

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

L.M.,

CASE NO. 502008CA028051XXXXMB AB

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

DEFENDANT'S MOTION TO COMPEL DOCUMENTS RESPONSIVE TO REQUEST TO  
PRODUCE SERVED OCTOBER 21, 2009

Defendant, Jeffrey Epstein (hereinafter "Mr. Epstein"), by and through his undersigned attorneys, moves this court for an order compelling the Plaintiff, L.M., to respond to the Defendant's Second Request to Produce to Plaintiff, attached hereto as **Exhibit "A"**, and as grounds set forth would state:

1. The Defendant served a Second Request for Production on October 21, 2009. The request was served by fax and therefore would have been due November 20, 2009.
2. This court entered a stay at the request of Attorney Edwards, in the above-styled matter and as well as the case *E.W. v. Jeffrey Epstein*. The stay was entered effective November 19 through December 21, 2009. Therefore, the Plaintiff would have had two additional days following December 21<sup>st</sup> within which to file any objections or the documents responsive to the request to produce. The Plaintiff filed no response/no objections.
3. Attached as **Exhibit "B"** is the court's order on Epstein's Motion to Compel, Motion for Sanctions to Strike Pleadings and for Contempt of Court which the court granted in part. The court referenced the sanctions were denied without prejudice but cautioned

Case DJ  
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Plaintiff should the same conduct occur as the court has explained on the record when the deposition was re-taken. Attached as **Exhibit "C"** is the court's order on Plaintiff's Motion to Terminate the Deposition or to Limit the Deposition, which was also denied by this court. The court allowed an additional six hours to depose the Plaintiff for the reasons stated on the record. The Plaintiff's attorney was directed to provide a copy of the transcript of that hearing so that L.M. understood the court's position regarding her conduct at the initial session of her deposition.

4. Defendant, Epstein, further moves for reasonable attorneys' fees for being required to file this motion and attend the hearing in accordance with Rule 1.380, Florida Rules of Civil Procedure.

**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:

Brad Edwards, Esq.  
Farmer, Jaffe, Weissing, Edwards, Fistos  
& Lehrman, PL  
425 N. Andrews Avenue, Suite 2  
Fort Lauderdale, FL 33301

[REDACTED] - fax  
[REDACTED]  
*Counsel for Plaintiff*

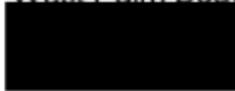
Jay Howell, Esq.  
Jay Howell & Associates, P.A.  
644 Cesery Boulevard  
Suite 250  
Jacksonville, FL 32211

[REDACTED] Phone

Jack Alan Goldberger, Esq.  
Atterbury Goldberger & Weiss, P.A.  
250 Australian Avenue South  
Suite 1400  
West Palm Beach, FL 33401-5012  
Fax: [REDACTED]  
*Co-Counsel for Defendant Jeffrey Epstein*

*Co-counsel for Plaintiff*

**BURMAN, CRITTON, LUTTIER & COLEMAN, LLP**  
303 Banyan Boulevard  
Suite 400  
West Palm Beach, FL 33401



Fax

By: \_\_\_\_\_

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

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

L.M.,

CASE NO. 502008CA028051XXXXMB AB

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

\_\_\_\_\_ /

**DEFENDANT'S SECOND REQUEST TO PRODUCE TO PLAINTIFF**

Defendant, Jeffrey Epstein (hereinafter "Mr. Epstein"), by and through his undersigned attorneys hereby request Plaintiff, L.M., pursuant to Rule 1.350, Florida Rules of Civil Procedure, produce within thirty (30) days from the date hereof, the following items.

**DEFINITIONS AND INSTRUCTIONS**

A. "Document" means any written or graphic matter or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including the **originals** and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, letters, purchase orders, telegrams, teletype, telefax bulletins, e-mails, electronic data, meetings, reports, or other communications, interoffice and intra-office telephone calls, diaries, chronological data, minutes, books, reports, charts, ledgers, invoices, worksheets, receipts,

EXHIBIT "A"

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returns, trade information regarding fabric, carpets, samples etc..., computer printouts, prospectuses, financial statements, schedules, affidavits, contracts, cancelled checks, transcripts, statistics, surveys, magazine or newspaper articles, releases (and any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphs or aural records or representations of any kind, including, without limitation, photographs, charts, graphs, microfiche, microfilm, video tape, recordings, motion pictures and electronic, mechanical or electric recordings or representations of any kind (including, without limitation, tapes, cassettes, discs and recordings), and including the file and file cover.

The term "Document" also means any and all computer records, data, files, directories, electronic mail, and information of whatever kind whether printed out or stored on or retrievable from floppy diskette, compact diskette, magnetic tape, optical or magnetic-optical disk, computer memory, hard drive, zip drive, jaz drive, orb drive, microdisk, external memory stick, software, or any other fixed or removable storage media, including without limitation, all back-up copies, dormant or remnant files, and any and all miscellaneous files and/or file fragments, regardless of the media on which they reside and regardless of whether the data consists in an active file, deleted file, or file fragment.

B. "Communications" means any oral or written statement, dialogue, colloquialism, discussion, conversation or agreement.

C. "Which relate to" means constitutes, contains, embodies, evidences, supports, reflects, identifies, states, refers to, deals with, or is in any

way pertinent to the subject.

D. "Plaintiff" means L.M. and any employee, agent or attorney for L.M. and any other person acting for or on behalf of L.M., or under her authority and control.

F. If it is maintained that any Document which is requested has been destroyed, set forth the contents of the Documents, the date of such destruction and the name of the person who authorized or directed such destruction.

G. If any of the Documents cannot be produced in full, produce to the extent possible, specifying the reasons for the inability to reproduce the remainder.

H. The term "all Documents" means every Document or group of Documents or Communication as defined above known to you.

I. The term "You" and "Your" means the parties to whom this Request for Production of Documents is addressed, including the parties' employees and agents and all other persons acting or purporting to act on the parties' behalf.

J. If all of the Documents requested by any of the request for Documents are not within the possession of the individuals to whom this Request for Production of Documents is addressed, identify each person who has possession of the Documents.

K. If a claim of privilege is asserted as to any Document or Communication requested, identify each Document or Communication for which a privilege is asserted by stating:

1. Its nature (e.g. letter, telegram, memorandum, chart, report, study),

date, author, date and place of preparation and the name and address of each addressee, if there is an addressee;

2. The identity of each signer to the Document or Communication;
3. The title or heading of the Document or Communication;
4. The particular characteristics of the Document or Communication substantiating the claim of privilege;
5. Its present (or, if the present is not known, the last known) location and custodian;
6. The identity of each person to whom a copy was sent and each date of its receipt and each date of its transmittal or other disposition by (1) You and (2) any other person (naming such other person) who, at the time, either received, transmitted or otherwise disposed of such Document or Communication and each copy thereof;
7. The circumstances of each such receipt and each transmittal or other disposition, including identification of the person from whom received and the person to whom transmitted.

L. As used herein, the singular and masculine form of a noun and pronoun shall embrace, and be read and applied as, the plural or feminine or neuter, as circumstances may make appropriate.

M. Defendant is requesting the production of the original records for inspection where original records exist.

N. **Unless otherwise stated herein, the time period requested is from January 1, 2002 through the date of your response.**

#### **Second Request to Produce**

1. All documents which relate to your earnings as a prostitute or call girl.
2. The book containing a reference to a Bible verse on the cover which you testified contains records of your earnings as a prostitute or call girl from 2007 – 2008. See LM's 9/24/09 Deposition Transcript at 59-60.

3. All books, journals, diaries, logs, calendars or similar documents reflecting your earnings as a prostitute or call girl from 2006 through 2009. See LM's 9/24/09 Deposition Transcript at 61-63.
4. All books, journals, diaries, logs, calendars or similar documents reflecting the names of any individuals you brought to the home of Mr. Epstein.
5. All documents reflecting the names, telephone numbers, addresses, dates and/or income received from any individuals who paid you for sex or to engage in sexual activity.
6. All documents reflecting the names, telephone numbers, addresses, dates and/or income received from any individuals who paid you for a massage.
7. All photographs, movies, dvds, and videotapes in which you performed sexual acts or simulated sexual acts.
8. The video in which you testified you engaged in sexual act(s) in 2007, when you were nineteen (19) years old. See LM's 9/24/09 Deposition Transcript at 112 – 17.
9. All photographs, movies, dvds, and videotapes which depict you performing at an adult entertainment establishment.
10. All prescription bottles, receipts or documents reflecting all medications you were prescribed.
11. All documents which relate to your employment in what you testified were "bunny ranch" shops, including any photographs, movies, dvds and/or videotapes. See LM's 9/24/09 Deposition Transcript at 46.
12. All messages you sent or received on myspace.com which relate to Jeffrey Epstein or this lawsuit.
13. All emails you sent or received which relate to Jeffrey Epstein or this lawsuit.
14. All emails you sent or received which relate to your occupation as a prostitute or escort, including all emails sent to or received from individuals who paid you for sex or to engage in sexual activity.

**Certificate of Service**

I HEREBY CERTIFY that a true copy of the foregoing has been sent via U.S. Mail and facsimile to the following addressees this 21st day of October, 2009.

Brad Edwards, Esq.  
Brad Edwards and Associates, LLC  
2028 Harrison Street  
Suite 202  
Hollywood, FL 33020  
[REDACTED] Phone  
[REDACTED] Fax  
*Counsel for Plaintiff*

Jack Alan Goldberger, Esq.  
Atterbury Goldberger & Weiss, P.A.  
250 Australian Avenue South  
Suite 1400  
West Palm Beach, FL 33401-5012  
Fax: [REDACTED]  
*Co-Counsel for Defendant Jeffrey Epstein*

Jay Howell, Esq.  
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Jacksonville, FL 32211  
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[REDACTED] Fax  
*Co-counsel for Plaintiff*

**BURMAN, CRITTON, LUTTIER &  
COLEMAN**

303 Banyan Blvd., Suite 400  
West Palm Beach, FL 33401  
Telephone: [REDACTED]  
Facsimile: [REDACTED]

BY:  12492  
ROBERT D. CRITTON, JR., ESQ.  
Florida Bar No. 224162  
for MICHAEL J. PIKE, ESQ.  
Florida Bar No. 617296  
*Counsel for Defendant Jeffrey Epstein*

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

L.M.,

CASE NO. 502008CA028051XXXXMB AB

Plaintiff,

v.

JEFFREY EPSTEIN

Defendant.

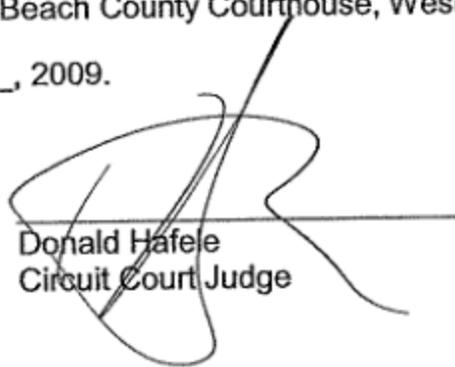
**ORDER ON EPSTEIN'S MOTION TO COMPEL, FOR SANCTIONS, TO STRIKE  
PLEADINGS AND FOR CONTEMPT OF COURT**

THIS CAUSE came before the Court on Epstein's Motion To Compel, For Sanctions, To Strike Pleadings And For Contempt Of Court, and the Court having heard argument of counsel and being fully advised in these premises, it is hereby

ORDERED and ADJUDGED that Defendant's Motion is hereby ~~granted~~ <sup>in part</sup> ~~denied~~ <sup>in part</sup>

*Motion To Compel granted; sanctions denied in all respects  
if no prejudice should have resulted occur (as provided  
& explained on record) when depositions & retaken @*

DONE AND ORDERED at Palm Beach County Courthouse, West Palm Beach,  
Florida, this 2 day of Nov., 2009.



Donald Hafele  
Circuit Court Judge

Copies furnished:

ROBERT D. CRITTON, JR., ESQ., and MICHAEL J. PIKE, ESQ., 303 Banyan Boulevard, Suite 400,  
West Palm Beach, FL 33401, BRAD EDWARDS, ESQ., Rothstein, Rosenfeldt Adler, 401 East Las Olas  
Boulevard, Suite 1650, Fort Lauderdale, FL 33301 and JACK A. GOLDBERGER, ESQ. Atterbury,  
Goldberger & Weiss, P.A., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401 and  
JAY HOWELL, ESQ., Jay Howell & Associates, P.A., 644 Cesery Boulevard, Suite 250, Jacksonville, FL  
32211

EXHIBIT "B"

cc-JE,DI

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

L.M.,

CASE NO. 502008CA028051XXXMB AB

Plaintiff,

v.

JEFFREY EPSTEIN

Defendant.

**ORDER ON PLAINTIFF'S MOTION TO TERMINATE DEPOSITION,  
OR IN THE ALTERNATIVE, FOR A TWO-HOUR TIME LIMIT  
ON COMPLETION OF THE DEPOSITION**

THIS CAUSE came before the Court on Plaintiff's Motion To Terminate Deposition, Or In The Alternative, For A Two-Hour Time Limit On Completion Of The Deposition, and the Court having heard argument of counsel and being fully advised in these premises, it is hereby

ORDERED and ADJUDGED that Plaintiff's Motion is hereby ~~granted~~ <sup>granted</sup> ~~denied~~ <sup>DENIED</sup>.

THE DEFENDANT SHALL BE PERMITTED ANOTHER 6 HOURS TO DEPOSE PLAINTIFF (EXCLUSIVE OF BREAKS) FOR REASONS STATED ON THE RECORD. @

THE COURT URGES THE PLAINTIFF'S ATTORNEY TO ORDER THE TRANSCRIPT SO THAT THE COURT'S POSITION RELATIVE TO L.M.'S CONDUCT WILL BE WELL KNOWN TO

DONE AND ORDERED at Palm Beach County Courthouse, West Palm Beach, Florida, this 3 day of Nov., 2009.

  
\_\_\_\_\_  
Donald Hafele  
Circuit Court Judge

*L.M. joins to the recommendation of the Deposition*

Copies furnished:  
ROBERT D. CRITTON, JR., ESQ., and MICHAEL J. PIKE, ESQ., 303 Banyan Boulevard, Suite 400, West Palm Beach, FL 33401, BRAD EDWARDS, ESQ., Rothstein, Rosenfeldt Adler, 401 East Las Olas Boulevard, Suite 1650, Fort Lauderdale, FL 33301 and JACK A. GOLDBERGER, ESQ. Atterbury, Goldberger & Weiss, P.A., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401 and JAY HOWELL, ESQ., Jay Howell & Associates, P.A., 644 Cesery Boulevard, Suite 250, Jacksonville, FL 32211

EXHIBIT "C"  
cc-JE, DE