

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.

NOTICE OF TAKING DEPOSITION DUCES TECUM – DOCUMENTS ONLY

To: See Service List below

PLEASE TAKE NOTICE that the undersigned attorney will take the deposition
duces tecum of: (see attached subpoena duces tecum)

<u>DEPONENT</u>	<u>DATE & TIME</u>	<u>LOCATION OF DEPOSITION</u>
Herbert Stettin, Trustee in Bankruptcy for Rothstein Rosenfeldt Adler, P.A. c/o James C. Cunningham, Jr., Esq. Berger Singerman, P.A. 200 South Biscayne Blvd. Suite 1000 Miami, FL 33131	May 19, 2010 4:00 p.m.	Prose Court Reporting 101 NE 3 rd Avenue Suite #1500 Fort Lauderdale, FL 33301

upon oral examination, before Prose Court Reporting Agency, Inc., a Notary Public, or
any other officer authorized by law to take depositions in the State of Florida. The oral
examination is being taken for the purpose of discovery, for use at trial, or for such other
purposes as are permitted under the applicable Statutes of Rules of Court.

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 16th day of April, 2010:

Marc S. Nurik, Esq.
Law Offices of Marc S. Nurik
One East Broward Boulevard
Suite 700
Fort Lauderdale, FL 33301

[REDACTED] Fax

Attorneys for Defendant Scott Rothstein

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

[REDACTED] Fax

Attorneys for Defendant, L.M.

Jack Scarola, Esq.
Searcy Denney Scarola Barnhart &
ShIPLEY, P.A.
2139 Palm Beach Lakes Blvd.
West Palm Beach, FL 33409

[REDACTED] F

Attorneys for Defendant Bradley Edwards

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

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

[REDACTED] Fax

By: 

Robert D. Critton, Jr.

Florida Bar [REDACTED]

Michael J. Pike

Florida Bar [REDACTED]

(Counsel for Defendant Jeffrey Epstein)

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Plaintiff,

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SUBPOENA DUCES TECUM FOR DEPOSITION – DOCUMENTS ONLY

THE STATE OF FLORIDA

TO: **Herbert Stettin, Trustee in Bankruptcy for Rothstein Rosenfeldt Adler, PA**
C/O James C. Cunningham, Jr., Esq.
Berger Singerman, P.A.
200 South Biscayne Blvd., Suite 1000
Miami, FL 33131

YOU ARE COMMANDED to appear at **Prose Court Reporting, 101 NE 3rd Avenue, Suite #1500, Ft. Lauderdale, FL 33301, on May 19, 2010, 4:00 p.m.**, bring with you the following:

See attached Exhibit A

If you fail to appear, you may be in contempt of court.

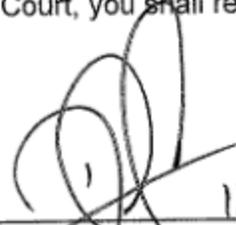
You are subpoenaed by the attorney whose name appears on this subpoena and unless excused from this subpoena by the attorney or the Court, you shall respond to this subpoena as directed.

DATED this 16th day of April, 2010.



ROBERT D. CRITTON, JR.
(Attorneys for Defendant Jeffrey Epstein)
Burman, Critton, Luttier & Coleman
303 Banyan Blvd., Suite 400
West Palm Beach, FL 33401

BY:



ROBERT D. CRITTON, JR., ESQ.
For the Court

EXHIBIT A

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, 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. "Plaintiff" means **L.M. (*L.M. v. Jeffrey Epstein, Palm Beach County Case #502008CA028051XXXXMB*)**, **E.W. (*E.W. v. Jeffrey Epstein, Palm Beach County Case #502008CA028058XXXXMB*)**, **Jane Doe¹ (*Jane Doe v. Jeffrey Epstein, United States District Court Case #08-civ-80893-Marra/Johnson*)**, and any other person who is or was represented by Rothstein Rosenfeldt & Adler that has not yet filed an action against Jeffrey Epstein, and any employee, agent or attorney for any plaintiff and/or any other person acting for or on behalf of any plaintiff, or under her authority and control.

D. "RRA" means Rothstein Rosenfeldt & Adler, P.A.

E. "Money" means any tangible thing of value.

F. "Costs" include, but are not limited to, court costs, filing fees, Sheriff's service and any other necessary service of legal papers or notices or subpoenas, court reporters' charges, long distance telephone charges, postage, courier services or Federal Express or UPS, investigative costs, photocopies, faxes, Westlaw computerized research, travel expenses, and witness fees and expert witness fees and costs.

¹ If you are unable to identify each Plaintiff, please contact Robert D. Critton, Jr. at their names will be provided pursuant to a confidentiality agreement.

G. "Trustee" means Herbert Stettin as bankruptcy trustee for RRA.

DUCES TECUM²

1. For the time period from March 1, 2009 to present, any and all documents between, or on behalf of RRA, its employees or agents or clients, and any third party regarding a purported settlement of any litigation between Jeffrey Epstein and a RRA client or Plaintiff, or the financing of any litigation between Jeffrey Epstein and a RRA client or Plaintiff, (whether existing clients or fabricated clients), including but not limited to:

- a. Documents indicating that litigation with Jeffrey Epstein has been settled;
- b. Soliciting or receiving money in return for settlement funds allegedly paid or to be paid by Jeffrey Epstein;
- c. Soliciting money to help finance ongoing litigation against Jeffrey Epstein;
- d. Soliciting money to be given to, or used on behalf of, the Plaintiffs in litigation against Jeffrey Epstein;
- e. Communication between third party investors or potential investors and the Plaintiffs or their attorneys involved in litigation against Jeffrey Epstein;
- f. Payments made by RRA to or on behalf of any Plaintiff.

2. Any and all fee agreements that exist or have existed between the following:

- a. Any Plaintiff and Bradley J. Edwards or any entity with which he has been associated;
- b. Any Plaintiff and the law firm RRA.

3. All emails, data, correspondence, memos, or similar documents between Bradley J. Edwards, Scott W. Rothstein, William Berger and Russell Adler and/or any attorney or representative of RRA and any investor or third party (person or entity) regarding Jeffrey Epstein or which mentions Jeffrey Epstein (including Mike Fisten, Kenneth Jenne, Patrick Roberts or Rick (Rich) Fandrey).

4. All emails, data, correspondence, memos, or similar documents between Bradley J. Edwards, Scott W. Rothstein, and/or any attorney or representative of RRA regarding Jeffrey Epstein or which mentions Jeffrey Epstein (including Mike Fisten, Kenneth Jenne, Patrick Roberts or Rick (Rich) Fandrey).

² Due to the potential volume of documents involved, the parties and the Court should consider appointment of a special master and/or an in camera inspection to address any objections, claims of privilege and generally manage the production of documents.

5. All agreements or documents of any nature which were provided to or received from an investor or potential investor relating to any case (real or fabricated) involving Jeffrey Epstein and any of the following:

- a. Scott W. Rothstein;
- b. Bradley J. Edwards;
- c. RRA;
- e. any entity formed by RRA or Bradley J. Edwards or Scott W. Rothstein to create investment opportunities for third party investors to invest in any plaintiff's case against Jeffrey Epstein.

6. All fee sharing agreements between Bradley J. Edwards, RRA, or Scott W. Rothstein and/or any other attorney or investor relating to any aspect of any Plaintiff's case.

7. All documents made available to any investor or potential investor by Bradley J. Edwards, RRA, Scott W. Rothstein or any of Scott W. Rothstein's entities to solicit "investors" for any case involving Jeffrey Epstein.

8. All document reflecting the names and addresses of all individuals or entities who invested or purported to invest in any aspect of any case against Jeffrey Epstein.

9. All documents evidencing payment of any bill or cost in each Plaintiff's case against Jeffrey Epstein, and the source(s) for said payments of any Costs.

10. All documents wherein the Trustee of RRA has asserted a lien for attorney's fees or Costs arising out of work done and Costs incurred related to the Plaintiffs' cases during the time Plaintiffs' cases were represented by RRA.

11. All documents and tangible things retrieved from the trash at 358 El Brillo Way, Palm Beach, Florida which is alleged to be the home of Jeffrey Epstein.

12. All conversations recorded from any telephones which purported to be that of Jeffrey Epstein that are contained in any media (audio tapes, CDs, DVDs, zip drives, hard drives or any other electronic format and any written transcriptions)

13. All conversations recorded from any telephones which purported to be from Jeffrey Epstein's attorneys including Roy Black, Alan Dershowitz or Jack Goldberger, that are contained in any media (audio tapes, CDs, DVDs, zip drives, hard drives or any other electronic format and any written transcriptions)

14. All intercepted phone conversations authorized by RRA including but not limited to any one of its attorneys or investigators or anyone retained by or working for RRA related to Jeffrey Epstein that are contained in any media (audio tapes, CDs,

DVDs, zip drives, hard drives or any other electronic format and any written transcriptions).

15. All intercepted or acquired electronic mail (e-mails) to and from Jeffrey Epstein authorized by RRA including but not limited to any one of its attorneys or investigators or anyone retained by or working for RRA.

16. All intercepted or acquired electronic mail (e-mails) to and from the attorneys for Jeffrey Epstein including but not limited to: Roy Black, Alan Dershowitz or Jack Goldberger, authorized by RRA including but not limited to any one of its attorneys or investigators or anyone retained by or working for RRA.

17. All documents related to the amount of Costs that were incurred by RRA in its representation of Jane Doe, L.M. and E.W. and is claiming or has claimed

18. All documents which purport to evidence any transfer of funds or property from Jeffrey Epstein to RRA, Rothstein or any Rothstein-related entity for the settlement of any case (real or fabricated) against Jeffrey Epstein.

19. All documents which purport to mention any transfer of funders or property from Jeffrey Epstein to RRA, Rothstein or any Rothstein-related entity for the settlement of any case (real or fabricated) against Jeffrey Epstein.

20. All documents relating to any investment, joint-venture or business enterprise involving RRA, Rothstein or a Rothstein-related entity that reference any claim (real or fabricated) against Epstein.

21. All emails exchanged between any of the following individuals wherein Epstein, a Palm Beach billionaire or similar reference was mentioned:

- a. Scott Rothstein
- b. Russell Adler
- c. William Berger
- d. Michael Fisten
- e. Kenneth Jenne
- f. David Boden
- g. Deborah Villegas
- h. Andrew Barnett
- i. Patrick Roberbs
- j. Richard (Rick) Fandry
- k. Christina Kitterman
- l. Brad Edwards

22. All documents related to or referencing potential deponents in the Jane Doe, L.M. or E.W. cases.

23. All Q-Task "Projects" that refer to Jeffrey Epstein.
24. All Q-Task Projects that refer to L.M., E.W., or Jane Doe.
25. All documents that identify all individuals who were granted access (invited guests) or who had access to the Q-Task Projects referred to in request nos. 23 and 24.
26. All documents, communications and letters sent by you assessing liens against the recoveries in:
 - a. L.M. v. Epstein, Case No. 502008CA028051XXXXMB
 - b. E.W. v. Epstein, Case No. 502008CA028058XXXXMB
 - c. Jane Doe v. Epstein, Case No. 08-CV-80119-MARRA/JOHNSON
27. All documents related to the Costs that you, as bankruptcy Trustee, are claiming related to L.M., E.W. and Jane Doe's cases against Epstein. This includes any data or electronic printout of Costs which the Trustee of RRA is claiming.
28. Any employment agreements or letters describing compensation and benefits for Bradley Edwards during his employment with RRA.
29. All documents from the "Fortress" software program that refer or relate to Jeffrey Epstein.
30. All documents from the "Fortress" software program that refer or relate to L.M., E.W., or Jane Doe.
31. For the time period April 1, 2009 through November 5, 2009, all emails to and from any employee, partner, shareholder, attorney, agent or client of RRA that reference any of the following:
 - a. A.J. DiScala;
 - b. D3 Capital Club, LLC
 - c. Bill Clinton;
 - d. Alan Dershowitz;
 - e. David Copperfield;
 - f. Kevin Spacey;
 - g. Chris Tucker;
 - h. Prince Andrew
 - i. Jean-Luc Brunel;
 - j. Tommy Motolla;
 - k. Bill Richardson;
 - l. Donald Trump.