

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CASE NO.502008CA028051XXXXMB AB

L.M.,

Plaintiff,

-vs-

JEFFREY EPSTEIN,

Defendant.

HEARING BEFORE THE HONORABLE
DONALD HAFELE

Thursday, February 4, 2010
Palm Beach County Courthouse
West Palm Beach, Florida 33401
9:05 a.m. - 9:30 a.m.

Reported By:
Denise Sankary, RMR, CRR
Notary Public, State of Florida
Prose Court Reporting Agency, Inc.
Job #1303

1 APPEARANCES:
 2 On behalf of the Plaintiff:
 3
 4 BRADLEY J. EDWARDS, ESQUIRE
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 9
 10 On behalf of the Defendant:
 11 ROBERT D. CRITTON, JR., ESQUIRE
 12 BURMAN, CRITTON, LUTTIER & COLEMAN, LLP
 13 303 Banyan Boulevard, Suite 400
 14 West Palm Beach, Florida 33401
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1 prior sexual history, to which both plaintiffs'
 2 counsel, which the Court had ruled on, and
 3 plaintiffs' counsel said, these are the areas
 4 that we're going to allow her to testify on.
 5 There's one specific area post seeing
 6 Mr. Epstein that was on appeal to the Fourth
 7 DCA at the time, but at her deposition on
 8 September 24 they took a very broad view. We
 9 filed a motion to compel and sanctions.
 10 At that time we also asked for any
 11 journals, because she had testified on
 12 deposition that she worked as a prostitute, as
 13 a call girl, as an escort during '06, '07, '08.
 14 She testified, and I've attached portions of
 15 pages of her deposition to this motion, where
 16 she says, I kept books. I kept them for '06,
 17 '07, and '08. Certainly '06 and '07 and '08.
 18 She testified on pages 58 through 61 through
 19 65, Mr. Luttier, who was taking her deposition,
 20 said you know, What do you have? She said, I
 21 have books from '07. I've got them from '08.
 22 One of the books has a psalm on the front of
 23 the book, a passage from the Bible.
 24 It reflects that -- and he asked her on
 25 page 63, "How many of these books are there?"

1 PROCEEDINGS
 2 - - -
 3 MR. CRITTON: Good morning, Judge.
 4 THE COURT: How are you?
 5 MR. CRITTON: May it please the Court.
 6 THE COURT: Go right ahead.
 7 MR. CRITTON: Your Honor, as you know, I
 8 represent Mr. Epstein. This is an amended
 9 motion to compel documents responsive to a
 10 request to produce which was served on
 11 October 21. I think this is Take 3 that we've
 12 been here, so I know the Court has probably
 13 looked at the documents at least once. So I'll
 14 put it in perspective.
 15 L.M. was deposed on September 24.
 16 Previously we had sent some written discovery
 17 to her, which included requesting information
 18 regarding income and as well information
 19 regarding any diary or journals that she had.
 20 We came in front of the Court after her
 21 deposition and there were two motions. One was
 22 a motion for sanctions saying that the
 23 plaintiff and her attorney took -- asserted
 24 privileges, privacy rights, et cetera, with
 25 regard to specifically issues relating to her

1 She says, "Two or three." "Where are they
 2 currently located?" "Objection to form." This
 3 is Mr. Edwards. "Don't answer. I'm invoking
 4 her Fifth Amendment right to the location."
 5 Mr. Luttier, "How is the location going to
 6 violate the Fifth Amendment?" And he didn't --
 7 he, Mr. Edwards, directed his client and his
 8 client took the Fifth with regards to these
 9 books.
 10 But clearly she said she had them. She
 11 also said that she had, in another portion, she
 12 had videos, adult videos. This is a lady who
 13 is asking for between a million to 5 million to
 14 \$50 million. She's claiming loss of earnings
 15 in the past, loss of earnings capacity in the
 16 future. She is, as the Court is aware,
 17 claiming all sorts of emotional damage and
 18 mental damage. Therefore, what occurred, what
 19 purportedly occurred with Mr. Epstein, and I'll
 20 represent to the Court is that she testified
 21 she never had intercourse with him, never had
 22 anal sex with him, never had oral sex with him.
 23 I never touched any of his private parts. So
 24 what are you doing with these other people?
 25 And does that cause you any emotional scars or

1 any emotional issues? So it's clearly relevant
 2 material.
 3 The Court, with regard to the motion to
 4 compel, said, look -- you ordered that she
 5 appear. You didn't grant sanctions. There was
 6 another hearing the next day where the Court
 7 had a hearing with regard to limiting her
 8 deposition that her counsel had filed on her
 9 behalf saying no more time. The Court said,
 10 look, I read the deposition. It appears that
 11 you got about two hours of it or an hour out of
 12 it, I'm going to give you, Mr. Luttier, or
 13 defense counsel another six hours to do her
 14 deposition.
 15 And Mr. Edwards, you need to get a copy of
 16 this transcript, print it up, so that you can
 17 show it to your client so that she knows how
 18 the deposition is to be conducted.
 19 This is the lady who at her deposition
 20 Mr. Luttier said, "How did you get to this
 21 psychologist Amy Swan?" And she wouldn't
 22 answer. He said, "Well, did your lawyer send
 23 you?" And she said, "You're a jackass. You're
 24 an F-ing A blank." That was her response. So
 25 this is a lady who clearly understands her

1 Clearly privacy rights trump. She is the one
 2 who wants money in this case.
 3 Three, she again asserts a privacy right.
 4 And interestingly, on 1, with regard to the
 5 book, your earnings as a prostitute or a call
 6 girl, both 1 and 2 they refer to, and all of a
 7 sudden she says none, and this is after her
 8 deposition that occurred on September 24. On
 9 the motion to compel, the Court said, you got
 10 to produce that stuff.
 11 Just to be very specific about it, I sent
 12 a second request to produce. All of a sudden
 13 the books she had for '06, '07, '08 are now
 14 "none." She doesn't have any books. And I
 15 couldn't have been more specific, because as
 16 the Court recognizes, I referenced those
 17 portions in the transcript where she said, I've
 18 got a book, where I have books.
 19 On 5 she says, I have none in my
 20 possession. Well, what's that mean? Does that
 21 mean you dumped them to one of your friends?
 22 You gave it to an investigator? You gave it to
 23 someone else? You hid it in a safety deposit
 24 box? All of a sudden it's not in your
 25 possession.

1 responsibilities under the law.
 2 When we sent interrogatories -- I'm sorry,
 3 the second request to produce originally, there
 4 was no timely response, and I took into account
 5 the stay that the Court had entered when
 6 Mr. Edwards' firm, the Rothstein, Rosenfeldt &
 7 Adler firm, went into or imploded, so the Court
 8 gave them some time, but they still didn't
 9 timely file. They did ultimately file a
 10 response, and therefore, I filed an amended
 11 motion.
 12 And I'm interested really in 1, 2, 4, and
 13 5. And these are the books, the journals that
 14 were specifically identified at her deposition.
 15 And she was claiming, "I made between \$200 and
 16 \$2,000 a night." So clearly if she has a lost
 17 wage or loss of future earning capacity claim,
 18 what occurred with these people, vis-a-vis
 19 Mr. Epstein and where did any real emotional
 20 damage, if any, occur?
 21 She testified -- they objected based upon
 22 that it's not relevant or material. I don't
 23 think I even need to argue that to the Court on
 24 1 and 2.
 25 On 2 they raised the privacy right.

1 On 5 I asked for her information with
 2 regard to her -- basically her johns.
 3 On 7, which relates, and 8 and 9, which
 4 relate to the adult entertainment videos, which
 5 she also testified, she says, "I don't have
 6 them in my possession." And same with 11, you
 7 know, documents that relate to your employment
 8 as she described a Bunny Ranch. Page 46 of her
 9 deposition, she says, none in her possession.
 10 What does that mean?
 11 So what I'm asking for the Court, and I
 12 recognize that -- well, I don't recognize -- I
 13 won't editorialize too much. But what I will
 14 say is that clearly the plaintiff had these
 15 books. She had records. Clearly she's gotten
 16 rid of them because she said she doesn't have
 17 them, and certain things are not in her
 18 possession. I would ask that the Court
 19 overrule all the objections. Again, no Fifth
 20 Amendment. There's no attorney/client. There
 21 are no privilege objections that may withstand
 22 a late filing or even late objections that are
 23 asserted. None of those are asserted.
 24 And secondly, that she give an affidavit
 25 saying specifically prior to her deposition,

1 which is scheduled on February 9, I believe, is
 2 that she say what happened to these books or
 3 write an affidavit to the Court as to where the
 4 information is that existed on the date of her
 5 deposition now no longer exists. And with
 6 regard to "none in my possession," what's that
 7 mean? Who's got it?

8 THE COURT: All right, thank you. My
 9 understanding at this point is that any
 10 certiorari review by the Fourth District Court
 11 of Appeals has come back, and on the discovery
 12 issue in particular was denied on the merits,
 13 correct?

14 MR. EDWARDS: On the issue of sexual
 15 partners and sexual acts and things of that
 16 nature, that my client will be answering
 17 questions to on the 9th, yes.

18 THE COURT: Okay. I just wanted to make
 19 sure.

20 MR. EDWARDS: Yes, and that was the
 21 substance of that prior motion to compel, and
 22 we intend to comply fully with that.

23 THE COURT: I'm not suggesting you aren't.
 24 I just wanted to make sure --

25 MR. EDWARDS: This is a different issue.

1 That's it, period.

2 THE COURT: The relevance, just to
 3 remember, and this was the basis of my earlier
 4 decision in dealing with the other issues, and
 5 that is, that we have someone who is claiming
 6 significant psychological trauma as a result of
 7 her interactions with the defendant and the
 8 type of trauma that she is alleging that this
 9 or that these problems stem from is sexual in
 10 nature. So there is some type of connection.

11 Also of import is the allegation that the
 12 defendant paid her and others for whatever
 13 intimate involvement is being alleged occurred.
 14 So I think from a global perspective, that's
 15 really more of what's of interest to the Court
 16 when it comes to relevance than what the amount
 17 of the monetary claim is. That's not of
 18 importance to me.

19 MR. EDWARDS: Understood. Addressing
 20 specifically this particular motion, any videos
 21 that were ever in her possession depicting
 22 sexual acts, we indicated that we would give
 23 them. My client does not have them in her
 24 possession. If you read her deposition, at
 25 some point in time she testified that -- or she

1 THE COURT: -- just for my administrative
 2 understanding.

3 MR. EDWARDS: That's correct.

4 THE COURT: We just get one single page
 5 that says denied on the merits. We don't get
 6 much of an explanation.

7 MR. EDWARDS: Right.

8 THE COURT: So I just wanted to make sure
 9 that that was one of the things that was
 10 affirmed on the merits. Go ahead, Mr. Edwards.

11 MR. EDWARDS: Many things were argued just
 12 now that don't necessarily pertain to this
 13 particular hearing. And every single hearing
 14 that we have we listen to Mr. Critton say,
 15 she's asking for \$10 million, \$50 million.
 16 That's never happened. The only evidence of
 17 any --

18 THE COURT: I just considered that
 19 rhetoric. I don't find it to be necessarily
 20 persuasive.

21 MR. EDWARDS: That's always the crux of
 22 the argument as to why this stuff should be
 23 available, and that's not really true. The
 24 only thing that's ever been alleged is it's
 25 over \$15,000 for jurisdictional purposes.

1 did engage in a sex act that was on video. She
 2 no longer has that video. She doesn't know
 3 where that video is. She didn't state in her
 4 deposition she knew where the video was.

5 THE COURT: Well, again, Mr. Critton's
 6 only concern is that by saying not in someone's
 7 possession, that there's at least potentially a
 8 suggestion that it may be in someone else's
 9 possession of whom she knows.

10 MR. EDWARDS: And I expect him to ask her
 11 where it went and trace it to wherever it went,
 12 you know. It's just not in her possession, but
 13 obviously it existed at one point in time.
 14 She's going to testify to that.

15 THE COURT: If you're representing that
 16 she will testify and/or you can amend the
 17 interrogatory answer to indicate that not only
 18 is it not in her possession, but she does not
 19 know the whereabouts of same, I think that
 20 would be more conclusive.

21 MR. EDWARDS: Okay.

22 THE COURT: And the better answer.

23 Let's talk about them in order, since I'm
 24 better doing it that way than I am just picking
 25 them out randomly. One says, "All documents

1 which relate to your earnings as a prostitute
 2 or call girl." It says, "Without waiving said
 3 objection, none." If I'm not mistaken, I think
 4 one of the District Court of Appeals said that
 5 such an answer basically does waive the
 6 objection. So the answer is none. There's not
 7 much I can do about that. It says none, it
 8 says none.

9 MR. EDWARDS: And your Honor, the only --

10 THE COURT: So that's going to be
 11 construed as the answer.

12 The next one is the book containing the
 13 reference to a Bible verse. It says, "See
 14 response to request to produce Number 1." I
 15 presume that when it gets to the bare bones,
 16 it's none; is that correct, or does that not
 17 apply?

18 MR. EDWARDS: She did testify in her
 19 deposition about having a book, and I believe
 20 that it contained records regarding such
 21 earnings. I did stop her from testifying to
 22 that after we conferenced about her possibly
 23 providing information that would provide a link
 24 in the chain to a possible prosecution of her,
 25 and that it was possibly going to require her

1 lawsuit, and therefore, we have very little, if
 2 any, communication can take place between our
 3 offices. And we end up in front of your Honor
 4 on these issues when I think this probably
 5 could have been eliminated if we could have
 6 just talked about the fact there's no earning
 7 capacity claim. I just wanted your Honor to
 8 understand that we're not here to waste your
 9 time, but we do have a communication problem
 10 for that reason.

11 THE COURT: I appreciate that. Okay,
 12 well, getting back to the issue at hand, does
 13 she have this book or doesn't she?

14 MR. EDWARDS: She had it, and she has not
 15 been able to locate it, but I'm not going to
 16 say she doesn't -- at the time she had her
 17 deposition taken, she thought she still had it,
 18 although she hadn't touched it in quite some
 19 time. She has moved. She's moved. So I don't
 20 know if she's going to be able to locate it or
 21 not. It's going to be our position if she does
 22 locate it, that it would -- that she can invoke
 23 her Fifth Amendment right as to the production
 24 of that document, and it should not be
 25 discoverable for that reason. At this time,

1 to admit to criminal actions, and there would
 2 be a Fifth Amendment invocation there. I
 3 overlooked that apparently in my response, but
 4 obviously that was the objection at that time.

5 And just so that the Court is clear, and I
 6 know that the relevancy that Mr. Critton cited
 7 was the lost wage and loss earning capacity
 8 claim. The loss earning capacity claim, lost
 9 wage claim in LM's case has been withdrawn.
 10 I'll say it on the record it's been withdrawn.
 11 It's no longer an issue in this case. So all
 12 of these requests about earning potential and
 13 earnings from the practice of prostitution is
 14 not relevant right now, especially at this
 15 stage because that's not an issue. And that
 16 was done strategically obviously related to the
 17 Fifth Amendment invocation not wanting to go
 18 down that road.

19 And I can tell you, your Honor, that these
 20 hearings would happen a lot less frequently
 21 except for the great working relationship that
 22 Mr. Critton and myself had at one point in time
 23 has all but dissipated when a lawsuit was filed
 24 by Mr. Epstein against me personally.
 25 Mr. Critton has signed his name to that

1 she doesn't have it in her possession.

2 THE COURT: All right. Well, let's talk
 3 about the Fifth Amendment issue.

4 Mr. Critton, what's your position in that
 5 regard?

6 MR. CRITTON: I've heard two things that
 7 are not set forth in response to the second
 8 request to produce.

9 THE COURT: I understand.

10 MR. CRITTON: I heard too that was never
 11 argued with the hearing on motion to compel
 12 when you said produce your diaries and books,
 13 et cetera. So the withdrawal of the loss
 14 earning claims and wages, I may have missed
 15 that.

16 I'm happy to communicate with Mr. Edwards
 17 as we have no trouble in terms of letters. So
 18 that's not a problem.

19 That claim, has it been withdrawn as of
 20 today, or have I missed something along the
 21 way?

22 MR. EDWARDS: It's been withdrawn before
 23 today.

24 MR. CRITTON: Unknown to me and it was not
 25 something that was argued.

1 THE COURT: Well, it's now on the record.
2 So let's move on relative to that.

3 So taking that into consideration, there's
4 still the emotional trauma issue, and there's
5 still the relationship between whatever this
6 woman did relative to her activities of a
7 sexual nature and in relationship to those
8 allegations that she made, that she's made
9 concerning Mr. Epstein of a sexual nature. So
10 I think there's still that ability to juxtapose
11 the activities that transpired prior, during
12 and to some degree after Mr. Epstein's
13 engagement with this woman, if any, that may
14 pertain to the emotional trauma that she is
15 alleging resulting from the allegations of a
16 sexual nature against Epstein.

17 So how do we deal with that in conjunction
18 with and in recognition of LM's potential Fifth
19 Amendment rights? That's going to be the issue
20 I think as far as these matters are concerned.

21 I think that by admitting to what she did
22 in her deposition, there is at least some
23 argument of waiver. I'm not going to suggest
24 that she -- when I say "waiver," I'm talking
25 about waiver of the privilege to a certain

1 than to do it at an 8:45 hearing where either I
2 or Mr. Edwards or even the Court might act, I
3 don't want to say precipitously, but without
4 full knowledge and the ability to look at it, I
5 would like to see how I want to posture that.

6 THE COURT: I agree, and I think that's
7 the best way to handle it, and I appreciate
8 that deference.

9 With regard to any -- the same thing with
10 regard to the, not having to do with the Fifth
11 Amendment issues, I don't think, but relative
12 to the DVDs or anything of a sexual nature,
13 that she allegedly was involved in when she was
14 19, those would have to be more fully answered.
15 If they're not in her possession, that's one
16 thing. If she knows where they are, that's
17 another. If she says, as Mr. Edwards is
18 proffering today, that she does not know the
19 whereabouts of them, or of it, I don't want to
20 suggest that there's more than one if that's
21 the case, then that should be the way it's
22 responded to. Again, perhaps it's better done
23 in five days when the deposition is being taken
24 to obviate the need for any further response on
25 those particular questions, but you're

1 degree, not the waiver of the objection. I'm
2 going to respect the fact that you objected on
3 the record to the questions on the Fifth
4 Amendment grounds. That's been acknowledged by
5 Mr. Critton. And so even though it's not
6 specifically stated here in the response to the
7 defendant's second request for production, I'm
8 not going to suggest that she waived her right
9 to a Fifth Amendment privilege. I am, though,
10 concerned about whether or not she has waived,
11 to a degree, her Fifth Amendment privilege by
12 virtue of a response to the questions at the
13 deposition. Do you understand the distinction?

14 MR. EDWARDS: I understand, your Honor.

15 MR. CRITTON: Here's what I would like to
16 do, your Honor, because -- I would ask that --
17 she's set for deposition on February 9. I
18 would ask that Mr. Edwards, on her behalf, be
19 required to file an amended response to our
20 second request for production. So if he wants
21 to assert the Fifth so it's there, so that I
22 have a record of it, and then I want to be able
23 to respond to it based on how she's responded
24 previously in her deposition and how she
25 responds at this particular time. And rather

1 suggesting, I think, Mr. Critton, that you want
2 these responses before the 9th.

3 MR. CRITTON: Yes. And part of it is, I
4 want on the record of what they didn't respond
5 to than what they did respond to what we now
6 heard on the record, and now the newest
7 response, which is going to be the response to
8 the amended response. And therefore, as the
9 Court suggests, if you don't have it, tell us
10 you don't have it. You don't know where its
11 whereabouts is, fine. If you know where it is,
12 tell us. And you want to assert the Fifth
13 Amendment, then at least I can address it
14 properly.

15 THE COURT: The only other thing I want to
16 address, and these gentlemen and ladies have
17 been very patient, is what the medication or
18 medications have to do with the matter. I
19 don't recall if I did. I just don't recall
20 reading anything in the deposition about
21 medications, but I may have missed it.

22 MR. CRITTON: It probably wasn't in at
23 least the portion that was given to you, but
24 there's been substantial testimony regarding
25 different types of drugs, both prescription and

1 nonprescription that they took. So if they
 2 took Xanax or other type drugs, which seems to
 3 be typical among a number of the individuals
 4 who are plaintiffs in this case, or other
 5 prescription medication, what did you take?
 6 Did you have a prescription for it? If you
 7 have it, give it to us. If you don't have it
 8 in your possession, tell us that you don't have
 9 it. But if you're taking medication, tell us
 10 about it, in particular, as it may affect
 11 either their testimony or what they did or what
 12 their, what their issues are associated with
 13 the emotional and mental and psychological
 14 damages. Medications have a significant
 15 impact. And not only the plaintiffs' experts,
 16 not in this case because we haven't seen their
 17 report, but every physician that's examined
 18 them are always very interested in having their
 19 medication past history as it affects their
 20 mental state.

21 THE COURT: Mr. Edwards.
 22 MR. EDWARDS: He's asking for the
 23 medication that she's taking now or that she
 24 has in her possession now when we were talking
 25 about something that happened when she was 13,

1 14, 15, 16 years old. There can be no
 2 relevance to any medication that's she
 3 prescribed now, unless we were claiming that
 4 the medications she's prescribed now is
 5 something that is as a direct result of
 6 anything that happened with Mr. Epstein.

7 THE COURT: Well, that's basically the
 8 question I think is best phrased, and that is,
 9 are you claiming that any of the medications
 10 that you are presently taking are related in
 11 any way to your contact with Jeffrey Epstein?
 12 I think that the defendant is able to ask
 13 generically at the deposition whether you are
 14 on any drugs or alcohol or anything of that
 15 nature, any mind-altering substance at the time
 16 of the deposition to see if that person is in
 17 fact lucid and not under the influence.

18 I don't have a problem with that question
 19 being asked at any deposition, frankly, because
 20 it's not unusual that someone is on some type
 21 of medication, and I think that's fair game as
 22 a litigant in a case.

23 But again, I don't want to get into a
 24 lengthy diatribe here on issues that are not
 25 reasonably calculated to lead to the discovery

1 of admissible evidence. The admissible
 2 evidence, in my view, is not so much whether or
 3 not this person is on any form of medication.
 4 The importance is, one, whether she's on that
 5 medication at the time of the deposition, and
 6 two, whether or not there's any allegation that
 7 the reason that she's on the medication has
 8 anything to do with the claims against the
 9 defendant.

10 MR. CRITTON: May I say just one thing,
 11 your Honor?

12 THE COURT: Briefly, please.
 13 Mr. Glatthorn is looking at the ceiling in
 14 obvious impatience. I say that jokingly.

15 MR. CRITTON: If the plaintiff was taking
 16 medications, say, for an STD, how did you get
 17 it? What were the circumstances? How does
 18 that affect your emotional state? Let's say,
 19 as a result of her having been a prostitute, by
 20 her own testimony, for a long period of time,
 21 she's HIV positive. It affects her lifespan.
 22 It affects damages into the future, and it
 23 certainly would affect her emotional state, if
 24 she's on kidney dialysis or kidney medication
 25 or other significant medication that may be

1 life-threatening or life-altering in some
 2 fashion. She has a young child. That
 3 certainly would have an impact upon her
 4 emotional state, and therefore, it's relevant.

5 THE COURT: Well, again, I don't have a
 6 problem with asking specific questions, but the
 7 question that's indicated here I think is
 8 properly objectionable. The question reads,
 9 quote, "All prescription bottles, receipts or
 10 documents reflecting medication you were
 11 prescribed." I have no idea what that means.
 12 I don't know what the time frame is, and it's
 13 not as pointed as you have brought out. I
 14 don't have a problem with you asking those
 15 pointed questions at deposition, because they
 16 do have some relevance, and we do have to
 17 remember that this woman, as well as others,
 18 are the plaintiffs in a lawsuit. So they have
 19 brought their case before the Court and do have
 20 to reveal some things that may otherwise be
 21 personal by virtue of their position in the
 22 lawsuit.

23 That does not have endless bounds. I
 24 understand. However, I think some of the
 25 questions that Mr. Critton just raised are

1 relevant, can be asked at the deposition, but
 2 Question 10 I find to be overly broad and
 3 therefore properly objectionable. I'll sustain
 4 the objection as indicated in Question 10.
 5 I do have to move on, gentlemen, but
 6 again, I allow you to ask the same type of
 7 pointed questions without going into great
 8 detail and not invading this woman's privacy to
 9 a degree that it's going to be harassing. But
 10 when it comes to pointed questions regarding
 11 medication that could deal with lifespan, that
 12 could deal with STDs, that could deal with HIV
 13 positive, we're now going into another
 14 sacrosanct ground, but read up on the cases
 15 before you get into that so we're not going to
 16 be back on another issue.
 17 And again, whether or not she's on any
 18 medication or anything else of a mind-altering
 19 nature at the time of the deposition being
 20 retaken or whether she was on any medication at
 21 the time of the prior deposition was taken I
 22 think is fair game.
 23 All right. So that's the best I can do
 24 today with the limited time that we have. I do
 25 have to move on, gentlemen. Thank you.

1 CERTIFICATE
 2
 3 STATE OF FLORIDA
 4 COUNTY OF PALM BEACH
 5
 6
 7 I, Denise Sankary, Registered Professional
 8 Reporter, State of Florida at large, certify that I was
 9 authorized to and did stenographically report the
 10 foregoing proceedings and that the transcript is a true
 11 and complete record of my stenographic notes.
 12 Dated this 8th day of February, 2010.
 13
 14
 15 
 16 DENISE SANKARY, RPR, CRR
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1 MR. CRITTON: Could I get the response by
 2 Monday by mail?
 3 THE COURT: You could fax it by Monday.
 4 That's fine.
 5 MR. CRITTON: Do you want us to prepare an
 6 order and then provide it?
 7 THE COURT: The best you can.
 8 MR. CRITTON: I'll just refer to the
 9 transcript.
 10 THE COURT: Try to continue your
 11 communication.
 12 MR. CRITTON: Thank you, your Honor.
 13 MR. EDWARDS: Thank you, your Honor.
 14 (The hearing was concluded at 9:30 a.m.)
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