

J. MICHAEL BURMAN, P.A.<sup>1,2</sup>  
GREGORY W. COLEMAN, P.A.  
ROBERT D. CRITTON, JR., P.A.<sup>1</sup>  
BERNARD LEBEDEKER  
MARK T. LUTTIER, P.A.  
JEFFREY C. PEPIN  
MICHAEL J. PIKE  
HEATHER MCNAMARA RUDA  
DAVID YAREMA

<sup>1</sup>FLORIDA BOARD CERTIFIED CIVIL TRIAL LAWYER

<sup>2</sup>ADMITTED TO PRACTICE IN FLORIDA AND COLORADO

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

October 14, 2009

**Sent by E-Mail and U.S. Mail**

Adam Horowitz, Esq.  
Mermelstein & Horowitz, P.A.  
18205 Biscayne Blvd.  
Suite 2218  
Miami, FL 33160

Re: **Jane Doe No. 4 v. Epstein**

Dear Adam:

I am in receipt of the e-mail that you sent me on October 13 responsive to my October 8, 2009 letter regarding Jane Doe #4's deposition. Clearly we are at an impasse. As I previously indicated, I think it is absurd, as a legal representative, to require or even ask me to consider having my client agree to a stipulation that would essentially bar him from ever deposing your client in a multi-million dollar lawsuit that she filed against him if some "unforeseen event" occurred. I am certain that if the situation were reversed, you would not agree to this either. I feel that I have provided you with every certainty that I can that your client will not "run into" Mr. Epstein on the day of her deposition (unless the court rules that he can attend).

To date, we have taken the depositions of two plaintiffs that each lasted an entire day and at no time, not even on breaks, did anyone see Mr. Epstein. The only reason that the depositions are being scheduled in Mr. Epstein's building is simply because the video feed has been proven to work in this manner and Mr. Epstein is 14 floors above the actual room, preventing any "run-ins." All technological issues have been resolved and have worked without any problems whatsoever. As you know, the State court issued an Order dictating this procedure along with the splitting of the costs. One would think you would be more comfortable with Mr. Epstein being 14 floors above your client rather than in an adjacent room in another building viewing the deposition.