleen Cote and with Ken Oliver and other lawyers at 10 the Kubicki, Draper firm. When Brad Edwards was 11 there, he worked as an associate to Earleen Cote. I 12 only recall I think one case where Brad showed up 13 covering a depo or doing something for Earleen. 14 Q Were you ever in a case that went to trial 15 that he was at the trial? 16 A No. I never tried a case against him. 17 Q Did you ever see him in court before he 18 joined the firm? 19 A I might have seen him in the courthouse at 20 motion calendar. But did I ever see him in trial 21 before he joined the firm -- 22 Q Well, I mean, a trial or a substantive 23 evidentiary hearing or something like that? 24 A No. 25 Q Did you have any information about his</p>

<p style="text-align: right;">Page 85</p> <p>1 skills as a trial lawyer?</p> <p>2 A I just knew that he had been a prosecutor</p> <p>3 before he joined Kubicki, Draper and I knew that he</p> <p>4 had been a defense attorney; I felt that defense</p> <p>5 attorneys make good plaintiff lawyers when they</p> <p>6 switch sides.</p> <p>7 Q To your knowledge, did Brad Edwards use an</p> <p>8 attorney to represent him in his negotiations with</p> <p>9 Scott Rothstein?</p> <p>10 A I don't think so.</p> <p>11 Q I'm not clear if your prior answer covers</p> <p>12 this, so let me just ask you: Was it typical at RRA</p> <p>13 for lawyers who produced a lot of revenue for the</p> <p>14 firm to get bonuses for that or do you know?</p> <p>15 A Everybody had their own compensation</p> <p>16 package. So the reason I cannot answer your question</p> <p>17 is that I really wasn't familiar with the</p> <p>18 compensation packages or even the bonus structure</p> <p>19 that other lawyers had other than my own.</p> <p>20 Q Do you know during the time that Brad</p> <p>21 Edwards was with the firm what kind of collections,</p> <p>22 if any, came into the firm as a result of his effort</p> <p>23 on his cases or other cases he worked on?</p> <p>24 A You call them collections. I call them</p> <p>25 settlements or verdicts that were paid. I don't</p>	<p style="text-align: right;">Page 87</p> <p>1 Q Do you know if they were significant</p> <p>2 settlements, you know, upwards of six figures, seven</p> <p>3 figures?</p> <p>4 A I have no recollection. I just don't know.</p> <p>5 I don't think -- There were no seven-figure</p> <p>6 settlements. There might have been six figures. Are</p> <p>7 you talking about the fee or the gross settlement</p> <p>8 amount?</p> <p>9 Q Fee.</p> <p>10 A I don't think there were any six- or</p> <p>11 seven-figure settlements during the short time he</p> <p>12 worked there on his cases, but I might be wrong.</p> <p>13 Q Are you aware of the fact that RRA financed</p> <p>14 costs for the cases against Jeffrey Epstein during</p> <p>15 the time Brad Edwards was at the firm?</p> <p>16 A I'm aware that the firm advanced costs or,</p> <p>17 I should say, paid costs on those cases -- on cases</p> <p>18 that were being handled by the Tort Group, that would</p> <p>19 include Brad Edwards cases in the most general sense.</p> <p>20 Can I tell you if I know for sure, can I</p> <p>21 swear under oath that the firm advanced costs on the</p> <p>22 Epstein cases? I can't tell you that. If I wanted</p> <p>23 to know how much money RRA advanced or had put into</p> <p>24 any case, I would have to get that through the</p> <p>25 Bookkeeping Department because they kept those</p>
<p style="text-align: right;">Page 86</p> <p>1 think he tried any cases, actual trials while he was</p> <p>2 at RRA for the time that he was there.</p> <p>3 Did he settle cases when he was there?</p> <p>4 Probably, but I can't recall a specific case as I sit</p> <p>5 here right now.</p> <p>6 Q Is it accurate to say you don't know what</p> <p>7 money came in as a result of his efforts through</p> <p>8 settlement, for example?</p> <p>9 A I would have kept track of that when we</p> <p>10 were at the firm, but I don't know as I sit here</p> <p>11 today.</p> <p>12 Q That information, to your knowledge, would</p> <p>13 be in the hands of the Trustee?</p> <p>14 A Yes.</p> <p>15 Q Do you recall learning of any settlement of</p> <p>16 a Brad Edwards case? And I'm not talking now about</p> <p>17 necessarily Mr. Epstein, but any case that Brad</p> <p>18 Edwards brought in that was a significant settlement.</p> <p>19 A First of all, to the best of my</p> <p>20 recollection, none of the Epstein cases settled while</p> <p>21 he was at the firm I think I told you.</p> <p>22 Q I think you said that, yes.</p> <p>23 A I think he may have settled one or two</p> <p>24 others cases not involving Epstein while he was at</p> <p>25 RRA during the short time he was there.</p>	<p style="text-align: right;">Page 88</p> <p>1 records, not me. That would typically occur before</p> <p>2 mediation when I had to know what the cost would be</p> <p>3 or when a case settled so that we could prepare the</p> <p>4 Settlement Statement.</p> <p>5 Q Do you know whether RRA loaned any money to</p> <p>6 Brad Edwards when he was a lawyer at the firm?</p> <p>7 A I do not know.</p> <p>8 Q Do you know what individuals worked with</p> <p>9 Brad Edwards on his cases?</p> <p>10 A Which cases are you referring to?</p> <p>11 Q Well, let's start with the Epstein cases.</p> <p>12 Was there any particular lawyers or paralegals that</p> <p>13 were assigned to him on those cases?</p> <p>14 A At one point in time he did have a</p> <p>15 secretary named Jackie, I don't know her last name.</p> <p>16 He might have had -- There was a period of time that</p> <p>17 he did not have his own secretary, so I don't -- I</p> <p>18 cannot tell you as we sit here today which secretary</p> <p>19 or secretaries other than Jackie worked on his</p> <p>20 files.</p> <p>21 Q Could it have been Jackie Johnson?</p> <p>22 A I believe so.</p> <p>23 Q What about attorneys, were there particular</p> <p>24 attorneys? Did he have associate attorneys that</p> <p>25 worked on his cases, more junior lawyers?</p>

<p style="text-align: right;">Page 89</p> <p>1 A He was kind of the junior guy in your group 2 or one of them. He was like a junior guy, Brad. The 3 only lawyer that I recall who actually did work on 4 his case at least to some extent was Bill Berger. 5 As I said, I never really did any 6 particular work on Brad's cases other than perhaps 7 discussing things with him from time to time or him 8 bouncing something off of me and my attending those 9 two depositions where I did not ask any questions. 10 Q Do you recall volunteering to attend a 11 deposition in an Epstein case or cases of attorney 12 Alan Dershowitz? 13 A I was interested in the fact that 14 Dershowitz was involved in the case because it's Alan 15 Dershowitz. I might have said, "I'd like to go to 16 that depo." I might have said that, but I don't 17 think the depo ever went off that I can recall. It 18 might have, but I wasn't there. 19 Q When you say you might have said you were 20 interested because of the deponent more than anything 21 else -- 22 A The case had, the Epstein cases had some 23 interesting names in them like Dershowitz. So that 24 would have been a depo that, if I was available, I 25 would like to go and be a fly on the wall and sit</p>	<p style="text-align: right;">Page 91</p> <p>1 if you remember that. 2 MRS. APRIL: Off the record. 3 (WHEREUPON, an off-the-record discussion 4 was had). 5 BY MRS. APRIL: 6 Q Did Robert Buschel ever, to your knowledge, 7 work on Epstein cases? 8 A He may have worked on some issues in 9 Epstein cases, but I don't know. Every now and then, 10 he jumped in and helped us out on issues or 11 particular cases, but I really don't know if he had 12 anything to do with the Epstein cases. 13 Q What about Judge Stone, Retired Judge Barry 14 Stone? You know him, right? 15 A Yes. 16 Q He was at the firm. Do you know if he did 17 any work on the Epstein cases? 18 A I have no idea. And if he did, it was not 19 at my request. But again, he was available to 20 research issues and stuff like that, and sometimes he 21 would be looking for, you know, some work to do 22 but -- 23 Q What about Mark Nurik, do you know Mark 24 Nurik? 25 A Yes.</p>
<p style="text-align: right;">Page 90</p> <p>1 there. 2 Q Would that be true of any other, shall we 3 say, high-profile witnesses, were any of them of 4 interest to you? 5 A I don't recall anyone other than Epstein 6 himself being high profile. 7 Q What about Donald Trump, he's on television 8 every day lately? I know he's pretty high profile. 9 A I know who Donald Trump is, what about him? 10 Q Do you recall saying you would do a Trump 11 deposition if it occurred? 12 A I don't recall saying that. I mean, I 13 might have. I don't even recall Donald Trump's name 14 being associated with the Epstein cases. But then 15 again, that was several years ago. 16 Q Well, actually, those depositions were 17 being set in the Fall of 2009, so not so long ago. 18 A A lot has happened since then. If you have 19 something from me saying that I'd like to go to 20 Donald Trump's deposition, then you can show it to me 21 and I will tell you whether I recall if -- 22 Q Actually, I can't. In this case there is 23 an order that I don't fully understand that does not 24 permit me to show certain documents. So I'm going to 25 respect that order for now, but I'm just asking you</p>	<p style="text-align: right;">Page 92</p> <p>1 Q Do you know if he did any work in any 2 capacity on Epstein cases? 3 A He may have, but I don't know specifically. 4 I don't recall anything specific. 5 Q Carl Linder, do you know him? 6 A Yes. 7 Q Do you know if Carl Linder ever either did 8 work or gave any advice -- I'm trying to word this in 9 a way where we don't run into that work-product 10 thing. Well, did any work? 11 A Same answer. 12 Q What kind of work did Carl Linder do at the 13 firm, if you know? 14 A He did asset protection work and -- 15 Basically, asset protection work. Oh, and he did 16 some estate planning as well. 17 Q Steve Jaffe you mentioned, or maybe you 18 didn't mention, was he one of your Tort Group folks? 19 A Yes. 20 Q Do you know if he worked on Epstein cases 21 at all? 22 A Same answer. 23 Q Did Steve -- 24 A Same answer: I do not have a specific 25 recollection of him working on any particular issue.</p>

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1 He may have, but I don't know.

2 **Q** Do you recall ever assembling a meeting in
3 the west conference room with the several individuals
4 I've just mentioned or any of them, if not all of
5 them, to discuss the Epstein cases soon after, well,
6 in April of 2009?

7 **A** I may have. I remember, I vaguely remember
8 sometimes we would have meetings like that on cases
9 for various reasons. So, I may have.

10 **Q** And was your purpose in that kind of
11 meeting to make sure staffing and schedules were
12 working out as opposed to substance?

13 **A** First of all, I told you, I don't remember
14 specifically whether we met on that case or not. And
15 even if we did and even if it had to do with the
16 Epstein case, that would certainly be work-product
17 privilege and I would assert that privilege.

18 **Q** No. That's why I asked you a more generic
19 question. Typically --

20 **A** I can't answer a question like that,
21 typically, because there was no typically. There
22 were no regularly-scheduled meetings in any
23 particular case. We would have meetings on cases
24 from time to time for various reasons.

25 **Q** Earlier I had asked you questions about a

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1 meeting in Scott Rothstein's office that was
2 referenced in your deposition of last October, and I
3 think it's established that there was at least some
4 boxes of documents having to do with the Epstein
5 case. Do we agree on that, at least one?

6 **A** Apparently, that's what I testified to in
7 the Trustee case.

8 **Q** Do you know where those files were kept
9 when they weren't in Scott Rothstein's office? In
10 other words, where files of Bradley Edwards' were
11 kept relative to -- Well, did you have a storage
12 room? Did he keep them in his office, do you know?

13 **A** They might have been kept in his office or
14 they might have been kept somewhere else by him.
15 They were his files, he brought them there and he
16 worked on them. I don't know where he kept them
17 specifically.

18 **Q** In your firm -- Since I never was actually
19 in your firm, that firm, did you have file areas
20 outside of the lawyers' offices where the secretaries
21 sat or where the office -- Let me ask you that: Is
22 that how some files were kept?

23 **A** You're asking if we had lateral filing
24 cabinets?

25 **Q** Yes.

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1 **A** There were some lateral filing cabinets.
2 Particularly, some lawyers had lateral filing
3 cabinets, but most did not because the firm was
4 paperless. So the files were kept off-site, cabinets
5 were kept off-site, for the most part.

6 **Q** Did you ever go into Brad Edwards' office
7 at RRA?

8 **A** Sure.

9 **Q** Did you ever see any lateral filing
10 cabinets in there?

11 **A** Don't think so. He might have had a single
12 or something, but I don't think so.

13 **Q** Did you ever see sometimes lawyers have
14 boxes of documents in their office, did you ever see
15 any in his office?

16 **A** I don't have a specific recollection of
17 that one way or the other. I did not go -- I never
18 went in there to look at boxes, to look through
19 boxes, to count boxes or to see what boxes they were.
20 I never paid any particular attention to that, so I
21 can't answer your question.

22 **Q** Do you recall whether his office was neat
23 or messy?

24 **A** I don't have a specific recollection on
25 that one way or the other. I'm sorry.

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1 **Q** Is it accurate, I'm trying to get this
2 right, to say that at RRA there was not on-site a
3 central file room where a lawyer would request files
4 and someone would pull them and bring them to him?

5 **A** That is correct. There were some filing
6 cabinets, there were some banks of filing cabinets
7 that particular lawyers insisted on using or having
8 for their own purposes, but not --

9 THE WITNESS: Can we go off the record,
10 please?

11 MRS. APRIL: Yes.

12 (WHEREUPON, an off-the-record discussion was
13 had).

14 BY MRS. APRIL:

15 **Q** Do you know a person named Cara Holmes?

16 **A** Cara Holmes?

17 **Q** Yes.

18 **A** Yes.

19 **Q** Was she part of your tort group at RRA?

20 **A** No.

21 **Q** Do you know if she was a lawyer there?

22 **A** She was.

23 **Q** Do you know what group she was in or
24 associated with?

25 **A** I think she was with the Alcohol Beverages

<p style="text-align: right;">Page 97</p> <p>1 people that came over. We brought over a couple of 2 those people and she was one of them. 3 Q She came over with some other lawyers you 4 think? 5 A I think so, yeah. 6 Q Do you know who headed up that group or who 7 was in that group besides her? 8 A I don't even know if they were a formal 9 group, per se, if they had a name. 10 Q Do you know the names of any lawyers who 11 did that kind of work there besides Cara Holmes? 12 A Alcohol stuff? 13 Q Yeah. 14 A Mike Wheeler was the other one. 15 Q Do you know if Cara Holmes was at the firm 16 before Brad Edwards? 17 A I'm not positive. I think Brad was there 18 before she was, but I'm not sure. 19 Q Do you know if she was a fairly junior 20 lawyer when she came to the firm? 21 A Cara? 22 Q Yeah. 23 A I don't know when she got her law degree. 24 I couldn't tell you that. 25 Q Did you ever work with her or did she ever</p>	<p style="text-align: right;">Page 99</p> <p>1 Q So maybe somebody left? 2 A Yeah. 3 Q Bill Berger wasn't in your group? 4 A No. 5 Q Was he in a group or was he a kind of 6 cross-lines kind of guy? 7 A He was in the Boca office. He was more or 8 less a litigation attorney. 9 Q Did you know or do you know a lawyer or 10 professor named Paul Cassell? 11 A Paul Cassell? 12 Q Yes. 13 A How do you spell that? 14 Q Well, I think it's C-a-s-s-e-l-l. 15 A Does not ring a bell. 16 Q Does it ring a bell if I tell you that he 17 is a professor at the University of Utah? 18 A That doesn't ring a bell either. I'm 19 sorry. 20 Q Do you know anybody named Howell who 21 referred any cases to Brad Epstein (sic)? 22 A Doesn't ring a bell either. 23 Q Did you, other than Alan Dershowitz - and I 24 think you testified you did not end up attending his 25 deposition, maybe it didn't occur at all - did you</p>
<p style="text-align: right;">Page 98</p> <p>1 work on your cases? 2 A Did she ever work on my cases? I don't 3 think she did, unless she worked with one of the 4 lawyers in my group on one of the cases in my 5 division, but I wouldn't necessarily know that. 6 Q Let me make sure - Can you give me your 7 group again in 2009? 8 A First, just to expand on that, if Brad had 9 Cara Holmes working on one of his cases or looking 10 into an issue on it, I would not necessarily know 11 that. Lawyers are free to interact and collaborate 12 with each other, it didn't have to go through me. 13 Q Okay. 14 A You want to know the names of the lawyers 15 in my tort group as of October 2009? 16 Q Yes, please. Well, 2009. Did it change a 17 lot during 2009? 18 A During 2009, I don't think so. 19 Q Well, tell me who you could remember that 20 was there in 2009? 21 A Me, Gary Farmer, Steven Jaffe, Mike 22 Weissing, Tami Wolfe, Brad Edwards, Mark Fistos, Seth 23 Lehrman. That's eight. Did I name Brad in that? 24 Q You did. 25 A Okay.</p>	<p style="text-align: right;">Page 100</p> <p>1 agree to attend any depositions in any Epstein case 2 other than the two that you've given? 3 A I may have offered to, especially now that 4 you brought up the Dershowitz. I may have offered 5 to, but I don't have a specific recollection of which 6 ones I would have offered to, if that helps. 7 Q And if you would have attended Dershowitz's 8 deposition, it was a deposition that was 9 being noticed by your firm, right? 10 A I don't, I really don't recall. 11 Q But you offered to take it or just to 12 attend it? 13 A I didn't even remember that at all before 14 you started reading from something that kind of 15 brought back some memory of that. I don't recall the 16 level of detail that you're asking me for. I'm 17 sorry. 18 Q Did you ever volunteer to attend a 19 deposition of Prince Andrew of the British Royal 20 family if it may have occurred? 21 A I may have, but who knows. 22 Q Why not? I wonder what kind of privileges 23 they have? 24 A I have family in England. So anything at 25 all that involves going to England I would volunteer</p>

<p style="text-align: right;">Page 101</p> <p>1 for, but I really don't recall whether or not I ever 2 volunteered to take that depo. I may have. 3 Q In 2009, did you maintain another residence 4 in New York City? 5 A I had an apartment there. 6 Q So did you -- 7 A In 2010 did you say? 8 Q '9. 9 A In 2009, yes. 10 Q During that time did you recall 11 volunteering to cover other New York depositions in 12 any case? 13 A I may have. Again, I don't specifically 14 recall, but I may have. I was always volunteering to 15 help out my lawyers on cases when I was needed and 16 this case was no exception, but what I volunteered 17 for and what I ended up doing on this case are two 18 different things. 19 Q Did you ever participate in any valuation 20 of the settlement value of any Epstein case? 21 A First of all, if I did, I believe that 22 would be work-product. 23 Q That's why it's a yes or no. 24 A And I would assert that privilege. Well, 25 it's not a yes or no, because by inserting into it</p>	<p style="text-align: right;">Page 103</p> <p>1 valuation of a case, the question contains a 2 pre-supposition or content about what the discussion 3 was about and that's what makes it privileged in my 4 mind. 5 Q Although strategy is such a broad thing 6 that -- 7 A Fine. Look, did I have discussions about 8 the Epstein case with Brad Edwards? I'm sure I did. 9 What were those particular discussions about, to the 10 extent that I had them? That's work-product, as I 11 understand the work-product doctrine. 12 Q Did you actually approve any costs that 13 were expended in connection with the Epstein case, 14 costs that the firm was going to wind up paying for 15 until the case ended at least? 16 A Not as a matter of procedure. If a lawyer 17 asked me about: Can I spend money on this? Can I 18 spend money on that? I might tell them yes or no or 19 I might tell them, if it's a large expense, to go to 20 Rothstein and ask him. 21 But it was really more of a situational 22 thing. There was no procedural rule in place where I 23 would approve or disapprove costs. And I knew, 24 generally, what costs we could spend money on without 25 having to get any kind of special approval.</p>
<p style="text-align: right;">Page 102</p> <p>1 the subject matter of any conversation you are 2 artfully attempting to poke around the work-product 3 privilege, and I would assert the privilege and 4 refuse to answer that question. 5 The answer is: I may have or I may not 6 have. I don't have a specific recollection. But if 7 I did, then it's work-product. 8 Q Let me try and understand the parameters of 9 this privilege you're raising. Are you saying that 10 if I ask you this question, this hypothetical 11 question: Did you play any role in developing a 12 strategy on Epstein cases? Are you claiming that 13 question invades the privilege? 14 A Discussing strategy on a particular case? 15 Q Yes. Not what the strategy was, but if I 16 said to you: Were you involved, were you in the room 17 with people talking about the case? Do you believe 18 that question calls for a privileged answer, 19 because -- 20 A Hypothetically, a discussion about a 21 particular case, the fact that a discussion took 22 place may not be work-product, but what was discussed 23 in that discussion is work-product. 24 So when you say: Did you have a strategy 25 discussion or did you have a discussion about a</p>	<p style="text-align: right;">Page 104</p> <p>1 Q What about investigators? Did the firm 2 have investigators who were employed by the firm? 3 A Yes. 4 Q And was Ken Jenne one of those 5 investigators? 6 A He had to do with the Investigation Unit. 7 Was he an actual investigator himself? He may have 8 been. 9 Q Was the cost of investigators assigned to 10 any case considered a cost? In other words, was that 11 charged to the file just like a court reporter or 12 some other -- 13 A I don't know the answer to that question. 14 Q So the firm had an Investigative Unit, is 15 that what you called it? 16 A At some point it did. It didn't always 17 have that, though. 18 Q In 2009 did it have -- 19 A In 2009 I think Ken Jenne was there and 20 there was some other people who were working there, 21 too. 22 Q What about Mike Fisten, do you know if he 23 was there? 24 A Yes. Now, again, I don't know if they were 25 directly employed by the RRA law firm or not and I</p>

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1 don't even know if that matters to you. That's not
 2 the kind of detail that I would have information
 3 about.
 4 Q So if there was a company that was formed,
 5 say, Blue Line Investigations, did you ever hear of
 6 that?
 7 A I've heard of it.
 8 Q Do you know if that was a company formed by
 9 Scott Rothstein or others at his direction?
 10 A I don't know who formed it.
 11 Q But did Ken Jenne and Mike Fisten have
 12 offices at the firm?
 13 A There was an office that Ken Jenne had at
 14 some point. I don't know if Fisten had his own
 15 office.
 16 Q Do you know if any other investigators who
 17 were at the firm in 2009 or at some company as far
 18 as --
 19 A I think Pat [REDACTED] was one of them as
 20 well.
 21 MADAME COURT REPORTER: Can we take a
 22 break?
 23 MRS. APRIL: Sure.
 24 (WHEREUPON, a short break took place):
 25 BY MRS. APRIL:

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1 Q All right. I was asking you about
 2 investigators.
 3 A Yes.
 4 Q Do you know if any of the firm
 5 investigators were assigned to work on the Epstein
 6 case?
 7 A I don't know if anyone was assigned to
 8 it.
 9 Q Do you know if they performed any services
 10 with respect to the case?
 11 A I think so in the general sense, but I
 12 don't really recall any details about that.
 13 Q Do you know, did you ever hear of the term
 14 "dumpster diving"?
 15 A I have heard of that term.
 16 Q Do you know what it means?
 17 A Yes.
 18 Q What does it mean?
 19 A When people go through other people's
 20 garbage.
 21 Q Do you know if any investigators, either
 22 the ones that were named or otherwise, went through
 23 Jeffrey Epstein's trash?
 24 MR. KING: Objection. Work-product.
 25 A I have no idea.

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1 Q Do you know if Jeffrey Epstein was at any
 2 time under surveillance with respect to persons sent
 3 by your firm?
 4 A I have no idea.
 5 Q Did you ever meet with any of the
 6 plaintiffs in the cases that Mr. Edwards brought over
 7 that were against Jeffrey Epstein?
 8 A I said "hello" to one of them in the lobby
 9 one time. I don't remember her name. I remember she
 10 was one of Brad's clients. But that was it, "Hi, how
 11 are you? Nice to meet you."
 12 Q What about with their family members or
 13 parents?
 14 A Never met them.
 15 Q Did you ever tell anyone outside of the
 16 firm -- Well, let me rephrase that.
 17 Did you ever tell anyone outside of the
 18 firm or within the firm in a non-privileged
 19 situation, meaning not speaking to a client, that
 20 your firm was in the process of suing Jeffrey Epstein
 21 and would disclose embarrassing information about Mr.
 22 Epstein or his friends, family, colleagues to drive
 23 up the settlement value?
 24 MR. KING: Objection. Foundation.
 25 Predicate.

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1 A Not to my recollection.
 2 Q Did Brad Edwards ever say anything like
 3 that in your presence?
 4 A Not to my recollection at all. And even if
 5 he did, it would be work-product but --
 6 Q Do you know what the cause of action is
 7 that is brought by Jeffrey Epstein in the case that
 8 we're here on today?
 9 A I think I was told in the beginning some
 10 kind of RICO claim or something like that. I don't
 11 have a specific recollection of it, but I think it
 12 was some kind of civil RICO or --
 13 Q Had you ever heard that there was an abuse
 14 of process count?
 15 A No, because I had never got into a
 16 discussion about what all the counts were with
 17 anybody.
 18 Q Have you ever worked on a case that was an
 19 abuse of process case?
 20 A I don't think so. I have handled false
 21 imprisonment cases from time to time and sometimes we
 22 use abuse of process as a related tort. So maybe in
 23 one or two of those cases, but for the most part,
 24 no.
 25 MRS. APRIL: I think maybe now would be a

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<p>1 good time to break, if it's all right with you. 2 Let's go for an hour. 3 THE WITNESS: Okay. What time do you want 4 to come back? 5 MR. HADDAD: I'm not coming back. You 6 don't need me here. 7 MRS. APRIL: Let's go for an hour. I will 8 still finish before you have to be out of here. 9 THE WITNESS: So we'll come back at one and 10 you'll try to finish by four? 11 MRS. APRIL: Yes. 12 (WHEREUPON, a lunch break took place from 13 12:00 p.m. to 1:10 p.m., after which the 14 following resumed outside the presence of Fred 15 Haddad, Esquire). 16 BY MRS. APRIL: 17 Q I had asked you a few questions before the 18 lunch break about an attorney named Cara Holmes? 19 A Yes. 20 Q And I noticed that I skipped a couple of 21 points I wanted to ask about. 22 A Sure. 23 Q Do you know what her background was? 24 A She worked for the State. 25 Q Do you know what she did for the State?</p>	<p>1 A The only one I can think of that had a 2 background in law enforcement was Eugene Gibbons, who 3 was a Coral Gables police officer. There were a lot 4 of people there and those are the only two that come 5 to mind in law enforcement right now, other than Ken 6 Jenne, of course. And Fisten was a former law 7 enforcement. 8 Q Was Mr. Gibbons an -- He was not in your 9 group, but he was an attorney? 10 A No, he was a Labor and Employment lawyer. 11 Q Fisten you said was a former police 12 officer? 13 A I believe so. 14 Q And we know Ken Jenne was a former Sheriff? 15 A Yes. 16 Q Do you know where Ken Jenne works now or if 17 he does? 18 A I have no idea. 19 Q Have you ever spoken to him about Epstein 20 cases since the RRA firm ended? 21 A I don't think I've seen him. Oh, I saw 22 him. The answer is: No, I have not spoken to Ken 23 Jenne about the Epstein cases since the firm ended. 24 Q But you think you have seen him around or 25 something?</p>
<p>Page 110</p> <p>1 A I think she was with the Alcohol Board, 2 ABT. 3 Q How do you know that? 4 A That's just my recollection. 5 Q Did you ever have occasion to have a 6 conversation with her? 7 A Briefly. I might have had -- Other than, 8 "Hi, how are you?" and I think maybe when she came to 9 the firm I had a brief discussion with her. 10 Q Do you know if she ever worked for any 11 Federal agency, did she ever mention that? 12 A She might have worked for the FBI now that 13 I think about it. 14 Q And what makes you think that? 15 A Something she -- 16 Q You think she mentioned it? 17 A I don't know if it would have come from her 18 or someone else. I don't know. 19 Q Do you know what -- 20 A Although, I'm not positive of that either. 21 It just, that kind of triggered it when you said 22 that. I'm not certain. 23 Q Did you have any other people at the firm, 24 attorneys who had a background in law enforcement 25 like the FBI?</p>	<p>Page 112</p> <p>1 A I think he pulled up in his car in front of 2 the building where he was in a car. He said hello to 3 me and I said, How are you doing? That was it. I 4 think that's the only time I've seen him since the 5 firm broke up. 6 Q I had asked you before the break I believe 7 about a -- 8 MRS. APRIL: Off the record. 9 (WHEREUPON, an off-the-record discussion 10 was had). 11 BY MRS. APRIL: 12 Q I started to say that -- I had asked you 13 before the break about the investigative entity for 14 which Mr. Jenne and Mr. Fisten may have worked, and I 15 think I may have misspoken. I said something about 16 Blue Line. Did you ever hear of something called 17 "Blue Line Research & Development"? 18 A No. I heard something about Blue Line, but 19 I don't know the name of a specific entity if there 20 is an entity by that name, Research & Development. I 21 wouldn't know that. 22 Q Rick Fandrey, do you know who that was? 23 A Does not ring a bell. 24 Q And you mentioned earlier I think that 25 Patrick Roberts you believe was affiliated with the</p>

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<p>1 Investigative Unit, is that correct?</p> <p>2 A Yes.</p> <p>3 Q Do you know if he had a background in law</p> <p>4 enforcement?</p> <p>5 A He was with Alcohol -- Yeah, ABT.</p> <p>6 Q Do you know someone named Wayne Black?</p> <p>7 A That name rings a bell. It rings a bell; I</p> <p>8 can't place what bell.</p> <p>9 Q Do you know if he's affiliated with any</p> <p>10 investigative efforts?</p> <p>11 A I don't. I'm trying to place that name in</p> <p>12 my mind. I know the name, I just don't know where I</p> <p>13 know it from.</p> <p>14 Q Have you ever been convicted of a crime?</p> <p>15 A No.</p> <p>16 Q Good. I had asked you some questions</p> <p>17 earlier. In going through my notes, I see I forgot</p> <p>18 to ask you this one that may ring a bell.</p> <p>19 Clinton, President Clinton, do you know was</p> <p>20 he a deposition that you had ever been advised was</p> <p>21 planned?</p> <p>22 A I don't recall --</p> <p>23 MR. KING: Objection. Objection to that on</p> <p>24 the basis of privilege, work-product.</p> <p>25 A But I don't recall any way, so it doesn't</p>	<p>1 MRS. APRIL: I'm asking him. I don't know</p> <p>2 what capacity he would have seen them, but he</p> <p>3 will answer or not, so --</p> <p>4 A I really don't recall, to tell you the</p> <p>5 truth, one way or the other. I don't think so.</p> <p>6 Q Michael Szafranski, did you know such a</p> <p>7 person?</p> <p>8 A Yes.</p> <p>9 Q Who was Michael Szafranski?</p> <p>10 A Hedge fund guy.</p> <p>11 Q And when you say "hedge fund guy," did you</p> <p>12 know anything more than that about him? I mean, was</p> <p>13 he the operator of a hedge fund?</p> <p>14 A I didn't know any details other than that</p> <p>15 he would do stuff with Scott, he was involved with</p> <p>16 Scott.</p> <p>17 Q Did you have occasion to meet him or be</p> <p>18 introduced to him casually or at a restaurant or</p> <p>19 something?</p> <p>20 A He was around. At one point he was using</p> <p>21 an office down on the 15th floor.</p> <p>22 Q How many floors did you occupy at RRA at</p> <p>23 that building where the offices were, Bank of America</p> <p>24 building?</p> <p>25 A Well, we need to have a point in time.</p>
<p style="text-align: right;">Page 114</p> <p>1 matter.</p> <p>2 Q Do you ever -- I asked you about Rick</p> <p>3 Fandrey, you said you don't know that name?</p> <p>4 A Correct.</p> <p>5 Q Michael Legamaro, have you ever heard of an</p> <p>6 attorney with that name?</p> <p>7 A Legamaro.</p> <p>8 Q L-e-g-a-m-a-r-o?</p> <p>9 A Never heard of him.</p> <p>10 Q Did you ever meet any attorney who might</p> <p>11 have been visiting the firm in October 2009 from the</p> <p>12 firm of Morgan, Lewis from Chicago?</p> <p>13 A No.</p> <p>14 Q [REDACTED] do you know that name or</p> <p>15 that person?</p> <p>16 A No.</p> <p>17 Q Did you ever see any flight logs or</p> <p>18 documents that were purportedly flight logs from an</p> <p>19 Epstein airplane?</p> <p>20 MR. KING: Same objection.</p> <p>21 THE WITNESS: If I ever saw them?</p> <p>22 MRS. APRIL: It's been testified to by two</p> <p>23 non-parties.</p> <p>24 MR. KING: You're asking him in his</p> <p>25 capacity as an attorney --</p>	<p style="text-align: right;">Page 116</p> <p>1 Q At the end, 2009?</p> <p>2 A At the end we had space on 22, 16 and 15.</p> <p>3 And then there was one other -- there was a couple of</p> <p>4 other spaces. But I think they also might have been</p> <p>5 on 15, but I'm not sure, or they might have been on</p> <p>6 one other floor.</p> <p>7 Q What floor were you on at that time?</p> <p>8 A I was always on 16.</p> <p>9 Q And when you said that Mr. Szafranski was</p> <p>10 at some point using some space, do you know what</p> <p>11 floor he was on?</p> <p>12 A 15.</p> <p>13 Q As far as you knew, it was Scott who said</p> <p>14 he could use the space and Scott who dealt with him?</p> <p>15 A Yeah. He dealt with Scott. My</p> <p>16 understanding was he would -- he had some involvement</p> <p>17 in funding deals, Scott's deals or something.</p> <p>18 Q And those deals, was Scott an investor, was</p> <p>19 that your understanding?</p> <p>20 A Yes.</p> <p>21 Q How long did you know Scott Rothstein</p> <p>22 before, well, at the time of the -- either way, when</p> <p>23 you joined the firm? 2005 you joined, right?</p> <p>24 A I knew him from law school as an</p> <p>25 acquaintance. I knew him from undergrad, University</p>

<p style="text-align: right;">Page 117</p> <p>1 of Florida, as not even an acquaintance. He was just 2 a student there and we both worked security at 3 concerts together, believe it or not. But I don't 4 even think I ever even said hello to him, because I 5 just didn't know him or associate with him in 6 college. In law school, it was just, Hi, how are you 7 doing? 8 Q How did it occur that he offered you a 9 position at the firm? 10 A After law school I had lunch with him maybe 11 four or five times because my cases have always come 12 from other lawyers, my personal injury cases. So 13 part of my marketing routine is to take other lawyers 14 to lunch who do not do personal injury in hopes of 15 developing referral relationships. 16 A And so in either, it was probably late-2004 17 I had lunch with Scott and I was telling him about my 18 interest in technology. I was paperless at my firm 19 at the time, and I said, It's the greatest thing. 20 You gotta see it. 21 A So he came over to my office and he saw it. 22 He wanted to do it as well and I was helping him. 23 And I said to him, words to the effect of, you know, 24 I would appreciate it if you would send me some 25 personal injury cases. I mean, I help my friends</p>	<p style="text-align: right;">Page 119</p> <p>1 staff and let me bring my lawyers with me, because I 2 liked the people who I worked with. 3 Q Did you talk at that time to the other half 4 a dozen lawyers who were in the existing Rothstein 5 firm? 6 A Well, I knew Stuart Rosenfeldt because he 7 was actually involved on a case I had years before. 8 So I knew him as an acquaintance, spoke to him. And 9 I might have said hello to some of the other lawyers 10 there, but basically it was Scott and Stuart. It was 11 always Scott and Stuart's firm even to the end. 12 Q Were you ever aware, did you ever hear that 13 persons who were not part of your firm were shown 14 portions of Epstein's files by Scott Rothstein? 15 A At what point in time? 16 Q At any point in time. 17 A I only heard that sometime in 2010 after 18 information started coming out about what he had been 19 doing. So the answer is: Never during the time that 20 I worked at the RRA firm. 21 Q Did you ever hear that Scott Rothstein 22 showed other files relating to clients of RRA to 23 persons who were not part of the firm when the firm 24 still existed? 25 A Same answer as my last answer. I only know</p>
<p style="text-align: right;">Page 118</p> <p>1 with technology. If you have any PI cases, why don't 2 you send me some? 3 A And then he said, Well, why don't you join 4 our law firm. We don't have a Personal Injury 5 Department and you could be that. And I saw it as a 6 great opportunity and that's how it came about. 7 Q Why did you think it was a great 8 opportunity? 9 A Because they had about seven -- they had 10 about seven lawyers at the time. They did not do 11 personal injury. They had just made a deal to 12 acquire Steve Lichtman's firm, which is commercial 13 litigation, and I just saw it as an opportunity for 14 me to not have to deal with the administrative 15 aspects of practicing law. That was one of the 16 things. 17 A Number two, there would be referral sources 18 and cases being brought in by other lawyers in the 19 firm who did not do personal injury, so that appealed 20 to me. And, of course, the fact that the firm was 21 going to fund the costs in my cases as opposed to my 22 funding it out of my own pocket, so it took a lot of 23 financial stress off of me. I knew that Scott was 24 ambitious and I trusted him at the time, so it seemed 25 like a good fit. And, you know, he agreed to hire my</p>	<p style="text-align: right;">Page 120</p> <p>1 what I had read in the paper and just, you know, 2 heard. That's all 2010 and after. 3 Q Did you ever get to meet Alan Dershowitz? 4 A Nope. Oh, yes, I did get to meet him. 5 Q He was at the deposition of Epstein, wasn't 6 he? 7 A Not the one that I went to. I met him at a 8 Nova Southeastern University event at the Signature 9 Grande. 10 Q Stuart's client? I don't know if it was 11 Stuart's client at the time. 12 A They were Stuart's client at the time. 13 Yes, they were. 14 Q Prior to October 31st, 2009 had you ever 15 heard of the D3 Capital Club? 16 A The answer is: No, and I don't think I 17 have ever heard of that before you just said it to 18 me. 19 Q Again, let's break it down by date. Prior 20 to that date, I'm using Halloween of 2009, had you 21 ever met someone named A.J. DiScala? 22 A No. 23 Q Dean Kretschmar, did you know him? 24 A I don't think so, no. 25 Q Did you ever meet - and when I say "meet,"</p>

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1 I mean in any way, just a hand shake in the lobby –
 2 A No, I understand.
 3 Q – someone named Thane Ritchey?
 4 A Thane, who?
 5 Q Thane Ritchey. And it sounds like a movie
 6 star or something, but he's a guy.
 7 A No.
 8 Q I think it's your testimony this morning
 9 that you never knew that Scott Rothstein was
 10 purporting to sell structured settlement investments,
 11 is that correct?
 12 A I always knew that Scott invested with
 13 other people, but I never knew that other people
 14 invested with Scott.
 15 Q Did Scott, to your knowledge, or any of the
 16 investments that he said he was making, were they in
 17 structured settlements?
 18 A He never said that phrase to me,
 19 "structured settlements" and he never got real
 20 specific with me about his investments other than
 21 those that were just outwardly known to people.
 22 Q Like the watches?
 23 A The watch company, the Vodka company, you
 24 know, houses that he owned, cars.
 25 Q Tangible things?

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1 A The restaurant. Just things that he made
 2 it known about. Gibraltar Bank towards the end,
 3 things like that. Everybody knew that he invested in
 4 those things, but he never sat down and told me the
 5 specifics of all of his investments or other
 6 investments that weren't widely known.
 7 Q Did he ever invite you to join him in any
 8 of those investments?
 9 A Did he ever invite me? Early on in 2005, I
 10 think it was, it might have been 2006, there was a
 11 townhouse project. I think I spoke about this in my
 12 Trustee deposition. There was a townhouse project
 13 that had to be completed and he needed money, or
 14 whatever. And he said I would get a lot of money
 15 back. I actually took out a home equity line on my
 16 house for \$100,000 and I gave him a check for the
 17 \$100,000.
 18 So, the answer to that extent is yes.
 19 That's the only thing that I was ever really invited
 20 to participate in. And I lost money on it, by the
 21 way. I got back about 80,000 over time, so I was out
 22 about 20 grand.
 23 Q I think you testified earlier that you had
 24 not ever seen Brad Edwards' deposition that he had
 25 given in this case?

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1 A I have never seen it, that's correct.
 2 Q I want to clarify a couple of things. Mr.
 3 Edwards has testified at his deposition - and I have
 4 it in the room if you want to see it - that he
 5 discussed the Epstein cases with you on a regular
 6 basis, is that a true statement?
 7 A In a general sense, yes. Specifically, as
 8 I said, there were issues that might have come up
 9 where he would ask me about or bounce things off of
 10 me.
 11 Q And if I were to ask you those issues, you
 12 would say it's work-product?
 13 A Correct. Although, I will tell you that my
 14 answer applies to all of his cases and everyone
 15 else's cases. I try to keep an overall understanding
 16 of what's going on with people's cases, because I
 17 always wanted to help and see where they were.
 18 Q He also testified - and, again, I can show
 19 it to you if you like. I brought it so it would be
 20 convenient - that you worked on the Epstein files, is
 21 that a true statement?
 22 MR. KING: Objection to form.
 23 A Well, it's true to the extent that I
 24 testified to today. If there is anything else
 25 specifically that he said, I'd like to know about it.

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1 Because you gotta remember that, I was responsible
 2 for overseeing all of the cases in my division, over
 3 nine lawyers, including class-action, mass tort,
 4 general liability, premises liability, medical mal.
 5 All of those things. So when you ask me those
 6 questions, you know, that's one of the reasons why –
 7 And, oh, by the way, I had a very large caseload
 8 myself.
 9 Q Yes.
 10 A I personally worked on my own cases every
 11 day. So, did I do some work on the Epstein case?
 12 I'm sure I did. I told you the extent of what I
 13 remembered. But you gotta also remember that, I was
 14 inquisitive about every lawyer's cases in my group
 15 because I was a real take-charge person from an
 16 administrative viewpoint just about making sure cases
 17 were being litigated, that the lawyers had anything
 18 they needed to do, that they were happy, that they
 19 were well-staffed, and things like that.
 20 Q Do you know whether the Epstein cases were,
 21 I'm not sure of the verb for this, whether that QTASK
 22 was used for any of the Epstein cases?
 23 A I'm sure it was used to some extent.
 24 Q Earlier I did ask you a question - and I
 25 think that Mr. King objected and maybe you declined

<p style="text-align: right;">Page 125</p> <p>1 to answer as well - concerning whether you had ever 2 had any discussions about the value of the Epstein 3 cases. 4 Mr. Edwards testified in response to this 5 question, Page 292 of his deposition, that he gave on 6 March 23rd of last year. He was asked this question: 7 "QUESTION: Did you ever have a 8 conversation with other attorneys regarding the 9 value of the Epstein cases that you had? 10 "ANSWER: Yes. 11 "QUESTION: Okay. With whom? 12 "ANSWER: Russell Adler, Bill Berger. I 13 believe that's it." 14 Do you concur with that? 15 A If that's what he said then I probably did. 16 I just don't remember specific conversations with him 17 about that. 18 Q Did you know or hear that Mr. Epstein was a 19 wealthy man? 20 A I heard. 21 Q What did you hear about his wealth? 22 A That he was very wealthy and he was a hedge 23 fund guy from New York City. And just for the sake 24 of completeness, you know, I was always concerned 25 about the value of all of the cases in the Personal</p>	<p style="text-align: right;">Page 127</p> <p>1 Earleen Coat (pronouncing)? 2 A Cote (pronouncing), C-o-t-e. Cote. 3 Q Do you know whether she had any involvement 4 of any type in the Epstein cases? 5 A To the best of knowledge, no. She's an 6 insurance defense lawyer. That's what they do, 7 insurance defense work. 8 Q Do you know whether Brad Edwards continued 9 to have a friendly relationship with her at the time 10 that he was at RRA? 11 A Yeah. I think he was friendly with her, 12 but he was friendly with a lot of people. 13 Q Do you remember Brad Edwards showing you 14 drafts of pleadings or documents to be filed in the 15 Epstein case for your review? I'm talking before 16 they were filed. 17 A Not specifically. So he may have, but 18 maybe not. That's a tough one, because I saw a lot 19 of pleadings and things from a lot of cases that 20 other lawyers who worked in my group would ask me 21 about or that I would review for them, or whatever. 22 Q Let me show you an e-mail that is not in 23 the restricted category, it's not an 24 attorney's-eyes-only document, from Brad Edwards to 25 you dated April 15, 2009. This is what I'm going to</p>
<p style="text-align: right;">Page 126</p> <p>1 and in the Tort Division, it's a part of keeping 2 track of a tort practice group. 3 Q You must have also been interested in 4 collectibility, that's part of it, isn't it? 5 A Yes. Of course. 6 Q Do you know how much money the Rothstein, 7 Rosenfeldt & Adler firm invested - that may be the 8 wrong word - advanced to support the Epstein cases? 9 A I have no idea. Assuming they did. 10 Q I'm sorry, you said - 11 A I said, assuming that they did. 12 Q You don't know that they did? 13 A I never cut or signed one check while I was 14 at that firm for the firm. 15 Q Do you know whether any depositions were 16 taken during the time that you were aware of it? 17 A I believe they were, but I don't know if 18 the bills were paid. Bills were submitted to the 19 Bookkeeping Department and checks were issued from 20 the Bookkeeping Department. You know, I wasn't 21 involved in that, per se, unless there was an issue 22 with bills not getting paid that would come to my 23 attention, cost bills. 24 Q You had mentioned to me the name of an 25 attorney I think at Kubicki, Draper earlier today,</p>	<p style="text-align: right;">Page 128</p> <p>1 show? 2 MR. KING: You said it's not in a restricted 3 category. Which category is it? Where did it 4 come from? 5 MRS. APRIL: Well, it was from a category 6 called irrelevant, but not an eyes-only or under 7 any confidentiality in this case. It's a bit of 8 a challenge to figure out. And in an abundance 9 of caution, I'm not going to make it an exhibit 10 in case this deposition should be filed, but 11 I'm going to show it to him to refresh his 12 memory. 13 MR. KING: My understanding from the order, 14 and I'll take another look at it, but I read the 15 order as none of those documents could be 16 used with respect to any particular witness or 17 disclosure of any of these documents unless and 18 until the court ordered it, whether it was based 19 on the category of relevance or it was based on 20 the for-eyes-only category. 21 MRS. APRIL: All right. Then let me ask 22 you this: Since Mr. Adler is somebody who is 23 claiming work-product and was at the firm, if 24 you object to me showing him these documents - I 25 won't, but I thought it might prevent him from</p>

<p style="text-align: right;">Page 129</p> <p>1 coming back at a later time - but if you have an 2 objection, I won't show it to him. 3 MR. KING: I do. And it also goes to 4 work-product, so that would cover that as 5 well. 6 MRS. APRIL: Well, the problem I have is, 7 none of them were stamped like I would do with 8 work-product. 9 MR. KING: I don't know what happened with 10 regard to them. 11 MRS. APRIL: I don't either. It's a 12 nightmare. 13 MR. KING: You read the order differently? 14 MRS. APRIL: Well, is it the confidentiality 15 order that was never signed or is there another 16 order -- 17 Let's go off the record for a minute. 18 (WHEREUPON, an off-the-record discussion was 19 had). 20 MRS. APRIL: Let's go back on the record. 21 BY MRS. APRIL: 22 Q I am not going to show you certain documents 23 because in an abundance of caution perhaps there's an 24 interpretation that says I should not. So I will try 25 to ask my questions in such a way that if you can</p>	<p style="text-align: right;">Page 131</p> <p>1 to answer? 2 MR. KING: Yes. 3 MRS. APRIL: Okay. I guess you can't have 4 it both ways, because I imagine on some of this 5 he might say, no, I don't remember, and that 6 would be done. Okay, as you wish. 7 MR. KING: And that eliminates the need for 8 any motions on a particular question if he 9 doesn't have a recollection. So I invite him, 10 if he can state that he has no recollection of 11 the matter, that would not -- 12 THE WITNESS: Fine. I will tell you this 13 and I don't think this is going to offend 14 anybody, I remember Judge Hafele had one of the 15 cases. I don't specifically remember Brad 16 telling me he missed the hearing, but he may 17 have. Who knows. 18 BY MRS. APRIL: 19 Q Were you ever acquainted with a Dr. Swan 20 who was a psychologist or psychiatrist? 21 A Yes. She was -- Yes, I met her one 22 time. 23 Q Do you know if she was retained by your 24 firm to work on anything? 25 A I will assert work-product privilege as to</p>
<p style="text-align: right;">Page 130</p> <p>1 answer them, then answer them. If not -- 2 But I will say, so it's a matter of record, 3 that to the extent that there are some answers that 4 we don't get and there is a court ruling on any of 5 this and we need to show it to you, we'll have you 6 back. We'll subpoena you again. 7 A I guess that's up to the judge. 8 Q Right. You're not retiring to another 9 country any time soon, are you? 10 A I have no plans to do that presently. 11 Q Do you remember Brad Edwards ever 12 communicating with you verbally or in an e-mail that 13 he had missed a hearing in an Epstein case and it was 14 transferred to Judge Hafele? Do you ever remember 15 having any communication about that? 16 A Would that be work-product? 17 MR. KING: Can I have the question back? 18 (WHEREUPON, the requested testimony was 19 read back by the court reporter). 20 MR. KING: I think in an abundance of 21 caution, I think that falls within work-product. 22 I think once you start opening the door as to 23 even a conversation about something that may 24 have occurred in court, I think that would be -- 25 MRS. APRIL: So you're instructing him not</p>	<p style="text-align: right;">Page 132</p> <p>1 the answer to that question. 2 Q I think earlier, quite earlier in the 3 deposition you had mentioned that Brad Edwards at 4 some point had an assistant or legal assistant named 5 Jackie? 6 A Yes. 7 Q Do you know if she was still working with 8 him in October right before the firm broke up? 9 A I think so, but I'm not positive. 10 Q I think your testimony earlier was at one 11 point he had his own assistant? 12 A Correct. 13 Q I was trying to determine the point. Was 14 she with him at the very beginning? 15 A No. 16 Q Have you seen a document that was submitted 17 to Judge Carney, the Special Master in this case, 18 from Searcy, Denney, Scarola, Barnhart & Shipley that 19 provided him with a master contact list of names? 20 Did you ever see that? 21 A Nope. I believe that would have to have 22 been after 2009, right? 23 Q Yes. 24 A The answer is absolutely no. 25 Q March of this year?</p>

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<p>1 A Nope.</p> <p>2 Q Did you do anything to prepare for this</p> <p>3 deposition today, look at any documents or have any</p> <p>4 meetings?</p> <p>5 A Other than what I've testified to, no.</p> <p>6 Q What did you testify to? I didn't hear you</p> <p>7 talk about that.</p> <p>8 A Other than a brief conversation with Brad</p> <p>9 Edwards where I told him about the fact that I</p> <p>10 believe there's going to be a lot of work-product</p> <p>11 that's going to be asked about.</p> <p>12 Q Other than the Brad Edwards conversation –</p> <p>13 A Nope.</p> <p>14 Q – and shortly before we began today?</p> <p>15 Do you know someone named Christina Fitch</p> <p>16 who is described as having been a staff member at</p> <p>17 RRA?</p> <p>18 A Yes.</p> <p>19 Q Who was she and what was her function, if</p> <p>20 you know?</p> <p>21 A She started out as a clerical employee in</p> <p>22 my practice group and she ended up being a secretary,</p> <p>23 being promoted.</p> <p>24 Q Did she work with Mr. Edwards at all, do</p> <p>25 you know?</p>	<p>1 A Yes.</p> <p>2 Q To your knowledge, did he provide any legal</p> <p>3 services with respect to the Epstein cases?</p> <p>4 A Not to my knowledge, but he may have.</p> <p>5 Q And Carl Linder worked in the same practice</p> <p>6 area?</p> <p>7 A As Denis Kleinfeld, yes.</p> <p>8 Q Elizabeth Kim, was she a paralegal attached</p> <p>9 to your group?</p> <p>10 A Yes.</p> <p>11 Q Do you know if she worked on the Epstein</p> <p>12 cases?</p> <p>13 A I don't know. I don't recall.</p> <p>14 Q Elizabeth Villar, V-i-l-l-a-r, do you know</p> <p>15 who she was?</p> <p>16 A Yes.</p> <p>17 Q Was she in your practice area?</p> <p>18 A I'm trying to put the name with the face.</p> <p>19 I think I know who she is. And if I'm correct, she</p> <p>20 worked in real estate, but I'm not positive.</p> <p>21 Q Was Grant Smith an attorney at RRA during</p> <p>22 the time you were there?</p> <p>23 A Yes.</p> <p>24 Q What practice area was he?</p> <p>25 A He didn't really practice, per se. He was</p>
<p>Page 134</p> <p>1 A She did things for pretty much everybody in</p> <p>2 the tort group here and there.</p> <p>3 Q Did you ever hear of an attorney named Alan</p> <p>4 Garten, G-a-r-t-e-n?</p> <p>5 A Garten?</p> <p>6 Q Yes.</p> <p>7 A No.</p> <p>8 Q Adam Steinberg, was he a member of your</p> <p>9 group?</p> <p>10 A No. He was not a member of the tort</p> <p>11 group.</p> <p>12 Q Was he an attorney at RRA?</p> <p>13 A Yes.</p> <p>14 Q What was his practice area?</p> <p>15 A Commercial litigation.</p> <p>16 Q Beth Williamson, did she work as a</p> <p>17 paralegal with your group?</p> <p>18 A Yes.</p> <p>19 Q I had asked you earlier if you knew anyone</p> <p>20 named Howell, but I didn't have at my fingertips the</p> <p>21 complete name. An attorney named Jay Howell, does</p> <p>22 that mean anything to you?</p> <p>23 A Nope.</p> <p>24 Q Denis Kleinfeld, he was also an attorney at</p> <p>25 RRA when you were there, right?</p>	<p>Page 136</p> <p>1 involved on the political side, the lobbying. He was</p> <p>2 a politico kind of guy. And toward the very end he</p> <p>3 got some administrative spot within the firm,</p> <p>4 assistant something or other.</p> <p>5 Q Do you know whether he had any involvement</p> <p>6 whatsoever with any of the cases against Jeffrey</p> <p>7 Epstein?</p> <p>8 A Who.</p> <p>9 Q Grant Smith?</p> <p>10 A To my knowledge, he had nothing to do with</p> <p>11 it. But once again, he may have. On a regular basis</p> <p>12 lawyers in that firm would reach out to other lawyers</p> <p>13 who had knowledge in certain subjects or to do</p> <p>14 certain things or to assist them or maybe they were</p> <p>15 free, or whatever. But, you know, it didn't have to</p> <p>16 go through me if it involved those cases</p> <p>17 necessarily.</p> <p>18 Q Well, I understand. You did say that. But</p> <p>19 in the case of Mr. Smith, for example, who was a</p> <p>20 lobbyist, do you know whether or not he did any</p> <p>21 hands-on legal work on the cases?</p> <p>22 A To my knowledge, he did not.</p> <p>23 (WHEREUPON, an off-the-record discussion</p> <p>24 was had).</p> <p>25 BY MRS. APRIL:</p>

<p style="text-align: right;">Page 149</p> <p>1 identify them as work-product? Yes, I have the 2 e-mail. 3 A As I stated before, I believe I have an 4 obligation to do that and I will. 5 Q Do I need to subpoena you further for that 6 or can we just agree that you will do that? 7 A A subpoena would be unnecessary. An e-mail 8 would be nice. I think there was something else I 9 told you earlier that I would look for, I think it 10 has to do with e-mails between me and Brad Edwards 11 before he joined the firm. 12 Q That's right. 13 A If you would just send me an e-mail to that 14 effect, I would be happy to look it up for you to 15 either produce it to Brad's lawyer or to assert 16 privilege and identify what I have. 17 MRS. APRIL: That would be fine. 18 MR. KING: Would you be kind enough to 19 copy Jack Scarola on that e-mail? 20 MRS. APRIL: Uh-huh (affirmative response). 21 MR. KING: And his secretary Mary, 22 mpp@searcy -- 23 MRS. APRIL: Yes, I know Mary. 24 A It appears from the answers I gave in the 25 deposition that at the time we had this -- we were</p>	<p style="text-align: right;">Page 151</p> <p>1 up. Is that what you're saying? 2 THE WITNESS: That is what I'm saying. I 3 will not come back here voluntarily. If the 4 judge orders me to re-appear to answer those 5 questions, that's fine. 6 And the reason for that comes back to the 7 fact that I gave deposition testimony in a case 8 with a completely different procedural posture 9 than this one and I have asserted the 10 work-product privilege, because I believe that 11 it applies in these specific situations. 12 In other words, it may well be that in one 13 context information is work-product privilege, 14 but in another context it isn't. And if that's 15 the case, that's why I insist on an order 16 directing me to appear and testify and answer 17 those questions. I think that's reasonable. 18 MRS. APRIL: I think without necessarily 19 agreeing to the procedure, I think that if such 20 time comes as the court finds a waiver or a 21 partial waiver or something, we can work it out. 22 CROSS EXAMINATION 23 BY MR. KING: 24 Q I only have one area to inquire about and 25 that was relating to how Brad ended up getting to the</p>
<p style="text-align: right;">Page 150</p> <p>1 called in for the meeting there were Epstein files 2 present in Scott's office. But you're correct, I 3 never directly linked the two together in my answer. 4 I can only go by my best recollection which is 5 really, truly contained in those answers. 6 Q Prior to today have you had any 7 conversations with anybody at the firm of Searcy, 8 Denney concerning this lawsuit? 9 A Nope. 10 MRS. APRIL: I do not have any other 11 questions. I am reserving the right to ask you 12 to come back if, in fact, the privilege issues 13 are determined and it is still necessary. 14 THE WITNESS: I will come back if and only 15 if I am ordered to do so by the judge. But if 16 he orders me to come back and answer certain 17 things, I will do exactly as he tells me to 18 do. 19 MRS. APRIL: Well, we don't have to quibble 20 about how that works, because if he rules and 21 we have a court order that says certain things 22 are not work-product and we send you a subpoena; 23 I'm not sure if that's what you're talking 24 about or if you're saying you need to have a 25 specific court order that says you need to show</p>	<p style="text-align: right;">Page 152</p> <p>1 firm. I just want to make sure there is no 2 inconsistency between what you've recounted here 3 earlier and Brad's testimony. 4 He had recalled that when the two of you 5 would meet at the gym that there were occasions in 6 which you inquired of him whether he would be 7 interested in coming with the firm and that you 8 talked to him about the good people who were at the 9 firm and the good comradery at the firm. Do you 10 recall conversations along those lines? 11 A Sure. And anyone who I respected as a 12 personal injury lawyer, I would always put the word 13 out that we were looking to grow our practice group. 14 And, you know, I mean, I had a really prominent group 15 of lawyers there. 16 Q This was not a situation where Bradley was 17 seeking out the job with your firm; this was a 18 situation where you came to him, ultimately, and 19 followed it up and asked him to meet with Rothstein 20 relating to joining the firm? 21 A Correct. As a result of the phone call he 22 made to me after my verdict I got in Palm Beach. 23 MR. KING: Very good. That's all I have. 24 MRS. APRIL: You have the right to read 25 this, as I'm sure you know.</p>

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1 THE WITNESS: I know.
 2 MRS. APRIL: Do you want to?
 3 THE WITNESS: Yes.
 4 MRS. APRIL: He does not waive. He reads.
 5 We'll order it.
 6 MR. KING: We'll get a copy.
 7 (WHEREUPON, the deposition concluded at
 8 3:00 p.m. and the witness chose to Read and
 9 Sign).
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1 REPORTER'S CERTIFICATE
 2 STATE OF FLORIDA)
)ss
 3 COUNTY OF BROWARD)
 4 I, Lee Lynott, Certified Shorthand Reporter and
 5 Registered Merit Reporter in and for the County of
 6 Broward, State of Florida, do hereby certify:
 7 That prior to being examined RUSSELL S. ADLER,
 8 the witness named in the foregoing deposition, was
 9 duly sworn by the undersigned to testify to the
 10 truth, the whole truth, and nothing but the truth.
 11 That said deposition was taken before me at the
 12 time and place set forth and was taken down by me in
 13 shorthand and thereafter reduced to computerized
 14 transcription under my direction and supervision, and
 15 I hereby certify the foregoing is a full, true and
 16 correct transcript of my shorthand notes so taken.
 17 I further certify that I am neither counsel for
 18 nor related to any party to said action nor in
 19 anywise interested in the outcome thereof.
 20 IN WITNESS WHEREOF, I have hereunto subscribed
 21 my name this 6th day of May 2011.
 22
 23 _____
 24 Lee Lynott, RMR, RPR
 25 Notary Public, State of Florida
 MY COMMISSION # DD996092
 EXPIRES: June 29, 2014
 Notary Public Underwriters

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1 CERTIFICATE OF OATH
 2
 3 STATE OF FLORIDA)
)
 4 COUNTY OF BROWARD)
 5 I, Lee Lynott, Certified Merit Reporter,
 6 Notary Public, State of Florida, certify that RUSSELL
 7 S. ADLER personally appeared before me on the 20th
 8 day of April 2011 and was duly sworn.
 9 Signed this 5th day of May 2011.
 10
 11
 12 _____
 13 Lee Lynott, RMR, RPR
 14 Notary Public, State of Florida
 15 MY COMMISSION # DD996092
 16 EXPIRES: June 29, 2014
 17 Notary Public Underwriters
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1 READ NOTICE
 2
 3
 4 May 5, 2011
 5
 6 Russell S. Adler
 401 East Las Olas Boulevard
 7 Suite 1400
 Fort Lauderdale, FL 33301
 8
 9
 10 IN RE: Jeffrey Epstein vs. Scott Rothstein, et al.,
 11
 12 Dear Mr. Adler:
 Please be advised that your deposition given on April
 20, 2011 is ready for your Reading and Signing.
 13
 14 Please contact our offices to make arrangements to
 Read your deposition transcript within 30 days from
 receipt. However, if you have decided not to Read
 and Sign, please let us know as soon as possible.
 15
 16 If you should have any questions, please do not
 hesitate to call.
 17
 18 Sincerely,
 19
 20 Lee Lynott, RMR
 Court Reporter
 cc: Service List
 21
 22
 23
 24
 25

