

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

JEFFREY EPSTEIN

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

Plaintiff,

Case No. 50 2009CA040800XXXXMB AG

v.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS,
individually, and [REDACTED], individually,

Defendants.

COPY
RECEIVED FOR FILING

DEC 31 2009

SHARON R. BOCK
CLERK & COMPTROLLER
CIRCUIT CIVIL DIVISION

MOTION FOR ENTRY OF DEFAULT BY CLERK
AND CLERK'S DEFAULT

MOTION FOR ENTRY OF DEFAULT BY CLERK

Plaintiff, JEFFREY EPSTEIN, (hereinafter "EPSTEIN"), by and through his undersigned attorneys, pursuant to Rules Fla.R.Civ.P. 1.500(a) and 1.980, moves for the entry of a default by the Clerk against Defendant, SCOTT ROTHSTEIN, individually, c/o FDC, Miami, Federal Detention Center, 33 NE 4th Street, Miami, FL 33132, for failure to serve any paper on the undersigned or file any paper as required by law. In support thereof Plaintiff would show as follows:

1. Plaintiff filed a Complaint on December 7, 2009 and Notice of Service of Process upon SCOTT ROTHSTEIN, individually, was completed on December 9, 2009, copy of which is attached hereto as **Exhibit A**.

2. That as of the date of this Motion, Defendant, SCOTT ROTHSTEIN, individually, has not served a responsive pleading to the Plaintiff's Complaint, or any other papers as required by law.

WHEREFORE, Plaintiff moves that a default be entered against the above Defendant for failure to file a responsive pleading.

I hereby certify the foregoing has been furnished via U.S. Mail this 31st day of December

2009, to all counsel listed below:

Jack Scarola, Esq.
Jack P. Hill, Esq.
Searcy Denney Scarola Barnhart & Shipley,
P.A
2139 Palm Beach Lakes Blvd.
West Palm Beach, FL 33409
561-686-6300 Phone
561-383-9424 (fax)
Counsel for Defendant, Bradley Edwards

Gary M. Farmer, Jr.
Farmer Jaffe Weissing Edwards Fistos &
Lehrman, PL
425 N. Andrews Avenue, Suite 2
Ft. Lauderdale, FL 33301
954-524-2820
954-524-2822 (fax)
Counsel for Defendant, [REDACTED]

By: 
ROBERT D. CRITTON, JR., ESQ.
Florida Bar No. 224162
[REDACTED]

MICHAEL J. PIKE, ESQ.
Florida Bar #617296
mpike@[REDACTED]
BURMAN, CRITTON, LUTTIER & COLEMAN, P.A.
303 Banyan Blvd., Suite 400
West Palm Beach, FL 33401
561-842-2820
Fax: 561-253-0164
(Attorneys for Plaintiff)

CLERK'S DEFAULT

A default is entered in this action against the Defendant named in the foregoing motion for failure to serve or file any paper as required by law.

Sharon R. Bock, Clerk of Court

By: _____

Courtesy Copies:

Robert D. Critton, Jr., Esq. and Michael J. Pike, Esq., Burman Critton Luttier & Coleman, P.A., 303 Banyan Boulevard, Suite 400, West Palm Beach, FL 33401; Jack Scarola, Esq., Jack P. Hill, Esq., Searcy Denney Scarola Barnhart & Shipley, P.A, 2139 Palm Beach Lakes Blvd., West Palm Beach, FL 33409; Gary M. Farmer, Jr., Farmer Jaffe Weissing Edwards Fistos & Lehrman, PL, 425 N. Andrews Avenue, Suite 2, Ft. Lauderdale, FL 33301; and SCOTT ROTHSTEIN, individually, c/o FDC, Miami, Federal Detention Center, 33 NE 4th Street, Miami, FL 33132

VERIFIED RETURN OF SERVICE

IN THE 15TH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY FLORIDA

TYPE OF WRIT: AMENDED SUMMONS & COMPLAINT

CASE NO: 502009CA040800XXXMB AG

PLAINTIFF
JEFFREY EPSTEIN

vs

DEFENDANT(S)
SCOTT ROTHSTEIN, individually
et-al.,

TO: Scott Rothstein, Register #91256-004
c/o FDC, Miami
Federal Detention Center
33 NE 4th Street
Miami, FL. 33132

PURSUANT TO THE REQUEST OF: ROBERT D. CRITTON, JR., ESQ., WHOSE OFFICE IS LOCATED AT:
303 BANYAN BLVD., SUITE 400, WEST PALM BEACH, FL. 33401

I, CARLOS AGUIRRE C.P.S # 810 RECEIVED THIS PROCESS ON: 12/9/09 @ 8:00am
AND SERVED THE SAME ON: 12/9/09 @ 8:45am IN DADE COUNTY FLORIDA.

(X) INDIVIDUAL SERVICE: BY SERVING THE PERSON NAMED HEREIN A COPY OF THE AMENDED
SUMMONS COMPLAINT, PETITION OR INITIAL PLEADING.

COMMENTS: DESCRIPTION OF PERSON SERVED: WHITE MALE, 47 YEARS OLD, ABOUT 5'7
ABOUT 200lbs., GREY SHORT HAIR.

I ACKNOWLEDGE, THAT I AM A CERTIFIED PROCESS SERVER IN THE CIRCUIT IN WHICH THIS
PROCESS WAS SERVED AND THAT I HAVE NO INTEREST IN THIS MATTER.

UNDER PENALTY OF PERJURY, I DECLARE THAT I READ THE FOREGOING VERIFIED RETURN OF
SERVICE AND THE FACTS STATED IN IT ARE TRUE


CARLOS AGUIRRE C.P.S # 810

COPY,

EXHIBIT A

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

JEFFREY EPSTEIN

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

Plaintiff,

CASE NO.502009CA040800XXXXMB AG

v.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS, individually,
and
[REDACTED], individually,
Defendants.

In Person
12-9-09
8:45 am
W810

AMENDED SUMMONS

(Have not attempted to serve – Amended only as to Place of Service)

PERSONAL SERVICE ON A NATURAL PERSON

TO DEFENDANT(S): **Scott Rothstein, Register #91256-004**
c/o FDC, Miami
Federal Detention Center
33 NE 4th Street
Miami, FL 33132

IMPORTANT

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint/petition with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the Court to hear your side of this case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken without further warning from the Court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

SHARON R. BOCK
Clerk & Comptroller
[REDACTED] Box 4667
West Palm Beach, Florida
33402-4667

vs.
Case No:

If you choose to file a written response yourself, at the same time you file your written response to the Court you must also mail or take a copy of your written response to the "Plaintiff/Plaintiff's Attorney" named below.

ROBERT D. CRITTON, JR.
BURMAN, CRITTON, LUTTIER & COLEMAN
303 Banyan Boulevard
Suite 400
West Palm Beach, FL 33401
561/842-2820

THE STATE OF FLORIDA:

TO EACH SHERIFF OF THE STATE: YOU ARE COMMANDED to serve this summons and a copy of the complaint/petition in this action the above-named Defendant.

DATED ON December 8, 2009

SHARON R. BOCK
CLERK OF THE CIRCUIT COURT

(SEAL)

BY: EPNA SMITH
DEPUTY CLERK

(See Reverse Side)
(Vease al revers)
(Voir de L'autre cote de)

vs.
Case No:

IMPORTANTE

Usted ha sido demandado legalmente. Tiene 20 Días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente... Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandante o Abogado del Demandante).

IMPORANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Un simple coup de téléphone est insuffisant pour vous protéger. Vous êtes obligé de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.