

The Rothstein Firm Manufactured Cases to Sell

A case was filed today in Florida State Court by Jeffrey Epstein, the Palm Beach Billionaire accused of soliciting underage girls, against embattled ex-lawyer Scott Rothstein and some of his former partners at Rothstein Rosenfeldt and Adler, P.A.

The case presents a rare window into the machinations and abuse of the legal system engaged in by the RRA firm. Not content with merely searching through people's garbage or shining laser listening devices on windows of executives in order to create potentially lucrative cases of sexual discrimination, the complaint alleges that the firm misappropriated funds from unsuspecting investors to fabricate from thin facts emotionally charged cases that could be brought or threatened against wealthy defendants. Rothstein and RRA could then use anonymous filings, protective orders, and extraordinary discovery tactics in those cases as an integral part of their scheme. They would entice unsuspecting investors with the prospect of large settlements, which they would claim were accomplished under the radar, as a married executive might not want his wife to know about an office affair, or an invented contactor was desperate to protect itself from a potentially devastating whistleblower suit. Confidentiality agreements would be used to further these illicit goals.

The investor was told that Jeffrey Epstein got a sweetheart deal. Rothstein and RRA would proudly display a copy of Epstein's deal with the government, that RRA got unsealed, to show investors that the "big fish", as Epstein was described, had already agreed to settle cases. With this as their backdrop, Rothstein and partners lured investors into their quasi-legal extortion scheme. They needed a plaintiff that could be readily manipulated to create a case that would pass a frivolous suit attack; they would use the press and coach testimony that would pass the laugh test and then file suit.

The Epstein cases were perfect. The government had forced Epstein to waive liability to a list of unnamed girls in September of 2007. Rothstein and partners could use the fact that the girls were unnamed and claim that they represented many of the unnamed girls. They actually found three girls, but only in May of 2008, months after the deal was signed, and were able to have one of the girls added to the government's allegedly sacrosanct list.

Funded by "investors", Rothstein and partners found women that had been to Epstein's house, and sent these women for the first time in their lives to psychiatrists with just the right amount of coaching on how to behave. "Don't tell the shrink that you had worked as a call girl since the age of 15, don't tell him about your three pregnancies before the age of 18, and don't tell him of your arrests, your stripping, and your domestic abuse, but claim that Epstein is responsible for all the troubles in your life." If the women were questioned under oath, they were counseled to hide behind the right of clients not to be forced to divulge confidential (attorney/client privileged) information, or as it happened, if the questions got too close to the truth, they were instructed to claim the fifth amendment right against self-incrimination (this happened over forty times at the deposition of the first of RRA's clients).

At the same time when Rothstein's fraud was unraveling, RRA sent a retired but disgraced police officer, representing himself as law enforcement personnel, to interview a myriad of famous people believed associated with Epstein. Brad Edwards filed suit under the name of Jane Doe, claiming that his now 22 year-old client needed anonymity, and obtained a no contact order from the judge, insulating the client from anyone that might want to speak with her out of earshot of her attorney. Money was just around the corner. All that was needed was to secure investors to fund the investigators, medical experts, and travel expenses of the attorneys, in exchange for the promise of outrageously large guaranteed returns.

In Epstein's cases, represented by the law firm of Burman, Critton, Luttier & Coleman, LLP, during deposition, the plaintiffs admitted that they had been call girls and strippers since the age of 15. They had worked at various massage parlors, strip clubs, and escort services and one admitted to keeping a record of the payment of her Johns' fees in a lined book masquerading as a bible. Though this plaintiff changed her previous sworn testimony that Epstein was an "awesome man" that never did anything improper to her post lawyer testimony of "I was abused", she admitted having intercourse with many, many men, but not even once with Epstein. This plaintiff said she charged other John's up to \$2,000 dollars a day during the time she alleges to have known Epstein. Though she said she did not want money, only justice, that was the same answer that all of RRA's clients gave.

Protected from a defamation claim by the act of actually filing a lawsuit, protected from investigation by the attorney/client privilege, and protected from stray questions of RRA's clients by a no contact order from the court, RRA was free to call the press, in violation of local ethics rules. RRA was free to get its clients on television, admittedly behind a screen to protect the Jane Doe from unwanted scrutiny. It was free to subpoena friends and employees of Epstein to depositions for hours on end, though the plaintiffs were never mentioned once in those depositions. In those depositions, RRA asked intimidating and harassing questions about Epstein's finances and his friends, including ludicrous and irrelevant hypothetical questions such as "if it were true that Epstein had sex with young girls, what would you think?" Unable to dismiss the subpoenas, Epstein's friends and employees sat for hours being questioned about their own lives, the RRA lawyers fishing for more cases that they could sell to their unsuspecting investors.

The federal government is now trying to unravel Rothstein's looting of investors, maybe even the trust accounts of the firm, and will need to determine who else was in on the schemes. As with Madoff's case, it appears unlikely that this will be revealed to be the work of only one man.