

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

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**PLAINTIFF'S MOTION TO COMPEL ANSWERS TO  
INTERROGATORIES AND PRODUCTION OF DOCUMENTS,  
AND INCORPORATED MEMORANDUM OF LAW IN SUPPORT**

Plaintiff, by and through undersigned counsel, files this Motion to Compel Answers to Interrogatories and Production of Documents, and Memorandum of Law in Support, pursuant to Fed.R.Civ.P. 26 and 37 and S.D.Fla.L.R. 26.1(H)(2), as follows:

**I. INTRODUCTION**

Plaintiff in this case propounded 17 interrogatories and 24 documents requests. In response, Defendant has produced no information and no documents. Defendant's principal objection concerns his Fifth Amendment privilege against self-incrimination. Defendant, however, fails to set forth a sufficient predicate in his responses to interrogatories or documents requests for his refusal to provide any responsive documents or information. Defendant, rather, repeats in each response an all-encompassing, blanket assertion of Fifth Amendment privilege.

Defendant's responses also include a laundry list of objections to Plaintiff's interrogatories and documents requests, none of which serve as a basis for a denial of all discovery. For the reasons discussed below, Plaintiff requests an order compelling Defendant to answer interrogatories and produce responsive documents.<sup>1</sup>

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<sup>1</sup> This Motion addresses almost entirely general or blanket objections to discovery, which are repeated in multiple or all of the Defendant's responses to Plaintiff's discovery requests.

**II. EPSTEIN'S BLANKET ASSERTION OF PRIVILEGE AGAINST SELF-INCRIMINATION IN RESPONSES TO INTERROGATORIES IS INSUFFICIENT**

Defendant's response to each and every one of Plaintiff's Interrogatories<sup>2</sup> contains the following privilege objection:

I intend to respond to all relevant questions regarding this lawsuit, however, my attorney has counseled me that I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution.

Defendant's canned objection represents a "blanket" refusal to answer questions in this civil case. See Anglada v. Sprague, 822 F.2d 1035, 1037 (11th Cir. 1987) (rejecting a "blanket" refusal to testify as unacceptable). While Plaintiff does not dispute that Defendant Epstein's Fifth Amendment privilege may be asserted in a civil case,<sup>3</sup> the Fifth Amendment's "protection must be confined to instances where the witness has *reasonable cause* to apprehend danger from a direct answer." Hoffman v. United States, 341 U.S. 479, 486 (1951) (emphasis supplied).

"[A] witness has some minimal burden to justify invocation of the privilege." In re J.M.V., Inc., 90 F.R. 737, 739 (Bankr. E.D. Pa. 1988). The privilege must be asserted in response to a particular question, and in each instance "[i]t is for the court to decide whether a witness' silence is justified and to require him to answer if it clearly appears to the Court that the witness asserting the privilege is mistaken as to its validity." In re Morganroth, 718 F.2d 161, 166-167 (6th Cir. 1983)

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Accordingly, Plaintiff deviates where necessary from the format set forth in S.D.Fla.L.R. 26.1(H)(2) in the interests of clarity and efficiency.

<sup>2</sup> Attached as Exhibit "A" is Defendant's Response and Objections to Plaintiff's Interrogatories.

<sup>3</sup> This discussion addresses the Defendant's Fifth Amendment claim of privilege. Defendant also asserts a privilege under the Sixth and Fourteenth Amendments. The Sixth Amendment does not provide a basis to refuse to answer questions in a civil case as a means to preserve the Defendant's "right to effective representation", as Defendant asserts in his responses. The Fourteenth Amendment likewise is inapposite, as state action is not at issue in this federal case.

(holding that it was not sufficient for witness to answer every question with conclusory assertion of Fifth Amendment privilege). Accord Anglada, 822 F.2d at 1037 (noting that Court should not have to speculate as to which questions would tend to incriminate); See also Hoffman, 341 U.S. at 486 (witness' "say-so does not of itself establish the hazard of self-incrimination"); In re Wincek, 202 B.R. 161, 168 (Bankr. M.D. Fla. 1996) (rejecting assertion of Fifth Amendment privilege in "broad, unsupported fashion").

The "reasonable cause" for invocation of the Fifth Amendment privilege is not self-evident from the interrogatories propounded by Plaintiff. For example, Interrogatory no. 1 asks the Defendant to identify employees who performed work or services at his Palm Beach residence. It is not apparent that identifying the chef, chauffeur, gardener, etc., would tend to incriminate the Defendant. The information sought in the bulk of the Plaintiff's interrogatories may be categorized generally as follows:

<b><u>Type of Information</u></b>	<b><u>Interrogatory No.</u></b>
identification of persons	1, 2, 3, 4, 5, 6, 10, 17
Defendant's travel schedule and locations	7
identification of health care providers	8
telephone numbers used by Epstein and his employees	11, 12
general information based on Florida Standard Interrogatories, Fla.R.Civ.P. Form 2, nos. 7, 10, 12	13, 14, 16 <sup>4</sup>

These Interrogatories, on their face, do not infringe upon or otherwise implicate the Defendant's rights under the Fifth Amendment. It is, therefore, incumbent upon the Defendant to set forth reasonable cause for his invocation of the Fifth Amendment in response to each of these

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<sup>4</sup> Plaintiff does not challenge at this time Defendant's assertion of a Fifth Amendment privilege in response to interrogatory no. 9, which seeks information on Defendant's sexual aids.

Interrogatories. Absent some interrogatory-by-interrogatory showing of reasonable cause, Plaintiff asks that Defendant's claims of privilege under the Fifth Amendment be rejected and overruled.

**III. DEFENDANT'S BLANKET ASSERTION OF  
FIFTH AMENDMENT PRIVILEGE IN RESPONSE  
TO REQUESTS FOR PRODUCTION IS INSUFFICIENT**

In response to Plaintiff's Requests for Production,<sup>5</sup> Defendant has asserted an identical, "blanket" objection to each and every request, as follows:

I intend to produce all relevant documents regarding this lawsuit. However, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution.

Initially, it is well established that the Fifth Amendment privilege may not apply to specific documents "even though they contain incriminating assertions of fact or belief because the creation of those documents was not 'compelled' within the meaning of the privilege." United States v. Hubbell, 530 U.S. 27, 35-36 (2000). Accordingly, a party cannot avoid discovery merely because demanded documents contain incriminating evidence, "whether written by others or voluntarily prepared by himself." Id.

Nonetheless, the act of procuring documents may be considered testimonial and protected by the Fifth Amendment privilege in two instances: (1) if the existence and location of the documents are unknown; or (2) where production would "implicitly authenticate" the documents. In re Grand Jury Subpoena, 1 F.3d 87, 93 (2d Cir. 1993); see also Fisher v. United States, 425 U.S. 391, 410 (1976) (issue expressed as whether compliance with a document request or subpoena "tacitly conceded" the item's authenticity, existence or possession by the defendant). It is the Defendant's

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<sup>5</sup> Defendant's Response to Request for Production, which sets forth each Request and the Defendant's Response, is attached hereto as Exhibit "B".

burden to demonstrate that the act of producing any particular responsive documents would entail testimonial self-incrimination. United States v. Wujkowski, 929 F.2d 981, 984 (4th Cir. 1991). It is not self-evident or apparent from the Plaintiff's requests that the act of producing responsive items would be protected under the Fifth Amendment. In particular, there is no reason to believe that production of documents in response to the following requests would compel testimonial self-incrimination:

<b><u>Types of Documents Requested</u></b>	<b><u>Request Nos.</u></b>
Agreements with the U.S. Attorney and State Attorney, and documents exchanged between Defendant and the U.S. Attorney or State Attorney	1-4
Telephone records	5-6
Videos, photographs of residence	7
Documents relating to Plaintiff Jane Doe	8
Air travel records	10
Documents relating to modeling agencies	11
Correspondence with other witnesses	14, 15, 16, 17, 19
Social networking documents	18
Gifts to minor females	20
Personal calendars, diaries	21, 22
Prescription medicines	23 <sup>6</sup>

As to the above-listed items, it is not possession or control of these items that would prove incriminating; rather, if anything, it is their contents, which are not protected by the Fifth Amendment privilege so long as they were created voluntarily. Fisher, 425 U.S. at 410; see also In

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<sup>6</sup> Plaintiff concedes that the act of producing items in response to request no. 9, concerning witness statements, and request nos. 12-13, concerning photographs or images of females, may implicate the Fifth Amendment.

re Ross, 156 B.R. 272, 177-78 (Bankr. D. Idaho 1993). Nor would production of items in response to these requests “implicitly authenticate” items that are themselves incriminating. See In re Grand Jury Subpoena, 1 F.3d at 93-94 (holding that defendant’s calendar/diary not protected from discovery by “act of production” doctrine under the Fifth Amendment).

Without more, therefore, Defendant’s blanket claim of a Fifth Amendment privilege in response to all of Plaintiff’s document requests should be rejected, and responsive documents ordered to be produced.

**IV. DEFENDANT’S OBJECTION AND STATEMENT CONCERNING ADVERSE INFERENCE IS INAPPROPRIATE AND INCORRECT**

Defendant makes the following self-serving and unnecessary assertion in response to each and every interrogatory and document request propounded by Plaintiff:

Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution.

Although a defendant’s assertion of his Fifth Amendment privilege cannot be used against a criminal defendant, it is well established that “an adverse inference based on a refusal to testify in a civil case is an appropriate remedy as it provides some relief to the civil litigant whose case is unfairly prejudicial by a witness’ assertion of the Fifth Amendment privilege . . .” United States v. Custer Battles, L.L.C., 415 F. Supp. 2d 628, 632 (E.D. Va. 2006); accord Baxler v. Palmigiano, 425 U.S. 408, 318 (1976) (“the Fifth Amendment does not forbid adverse inferences against parties to civil actions when they refuse to testify in response to probative evidence offered against them”); Securities and Exchange Comm’n v. Graystone Nash, Inc., 25 F.3d 187, 190 (3d Cir. 1994) (“[t]he [defendant’s] dilemma of choosing between complete silence and presenting a defense [in a civil case] does not fatally infect the right against compelled self-incrimination”).<sup>7</sup>

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<sup>7</sup>Moreover, a defendant in a civil case may not manipulate his use of the Fifth Amendment privilege by shielding himself from inquiries during discovery, and then submitting surprise testimony in a summary judgment affidavit or at trial. Id. at 191.

In any event, the issue of adverse inference, at this juncture, is premature. It is first necessary to determine whether the Fifth Amendment privilege is validly asserted in response to particular questions. This issue is typically resolved on a motion to compel. Custer Battles, 415 F. Supp. 2d at 633. If it is determined that the privilege is properly asserted, then adverse inferences are admissible consistent with the Rules of Evidence, *i.e.*, where they are relevant, reliable and not unfairly prejudicial, confusing or cumulative. Id. at 634. Such evidentiary issues concerning adverse inference are appropriately addressed at the time of summary judgment or trial. It is inappropriate and unnecessary to challenge the use of adverse inferences through self-serving statements in blanket objections to interrogatories.

**V. PLAINTIFF IS ENTITLED TO DEFENDANT'S HEALTH CARE INFORMATION IN DISCOVERY**

**A. Interrogatory at Issue**

“**Interrogatory No. 8.** Identify all of Jeffrey Epstein’s health care providers in the past (10) ten years, including without limitation, psychologists, psychiatrists, mental health counselors, physician, hospital and treatment facilities.”

**B. Pertinent Portion of Defendant’s Objection**

“... [s]uch information is privileged pursuant to Rule 501, Fed.Evid., and §90.503, Fla.Evd. Code. In addition, such information is protected by the provision of the Health Insurance Portability and Accountability Act (HIPAA).”

**C. Grounds for Objection and Reasons for Motion**

The substantive basis for Defendant’s objection is a claim of privilege under state law, Florida Statute §90.503 (psychotherapist-patient privilege) and federal law, HIPAA, 42 U.S.C. §1320d et seq. Neither of these privilege claims are a basis to withhold relevant health care information in this case. Initially, Florida Statute §90.503 does not protect as privileged the identity

of health care providers, which is all that is sought in Plaintiffs interrogatory. Rather, it protects “confidential communications” with a psychotherapist. Florida Statute §90.503(2). Further, Plaintiff is ultimately entitled to discovery from the Defendant’s psychotherapists because §90.503 does not apply to relevant documents *in a case of child abuse* under Florida Statute §39.204. This Statute abrogates the psychotherapist-patient privilege in cases involving child abuse:

**Abrogation of privileged communications in cases involving child abuse, abandonment, or neglect.**- the privileged quality of communication . . . between any professional person and his or her patient or client, and any other privileged communication except that between attorney and client or the privilege provided in s. 90.505, as such communication relates both to the competency of the witness and to the exclusion of confidential communications, *shall not apply to any communication involving the perpetrator or alleged perpetrator in any situation involving known or suspected child abuse.* . . .

(Emphasis supplied).<sup>8</sup> “With the exceptions of the attorney-client privilege and the clergy communications privilege, section 39.204 abrogates the various evidentiary privileges in cases involving child abuse, abandonment or neglect.” *Nussbaumer v. State*, 882 So.2d 1067 (Fla. 2d DCA 2004). It represents a determination by the legislature that discovery of facts relating to claims of child abuse is more important than the protection of otherwise confidential psychotherapist-patient communications:

Obviously, the psychotherapist privilege provided by section 90.503(2) is intended to encourage people who need treatment for mental disorders (including child abusers) to obtain it by insuring the confidentiality of communication during treatment. We must assume, however, that the legislature, in passing [§39.204] weighed the desirability of encouraging treatment for child abusers against the desirability of discovering them and decided that the latter was more important than the former. The intent of [§39.204] is to discourage child abuse. That discouragement, in view of the statutory language, can occur by way of a civil lawsuit for damages as well as by way of

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<sup>8</sup>The term “child abuse” is defined broadly in the Statute to encompass the acts and conduct alleged against Epstein in this case. A “child” is a person under the age of 18, and “abuse” means “any willful or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child’s physical, mental or emotional health to be significantly impaired.” Florida Statutes §39.201.

a criminal prosecution.

Carson v. Jackson, 466 So.2d 1188, 1190 (Fla. 4th DCA 1985) (analyzing predecessor statute, §415.512, Fla. Stat.).

Defendant also asserts HIPAA, the Health Insurance Portability and Accountability Act, 42 U.S.C. §1320d et seq., as a ground for objection to Plaintiff's interrogatory. "HIPAA does not create substantive rights that act as a bar on discovery. . . . HIPAA regulations is (sic) purely procedural in nature and does not create a federal physician-patient or hospital-patient privilege." Allen v. Woodford, 2007 WL 309485 \*11 (E.D. Cal. 2007). Under HIPAA, health care information may be disclosed in discovery under a qualified protective order, which prohibits using or disclosing protected health care information for any purpose other than the litigation and requires return or destruction of the protected health care information. 45 C.F.R. §164.512(i)(e). Accordingly, there is no basis to withhold from discovery Epstein's health care information, particularly as it relates to Plaintiff's allegations of child abuse.

**VI. DEFENDANT HAS NO VALID GROUNDS FOR OBJECTION  
TO PRODUCTION OF INSURANCE DOCUMENTS**

**A. Item to be Compelled**

Plaintiff's Second Request for Production contains a single request for insurance documents, as follows:

All policies of insurance, including the declarations page and all binders, amendments, and endorsements, covering Defendant's residence at 358 El Brillo Way, Palm Beach, FL 33480.

**B. Specific Objections and Grounds**

Defendant provided no responsive documents and objected<sup>9</sup> on grounds that (i) no time period is specified, other than the 2004-05 time period for the events alleged in the Complaint; (ii)

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<sup>9</sup> A copy of Defendant's Response and Objections to Second Request for Production is attached

the policies “contain value and/or asset information which is not relevant, material nor calculated to lead to discovery of admissible evidence.”; and (iii) “said information is both private and confidential”.

**C. Reasons for Motion**

Plaintiff’s request for insurance documents is reasonable under the circumstances of this case, and well within the scope of Fed.R.Civ.P. 26. Requests for such insurance documents are common and typical in cases alleging personal injuries. Plaintiff agrees to limit such request to policies covering the years 2003, 2004 and 2005, which is reasonable. Defendant’s objections should therefore be overruled.

**VII. OTHER OBJECTIONS TO PLAINTIFF’S DISCOVERY REQUESTS ARE MERITLESS**

**A. Overbroad; Relevance**

In response to each and every interrogatory propounded by Plaintiff, Defendant asserts in blanket and conclusory fashion that it is “overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence.” Defendant also objects to each and every document request as overbroad. These objections are groundless. Plaintiff’s discovery requests fall within the scope of broad discovery and relevance under Fed.R.Civ.P. 26. All of Plaintiff’s interrogatories and document requests are sufficiently narrow and tailored for Defendant to reasonably provide substantive responses. Defendant fails to indicate unfair prejudice or undue burden from any interrogatory or document request. Defendant provides no responsive information whatsoever, nor has he made any suggestion to reasonably narrow or limit any of the Plaintiff’s discovery requests.

Defendant complains that the time period covered in the interrogatories is too broad. The stated time period, applicable to Plaintiff’s interrogatories and documents requests generally, as

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as Exhibit “C”.

noted in Defendant's responses, is January 1, 2003 to present. This time frame is sufficiently narrow, especially since the plan and scheme alleged in the Complaint to lure girls to the Defendant's Palm Beach mansion for "massages" has been in place since at least that date. Defendant's overbroad/relevance objections should, accordingly, be overruled.

**B. Work Product; Attorney-Client Privilege**

In response to various interrogatories and all of the documents requests, Defendant asserts in conclusory fashion objections based on the attorney work product and attorney-client communication privilege.<sup>10</sup> In making these privilege claims, Defendant failed to provide a privilege log as required by S.D.Fla.L.R. 26.1(G)(3). These interrogatories and requests generally do not on their face implicate the work product or attorney client privileges.<sup>11</sup> These privilege claims should therefore be rejected and overruled.

**C. Plaintiff's Definitions of "Employee" is Reasonable**

Defendant contests the definition of "Employee" in Plaintiff's document requests and interrogatories, which states as follows:

g. "Employee" shall mean any person employed to perform work for services for Defendant or by Defendant, either directly or indirectly, including without limitation:

i. a limited partnership, corporation, limited liability company, or other company or entity in which Defendant is a member, director, officer or person in control; and

ii. persons employed by a partnership or a subsidiary of a partnership in which Defendant is a general partner or person in control.

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<sup>10</sup>These privileges are asserted in response to Interrogatory nos. 13, 14, and 17, and each and every document request.

<sup>11</sup>The only possible exception would be Plaintiff's Document Request no. 9, which seeks witness statements; nonetheless, Defendant is required to comply with the Local Rule and provide a privilege log in response to this request as well as the others.

The term "Employee" appears in Interrogatory nos. 1, 2, and Document Request no. 6. The breadth of this definition is reasonable under the circumstances of this case. Upon information and belief, Defendant Epstein conducted his business and personal affairs through a labyrinth of corporate entities and other business forms. This definition of "Employee" is reasonable to encompass responsive information and documents.

**D. Fed.R.Civ.P. 408 and 410 Do Not Create a Privilege in Discovery**

Defendant objects to Document Request nos. 1-5, which seek the Defendant's agreements with the U.S. Attorney and State Attorney, and documents exchanged with their offices, on the grounds of Fed.R.Evid. 408 and 410. These Rules cover the admissibility in evidence of compromises and plea agreements; they do not set forth a privilege applicable to such agreements in discovery. To the extent a protective order with regard to such documents is deemed appropriate, Plaintiff's counsel agrees to limit their use to this litigation, and not to disclose documents responsive to these requests to third parties.

**E. Third Party Privacy Rights**

Defendant broadly and vaguely asserts third party privacy rights in response to various document requests. To the extent that any such privacy rights are properly raised in this case, Plaintiff consents to the entry of an appropriate protective order under which such documents will not be disseminated to third parties and will be used only for purposes of this litigation.

**VIII. Conclusion**

Based on the foregoing, Plaintiff respectfully requests that Defendant's assertions of privilege and objections be denied and overruled, and that an Order be entered directing Defendant to answer the Plaintiff's Interrogatories and produce documents responsive to Plaintiff's Requests

for Production, subject to such protective order as may be necessary and appropriate. Plaintiff further requests such other relief as this Court deems just and proper.

Dated: March 2, 2009

Respectfully submitted,

By: s/ Adam D. Horowitz  
Stuart S. Mermelstein (FL Bar No. 947245)

[REDACTED]  
Adam D. Horowitz (FL Bar No. 376980)

[REDACTED]  
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**CERTIFICATE PURSUANT TO S.D.FLA.L.R. 7.1(A)(3)**

Counsel for Plaintiff has made reasonable efforts to confer with counsel for Defendant, by letter dated February 25, 2009, seeking in good faith to resolve or narrow the issues raised in the Motion, but Defendant's counsel failed to respond to Plaintiff's letter, and Plaintiff's counsel has been unable to resolve this dispute.

\_\_\_\_\_  
s/Adam D. Horowitz

**CERTIFICATE OF SERVICE**

I hereby certify that on March 2, 2009, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day to all parties on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Adam D. Horowitz .

**SERVICE LIST**  
**DOE vs. JEFFREY EPSTEIN**  
**United States District Court, Southern District of Florida**

Jack Alan Goldberger, Esq.  
[REDACTED]

Robert D. Critton, Esq.  
[REDACTED]

\_\_\_\_\_  
s/ Adam D. Horowitz

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA [REDACTED] N

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

DOCKET

2/25/09

DEFENDANT EPSTEIN'S RESPONSE & OBJECTIONS  
TO PLAINTIFF'S AMENDED FIRST SET OF INTERROGATORIES

Defendant, JEFFREY EPSTEIN, by and through his undersigned attorneys, serves his responses and objections to Plaintiff's December 9, 2008 Amended First Set Of Interrogatories To Defendant Jeffrey Epstein, attached hereto.

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing has been sent by fax and U.S. Mail to the following addressees this 26th day of January, 2009:

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Jeffrey Marc Herman, Esq.  
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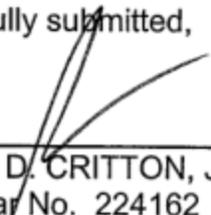
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Co-Counsel for Defendant Jeffrey Epstein

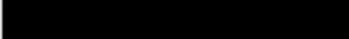
EXHIBIT "A"

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Respectfully submitted,

By:   
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**DEFENDANT JEFFREY EPSTEIN'S ANSWERS AND OBJECTIONS TO  
PLAINTIFF'S AMENDED FIRST SET OF INTERROGATORIES**

**Interrogatory No. 1.** Identify all employees who performed work of services inside the Palm Beach Residence.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005." Plaintiff's interrogatory seeks information for a time period from January 1, 2003 until present. Also, see "Employee" as defined in paragraph g of Plaintiff's interrogatories.

**Interrogatory No. 2.** Identify all Employees not identified in response to interrogatory no. 1 who at any time came to Defendant's Palm Beach Residence.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005." Plaintiff's interrogatory seeks information for "all Employees" "who at any time" came to the residence. Also, see "Employee" as defined in paragraph g of Plaintiff's interrogatories.

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**Interrogatory No. 3.** Identify all persons who came to the Palm Beach Residence and who gave a massage or were asked to give a massage to Defendant.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005."

**Interrogatory No. 4.** Identify all persons who came to the New York Residence and who gave a massage or were asked to give a massage to Defendant.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005."

**Interrogatory No. 5.** Identify all persons who came to the New Mexico Residence and who gave a massage or were asked to give a massage to Defendant.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my

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federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005."

**Interrogatory No. 6.** Identify all persons who came to the St. [REDACTED] Residence and who gave a massage or were asked to give a massage to Defendant.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005."

**Interrogatory No. 7.** List all the time periods during which Jeffrey Epstein was present in the State of Florida, including for each the date he arrive and the date he departed.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant also objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the

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discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005." Plaintiff's interrogatory seeks information for a time period from January 1, 2003 until present.

**Interrogatory No. 8.** Identify all of Jeffrey Epstein health care providers in the past (10) ten years, including without limitation, psychologists, psychiatrists, mental health counselors, physicians, hospitals and treatment facilities.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant also objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. In addition, such information is privileged pursuant to Rule 501, Fed. Evid., and §90.503, Fla.Evid. Code. In addition, such information is protected by the provisions of the Health Insurance Portability and Accountability Act (HIPAA).

**Interrogatory No. 9.** List all items in Jeffrey Epstein's possession in Palm Beach, Florida, at any time during the period of these interrogatories, which were used or intended to be used as sexual aids, sex toys, massage aids, and/or vibrators, and for each, list the manufacturer, model number (if applicable), and its present location.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant also objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Amended Complaint alleges a time period of "in or about 2004 – 2005," while Plaintiff's interrogatory seeks information from

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January 1, 2003, until present. Further, the request is meant to embarrass and harass the Defendant.

**Interrogatory No. 10.** Identify all persons who provide transportation services to Jeffrey Epstein, whether as employees or independent contractors, including without limitation, chauffeurs and aircraft crew.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant also objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff places no time limitation.

**Interrogatory No. 11.** Identify all telephone numbers used by Epstein, including cellular phones and land lines in any of his residences, by stating the complete telephone number and the name of the service provider.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant also objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's allegations claim a time period of "in or about 2004-2005" and involve Defendant's Palm Beach residence.

**Interrogatory No. 12.** Identify all telephone numbers of employees of Epstein, used in the course or scope of their employment, including cellular phones and land lines in any of his residences, by stating the complete telephone number and the name of the service provider.

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**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, Defendant objects as the interrogatory is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's allegations claim a time period of "in or about 2004-2005" and involve Defendant's Palm Beach residence.

**Interrogatory No. 13.** List the names and addresses of all persons who are believed or known by you, your agents, or your attorneys to have any knowledge concerning any of the issues in this lawsuit; and specify the subject matter about which the witness has knowledge.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the interrogatory seeks information that is attorney-client and work product privileged as it seeks information known by Defendant's attorneys. The interrogatory is so overbroad that Defendant cannot reasonably form a response, including the raising of additional privileges which may apply. Without waiving any objection, see Rule 26 disclosures made by Defendant's counsel in this case.

**Interrogatory No. 14.** State the name and address of every person known to you, your agents, or your attorneys who has knowledge about, possession, or custody, or control of, any model, plat, map, drawing, motion picture, videotape or photograph pertaining to any fact or issue involved in this controversy; and describe as to each, what item such person has, the name and address of the person who took or prepared it, and the date it was taken or prepared.

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**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the interrogatory seeks information that is attorney-client and work product privileged as it seeks information known by Defendant's attorneys.

**Interrogatory No. 15.** Identify all persons who have made a claim, complaint, demand or threat against you relating to alleged sexual abuse or misconduct on a minor, and for each provide the following information:

- a. The person's full name, last known address and telephone number;
- b. The person's attorney, if represented;
- c. The date of the alleged incident(s);
- d. If a civil case has been filed by or on behalf of the person, the case number and identifying information.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges and without waiving such objection, with regard to subparagraph (d), Defendant's counsel states that such information is public record and equally attainable by Plaintiff.

**Interrogatory No. 16.** State the facts upon which you intend to rely for each denial of a pleading allegation and for each affirmative defense you intend to make in these cases.

**Answer:** Defendant is asserting specific legal objections to the interrogatories as well as his U.S. constitutional privileges. I intend to respond to all relevant questions regarding this lawsuit, however, my attorneys have counseled me that I cannot provide answers to any questions relevant to this lawsuit and I must accept this advice or risk



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acknowledged before me that he/she executed the same, that I relied upon the following form of identification of the above-named person: personally known/identification, and that an oath was/was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this 26<sup>th</sup> day of January, 2009.



PRINT NAME: Nayanira Alanis  
Notary Public/State of Florida  
Commission #: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

(SEAL)

NOTARY PUBLIC-STATE OF FLORIDA  
Nayanira Alanis  
Commission #DD841844  
Expires: DEC. 01, 2012  
BONDED THRU ATLANTIC BONDING CO., INC.

0003 0 8 1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

DEFENDANT JEFFREY EPSTEIN'S RESPONSE & OBJECTIONS  
TO PLAINTIFF'S AMENDED FIRST REQUEST FOR PRODUCTION

Defendant, JEFFREY EPSTEIN, by and through his undersigned counsel, serves his responses and objections to Plaintiff's Amended First Request For Production To Defendant, dated December 9, 2008.

**Request No. 1.** The list provided to you by the U.S. Attorney of individuals whom the U.S. Attorney was prepared to name in an Indictment as victims of an offense by Mr. Epstein enumerated in 18 U.S.C. §2255.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference

EXHIBIT "B"

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under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated.

**Request No. 2.** All documents referring or relating to the United States' agreement with Defendant to defer federal prosecution subject to certain conditions, including without limitation, the operative agreement between Defendant and the United States and all amendments, revisions and supplements thereto.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my

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constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated.

**Request No. 3.** All documents referring or relating to Defendant's agreement with the State of Florida on his plea of guilty to violations of Florida Criminal Statutes, including without limitation, the operative plea agreement and any amendments, revisions and supplements thereto.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the

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information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Whatever public documents exist are in the State Court file and equally accessible to Plaintiff.

**Request No.4.** All documents obtained in discovery or investigation relating to either the Florida Criminal Case or the Federal Criminal Case, including without limitation, documents obtained from any federal, state, or local law enforcement agency, the State Attorney's office and the United States Attorney's office.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the

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information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Request No. 4 seeks documents that are attorney-client and work product privileged in that it seeks "all documents obtained in discovery or investigation relating either to the Florida Criminal Case or the Federal Criminal Case ... ." In addition, such documents are privileged and confidential as they are the subject of a pending investigation.

**Request No. 5.** All telephone records and other documents reflecting telephone calls made by or to Defendant, including without limitation, telephone logs and message pads.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the

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Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Defendant objects as the request is overbroad and seeks information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request seeks information for a time period of January 1, 2003 until present regarding any and all telephone records and other documents reflecting any and all telephone calls made to or by Defendant. As phrased, the request includes attorney-client and work product privileged information, as well as records and documents of calls having absolutely no relationship to any of the allegations in this action.

**Request No. 6.** All telephone records and other documents reflecting telephone calls made by or to Defendant, including without limitation, telephone logs and message pads, reflecting telephone calls made by or to employees.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce

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documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, as defined by Plaintiff in paragraph g of her request, the term employee is overly broad and encompasses information that is neither relevant to the subject matter of the pending action nor does it appear reasonably calculated to lead to the discovery of admissible evidence. Further, the request seeks information pertaining to person who are not parties to this action and whose privacy rights are implicated.

**Request No. 7.** All surveillance videos, slides, film, videotape, digital recording or other audio or video depiction or image of the Palm Beach Residence.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my

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Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request seeks information for a time period of January 1, 2003 until present regarding "all surveillance videos, etc., or image of the Palm Beach Residence."

**Request No. 8.** All documents referring or relating to Plaintiff Jane Doe No. 2, including without limitation, web pages, social networking site pages, correspondence, videotapes and audiotapes.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my

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Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential.

**Request No. 9.** All statements taken, transcribed or recorded from any person referring or relating to Defendant's sexual conduct, massages given to Defendant or any issue in these cases.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the

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Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential.

**Request No. 10.** All documents referring to or relating to air travel and aircraft used by Defendant, including without limitation, flight logs and flight manifests.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request seeks documents for a

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time period of January 1, 2003 until present regarding air travel and aircraft used by Defendant.

**Request No. 11.** Any and all documents referring to or relating to modeling agencies, including but not limited to documents relating to or reflecting communications with female models.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 12.** All photographs, videotapes, digital images and other documents depicting or showing females who, at the time thereof, were under the age of 21, which were taken or created by or for Defendant and not intended for sale commercially to the public.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 13.** All photographs and painting of females which were displayed in any of Defendant's homes or residences in the time frame of these requests, including without limitation, photographs in standing or sitting frames or wall frames.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 14.** Any and all documents consisting of, referring or relating to communications between Jeffrey Epstein and [REDACTED], including, but not limited to, letters, notes, text messages, messages on social networking sites, and e-mails.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 15.** Any and all documents consisting of, referring or relating to communications between Jeffrey Epstein and [REDACTED], including, but not limited to, letters, notes, text messages, messages on social networking sites, and e-mails.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 16.** Any and all documents consisting of, referring or relating to communications between Jeffrey Epstein and Nada [REDACTED] a, including, but not limited to, letters, notes, text messages, messages on social networking sites, and e-mails.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 17.** Any and all documents consisting of, referring or relating to communications between Jeffrey Epstein and Ghislaine Maxwell, including, but not limited to, letters, notes, text messages, messages on social networking sites, and e-mails.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 18.** Any and all documents and photographs placed by Defendant at any time in the period of these requests on a social networking website, including without limitation, Facebook.com and MySpace.com.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request seeks documents and photographs for a time period of January 1, 2003 until present.

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**Request No. 19.** Any and all documents reflecting or consisting of communications between Jeffrey Epstein and MC2 Models or Jean-Luc Brunel, relating or referring to females coming into the United States from other countries to pursue a career in modeling, including, but not limited to, letters, notes and e-mails.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 –

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2005." In addition, the request seeks documents pertaining to females who are not non-parties, and who possess privacy rights.

**Request No. 20.** Any and all documents referring or relating to gifts or loans to females under the age of 21, including, but not limited to, notes, receipts and car rental agreements.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Plaintiff's request has no time limitation.

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**Request No. 21.** Any and all personal calendars or schedules of or for Jeffrey Epstein from January 1, 2003 to the present.

**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." In addition, the request encompasses attorney-client privileged material.

**Request No. 22.** All documents written by Jeffrey Epstein consisting of personal thoughts, feelings or descriptions of events, incidents or occurrences in Defendant's life, including without limitation, any diaries of Jeffrey Epstein.

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**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." On its fact, the request goes beyond the scope of allowable discovery and is meant to harass, embarrass and overburden the Defendant. Further, the request is so overly broad that it includes attorney-client and work product privileged materials.

**Request No. 23.** All documents referring to or relating to Jeffrey Epstein's purchase or consumption of prescription medicine.

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**Response:** Defendant is asserting specific legal objections to the production request as well as his U.S. constitutional privileges. I intend to produce all relevant documents regarding this lawsuit, however, my attorneys have counseled me that at the present time I cannot select, authenticate, and produce documents relevant to this lawsuit and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. In addition to and without waiving his constitutional privileges, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the deferred prosecution agreement, Fed. Rule of Evidence 410 and 408, and §90.410, Fla. Stat. Further, the request is overly broad, work product, attorney-client privileged, and confidential. In addition, the request seeks information concerning persons, not parties to this litigation, whose privacy rights are implicated. Plaintiff's complaint alleges a time period of "in or about 2004 – 2005." Defendant's medical condition is not at issue in this action. Such a request is meant to harass and embarrass Defendant. Further, such information is privileged pursuant to Fed. Rule 501 and §90.503, Fla. Stat. In addition, such information is protected by the provisions of the Health Insurance Portability and Accountability Act (HIPAA).

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**Certificate of Service**

WE HEREBY CERTIFY that a true copy of the foregoing has been sent via U.S. Mail and facsimile to the following addressees this 26th day of January, 2009.

Adam D. Horowitz, Esq.  
Jeffrey Marc Herman, Esq.  
Stuart S. Mermelstein, Esq.  
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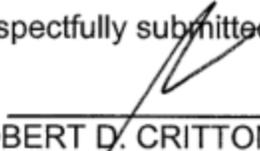
*Counsel for Plaintiff Jane Doe #2*

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*Co-Counsel for Defendant Jeffrey Epstein*

Respectfully submitted,

By:   
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Florida Bar No. 224162



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Florida Bar #617296



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*(Co-counsel for Defendant Jeffrey Epstein)*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

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**DEFENDANT JEFFREY EPSTEIN'S RESPONSE & OBJECTIONS TO  
SECOND REQUEST FOR PRODUCTION, dated December 19, 2008**

Defendant, JEFFREY EPSTEIN, by and through his undersigned attorneys, serves his responses and objections to the Request to Produce, dated December 19, 2008 and states:

**Request No. 1.** All policies of insurance, including the declarations page and all binders, amendments, and endorsements, covering Defendant's residence at 358 El Brillo Way, Palm Beach, FL 33480.

**Response:** Objection, overly broad, not relevant and material and not calculated to lead to the discovery of admissible evidence. Plaintiff alleged claims occurred during a specific time period in 2004 – 2005, yet to be specifically identified. Yet, no time period whatsoever is set forth in the Request for Production. Additionally, Defendant objects in that the policies contain value and/or asset information which is not relevant, material nor calculated to lead to the discovery of admissible evidence at this point in time; said information is both private and confidential.

EXHIBIT "C"

1/26/09

**Certificate of Service**

WE HEREBY CERTIFY that a true copy of the foregoing has been sent via U.S. Mail and facsimile to the following addressees this 26th day of January, 2009.

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[REDACTED]  
*Counsel for Plaintiff Jane Doe #2*

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Fax: 561-835-8691

[REDACTED]  
*Co-Counsel for Defendant Jeffrey Epstein*

Respectfully submitted,

By: [REDACTED]  
ROBERT D. CRITTON, JR., ESQ.  
Florida Bar No. 224162

[REDACTED]  
MICHAEL J. PIKE, ESQ.  
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