

Corresp.

**BC
LC** | **BURMAN, CRITTON
LUTTIER & COLEMAN, LLP**
YOUR TRUSTED ADVOCATES

A LIMITED LIABILITY PARTNERSHIP

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SPECIAL CONSUMER
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January 8, 2010

¹FLORIDA BOARD CERTIFIED CIVIL TRIAL LAWYER
²ADMITTED TO PRACTICE IN FLORIDA AND COLORADO

BY HAND DELIVERY

Judge Donald Hafele
Fifteenth Judicial Circuit



Re: [REDACTED] v. Jeffrey Epstein, et al.
Case No. 502008CA037319XXX MBAB
1/26/10, 8:10 a.m. – 30-minute Special Set Hearing on Defendant Epstein's
Motion for Sanctions against Spencer Kuvin, Esq. and Alternative Motion
to Identify

Dear Judge Hafele:

With reference to the above-mentioned 30-minute special set hearing on January 26, 2010, enclosed please find Defendant, Epstein's Supplement to His Motion for Sanctions Against Spencer Kuvin, Esq. and Alternative Motion to Identify Based Upon [REDACTED]'s Counsel, Spencer Kuvin, Making Several Statements to the Media and By Identifying [REDACTED]. By Her Full Legal Name in a Public Document.

Cordially yours,

Michael J. Pike

MJP/clz
Enclosures

cc: Spencer Kuvin, Esq.
Jack Goldberger, Esq.

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

CASE NO. 502008CA037319XXXMB AB

█,

Plaintiff,

v.

JEFFREY EPSTEIN,

and █

Defendants.

Defendant, Epstein's Supplement to His Motion For
Sanctions Against Spencer Kuvin, Esq. And Alternative Motion To Identify Based
Upon █'s Counsel, Spencer Kuvin, Making Several Statements to the Media and
By Identifying █ By Her Full Legal Name In a Public Document

Defendant, JEFFREY EPSTEIN ("Mr. Epstein"), by and through his undersigned attorneys hereby files his Supplement to his Motion for Sanctions and Alternative Motion to Identify █ (the "Initial Motion"). In support, Epstein states as follows:

[REDACTED]

[REDACTED]

3.

[REDACTED]

[REDACTED]

b.

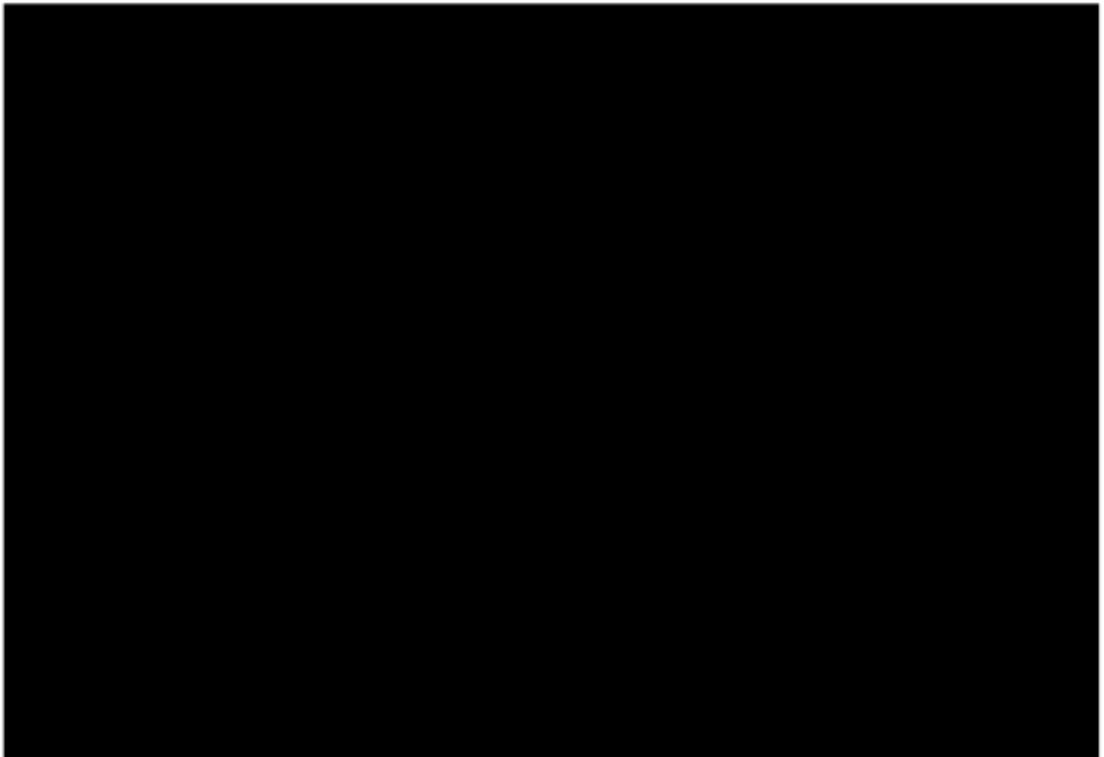
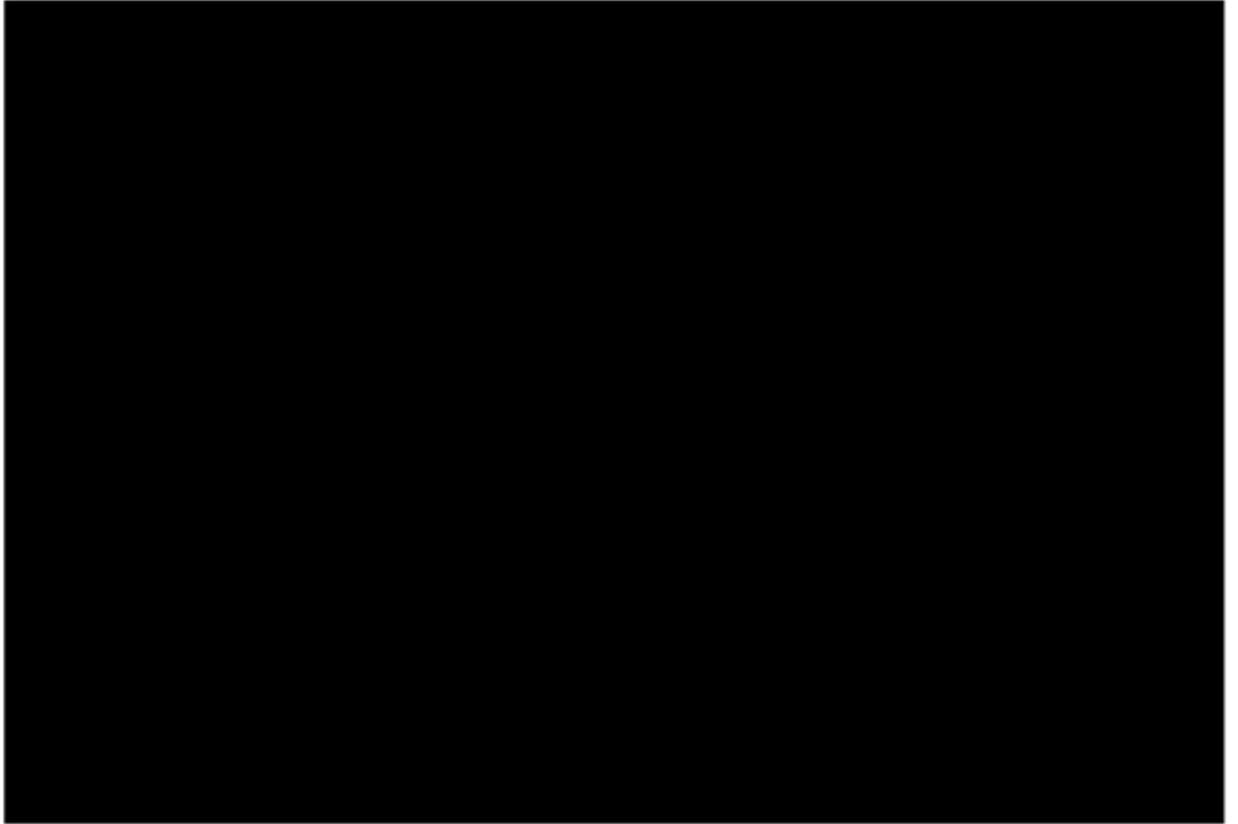
[REDACTED]

[REDACTED]

¹

[REDACTED]







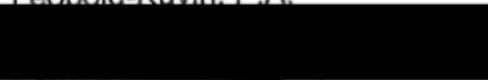
5. █

█,

█. should now be identified in the style of this case. To hold otherwise would prevent Epstein from discovering facts and witnesses that could support his defenses against █., and would further prevent Epstein from eliminating the likelihood of unfair surprise at trial. It is the undersigned's experience in these type

² The foregoing is but a sample of the of the publications and media broadcasts that resulted from Mr. Kuvin's statements to the media.

Theodore J. Leopold, Esq.
Spencer T. Kuvin, Esq.
Leopold-Kuvin, P.A.



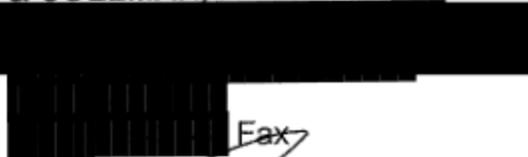
Fax: █
Counsel for Plaintiff █

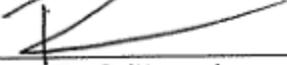
Jack Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A.



Fax: █
Co-counsel for Defendant Jeffrey Epstein

**BURMAN, CRITTON, LUTTIER
& COLEMAN, LLP**



Fax: █
By: 
Robert D. Critton, Jr.
Florida Bar #224162
Michael J. Pike
Florida Bar #617296
(Counsel for Defendant Jeffrey Epstein)

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.

COPY
RECEIVED FOR FILING

DEC 11 2009

SHARON R. BOCK
CLERK & COMPTROLLER
CIRCUIT CIVIL DIVISION

**MOTION FOR LEAVE TO AMEND
TO ADD A CLAIM UNDER RICO AND PUNITIVE DAMAGES**

Plaintiff, ■, by and through undersigned counsel, and files this Motion for Leave to Amend Complaint to Seek Punitive Damages pursuant to Florida Rule of Civil Procedure 1.190(f) and F.S. § 768.72 and as grounds therefore, states as follows:

R.I.C.O.

1. This is an action currently includes a cause of action for: Intentional infliction of emotional distress and Sexual Battery .
2. Pursuant to Florida rule of Civil Procedure 1.190(a) Plaintiff seeks leave to amend to add a separate count for Racketeer Influenced and Corrupt Organization Act "RICO" Fla. Stat. §§895.01 et.seq.
3. Defendant has already answered the previous complaint and there is no prejudice to Defendant by allowing this amendment.

"A"

cc: Motion and JE
JE 1-11-
Mile 2 REC

4. Pursuant to Rule 1.190(a) amendments should be freely given. "The public policy of Florida is to freely allow amendment of pleadings," *Carter v. Ferrell*, 666 So. 2d 556, 557 (Fla. 2d DCA 1995), and the "[r]efusal to allow amendment of a pleading constitutes an abuse of discretion unless it clearly appears that allowing the amendment would prejudice the opposing party; the privilege to amend has been abused; or amendment would be futile." *Video Independent Medical Examination, Inc. v. City of Weston*, 792 So. 2d 680, 681 (Fla. 4th DCA 2001) (quoting *Spradley v. Stick*, 622 So. 2d 610, 613 (Fla. 1st DCA 1993)).

5. This case is not set for trial, and undersigned contacted opposing counsel but has received no response, as to whether there was any objection to this amendment.

6. A Copy of the proposed Amended complaint is attached at Ex. A.

PUNITIVE DAMAGES AMENDMENT

7. Additionally, Plaintiff moves to file her Amended Complaint seeking punitive damages in this cause.

8. It is well settled that a jury may award punitive damages where there is an intentional tort involving sexual assault/battery.

9. Punitive damages are available as a remedy if the defendant engages in conduct that is malicious, oppressive, or committed with such gross negligence amounting to wanton disregard for the rights of others. See *W.R. Grace & Company v. Waters*, 638 So. 2d 502 (Fla. 1994).

10. Before a Plaintiff may assert a claim for punitive damages, the trial court must determine that there is a reasonable basis for recovery of punitive damages. See *Simeon, Inc. v. Cox*, 671 So. 2d 158 (Fla. 1984). This reasonable basis can be demonstrated by either a presentation of supporting evidence already in the record or by a proffer of the evidence to come.

See Strasser v. Yalamanchi, 677 So. 2d 22 (Fla. 4th DCA 1996).

11. By way of proffer, the evidence that will be presented in this case is that Defendant Epstein committed sex acts, and other criminal acts, against Plaintiff while Plaintiff was a minor. These acts were malicious and evidencing wanton disregard for her rights. More specifically, the evidence will show that Defendant sought out underprivileged and economically disadvantaged minor females, including Plaintiff, and preyed upon them to satisfy him sexually. He achieved his goal of converting these minors, including Plaintiff, into personal prostitutes for him and influenced them away from a typical adolescent lifestyle. At the time Defendant Epstein was committing these criminal sex acts against Plaintiff, he did so with intent to injure Plaintiff or otherwise with complete disregard for the high likelihood that his acts would result in injury to Plaintiff.

12. Plaintiff's claim for Punitive Damages is further supported at this time by the following record evidence being filed contemporaneous with this Motion:

- a. Deposition of Jeffrey Epstein (Ex. B);
- b. Deposition of [REDACTED] (Ex. C);
- c. Deposition of Palm Beach Police Chief Reiter (Ex. D);
- d. Interrogatory responses of Plaintiff, [REDACTED]. (Ex. E);

13. Plaintiff's claim for Punitive Damages is further supported because Defendant invoked his 5th amendment right to remain silent and from which adverse inferences against Defendant should be drawn, and the deposition testimony of Defendant Jeffrey Epstein (Ex. B), wherein he was questioned about the crimes he committed against [REDACTED], and other minor victims, to which he invoked his right against self-incrimination.

14. Therefore, Plaintiff moves to amend the complaint, by adding a count for Battery

and for punitive damages.

15. In compliance with Florida Rule of Civil procedure 1.190(f), this Motion is being served on Defendant more than 20 days before the hearing on this motion regarding the Punitive Damages amendment.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order allowing Plaintiff to file a Second Amended Complaint, adding a RICO count and to allow Plaintiff to seek Punitive Damages, and for any further relief this Court finds just and necessary.

CERTIFICATE OF SERVICE

HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U. S. Mail, postage prepaid, this 11 day of DEC, 2009 to Jack A. Goldberger, Esq., 250 Australian Avenue, Suite 1400, West Palm Beach, FL 33401; Bruce E. Reinhart, Esq., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401; Robert D. Critton, Jr., Michael J. Pike, 303 Banyon Boulevard, Suite 400, West Palm Beach, FL 33401.

LEOPOLD-KUVIN, P.A.



By: _____

A handwritten signature in black ink, appearing to read "S. T. KUVIN", written over a horizontal line.

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

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

CASE NO: 502008CA037319XXXXMB
AB

██████████

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendants.

**PLAINTIFF'S NOTICE OF SERVING SUPPLEMENTAL
ANSWERS TO DEFENDANT JEFFREY EPSTEIN'S FIRST
SET OF INTERROGATORIES DATED DECEMBER 18, 2008**

COMES NOW, Plaintiff ██████████, by and through her undersigned counsel, pursuant to Florida Rules of Civil Procedure, hereby files this her Notice of Serving Answers to Defendant JEFFREY EPSTEIN's First Set of Interrogatories dated December 18, 2008.

CERTIFICATE OF SERVICE

HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U. S. Mail, postage prepaid, this 19 day of June, 2009 to: Robert Critton, Jr., Esq., ██████████
██████████; Jack A. Goldberger, Esq., Atterbury Goldberger & Weiss,
P.A., ██████████

LEOPOLD-KUVIN, P.A.
██████████

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



GENERAL OBJECTIONS

1. Plaintiff objects to Defendant's First Interrogatories as a violation of Rule 1.340(a), because with subparts, they exceed the number permitted by law.
2. Plaintiff objects to Defendant's First Interrogatories as overbroad, unduly burdensome and harassing.

**PLAINTIFF'S SUPPLEMENTAL ANSWERS TO DEFENDANT
EPSTEIN'S 1ST SET OF INTERROGATORIES**

1. What is the name and address of all persons answering or assisting in answering these interrogatories, and, if applicable, the person's official position or relationship with the party to whom the interrogatories are directed?

ANSWER: [REDACTED]

With counsel from my attorneys.

15. List all dates you allege you were at Mr. Epstein's home in Florida, include date, time arrived and left, the name(s) of anyone who went with you to the home when you were there, the time spent with Mr. Epstein and the name(s) and address of any individuals who were present in the home with Mr. Epstein and you.

ANSWER: Please see the Complaint. I am unsure of the exact day of incident and it was only one time. [REDACTED] accompanied me there. The cab driver (identity unknown) drove us to Mr. Epstein's home. Unknown girl in shower. Jeffrey Epstein. Possible oriental woman in kitchen.

SUPPLEMENTAL ANSWER: As best I can recall, the incident happened during the summertime when I was 14 years old. This would place the date during the [REDACTED]. I do not remember the exact date or month. The cab that took me and [REDACTED] to Epstein's home came to my house in the afternoon hours (I do not know the exact time). We drove to Epstein's home and the only people present in the home that I was aware of included me, Mr. Epstein, [REDACTED], an oriental woman in the kitchen (who I did not know) and a girl who stepped out of a sauna/shower (who I do not know). The girl who stepped out of the shower/sauna looked a little older and taller than me. I do not know the addresses for [REDACTED], the oriental woman or the girl from the shower/sauna. I do not know exactly how long I spent at Mr. Epstein's home, but it was about 1-2 hours. It was still light outside when the cab came to pick up me and [REDACTED].

16. State in detail how you came to be at Mr. Epstein's home on each occasion, i.e. did someone bring you or ask you if you would or wanted to go; if so, state the name and address of that individual and what he/she told you and the purpose of your visit.

ANSWER: See Complaint and response to interrogatory number 15.

SUPPLEMENTAL ANSWER: I came to be at Mr. Epstein's home because [REDACTED] [REDACTED] approached me and asked if I would be

interested in making some money. At the time, I was 14 years old and said "sure." She explained that I would have to give some guy a massage, and if I were to get naked I could get \$200 and if I wore my underwear I would get \$175. [REDACTED] then said that she would give my cell phone number to [REDACTED] who would call me. I had never met [REDACTED] before this incident. [REDACTED] called me on my cell phone and asked me if I wanted to go and I said yes. She then came in a taxi and picked me up at my house as described above. (See Supplemental Response to Interrogatory number 15). The time described above in my supplemental response to interrogatory number 15 is the only time I ever went to Mr. Epstein's home. I do not know [REDACTED] home address, but at the time of the incident described above, her mother lived

[REDACTED]
home address is [REDACTED]
[REDACTED]

Document1 - Microsoft Word

Facebook | Brian Seymour - Windows Internet Explorer

http://www.facebook.com/brian.m.seymour?ref=nl

Google

Facebook | Brian Seymour



Happy Hanukkah, everyone!

Settings | Add a Menorah (Cherubiyah) to your profile

There/Their/They're Test

Score: 100% -



Do you know when to use the words there, their, and they're? Take this quiz and find out!

Create a Quiz

Write a comment...

Brian Seymour off to the Palm Beach County Business Development Ready Committee Meeting.

Yesterday at 7:37am via Facebook for BlackBerry · Comment · Like

Spencer Kurvin Wow, that's a mouthful. Do you even know what a shovel looks like?

Yesterday at 8:52am

Brian Seymour Wow, is this the famous Spencer Kurvin who was in today's paper wanting to check out some guy's privates? :)

Yesterday at 8:34am

Spencer Kurvin That's me! I told him if his is bigger I'll settle the case!

Yesterday at 10:11am

Write a comment...

Brian Seymour is at a meeting of the Business Forum of Palm Beach

Mon at 12:23pm via Facebook for BlackBerry · Comment · Like

RECENT ACTIVITY

As Brian and Dean Kurvin are now friends... Comment · Like

Applications Chat (13)

Page: 1 of 1 Words: 0

Document1 - Micro... Facebook | Brian Se...

"B"