

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

JEFFREY EPSTEIN

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

Plaintiff,

Case No. 50 2009CA040800XXXXMB AG

v.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS,
individually, and L.M., individually,

Defendants.

MOTION OF COUNTER-DEFENDANT, JEFFREY EPSTEIN,
FOR A MORE DEFINITE STATEMENT AND MOTION TO DISMISS

Counter-Defendant, JEFFREY EPSTEIN, (hereinafter "EPSTEIN"), by and through his undersigned attorneys, pursuant to Rule 1.140(b)(6) and Rule 1.140(e), Florida Rules of Civil Procedure, moves this court for an order for a more definite statement or in the alternative dismiss the Counterclaim and as grounds set forth would state:

1. The Plaintiff in this instance has filed a multi-count Complaint against Scott Rothstein, Bradley J. Edwards and L.M. (a Plaintiff in a pending lawsuit against Epstein), arising out of the Rothstein, Rosenfeldt & Adler, P.A.'s law firm implosion and the racketeering operation as set forth by the United States of America in its information against Scott Rothstein.

2. Contrary to the Defendant/Counter-Plaintiff's allegations in his Counterclaim, the factual basis for the racketeering conspiracy operated by the firm, Rothstein and others, is factually set forth in other lawsuits which have been filed by investors who in part, have specifically identified Epstein cases as being part of the

"bait" or investment that was being sold and/or offered for sale.

3. While the Counterclaim contains numerous allegations, there is not one cohesive element which identifies a purported cause of action which Edwards seeks to assert against Epstein.

4. In par. 9 of the Counterclaim, Edwards alleges intimidation; in par. 11, there is an allegation that "Epstein has an ulterior motive and purposes in exercising such illegal, improper and perverted use of process."; and in par. 12, there is reference to wrongful conduct by Epstein and alleged damages suffered by Edwards.

5. But what is the cause of action? In fact, there exist no factual basis under a recognizable claim to assert a claim on behalf of Edwards against Epstein. Defendant/Counter-Plaintiff is merely attempting to cobble a number of words and phrases together and call it a "Counterclaim".

WHEREFORE, pursuant to Rule 1.140(e), Epstein moves this court for an order requiring the Defendant Edwards, to more definitely plead his purported cause of action or in the alternative dismiss the complaint for failure to state a cause of action pursuant to Rule 1.140(b)(6). Unfortunately, Epstein is not in a position to cite the deficiencies as to the cause of action because Epstein is unable to determine what cause of action Edwards purports to assert.

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was sent by fax and U.S. Mail to the following addressees on this 12th day of January, 2010:

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