

**From:** Tonja Haddad Coleman <[REDACTED]>  
**To:** Jack Scarola <[REDACTED]>  
**CC:** Brad Edwards <[REDACTED]>, "Mary E. Pirrotta" <[REDACTED]>, Fred Haddad <[REDACTED]>, "[REDACTED]" <[REDACTED]>, "Jack Goldberger" <[REDACTED]> ([REDACTED]) <[REDACTED]>  
**Subject:** RE: Epstein  
**Date:** Mon, 22 Oct 2012 20:06:50 +0000

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Well lucky for us your opinion is in direct contravention with the law. You last court-ordered amendment, for example, required you to properly plead your allegation of damages. Are you conceding that you cannot provide any proof of damages, and that the most recent amendment to Paragraph 32 does not change the substance of your Counterclaim? If not, you can expect a notice from us setting Mr. Edwards's deposition for Tuesday, November 13.

Tonja Haddad Coleman, Esq.  
TONJA HADDAD, P.A.  
Advocate Building  
315 SE 7th Street  
Fort Lauderdale, FL 33301

[REDACTED] facsimile

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-----Original Message-----

From: Jack Scarola [mailto:[REDACTED]]  
Sent: Monday, October 22, 2012 2:19 PM  
To: Tonja Haddad Coleman  
Cc: Brad Edwards; Mary E. Pirrotta; Fred Haddad; [REDACTED]  
Subject: Re: Epstein

It is our position that none of the amendments altered the factual substance of the counterclaim.

Jack Scarola  
SEARCY DENNEY SCAROLA BARNHART & SHIPLEY, P.A.  
[REDACTED]

On Oct 22, 2012, at 12:36 PM, "Tonja Haddad Coleman" <[REDACTED]> wrote:

> Mr. Scarola:  
>  
> First, the right to continue the deposition of your client was preserved at his initial deposition on March 23,

2010. Next, your client's Counterclaim was not the subject of any of the questioning conducted at his initial deposition. Third, at the time of your client's deposition, you were only on the first of the four (4) drafts of your Counterclaim, which was initially filed on or about December 21, 2009 and amended on October 4, 2011, November 29, 2011, and May 21, 2012, respectively (after each successful Motion to Dismiss).

>  
> At this point of the litigation, your Counterclaim has been dismissed three (3) times for its deficiencies. If you are conceding that Mr. Edwards' Counterclaim has no merit and that he suffered none of the damages to which he refers therein, then file the appropriate Motion and there will be no need for the continuation of his deposition. Otherwise, please provide dates by the end of the day or we will unilaterally set same.

>  
> Tonja Haddad Coleman, Esq.  
> TONJA HADDAD, P.A.  
> Advocate Building  
> 315 SE 7th Street  
> Fort Lauderdale, FL 33301  
> [REDACTED]  
> [REDACTED] facsimile

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> -----Original Message-----  
> From: Jack Scarola [mailto:[REDACTED]]  
> Sent: Monday, October 22, 2012 10:56 AM  
> To: Tonja Haddad Coleman  
> Cc: Brad Edwards; Mary E. Pirrotta; Fred Haddad  
> Subject: Epstein

>  
> Our counterclaim had been filed for months prior to Mr. Edwards' deposition. The desire to redepose him regarding the counterclaim does not justify a second deposition.  
> In the absence of some reasonable basis for a second deposition, we will not produce Mr. Edwards voluntarily.  
> Jack Scarola  
> SEARCY DENNEY SCAROLA BARNHART & SHIPLEY, P.A.  
> [REDACTED]

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