

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

CASE NO:

502008CA037319XXXXMB AB

■,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

_____ /

**PLAINTIFF'S RESPONSE TO EPSTEIN'S
MOTION FOR SANCTIONS AND TO IDENTIFY**

Plaintiff, ■, files this Response to Epstein's Motion for Sanctions and to Identify.

Introduction

Apparently Epstein and his counsel do not have a problem with press, they just have a problem with bad press. To put the quotes cited by defense in their motion in context, the court must also see some of the numerous quotes given by Epstein's defense team.

"These women are liars. We've established that."

"It was just a childish performance by the Palm Beach Police Department."

- Atty. Jack Goldberger, August 8, 2006, Palm Beach Post. (Ex. 1).

"There was never any victims." (sic)

- Atty. Jack Goldberger, July 23, 2009, Palm Beach Post. (Ex. 2).

"...because the craziness of this police chief, we have the charge of solicitation."

- Atty. Gerald Lefcourt¹, July 27, 2006, New York Post. (Ex. 3).

"He never denied girls came to the house," Goldberger said. But when Epstein was given a polygraph test, "he passed on knowledge of age," the attorney said.

- Atty. Jack Goldberger, July 29, 2006, Palm Beach Post (Ex. 4).

"Defense attorney Jack Goldberger maintains that not only did Epstein pass a polygraph test showing he did not know the girls were minors, but their stories weren't credible."

- Atty. Jack Goldberger, Aug. 5, 2006, Palm Beach Post (Ex. 5).

"There was never any sex between Jeffrey Epstein and any underage women," his lead attorney, Jack Goldberger, said from Idaho where he was vacationing with his family. Epstein did have young women come to his house to give him massages, Goldberger said, "Mr. Epstein absolutely insisted anybody who came to his house be over the age of 18. How he verified that, I don't know. The question is did anything illegal occur. The law was not violated here."

- Atty. Jack Goldberger, Aug. 8, 2006, Palm Beach Post (Ex. 1).

The quotes above are just a few of the numerous quotes and information provided directly to the press and media by Epstein's litigation team over a two year period before Plaintiff ██████ ever filed suit. In fact, as mentioned in the story, attorney Goldberger was so eager for media attention and publicity that the quotes in the first article cited were given while he was on vacation with his family in Idaho. (See Ex. 1). After the instant civil suit was filed, Epstein's mob of attorneys and press agents continued to pepper the media with their "version" of the story.

¹ Gerald Lefcourt is/was one of Epstein's attorneys in New York.

“Are these comments not prejudicial to the administration of justice? Clearly, these comments, without supporting evidence, are nothing more than hyperbole and would never reach a jury. Nonetheless, [Mr. Goldberger and Mr. Lefcourt] chose to make the comments in an effort to prejudice...[the girls in this case].”

“[Epstein’s attorneys] forget their attorney oath which reads, in pertinent part: ‘I will abstain from all offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause for which I am charged...[Mr. Epstein’s attorneys] took this oath; however, [their] publicity seems more important than the very oath [they] swore to uphold.”

Above are direct quotes from Defendant’s Motion for Sanctions filed in this case. (See Motion for Sanctions p. 4-5). Plaintiff has merely switched the names of the parties. Are these quotes not just as appropriate if applied to the comments made by Epstein’s attorneys? When reading Epstein’s current motion for sanctions, the often quoted phrases, “those in glass houses shouldn’t throw stones” and “the pot calling the kettle black” come to mind. These quotes were merely the beginning of the publicity junket that has continued through today, with not only Epstein’s criminal attorneys, but also his civil attorneys, such as Robert Critton.

Epstein’s team of attorneys utilized the press and media in a clear attempt to bias public opinion against his victims. Now that the victims and their attorneys are attempting to speak out, it would be a miscarriage of justice to sanction and silence the victims while the admitted criminal is allowed unfettered access to the press to pitch his cause.²

² While Defendant’s counsel takes issue with the branding of Mr. Epstein a “criminal”, the facts and public record show that he has pleaded guilty to “[p]rocur[ing] a person under the age of 18 for prostitution; F.S. 796.03” and he is a registered Sex Offender as a result. (See Ex. 6). Furthermore, when comparing this plea to Goldberger’s statement to the press in Ex. 1 this shows that Goldberger either permitted his client to plead guilty to a charge he did not believe his client committed, or he flat out lied to the press. Undersigned counsel is merely a civil litigator and does not handle criminal matters, but surely one of these two options is likely unethical.

Memorandum of Law

Epstein identifies four separate issues as the foundation of his Motion:

1. The Egg Shaped Penis deposition;
2. The non-prosecution agreement, and quotes regarding same;
3. Five various news articles;
4. The Goldberger Affidavit.

In addition, Defendant appears to throw in as an after-thought the argument that as a result of undersigned counsel's quotes, none of which directly discuss the facts of the [REDACTED] case, somehow her anonymity should now be revoked. [REDACTED] has never spoken to the press. This argument is illogical and should be denied. Each argument is addressed in turn.

I. The "Egg Shaped Penis" deposition

The deposition of Jeffrey Epstein was filed with the court and is a public record. "A lawyer may allow a newspaper reporter to inspect the lawyer's copy of a deposition taken in a civil suit of considerable public interest if the deposition is available for public inspection in the court clerk's office, if the reporter, not the lawyer, instigated the inquiry, and if the lawyer refrains from improper discussion of pending litigation." Fla. Ethics Opinion 65-43 (July 30, 1965). This opinion was further amended subsequent to the United States Supreme Court opinion in *Gentile v. State Bar of Nevada*, 501 U.S. 1047 (1991) to allow attorneys to quote more liberally on legal proceedings which have public interest.

In *Gentile*, the U.S. Supreme Court recognized that a vague regulation of public speech is impermissible and unconstitutional. A lawyer, like any other citizen, has a right to freedom of speech. The *Gentile* case involved a criminal defense attorney's comments to the press (not unlike those already cited in this case of Goldberger and Lefcourt). In *Gentile* the court required

that any rule banning public speech of an attorney must comply with both the requirements of “imminent” and “substantial” detrimental effect on the proceeding.

Florida’s Rule 4-3.6 specifically states that “A lawyer shall not make an extrajudicial statement that a **reasonable person** would expect...will have a substantial likelihood of **materially prejudicing and adjudicative proceeding** due to its creation of an **imminent and substantial detrimental** effect on that proceeding.” The release of the Egg Shaped Penis deposition clearly did not “materially prejudice” Epstein in any manner because the Palm Beach Police incident report and probable cause affidavit which included this description of Epstein’s private part was a public record and already in the public domain, posted on various news websites since his arrest. See <http://www.thesmokinggun.com/archive/0726062epstein1.html> (posted July 26, 2006). Additionally, there was no “imminent” court proceeding at the time the comments were made public. Mr. Epstein’s case is not currently set for trial.³

In the comments to Rule 4-3.6 it states that “[t]he public has the right to know about threats to its safety and measures aimed at assuring its security. It also has legitimate interest in the conduct of judicial proceedings, particularly in matters of general public concern.” The Epstein matter is a great public concern as evidenced by the thousands of news stories throughout the world. All press inquires were unsolicited by undersigned counsel. During the litigation in this matter, and because of Epstein’s notoriety, press agencies from throughout the world have been attempting to contact both undersigned counsel and counsel for Epstein.

This deposition was filed and made public because Epstein walked out of his properly noticed deposition. Therefore, his deposition was made public record because of Epstein’s own actions. Other than showing an individual’s identity, there is absolutely no difference between a

written transcript and a videotape for the purpose of public disclosure as it pertains to Epstein. Defendant cites absolutely no case law that can distinguish between a written transcript and a videotaped deposition.⁴

As a result of Defendant Epstein's actions, this court sanctioned him and ordered him to reappear for deposition. At hearing, this court properly pointed out that the questions asked by undersigned counsel, while personal in nature, were reasonably calculated to lead to the discovery of admissible evidence. In fact, this argument by Defense counsel is another example of Defendant and his counsel saying one thing, and doing another. As recent as December 3, 2009, Epstein's counsel was reprimanded by the Federal Court and the United States Magistrate Judge Linnea R. Johnson for their deposition tactics and questioning.

A review of the deposition transcript reveals numerous instances of Jane Doe 4 being subjected to repetitive questioning about exceedingly sensitive issues such as the emotional pain caused by [REDACTED] and Epstein's treatment of her. To re-phrase Plaintiffs' counsel's words, while it may be appropriate to ask a plaintiff in a personal injury case a question about whether [REDACTED] caused her [REDACTED], when the essentially identical question is re-phrased and asked over and over again, the questioning becomes badgering and harassing. Counsel for Defendant must be mindful that the depositions of the Plaintiffs in these cases covers the most intimate and private details of their lives and if not handled correctly may serve to needlessly re-victimize, embarrass and humiliate them.

. . .

...counsel is expected to conduct himself in a responsible and professional manner befitting members of the Bar and balance the need for the information sought against the psychological trauma

³ Alternatively, undersigned counsel points out that the comments made by Mr. Goldberger and his co-counsel in the press, as cited above, with the criminal trial pending and speedy trial issues, were clearly made to cause "imminent" detrimental effect on the criminal proceeding.

⁴ Conversely, a Jane Doe or an anonymous Plaintiff is entirely different. A proper non-identified plaintiff is afforded her anonymity because of the illicit and illegal actions of Defendant and Plaintiff's age. Defendant Epstein is not afforded that protection because he is the perpetrator, his photo is on the internet as a registered Sexual Offender, he is a known public figure and has been identified already in this proceeding.

that could result from repetitive, humiliating questions regarding the sensitive issues at play in this case.

Court Order Dec. 3, 2009 (Ex. 7).

While Defendant now claims that undersigned counsel's conduct is somehow embarrassing or harassing, it is Epstein's attorneys who from the nexus of his criminal charges have taken a sledgehammer approach to discovery and publicity. The Defense tactic has been to bludgeon Epstein's numerous young accusers with negative press, heavy handed and intimate discovery questions and harassing deposition questioning. In no way was the release of an already publicly filed deposition improper or sanctionable.

II. The Non-prosecution Agreement ("NPA")

Defendant's argument about the non-prosecution agreement ("NPA") makes absolutely no legal sense.

Similar fact evidence of other crimes, wrongs, or acts is **admissible** when relevant to prove a material fact in issue, including, but not limited to, proof of **motive, opportunity, intent, preparation, plan, knowledge, identity or absence of mistake** or accident, but it is inadmissible when the evidence is relevant solely to prove bad character or propensity.⁵

Fla. Stat. § 90.404(2)(a).

In Florida, there is a general rule of **admissibility** of relevant similar fact evidence even though the evidence points to the commission of another crime. This evidentiary rule is commonly referred to as the *Williams* rule. *See Williams v. State*, 110 So. 2d 654, 659, 662 (Fla. 1959), *cert. denied* 361 U.S. 847 (1959). This evidence of collateral crimes or acts is admissible under

⁵ Fla. Stat. § 90.404(2)(b)1 further states that "[i]n a criminal case in which the defendant is charged with a crime involving child molestation, evidence of the defendant's commission of other crimes, wrongs, or acts of child molestation is admissible, and may be considered for its bearing on any matter to which it is relevant." While this is not directly applicable because the instant case is not a criminal action, it is persuasive since the policy behind this subsection is similar to a civil proceeding for the same, or similar, acts.

section 90.404(2)(a) not because it is identical or even similar to the crime or act in issue, but because it is relevant to prove a material fact or issue in the instant case other than the defendant's propensity or bad character. *Zack v. State*, 753 So. 2d 9, 16 (Fla. 2000). This type of evidence is sometimes mistakenly referred to as "similar fact evidence," but the similarity of the facts involved in the collateral act or crime is not the test. *Id.* Here the court need not even address the issue of admissibility because the parties are merely engaged in discovery. Clearly, there is a good faith legal argument for the direct admission of similar fact evidence in this case to prove motive of Epstein to commit the sexual battery upon [REDACTED], opportunity to commit this act, his intent, preparation, plan, knowledge of [REDACTED]'s age, identity of Epstein and the absence of mistake with respect to the girls' ages. All of these issues have been raised by the Defense. Regardless of admissibility, the discovery of the information in the N.P.A. is reasonably calculated to lead to the discovery of admissible evidence.

As a result, through the proper legal court proceedings, undersigned counsel joined in a request to make public a document that did in fact lead to the discovery of relevant and pertinent information not only for the benefit of his client, but the general public and the system of justice. This NPA showed the previously secret deal cut by the U.S. Attorneys office with the Palm Beach State Attorney for the conviction of Defendant Epstein. It also identified by name co-conspirators which were given immunity.

The NPA is also relevant with respect to the bias of Epstein's co-conspirators who were given immunity. *See Fla. Stat. § 90.608(2)*. "Any party, including the party calling the witness, may attack the credibility of a witness by:...(2) showing that the witness is biased." *Id.* Is there a possibility that a named co-conspirator/witness may be bias in the civil proceeding, in favor of Epstein, because he negotiated for her immunity and freedom? *See Morrison v. State*, 818 So.

2d 432, 446-47 (Fla. 2002)(disclosing a witness's self-interest is a proper purpose of attacking the witness's credibility). Without question, this is relevant cross examination material in the instant case. Until the release of this NPA, undersigned counsel had no way of knowing the terms of the deal or the co-conspirators provided immunity.

Regardless, the Fourth District Court of Appeals granted undersigned counsel's petition and made the non-prosecution agreement public. *See Epstein v. State*, 16 So. 3d 315 (Fla. 4th DCA 2009). This document also has direct implications on the allegations of Plaintiff's cause of action. It is now an Exhibit to Plaintiff's Amended Complaint which shows the broad sexual enterprise (i.e. R.I.C.O.) and co-conspirators Epstein utilized to abuse underage women at his home on Palm Beach and elsewhere. It strains reason for Defense counsel to claim that by utilizing the proper legal procedures, and winning at the appellate court level, Plaintiff counsel's lawful conduct is somehow sanctionable.

III. Various News Articles

Next, Defendant cites various news quotes from undersigned counsel relative to this proceeding. As previously stated *infra*, these quotes are within the constitutional mandates of both freedom of the press and free speech. *See Gentile*. Furthermore, it can hardly be said that Epstein's counsel has taken the tact of "no comment."

Mr. Epstein is a man who has not, and does not, shy away from national and international publicity. He even has his own Wikipedia page on the internet. http://en.wikipedia.org/wiki/Jeffrey_epstein (See Ex. 8). This is a man who, long before the current litigation, had an international profile with friends such as former President Bill Clinton, Actors Keven Spacey, Chris Tucker, David Copperfield, and financial mogels like Les Wexner (owner of The Limited, Victoria's Secret, Abercrombie & Fitch and others). The facts

surrounding his crimes were national and international news in print, television and on the internet. One need only *Google* "Jeffrey Epstein" to find over 36,000 stories on-line. (Ex. 9). Mr. Epstein's illicit actions are even contained within published novels. See Leamer, Laurence, *Madness Under The Royal Palms, Love and Death Behind the Gates of Palm Beach*, Hyperion (2009) at p.175. The premise that, in the midst of this media deluge, four or five quotes by undersigned counsel somehow tainted Mr. Epstein's ability to receive a fair trial is laughable. Attached to this Response as Exhibit 1-5 & 10 are no less than nine (9) news stories containing quotes from Goldberger and other members of the Epstein defense team.

In addition to this legal team, Mr. Epstein hired professional Hollywood publicists in an attempt to *spin* the media and attack his numerous underage accusers. (See Ex. 1). Mr. Epstein hired famed New York publicist Dan Klores – whose client list has included Paris Hilton and Jennifer Lopez – who was quoted as saying in an August 8, 2006, interview with the Palm Beach Post, that Mr. Epstein was ready "to get his story out." This crack legal team and publicity engine gave numerous interviews with the media in an attempt to smear the reputations of the minor victims of Mr. Epstein.

In opposite to their present position, Epstein's counsel took a diametrically opposite ethical position, in a similar sexually charged and high publicity litigation. While the facts of that other case are irrelevant to the instant proceeding, the legal proposition is the same. In a case involving allegations of sexual harassment and battery with a high profile plaintiff attorney from Stuart, Epstein's current defense counsel freely gave interviews and information to the media, such as videotapes, to the press. (See Ex. 11).

In this other litigation, Mr. Pike was quoted as saying "[t]his is nothing but a shakedown for money." (See Ex. 11). The Critton firm then filed and made public the content of sexually

explicit DVD's showing the defendant's adult son having sex with one of the defendant's accusers. Pike was again quoted in the press saying "she claims she was assaulted by the father, yet a week later, she's making an amateur sex video with the son." (See Ex. 11). Mr. Critton is no stranger to the media either. In the past he has given numerous quotes to the Palm Beach Post about his cases, including one where he personally attacked an opposing litigant in the press by stating that "[he] has a pathological disorder." (See Ex. 12). Were Critton and Pike making comments in an effort to improperly prejudice the public and potential jury against their client's accusers, or were they merely exercising their First Amendment Rights to comment on evidence in the case?

Critton has even given direct media interviews regarding his current client, Mr. Epstein. In an extremely ironic move, after filing his motion for sanctions against undersigned counsel, Critton gave an interview with the national publication AmLaw Daily.⁶ (See Ex. 13). In that detailed interview, Critton was discussing his recent filing on behalf of Epstein against disgraced attorney Scott Rothstein. The facts of Critton's complaint deal with the civil cases against Epstein which were handled by an attorney in Rothstein's office. Critton told the press "instead of a defendant having a legitimate discussion with a plaintiff to resolve a case, [Rothstein's] out there pitching millions in dollars from these other cases he claims to have" and further claims that Rothstein engaged in "abusive litigation tactics." Critton further told the press that he was seeking "at least \$100,000 in damages and more than that if damages are trebled."

⁶ A Palm Beach Post reporter also advised undersigned counsel that Critton's office dropped off a copy of the Complaint against Rothstein the same day it was filed with the court. Obviously, an attorney trying to avoid press would not voluntarily drop off a new complaint to the local newspaper. It is clear that Epstein's team were actively seeking out press on this issue.

Critton appears to have no problem with quotes to the press when they favor his client's position. It is merely when the victims of his client speak out through their attorneys, when he takes issue. One cannot use the Rules as a shield and a sword.

None of the statements made to the press by undersigned counsel were improper. Additionally, none of the statements cited by Defense were prejudicial to the administration of justice. Quotes cannot be read in a vacuum. Both Epstein and his victims have had equal representation of their version of events, and the allegations, in the media. To silence or punish just one party without the other, would effectively quash the constitutional freedom of speech by victims and their advocates from speaking out when attacked by their accusers representatives.

IV. Goldberger Affidavit

Of all the unfounded accusations outlined in Defendant's motion, it is the Goldberger affidavit that is the most disappointing. First, undersigned counsel denies the statements recounted by Goldberger in his affidavit. Second, and more importantly, it is a sad day when colleagues in a difficult and stressful profession cannot have a friendly, joking conversation apart from their usual advocacy and courtroom arguments. Frankly, the fact that Goldberger has filed this affidavit speaks more about him as an individual than any other filed document or quote to the press in this case. Undersigned counsel will show more discretion and not recount the similar out of context, and joking, comments Goldberger made in this same conversation about his family and his own client unless the court finds any merit to this argument. If so, then undersigned counsel will provide his own affidavit quoting everything said during the conversation misquoted by Goldberger.

Regardless, this conversation had absolutely no bearing on the current litigation or either side's litigation strategy. For Goldberger to even try and use this friendly conversation as

anything other than two colleagues discussing and joking about business is distressing to say the least. Unfortunately, Mr. Goldberger has shown himself to be an untrustworthy and unfriendly individual. That is just sad.

V. Anonymity of Plaintiff, █████

As an apparent afterthought, Defendant somehow tries to leap to the conclusion that based on counsel's statements to the press, █████ should lose her anonymity. As cited above, Epstein's counsel has "solicited" untold amounts of publicity for himself. Conversely, not a single statement cited by Defense references the facts of █████'s specific case.⁷

The first case cited by Defense for this argument is *Doe v. Frank*, 951 F.2d 320 (11th Cir. 1992). Ignoring for a moment that this is a Federal decision interpreting Federal procedure, Defendant's conclusions about this case and its applicability to the instant situation are awkward at best. Undersigned counsel can only assume that this argument is a cut and paste job from a similar motion filed by Defense counsel with the Federal Court in other Epstein litigation because it does not apply. Defense counsel properly cites the seven factors in *Doe v. Frank* which would afford a plaintiff anonymous status. See Defendant's Motion for Sanctions p. 9. Two of these seven factors are directly relevant to the instant case: "whether the plaintiff is required to disclose information of utmost intimacy" and "whether the interests of children are at stake." In a baffling display, Defense counsel then states in his motion that "Plaintiff does not fall under any of the factors." As recognized by the Federal Magistrate, this entire case is about intimate sexual conduct involving minors.

Furthermore, █████'s identity has been known to Defense counsel since the inception of this litigation. As a result, all of the caselaw cited by Defense about "the purpose of discovery"

is irrelevant. ■■■. and undersigned counsel have not done a single thing or taken any action to prevent the orderly discovery in this case. Further, Plaintiff does not disagree with any of the cases cited in paragraph 21 of Defendant's motion. The courts should be open to every person; but how is that relevant to revealing the identity of a sexual molestation victim?

To identify a young girl who was molested by Defendant as a minor, serves absolutely no purpose other than a threat to embarrass and silence ■■■. 's counsel and any of Epstein's critics. Unfortunately, given the Epstein team's previous gorilla litigation tactics in both the civil and criminal proceeding, it is not surprising. Not a single case cited by Defendant stands for the proposition that comments by counsel regarding a defendant somehow vitiates a Plaintiff's entitlement to anonymity. As a result, this request should also be denied.

Conclusion

For the above mentioned reasons and argument, Defendant's entire motion for sanctions and to identify should be denied.

⁷ Interesting to note, this is the same tactic that Epstein's counsel has taken repeatedly in the cases with other girls (i.e. to threaten to identify plaintiffs if they speak to the press), while alternatively Epstein's counsel apparently feel none of the similar constraints.

CERTIFICATE OF SERVICE

HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U. S.

Mail, postage prepaid, this 5 day of JAN, 2010 to Jack A. Goldberger, Esq., [REDACTED]

[REDACTED] Bruce E. Reinhart, Esq., [REDACTED]

[REDACTED]; Robert D. Critton, Jr., Michael J. Pike, [REDACTED]

LEOPOLD-KUVIN, P.A.
[REDACTED]

By: _____

SPENCER T. KUVIN, Esq.
Florida Bar No.: 089737

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EPSTEIN CAMP CALLS FEMALE ACCUSERS LIARS

BYLINE: LARRY KELLER
 Palm Beach Post Staff Writer
DATE: August 8, 2005
PUBLICATION: Palm Beach Post, The (FL)
EDITION: FINAL
SECTION: LOCAL
PAGE: 1B
MEMO: Run all editions.

Attorneys and publicists for Palm Beach financier Jeffrey Epstein went on the offensive Monday, contending that teenage girls who have accused Epstein of sexual shenanigans at his waterfront home are liars and saying that the Palm Beach Police Department is "childish."

"There never was any sex between Jeffrey Epstein and any underage women," his lead attorney, Jack Goldberger, said from Idaho where he was vacationing with his family. Epstein did have young women come to his house to give him massages, Goldberger said. "Mr. Epstein absolutely insisted anybody who came to his house be over the age of 18. How he verified that, I don't know. The question is, did anything illegal occur. The law was not violated here."

He had no explanation as to why Epstein would pay girls or women with no massage training - as the alleged victims said was the case - \$200 to \$300 for their visits. "The credibility of these witnesses has been seriously questioned," Goldberger said.

Epstein, 53, was indicted by a county grand jury last month on a charge of felony solicitation of prostitution. After an 11-month investigation that included sifting through Epstein's trash and surveilling his home, Palm Beach police concluded there was enough evidence to charge him with sexual activity with minors. When the grand jury indicted Epstein on the less serious charge, Police Chief Michael Reiter referred the case to the FBI to determine whether there were federal law violations.

After a spate of stories about the case last week, New York publicist Dan Kores - whose client list has included Paris Hilton and Jennifer Lopez - said on Saturday that Epstein's camp was ready "to get their story out."

They did that Monday via Goldberger and a Los Angeles publicist for Miami criminal defense attorney Roy Black, who also has represented Epstein in the case.

"We just think there has been a distorted view of this case in the media presented by the Palm Beach police," Goldberger said.

Reiter has consistently declined to comment on the case and did not respond to a request for comment Monday.

The implication that State Attorney Barry Krischer was easy on Epstein by presenting the case to a grand jury rather than filing charges directly against him is wrong, Goldberger said.

The Palm Beach Police Department was "happy and ecstatic" that the panel was going to review the evidence. "I think what happened is they weren't happy with the result. They decided to use the press to embarrass Mr. Epstein."

But records show that Reiter wrote Krischer on May 1 - well before the case went to the grand jury - suggesting that Krischer "consider if good and sufficient reason exists to require your disqualification from the prosecution of these cases."

Rather than fall-out decline to charge Epstein, Krischer referred the case to the grand jury to "appease" the chief, Goldberger said.

A state attorney's spokesman would say only that the office refers cases to the grand jury when there are issues with the viability of the evidence or witnesses' credibility.

Both the state attorney and the grand jury concluded there was not sufficient evidence that Epstein had sex with minors, according to Goldberger. "It was just a childish performance by the Palm Beach Police Department," Goldberger said.

The defense attorney said one of the alleged victims who claimed she was a minor was in fact over the age of 18. Another alleged victim who was subpoenaed to testify to the grand jury failed to do so. Epstein's accusers, he added, have histories of drug abuse and thefts. "These women are liars. We've established that."



But why would they all invent their stories about meeting Epstein for sexual massages?

"I don't have an answer as to what was the motivation for these women to come forward and make these allegations," Goldberger said.



Illustration: PHOTO (C)

Jeffrey Epstein (mug)

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For the next year, Epstein must check in weekly with a probation officer. He'll also have to donate a sample of his DNA for the state's database.

As for Epstein's return home, Palm Beach relies on state law to determine where registered sex offenders may not live -- within 1,000 feet of a school, park or child care center. His mansion sits clear of all those zones.

Staff researcher Niels Heimeriks contributed to this story.



Epstein

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MOGUL DODGES JAILBAIT CHARGE

New York Post - New York, N.Y.
 Date: Jul 27, 2006
 Start Page: 014
 Section: Page Six
 Text Word Count: 395

Document Text

IT looks like New York billionaire financier Jeffrey Epstein got off easy when he was hit with a charge of soliciting a prostitute for a "happy ending" in Palm Beach.

Because if Palm Beach police had their way, Epstein, 53 - who surrendered last Sunday and is out on \$3,000 bail - might have been whacked with far more serious charges of paying underage girls for sex.

But a state grand jury found the witnesses in the case were not credible and threw out all but the single charge of soliciting a hooker in his luxurious Palm Beach home. Epstein's lawyers and friends now say he's the hapless victim of a vendetta by Palm Beach Police Chief Michael Reiter, whom they describe as a "born-again nut case."

According to the police investigation, a copy of which was obtained by the Palm Beach Post, detectives took statements from 17 witnesses and five alleged victims. [REDACTED], 20, a [REDACTED] who described herself as "like a Heidi Fleiss," says she got naked to give Epstein a massage, then brought him six girls ages 14-16 for massages and sex at his home. She said they were paid \$200 per session.

Cops also allege that Epstein's personal assistant, [REDACTED], who hasn't been charged, set up the liaisons and put fresh sheets on the massage table and supplied massage oils. Police searched through Epstein's garbage and retrieved sex toys and feminine hygiene products.

Epstein's Palm Beach lawyer, Jack Goldberger, told Page Six that the Florida state attorney concluded the cops had looked at evidence from a "one-sided perspective." He added that Epstein had passed an extensive lie-detector test in which he was grilled about underage girls.

Epstein's New York lawyer, Gerald Lefcourt, said, "The prosecutor didn't want to bring any charges in this case, but because of the craziness of this police chief, we have the charge of solicitation."

Last night, WPTV in Palm Beach reported that one reason [REDACTED] testimony may have been dismissed is the [REDACTED]

A spokeswoman for Reiter said, "We think our investigation speaks for itself."

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Abstract (Document Summary)

Cops also allege that [Jeffrey Epstein's] personal assistant, [REDACTED], who hasn't been charged, set up the liaisons and put fresh sheets on the massage table and supplied massage oils. Police searched through Epstein's garbage and retrieved sex toys and feminine hygiene products.

Epstein's Palm Beach lawyer, Jack Goldberger, told Page Six that the Florida state attorney concluded the cops had looked at evidence from a "one-sided perspective." He added that Epstein had passed an extensive lie-detector test in which he was grilled about underage girls.

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How to make electricity

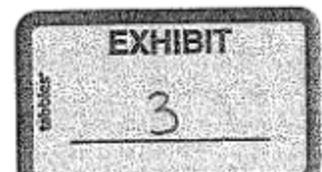
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POLICE SAY LAWYER TRIED TO DISCREDIT TEENAGE GIRLS

BYLINE: LARRY KELLER, Palm Beach Post Staff Writer
DATE: July 29, 2006
PUBLICATION: Palm Beach Post, The (FL)
EDITION: FINAL
SECTION: LOCAL
PAGE: 1B
MEMO: Ran all editions.

Famed Harvard law professor Alan Dershowitz met with the Palm Beach County State Attorney's Office and provided damaging information about teenage girls who say they gave his client, Palm Beach billionaire Jeffrey Epstein, sexually charged massages, according to police reports.

The reports also state that another Epstein attorney agreed to a plea bargain that would have allowed Epstein to have no criminal record. His current attorney denies this happened. And the documents also reveal that the father of at least one girl complained that private investigators aggressively followed his car, photographed his home and chased off visitors.

Police also talked to somebody who said she was offered money if she refused to cooperate with the Palm Beach Police Department probe of Epstein.

The state attorney's office said it presented the Epstein case to a county grand jury this month rather than directly charging Epstein because of concerns about the girls' credibility. The grand jury indicted Epstein, 53, on a single count of felony solicitation of prostitution, which carries a maximum penalty of five years in prison.

Police believed there was probable cause to charge Epstein with the more serious crimes of unlawful sex acts with a minor and lewd and lascivious molestation. Police Chief Michael Reiter was so angry that he wrote State Attorney Barry Krischer a memo in May suggesting he disqualify himself from the case.

The case originally was going to be presented to the grand jury in February, but was postponed after Dershowitz produced information gleaned from the Web site myspace.com showing some of the alleged victims commenting on alcohol and marijuana use, according to the police report prepared by Detective Joseph Recarey.



According to Recarey, prosecutor Lanna Belohavcik offered Epstein attorneys Dershowitz and Guy Frontin a plea deal in April. Frontin, after speaking with Epstein, accepted the deal, in which Epstein would plead guilty to one count of aggravated assault with intent to commit a felony, be placed on five years' probation and have no criminal record. The deal also called for Epstein to submit to a psychiatric and sexual evaluation and have no unsupervised visits with minors, according to Recarey's report. The plea bargain was made in connection with only one of the five alleged victims, the report states.

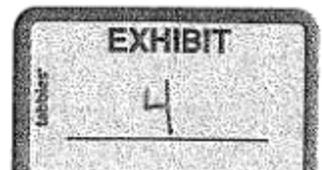
Frontin - who declined to comment on the case - was subsequently fired and veteran defense attorney Jack Goldberger was hired. He denies there was any agreement by any of Epstein's attorneys to a plea deal.

"We absolutely did not agree to a plea in this case," he said. Neither Belohavcik nor a state attorney's spokesman could be reached for comment.

The parent or parents of alleged victims who complained of being harassed by private investigators provided license tag numbers of two of the men. Police found the vehicles were registered to a private eye in West Palm Beach and another in Jupiter, according to Recarey's report.

"I have no knowledge of it," defense attorney Goldberger said.

The report also says a woman connected to the Epstein case was contacted by somebody who was still in touch with Epstein. That person told her she would be compensated if she didn't cooperate with police, Recarey's report says. Those who did talk "will be dealt with," the woman said she was told. Phone records show the woman talked with the person who allegedly intimidated her around the time she said. Recarey reported.



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EXPERT: IGNORANCE OF AGE ISN'T DEFENSE IN SEX CASES

BYLINE: LARRY KELLER
 Palm Beach Post Staff Writer
DATE: August 5, 2006
PUBLICATION: Palm Beach Post, The (FL)
EDITION: FINAL
SECTION: LOCAL
PAGE: 1B
MEMO: Ran all editions.

Even if Palm Beach money manager Jeffrey Epstein didn't know that girls who police say gave him sexual massages at his Intracoastal home were under the legal age, that alone wouldn't have exempted him from criminal charges of sexual activity with minors.

"Ignorance is not a valid defense," said Bob Dekle, a legal skills professor who was a Lake City prosecutor for nearly 30 years, half of that time specializing in sex crimes against children. "There is no knowledge element as far as the age is concerned," Dekle said.

After an 11-month investigation, Palm Beach police said there was probable cause to charge Epstein, 53, with unlawful sex acts with a minor and lewd and lascivious molestation. They contend that Epstein - friend of the rich and famous and financial patron of Democratic Party organizations and candidates - committed those acts with five underage girls.

In the past week, New York Attorney General and gubernatorial candidate Eliot Spitzer has returned about \$50,000 in campaign contributions he received from Epstein, and Mark Green, a candidate to replace Spitzer in his current job, has returned \$10,000 to him because of the Palm Beach scandal, the New York Daily News has reported.

Rather than file charges, the state attorney's office presented the case to a county grand jury. The panel indicted Epstein last week on a single, less serious charge of felony solicitation of prostitution.

The case raised eyebrows because the state attorney's office rarely, if ever, kicks such charges to a grand jury. And it increases the difficulty of prosecuting child sex abuse cases, especially when the defendant is enormously wealthy and can hire high-priced, top-tier lawyers.

At least one of Epstein's alleged victims told police he knew she was underage when the two of them got naked for massages and sexual activity. She was 16 years old at the time and said Epstein asked her questions about her high school, according to police reports.

A girl who said she met Epstein when she was 15 said he told her if she told anybody what happened at his house, bad things could happen, the police reports state.

Epstein's youngest alleged victim was 14 when she says she gave him a massage that included some sexual activity. She is now 16. The girl's father says he doesn't know whether she told Epstein her age.

"My daughter has kept a lot of what happened from me because of sheer embarrassment," he said. "But she very much looked 14. Any prudent man would have had second thoughts about that."

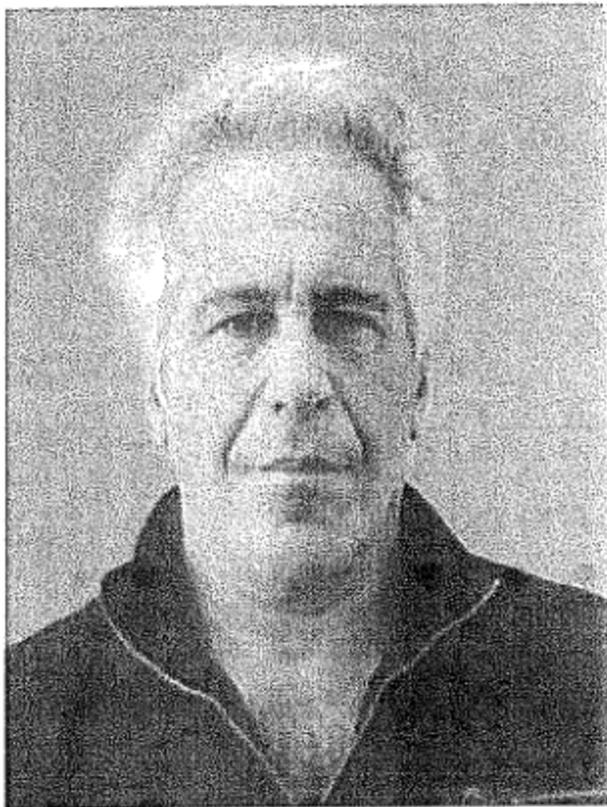
Defense attorney Jack Goldberger maintains that not only did Epstein pass a polygraph test showing he did not know the girls were minors, but their stories weren't credible. The state attorney's office also implied that their credibility was an issue when it decided not to charge Epstein directly, but instead give the case to the grand jury.

"A prosecutor has to look at it in a much broader fashion," a state attorney's spokesman said last week.

Epstein hired Harvard law Professor Alan Dershowitz when he became aware he was under investigation, and Dershowitz gave prosecutors information that some of the alleged victims had spoke of using alcohol and marijuana on a popular Web site, according to a Palm Beach police report.

Prosecutors typically consider two things in deciding whether to charge somebody with sex-related offenses against minors - whether there is sufficient evidence and whether there is a public interest in doing so, Dekle said.



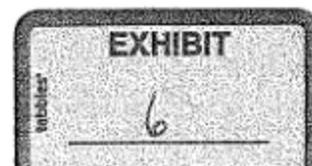
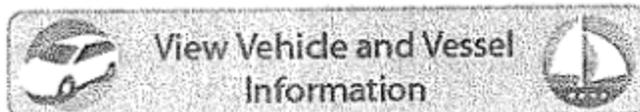


JEFFREY E EPSTEIN
Date Of Photo: 08/03/2009

Click Here to Track this Offender	
Designation:	<u>Sexual Offender</u>
Name:	JEFFREY E EPSTEIN
Status:	<u>Supervised - FL Dept of Corrections</u>
Department of Corrections #:	W35755 Search the Dept of Corrections Website
Date of Birth:	01/20/1953
Race :	White
Sex:	Male
Hair:	Grey
Eyes:	Blue
Height:	6'00"
Weight:	180 lbs

EPSTEIN is registered as a Sexual Offender.
Positive identification cannot be established unless a fingerprint comparison is made.

Aliases				
JEFFREY EDWARD EPSTEIN, JEFFREY EPSTEIN				
Scars, Marks & Tattoos				
Not Available				
Address Information				
Address		Address Source Information		Map Link
358 El Brillo Way Palm Beach, FL 33480-4730 Palm Beach COUNTY		Source: Dept. of Corrections Received: 08/27/2009 Type of Address: Permanent		Show Map
Crime Information - Qualifying Offenses				
Adjudication Date	Crime Description	Court Case Number	Jurisdiction & State	Adjudication
06/30/2008	<u>Procuring a person under age of 18 for prostitution: F.S. 796.03 (PRINCIPAL)</u>	0809381	<u>PALM BEACH, FL</u>	Guilty/convict
Victim Information				
Gender:Female Minor:Yes				



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

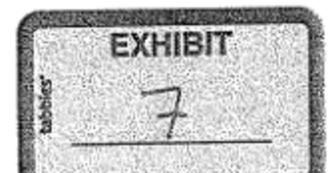
Related cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092

OMNIBUS ORDER

THIS CAUSE is before the Court on the following motions: (1) Plaintiff Jane Doe's Motion for Protective Order Barring Second Deposition and for Sanctions (D.E. #378); and, (2) Plaintiff Jane Doe No. 4's Motion for Protective Order Re Second Day of Deposition (D.E. #392). For the following reasons said Motions are granted in part and denied in part in accordance with the terms herein.

In this case, which has been consolidated for purposes of discovery, Plaintiffs are former under-age girls who allege they were sexually assaulted by Defendant, Jeffrey Epstein ("Epstein"), at his Palm Beach mansion home. The scheme is alleged to have taken place over the course of several years in or around 2004-2005, when the girls in question were approximately 16 years of age. As part of this scheme, Epstein, with the



help of his assistant § [REDACTED] allegedly lured economically disadvantaged minor girls to his homes in Palm beach, New York and St. Thomas, with the promise of money in exchange for a massage. Epstein purportedly transformed the massage into a sexual assault. The three-count Complaint alleges sexual assault and battery (Count I), intentional infliction of § [REDACTED] (Count II), and, coercion and enticement to sexual activity in violation of 18 U.S.C. §2422 (Count III).

The instant Motions are nearly identical and seek, as to each respective Plaintiff, Jane Doe in the case of D.E. #378 and Jane Doe 4 in the case of D.E. #392, protection/limitation from having to appear at a second deposition. Jane Doe was deposed on September 20, 2009 for a total of anywhere between just under 7 hours to 8 hours. Jane Doe 4 was deposed on October 27, 2009, and the parties are in agreement that taking into account breaks, the deposition lasted 5 hours and 35 minutes. Plaintiffs contend that under Fed. R. Civ. P. 30(d)(1), S.D. Fla. L.R. 26.1(K), and the Court's Consolidation Order (D.E. #98), all of which limit a deposition of an individual to a single day of seven hours unless leave of Court is granted, it is Defendant's burden to demonstrate why more than seven hours of deposition time is necessary for a particular Plaintiff. According to Plaintiff, Epstein has failed to sustain his burden in this regard and, as such, he should not be able to re-depose Jane Doe at all², and should only be able to re-depose Jane Doe 4

¹ In her Motion, Jane Doe represents that she was deposed for 8 hours. For his part, Defendant Epstein contends in his Response in Opposition that taking into account lunch and other breaks, the actual figure is 6 hours and 50 minutes, which figure he contends was confirmed with the court reporter. The Court finds that whether Jane Doe was deposed for just under 7 hours as Epstein contends, or for 8 hours as Jane Doe alleges, is under the circumstances herein presented, of no consequence.

² This is based on Plaintiffs' representation that Jane Doe's deposition lasted 8 hours.

for an additional 1 hour and 25 minutes, providing Epstein with an aggregate of 7 hours deposition time of Jane Doe 4.

Epstein contends the Court's May 14, 2009 Consolidation Order, which provides that "Local Rule 26.1K (limiting deposition time to one day of seven hours) is waived so as to allow each party an adequate opportunity to develop fully the record as it may relate to that party," effectively waives L.R. 26.1K's limitation on the length of a deposition, thereby relieving Epstein from the seven hour deposition limit. The Court disagrees with Epstein's interpretation of the District Court's Order and finds that Fed.R.Civ.P. 30(d)(1) and S.D.Fla.L.R. 26.1(K) which, absent agreement or court order, presumptively limits depositions to 7 hours, applies in this case. That said, the undersigned finds that Epstein has provided sufficient and reasonable grounds in his Response Memorandum to sustain his burden under the Rules of showing additional time to depose Jane Doe and Jane Doe 4 is needed to fully and fairly prepare his defense.

Plaintiffs are seeking millions of dollars in personal injury damages for, among other things, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, and invasion of privacy. Epstein's counsel represents he will need an additional 2 ½ to 3 hours to depose Jane Doe, so that he can cover such topics as background information not disclosed in answers to interrogatories, family background information, details regarding Jane Doe's visits to Epstein's home, Jane Doe's knowledge of other witnesses, school records and medical records, and finally, details regarding her past sexual history, an opportunity he did not have when he began her deposition as the Court had not yet ruled on Epstein's Motion to Compel (D.E. #s 67 & 68), which sought information related to Plaintiff's past

sexual history.

As for Jane Doe 4, Epstein's counsel represents he will need approximately an additional 4 hours to complete her deposition, owing to her "complicated and eventful past history" including alleged drug use, repeated instances of [REDACTED] and arrests. Def's Resp., p. 2. Also, as with Jane Doe, Epstein's counsel claims he needs additional time to depose Jane Doe 4 on details regarding her past sexual history, an opportunity he did not have when he began her deposition as the Court had not yet ruled on Epstein's Motion to Compel (D.E. #s 67 & 68), which sought information related to Plaintiff's past sexual history. All agree that there were instances at Jane Doe 4's initial deposition where she was instructed by her counsel not to answer questions "relat[ed] to sexual partners' names or sexual positions." Jane Doe 4 Deposition Excerpt, attached as Ex. "B" to Def's Resp., at 5. With these subjects fairly open to inquiry, it is only reasonable that Epstein's counsel will require additional time to depose Jane Doe and Jane Doe 4 on these areas.

The Court agrees with Epstein that all of the foregoing issues are directly relevant to Plaintiffs' damage claims and credibility, and to deny him additional time in which to depose these Plaintiffs would be unreasonable under the circumstances and result in prejudice to Epstein by denying him the opportunity to obtain discovery that is central to his defense. See Osborne v. Columbia Helicopters, Inc., 2009 WL 2215076 (S.D. W.Va. 2009)(granting the defendant an additional one day of 7 hours to depose the plaintiff, reasoning that because the plaintiff provided incomplete written discovery responses, the defendant "did not have full opportunity to examine Mr. Osborne respecting all of the information which might properly be considered in his discovery deposition.").

Nonetheless, with the Court now having the benefit of the 446 page, three-volume deposition transcript, a copy of which is attached to Plaintiffs' Appeal of Magistrate Judge Decision (D.E. #430), the Court finds the 4 additional hours requested by Defendant to depose Jane Doe 4 unreasonable under the circumstances. A review of the deposition transcript reveals numerous instances of Jane Doe 4 being subjected to repetitive questioning about exceedingly sensitive issues such as the emotional pain caused by [REDACTED], the sexual positions she has engaged in, and Epstein's treatment of her. To re-phrase Plaintiffs' counsel's words³, while it may be appropriate to ask a plaintiff in a personal injury case a question about whether [REDACTED] caused her [REDACTED], when the essentially identical question is re-phrased and asked over and over again, the questioning becomes badgering and harassing. Counsel for Defendant must be mindful that the depositions of the Plaintiffs in these cases covers the most intimate and private details of their lives and if not handled correctly may serve to needlessly revictimize, embarrass and humiliate them.

In order to avoid this result, in all future depositions of the Plaintiffs in these cases, including the re-depositions of Jane Doe and Jane Doe 4, Defendant's counsel is ordered to refrain from repetitive questioning. This does not mean that Defense counsel may not follow-up on questions asked or ask similar questions of a related nature, but counsel is expected to conduct himself in a responsible and professional manner befitting members of the Bar and balance the need for the information sought against the psychological trauma that could result from repetitive, humiliating questions regarding the sensitive

³ See Plaintiffs' Appeal of Magistrate's Order (D.E. #430), p.6-7.

issues at play in this case.

As for the time permitted defense counsel to re-depose these Plaintiffs, the Court finds that any remaining questions regarding Jane Doe 4 or Jane Doe 4's sexual history can fairly and reasonably be covered in 2 hours, rather than the 4 hours requested, and that any remaining questions regarding Jane Doe or Jane Doe's sexual history can fairly and reasonably be covered in the requested 3 hours. The Court's allowance of this additional time should not be construed by defense counsel as authority to take the depositions of these Plaintiffs for any longer time than is necessary, and in no event will the Court tolerate questioning of an abusive nature. In accordance with the above and foregoing, it is hereby

ORDERED AND ADJUDGED that Plaintiff Jane Doe's Motion for Protective Order Barring Second Deposition and for Sanctions (D.E. #378); and Plaintiff Jane Doe No. 4's Motion for Protective Order Re Second Day of Deposition (D.E. #392) are **GRANTED IN PART AND DENIED IN PART** in accordance with the terms of this Order. Epstein's counsel is hereby given leave to re-depose Jane Doe for up to 3 additional hours and hereby given leave to re-depose Jane Doe 4 for up to 2 additional hours. Counsel for the parties are ordered to immediately confer and come to mutual agreement on a date and time in which these depositions can be continued sometime within two (2) weeks from the date hereof, unless otherwise agreed to by the parties. Plaintiffs' request for sanctions is denied.

DONE AND ORDERED this December 3, 2009, in Chambers, at West Palm Beach, Florida.



LINNEA R. JOHNSON
UNITED STATES MAGISTRATE JUDGE

CC: The Honorable Kenneth A. Marra
All Counsel of Record

Jeffrey Epstein

From Wikipedia, the free encyclopedia
(Redirected from Jeffrey epstein)

Jeffrey Epstein (born January 20, 1953 in Coney Island, New York) is an American financier, billionaire and philanthropist.

Epstein was raised in Coney Island and attended Lafayette High School in Brooklyn, New York. He attended classes at Cooper Union from 1969 to 1971 and then at the Courant Institute of Mathematical Sciences, leaving without a degree. From 1973 to 1975 he taught calculus and physics at the Dalton School. He then became a trader at Bear Stearns. In 1982 he founded his own financial management firm, **J. Epstein and Co.** and later called **Financial Trust Co.**, located on his private island in the U.S. Virgin Islands. He reportedly only takes billionaire clients; one client was his mentor and friend Les Wexner^[1] who recently hired Dennis Hersch to replace Epstein.^[2]

Since all but one of his clients are anonymous, it has been speculated that Epstein's lavish lifestyle is primarily financed by Wexner.^[1]

Epstein has befriended high profile scientists such as Leonard Susskind, Richard Axel, Gerald Edelman, Murray Gell-Mann, Ben Goertzel, and Marvin Minsky, and politicians including George J. Mitchell and Bill Clinton. In September 2002 he flew Bill Clinton, Kevin Spacey and Chris Tucker to Africa in his private Boeing 727, to promote the ex-president's anti-AIDS efforts.^[1]

Epstein is a friend and supporter of theoretical biologist Martin Nowak. He funded Nowak's research at the Institute for Advanced Study in Princeton^[1] and in 2003 pledged \$30 million to Harvard University to fund the newly created Program for Evolutionary Dynamics there which Nowak directs.^{[3][4]}

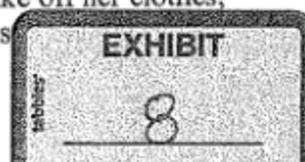
He is a former board member of Rockefeller University, a member of the New York Academy of Sciences, the Trilateral Commission, and the Council on Foreign Relations, and a visiting fellow at Harvard University. He has also funded microbiology experiments in Bangladesh, particle physics in South Africa and M-theory in India and was a founding member of the Scholar Rescue Fund. Epstein is a former trustee of the International Institute for Education, the parent organization of the Fulbright Program. He has held conferences on artificial intelligence, cosmology and the origin of life with prominent scientists.

In addition to his private island in the Virgin Islands (Little St. James Island), Epstein owns a 50,000-square-foot (4,600 m²) townhouse in Manhattan that was formerly owned by Les Wexner, a villa in Palm Beach, Florida and a fortress on a ranch in Santa Fe, New Mexico.^[5]

He is often accompanied on his trips and at his mansions by his close friend Ghislaine Maxwell, daughter of the late British publisher Robert Maxwell.^[6] He is also often seen surrounded by young women, some of which are employed as his personal assistants.^[1] In September 2007 one woman described how she had been hired by Ghislaine Maxwell as a masseuse and assistant to Epstein and had engaged in sexual acts.^[6]

Police investigation

In March 2005, a woman contacted Palm Beach police, concerned that her 14-year-old step daughter had been molested by a wealthy man. The daughter told police that she had been paid \$300 for giving a massage to Epstein in his mansion. She had told him that she was 18 years old.^[5] He had ordered her to take off her clothes; she had undressed but had left on her underwear. During the massage he had masturbated himself and applied a vibrator to her crotch.^[7]



Police started an 11-month undercover investigation of Epstein, followed by a search of his home. Subsequently they alleged that Epstein had paid several underage girls to perform sexual acts on him. Interviews with five alleged victims and 17 witnesses under oath, phone messages, a high school transcript and other items they found in Mr. Epstein's trash and home allegedly show that he knew how young the girls were.^[8] A search of Epstein's home found numerous photos of nude young girls throughout the house, some of whom had been interviewed earlier by the police.^[7] He had set up a system of young women recruiting other women for his massage services, paying \$200 for each referral.^[5] Two housekeepers stated to the police that Epstein would receive two to three massages per day whenever he stayed in Palm Beach.^[7] In May 2006, Palm Beach police filed a probable cause affidavit saying that Epstein should be charged with four counts of unlawful sex with minors and one molestation count.^[7] In a police interview, one of the girls related that she repeatedly had lesbian sex with Epstein's friend ██████████ in his presence; she stated he "had purchased her from her family in Yugoslavia. Epstein bragged he brought her into the United States to be his Yugoslavian sex slave."^[9]

His team of lawyers included Gerald B. Lefcourt, Alan Dershowitz and later also Kenneth Starr.^[5] They stated that Epstein never knew of the under-age status of his masseuses, which was confirmed by subjecting him to a lie detector test.^[10] They also questioned the credibility of the teenage accusers, based in part on their MySpace postings and information obtained by private investigators.^{[8][11]}

Instead of following the recommendation of the police, the prosecutors considered the evidence weak^[10] and presented it to a grand jury, an uncommon procedure in non-capital cases. The grand jury returned only a single charge of felony solicitation of prostitution,^[12] to which Epstein pleaded not guilty in August 2006.^[11] The Palm Beach police chief, angered about this minor charge and suspecting preferential treatment of the wealthy, complained to the state attorney and then turned the case over to the FBI.^[5]

In December 2007, it was reported that Epstein was involved in plea negotiations and was expected to plead guilty to a charge of soliciting prostitution and spend about 18 months in jail.^[5] A guilty plea was finally reported on June 30, 2008.

After the accusations became public, several parties returned donations they had received from Epstein, including Eliot L. Spitzer, Mark A. Green, Bill Richardson,^[4] and the Palm Beach police department.^[8] Harvard announced that it would not return any money.^[4]

Civil lawsuits alleging child molestation, assault

In a related case, Epstein was sued in October 2007 by Maximilia Cordero, a male-to-female transgender model, who claims Epstein forced her into a sexual relationship at the age of 16.^[13]

On February 6, 2008, an anonymous Virginia woman filed a \$50 million civil lawsuit^[14] in federal court against Epstein, alleging that when she was a 16-year-old minor in 2004-2005, she was "recruited to give Epstein a massage." After being brought to his Palm Beach mansion, she claims that he exposed himself and sexually assaulted her, and paid her \$200 immediately afterward.^[12] A similar \$50 million suit was filed by a different woman in March 2008 who was represented by the same lawyer.^[15]

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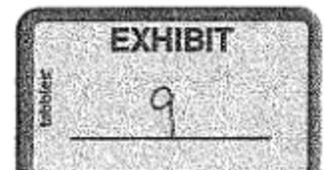
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BILLIONAIRE'S DEFENSE ARMY

New York Post - New York, N.Y.

Date: Aug 9, 2006

Start Page: 011

Section: Page Six

Text Word Count: 117

Document Text

BILLIONAIRE Jeffrey Epstein has hired a platoon of pit-bull lawyers and publicists to rebut accusations that he regularly enjoyed nude massages and sex with underage girls. An 11-month probe by Florida prosecutors resulted in just one charge against Epstein - that he solicited "happy endings" from adult masseuses at his Palm Beach estate. Now the former partner of Mort Zuckerman in Radar magazine is repped by a Dream Team of lawyers - Alan Dershowitz, Roy Black, Jack Goldberger and Gerald Lefcourt - plus p.r. gurus Howard Rubenstein and Dan Klores. Goldberger is discrediting some of Epstein's accusers as untrustworthy drug-abusers and local cops as "childish." He told the Palm Beach Post, "These women are liars. We've established that."

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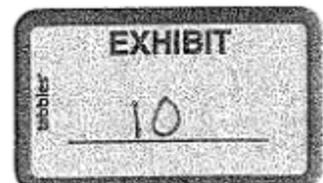
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MASSAGING THE SYSTEM

DATE: August 10, 2006
PUBLICATION: Palm Beach Post, The (FL)
EDITION: FINAL
SECTION: OPINION
PAGE: 20A

Palm Beach police say their 11-month investigation shows that 53-year-old part-time town resident Jeffrey Epstein committed unlawful sex acts with and lewd and lascivious molestation on five underage girls. Defense attorney Jack Goldberger claims that his client, Jeffrey Epstein, had no idea that the untrained girls he hired for massages were minors.

The Palm Beach County State Attorney's Office could have let a jury decide whom to believe. Instead, State Attorney Barry Krischer left the public to wonder whether the system tilted in favor of a wealthy, well-connected alleged perpetrator and against very young girls who are alleged victims of sex crimes. Mr. Krischer took the unusual step of referring the case to a grand jury, which last month indicted Jeffrey Epstein on one felony count of solicitation of prostitution. That decision came after Harvard law Professor Alan Dershowitz met with prosecutors to undermine the credibility of the 14- to 17-year-old girls who charged that Mr. Epstein had paid them \$200 to \$300 to undress and massage him in his five-bedroom, 7 1/2-bath home on the Intracoastal Waterway.

The girls, Mr. Dershowitz told prosecutors, had written on myspace.com about smoking marijuana and drinking alcohol. But if the girls have a credibility problem, what about Jeffrey Epstein? Mr. Goldberger, told The Post: "Mr. Epstein absolutely insisted anybody who came to his house be over the age of 18. How he verified that, I don't know." And prosecutors took him at his word?

Police collected evidence that refutes Jeffrey Epstein's defense. Police searched his home and garbage and found phone messages about the girls' school schedules and even a high school transcript, suggesting that Mr. Epstein at least knew that the girls were teenagers.

The state attorney's office has responded to criticism from Palm Beach police and others by noting the higher standard prosecutors face for conviction than law-enforcement officers do for arrest. But in this case, the state attorney bowed to the risk that a jury might look at both Jeffrey Epstein and the girls, and point fingers at both sides.

Even if the girls could be impugned as prostitutes, solicitation of a minor is a crime. Former disc jockey and teacher Bruno Moore was charged with that Tuesday. Investigators say the 34-year-old used the Internet - myspace.com - to recruit a 13-year-old. Police say Jeffrey Epstein used a 20-year-old woman who had a myspace.com account to recruit young girls. His actions were sleazy. It would have been good to ask a jury just how criminal they were.

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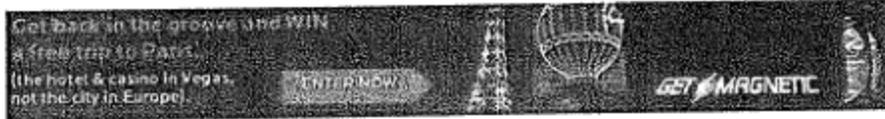
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HE WAS OVER 50. AND THEY WERE GIRLS

BYLINE: Elise Craver
DATE: August 4, 2006
PUBLICATION: Palm Beach Post, The (FL)
EDITION: FINAL
SECTION: OPINION
PAGE: 20A

If the women whom Palm Beach police say a part-time town resident invited to his home and paid for sex acts were, in fact, women, the solicitation charge against Jeffrey Epstein might feel more sufficient. But, according to police records, they weren't. He was over 50. And they were girls.

14. 15.

16.

17-year-old girls.

That should count for something -- the difference between prostitution and pedophilia.

So, it is baffling that Mr. Epstein, who was indicted last month by a grand jury on one felony count of solicitation of prostitution, has not been charged, as Palm Beach police strenuously urged, with unlawful sex acts with a minor and lewd and lascivious molestation.

Conviction of crimes against minors would mean steeper penalties than the maximum five-year prison term Mr. Epstein faces if convicted of the single count of felony solicitation. It also would help carry a message of intolerance to perverts who prey on girls.

Prosecutors did not pursue charges against Mr. Epstein reflecting the age of the victims because they assumed a jury would view the girls not as victims but as promiscuous, untrustworthy, willing participants. The presumption is offensive.

Mr. Epstein, a 53-year-old Manhattan money manager who has hired Harvard law professor Alan Dershowitz and defense attorney Jack Goldberger, has denied knowing how old the girls were. But police interviews with five alleged victims and 17 witnesses under oath, as well as phone messages, a high school transcript and other items that police found from searching Mr. Epstein's trash and 7,234-square-foot waterfront home, provide evidence that he knew the girls were teenagers.

One girl couldn't show up when Mr. Epstein wanted because she had soccer. Another time, Mr. Epstein had to wait for his "massage" session because the girl he wanted was still in class.

Why didn't State Attorney Barry Krischer let a jury decide whether to believe the teenagers -- including a 16-year-old who went to Mr. Epstein's house to "work" in December 2004 after being asked whether she needed to make money for Christmas gifts?

Prosecutors gave greater weight to the details Mr. Dershowitz provided about the girls in an apparent effort to assail their character. Mr. Dershowitz pointed out to prosecutors that some of the teenagers had talked on myspace.com about marijuana and alcohol use.



Although no charges of witness tampering have been filed, the parents of at least one of the teenage victims complained to police of being followed and intimidated by two men. Police determined that their vehicles were registered to two private investigators. Mr. Goldberger denied knowing anything about it.

Police also note in their reports that the state attorney's office offered Mr. Epstein a plea deal that would have placed him on probation for five years, allowing him ultimately to walk away with no criminal record at all.

I asked Mr. Krischer's spokesman, Mike Edmondson, why the case was referred to a grand jury instead of Mr. Epstein being charged and facing a trial before a jury. And shouldn't the victims' credibility be a factor to determine whether a crime's been committed, not whether a jury will convict? (After all, as Mr. Goldberger told The Palm Beach Post of Mr. Epstein, "He's never denied girls came to the house.")

Especially, I asked Mr. Edmondson to explain: Why shouldn't the public look at this case and think there are two kinds of justice – one for the wealthy and one for the rest of us?

Mr. Edmondson said he could not comment on the case because it is active, but on the letter point, he offered, for the sake of "philosophical debate": "Whether wealth buys a different standard of justice across the country ... the answer to that would, of course, be yes."

But in this case, he said, "regardless of the battery of attorneys, the outcome would be the same. Every issue that was debated in public was debated in our office before this case went to the grand jury."

In this case, it is not the victims' credibility but the state attorney's that deserves questioning.

Elisa Cramer is an editorial writer for The Palm Beach Post. Her e-mail address is elisa_cramer@pbpost.com

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MESSAGE MAVEN OUT OF PRISON

New York Post - New York, N.Y.

Author: Anonymous
 Date: Jul 23, 2009
 Start Page: 12
 Section: Page Six
 Text Word Count: 303

Document Text

JEFFREY Epstein is a free man. Yesterday, the message-loving billionaire financier was released six months early from his 18-month prison sentence in Florida because he's cooperating with federal prosecutors. Epstein, who pleaded guilty to procuring teenage girls for prostitution, is helping the feds prosecute Ralph Cioffi and Matthew Tannin, the Bear Stearns hedge fund managers who allegedly took him for \$67 million. Cioffi and Tannin are set to go on trial in Brooklyn federal court on Sept. 28 on charges of misleading investors in their subprime mortgage investment fund, which went bust last year. Epstein was given work release from his dorm at the Palm Beach County sheriff's 17-acre, 967-bed stockade. "He's been visiting the offices of his lawyer, Jack Goldberger, 12 hours a day, six days a week," said one source. "He was supposedly working on his personal charity, but he was really working with the feds." Epstein, 56, who used to hobnob with the likes of Bill Clinton and Prince Andrew, has a mansion in Palm Beach, a ranch in Santa Fe, the largest private house in Manhattan and his own private island in the Bahamas he calls "St. Jeff's." Investigative reporter John Connolly told Page Six that Epstein was so happy with Goldberger, who negotiated his plea deal, he gave the lawyer a brand-new black BMW. A friend of Epstein told Page Six, "If Jeffrey is helping the government, the IQ of the government just went up." As Epstein prepared to sleep in his own bed, the friend said, "This is a difficult time for him. He's looking for a new beginning." But he still has his old friends. Jail records indicate he was visited more than 67 times by model [REDACTED], the "assistant" who police say wrangled teen masseuses for Epstein and joined in the sordid sex play.

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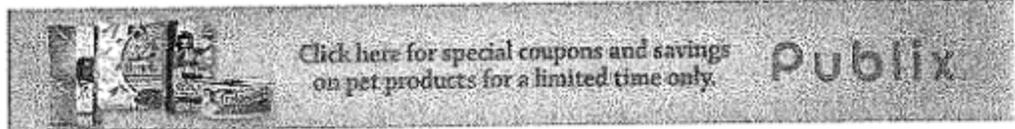
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Palm Beach sex offender's secret plea deal: Possible co-conspirators not charged, presses victims to settle civil suits

By SUSAN SPENCER-WENDEL

Palm Beach Post Staff Writer

Friday, September 18, 2009

WEST PALM BEACH — Billionaire financier sex offender Jeffrey Epstein's secret non-prosecution agreement he struck with federal prosecutors was unsealed Friday, offering the first public look at the deal Epstein's high-powered legal counsel brokered on his behalf.

According to the agreement, the Federal Bureau of Investigation and the U.S. Attorney's Office investigated Epstein for various federal crimes, including prostitution, some punishable by a minimum of 10 years up to life in prison.

But federal prosecutors backed down and agreed to recall grand jury subpoenas, if Epstein pleaded guilty to prostitution-related felonies in state court, which he ultimately did. He received an 18-month jail sentence, of which he served 13.

A former federal prosecutor of 15 years, Mark Johnson of Stuart, said the disparity in the potential sentences was unusual.

The United States Attorney's Office also agreed not to charge any of Epstein's possible co-conspirators - [REDACTED] and [REDACTED].

The agreement was negotiated in part by New York heavyweight criminal defense attorney Gerald Lefcourt.

On its first draft in September 2007, it required that Epstein pay an attorney - tapped by the U.S. Attorney's Office and approved by Epstein - to represent some of the victims in civil suits they had filed against Epstein. That attorney is prominent Miami lawyer Bob Josefsberg.

Former prosecutor Johnson said he has never seen a provision like that before.

But an addendum to the agreement signed the following month struck Epstein's duty to pay Josefsberg if he and the victims did not accept a settlement and instead pursued litigation.

The agreement, signed by Assistant U.S. Attorney Maria Vitafano, does not expressly state whether any victims were contacted or consulted before the deal was made.

Attorney Brad Edwards of Fort Lauderdale, who represents three of the young women, believes that none of the between 30 and 40 women identified as victims in the federal investigation were told of the deal. Edwards said his clients were still receiving letters in the mail months afterwards saying the U.S. Attorney's Office assuring them Epstein would be prosecuted.

"Never consulting the victims is probably the most outrageous aspect of it..." Edwards said. "It taught them that someone with money can buy his way out of anything. It's outrageous and embarrassing for United States Attorney's Office and the State Attorneys Office."

Epstein now faces many civil lawsuits filed by the women, who are represented by a variety attorneys. In many, the facts alleged are the same: that Epstein had a predilection for teenage girls, identified poor, vulnerable ones and lured them to his home via other young women. The teens describe ascending a staircase lined with nude photographs of young girls and to the spa room where Epstein would appear in a small towel.

Former Circuit Judge Bill Berger, who represents one of the victims, and The Palm Beach Post sought the unsealing of the agreement. Berger refers to it as a "sweetheart deal."

"Why was it so important for the government to make this deal?" Berger asked rhetorically. "We have not yet had honest explanation by any public official as to why it was made ... and why the victims were sold down the river."

Former federal prosecutor Ryon McCabe described the agreement as "very unorthodox." Such agreements, he said, are usually reserved for corporations, not individuals.

"It's very, very rare. I've never seen or heard of the procedure that was set up here," said McCabe, who has no involvement in any Epstein litigation and is now a securities litigation attorney.

"He's essentially avoiding federal prosecution because he can afford to pay that many lawyers to help those victims review their cases.... If a person has no money he couldn't be able to strike a deal like this and avoid federal prosecution."

The back-room deal with federal prosecutors all the more interesting in light of the legal heavyweights who have worked for Epstein, including Harvard professor Alan Dershowitz and Kenneth Starr of Clinton impeachment fame. Lefcourt is a past president of the National Association of Criminal Defense Lawyers.

Epstein's local defense attorney, Jack Goldberger, issued a statement Friday saying he had fought the release of the sealed agreement to protect the third parties named there. "Mr. Epstein has fully abided by all of its terms and conditions. He is looking forward to putting this difficult period in his life behind him. He is continuing his long standing history of science philanthropy..."

Epstein ended up avoiding federal charges, and pleaded guilty in state court to felony solicitation of prostitution and procuring a person under the age of 18 for prostitution. In July 2008, he was sentenced to 18 months in jail, and later allowed out up to six days a week on work release.

Epstein left the jail in late July 2009 after serving not quite 13 months of the sentence, having earned gain time for good behavior.

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Palm Beach Police began investigating the "international moneyman of mystery," as the New York magazine dubbed him, after they received a complaint from a relative of a 14-year-old girl who had given Epstein a naked massage at his home on the Intracoastal Waterway.

Police sought and found in poor neighborhoods a variety of tall, thin, model-like young women, who told stories of begin recruiting, then going to Epstein's home and massaging and stimulating him. They walked away with between \$200 and \$1,000.

The investigation triggered tensions between police and prosecutors, with then-Chief Michael Reiter saying in a May 2006 letter to then-State Attorney Barry Krischer that the chief prosecutor should disqualify himself.

"I continue to find your office's treatment of these cases highly unusual," Reiter wrote. He then asked for and got the federal investigation that ended in the sealed deal.

"The Jeffrey Epstein matter was an experience of what a many-million-dollar defense can accomplish," Reiter told the Palm Beach Daily News upon his retirement.

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STUART ATTORNEY GARY WON'T BE CHARGED IN ALLEGED RAPE

BYLINE: JANE MUSGRAVE, Palm Beach Post Staff Writer
DATE: December 2, 2007
PUBLICATION: Palm Beach Post, The (FL)
EDITION: MARTIN-ST. LUCIE
SECTION: LOCAL
PAGE: 1C
MEMO: Ran all editions.

Famed Stuart attorney Willie Gary won't be charged in connection with a sexual liaison with a former employee of his high-powered law firm.

Assistant State Attorney Erin Kirkwood confirmed late Saturday that Stuart police had closed their investigation into the 25-year-old St. Lucie County woman's allegations that Gary raped her in a room at the Best Western motel in August. "Insufficient evidence," Kirkwood said simply when asked why the 60-year-old lawyer won't be charged.

Defense attorney Richard Kibbey, who has been helping the renowned civil litigator navigate the criminal justice system, said his friend is relieved but not surprised by the decision.

"Any criminal prosecution of the case would have been laughable," Kibbey said.

Attorney Linda Capobianco, who is representing the woman in a civil lawsuit she filed against Gary and his law firm, said she needed more information about why prosecutors opted not to charge the self-proclaimed "Giant Killer" before commenting on their decision. She is scheduled to meet with them Monday.

"We're obviously disappointed," Capobianco said. "But we have full confidence in our client."

Although the woman's identity has not been revealed because of the nature of the allegations, Capobianco said the woman is anxious to talk publicly in hopes other women who might have had similar experiences will have the strength to come forward.

Both sides agree that the two had sex. Gary, who's married with four adult children and two young children who were born out of wedlock, insists it was consensual. The married woman claims he forced himself on her after summoning her to the motel room in downtown Stuart.

Both sides also agree that the battle is far from over.

Even before the criminal investigation was made public, Gary filed suit against the woman, her husband and one of their friends, claiming they trumped up the rape allegation to extort \$16 million to \$25 million from him.

"This is nothing but a major shakedown for money," Michael Pike, one of Gary's attorneys, has said.

The woman responded by filing a civil lawsuit against him and his law firm. The suit includes vivid details of what she claims was the fateful meeting. In the lawsuit, she claims Gary lured her to the hotel room, and when she emerged from the bathroom, he was naked. He grabbed her, threw her on the bed and raped her, she claims in the lawsuit.

In his lawsuit, Gary claims the two had consensual sex on several occasions after she came to him, saying she had information about vandalism at his law office.

The two lawsuits spawned a third. Maurice Shazier, a friend of the woman, sued Gary after the attorney claimed he was involved in the extortion plot. In his defamation suit, Shazier accuses Gary of having "a reputation for infidelity, promiscuity and sexually aggressive behavior."

Kibbey said Gary cooperated with police. The politically active chairman of the Black Family Channel, who has won lawsuits against corporate giants such as Coca-Cola and Microsoft, met with police without an attorney. He passed two polygraph tests, Kibbey said.

The mess has put a strain on Gary and his family, Kibbey said.

Capobianco, meanwhile, said the truth eventually will come out in court.

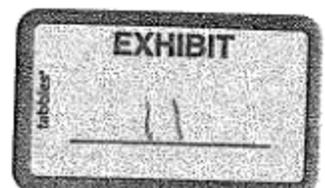
"We're going forward with the civil lawsuit no matter what," she said.

Niels Heimeriks contributed to this story.

- [REDACTED]

Illustration: PHOTO (B&W)

Willie Gary (mug)



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WILLIE GARY LAWYERS FILE MOTION WITH X-RATED DVDS

BYLINE: DAPHNE DURET and JOSE LAMBIET, Palm Beach Post Staff Writers

DATE: July 29, 2008

PUBLICATION: Palm Beach Post, The (FL)

EDITION: FINAL

SECTION: LOCAL

PAGE: 3B

MEMO: Ran all editions.

The attorneys for Stuart lawyer Willie Gary filed into court records Monday a pair of explicit DVDs along with a motion to dismiss a civil suit accusing him of sexual assault.

The homemade DVDs showed Gary's single adult son, Kenny, having sex with Jillian Nedd, who has accused Willie Gary of rape. The second DVD was recorded on July 21, a week after Nedd and the elder Gary had sex in one of three encounters Nedd claims was coerced, said West Palm Beach lawyer Michael Pike. "She claims she was assaulted by the father, yet a week later, she's making an amateur sex video with the son," Pike said.

Also filed in a Martin County court were witness accounts that, on July 12, one day before the second encounter, Nedd bragged at a bar that she was "Willie Gary's mistress."

Police investigated but never filed charges.

Nedd contends that Gary coerced her into having sex July 13 so he wouldn't pursue vandalism charges against her husband, according to court records.

Nedd's attorney, Linda Capobianco, said the DVDs and other exhibits were either irrelevant to the case or inadmissible in court.

"This is a blatant attempt on their part to shift the focus from the actual facts of the case," Capobianco said.

~ [REDACTED]
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Illustration: PHOTO (B&W)

Michael Pike (mug)

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JUDGE ORDERS FEUDING EYE DOCTORS TO AVOID EACH OTHER

BYLINE: Pat Moore

Palm Beach Post Staff Writer DATE: June 22, 1999 PUBLICATION: The Palm Beach Post EDITION: MARTIN-ST. LUCIE SECTION: LOCAL PAGE: 1B MEMO: Ran all editions

A judge Monday ordered two Stuart eye doctors to stop seeing each other - and stop writing letters to each other as long as they are embroiled in a cantankerous court fight filled with accusations of stalking and defamation.

"Neither one of you is to have any contact with the other," Circuit Judge Ben Bryan told doctors Robert Fier and Ronald Frenkel. He warned that violating his order could not only cost them money but could land them in jail. Frenkel, 43, owner of East Florida Eye Institute, filed suit in May 1997 accusing Fier of harassing him by filing fraudulent complaints about him and sending him hundreds of letters, which a psychologist characterized Monday as "almost bludgeoning and dripping with sarcasm and name-calling."

Fier countersued last year claiming he was the victim of libel and slander by Frenkel and his wife, Paula Costa. No trial date has been set.

"This case is not about competition," Frenkel's attorney, Robert Critton said. "This is about a doctor who has a pathological disorder who is trying to keep another doctor from practicing."

Critton asked Bryan to prohibit Fier, 47, owner of Fier Eye Care & Surgery Center, from sending any more letters to his client.

"They come by fax. They come by certified mail. They come by regular mail and they come in my hospital mailbox," Frenkel testified. "(The letters) were acrimonious and humiliating. I felt they were insulting, demeaning and contentious and felt they did not serve any legitimate medical purpose."

Bryan instructed attorneys for both doctors to find a third doctor willing to serve as a mediator to screen letters that involve the doctors' patients.

Frenkel said Fier filed dozens of complaints against him with national and state ophthalmology and medical societies, but none was substantiated.

Two psychological experts testified they believe Fier has a personality disorder and exhibits behavior that is antisocial, abusive and manipulative.

Dr. Richard Greer, a forensic psychiatrist and medical director of the Department of Psychiatry at Shands Hospital in Gainesville, said Fier's letters to his former wife, including a sympathy card when she remarried, revealed an "unhealthy psychological state."

He said Fier's letters - 106 sent to Frenkel since September - were not designed to discuss patient treatment, but were "a harassment designed to get an emotional rise out of the recipient."

Dr. George Rahaim testified

Fier's letters were "overflowing with suspiciousness, paranoia and grandiosity."

When questioned by Fier's attorney, Michael Burg, both experts admitted they had not talked to Fier before reaching a conclusion.

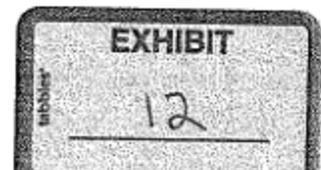
They reached their findings after reading letters Fier wrote to Frenkel and earlier letters he wrote to his ex-wife after their divorce that landed him in jail on a contempt charge in 1996.

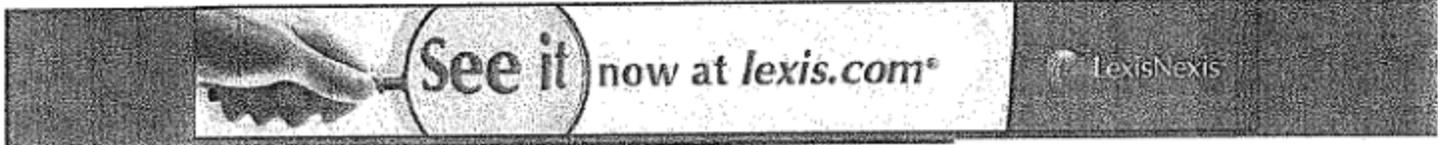
Critton said he suggested a plan to use a mediator to intercept letters from Fier and Frenkel several months ago, but couldn't find anyone.

Illustration: PHOTO (2 C)

1. Drs. Ronald Frenkel (left)...

2. ...and Robert Fier have been at odds since May 1997. On Monday, Judge Ben Bryan told their attorneys to find a third doctor to serve as a mediator to screen letters that involve their patients.





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December 8, 2009 7:50 PM

Billionaire Slaps Scott Rothstein with Suit

Posted by Brian Baxter

The almost daily developments in the bizarre saga of disbarred Fort



Billionaire Slaps Scott Rothstein with Suit



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frivolous discovery and depositions. The additional cost was between \$100,000 to \$200,000, Critton says, adding that the whole matter has only complicated efforts to resolve current cases pending against the billionaire.

"Instead of a defendant having a legitimate discussion with a plaintiff to resolve a case, [Rothstein's] out there pitching millions in dollars from these other cases he claims to have," he says. Critton adds that Rothstein's "abusive litigation tactics" included trying to depose "extraneous individuals" that would embarrass Epstein.

Those individuals include Bill Clinton, David Copperfield, and Donald Trump—all close friends of Epstein who traveled with the money manager on his private plane. (Rothstein sought access to flight records and other information that he could show to potential investors to boost his claim to a nine-figure settlement.)

Critton declined to comment on the damages Epstein is seeking from Rothstein over the alleged settlement claims, though he hinted that the amount will be at least \$100,000 and more than that if damages are trebled. Critton has yet to hear from lawyers for Rothstein on the civil suit and says he hasn't yet decided whether claims will be brought against other members of Rothstein's defunct firm, Rothstein Rosenfeldt Adler.

"I'm taking baby steps on this," says Critton, no stranger to high-profile sex suits.

Rothstein's criminal lawyer, Marc Nurik, a former partner at RRA, was not immediately available for comment.

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Billionaire Slaps Scott Rothstein with Suit

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Lauderdale lawyer Scott Rothstein seem almost too outlandish to be true. Here's the latest.

On Monday, sibling publication the Daily Business Review reported that the federal government will have first dibs on Rothstein's seized property if he is convicted, noting that the fraud allegations against Rothstein have hit the \$1.6 billion mark.

Now, another notorious Floridian has entered the picture.

Billionaire money manager and convicted sex offender Jeffrey Epstein has filed suit against Rothstein, claiming that the disbarred lawyer touted a fictitious \$200 million sexual harassment settlement that Epstein was willing to pay as a guise to lure investors into his Ponzi scheme. Epstein, represented by Robert Critton, Jr., of West Palm Beach's Burman, Critton, Luttlie & Coleman, filed his civil suit in Palm Beach County Circuit Court late Monday.

According to the 36-page complaint, Epstein accuses Rothstein of "engaging in a pattern of racketeering that involved a staggering series of gravely serious obstructions of justice, actionable frauds, and . . . egregious civil litigation abuses" that damaged Epstein and others. The complaint also accuses Rothstein of forging federal court orders and opinions.

In an interview with The Am Law Daily, Critton lashed out at Rothstein for fraudulently claiming that his client had agreed to pay \$200 million to settle civil sexual harassment charges filed against Epstein by several women after the scandalous allegations against him first came to light in 2005. (In June 2008 Epstein's all-star legal team negotiated a plea to two prostitution charges that infuriated Palm Beach's police chief, who had already written a letter criticizing state prosecutors; Epstein was released this July after serving almost a year in prison.)

Three of the sexual harassment suits were filed by lawyers working for Rothstein. Critton says those same lawyers falsely claimed to represent many more women with potential claims against Epstein. The additional women never actually existed, Critton says, adding that they were merely introduced to entice investors to fund litigation against his client.

As a result, Critton says Epstein had to spend more money on his defense in those criminal cases, and his lawyers wound up engaging in

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