

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

Case No. 502009CA040800XXXXMB

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually;
BRADLEY EDWARDS, individually,

Defendants/Counter-Plaintiffs.

_____ /

VOLUME I

VIDEOTAPED DEPOSITION

OF

BRADLEY EDWARDS

Taken on Behalf of Plaintiff

Friday, November 10th, 2017
10:02 a.m. - 6:16 p.m.
2139 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33409

Examination of the witness taken before

Sonja D. Hall
Palm Beach Reporting Service, Inc.
1665 Palm Beach Lakes Boulevard, Suite 1001
West Palm Beach, FL 33401
[REDACTED]

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APPEARANCES:

For Plaintiff:

LINK & ROCKENBACH, P.A.
1555 Palm Beach Lakes Boulevard, Suite 301
West Palm Beach, FL 33401
By SCOTT J. LINK, ESQUIRE
By KARA BERARD ROCKENBACH, ESQUIRE

For Plaintiff:

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West Palm Beach, FL 33401
By JACK A. GOLDBERGER, ESQUIRE

For Plaintiff:

DARREN K. INDYKE, PLLC
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By DARREN K. INDYKE, ESQUIRE

For Defendants/Counter-Plaintiffs:

SEARCY, DENNEY, SCAROLA, BARNHART &
SHIPLEY, P.A.
2139 Palm Beach Lakes Boulevard
West Palm Beach, FL 33409
By JACK SCAROLA, ESQUIRE
By DAVID P. VITALE, JR.

ALSO PRESENT

Visual Evidence, Incorporated
601 N. Dixie Highway, Suite A
West Palm Beach, Florida 33401
By Andrew Mazoleny, Videographer

Tina Campbell, Paralegal

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18 (No exhibits were marked.)

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1 THE VIDEOGRAPHER: This is the 10th day
2 of November 2017. The time is 10:03 a.m.

3 This is the videotaped deposition of
4 Bradley Edwards, Esquire, in the matter of
5 Epstein versus Rothstein and Edwards.

6 This deposition is taking place at 2139
7 Palm Beach Lakes Boulevard, West Palm Beach
8 33409.

9 My name is Andrew Mazoleny. I am the
10 videographer representing Visual Evidence,
11 Incorporated.

12 Will the attorneys please announce
13 their appearances for the record?

14 MR. LINK: Scott Link on behalf of the
15 plaintiff.

16 MS. ROCKENBACH: Kara Rockenbach on
17 behalf of the plaintiff.

18 MR. INDYKE: Darren Indyke on behalf of
19 the plaintiff.

20 MR. GOLDBERGER: Jack Goldberger on
21 behalf of the plaintiff.

22 MS. CAMPBELL: And Tina Campbell
23 parallel on behalf of the plaintiff.

24 MR. SCAROLA: Jack Scarola and David
25 Vitale representing Bradley Edwards, who is

1 the counter-plaintiff in this action; and
2 for all practical purposes, the plaintiff in
3 the claim against Jeffrey Epstein.

4 THEREUPON,

5 BRADLEY EDWARDS,

6 being a witness in the notice heretofore
7 filed, and being first duly sworn in the above cause,
8 testified on his oath as follows:

9 THE WITNESS: I do.

10 MR. SCAROLA: Before we begin the
11 substantive questioning, I want to make it
12 clear on the record as a consequence of an
13 exchange of communications that has occurred
14 with opposing counsel, opposing counsel has
15 taken the position that Mr. Edwards is going
16 to be deposed as if he had never been
17 deposed before, that is, opposing counsel
18 recognizes no restrictions on the scope of
19 this deposition.

20 The scope of the deposition was the
21 subject of a lengthy hearing before Judge
22 Hafele that took place on Tuesday,
23 October 3rd, 2017.

24 During the course of that hearing the
25 Court made it very clear that questioning

1 would be limited to four specific areas
2 identified by the Judge: The filing of a
3 federal lawsuit on behalf of LM, which was
4 based upon facts that also supported the
5 filing of a state court claim; interaction
6 between Mr. Edwards and Mr. Rothstein and
7 others at Rothstein, Rosenfeldt Adler that
8 would relate to any potential knowledge that
9 Mr. Edwards had or should have had with
10 regard to the conduct of a Ponzi scheme by
11 Mr. Rothstein; the filing of a motion
12 seeking the posting of a \$14 million bond
13 and issues relating to damages.

14 We are here for purposes of responding
15 to questions in those specific areas as
16 directed by the Court. It is our intention
17 to allow opposing counsel broad latitude
18 within those four areas. But we will raise
19 appropriate objections to any inquiries that
20 are outside those four areas, unless it can
21 be demonstrated that in some manner I have
22 misread, in spite of careful review, the
23 transcript of that hearing and the ruling of
24 the Court.

25 So my suggestion is, if opposing

1 Q Yeah.

2 A -- I think that if you sit in this chair and
3 I ask you questions, you would have anxiety as well.

4 Q Okay. So you have anxiety today about my
5 asking you questions. Is that what the anxiety is?

6 A No. It's about getting this case over.

7 Q So you have anxiety about the length of
8 time the case has been pending?

9 A Well, with everyday it's worse. I want the
10 case over, and I want to right the wrong that's been
11 done. So the fact that I have a whole team of lawyers
12 over there -- I don't think Mr. Goldberger does it
13 anymore -- but there's lawyers on that side who
14 continue to falsely claim that I was part of a Ponzi
15 scheme.

16 In fact, Tonja Haddad just did it a month
17 ago.

18 Q So I don't see Tonja or her dad sitting
19 here. Do you?

20 A You are all together. You are all
21 representing --

22 MR. SCAROLA: Excuse me. Pardon me.

23 Would you please allow Mr. Edwards to
24 complete his answer?

25

1 BY MR. LINK:

2 Q Yes, sir. Go ahead.

3 A You also decided to sign on and represent a
4 serial child molester, so you have adopted that
5 position.

6 Q Okay. Anything else to add to that?

7 A No.

8 Q So you see the lawyers that are here.
9 Ms. Rockenbach is with my new law firm, Link &
10 Rockenbach, correct?

11 A I got your card the other day. Thank you.

12 Q How did it look?

13 A Pretty good.

14 Q Pretty good? How about really good?

15 A I only looked at one side. Sorry. I will
16 check it out.

17 Q Ms. Rockenbach is with me. You see that.
18 Mr. Goldberger is down at the end of the table,
19 right? And Tina, who is a legal assistant at my
20 firm. Tonja Haddad is not here, is she?

21 A There isn't just a table long enough, I
22 assume. But, no.

23 Q Your lawyer hasn't shared with you -- you
24 haven't seen -- heard that they are withdrawing from
25 the case?

1 A No.

2 MR. SCAROLA: Excuse me. Has there
3 been a notice of withdrawal? Because I
4 haven't seen it either.

5 MR. LINK: I think we represented it to
6 Judge Hafele on Wednesday with the 8:45 when
7 Kara was in front of them.

8 MR. SCAROLA: I have seen no notice of
9 withdrawal. So as we sit here today, there
10 are a total of, I think, six law firms that
11 are representing Mr. Epstein.

12 BY MR. LINK:

13 Q And one really good one. The one you saw
14 the card on this week, right?

15 Okay. So I want to focus on this anxiety.
16 We all have anxiety in life, right? I wake up every
17 morning with anxiety about something. How my kid's
18 doing in college. Did he get home last night. Is
19 my son going to get a hit today on the baseball
20 team.

21 I want to talk about a different kind of
22 anxiety. The anxiety that you feel in November 2017
23 that relates back to the lawsuit that was filed in
24 December 2009. Can you separate that anxiety that I
25 am talking about?

1 A Just an anxious feeling to get this over
2 with.

3 Q And you had that anxious feeling every
4 single day from December 2009 through today
5 November 10th, 2017?

6 A The more reminders that I have of the case,
7 and the fact that there still looms this false
8 allegation over my head, that is clearly a trigger.

9 Q You said it looms this false allegation.
10 What is the false allegation looming over your head?

11 A That I was a participant in a Ponzi scheme
12 with one of the individuals that might be the most
13 hated person in South Florida, especially amongst our
14 profession.

15 Q Mr. Rothstein?

16 A Right.

17 Q But why is there an allegation hanging over
18 your head? The case against you was dismissed in
19 2012, correct?

20 MR. SCAROLA: Excuse me. Which case?

21 BY MR. LINK:

22 Q The case against you by Mr. Epstein was
23 dismissed in 2012, was it not?

24 A Right. The case was dismissed.

25 Q Five years ago the case was dismissed,

1 true?

2 A Yes.

3 Q So what I'm trying to understand is, you
4 said that this was hanging over your head. Since
5 2012 there has not been a pleading that was alive in
6 circuit court from Mr. Epstein directed at you, true?
7 Since 2012?

8 A Has there -- was there a pleading against me
9 since 2012.

10 Q Yes, sir.

11 A The answer to that question is no.

12 Q So 2012, this allegation, that you said was
13 hanging over your head, has been removed, true?

14 A The complaint was dismissed.

15 Q Right. That was the allegation. And that
16 complaint has been dismissed.

17 MR. SCAROLA: Compound.

18 THE WITNESS: You are asking two
19 different things.

20 BY MR. LINK:

21 Q Well, you said --

22 A The allegation was made.

23 Q In 2009.

24 A -- and 9 million people read that allegation.

25 And --

1 Q We are going to get to all of that.

2 MR. SCAROLA: Excuse me.

3 THE WITNESS: If you don't want me to
4 answer the question, then don't -- then ask
5 a question, I will answer, and you can shape
6 it however you want.

7 If you want me to give you an answer,
8 I'm willing to sit here and give you a full
9 answer.

10 BY MR. LINK:

11 Q I do. And I asked you if there has been a
12 pleading making those allegations since 2012.

13 A That's not the question that you asked. But
14 is that now the question that you are asking?

15 Q Yes.

16 A Sure. Pleadings have been filed, including
17 by Mr. Epstein's long-time recruiter of girls for him,
18 Ms. Maxwell. She made an allegation -- the same
19 allegation as part of a motion to recuse me as trial
20 counsel in a totally separate case.

21 Q What case was that you just brought up?

22 A [REDACTED] versus Maxwell.

23 Q Where was that case pending?

24 A In New York.

25 Q And you were counsel in that case?

1 A Yes.

2 Q Are you admitted in New York?

3 A I was pro hac.

4 Q Who was the admitted lawyer in New York?

5 A David Boies.

6 Q So you and Mr. Boies worked on that case
7 together?

8 A Yes.

9 Q How did Mr. Boies get involved?

10 A We co-represented [REDACTED] [REDACTED], who is
11 also one of Mr. Epstein's victims.

12 Q Okay. Talking about the case you just
13 mentioned to me where you said Ms. Maxwell -- is that
14 right?

15 A Yes.

16 Q -- filed a pleading. Was Mr. Epstein a
17 party in that case?

18 A He had a joint defense agreement with her, so
19 he was -- he was basically advising her behind the
20 scenes. So for lack of a better word, he was basically
21 a party to the case.

22 Q So you have been practicing how many years
23 now? Fifteen?

24 A Yeah.

25 Q And you know what a party to a case is,

1 right, in a civil lawsuit?

2 A I do.

3 Q Was Mr. Epstein a party in that lawsuit?

4 A A party in the sense was he in the style of
5 case, he was not.

6 Q Do you know what a party is in a lawsuit?

7 A Do you?

8 Q Yes, sir, I do.

9 A Okay. So right before trial we had an
10 argument that I believe was going to go in our favor
11 that we were going to be able to use his --
12 Mr. Epstein's Fifth Amendment invocation against
13 Ms. Maxwell, because of the LiButti factors, and
14 because he was basically a party and interest to the
15 case.

16 Was he in the style of the case? He was
17 not. But because they were so tightly connected as
18 conspirators, his interests were so intertwined with
19 hers, that we were going to be able to use his Fifth
20 Amendment invocation against her, which is a very
21 unusual and atypical situation.

22 Q Sounds like an interesting evidentiary
23 issue.

24 A Agreed.

25 Q In that case, who brought the client to

1 whom? Did you have the client and you went to
2 Mr. Boies, or did Mr. Boies have it and he came to
3 you?

4 A I represented [REDACTED] first.

5 Q What made you go to David Boies?

6 MR. SCAROLA: You don't need to answer
7 that question. We object on the basis of
8 work product.

9 BY MR. LINK:

10 Q Other than work product, was there a reason
11 that you went to Mr. Boies for this -- what type of
12 case is it, by the way? I'm sorry. The case that
13 you filed.

14 A When David Boies became involved with
15 [REDACTED] -- it's a complicated question,
16 because as a client in the case that was brought -- the
17 defamation case -- she was David Boies' client before
18 mine. In a more general sense, in terms of who
19 represented [REDACTED] first, myself or Mr. Boies, I did.
20 I represented her in the Crime Victims' Rights Act
21 case.

22 Q Here in Florida?

23 A Here in Florida.

24 Q Yes, sir.

25 A David and David's firm filed the defamation

1 action and represented her in the defamation action
2 before bringing me in.

3 Q Who did Ms. Roberts sue in the defamation
4 action?

5 A Ghislaine Maxwell.

6 Q They did not sue Mr. Epstein?

7 A No.

8 Q And they brought you into the case after it
9 was filed to provide assistance?

10 A Correct.

11 Q So David Boies hires you in Florida to help
12 him prosecute the case; is that right?

13 A When you say the case, we are talking the
14 defamation action?

15 Q The defamation case, yeah. Dave Boise's
16 firm --

17 A We are talking multiple cases, so I just want
18 to make sure that we make the question and the answer
19 clear. Yes, defamation case he brought me in.

20 Q So David Boies filed the defamation action
21 and made the decision to co-counsel with you in
22 Florida to help him in New York; is that right?

23 A He made the decision to co-counsel with me.

24 Q In a New York case?

25 A In a New York case.

1 Q Got it. Okay.

2 In that case, Mr. Boies had represented
3 [REDACTED] in a prior proceeding other than a
4 defamation action, or only in the defamation action?

5 A I am trying get the timing. He represented
6 her in another proceeding. Whether it was a prior
7 proceeding --

8 Q What was the other proceeding? Then we
9 will figure out the chronology.

10 A He represented her as a witness.

11 Q In what case was that?

12 A In a defamation action I filed against Alan
13 Dershowitz.

14 Q You're right. It is completed.

15 So the first action that gets filed is you
16 sued Alan Dershowitz?

17 A Right.

18 Q For defamation?

19 A Right.

20 Q That case has been dismissed, right?

21 A Right.

22 Q In that case [REDACTED] was a witness?

23 A She was subpoenaed by Dershowitz to be a
24 witness.

25 Q And she hired David Boies to represent her?

1 A Correct.

2 Q As a witness?

3 A Right.

4 Q And was she deposed in that case?

5 A She was.

6 Q And Mr. Boies was there to represent her?

7 A Someone from his firm was there to represent
8 her.

9 Q Then as a result of that, he ended up
10 representing -- Mr. Boies ended up representing her
11 in her own defamation case?

12 A Right. I'm not sure that the chronology is
13 exactly that, whether her deposition came first or the
14 defamation action came first. In fact, I think the
15 defamation action was filed before her deposition in
16 the other case, but that's why this just gets a little
17 complicated.

18 Q The chronology is complicated?

19 A Right.

20 Q I got it.

21 Now, is that case still pending, the
22 [REDACTED] defamation case?

23 A No.

24 Q That case has been resolved?

25 A Settled in May, I believe, of this year.

1 Q 2017?

2 A Correct.

3 Q So I want to get back to anxiety. And you
4 understand what I've meant that I have anxiety every
5 day. Everybody in life has levels of anxiety. You
6 agree with that?

7 A I suppose.

8 Q I had a lot of anxiety when I took the bar
9 exam. You may not have.

10 A In some different form -- I think that's a
11 word that's used that describes a bunch of different
12 feelings.

13 Q Absolutely. I agree.

14 What I'm really trying to understand
15 is -- I want to compartmentalize this. I'm focused
16 now on 2012, once Mr. Epstein dismissed his claims
17 against you in court. So from that date through
18 today, that cloud is no longer hanging over your
19 head. I would like to understand what your anxiety
20 is that relates to the lawsuit filed in 2009. How
21 it's impacting you on a day-to-day basis.

22 A It's hard for me to answer your question,
23 while along the way I'm disagreeing with the various
24 statements that you're making.

25 Q Tell me what you disagree with, sir.

1 A You're making a statement the cloud is no
2 longer over my head. That's the basis -- that's the
3 predicate for your ultimate question. That's just not
4 true.

5 Q So as you sit here today, there's a cloud
6 over your head as a result of the 2009 lawsuit that
7 was filed that was dismissed in 2012?

8 A For sure.

9 Q And how does it impact you? What I am
10 trying to understand is, you are going to ask the
11 jury to award money to you based on your level of
12 anxiety, right?

13 That's one of the things you want the jury
14 to do, is to say, I have anxiety and I want to be
15 compensated.

16 A As lawyers, what we have is our reputation.
17 That's what was destroyed.

18 Q We are going to get to reputation.

19 A That's --

20 MR. SCAROLA: Excuse me. Please --

21 MR. LINK: I'm sorry. I apologize.

22 I'm just trying to streamline this. We will
23 get to reputation.

24 MR. SCAROLA: Well, what will

25 streamline it is if you ask a question and

1 allow Mr. Edwards to complete his answer
2 before you interrupt him.

3 MR. LINK: I got it. Thank you.

4 BY MR. LINK:

5 Q So I want to make sure that I understand --
6 I want you to tell us -- you are asking the jury to
7 award you an amount of money based on your having
8 suffered every day anxiety as a result of the lawsuit
9 that was filed in December 2009. Do I have that
10 right?

11 A Do you have that right? The anxiety is
12 related -- directly related to the harm done to my
13 reputation as a consequence of the filing of this false
14 lawsuit making up that I am a criminal associated with
15 who is known to be a terrible and horrible person. I
16 mean, that is the -- the anxiety is related to that.

17 Q I understand that generally. But I need to
18 know specifically. Let me start by this.

19 How much are you asking the jury to award
20 you for your day-in-and-day-out anxiety from
21 December 2009 through today?

22 A An amount of money that fairly and fully
23 would measure the magnitude of the harm done to my
24 reputation, and any consequential feelings that have
25 resulted or continue to exist because of the damage

1 done to my reputation.

2 Q How much are you asking for, sir, as it
3 relates to anxiety?

4 A I just explained to you.

5 Q There's not a dollar figure?

6 A What six people believe will measure the
7 magnitude of the harm that was done. If we want to
8 talk about the harm that was done, and then me tell you
9 how I would measure the magnitude of that damage, I
10 will try to walk you through that.

11 Q That would be great. But let's start here.
12 I want you to start with telling me has the anxiety
13 from 2009 through today increased or decreased?

14 A Until -- until the truth is known and this
15 case is behind me, it's the same.

16 Q So the anxiety level you have been burdened
17 with every single day since December of 2009 hasn't
18 changed in a positive or negative way?

19 A Well, there's no scale for anxiety. You know
20 this. Like you said, you have anxiety every single
21 day. It's not like you wake up and there's an anxiety
22 meter.

23 Now, when I was first served with the
24 lawsuit and people were asking about it and people
25 were talking about it all the time as, Hey, look,

1 so-and-so is also saying this lawsuit was filed.
2 There's these big-time lawyers that are behind it
3 pushing this. People are now believing that you're
4 part of this.

5 Now, when you're hearing that all of the
6 time and you're having to deal with that on a
7 day-to-day basis, then your anxiety level, to use
8 your word, is -- I wouldn't say higher, but it's
9 aggravated on a more consistent basis.

10 Q So --

11 A These days I hear it less.

12 Q So from 2009 through today, what other
13 events have happened, other than the December 2009
14 Epstein lawsuit against you, that have caused you
15 anxiety? Anything?

16 A Nothing that comes to mind.

17 Q Any mortgage foreclosure actions against
18 you during that time period?

19 A Did I have a foreclosure action? I think I
20 did, but not one that caused me anxiety.

21 Q So having your house sold at sale didn't
22 cause you any anxiety?

23 A No.

24 Q Ever get sued for not paying a credit card
25 after 2009?

1 A Could you show me something to refresh my
2 recollection? I don't remember that.

3 Q Being sued for not paying a credit card,
4 would that cause you anxiety?

5 A No. I don't remember it, so it doesn't.

6 Q Any other lawsuits filed against you for
7 not paying your debts, for money that you owed to
8 people or banks?

9 A Talking about since 2009?

10 Q Yes, sir.

11 A Do you have anything that could refresh my
12 recollection on this? Not that I recall.

13 Q As you sit here, you don't remember being a
14 defendant in a civil lawsuit where any entity has
15 claimed you did not pay them money that you owed
16 them?

17 A Ever in my life?

18 Q No. Since 2009, sir.

19 A I had an action that resulted from a line of
20 credit that I had prior to going to RRA, that I was
21 told when I went to RRA was going to be paid, and it
22 wasn't. And I resolved that at some point in time
23 after suit was filed.

24 Yeah, I believe that suit was filed and
25 then I resolved the case. It's not something that

1 caused me anxiety.

2 Q So the three lawsuits that we just
3 discussed where you were sued for not paying your
4 debts back, that didn't cause you any anxiety; is
5 that right?

6 A Right. There was never a time where I wasn't
7 going to pay my debt, so it didn't cause me anxiety.

8 Q Well, your house was sold at a foreclosure
9 sale, wasn't it?

10 A The answer to your question is yes.

11 Q That didn't cause any anxiety?

12 A No. The circumstances of that did not cause
13 me anxiety.

14 Q And you said that Mr. Rothstein promised to
15 pay off your \$200,000 credit line that you took out
16 in order to start your sole practice as a lawyer; is
17 that right?

18 A He promised to pay the credit line over the
19 time that I was employed at RRA at some point. I don't
20 remember it being \$200,000. You are just throwing
21 these facts into the question that I don't recall.

22 Q So how much money did you borrow in order
23 to start your sole practice law firm?

24 A I don't remember that.

25 Q Did Mr. Rothstein promise you during the

1 time that you were interviewing that he would make
2 the monthly payments or he would pay whatever that
3 amount was off?

4 A My meeting with him was about 10 minutes.
5 And what he said was, do you have a line of credit?
6 Don't worry about it. It will be paid off at some
7 point in time that you are at this firm. We are going
8 to treat you fairly. That was it. There was no
9 specifics about it. Nobody laid out the credit line.
10 It wasn't that kind of meeting.

11 Q I got it.

12 Did you ever ask Mr. Rothstein to pay it
13 off during the time that you were employed by him?

14 A No. I hardly talked to the guy.

15 Q My question wasn't whether you talked to
16 him. It was whether you ever asked him to fulfill --

17 A In order to ask somebody you have to talk to
18 them.

19 MR. SCAROLA: Excuse me. Doesn't
20 asking involve talking?

21 MR. LINK: You can do it by email or
22 letter. Lots of different ways,
23 Mr. Scarola.

24 BY MR. LINK:

25 Q But did you, in any form of communication,

1 ask Mr. Rothstein to fulfill his promise to you -- as
2 an inducement to become an employee there -- that he
3 would pay off whatever line of credit you had?

4 A No.

5 Q No. You did not?

6 A Right. I answered the question. No.

7 Q I just didn't hear you.

8 A Still no.

9 Q Were there any other financial incentives,
10 other than paying off the line of credit, in the 10
11 minutes you spent with Mr. Rothstein, that made you
12 decide that's the place you wanted to work?

13 A No.

14 Q Anything else since 2009 through today that
15 has caused anxiety, other than the fact that
16 Mr. Epstein filed his claim in December?

17 A I think I told you. That word encompasses so
18 many different feelings. Like you said, we all feel
19 anxiety to some degree every single day.

20 I mean, I try cases. I'm a trial lawyer,
21 so there's anxiety. There's healthy anxiety.
22 There's unhealthy anxiety. Do things cause anxiety?
23 Everything causes some form of anxiety.

24 Q So you get anxious before you try a case?

25 A Sure.

1 Q You have anxiety?

2 A For sure.

3 Q Have you communicated to any of the folks
4 you've represented since 2009 that you are suffering
5 from a high level of anxiety, an anxiety that should
6 be compensated by a jury in describing for them
7 whether you were fit to represent them?

8 MR. SCAROLA: Objection.

9 Attorney-client privilege. Don't answer
10 that question.

11 BY MR. LINK:

12 Q Have you not retained -- have you not been
13 retained by any client since 2009 as a result of this
14 compensable level of anxiety that you suffer every
15 day?

16 A Explain your question a little better.

17 Q Are there any clients that you wanted to be
18 your client that said, I'm not going to hire you,
19 Mr. Edwards, because I can see you're manifesting
20 some level of anxiety, that's not just a typical
21 anxiety that we all go through, it's a heightened
22 level, it's a compensable level, as a result of
23 Mr. Epstein's lawsuit?

24 A No.

25 Q Any clients fire you as a result of this

1 heightened level of anxiety?

2 A No.

3 Q Have you made more money collectively each
4 year from January 2010 forward to today than you did
5 January 2010 back to when you started practicing law?

6 You are staring at your lawyer. You want
7 an objection.

8 A I will answer the question if he wants me to
9 answer the question.

10 MR. SCAROLA: You can answer that
11 question.

12 BY MR. LINK:

13 Q I'm asking big picture.

14 A All right. Can you repeat the question?

15 Q Let me do it again. It will probably be
16 easier. The good news is, I never remember what just
17 came out of my mouth.

18 Here is the point. I want to look at this
19 injury to your reputation and your embarrassment and
20 all of these other things you are asking the jury to
21 award money to you for, right? That's what you're
22 asking the jury to do, to compensate you for the
23 impact that the Epstein lawsuit had on your ability
24 to practice law. True?

25 MR. SCAROLA: No.

1 THE WITNESS: I can't tell if you're
2 talking or asking a question.

3 MR. SCAROLA: There is no claim in this
4 case for either lost earnings or diminished
5 earning capacity. That's been made clear on
6 the record previously.

7 MR. LINK: I understand that, and
8 that's not -- let me back up. That's a good
9 point. Mr. Scarola, thank you for helping
10 me with that. I appreciate it.

11 BY MR. LINK:

12 Q Is the reputation that was injured Bradley
13 Edwards as an individual, or Bradley Edwards as a
14 licensed practicing lawyer?

15 A Both.

16 MR. SCAROLA: Excuse me. I'm going to
17 object to the form of the question. It
18 attempts to draw a distinction that makes no
19 sense to me.

20 BY MR. LINK:

21 Q We all have a reputation as a person in our
22 community, just as a father, as a husband, right? In
23 our regular community we have a reputation, right?

24 A Okay.

25 Q Do you?

1 A Do I have a reputation?

2 Q Yes, sir.

3 A Everybody has a reputation.

4 Q Right. Then we have -- separate from that,
5 we have a reputation. If we're lawyers, we have a
6 reputation with judges. We have a reputation with
7 opposing counsel. We have a reputation with our
8 co-counsel. And we have what I will call a
9 professional reputation. And we spend a lot of time
10 and effort protecting our professional reputation.
11 You agree with that statement?

12 A Yes.

13 Q What I'm trying to understand is, was it
14 your -- are you seeking compensation from the jury
15 for the filing of that complaint based on harm to
16 your reputation in your professional capacity as a
17 lawyer or in your personal capacity as a husband?

18 MR. SCAROLA: And I object to the form
19 of the question, because it leaves out the
20 obvious third alternative, which is both.

21 BY MR. LINK:

22 Q You can answer my question.

23 A Both. I answered the question the first time
24 both.

25 Q Can you separate for me -- and tell me from

1 a compensatory standpoint money the jury should award
2 to you, what has happened to your reputation from a
3 personal standpoint? Give me an example.

4 Do you have friends that will no longer
5 talk to you since the filing of the complaint by
6 Mr. Epstein?

7 A Do I have friends who don't talk to me
8 because of that?

9 Q Yeah. Do you have friends that --

10 A You are talking about the people who knew me?
11 The people who knew me?

12 Q Yeah.

13 A No.

14 Q So in November of 2009, before the lawsuit
15 was filed, I assumed you had friends, right?

16 A Right.

17 Q Do you still have those same friends today
18 for the most part?

19 A I still have friends today.

20 Q Did anybody come up to you and say, Listen,
21 Brad, you know, I used to like you and I used to like
22 being your friend. You were a swell guy to hang out
23 with, but geez, I see Epstein filed this claim
24 against you and I don't want to be your friend
25 anymore?

1 A Are you talking now about lawyers or are you
2 talking about --

3 Q No, personal.

4 A People who are nonlawyers.

5 Q Nonlawyers. Because you said both.

6 A I'm just trying to get a category so I
7 understand the question. So have nonlawyers come up to
8 me and say I will no longer be your friend because of
9 the lawsuit?

10 Q Yeah.

11 A No.

12 Q Do you go to a church?

13 A Not regularly.

14 Q Did you go to a church in 2009?

15 A Periodically. But nobody has come up to me
16 at church and said I'm not going to be your friend
17 anymore or associate with you because of this lawsuit.
18 The people who know me don't do this.

19 Q So from a personal standpoint anyone who
20 knew you, your reputation really didn't take a hit as
21 a result of Epstein filing his lawsuit in
22 December 2009.

23 A The lawsuit is not about -- about
24 reputational damage that was caused to me by the people
25 who know me well. The people who know me well know

1 that those things are not true.

2 The lawyers I practice with know that
3 those things are not true. It's the rest of the
4 world that --

5 Q Oh, okay.

6 A Your reputation is made up of what society
7 thinks of you. The people who don't know me and only
8 got a snapshot of this person -- is Rothstein's
9 co-conspirator in a Ponzi scheme and continue to spread
10 that message from that point in time forward, whether
11 it's 9 million people or 100 million people, my
12 reputation right there suffered damages that, unless
13 and until a jury returns a verdict in my favor, can't
14 be undone.

15 Q So these are the nameless, faceless folks
16 that you don't know, that you have never met, never
17 had conversations with, never interacted with, who
18 are -- that have impacted your reputation.

19 A Your question is way too extreme.

20 Q So you told me it's anyone who knows you,
21 knows for sure that there's nothing --

22 A I didn't tell you that.

23 Q You didn't?

24 A No. Who knows me well.

25 Q They have to know you well, right?

1 A Can I just finish my answer?

2 Q Sure.

3 A I let you finish every question. You refuse
4 to let me finish the answer.

5 Q Answer away, sir.

6 A If it's an attorney who knew me well before
7 this, who worked with me, knew my ethics, knew my
8 abilities as a trial lawyer, they knew this to be
9 false.

10 If it were lawyers who did not know me or
11 knew of me but didn't really know me well, then
12 certainly this looks like where there's smoke
13 there's fire, and it impacts your reputation in the
14 minds of all of those people.

15 Whether lawyers or nonlawyers, the same
16 exact thing can be said for the rest of the
17 9 million or so people who saw these false
18 allegations.

19 Q So I like the where there's smoke there's
20 fire. That's an interesting statement. Would the
21 same thing be true about what Mr. Rothstein was doing
22 that where there's smoke there's fire?

23 A What does your question mean?

24 Q Well, you used this analogy where there's
25 smoke there's fire. You saw the press that was out

1 about Mr. Rothstein in November -- the month of
2 November 2009 describing all of the vehicles he owned
3 and something about a pair of \$1.5 million
4 Lamborghinis or something, mansions and a
5 million-dollar wedding, and \$8 million home here, and
6 a \$7 million home there -- these numbers may not be
7 exactly accurate, but close to that. And how the law
8 firm was 70 lawyers, and a payroll of X dollars was
9 surviving, and that there was a lot of speculation in
10 the press about how Rothstein did it, whether he did
11 it alone, and whether there were potential unnamed
12 co-conspirators. Do you remember reading about that?

13 MR. SCAROLA: Excuse me. I am going to
14 object to the question. It grossly
15 compound, it lacks factual predicate, and is
16 not capable of reasonably being responded
17 to.

18 BY MR. LINK:

19 Q Give it a try.

20 A Some of those things I believe I read about
21 or was told about after the implosion of RRA. Some of
22 those things don't sound familiar to me at all. But
23 you strung together --

24 Q A lot of stuff.

25 A -- a bunch of things, some of which I

1 remember, some I don't.

2 Q Let's pick it apart a little bit. When you
3 worked at --

4 A I don't know what this has to do with smoke
5 and fire, but --

6 Q You said where there's smoke there must be
7 fire, and --

8 MR. SCAROLA: No, that's not what he
9 said.

10 BY MR. LINK:

11 Q Well, maybe I misheard you. What did you
12 say about smoke and fire?

13 A That when someone reads the complaint about
14 me, they are going to read this and believe that if
15 these allegations are being made by this person, who is
16 a wealthy person, who has lawyers that also have good
17 reputations, and it details out like a criminal
18 complaint, that if somebody is willing to make this
19 type of detailed complaint it must be true --

20 Q Right and --

21 A -- about me.

22 Q I got that. I understand that.

23 By the way, you said somebody with this
24 kind of money makes this complaint. So you were a
25 Florida lawyer in December 2009, right?

1 A Right.

2 Q And what was Mr. Epstein, the person you
3 just said if somebody makes these allegations
4 everybody will believe they're true? What was his
5 state in life at the time, December 2009?

6 A He had a bunch of different states in life.

7 Q What was it in December 2009?

8 A I think he was out of jail.

9 Q So he had served time, right -- jail time?

10 A Right.

11 Q And he was an admitted what?

12 A Sex offender.

13 Q Admitted sex offender who did jail time.

14 A Right.

15 Q And you are telling me that if somebody
16 looked at the allegations made by the admitted sex
17 offender who did jail time compared to you, that you
18 think anybody who read them would say, We believe
19 what Mr. Epstein says in here, and where there's
20 smoke there must be fire so the allegations must be
21 true?

22 MR. SCAROLA: I am going to object as
23 incomplete hypothetical.

24 THE WITNESS: They are very detailed
25 allegations. And when you read it in

1 conjunction with what was going on at the
2 time, how hated Mr. Rothstein was at the
3 time, then, yeah, people are going to
4 believe that those allegations are true.

5 BY MR. LINK:

6 Q All right. Good.

7 A At least that's my perception as well, which
8 is causes --

9 Q Can you tell me one person who came up to
10 you after the lawsuit was filed and said, I believe,
11 Mr. Edwards, that what Mr. Epstein's lawyers wrote in
12 this complaint against you, that that's true?

13 A What will typically happen at the courthouse
14 would be lawyers would come up and say, Hey, so-and-so
15 was just saying this complaint was just filed against
16 you by Mr. Epstein, and that in reality there might
17 have been real cases against Mr. Epstein, but you
18 didn't have those, that you actually represented
19 clients who had nothing to do with him. You fabricated
20 cases with Rothstein, and they are speculating that you
21 will be arrested with Mr. Rothstein for the fabrication
22 of Epstein cases and pretending that you represented
23 Epstein victims. That would happen with great
24 frequency when it was hot, when it was hot in the
25 press.

1 Q Okay. I got that. And that makes sense.

2 Did you have a concern that you might be
3 arrested or indicted?

4 A No.

5 Q None at all?

6 A Zero.

7 Q Did you ever hire a criminal lawyer?

8 A No.

9 Q Never consulted with one?

10 A No.

11 Q So you said -- I think I heard you say in
12 December 2009 everyone who knew your reputation about
13 your level of ethics and professionalism would have
14 known that the allegations were untrue. Did I get
15 that close?

16 A The people that knew me very well would have
17 known that it was not true, yes.

18 Q So before December 2009, did you ever have
19 any ethical issues that you had to deal with?

20 MR. SCAROLA: Let me object to the form
21 of the question as vague.

22 THE WITNESS: Such as what? Not that I
23 remember.

24 BY MR. LINK:

25 Q Nothing that you remember. All right.

1 You graduated from law school in May or
2 June 2001?

3 A Somewhere around there, yeah.

4 Q And you were admitted -- when did you take
5 the bar exam?

6 A In July of 2001.

7 Q And did you pass the bar exam on your first
8 try?

9 A Yes.

10 Q And then you were not admitted until March
11 of 2002, correct?

12 A Correct.

13 Q Was there a holdup on your -- on your bar
14 being admitted, something about your character and
15 fitness evaluation?

16 A There was -- there was a delay in the
17 finalization of that.

18 Q Based on their taking an extended look at
19 your character and fitness to practice law in the
20 State of Florida, right?

21 A Right. There's two elements of it. There's
22 the test and character fitness.

23 Q Right. I understand. And the delay, which
24 was almost a year from when you graduated, was the
25 character and fitness part. You passed the

1 test-taking part, right?

2 A I got my -- we got our scores back in late
3 September, and then I was admitted in March. So it's
4 not almost a year.

5 Q No. I said from when you graduated.

6 A I know, but it just makes it seem longer than
7 it is. I mean, I know you chose when I graduated. I
8 would not have been admitted anyway until October.

9 Q Did you file your application to join the
10 bar before you graduated or -- and before you took
11 the test, or did you wait to do that until after you
12 took test?

13 A No, I filed it before I graduated school.

14 Q You filed it before you got out of law
15 school, right? It's a long process.

16 MR. SCAROLA: Excuse me. One question
17 at a time, please.

18 BY MR. LINK:

19 Q So you filed the application before you got
20 out of law school, right?

21 A Yes.

22 Q So that's close to a year since you filed
23 the application before you were approved, based on
24 their extended evaluation of your character and
25 fitness to practice law?

1 A Yeah. I don't quarrel with that.

2 Q What were the incidents they were looking
3 at that delayed them? Do you remember?

4 A No. I don't remember the incidents that they
5 were looking at. It was --

6 Q You really don't have any idea what they
7 were looking at? What caused them concern?

8 MR. SCAROLA: Objection. Compound.

9 THE WITNESS: I believe it related to
10 when I was a juvenile. I think that was the
11 first thing I had to answer about.

12 BY MR. LINK:

13 Q Okay. Was there more than one?

14 A Do you have anything that can refresh my
15 recollection so I know exactly what it was that I was
16 doing back in 2000 or 2001?

17 Q I'm asking you, sir, if you remember what
18 the incidents were that were in your past that the
19 bar examiners were looking at in evaluating your
20 character and fitness. And if you're telling me you
21 don't remember, then you don't remember.

22 A It was incidents related to an arrest. And I
23 think that one of them was when I was a juvenile.

24 Q And the other arrest?

25 A I believe it was an underage drinking arrest.

1 Q That was the first arrest, right? Were
2 there two arrests?

3 A And the other one was a possession of
4 prescription without a prescription.

5 Q What was the prescription?

6 A I don't remember the name of it right now.
7 But if you showed it to me then I would know. If you
8 said it, I would know.

9 MR. LINK: So we have been going about
10 an hour. Why don't we take a couple minute
11 break if that's okay, because I need to take
12 a break?

13 THE VIDEOGRAPHER: The time is
14 10:48 a.m. and we are going off the record.

15 (A recess was had.)

16 THE VIDEOGRAPHER: The time is
17 10:58 a.m. We are back on the record.

18 BY MR. LINK:

19 Q Mr. Edwards, I got a little derailed.
20 There was a question that I asked about, and then I
21 meandered away from it. I was saying starting in
22 December 2009 when the lawsuit was filed -- and I
23 think I asked about January 1 just to make it
24 simpler. So January -- let's talk about January 1,
25 2010 looking back to when you started practicing law

1 in 2002, compared to January 1, 2010, forward through
2 today. During those two separate time frames, in
3 which one have you collectively in total made more
4 money in your profession as a lawyer?

5 A Since 2010?

6 Q So January -- is it easy -- is January a
7 good way to do it? Is it easier to think about
8 the --

9 A That's fine.

10 Q So in January 2010 through today, your
11 income as a lawyer has been collectively greater than
12 it was from January 2010 back to 2002 when you
13 started practicing.

14 A Right.

15 Q Would you say it has doubled during that
16 time period?

17 MR. SCAROLA: I am going to object to
18 the question and instruct you not to answer
19 on the basis of economic privacy. The
20 question is not relevant, material nor
21 reasonably calculated to lead to the
22 discovery of relevant material information.

23 MR. LINK: And I take it, Mr. Scarola,
24 any question I would ask like that -- not
25 asking about the specific dollars, but just

1 the parameters, you will have the same
2 objection?

3 MR. SCAROLA: Well, I don't know,
4 because I did allow you to ask the one
5 question --

6 MR. LINK: You did.

7 MR. SCAROLA: -- that you asked that
8 was answered. So you are going to need to
9 ask your questions, and I will make a
10 determination as to whether I will assert an
11 objection and instruct Mr. Edwards not to
12 answer based upon what the question is.

13 MR. LINK: Fair enough.

14 BY MR. LINK:

15 Q So, Mr. Edwards in comparing those two time
16 frames, 2002 through 2010 -- which was an eight-year
17 time period of practice, right?

18 A Right.

19 Q I saw you counting on your fingers.
20 -- compared to 2010 through 2017, which is
21 a seven-year time frame, in the seven years --

22 A We are almost up to January 2018, though,
23 so --

24 Q Let's make it '18.

25 A We're about even.

1 Q Fair enough. Let's make it eight to eight
2 so we're comparing apples to apples.

3 A Yeah.

4 Q Would you say that your income as a lawyer,
5 as a professional, in the second half of your career,
6 the past eight years, is significantly greater than
7 your income was in the first eight years of your
8 practice?

9 MR. SCAROLA: I'm going to object to
10 the question on the basis that it's vague.

11 But can you go ahead and answer that
12 question.

13 THE WITNESS: The answer is yes.

14 BY MR. LINK:

15 Q Thank you for answering that.

16 We were talking about some ethics issues
17 and whether you had any, and I was asking you what
18 you remember. Do you remember -- as we were talking
19 about your reputation -- do you remember any
20 incidents while you were working for the Broward
21 State Attorney's office where anything that you did
22 was called into question or there were any news
23 reports or anything?

24 MR. SCAROLA: Excuse me. I am going to
25 object. The question is vague and compound.

1 THE WITNESS: What's the question?

2 BY MR. LINK:

3 Q When you -- you worked for the Broward
4 State Attorney's office?

5 A Basically three years.

6 Q Three years, okay.

7 During that three-year time period --
8 well, let me ask you this. Why did you leave? Was
9 there -- why did you leave?

10 A Just time to leave.

11 Q What does that mean? Was there an offer on
12 the table? Were you asked to leave? What was the
13 reason?

14 A I tried a bunch of case. I wanted to try
15 civil cases. I wanted to try civil cases from the
16 beginning. I wanted experience as a trial lawyer. I
17 went to the state attorney's office. I got a lot of
18 experience, and it was time to leave and do what I
19 wanted to do. So that's it.

20 Q So was there anything that happened shortly
21 before you left that -- where anybody called into
22 question anything you did as far as your
23 representation of the State of Florida on behalf of
24 the Broward State Attorney's Office?

25 A My supervisors would have said that I was

1 probably the best prosecutor there at the time, so that
2 was not -- that was never something that happened.

3 Q I wouldn't find any reports about a
4 tampered-with video being placed into evidence or
5 anything like that if I searched the Internet using
6 your name? Is that true?

7 A I know that case. But that case is not me
8 tampering with anything. That case was me prosecuting
9 somebody for what they did in a very effective, very
10 fair way, the most fair way possible; him getting
11 convicted, him going to prison, him getting upset, and
12 suing me, the State Attorney Mike Satz, all of the
13 police officers involved in the case. So that's what
14 happened.

15 I know -- that's Donald Baker. I know the
16 Donald Baker case well.

17 Q So you were sued?

18 A Yeah.

19 Q So Mr. Epstein's suit was not the first one
20 against you that called into question something that
21 you are doing as a lawyer; is that true?

22 A I didn't know about that lawsuit when I was
23 first sued, because the AG's office was representing
24 me. I was no longer at the state attorney's office.
25 So they picked up and represented the suit. And I

1 heard it was dismissed right away. I didn't keep up
2 with the case.

3 Q I understand. But my question was so that
4 you had, before Mr. Epstein sued you, been sued based
5 on conduct, something that allegedly you did during
6 your work as a lawyer, right?

7 A True.

8 Q Where was that lawsuit filed, sir?

9 A If you can show me, I'm not going to quarrel
10 with it. I just don't know that I have seen it -- in
11 Florida.

12 Q Were you served with a lawsuit?

13 A I think I was served with a lawsuit.

14 Q Did it cause anxiety when you were served?

15 A No.

16 Q Well, you were alleged to have done
17 something that was unethical, correct?

18 A He made these allegation before in court. We
19 had hearings over it, over his 57 -- his 38 -- 3.850
20 motion for his ineffective assistance of counsel. I
21 had heard this whole thing. It was -- it was such
22 nonsense that was being made by a criminal that -- sour
23 grapes. He lost a trial and had to go to prison. I
24 didn't even want to recommend prison in the case.

25 The fact is, he had committed a murder

1 previously in his life, so he was HOQ qualified,
2 which necessitated a five-year prison sentence. I
3 didn't think he deserved that for that crime, nor
4 did I recommend it. It was just part of the
5 guidelines by the state. So I knew it was a harsh
6 sentence for the crime that he committed. He was
7 upset about it, and he took it out on everybody.

8 Q So you weren't -- you didn't suffer any
9 anxiety or concern at all about a lawsuit that was
10 filed in 2004 that related to allegations of
11 unethical conduct in a proceeding that you were the
12 lead trial lawyer?

13 A Zero.

14 Q Did anybody ask you about the alleged
15 unethical conduct that was in that lawsuit?

16 A No.

17 Q Did you read the press that was involved
18 with the filing of the lawsuit against you based on
19 your work as a prosecutor?

20 A I don't remember there being press about the
21 lawsuit that was filed.

22 Q You don't?

23 A No.

24 Q Anybody ask you -- assume for a minute
25 there was some press. Did anybody ask you about it?

1 MR. SCAROLA: Excuse me. Object to the
2 improper question.

3 MR. LINK: It was a really bad
4 question, wasn't it?

5 MR. SCAROLA: Yeah. Terrible.

6 MR. LINK: Thank you. I object.

7 MR. SCAROLA: Good.

8 BY MR. LINK:

9 Q I don't even know how to follow up with
10 that one it was so bad.

11 A It's tough.

12 Q You're right.

13 Did anybody in your -- in the profession,
14 lawyers that you dealt with from time to time or
15 regularly, comment to you about the lawsuit that was
16 filed against you in 2004?

17 A No.

18 Q Did the filing of that lawsuit have
19 anything to do with your termination at the state
20 attorney's office for Broward?

21 MR. SCAROLA: Object.

22 THE WITNESS: I wasn't terminated from
23 the state attorney's office.

24 BY MR. LINK:

25 Q How about did it have anything to do with

1 your decision to resign?

2 A Absolutely not.

3 Q Do you remember that the lawsuit alleged a
4 1983 violation?

5 A No.

6 Q How long was the lawsuit pending?

7 A I have no idea. I never read the lawsuit.

8 Q So you were served with a lawsuit, you were
9 sued, and you don't even read it? Is that true?

10 A I didn't even read it. That's true. I doubt
11 Judge Gates read it. I doubt Mike Satz read it.

12 Q You were a defendant.

13 A So were they. We were all joined together.
14 The police department. Everybody was defendants.

15 Q No big deal?

16 A It was a joke.

17 Q How many associates were employed at
18 Bradley Edwards & Associates?

19 A I don't think I ever had associates. I
20 had -- I had law clerks that the plan was always when
21 they passed the bar that they would be associates, but
22 that's just -- I didn't have the firm open long enough.

23 Q Did you ever check with the Florida Bar to
24 see if it was a violation of the bar ethics rules to
25 call yourself Bradley Edwards & Associates if you had

1 no associates?

2 A No.

3 Q Are you familiar today with the ethical
4 rule that involves your calling your law firm Bradley
5 Edwards & Associates and whether that is proper under
6 the bar rules?

7 A No. Even if you plan to have associates in
8 the near future? I have never read that rule, I don't
9 believe.

10 Q And when you left the state attorney's
11 office, did you form Bradley Edwards & Associates
12 then?

13 A No.

14 Q What did you do?

15 A I worked for a law firm, Kubicki Draper.

16 Q How long were you at Kubicki Draper?

17 A Approximately three years.

18 Q So three years at state attorney's office,
19 right?

20 A Just short of.

21 Q Three years at Kubicki Draper?

22 A Approximately, right.

23 Q What type of firm was Kubicki Draper at the
24 time? That would have been 2005-ish.

25 A '04, '05, '06, '07. Insurance defense.

1 Q So you left the state attorney's office and
2 did insurance defense work?

3 A Correct.

4 Q What type of work did you do? Tell me the
5 clients that you represented generally.

6 A I represented individuals who were --
7 primarily car accident cases. Those are the types of
8 trials that I tried.

9 Again, my objective was get as many trials
10 as I could at the firm. That -- it was primarily
11 auto accident cases.

12 Q So these are folks who were insured by
13 insurance companies?

14 A Right.

15 Q And behalf of the insurance companies they
16 would retain the law firm that you worked for to
17 represent their insureds.

18 A Right.

19 Q And so the insureds were the folks that
20 were being blamed for whatever the car accident was.
21 Is that true?

22 A For the most part.

23 Q Did you have any plaintiff's cases on
24 behalf of insureds?

25 A I don't think so.

1 Q So they would have all been where an
2 insured was being sued by somebody claiming that
3 their car caused them some injury, I take it. Is
4 that right?

5 A Right.

6 Q Anything there other than --

7 A That's why I made that caveat before.
8 Sometimes it wasn't they were being blamed for causing
9 the accident. They owned the car or something like
10 that. Dangerous instrumentality or something.

11 Q I understand. So they were all defendants.
12 Not plaintiffs.

13 A Correct.

14 Q I know you said earlier you tried a lot of
15 cases at the state attorney's office. I saw
16 somewhere in your file roughly 60 cases there.

17 A At least.

18 Q At least 60. Were any of those cases
19 involving -- you mentioned a murder -- what I would
20 call dangerous criminals?

21 A Yeah, of course.

22 Q Tell me some of the more dangerous
23 criminals that you prosecuted during a trial.

24 A Armed robbers.

25 Q Armed robbers with guns?

1 A Right.

2 Q Who else?

3 A I mean, kidnappers. Any prosecuted cases
4 where there were gang stabbings and -- plenty of
5 violent criminals.

6 Q Did any of those violent criminals, like
7 the gang members and the murders and the kidnappers
8 and the armed robbers, cause you to have any fear of
9 physical injury to yourself? Were you afraid they
10 were going to hurt you?

11 A No. I don't believe so. It's hard to tap
12 into old feelings like that and rewind time, but I
13 don't think so. I never had any fear of them doing
14 anything to me.

15 Q I assume there were gang members that you
16 were prosecuting and probably gang members you were
17 not prosecuting within that category.

18 A Sometimes you're prosecuting gang members and
19 your best witness is also a gang member. That's the
20 nature of that world.

21 Q And you weren't afraid -- physically you
22 weren't afraid of one of these gang members -- or
23 prosecuting that case or being involved was going to
24 come -- cause physical harm to you, were you?

25 A No.

1 Q What about the physical harm to your
2 family, were you worried that -- I guess I should
3 have asked. Were you married?

4 A No. Predates all of that, so --

5 Q Fair enough.

6 A Also, that's kind of a time period pre-family
7 where you just generally have less responsibilities and
8 less fears as a human being.

9 Q When were you married?

10 A 2005.

11 Q Any of those folks ever get out of prison
12 after you were married, people that you put away?

13 A I assume.

14 Q Were you worried that one of them was going
15 to come back, since you prosecuted them, and hurt you
16 or your family? You have that fear?

17 A No. I never really put thought in my mind
18 that their target was the prosecutor. I was just
19 carrying out what my job was if there was evidence of a
20 crime.

21 Q You don't think they really liked you, do
22 you -- the gang members and the murderers -- for you
23 trying to put them in prison?

24 A Assuming after they went to jail they didn't
25 like me or the cops or the state attorney or the judge

1 or anybody else.

2 Q What is it about Mr. Epstein -- you met
3 Mr. Epstein in person, right?

4 A Yes, several times.

5 Q How tall is he, roughly?

6 A Six-foot maybe. I have only read his sex
7 offender profile. And I think it says six-foot on his
8 flyer.

9 Q How tall are you?

10 A Five-ten.

11 Q He's taller than you are?

12 A I don't know that. I just remember seeing
13 his sex offender -- that's what sticks out in my mind
14 when I tell you the answer to that. I think it says
15 six foot.

16 Q Are you physically afraid of him, of
17 Mr. Epstein?

18 A Physically -- if I was in hand-to-hand combat
19 with him would I be afraid of him?

20 Q Are you in fear of him? Do you have a fear
21 that he will cause a physical injury and he will hurt
22 you?

23 A In a fistfight?

24 Q Generally, do you have a fear that he will
25 cause you physical injury -- Mr. Epstein?

1 A In any sense of the word?

2 Q Yes, sir.

3 A If he personally?

4 Q Yes, sir.

5 A I don't fear that he personally is going to
6 attack me at some point in time. I think I'm answering
7 the question that you're asking.

8 Q Do you think he's going to attack your
9 family?

10 A Do I think that Jeffrey Epstein is going to
11 come to my house personally and attack me? No, I don't
12 think that.

13 Q Yes.

14 You don't have that fear, do you?

15 And this lawsuit was filed in December
16 2009. From 2009 through to today, has Mr. Epstein
17 threatened you with any physical harm?

18 A Has he threatened me with physical harm? He
19 has certainly said things to make it known to me that
20 me or my family could be harmed. But again, not that
21 he personally would do it.

22 Q Tell me what he said to you that makes you
23 think that Mr. Epstein was threatening to harm you
24 physically.

25 A I can almost tell you verbatim.

1 Q Please.

2 A Brad, if you continue to prosecute these
3 cases this way, somebody is going to get hurt. You are
4 lucky that we are not litigating this in New York,
5 because you know that I have a lot of friends, a lot of
6 power. The fact that we are dealing with one another,
7 I have so much more money than you and resources. This
8 is not a fair fight. I could have you and your family
9 under surveillance 24 hours a day. So think about that
10 as you are prosecuting these cases.

11 Those types of statements he made to me
12 several times.

13 Q When he said that, it sounds like he was
14 talking about the disparity in economics. His
15 ability to hire lawyers. But did you feel that he
16 was physically threatening you? That he was going to
17 physically hurt you?

18 MR. SCAROLA: Excuse me. I'm going to
19 object to the form of the question. I
20 object to the predicate. It's argumentive.
21 If the question is, Did you feel he was
22 physically going to hurt you, that question
23 is repetition. And also in the context of
24 the discussion that has occurred, vague and
25 ambiguous, because you are failing to

1 distinguish between what Mr. Epstein was or
2 may have been threatening to do personally
3 and what Mr. Epstein is capable of having
4 been done.

5 BY MR. LINK:

6 Q So from December 2009 through today, have
7 you been living in fear, sir, that Mr. Epstein
8 personally, or otherwise, was going to cause physical
9 harm to your body?

10 A The "or otherwise," yes. The "personally,"
11 no. I don't think he's personally going to do any of
12 the dirty work nor do I think he normally does. I
13 think that he has people do those things for him.

14 Q What do you think he has people do?

15 A Whatever he wants done.

16 Q I see. So you think that, based on your
17 conversation with Mr. Epstein, that over the last
18 eight years there was always this fear in your mind
19 that somebody was lurking around and going to cause
20 you physical harm, right?

21 A The only problem with your question is based
22 on your conversation. That's not the only reason that
23 I think that. It's not based on my conversation with
24 Epstein. It's based on the totality of the
25 circumstances.

1 I mean, I had been involved in the
2 investigation of Mr. Epstein and his conduct for
3 many, many years. I know a lot about him. He knows
4 I know a lot about him. I have talked to a lot of
5 people about him, a lot of people who believe he's a
6 very dangerous people. I believe he's a very
7 dangerous person. He's made it pretty clear to me
8 that he's a very dangerous person.

9 Someone would be crazy not to have some
10 form of fear that something could happen when you
11 become a target of his. That lawsuit is a clear
12 indication that I am a direct target of his. No
13 doubt in my mind.

14 Q I got it.

15 So for the last eight years how many
16 bodyguards have you hired?

17 A Bodyguards?

18 Q Yes, sir, to protect from you physical harm
19 that Mr. Epstein is going to cause you or somebody
20 else on his behalf.

21 A I haven't hired bodyguards. But I don't
22 think a bodyguard is going to do any good.

23 Q So have you -- you never hired a bodyguard,
24 right?

25 MR. SCAROLA: That question was asked

1 and answered.

2 BY MR. LINK:

3 Q For you -- no bodyguards for you?

4 A Per se, I have not hired a bodyguard.

5 Q How about for your family? Have you hired
6 protection to keep Mr. Epstein or somebody he knows
7 from causing physical harm to them?

8 A No, with the exception of there were times
9 where I had an investigator who would -- when I knew
10 that Mr. Epstein had investigators following me, I
11 would have an investigator to watch out during those
12 periods of time. I think it only happened twice.

13 Q Well, you had investigators working on the
14 Epstein case long before he sued you, didn't you?

15 A Of course.

16 Q You had former law enforcement officers on
17 the team at Mr. Rothstein's firm investigating
18 Mr. Edwards (sic), didn't you?

19 A I am Mr. Edwards.

20 Q I'm sorry. Mr. Epstein. Maybe they
21 investigated you too. Who knows at that firm, right?

22 Let me try it again.

23 BY MR. LINK:

24 Q Did you at Mr. Rothstein's firm --

25 MR. SCAROLA: I move that Counsel's

1 comments be stricken.

2 MR. LINK: About the Rothstein's firm?

3 That's fair.

4 MR. SCAROLA: Thank you.

5 BY MR. LINK:

6 Q I think there's all kinds of security and
7 things at Mr. Rothstein's firm we will get to, but
8 let me try it again.

9 While you were employed by Mr. Rothstein,
10 you had former police officers that were used to
11 investigate Mr. Epstein, correct?

12 A While I was at RRA, investigators were
13 investigating issues related to the Epstein cases, yes.

14 Q Some of them were former law enforcement
15 employees, right?

16 A That's true.

17 Q One was a former sheriff?

18 A If you're talking about Ken Jenne, I don't
19 know how much he did in investigating anything, but he
20 worked there.

21 Q Mr. Jenne was a former sheriff?

22 A Mr. Jenne was a former sheriff.

23 Q Did he have any issues of his own with law
24 enforcement? Any procedures before he started
25 working at Mr. Rothstein's firm?

1 A I believe that I know the same thing you do.

2 Q What do you know?

3 A He was arrested at some point in time when he
4 was the sheriff.

5 Q And you were aware of that when he was
6 employed by Mr. Rothstein and working on the Epstein
7 file?

8 MR. SCAROLA: Excuse me. Objection,
9 compound.

10 BY MR. LINK:

11 Q You can answer.

12 A I was.

13 MR. SCAROLA: That assumes facts not in
14 evidence.

15 THE WITNESS: I was aware that -- I was
16 aware that he had been arrested when he was
17 the sheriff.

18 When I was working at -- at the time I
19 was working at RRA, I knew that Ken Jenne at
20 some time prior had been arrested while he
21 was acting sheriff.

22 BY MR. LINK:

23 Q What other former law enforcement folks at
24 Rothstein's firm were assigned as investigators on
25 the Epstein matters?

1 A I worked with Mike Fisten. That was the
2 investigator I communicated with.

3 Q Tell me about Mike Fisten. What was his
4 former role before he worked at Rothstein?

5 A He was a Miami-Dade homicide detective.

6 Q Did he have any issues before joining
7 Mr. Rothstein's firm?

8 A I don't know.

9 Q Don't know.

10 Does he still work for you?

11 A No.

12 Q Did he work for you after you left
13 Mr. Rothstein's firm?

14 A He did.

15 Q For how long did he work for you?

16 A I don't remember.

17 Q Before you -- and that was at your own law
18 firm. You started a law firm after Rothstein, right?

19 A We started Farmer, Jaffe, Weissing, Edwards,
20 Fistos & Lehrman basically right -- RRA imploded. We
21 started that firm.

22 Q And the investigator went with you?

23 A He was an employee of ours.

24 Q Did you do any background check on him
25 before hiring him as an employee at your law firm?

1 A I knew his résumé. I mean, I knew that he
2 was a Miami-Dade homicide detective. I knew that. I
3 had talked to Pat Roberts, who also was an
4 investigator, who had told me how highly credentialed
5 Mike was. I had talked to Pat Diaz, who was also a
6 Miami-Dade homicide detective. And all three of them
7 did work for us after RRA. So these are all
8 investigators that I knew and I still know them today.

9 Q Did all of those investigators work on the
10 Epstein matter?

11 A To some degree, yes.

12 Q How many investigators in total from the
13 Rothstein firm and the subsequent firm, the Farmer
14 firm, were involved in investigating Mr. Epstein?

15 A Ever?

16 Q Yes.

17 A Over the course of time?

18 Q Yes, sir.

19 A The first investigator I used was Wayne
20 Black. I don't know if Wayne did any work after we
21 left RRA. The RRA period is -- you know, that's a
22 six-month period that we are talking about. He
23 definitely did work while I was at RRA. I don't know
24 about after. He might have even done work before --
25 before I went to RRA.

1 Mike Fisten was the primary person -- the
2 investigator that worked on the case while I was at
3 RRA and also the primary investigator after.

4 Mike then delegated to other investigators
5 other work. I know for a fact that Pat Roberts was
6 one of those people. And I also know that Pat Diaz
7 was.

8 Q So that's four investigators that were
9 retained to investigate Mr. Epstein?

10 A Yeah. Not altogether. Not all working
11 together, but yes. Wayne Black didn't work with them,
12 but yes.

13 Q I'm just talking about the number --

14 A Yeah.

15 Q -- of investigators. So four --

16 MR. SCAROLA: When you say retained to
17 investigate Mr. Epstein, you're suggesting
18 that the purpose for which they were hired
19 was to investigate Mr. Epstein, or are you
20 only asking whether at some point in time
21 during their employment they investigated
22 Mr. Epstein?

23 MR. LINK: That question.

24 THE WITNESS: Yeah. At some point in
25 time those four people investigated

1 Mr. Epstein.

2 BY MR. LINK:

3 Q On your behalf?

4 A What do you mean on my behalf?

5 Q You were the lead lawyer in the Epstein
6 files, right?

7 A RRA paid them while there. They were just
8 employees of RRA, same as me. And then afterwards, my
9 next firm paid Mr. Fisten. He was our investigator
10 after that.

11 Q I asked a bad question. Let's go back to
12 RRA for a minute. So you said these investigators,
13 the three that you mentioned --

14 A Right.

15 Q -- were employees of RRA?

16 A I believe so. I don't know about Pat Diaz.
17 He might have been contracted out by Mike Fisten for
18 extra help. But Pat Roberts and Mike Fisten were
19 employees for sure.

20 Q So who was it at RRA that made the decision
21 to bring in the first investigator, Mr. Wayne Black?

22 A I think I did. I think I brought him in -- I
23 think I was at least talking to him before I went to
24 RRA. And then when I got to RRA, I don't believe there
25 was already an investigative division in place. I

1 could be wrong about that.

2 If memory serves me right, I don't
3 remember there being -- Mike Fisten was the first
4 investigator I communicated with there. I don't
5 think he worked there yet. So I think that when I
6 got there, I had already talked to Wayne Black, and
7 he was initially retained by RRA, meaning, I think
8 that they paid him.

9 Q Let's see if I can help you with this --
10 the chronology. The lawsuits that -- the first three
11 lawsuits that you filed against Mr. Epstein were
12 filed by Bradley Edwards & Associates --

13 A Back in 2008.

14 Q -- in 2008.

15 A Right.

16 Q Before you joined RRA in 2009, you did not
17 use or pay for an investigator?

18 A I don't know if that's right or wrong. It's
19 right around that time where I was leaving one firm and
20 starting another that I was talking to Wayne Black. I
21 would have to look and see when his engagement letter
22 was to know did I talk to him and then he was hired by
23 RRA, or had I already hired him, you know let's say,
24 March, and then I went to RRA in April. It's right in
25 that time. I don't know.

1 Q Do you remember Bradley Edwards &
2 Associates ever paying an investigator related to the
3 Epstein matters?

4 A I don't remember one way or the other.

5 Q So if you did, it would have been at the
6 very tail end of the Bradley Edwards law firm?

7 A Correct.

8 Q And then once you started at RRA, there
9 were at least four different investigators that did
10 some amount of work on the Epstein cases?

11 A Including Wayne Black, who may have carried
12 over from my firm.

13 Q Right. When you look at Bradley Edwards &
14 Associates, as you sit here, you don't remember
15 whether you retained Wayne Black or not, right?

16 A Right. I can do it this way, which probably
17 helps you. Even if I retained him beforehand, I don't
18 think he did any work on the Epstein case until after I
19 was at RRA. That's how close in time that was.

20 So, yes, there were four people that were
21 investigators, at least, who did work on the Epstein
22 file during the period of time that I was at RRA.

23 Q And during that period of time, was about
24 six months, there were at least four investigators
25 that were assigned to work on the Epstein matter?

1 A Not exclusively, but yes.

2 Q And you said at least four. Can you think
3 of anybody else that was assigned to work on the
4 Epstein matters at RRA?

5 A Well, no. And I'm even including Pat
6 Roberts, who I'm not sure was an employee there. I
7 think that Mike Fisten brought him in for additional
8 help.

9 Q Let's not --

10 A When you assign, it's not like I'm assigning
11 people or anybody is -- you know, I don't know that.

12 Q Let's go back and try and do this again. I
13 think we are both missing each other here.

14 A Okay.

15 Q It doesn't matter to me whether they were
16 employees of RRA or contracted for. What I'm really
17 trying to understand is, in the six months that you
18 were at RRA, the number of investigators that --
19 during that six-month period -- spent any amount of
20 time working on the Epstein matters. And you have
21 identified four for me so far. Right?

22 A Right. Here is where I think we are missing
23 each other. The four -- those were four investigators
24 that were working Epstein-related cases on behalf of
25 clients [REDACTED] and Jane Doe. I'm sure -- although

1 I don't know -- that of the other 15, 16, 17 lawsuits
2 that were filed by Bob Josefsberg or Mr. Herman or
3 Mr. Scarola, there were probably also investigators
4 also working on Epstein cases. Just had nothing to do
5 with me.

6 Q I'm only asking about you, sir. I don't
7 care who Mr. Scarola --

8 A If you go back and read back the question,
9 that's not how it reads. It reads: Were these the four
10 people who were working on the Epstein investigation?

11 Q So let me try -- it was not supposed to be
12 a trick question at all.

13 When you started at RRA, you had three
14 pending lawsuits against Mr. Epstein.

15 A Right.

16 Q While you were at RRA you added a fourth
17 lawsuit against Mr. Epstein.

18 A Fourth client.

19 Q I said a fourth lawsuit.

20 A Which one?

21 Q You do not remember filing a lawsuit while
22 you were with Mr. Rothstein's firm?

23 A I filed many lawsuits against Mr. Epstein.

24 Q I'm talking about the six-month period of
25 time while --

1 A I represented three clients while I was at
2 Epstein (sic) for sure. While I was at RRA I
3 represented three different clients.

4 Q So while you were with Mr. Rothstein's you
5 represented three individual clients that had
6 lawsuits against Mr. Epstein?

7 A Right.

8 Q You also filed a fourth lawsuit while you
9 were employed by Mr. Rothstein against Mr. Epstein,
10 correct?

11 A On behalf of [REDACTED] who already had a state
12 case against Mr. Rothstein (sic). It wasn't a new
13 client.

14 Q I didn't ask about client. Lawsuit. So
15 you filed one lawsuit at RRA and three lawsuits
16 before joining RRA?

17 A Sure.

18 Q And for those four lawsuits that you -- and
19 you were the lead lawyer on those four suits.

20 A Yes.

21 Q And you were the lead lawyer at Brad
22 Edwards & Associates?

23 A Yes.

24 Q And you were the lead lawyer at Rothstein's
25 firm?

1 A That's your entire question? Was I the lead
2 lawyer at Rothstein's firm? No.

3 Q You were not the lead lawyer at Rothstein's
4 firm for the three individuals that you brought with
5 you that had lawsuits against Mr. Epstein.

6 A On those cases, I was the lead lawyer.

7 Q That's what we're talking about.

8 A You just asked the question, Were you the
9 lead lawyer at Rothstein's firm?

10 Q On the three cases -- okay. Fair enough.

11 A You just refuse to add that in. It's not
12 going to read back right on the record. We are both
13 lawyers here, we know what -- playing with words is not
14 what I want to do today.

15 Q If there's any part of what I'm doing that
16 makes you uncomfortable or if you think I'm playing
17 with words, just like that, just let me know and we
18 will fix it. How is that?

19 A I will.

20 Q So for the four pending lawsuits while you
21 were a six-month employee of Mr. Rothstein, there
22 were at least four investigators that spent some
23 amount of time investigating Mr. Epstein?

24 A Yes.

25 Q Are there possibly more than four

1 investigators during the six-month window for those
2 four lawsuits that were utilized to investigate
3 Mr. Epstein?

4 MR. SCAROLA: Objection to the extent
5 the question calls for speculation.

6 THE WITNESS: There's possibly more
7 investigators who investigated Mr. Epstein
8 on behalf of either [REDACTED] or Jane Doe.

9 BY MR. LINK:

10 Q Can you tell me who those investigators
11 were during the six-month period that you were
12 employed by Mr. Rothstein?

13 A I just told you the ones I recall. Is it
14 possible there could have been more? There could have
15 been.

16 Q Who was it on the -- let me back up for a
17 second. Was there a litigation team for the three
18 clients that went from Bradley Edwards, PA to
19 Mr. Rothstein's firm when you joined Rothstein's
20 firm? Was there a team put together for those three
21 clients?

22 I know you were the lead lawyer for those
23 clients at Rothstein's firm.

24 MR. SCAROLA: The question included the
25 phrase, When you joined the Rothstein firm.

1 I'm trying to understand are you asking
2 whether at that time a team was assembled --

3 MR. LINK: Yes.

4 MR. SCAROLA: -- or whether at any time
5 subsequent to that time a team was
6 assembled.

7 BY MR. LINK:

8 Q Was there a team. When you went over there
9 with the three lawsuits, was there a team that worked
10 on those three matters.

11 A I did not take a team over to the Rothstein
12 firm.

13 Q And when got to the Rothstein firm, who was
14 assigned to help you with the three clients that were
15 suing Mr. Epstein?

16 A So the way that RRA was set up, there were
17 divisions. And there was a tort division there.

18 Q So were you assigned to the tort division?

19 A I was one of the tort lawyers who was there.
20 I primarily worked the cases. I also had other legal
21 minds within the law firm that would bounce ideas
22 around, cover hearings. The one that probably
23 participated the most on an active basis was Bill
24 Berger.

25 I don't remember when he joined the firm.

1 I don't think he was there when I first got there,
2 but I could be wrong about that.

3 Actively involved in any of the -- Paul
4 Cassell, who was not even at that firm, was the
5 other person that I communicated with the most on
6 those cases about what was actually going on and
7 strategy and things like that.

8 Q I want to focus on for the six months you
9 were at Rothstein, okay. That's what I'm focused on.
10 For the three clients that had lawsuits pending
11 against Mr. Epstein, I'm just trying to have you tell
12 me which lawyers -- we are focused on lawyers for the
13 moment -- we've already covered investigators --
14 which lawyers worked with you, were part of your
15 team. You said Bill Berger.

16 A It's the work with you. Bill Berger did
17 things. He went to hearings and things like that.

18 Q Did you not consider that him working with
19 you?

20 A I did. He's in that category.

21 Q Who else?

22 A There were other people, like -- there was a
23 former FBI agent. I don't remember her last name, but
24 I think her name is Cara. She was a lawyer. And I
25 would communicate with her about different aspects of

1 the investigation. Did she work with me? I don't
2 think that she did anything. She could have attended a
3 deposition. If she did, I don't necessarily remember.

4 Q Let me pause for one second. Was she
5 working as an investigator or as a lawyer when you
6 would communicate with her?

7 A A lawyer.

8 Q Do you remember her last name?

9 A No.

10 Q Was it Holmes?

11 A Than doesn't help to jog my memory. Sorry.

12 Q Did she communicate with you about the
13 claims against Mr. Epstein?

14 A At times I believe she did.

15 Q Did you discuss with her how to maximize
16 the recovery against Mr. Epstein?

17 A That's not something I would communicate to
18 her. That could be something she might communicate to
19 me. But I don't know about that.

20 Q Tell me why she would do that. Why would
21 she communicate to you as the lead lawyer for these
22 --

23 A She may not. I mean, I'm just saying. I
24 don't do that, hey, talk to somebody who doesn't -- who
25 doesn't know as much as me about the case and say, How

1 do we maximize recovery. I would know that. That's
2 what my job was.

3 Q So you wouldn't need Cara to tell you how
4 you should or how you could maximize recovery against
5 Mr. Epstein?

6 A I didn't need anybody to tell me how to do
7 anything. But at that firm, there were a lot of
8 lawyers with a lot of experience, and taking
9 information from them that's helpful on any case -- as
10 it still is today how I practice how you probably
11 practice -- it's no different.

12 Q So other than Mr. Berger and Cara --
13 somebody with a last name -- was there anyone else
14 that was part of the team?

15 MR. SCAROLA: At RRA or working
16 together with --

17 MR. LINK: Yes.

18 MR. SCAROLA: Just at RRA?

19 MR. LINK: Just at RRA. Same topic we
20 have been on.

21 THE WITNESS: The team is me and any
22 lawyer who wants -- any lawyer there who
23 knows about the case who wants to tell me
24 anything about their own opinions about the
25 case.

1 BY MR. LINK:

2 Q I guess let's try it a different way. Who
3 drafted the papers that would get filed on behalf of
4 the three clients while you were at RRA?

5 A Ninety-eight percent of them would be me or
6 Paul Cassell, if not 100 percent. I can't remember
7 anybody else drafting anything, but I could be wrong.

8 Q So if I look at papers that were filed
9 during the period of time that you were with RRA in
10 the three lawsuits against Mr. Epstein, 98 percent of
11 those documents were probably drafted by you and/or
12 Mr. Cassell, or the two of you together?

13 A Yes. And probably more by Mr. Cassell doing
14 the drafting than me. But yes. I mean, that's --

15 Q So if you wanted to hire a -- let me try
16 that again.

17 If you wanted to assign an investigator at
18 RRA work to do on the Epstein matter, how would you
19 do that? Who would you talk to? Was there a
20 process involved?

21 A I don't know what the initial process was. I
22 don't remember that. But once I was introduced to Mike
23 Fisten, I would just talk to Mike. I mean, that's who
24 I talked to. Mike, this is what I think that we need
25 to do next. Mike would say, Okay, let's get it done,

1 or think about this.

2 Q So any of the decisions that were made
3 during the six months that you were at Rothstein were
4 made, from a strategic standpoint, by you as the lead
5 lawyer?

6 A Yes. By me or by Paul Cassell. I mean, I
7 think there was a time where we had pretty equal say in
8 what we were doing next.

9 Q Mr. Cassell was not an employee of
10 Rothstein?

11 A Right.

12 Q You were the sole employee of Rothstein's
13 firm that made decisions -- strategic decisions for
14 the three clients?

15 A Yes.

16 Q Did you make the strategic decision to file
17 the fourth lawsuit in federal court?

18 A It wasn't my idea initially, but I quickly
19 agreed with the idea. That was Paul's idea, and he was
20 right on it, so I didn't -- I didn't come up with the
21 idea, but I should have.

22 Q It was Mr. Cassell's idea to file the
23 federal court complaint for Plaintiff [REDACTED]?

24 A Right.

25 Q Were there -- did you consider filing

1 federal court complaints for the other two plaintiffs
2 that you represented?

3 A Well --

4 MR. SCAROLA: Excuse me. Let me
5 interrupt here for just a moment.

6 Obviously, what Mr. Edwards considered,
7 his mental processes, are clearly attorney
8 work product. I am more than happy to have
9 him answer that question, but I don't want
10 him to answer that question if the argument
11 is going to be made that, by responding to
12 this particular question, he has broadly
13 waived work-product privilege.

14 If we can agree that the answer to this
15 question will not constitute a waiver of
16 attorney work-product privilege, generally I
17 don't have a problem with his responding to
18 it.

19 MR. LINK: I will agree with that.

20 MR. SCAROLA: And for shorthand
21 purposes, there may be other questions that
22 fall into the same category, and I will just
23 say, can we have the same agreement as to no
24 waiver, and you will know what I'm talking
25 about, okay?

1 MR. LINK: You're giving me more credit
2 than I'm due, but I think I will figure it
3 out.

4 THE WITNESS: So, I believe your
5 question was did we consider filing federal
6 lawsuits for the other clients, that
7 being -- other than [REDACTED]?

8 BY MR. LINK:

9 Q Yeah. While you were employed at RRA.

10 A Got it.

11 So Jane Doe, we filed in federal court
12 already. So her case was already in federal court.

13 However, there was a time, during this
14 same time, that we weren't -- we weren't completely
15 satisfied with the way we had pled it, so -- and for
16 the same reason that I'm going to tell you as to why
17 we filed [REDACTED] But there wasn't the need to file on
18 the other cases that we saw coming up with [REDACTED]'s
19 case.

20 I'm trying to figure out the best way to
21 say this without invading the attorney-client
22 privilege. Let's -- let me back up and explain it
23 this way.

24 The non-prosecution agreement --

25 Q Let me just stop you, because I think I

1 asked you a really simple question. I thought my
2 simple question was did you consider doing it? And
3 you haven't told me yes you did or no you haven't.
4 And Mr. Scarola made an objection. I don't want you
5 to just give a speech, and I don't think Mr. Scarola
6 does.

7 A In general terms, we thought about it being
8 the best idea in general.

9 Q Did you draft, in fact, while you were at
10 Mr. Rothstein's firm, a federal complaint for the
11 other state court plaintiffs?

12 A We either did or we conceptually agreed that
13 we were going to. We agreed that we should.

14 Q Okay. While you were at Mr. Rothstein's
15 firm, you and Mr. Cassell agreed that you would file
16 a second complaint on behalf of one of your clients
17 that was in state court, and that complaint would be
18 filed in federal court, just like the [REDACTED] complaint
19 was?

20 MR. SCAROLA: Same agreement.

21 MR. LINK: Same agreement.

22 THE WITNESS: I believe so. We may
23 have actually drafted it.

24 BY MR. LINK:

25 Q And that complaint was not filed, true?

1 A Which complaint?

2 Q The one that we just talked about.

3 A [REDACTED]?

4 Q Yes. So the [REDACTED] complaint was drafted --

5 A We didn't file a separate --

6 Q So what you and Mr. Cassell decided --

7 while you were at Rothstein you would do -- was never
8 filed, right?

9 A We never filed a separate complaint for [REDACTED]
10 in federal court.

11 Q And once you left Mr. Rothstein's firm, you
12 didn't file a federal case on behalf of [REDACTED], right?

13 A I did not.

14 Q And you did not serve Mr. Epstein after you
15 left the Rothstein firm with the [REDACTED] lawsuit, did
16 you?

17 A I have come to know from hearing over the
18 years that it was never served, but I don't recollect
19 whether it was served or not. I do remember at some
20 point in time saying we should serve this. I don't
21 remember it never being served or it being served. I
22 know that it was dismissed at the same time as the
23 other cases were settled.

24 Q Let me ask it this way. Do you know --

25 MR. GOLDBERGER: Excuse me, Scott. The

1 videographer says he has five minutes.

2 THE WITNESS: We have five minutes.

3 MR. LINK: Yeah. I think I can finish
4 this up.

5 BY MR. LINK:

6 Q The [REDACTED]. federal lawsuit -- like the [REDACTED]
7 lawsuit -- was, in fact, drafted while you were with
8 Rothstein's firm.

9 A We just went there through this. I don't
10 remember whether it was drafted. I remember believing
11 it should be drafted.

12 Q And making the decision with Mr. Cassell to
13 do that?

14 MR. LINK: No waiver.

15 MR. SCAROLA: Thank you. We could do
16 this. Just give me a continuing agreement
17 that there's no waiver, and I will let him
18 continue to answer questions about this
19 federal lawsuit.

20 MR. LINK: Agreed.

21 THE WITNESS: Sorry. State that
22 question again.

23 BY MR. LINK:

24 Q I just want to --

25 A We were talking about [REDACTED] --

1 Q I want to tie it together, all right?

2 So a decision was made on behalf of [REDACTED]
3 by you and Mr. Cassell while you were an employee at
4 RRA to bring a separate federal court action against
5 Mr. Epstein.

6 A And we did.

7 Q And you did.

8 Also while you were at RRA, you and
9 Mr. Cassell made the decision that you would file a
10 lawsuit in federal court for [REDACTED], just like you had
11 done for [REDACTED]

12 A Correct.

13 Q After leaving the Rothstein firm, you never
14 filed the federal lawsuit for [REDACTED]

15 A Correct.

16 Q And after leaving the Rothstein firm, you
17 never served Mr. Epstein with the [REDACTED] federal case?

18 A You're telling me that?

19 Q Yes.

20 MR. SCAROLA: I object to Counsel
21 testifying.

22 BY MR. LINK:

23 Q Do you remember that being the case? You
24 do not?

25 A I don't remember it not being filed, but I

1 have heard that --

2 MR. SCAROLA: Served.

3 THE WITNESS: Served -- but I have
4 heard that enough to believe it to be true
5 that it wasn't served on him.

6 MR. LINK: Good place to take a break.

7 THE VIDEOGRAPHER: The time is
8 11:49 a.m. This concludes tape one. We are
9 going off the record.

10 (A recess was had.)

11 THE VIDEOGRAPHER: The time is
12 12:05 p.m. This is the beginning of tape
13 two. We are back on the record.

14 BY MR. LINK:

15 Q Mr. Edwards, do you now have in front of
16 you Plaintiff's Exhibit 1 --

17 A Yes.

18 (Plaintiff's Exhibit Number 1 was marked
19 for identification.)

20 BY MR. LINK:

21 Q -- which is the affidavit of Mr. Epstein?
22 Have you seen this before?

23 A I saw it when it was originally filed.

24 Q Would you please --

25 MR. SCAROLA: For the record, we have

1 moved to strike this affidavit. We believe
2 it to be inadmissible. It is violative of
3 the sword-shield doctrine, and we object to
4 its use.

5 BY MR. LINK:

6 Q You may look at the entire affidavit if you
7 want, but I'm going to focus you on paragraph six at
8 least to start with. Just take a moment to read
9 paragraph six.

10 A Okay, I read it.

11 Q Looking at the first sentence, do you have
12 any reason to believe that that first sentence is not
13 true?

14 MR. SCAROLA: I'm going to object.
15 There are a wide variety of separate factual
16 assertions contained within that first
17 sentence, and therefore, the question is
18 compound.

19 THE WITNESS: This is -- purports to be
20 statements made by Jeffrey Epstein, which is
21 pretty interesting, given that he invokes
22 his Fifth Amendment right against
23 self-incrimination every time I've ever
24 asked him anything that was on the record.
25 So his statement in early November 2009 --

1 this is his statement about what stories
2 were in the press at the time.

3 BY MR. LINK:

4 Q I'm asking you if this factual assertion in
5 the first sentence is -- do you agree it's a true
6 statement or not?

7 MR. SCAROLA: And my objection is,
8 there is not a factual assertion, but a
9 multiplicity of allegations included in that
10 first sentence, so the question is compound.

11 THE WITNESS: Let me just read it out
12 loud then I will try to answer your
13 question.

14 "In early November 2009, stories in the
15 press, on the news, and on the Internet were
16 legion about the implosion of RRA."

17 BY MR. LINK:

18 Q Let's just break it down statement by
19 statement. Is that a true statement?

20 MR. SCAROLA: I am going to object to
21 that question on the basis that it is vague
22 and ambiguous, particularly with regard to
23 what legion means.

24 THE WITNESS: There were stories in the
25 news about the implosion of RRA. That's

1 true.

2 BY MR. LINK:

3 Q Multiple stories?

4 A Yeah. That's what the news cycle was about
5 in Broward County at the time, was the implosion of
6 RRA.

7 Q Not just Broward, it was statewide news?

8 A It was statewide news.

9 Q It was national news?

10 A The RRA implosion was --

11 Q Yes, sir.

12 A -- was widespread news. I don't know --
13 yeah, I think it was national news. Certainly where we
14 lived everybody knew about it.

15 Q No question that in early November 2009 the
16 press and the news was extensive relating to the
17 implosion of the Rothstein firm?

18 A Absolutely.

19 Q And that press included information about
20 the Ponzi scheme that was perpetrated at Rothstein,
21 true?

22 A I believe so. I mean, I don't know about
23 November 2009, but at some point in time after --
24 pretty soon after -- it was -- there was news about it
25 being a Ponzi scheme -- that Rothstein was running a

1 Ponzi scheme. It could have been December. It could
2 have been January. I don't know. Right after.

3 Q Let's take a look at some of the November
4 articles.

5 A Okay.

6 Q Let me show you what's marked Plaintiff's
7 Exhibit 2. Are you familiar with the Legal Junkies?

8 A No.

9 (Plaintiff's Exhibit Number 2 was marked
10 for identification.)

11 BY MR. LINK:

12 Q You see this is dated November 2nd, 2009?
13 Upper left-hand corner.

14 A Yes.

15 Q Wall Street Journal Law Blog, do you see
16 that?

17 A Point me where.

18 Q Upper left-hand corner.

19 A Yes.

20 Q Do you see that on November 2nd, that there
21 was this article about the Rothstein law firm?

22 A There was an article about the Rothstein law
23 firm, yes.

24 Q Including the investment scheme and the
25 structured settlements.

1 A Let me read it and I will tell you what I
2 think it's about. Do you want me to read the
3 updated --

4 Q No. I just want to make sure -- this is
5 November 2nd. The statement we looked at was in
6 early November 2009. And I'm showing you some of the
7 articles to confirm that this statement in this
8 affidavit that we are focused on, this one aspect of
9 it, was true.

10 MR. SCAROLA: For purposes of this line
11 of questioning, since there has been no
12 predicate laid with this witness as to the
13 authenticity of this document, we will
14 accept your representation that it is
15 authentic. But we don't know that
16 independently. So we are making that
17 assumption for purposes of allowing this
18 further line of questioning.

19 THE WITNESS: And consistent with any
20 answer, this is an article that confirms
21 what I said, which is, there was news about
22 the implosion of RRA.

23 At this point in time -- you have given
24 me an article from 11/2/09 -- there's
25 nothing that identifies whatever Scott

1 Rothstein was alleged to have done as a
2 Ponzi scheme at this time.

3 BY MR. LINK:

4 Q In this one article?

5 A In this one I don't see it yet. I'm not
6 saying it didn't happen. It could have. But what
7 you're showing me doesn't say that.

8 Q We're going to get there. We're going to
9 take a look at these. So this one comes out
10 November 2nd. And I see that your name is on the
11 second page. Bradley J. Edwards as a lawyer at
12 Rothstein, Rosenfeldt & Adler. You see that?

13 MR. SCAROLA: Help me.

14 MR. LINK: About maybe 10 down from the
15 column.

16 THE WITNESS: It's on the fourth page.

17 BY MR. LINK:

18 Q Fourth page, there's a list of --

19 A Yeah, I was a lawyer at RRA, so yes it
20 lists -- looks like it lists every lawyer at RRA.
21 There's a list that goes on for two pages, so yes.

22 Q So in this article --

23 A My name is there.

24 Q -- your name is there.

25 MR. SCAROLA: Excuse me.

1 MR. LINK: Yes sir.

2 MR. SCAROLA: You are referencing that
3 as being part of this article. It, in fact,
4 appears to be a blog-posted comment to the
5 article, as opposed to part of the article
6 itself.

7 MR. LINK: I will take that
8 representation.

9 MR. SCAROLA: Somebody in response to
10 the article posted a list of the lawyers in
11 the firm. Fair?

12 MR. LINK: Fair. Fair enough.

13 BY MR. LINK:

14 Q This is the first time -- Mr. Edwards --

15 MR. SCAROLA: Can we also agree that
16 whoever posted this isn't even identified?

17 MR. LINK: We can agree it is what it
18 is. Whatever it says, it says.

19 THE WITNESS: It says unregistered
20 guest.

21 MR. SCAROLA: Unregistered guest.
22 Whoever that is.

23 MR. LINK: Whoever that is. Okay.

24 BY MR. LINK:

25 Q Mr. Edwards, I'm not sure I got an answer.

1 And if I did, I apologize. I didn't meant to ask it
2 again. But in looking at Plaintiff's Exhibit 2, is
3 this the first time that you have -- that you knew
4 that your name was listed by somebody related to that
5 article?

6 A I don't know. I don't know one way or the
7 other.

8 Q Now, let's take a look at Exhibit 3.
9 (Plaintiff's Exhibit Number 3 was marked
10 for identification.)

11 BY MR. LINK:

12 Q This is a November 6 article. And the
13 headline is "Scott Rothstein: The Jeffrey Epstein
14 and Bill Clinton ploy." Do you see that?

15 A Yes.

16 Q Did you see this article when it came out
17 November 6, 2009?

18 A I don't remember. Like you said, there were
19 a lot of articles. I don't know which ones I saw,
20 which ones I didn't.

21 Q Do you see that on the second page it talks
22 about the Ponzi imploding? In the upper top, page
23 two.

24 A Yeah, I know. It's the end of a sentence. I
25 am just reading the beginning. Yes.

1 Q So by November 6, at least, this article is
2 mentioning the word Ponzi.

3 A Somebody is calling it a Ponzi by then.

4 Q So do you now agree with me that there were
5 stories in the press in early November 2009
6 discussing the Ponzi scheme perpetrated at RRA?

7 A I agree --

8 MR. SCAROLA: Again, assuming the
9 authenticity of this online printout, I will
10 agree that this online printout says what it
11 says and makes reference to the Ponzi scheme
12 imploding.

13 THE WITNESS: I will agree to the same
14 thing.

15 BY MR. LINK:

16 Q The reason I'm showing you this article is
17 because when I asked you if that part of the sentence
18 of paragraph six was accurate, you said, I don't
19 remember whether the word Ponzi was used in the
20 articles in November or whether it was December.

21 A Exactly.

22 Q So I am showing these to you now to confirm
23 that, in fact, in early November the Ponzi scheme was
24 being discussed in the press.

25 A I will agree that it appears that the New

1 Times used the word Ponzi on November 6th of 2009. I
2 don't think that we are disputing at all that this was
3 a Ponzi scheme. Everybody knows what it was, so --

4 Q It's not whether -- I'm not disputing with
5 you whether it was. We know that it was. I'm asking
6 you whether the statements in this affidavit -- the
7 factual statements so far -- we are on paragraph six
8 only -- were accurate.

9 So the statement that I was focused on was
10 that in early November 2009, that the Ponzi scheme
11 perpetrated at the firm, meaning RRA, was in the
12 press and on the news. You agree that it was?

13 A I agree that this article on November 6 of
14 2009 said the word Ponzi. It could have very well been
15 in a bunch of articles by then. It could have very
16 well been on the news. I'm not disputing it being
17 there. I just don't remember the timing of when
18 everybody decided what it was.

19 Q And you see on page two, that's a picture
20 of Mr. Epstein, right?

21 A Yes.

22 Q And underneath his picture it says,
23 "Epstein was bait." You see that?

24 A I do see that.

25 Q Was Mr. Epstein used as bait by the RRA

1 firm to attract potential investors?

2 A I don't see that sentence.

3 Q I'm asking you.

4 MR. SCAROLA: Excuse me. I'm going to
5 object, unless a predicate is laid with
6 regard to Mr. Edwards' personal knowledge.

7 MR. LINK: He has or he doesn't. He
8 can answer the question.

9 THE WITNESS: Are you referring to a
10 specific sentence in this article?

11 BY MR. LINK:

12 Q Do you see the words under his picture?

13 A Yes. It says, "Epstein was used as bait."

14 Q Read the sentence. It says, "One way he
15 did it --" talking about Mr. Rothstein -- "was by
16 tricking investors into believing that his firm was
17 representing numerous underaged girls who had sex
18 with Palm Beach billionaire and convicted child
19 sex-offender Jeffrey Epstein, sources have
20 confirmed."

21 A I see that sentence, too.

22 Q And I asked you whether Mr. Epstein was
23 used as bait to attract potential investors.

24 MR. SCAROLA: And I have objected,
25 unless a predicate is laid with regard to

1 Mr. Edwards' personal knowledge.

2 THE WITNESS: I would have no way of
3 knowing that.

4 BY MR. LINK:

5 Q And do you see the next sentence says --
6 this is November 6 -- "On top of that, Rothstein
7 claimed that he had flight logs showing that Epstein
8 flew extremely prominent people, including former
9 President Bill Clinton, on his private jet with some
10 of the plaintiffs."

11 A I see that sentence.

12 Q The person who obtained the flight logs
13 from Mr. Epstein for his airplanes during the RRA
14 period of representing the three investors (sic) was
15 you, correct?

16 A I was one of numerous attorneys who took
17 pilot depositions. And as a consequence of a subpoena
18 duces tecum, the pilot brought the flight logs to the
19 deposition. So I was one of several lawyers who had
20 access to flight logs as a result of that deposition
21 that we took in the legitimate cases where we
22 represented [REDACTED] and Jane Doe, who were actual
23 underaged victims of Jeffrey Epstein's child
24 molestation. That's what happened.

25 Q Did any of those three folks that you

1 represented tell you that they had sex on
2 Mr. Epstein's plane?

3 MR. SCAROLA: Excuse me. I'm going to
4 object. That clearly calls for
5 attorney-client privileged information.

6 BY MR. LINK:

7 Q And when they were asked that question
8 during their depositions in the underlying cases, did
9 any of them testify that they were on Mr. Epstein
10 planes and had sex on them?

11 A When they were asked what they told me?

12 Q No. During their depositions -- not what
13 they told you. When they were asked during their
14 depositions. I am getting away from the
15 attorney-client. It was a good objection.

16 During their depositions they were asked
17 whether they were on Mr. Epstein's plane and had sex
18 with him. Did any of the three folks that the
19 Rothstein firm represented say they were, in fact,
20 on the plane and had sex with Mr. Epstein on his
21 plane?

22 A They were asked that question?

23 Q Do you know whether they were, sir?

24 A No, I don't remember whether they were. They
25 were asked a lot of questions.

1 Q So if you don't remember, you don't
2 remember.

3 A I don't remember.

4 Q Do you know who the sources are that have
5 confirmed that the Rothstein firm used Epstein as
6 bait?

7 A No.

8 Q You said there were several lawyers -- and
9 let me make sure I understand that. I am talking
10 about the lawyers at the Rothstein firm. I thought
11 you told me that you were the lead lawyer for the
12 three clients with claims against Mr. Epstein during
13 the six months that you were employed at the
14 Rothstein firm.

15 A I did tell you that.

16 Q And you, in fact, were the lawyer for the
17 Rothstein firm that took the depositions of the
18 pilots, true?

19 A Right.

20 Q And so you would have been the lawyer at
21 the Rothstein firm that had received the flight logs
22 from the pilots, true?

23 A All right. Here is what I'm trying to tell
24 you is -- so, Bob Josefsberg was prosecuting cases
25 against Jeffrey Epstein on behalf of --

1 Q Let me stop you.

2 MR. SCAROLA: No. I'm sorry.

3 MR. LINK: I don't want to

4 interrupt him if he's --

5 Jack, he's answering my question.

6 THE WITNESS: I am.

7 MR. SCAROLA: Well, that's fine. You

8 can move to strike the response, but you

9 can't interrupt him.

10 MR. LINK: Actually, I can.

11 MR. SCAROLA: No, you cannot.

12 MR. LINK: My question was really

13 simple.

14 MR. SCAROLA: Well, whether it's simple

15 or not, he's going to answer the question

16 and complete his response. If you find it

17 to be unresponsive, you can move to strike.

18 But he's permitted to complete his answer.

19 MR. LINK: He's actually not. He's not

20 permitted to answer a question I haven't

21 asked. And you know that.

22 MR. SCAROLA: Continue, if you would

23 with your response.

24 BY MR. LINK:

25 Q Mr. Edwards, answer question, please.

1 A I am answering question.

2 Q You are?

3 A Yes.

4 Q So my question was really simple.

5 MR. SCAROLA: No, I'm sorry. You are
6 not going to ask another question until
7 Mr. Edwards has had a chance to respond to
8 the question that you already asked when you
9 interrupted him in the middle of his answer.

10 You may not like the answer. You may
11 think it's unresponsive. You can move to
12 strike it. But he gets to finish it. So
13 continue if you would, please.

14 BY MR. LINK:

15 Q So before you continue it --

16 MR. SCAROLA: No, not before he
17 continues --

18 BY MR. LINK:

19 Q You are going to answer my question?

20 That's what you were going to do?

21 A Yes, I'm going to answer your question.

22 Q Then answer my question.

23 A So, Bob Josefsberg represented a volume of
24 girls, who, when they were underaged, were molested by
25 Jeffrey Epstein. Adam Horowitz represented six or

1 seven girls who were victims of Jeffrey Epstein's
2 molestation. I represented three girls who were
3 victims of Jeffrey Epstein's molestation.

4 Mr. Scarola's firm represented females who were victims
5 of Jeffrey Epstein's molestation, and so did Sid
6 Garcia, and so did Spencer Kuvin.

7 There were so many girls that Jeffrey
8 Epstein molested while they were underaged that
9 there were many lawyers involved.

10 When we took depositions of anyone, all of
11 the plaintiffs' lawyers would decide together whose
12 deposition we were taking, what the objective was,
13 and what evidence that we could obtain from them.

14 With respect to the pilots, the subpoena
15 duces tecum required for the pilot to bring the
16 flight logs. The flight logs were produced at the
17 deposition, and produced so that all of the
18 plaintiffs' lawyers would have them.

19 So to say that I'm the one who got them
20 from the pilot, maybe I was. Maybe it was Jack,
21 maybe it was Bob. But they were copied. And I had
22 access to them for sure. Bob had access to them for
23 sure. All of the plaintiffs' lawyers did at the
24 same time. It wasn't me out on some vigilante
25 mission that got these flight logs.

1 That's the only clarification that I'm
2 trying to make for you. I think that we are not
3 necessarily on a different page with what you want.

4 Q And you think that answer is responsive to
5 my question?

6 A Yes. Was I the person who got the flight
7 logs? That's your question.

8 Q No. I said were you the lawyer at the
9 Rothstein firm -- only asked you about the Rothstein
10 firm. I don't care about Mr. Scarola. He wasn't
11 even at the deposition. I don't care about
12 Mr. Josefsberg, unless you are telling me he gave the
13 flight logs to somebody at the Rothstein firm, and
14 then I will ask Bob if that's true.

15 A It wouldn't be to me.

16 Q That's was my question. Was there somebody
17 other than you that would have had possession of
18 bringing those flight logs back to the Rothstein firm
19 while you were an employee?

20 A From wherever I got it from, right. No.

21 Q Just you, right?

22 A Yes.

23 Q Okay. That was my question.

24 And --

25 A Apparently I didn't understand it. Sorry.

1 Q I tried to ask it again, but Mr. Scarola
2 insisted that you give me your speech, and that's
3 okay.

4 MR. SCAROLA: Objection. Move to
5 strike. Argumentive.

6 BY MR. LINK:

7 Q Did the flight logs that you took back to
8 the Rothstein firm have information about Bill
9 Clinton, for example, being on the plane?

10 A The flight logs did indicate that Bill
11 Clinton was one of the passengers with Jeffrey Epstein
12 and his co-conspirators on his airplane, yes.

13 Q Do you know whether Mr. Scarola or
14 Mr. Josefsberg or any of the other lawyers that you
15 mentioned when you were discussing the flight logs
16 would have provided that information to
17 Mr. Rothstein?

18 A I wouldn't think that anyone provided that
19 information to Mr. Rothstein.

20 Q I'm asking about the lawyer you mentioned.
21 Mr. Scarola, your lawyer here, who you represented --

22 A I don't think so.

23 Q You don't think he gave it to
24 Mr. Rothstein, do you?

25 A No.

1 Q You don't think Mr. Josefsberg did, do you?

2 A No.

3 Q You don't think Mr. Kuvin did, do you?

4 A No.

5 Q You don't think Ted Leopold did, do you?

6 A No. I don't believe anyone did.

7 Q Let's take a look at this next one.

8 (Plaintiff's Exhibit Number 4 was marked
9 for identification.)

10 BY MR. LINK:

11 Q Are you on any medication today for your
12 anxiety?

13 A No.

14 Q Have you ever been on medication for
15 anxiety --

16 A No.

17 Q Let me just finish.

18 Have you ever been on medication for
19 anxiety since December 2009?

20 A No.

21 Q This is an article dated November 12. This
22 is an article in the Sun Sentinel. "FBI doubts
23 Rothstein ran a Ponzi scheme alone." Do you see
24 that --

25 A Yes.

1 Q -- is the headline. Take a minute and take
2 a look at it.

3 A Yep.

4 Q Do you know Mr. John -- I'm probably saying
5 this wrong -- John Gillies --

6 A No.

7 Q -- the head of the FBI in South Florida?
8 When he said, "I do not believe that this was a
9 one-man show." You see that statement?

10 A I do.

11 Q You see that Mr. Rosenfeldt, at the bottom,
12 said that he had no clue about what was going on?

13 A I see a statement in this article that says,
14 Rothstein's partner, Stuart Rosenfeldt, has said he
15 had, quote, no clue, end quote, about the alleged
16 fraud.

17 Q Was that Mr. Rosenfeldt's position during
18 the last few days of the Rothstein firm while you
19 were employed there?

20 A I don't know that I gathered his position
21 about anything.

22 Q You're aware that he filed, on behalf of
23 the law firm, a preemptive lawsuit to appoint a
24 receiver. You knew that?

25 A I do remember it was filed. Those kind of

1 details aren't totally fresh in my mind. I don't know
2 that he filed it as opposed to somebody. I don't know.

3 Q Wasn't it a big deal when you learned out
4 that the firm you were working for had committed a
5 massive 1.some-billion-dollar Ponzi scheme?

6 MR. SCAROLA: Excuse me. I'm going to
7 object to that question. It assumes facts
8 not in evidence, and that is that the firm
9 committed a Ponzi scheme.

10 BY MR. LINK:

11 Q Go ahead?

12 A This was big news to everybody, yes.

13 Q How did you find out?

14 A I remember going to a meeting on -- I believe
15 it was a Monday -- like down in, like, a
16 cafeteria-style -- the bottom floor of the building
17 that the firm was located in. I don't remember exactly
18 what was told to us, but somebody came in and said
19 Rothstein's in Morocco, trust funds are missing, the
20 firm's closing down. I don't think I stayed for much
21 more than that.

22 Q It was a pretty horrific day, I would
23 guess.

24 A Yeah, it was a bad day.

25 Q Is there any doubt in your mind that in

1 early November 2009, that the press and the news
2 covered the implosion of RRA --

3 A No.

4 Q -- and covered the Ponzi scheme perpetrated
5 at that firm? Right?

6 A No. There's no doubt.

7 Q And so this first sentence is a true,
8 factual sentence from paragraph six --

9 A What exhibit are we on?

10 Q We are on Exhibit Number 1, which would be
11 affidavit -- the sworn statement by Mr. Epstein.

12 A Okay, first sentence.

13 Q Is there anything that you would say is
14 inaccurate or untrue about the first sentence of
15 paragraph six?

16 A "In early November 2009, stories in the
17 press, on the news, and on the Internet were legion
18 about the implosion or RRA, the Ponzi scheme
19 perpetrated at that firm, and the misuse in the Ponzi
20 Scheme of certain civil cases then being litigated
21 against me by RRA partner, Edwards."

22 To the extent that it's saying that the
23 press was -- the press was -- that I was involved in
24 the Ponzi scheme, that's not true.

25 Q Does this sentence say you were involved in

1 the Ponzi scheme, sir?

2 A Well, it says, "The Ponzi scheme perpetrated
3 at the firm, and the misuse in the Ponzi scheme of
4 certain civil cases then being litigated against me by
5 RRA partner, Edwards." It's trying to imply that.

6 Q Okay. But does it say that?

7 A It implies that. It's not perfectly written.

8 Q Were Mr. Epstein's files being used as part
9 of the Ponzi scheme?

10 A You showed me an article that says that --

11 Q They were?

12 A Yeah. "One way he did it was by tricking
13 investors into believing that his firm as representing
14 numerous underaged girls who had sex with Palm Beach
15 billionaire and convicted sex offender Jeffrey
16 Epstein."

17 That doesn't say that the cases against
18 Epstein -- it doesn't say anything about the
19 legitimate cases against Epstein.

20 Q I didn't say it did, did I?

21 All I'm asking you is, isn't it a fact --
22 isn't it a true fact that these articles say that
23 Scott Rothstein used the Epstein litigation in order
24 to attempt to entice investors to make the
25 investment?

1 MR. SCAROLA: Excuse me.

2 THE WITNESS: So far you haven't shown
3 me that.

4 BY MR. LINK:

5 Q Then let's go back and take a look at
6 Exhibit Number 3 that we walked through and has
7 Mr. Epstein's picture that says Epstein was bait.

8 A Right.

9 Q You see that?

10 A Yes.

11 Q So I want you to read that -- this article,
12 and tell me if you agree that this article -- whether
13 it was true or not -- that this article suggests that
14 the cases that you were handling as the lead
15 lawyer --

16 A Right.

17 Q -- were being used by Rothstein as bait in
18 order to lure investors.

19 A Is there a part of the article that you want
20 to point me to, or do you want me to read this whole
21 article?

22 MR. SCAROLA: Can we agree Mr. Edwards'
23 name appears nowhere in this article?

24 MR. LINK: What does that have to do
25 with anything, Jack?

1 MR. SCAROLA: You just asked him
2 whether the article says that the cases that
3 he was prosecuting were being used as bait.

4 MR. LINK: Sure.

5 MR. SCAROLA: Mr. Edwards' name is not
6 referenced. There's no --

7 MR. LINK: I never said that it was,
8 Jack.

9 MR. SCAROLA: There's no reference in
10 this article to the cases that Brad was
11 prosecuting.

12 MR. LINK: I never said it was. Is
13 that an objection to the form? What is it?

14 MR. SCAROLA: That's exactly what it
15 is. You are --

16 MR. LINK: Then say, objection to the
17 form.

18 MR. SCAROLA: You are misrepresenting
19 what the article says. It says what it
20 says. It doesn't identify the cases that
21 Brad was prosecuting.

22 MR. LINK: You didn't hear my question.
23 Listen, I have let you give a lot of
24 speeches today, and they have been very
25 informative and I have enjoyed them. But if

1 you have an objection, please just make it
2 to form now.

3 MR. SCAROLA: That's fine.

4 MR. LINK: Thank you.

5 THE WITNESS: Let me just read the
6 article now.

7 MR. SCAROLA: And while Brad is reading
8 the article, could we have the question read
9 back please.

10 (Thereupon, the requested portion of the
11 record was read back by the reporter as
12 above duly recorded.)

13 MR. SCAROLA: Do we agree that what you
14 were asking was whether Brad's cases were
15 being used to lure investors?

16 MR. LINK: That's what I said.

17 MR. SCAROLA: That's right. That's
18 what I've objected to, because Brad's not
19 referenced anywhere in the article. It
20 doesn't say that.

21 MR. LINK: I never said he was. Let's
22 not argue about it. The question is what it
23 is. You got your objection. It's one of my
24 better questions of the day.

25 THE WITNESS: So what this article says

1 --

2 BY MR. LINK:

3 Q Mr. Edwards, do you remember the question?

4 A You can ask it again.

5 Q So let me give you the question to help
6 maybe clarify Mr. Scarola's comments. Were there any
7 other lawyers at the Rothstein firm while you were
8 there that represented any other plaintiffs, other
9 than the three that we have been talking about, in
10 lawsuits against Mr. Epstein?

11 A Well, [REDACTED] and Jane Doe were the only
12 case at RRA.

13 Q So the only cases at RRA were the cases
14 that you were the lead lawyer for, correct?

15 A The only legitimate cases against Jeffrey
16 Epstein where the clients were actually molested by
17 Jeffrey Epstein, I was the lead lawyer on. That's what
18 this article is talking about, but yes.

19 Q I just wanted to clarify, because I asked
20 if the cases that you were the lead lawyer on, those
21 three are the cases that this article is discussing
22 that Mr. Rothstein was using?

23 A I doesn't appear to be. What this article
24 appears to be saying is that -- and this is from Bill
25 Scherer -- saying he used Epstein cases as showpiece as

1 bait. He would use legitimate cases as bait for luring
2 investors into fictional cases, which -- it then talks
3 about -- there were legitimate cases, such as [REDACTED]
4 which were being handled -- it says here by RRA lawyer
5 Bill Berger -- William Berger. Sources say they
6 believe Berger wasn't involved in the scam.

7 So the article is saying what Rothstein
8 was doing is taking cases that were legitimate and
9 being legitimately prosecuted by his firm, and
10 making up a fictionalized version of it over here to
11 sell to investors, not using -- not selling these
12 cases or anything like that. That's not what this
13 article says.

14 Q So when you read this article and the other
15 articles I have shown you, is it your position that
16 Mr. Rothstein was not using the Epstein files in
17 order to entice investors to participate in the Ponzi
18 scheme?

19 MR. SCAROLA: Sorry. That question
20 confuses me, because your predicate was when
21 you read these articles --

22 MR. LINK: This is your objection to
23 form? Is this your objection to form?

24 MR. SCAROLA: It is objection to form.

25 MR. LINK: Then just make an objection

1 to form, Jack.

2 MR. SCAROLA: I'm trying to understand
3 what the question means.

4 MR. LINK: It doesn't matter to me if
5 you understand it.

6 MR. SCAROLA: Are you asking him what
7 the article says, or are you asking him what
8 his personal belief is?

9 MR. LINK: I don't know, but that's
10 great coaching. How about we go back to
11 object to the form.

12 MR. SCAROLA: Okay. Object to the
13 form.

14 MR. LINK: Fair enough.

15 MR. SCAROLA: Yes.

16 THE WITNESS: You were actually asking
17 me what my interpretation of the article is.

18 BY MR. LINK:

19 Q I did. That was before, and then I asked
20 you another question.

21 A Okay.

22 Q And my question was, as a matter of fact --
23 forget what this article says -- as a matter of fact,
24 do you now know that Mr. Rothstein used the cases
25 that you were in charge of -- I'm not saying he did

1 inflate them, he didn't manipulate them, he didn't do
2 other things -- but the cases you were in charge of
3 against Mr. Epstein were used by Mr. Rothstein to
4 attempt to perpetuate his Ponzi scheme? Is that a
5 true statement?

6 MR. SCAROLA: Objection. No proper
7 predicate.

8 THE WITNESS: What I believe, based on
9 things that I have read after the fact, is
10 that Rothstein used the details of the
11 legitimate cases against Jeffrey Epstein to
12 lure investors into purchasing some
13 fictitious cases that never existed, that
14 may have -- where he may have said Epstein
15 was somehow involved, but he wasn't
16 involved. That's what I believe to be true
17 now.

18 BY MR. LINK:

19 Q Are you aware, sir, of the press articles
20 and the Razorback lawsuit that alleges that the real
21 Epstein files that were at the Rothstein firm were
22 put in a room for investors to look at?

23 MR. SCAROLA: Objection, compound.

24 THE WITNESS: I'm aware of the
25 Razorback lawsuit. I'm aware of -- the same

1 articles that you're aware of --

2 BY MR. LINK:

3 Q You're aware of?

4 A I'm aware of.

5 Q And Mr. Epstein was aware of at the time?

6 A How would I know? I don't know what he was
7 aware of.

8 Q Do you think he was probably aware of the
9 one with his picture that says, "Epstein was bait"?

10 A No idea. Regardless, it has nothing to do
11 with him. He's not suffered any damage by -- no matter
12 what type of spin of this whole thing that you try to
13 create, there's no damage to Mr. Epstein that Rothstein
14 was telling a random story about him about fake cases.

15 Q Okay.

16 A It doesn't make the legitimate cases
17 fabricated. That's absurd.

18 Q So is there someplace in what we're looking
19 at, Exhibit 1 here, this affidavit, where Mr. Epstein
20 ever says that the three individual clients that you
21 represented and the cases that they filed in court
22 were somehow not legitimately filed?

23 MR. SCAROLA: Are you asking whether
24 that appears in the affidavit?

25 MR. LINK: Yeah.

1 BY MR. LINK:

2 Q I'm not sure -- you've given me that
3 speech. Is there anything in here?

4 A Sure. I mean, his complaint against me, that
5 I committed RICO and fraud and perjury and all of these
6 other crimes that he accused me of, is all about this
7 allegation that I fabricated the cases on behalf of
8 basically fictitious victims against him. And he
9 elaborated on that in his deposition and said that I
10 ginned up the cases. I mean, yeah, that's what his
11 complaint is about, the fabricated cases.

12 Q I'm asking. Is that what Mr. Rothstein
13 did? Did Mr. Rothstein do everything that you just
14 described to me?

15 A I don't know. I know what you know.

16 Q Based on what you read. Based on what you
17 have read, did Rothstein make up stories about
18 Epstein --

19 A Yes.

20 Q -- in order to lure investors?

21 A It appears that way from exactly what you're
22 looking at. Rothstein made up Epstein stories and
23 whatever stories about whoever else in the world to try
24 to run a Ponzi scheme.

25 Q Agreed.

1 A We agree.

2 Q So take a look at paragraph seven. You see
3 it says, "In November 2009, Mr. Epstein became aware
4 of news stories that, as a result of the Ponzi scheme
5 at RRA, the Florida Bar had commenced investigations
6 into over one half of the attorneys employed by RRA."

7 Did the Florida Bar commence
8 investigations into over one half of the attorneys
9 employed by RRA?

10 A I don't know.

11 MR. SCAROLA: Excuse me. I object to
12 the predicate of the question, not to the
13 question.

14 BY MR. LINK:

15 Q Did you see news stories back in
16 November 2009 that made that statement?

17 A I don't think so. I'm not saying they don't
18 exist. I just didn't see them. I wasn't watching all
19 of RRA news stories about the implosion. I was more
20 worried with starting a new firm and dealing with the
21 lawsuit that was filed against me and that fallout.

22 Q I understand. Let me ask you this. Do you
23 have any information that would make you think -- or
24 any evidence that you could present that would show
25 that the statement in paragraph seven was untrue at

1 the time that it was made?

2 A So he -- he is making this statement on
3 June 30th, 2017, this year, about --

4 Q News stories that existed in 2009. I'm
5 asking you --

6 A That's not what this is about. It's about --
7 you're talking paragraph seven.

8 Q Yes.

9 A Which says, "I also became aware --"

10 Q You missed the first three words.

11 A In November of 2009.

12 Q Right.

13 A News stories about the Florida Bar
14 investigation?

15 Q Right. And I'm asking you, do you have any
16 evidence that, in November 2009, there were not news
17 stories that the Florida Bar had commenced
18 investigations into over one half of the attorneys
19 employed at RRA?

20 A I don't have evidence one way or the other,
21 whether there were news stories, whether there weren't,
22 or Jeffrey Epstein knew about them or he didn't, or he
23 became aware or he didn't. I don't know any of those
24 things.

25 Q So let me try it again. Are you aware of

1 any evidence that would prove that there were no news
2 stories in November 2009 that the Florida Bar has
3 commenced investigations into over one half of the
4 attorneys employed by RRA?

5 MR. SCAROLA: Didn't Mr. Edwards just
6 tell you he doesn't know one way or another?

7 THE WITNESS: I have no idea.

8 BY MR. LINK:

9 Q So if I asked are you aware of any
10 evidence, instead of just saying no, you want to tell
11 me you have no idea, yes, no, maybe.

12 A Am I aware of evidence? You might have it
13 right in front of you right now.

14 Q I might. I'm asking you if you're aware.

15 A I don't see this in front of me right now.
16 So I am not aware of the evidence one way or the other,
17 whether the Florida Bar opened up an investigation into
18 over one half of the lawyers or that there were news
19 stories in November of 2009 that says that.

20 All I have now right about the 2009 --
21 November 2009 are the things that you have given me.
22 And none of them say that, at least from what I have
23 read. But I'm not saying it doesn't exist.

24 Q It's okay. Let's do this then. Let's go
25 ahead and mark -- when we take a break here to eat,

1 we will go ahead and mark all of these news articles
2 from November 2009 -- and you are welcomed to go
3 through them to see if you find any evidence that
4 supports a position that what Mr. Epstein is saying
5 in this affidavit is untrue in any way. Okay?

6 A What does it matter whether I know this or
7 not? Either it is supported or it's not supported.
8 And good. If it's supported, great. It's still
9 irrelevant. And if it's not supported, okay, too.

10 What does it matter what I know about
11 Mr. Epstein's mental state about Florida Bar
12 inquiries?

13 Q I'm not asking about mental state at all.
14 I haven't asked that question one time, sir.

15 A He said, "When I became aware."

16 Q I didn't ask you whether he's aware.
17 That's not been my question.

18 MR. SCAROLA: But you've repeatedly
19 asked whether the statement in paragraph
20 seven is true. And the statement in
21 paragraph seven is an assertion of what
22 Mr. Epstein became aware of, what his state
23 of mind was, whether he knew --

24 MR. LINK: Is this form again? Jack, I
25 remember exactly what I asked, so please,

1 just limit it to form, if you would.

2 I know you love lecturing me, and I
3 appreciate it, and you teach me every step
4 of the way. But please refrain from
5 counseling so much.

6 MR. SCAROLA: Please refrain from
7 misrepresenting the record.

8 MR. LINK: I do not believe I am, and I
9 will stand by the record.

10 BY MR. LINK:

11 Q And if I have somehow misled you or did
12 something inappropriate on the record
13 unintentionally, then I apologize, Mr. Edwards. But,
14 in fact, you are not just a witness in this case.
15 You are a lawyer of record, aren't you?

16 A Yes.

17 Q Which means that you're going to be a
18 lawyer trying this case, as I understand, right?

19 MR. SCAROLA: No, it doesn't mean that.

20 MR. LINK: He can't answer that?

21 THE WITNESS: I don't think I need to
22 tell you who is trying the case.

23 MR. SCAROLA: I'm the attorney in this
24 case.

25 MR. LINK: Okay.

1 MR. SCAROLA: Your question was about
2 who is going to be trying the case.

3 MR. LINK: And he can answer that.

4 MR. SCAROLA: And I'm telling you who
5 is going to try the case, and that doesn't
6 include Bradley Edwards as a lawyer trying
7 the case.

8 MR. LINK: Is there a reason he
9 couldn't answer that?

10 MR. SCAROLA: Pardon me?

11 MR. LINK: Is there a reason he
12 couldn't answer that?

13 MR. SCAROLA: It is not within the
14 scope of his responsibility to answer it.
15 It is within the scope of my responsibility
16 to answer it. And if what you are really
17 looking for is an answer to the question, I
18 have just given it you to.

19 BY MR. LINK:

20 Q So you don't intend to participate in the
21 trial of this case?

22 A It depends on how successful you guys are in
23 continuing with the case the way that --

24 Q So there's a possibility you will
25 participate in the trial of this case in --

1 A There's a possibility that I wouldn't even be
2 alive when this case is tried if we continue going down
3 this road.

4 Q Okay, let's not talk about your pending
5 death. Are you in good condition? You're health's
6 okay?

7 A I believe so.

8 Q How old are you?

9 A Forty-one.

10 Q Any medication you are on?

11 A No.

12 Q So I'm asking you, is it your intent that
13 you will participate in the trial of this case?

14 A I don't think that I need to tell you our
15 strategy as to who is going to participate at what
16 stage in this case at all, nor would I ask you or
17 expect for you to tell me yours.

18 Q But you are both a plaintiff, a witness and
19 an attorney representing yourself in this case?

20 A I've agreed to that already, yes.

21 Q Do you know why you were left off of the
22 witness list for this case and were just added last
23 night at 5:30 p.m.?

24 A Again, other information that is
25 attorney-client privileged information that I'm not

1 obligated to tell you.

2 Q I didn't ask you about your communications
3 with your lawyer. I asked if you know --

4 A How else would I know?

5 MR. SCAROLA: You asked why. How else
6 would he know?

7 BY MR. LINK:

8 Q Then you can say there's a privilege.

9 MR. SCAROLA: That's what he just did.

10 THE WITNESS: I just told you that. I
11 said it.

12 BY MR. LINK:

13 Q Is there anything other than communication
14 with yourself as a lawyer and with Mr. Scarola as to
15 why, as the plaintiff in this case, you were not
16 listed as a witness?

17 A You would have to ask my lawyers as to
18 witness lists, exhibit lists and those types of things
19 that --

20 Q That you are unaware of?

21 A That they deal with.

22 Q Do you work on the day-to-day handling of
23 the lawsuit?

24 MR. SCAROLA: Objection. Work-product
25 privilege.

1 MR. LINK: What does that tell me about
2 his anticipating thoughts about trial?

3 MR. SCAROLA: What he is doing in
4 connection with this case is a work-product
5 privilege.

6 MR. LINK: I didn't ask what he was
7 doing. I asked if he worked on the case
8 day-to-day. I didn't ask for any specific
9 thing he did, Jack. I don't know how that
10 can be work product.

11 You stand by your objection?

12 MR. SCAROLA: Yeah, I do.

13 BY MR. LINK:

14 Q When the -- let's go back to the time
15 period before the lawsuit was dismissed -- the claims
16 against you were dismissed by Mr. Epstein. Did you
17 work on the defense of that case?

18 A I had no choice.

19 Q You didn't have a lawyer.

20 A Right, but I knew the details. I had to
21 spend a lot of time defending that case.

22 Q But you said you had no choice. When you
23 represent clients, a lot of them are not lawyers,
24 right?

25 A It was the nature of the lawsuit.

1 Q There was something about the lawsuit when
2 it was filed that made it -- you uncomfortable
3 relying on Mr. Scarola to do the work?

4 A It required -- it was about legal actions
5 that I had taken in the case. I had taken those
6 actions, so I had to do the work.

7 Q So you had to do the legal work because of
8 legal actions that you had taken? Is that what you
9 are telling me?

10 A I was most equipped -- I'm a lawyer. I was
11 most equipped to answer as to the falsity of the
12 complaint that was filed against me. I was best suited
13 to point out and to strategize as to what needed to be
14 done to prove the falsity of those allegations.

15 Q And I'm sure Mr. Scarola appreciated that
16 help.

17 A I'm sure.

18 Q And did you draft the counterclaim?

19 MR. SCAROLA: Same agreement.

20 MR. LINK: Well, it can't be. You're
21 seeking recovery for the pleadings. It's in
22 everything you've disclosed. It can't be --

23 THE WITNESS: Not for the counterclaim,
24 I don't think --

25 MR. LINK: It can't be part of the

1 agreement.

2 THE WITNESS: For the counterclaim, we
3 are not seeking fees for that.

4 BY MR. LINK:

5 Q You're not?

6 A That's the affirmative case, as opposed to
7 the defense of the case.

8 Q Okay.

9 A If what you're representing to me is that
10 statement you just made to me is true, I will accept
11 your word for it, but I don't believe it to be true.

12 Q I'm not going to represent anything to you
13 about your time.

14 A Okay.

15 Q If you're telling me that you are not --
16 that all of your time that you recorded, 1,300 hours,
17 was in defending solely the claim brought by
18 Mr. Epstein, then that's what you're telling me, and
19 the records are what the records are.

20 A The time records are what the time records
21 are.

22 Q But I'm asking you, are you telling me that
23 the 1,300-plus hours that you are seeking
24 compensation for were spent solely on defending
25 against the complaint Mr. Epstein filed against the

1 Rothstein -- against Mr. Rothstein and against you?

2 A If you show me my time records I can answer
3 that question without any doubt.

4 Q I'm asking you. You are the plaintiff in
5 this case and you are seeking that recovery.

6 A I understand that. But why won't you give me
7 something that will help to refresh my recollection on
8 exactly what -- and the only thing that's holding me up
9 is that there were various versions of both the
10 complaint and the counterclaim that overlapped one
11 another. But I believe that the time records that were
12 submitted to you, which -- which is less than the total
13 time records that I kept up to that point, I believe
14 that they were reduced by my counsel to the time that
15 was spent -- to my time that was spent defending the
16 case.

17 But I can tell you without any doubt, if
18 you will just show me the documents, because I know
19 that you have them.

20 Q We are going to look at a lot of documents.

21 A Okay.

22 Q But I am certainly allowed to test your
23 memory.

24 A That's my memory.

25 Q That's all I am doing.

1 I guess you are telling me that you gave
2 all the contemporaneous time records to Mr. Scarola,
3 and somebody in his office determined what to be
4 produced as to what you're seeking recovery for.

5 A This gets into attorney-client privilege.

6 Q You told me you gave them all to
7 Mr. Scarola, and they decided what to give me. Is
8 that what you said?

9 A There's no way for me to answer that question
10 as to how the time records that were produced in this
11 case came to be without getting into discussions with
12 counsel.

13 Q Did you keep contemporaneous time records?

14 A Yes.

15 Q So starting in -- when did you start
16 keeping contemporaneous time records of the amount of
17 time you spent on the Epstein versus Rothstein and
18 Edwards matter?

19 A I don't know exactly.

20 Q You know what contemporaneous time records
21 are?

22 A Yes.

23 Q Day-to-day, writing down your time.

24 A I understand.

25 Q And that's what you did. So somewhere

1 there is backup for what has been produced to me that
2 would show me day-to-day what you wrote down on a
3 day-to-day basis? Is that true? That's how you kept
4 your time?

5 A You just asked a bunch of different
6 questions. Somewhere is there -- is that how I kept my
7 time? Just one question and I will answer it.

8 Q It was an amazing question if you piece
9 them all together. Let's try it one by one.

10 A Okay.

11 Q Did you keep, starting in December 2009,
12 daily time sheets?

13 A I don't know that I started -- I don't think
14 I started then. I think that it was subsequent to
15 that. And I know because I remember where I was when I
16 had a specific conversation that led me to begin
17 keeping them contemporaneously.

18 So I know that there was a period of time
19 that passed before I started keeping them
20 contemporaneously where I had to go back and try to
21 figure out for a period of a month or six weeks or
22 so the time that I had spent.

23 Q It's my understanding that the tort group,
24 which you mentioned at the Rothstein firm, did not
25 keep daily time records.

1 A Okay.

2 Q Did you keep daily time records when you
3 were at the Rothstein firm?

4 A I don't think that your statement that you
5 just represented is true. I think that the tort group
6 did keep daily time records. But if you say it's true,
7 I will accept it.

8 Q Let me just ask about you. Did you keep
9 daily time records at the Rothstein firm?

10 A We were required to put time in daily. And I
11 believe I did every -- I don't know that I did every
12 day, but I did for the most part.

13 Q So when is it that you made the decision to
14 start recording your time related to the Epstein
15 matter on a daily basis?

16 A I don't know exactly.

17 Q You said you remembered the exact precise
18 time that you did it.

19 A I remember the location where I was standing.
20 I don't remember the precise day that -- I was in the
21 Palm Beach County courthouse. I can picture where I
22 was standing. I don't know where in the course of this
23 litigation that that occurred, like what time period.

24 Q Do you generally remember? Was it weeks?
25 Months? A year? Two years?

1 A No, it wasn't that long. It was within the
2 first -- at least six, eight months of the lawsuit
3 beginning.

4 Q So then how did you create your time for
5 the first six to eight months?

6 A It could have been a month, then. You know,
7 it could have been six months.

8 Q I understand.

9 A That's what I said. But then you said, How
10 did you create it for the first six to eight months? I
11 mean, there was a period of time that I had to go back
12 and look at the documents that had been filed, what
13 part -- what role I played in drafting those documents,
14 those types of things that you would always do to go
15 back and figure out how much time that you spent on
16 anything.

17 Q Well, if you're taking contemporaneous time
18 records -- you're making contemporaneous time
19 records, you don't have to do that.

20 A And there came a point in time where I was
21 keeping contemporaneous time records.

22 Q You remember that point where you asked me
23 to let you finish?

24 A Yeah.

25 Q Okay. Same deal, all right.

1 A Got it.

2 Q So if you were keeping contemporaneous time
3 records, you wouldn't have to go back and recreate
4 your time, because it would be there day-to-day.

5 A Agreed.

6 Q So if you started -- you said, six to eight
7 months. Let's say between one month and eight
8 months -- the way you went back to recreate your time
9 is to look at everything you did day-to-day and wrote
10 down time for that, I take it. Is that right?

11 A If you could just show me my time records, I
12 will tell you exactly what I did to -- and I will
13 probably be able to tell you when I started keeping
14 contemporaneous time records --

15 Q I'm asking if you remember.

16 A -- because it would be on a more regular
17 basis.

18 Q I'm asking you if you remember how you
19 recreated the time, what you did?

20 A Yeah. Sure. I would look at a docket. Pull
21 up the pleading that had been filed, and say, Okay, I
22 did -- I drafted this pleading. I know what work went
23 into drafting that pleading. Probably took me two
24 hours, I would say it's a .5. I will underestimate --

25 Q So you reduced your time?

1 A I would not exaggerate my time.

2 Q I didn't say that. I asked if you reduced
3 it. You said I spent two hours and I put down a .5.

4 A I would make sure it was conservative, yeah.

5 Q So when I look at your timeline here, you
6 actually spent more time than you would have billed
7 for?

8 A I have spent so much more time on dealing
9 with Jeffrey Epstein than I have put on any time
10 record, yes.

11 Q And in 2009, did you have any clients that
12 paid you on an hourly-rate basis?

13 A I don't remember.

14 Q In 2010 did you have clients that paid you
15 on an hourly-rate basis?

16 A I just don't remember.

17 Q Have you ever had a client pay you on an
18 hourly-rate basis?

19 A Yes.

20 Q When was that?

21 A I have clients right now that pay me on an
22 hourly basis.

23 Q When is the first one that you can remember
24 that paid you on an hourly-rate basis?

25 A Oh, God. I don't know. 2007.

1 Q And how much did they pay an hour?

2 A I don't remember that.

3 Q Do you remember how much you billed when
4 you were at Kubicki Draper -- hourly rate?

5 A I don't.

6 Q What hourly rate -- do you have clients
7 that pay you hourly rate now?

8 A Yes.

9 Q What rate do they pay you?

10 A Varying, but up to 500 an hour.

11 Q What's the lowest amount you are being
12 paid?

13 A I believe 350.

14 Q How long ago did the client that is paying
15 you 550 (sic) an hour retain you?

16 A I said 500. And if I didn't say 500, then I
17 mean --

18 MR. SCAROLA: You did say 500 --

19 BY MR. LINK:

20 Q Maybe I misheard it.

21 MR. SCAROLA: -- and it was misstated
22 as 550, I'm sure inadvertently.

23 THE WITNESS: What was your question
24 then? How long ago?

25

1 BY MR. LINK:

2 Q Yeah. How long ago did this client hire
3 you and agreed to the \$500 an hour?

4 A Within the last year.

5 MR. LINK: Let's go ahead -- are they
6 going to bring the food here?

7 BY MR. LINK:

8 Q While we take our break, I will mark these
9 and show them to you. We will do them as a composite
10 exhibit. These are the November news articles we
11 talked about.

12 A Okay.

13 (Plaintiff's Composite Exhibit Number 5
14 was marked for identification.)

15 THE VIDEOGRAPHER: The time is
16 1:06 p.m. We are going off the record.

17 (A recess was had.)

18

19

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24

25

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

3 Case No. 502009CA040800XXXXMB

4
5 JEFFREY EPSTEIN,

6 Plaintiff,

7 vs.

8 SCOTT ROTHSTEIN, individually;
9 BRADLEY EDWARDS, individually,

Defendants/Counter-Plaintiffs.
10 _____/

11
12 VOLUME II

13 VIDEOTAPED DEPOSITION

14 OF

15 BRADLEY EDWARDS

16
17 Taken on Behalf of Plaintiff

18
19 Friday, November 10th, 2017
10:02 a.m. - 6:16 p.m.
20 2139 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33409

21
22 Examination of the witness taken before

23 Sonja D. Hall
24 Palm Beach Reporting Service, Inc.
1665 Palm Beach Lakes Boulevard, Suite 1001
West Palm Beach, FL 33401
25 [REDACTED]

1 THE VIDEOGRAPHER: The time is
2 1:45 a.m. We are back on the record.

3 BY MR. LINK:

4 Q Mr. Edwards, take a look at Exhibit 6,
5 which is the Razorback complaint. We were talking
6 about it 50 minutes ago, before we broke. And I
7 would like you to turn to page nine in the complaint,
8 paragraph 25.

9 A Okay.

10 (Plaintiff's Exhibit Number 6 was marked
11 for identification.)

12 BY MR. LINK:

13 Q During the six months that you worked at
14 Mr. Rothstein's firm, were you aware that he owned an
15 87-foot yacht?

16 A I knew he had a boat. I knew he had a yacht,
17 but I didn't know it was 87 feet. I had been to his
18 house one time.

19 Q I'm going to get to his house. Had you
20 been on his yacht?

21 A No.

22 Q Had you seen it?

23 A It was in the backyard of his house the time
24 I went over.

25 Q So you saw the 87 -- you didn't know it was

1 87 feet. However many feet the yacht was, you saw
2 it.

3 A I saw a boat back there, yeah. I mean, there
4 was a canopy that was kind of blocking what I could see
5 and what I couldn't, but yeah.

6 Q And which house was it that you went to?

7 A I only knew of one house, so I don't know.
8 It was in Fort Lauderdale.

9 Q It was in Fort Lauderdale.

10 You see here it says he owned 16 different
11 real estate properties, paragraph 25?

12 A Yes.

13 Q The house you went to was in Fort
14 Lauderdale?

15 A Yes.

16 Q Did you go there during the time that you
17 were employed by Mr. Rothstein?

18 A Yes.

19 Q What was the purpose of going to his house?
20 Was there a function?

21 A Yeah, it was a function.

22 Q For employees, or was it a fundraiser?

23 A No, it was a fundraiser of some sort.

24 Q Do you remember for whose benefit the
25 fundraiser was?

1 A He had his hands in so many things.
2 Hospitals and -- you know, heart associations and
3 whatever it was. But I don't remember which one it
4 was. He had things at his house all the time. This is
5 the only one I went to, but I don't remember what it
6 was.

7 Q Big house?

8 A Oh, yeah, it was a big house.

9 Q You see here it mentions 25 cars. Were you
10 aware he had multiple cars?

11 A I think I knew he had two.

12 Q Which ones?

13 A I don't remember. The one I can picture was
14 either a Bentley -- I think it was a Bentley.

15 Q Were you aware that he owned interest in
16 some of the restaurants in town?

17 A I knew he owned Bova.

18 Q What was Bova?

19 A It was the restaurant downstairs of the law
20 firm.

21 Q I know you had mentioned before that there
22 was security -- somewhere I read that there was
23 security in Mr. Rothstein -- in the offices?

24 A There was.

25 Q Everywhere? I never went to his offices,

1 so I don't know.

2 A So there were uniformed, armed police
3 officers on every floor. Actual, police officers.
4 BSO, Fort Lauderdale police officers all the time,
5 every single floor, all day, every day from the day
6 that I first got there until the last day.

7 Q Did you think that was odd?

8 A Well, I thought it was different, for sure,
9 because you don't see police officers walking around
10 here. But it was actual police. It wasn't, like, the
11 mob dressed as police. It was police.

12 Q I understand.

13 A If anything, it was -- it's crazy -- has more
14 security. I did ask somebody about it one time and
15 they said that a lawyer had been murdered, before I got
16 there, that was a partner at that firm, and that
17 Rothstein's feeling was that he doesn't want that to
18 ever happen again. So if he has the money for
19 additional security, why not hire Fort Lauderdale
20 police and secure everybody, which was the response I
21 got.

22 Q Had you ever been in an office before or
23 since that had armed police security guards?

24 A Not like that. Maybe I have been to a bank
25 and there's been one police officer there, but --

1 Q I am talking a law firm. Any other law
2 firms?

3 A No.

4 Q And the bank has usually one armed police
5 officer.

6 A Right.

7 Q Bank where they keep money and stuff like
8 that?

9 A I go to the same kind of banks you do, so
10 yes.

11 MR. SCAROLA: You walked right past our
12 security guard when you came in today.

13 MR. LINK: And I was intimidated. I'm
14 sure I saw him -- him, her. Just one?

15 MR. SCAROLA: Just one. At the front
16 door.

17 MR. LINK: I saw the lions. But that's
18 not the security guard.

19 THE WITNESS: They transform.

20 BY MR. LINK:

21 Q The security -- in addition -- how many
22 armed guards on each floor? Two? Multiple?

23 A Multiple.

24 Q Other than multiple armed guards on each
25 floor --

1 A Police officers.

2 Q Police officers.

3 A Right.

4 Q On-duty police officers.

5 A Appeared to be, yes. Uniformed.

6 Q Uniformed -- okay, got it.

7 Multiple on-duty, uniformed police
8 officers in the building. There was also electronic
9 security and cameras and stuff like that?

10 A I think there was signage that said that
11 there was cameras. Whether there was actually cameras,
12 I just can't remember anymore, but I think so.

13 Q Everywhere?

14 A I just don't remember anymore. I don't know.
15 But if you could imagine what looks like the most
16 secure place, that is what the law firm looked like.

17 I say that -- I remember the signage --
18 because I remember there being a sign that said
19 there's video or audio surveillance on one of the
20 doors -- one of the main doors to the building. And
21 there might have actually been or there might have
22 been fake cameras or something. I don't know.

23 Q But as far as you could tell, and the
24 sign --

25 A I believe there was surveillance everywhere.

1 Q So you worked at a law office that had
2 surveillance everywhere and armed uniformed police
3 guards on every floor?

4 A The perception of surveillance everywhere,
5 and yes, police officers on every floor.

6 Q Did you ever go into Mr. Rothstein's -- as
7 I understand it, he had a personal office on his own
8 floor, and more secure than any banks that you and I
9 go into.

10 A Yes. There were multiple levels of security
11 to ever get into his office.

12 Q Did you ever go into his office?

13 A I did. I had a back surgery sometime that
14 summer in 2009. And because I needed time off for the
15 back surgery, I went in there that time.

16 Q To ask --

17 A To tell him, look, I need a couple weeks off
18 because I'm having back surgery. That's the time I
19 remember talking to him.

20 Q He said okay?

21 A Yeah.

22 Q So you said multiple levels. How would I
23 get to him? What did you have to go through?

24 A I remembered it better then than I do now.
25 Let me think about this. He had somebody sitting

1 outside of doors, kind of like would be normal --
2 probably like your offices, there's a secretary or
3 paralegal or somebody there.

4 That person would have -- if you didn't
5 have an appointment with that person, whoever that
6 person was, you could not get past that level.

7 Q So that's the first level, the scheduling
8 person?

9 A Yeah. And that's kind of, like, normal.
10 Like most -- then there was a door. I think it had --
11 I think you needed a key or -- like a fob to get into.
12 That just got you into a hallway. It didn't really
13 lead you anywhere. If you only got past that first
14 level, you are just stuck for life.

15 Q Let me make sure I've got this. I get past
16 the typical reception-type person. I then, with a
17 fob, get into the hallway.

18 A Hallway.

19 Q Then what happens?

20 A There's another double set of doors. Looks
21 like that, but just bigger doors. Looks like the doors
22 that you come in through here.

23 Q So that the jury will understand, you are
24 pointing to typical wood doors -- double doors going
25 into a conference room.

1 A And behind that would be his office.

2 Q And what was in front of the doors? How
3 did you get to those doors? Do you remember?

4 A I think you could just walk.

5 Q But from the hallway -- you're in the
6 hallway --

7 A Yeah, I mean -- you know, it's kind of like
8 you're in a corridor that's, from recollection, 12 feet
9 by 15 feet. And if you walked straightforward 15 feet
10 and his doors were unlocked, you could open the doors
11 and you could walk in.

12 Q And you could walk in?

13 A Yes.

14 Q And there he was?

15 How big was his office?

16 A As big as this room or -- yeah, as big as
17 this room.

18 Q So we're sitting in Mr. Scarola's library
19 conference room. I don't know the dimensions of it,
20 but maybe 30 by 30ish. Close?

21 MR. SCAROLA: Thirty by 20.

22 THE WITNESS: Thirty by 20.

23 BY MR. LINK:

24 Q At least that size?

25 A From my recollection, that's pretty accurate.

1 I mean, it was big.

2 Q Biggest law office you have been in for an
3 individual lawyer?

4 A I don't know. Top of my head -- you know. I
5 think so. As big any I have been in.

6 Q Bigger than the office you had?

7 A Oh, yeah. Cubbyhole.

8 Q Bigger than Mr. Scarola's office?

9 A Mr. Scarola has a very nice office, too,
10 but --

11 Q It's not that big. I have been in it, too.

12 A Right.

13 Q And I remember reading somewhere about
14 there's a private elevator or some special elevator.

15 A I didn't know that until after the news
16 article and something came out. I never saw the
17 private elevator.

18 Q But you know what I'm talking about?

19 A I heard about it. I think that afterwards
20 there was something on the news where Kendall Coffey
21 was talking about there being a private elevator, and
22 that's where I learned it.

23 Q Turn to page 12, if you would, please.

24 So I apologize, but I don't think that I
25 mentioned that we are looking at Exhibit Number 6,

1 which is the Razorback Funding versus Rothstein
2 lawsuit filed November 20th, 2009.

3 A Now I am on page 12.

4 Q Now you are page 12, yes, sir.

5 We are looking -- this is November 20th --
6 so the Razorback -- putting this in context for the
7 jury, the Razorback Funding lawsuit against
8 Rothstein was filed November 20th, 2009. Do you see
9 that?

10 A Where do you see --

11 Q Look at the very first page. You see the
12 box?

13 A Yeah. Okay.

14 Q November 20th, 2009?

15 A Yes.

16 Q And the lawsuit that Mr. Epstein filed
17 against Mr. Rothstein and you was filed December 7th,
18 2009.

19 A Taking your word for it.

20 Q I will show you my copy. We are going to
21 mark it. But you see in the middle, December 7?

22 A Yeah, says December 7. That's when it's
23 stamped into the clerk.

24 Q So before Mr. Epstein's lawsuit, first came
25 the Razorback lawsuit against Mr. Rothstein

1 chronologically?

2 A Correct.

3 Q If you turn -- you're on page 12, paragraph
4 40. Do you see that in the Razorback lawsuit,
5 paragraph 40, page 12, it talks about the Ponzi
6 scheme and how one of the settlements that was being
7 offered to potential investors related to Jane Doe
8 versus Jeffrey Epstein pending in the Southern
9 District of Florida? Do you see that?

10 MR. SCAROLA: Excuse me.

11 THE WITNESS: I read the paragraph.

12 That's not that it says, though.

13 BY MR. LINK:

14 Q What does it say?

15 A Well, it says, "In incertain instances, the
16 purported settlements" -- talking about the Rothstein's
17 fraudulent settlements -- "were based on actual cases
18 being handled by RRA. For example, one of the
19 settlements involved herein was based upon facts
20 surrounding Jeffrey Epstein, the infamous billionaire
21 financier. In fact, RRA did have inside information
22 due to its representation of one of Epstein's alleged
23 victims in a civil case styled Jane Doe versus Jeffrey
24 Epstein pending in the Southern District of Florida."

25 Q Keep reading up to the next -- you didn't

1 finish the paragraph where it says --

2 A I was still reading, though.

3 Q Okay.

4 A "Representatives of D3 were offered, quote,
5 the opportunity, end quote, to invest in a pre-suit
6 \$30 million court settlement against Epstein arising
7 from the same set of operative facts as the Jane Doe
8 case, but involving a different underaged female
9 plaintiff."

10 Q Keep going, please.

11 A Keep going?

12 Q Yeah. Where it starts with, "To augment."

13 A There's an attachment, too.

14 But, "To augment his concocted story,
15 Rothstein invited D3 to his office to view the 13
16 banker's boxes of actual case files in Jane Doe in
17 order to demonstrate that the claims against Epstein
18 were legitimate and that the evidence against
19 Epstein was real."

20 Keep going?

21 Q No. I just -- the statement that I made --
22 that I thought you disagreed with -- was that the
23 actual Jane Doe lawsuit that you were the lead lawyer
24 for was used by Rothstein to try and induce folks to
25 make an investment in his Ponzi.

1 A I guess where we are having a disagreement is
2 the word used. To me that's an implying that Rothstein
3 is selling something related to the legitimate cases.
4 It's pretty obvious or clear from this that what
5 Rothstein was doing was using the fact that real
6 legitimate cases against Epstein were actually being
7 litigated in his law firm to, as this says, concoct a
8 story about some other situation, and ask investors to
9 buy into some made up fictitious story.

10 Q I think we are saying the same exact thing.

11 A Right. So we are not in disagreement.

12 Q I think we are saying the exact same thing.
13 The way I read Razorback, I believe, is the way you
14 read it, which is that, yes, there are real -- three
15 real lawsuits.

16 A Right.

17 Q That you are in charge of.

18 A Yes.

19 Q And those --

20 A They say one. But you are right, three.

21 Q I know, three.

22 A Yes.

23 Q The three real lawsuits that you are in
24 charge of, that Rothstein, to raise money, makes up
25 additional information about other clients that the

1 firm does not represent. It's phony, and in order to
2 show that what he is doing is real, he uses the real
3 Jane Doe lawsuit that you're in charge of and lets
4 them look at boxes. That's the way I read it. Do
5 you agree with that?

6 A I mean, I would say it differently than you,
7 but I think we don't disagree too much.

8 Q Was there ever a pre-suit settlement of
9 \$30 million with Mr. Epstein?

10 A No.

11 Q Did Mr. Epstein offer \$200 million as it
12 reports in paragraph four to settle the claims?

13 A No. This has to do with a story that
14 Rothstein was making up, apparently.

15 Q Right. I understand that. But there are
16 some parts of his story that weave in the reality of
17 what you were doing, right. You were, in fact,
18 representing Jane Doe in a lawsuit against Epstein?

19 A Right. Girls that were actually molested by
20 Jeffrey Epstein, yes, that's what I was doing.

21 Q There were, in fact, banker's boxes of the
22 actual case files for Jane Doe within the Rothstein
23 offices, right?

24 A Yes.

25 Q Those actual banker's boxes were used by

1 Rothstein to show potential investors?

2 A Invest in my story over here. And in case
3 you're not believing it, look, there's an actual
4 file -- these are legitimate cases and you can look it
5 up on Pacer, and it's really happening. He really is
6 that bad person they say he is. I think that that is
7 actually what happened.

8 Q Got it.

9 A Yeah.

10 Q You see here, that I said he was weaving
11 some of the reality into his story --

12 A Make his story more believable, it looks
13 like.

14 Q He talks about -- he talked about -- and
15 according to the Razorback complaint, the
16 high-profile witnesses and the private jet. You see
17 that in the middle of --

18 A Point me to it.

19 Q -- page 13?

20 A Okay.

21 Q "Rothstein claimed that his investigative
22 team" -- we talked about who those investigators were
23 earlier right?

24 A Right.

25 Q -- "discovered" -- the team did --

1 "discovered that there were high-profile witnesses
2 onboard Epstein's private jet where some of the
3 alleged sexual assaults took place, and showed D3" --
4 the potential investors -- "copies of a flight log
5 --" Right?

6 A Yeah.

7 Q -- "purportedly containing names of
8 celebrities, dignitaries and international figures."

9 A Right.

10 Q Did the flight log in fact contain names of
11 celebrities?

12 A Epstein's flight log does contain names of
13 celebrities. Those are the people he hung out with.

14 Q And dignitaries?

15 A What's the definition of dignitary? I think
16 so.

17 Q Good enough for me.

18 And international figures.

19 A Yes.

20 Q So there is some truth that Rothstein is
21 weaving in, based on documents, the flight log that
22 was obtained by you as the lead trial lawyer in the
23 pending lawsuits?

24 A There is some truth in the pending lawsuits?

25 Q No. I'm saying that what Rothstein was

1 doing -- we all --

2 A He used actual evidence to support a
3 fabricated story.

4 Q And the actual evidence that was referred
5 to here are these flight logs that you as the lead
6 lawyer obtained and brought back to the Rothstein
7 firm, right?

8 A I maintain the evidence for all of my cases
9 at the Rothstein firm where I worked, yes.

10 Q That's all I was confirming.

11 A Does it appear that Rothstein gained access
12 to it and used it to support his fairytale? It does.

13 Q It does, right? And you agree with that.

14 A Yes.

15 Q So paragraph 41.

16 A Yes.

17 Q In this case, Razorback -- this is not
18 Mr. Epstein's suit, right? This is Bill Scherer
19 representing the Razorback client that he represented
20 suing Rothstein is making these allegations?

21 A Yes.

22 Q Right? Okay.

23 So Mr. Scherer -- do you know Mr. Scherer?

24 A I know him now better than I did then. I
25 didn't know him at all then.

1 Q What was his reputation in Fort Lauderdale
2 in 2009?

3 A He owned a law firm that had been around a
4 while.

5 Q A long time, right?

6 A Yeah.

7 Q So Mr. Scherer prints here in his Razorback
8 suit, as an example of how they were trying to lure
9 investors in the Ponzi scheme, that RRA relentlessly
10 pursued flight data and passenger manifests regarding
11 flights Epstein took with other famous individuals,
12 knowing full well that no underage women were onboard
13 and no elicited activities took place. Do you see
14 sentence?

15 A Yes.

16 Q How is it that Mr. Scherer is aware of that
17 information at the time? Do you know?

18 A That information is false, so he's not aware
19 of anything.

20 Here is the problem with the whole thing.
21 Mr. Epstein knows that information is false.

22 Q He knows what information is false?

23 A It says, "RRA relentless pursued flight data
24 and passenger manifests regarding flights Epstein took
25 with other famous individuals knowing full well that no

1 underaged women were onboard." There were underage
2 women onboard. Epstein knew that. So he knows this to
3 be false. "And no elicited activities took place."
4 Epstein knows elicited activities took place on his
5 airplane, so he knows that to be false.

6 He can't just adopt what Bill Scherer says
7 and say, Oh, that forms the basis of something I
8 believe. It can't possibly form the basis of what
9 he believes, because he knows it to be false.

10 Q Okay. So did any of the three clients that
11 you represented while you were at Mr. Rothstein's
12 testified that they went on Mr. Epstein's plane?

13 A They were not three of -- they were not on
14 Mr. Epstein's plane. They were not the victims on the
15 plane.

16 Q So the clients that you represented -- you
17 individually while at the Rothstein firm -- your
18 three clients testified or admitted that they never
19 traveled on Mr. Epstein's plane, correct?

20 A If they testified truthfully, they would say
21 that. I just don't remember if they were asked that
22 question.

23 Q But you know the question is --

24 A I do know the answer to that question for
25 sure.

1 Q Did you know that in 2009.

2 A Of course.

3 Q Did you know that the three clients that
4 you were representing had never had sex with a
5 dignitary or had been molested by a dignitary?

6 MR. SCAROLA: Excuse me. The only way
7 that Brad would have knowledge with regard
8 to those matters would be as a consequence
9 of attorney-client privilege communications.

10 I think you can get the same
11 information by rephrasing your question as
12 to what they have testified to, but you
13 can't get it that way.

14 MR. LINK: Well, the reason I asked it
15 that way is he doesn't really remember what
16 they testified to.

17 BY MR. LINK:

18 Q Right?

19 A Not every question.

20 Q I got it.

21 So was there any testimony from your three
22 clients that anyone of the three of them had sex
23 with a celebrity that's associated with Mr. Epstein?

24 A No.

25 Q Had sex with a dignitary associated with

1 Mr. Epstein?

2 A No.

3 Q Had sex with an international figure
4 associated with Mr. Epstein?

5 A No.

6 Q Touched, fondled, inappropriate activity in
7 any shape, form or way with a celebrity, dignitary or
8 international figure associated with Mr. Epstein?

9 A There was not, and that's why we never made
10 such allegations.

11 Q When you were utilizing the investigators
12 at the Rothstein firm, what would you have to do to
13 get payment in order pay them?

14 Wayne Black, as an example, you said was
15 an independent person that had to be paid. What
16 would you do?

17 A Wayne Black. I think that I would just tell
18 Russ Adler, Hey, I have hired this investigator.
19 That's what I recall doing with Wayne Black.

20 And I remember this better because I
21 remember Wayne Black coming to me saying, Look, I'm
22 still not getting paid, and me saying, You're
23 talking to the wrong guy. Talk to Russ, because he
24 is kind of the head of the tort division, for lack
25 of a better word. So I'm not the guy to pay you. I

1 know I brought you in, but you have to talk to him.

2 And I know that it was tough for Wayne to get paid.

3 Q So who is Russ?

4 A Russ Adler.

5 Q Mr. Adler was the head of the practice
6 group you worked for?

7 A Yes.

8 Q Mr. Adler was convicted of some crime as
9 well?

10 A Political campaign contribution something.

11 Q And in order for you to pay an
12 investigator, you had to go to Mr. Adler and ask him
13 to submit a check request?

14 A That's just overbroad.

15 So Wayne Black, specifically, because he
16 is outside, when it was -- I need to be hired (sic),
17 I would tell Russ, Hey, this is the investigator
18 that I want -- that I want to hire for this case,
19 and then Russ dealt with him however it was for him
20 to get paid.

21 The problem was that whatever they worked
22 out for him to get paid, Wayne didn't get paid, so
23 Wayne came back to me saying, Hey, I'm still not
24 getting paid. Nobody has paid my invoice. I would
25 just pass that on to Russ.

1 Q What would Russ say -- Mr. Adler?

2 A It's getting paid.

3 Q But it never did?

4 A I don't know. I think it did eventually get
5 paid. I'm not sure that it didn't. But there was --
6 it was longer than I would ever go to pay my bills. I
7 would pay -- he didn't pay it.

8 But the other investigators -- your
9 question was just overbroad -- the other
10 investigators were employees of the firm, so I
11 didn't go to them -- I didn't go to anybody about
12 Mike Fisten or Pat Roberts, how they were going to
13 get paid. They were just employees on salary, I
14 believe.

15 Q I thought that I asked it if they were not
16 employees. But I may not have, so I appreciate it.

17 A Just clarifying.

18 Q Mr. Fisten, I read he was -- he would
19 attend the meeting with the investors on the Epstein
20 case?

21 A I don't believe that.

22 Q You don't believe that's true.

23 A No.

24 Q But you have seen that said?

25 A I have seen that said somewhere. I don't

1 know if it's in the context of this lawsuit I have seen
2 it said, or I have seen it said somewhere else. But I
3 find that very, very hard to believe.

4 Q But you know that allegation was out there?

5 A Right. Like I am saying, I don't know if it
6 was an allegation that was thrown out there by
7 Epstein's defense team or by somebody else, but -- the
8 first time I have heard that is not right now.

9 Q Understood.

10 Take a look, if you will, at Exhibit 7,
11 please.

12 (Plaintiff's Exhibit Number 7 was marked
13 for identification.)

14 THE WITNESS: What about Exhibit 7?

15 BY MR. LINK:

16 Q Exhibit Number 7, which is the [REDACTED] versus
17 Jeffrey Epstein Complaint filed January 24th, 2009.

18 A Okay.

19 Q This is a complaint that you drafted?

20 A Like I told you, I think Paul drafted much
21 more of this, if not the entire document. I don't know
22 how much --

23 Q Take a look at the last page. This
24 complaint is 234 pages long. I only see one lawyer
25 submitting this complaint.

1 A Okay.

2 Q What do you see?

3 A No, I submitted the complaint for sure. I'm
4 the Florida lawyer.

5 Q I have seen other pleadings that you've
6 submitted and it has Mr. Cassell's name on it, has
7 Mr. Howell's name on it.

8 A Yes.

9 Q In fact, both of them were on the state
10 court complaint that you filed for [REDACTED], true?

11 A Sure.

12 Q But on this one, on the 234-page complaint,
13 the only name on it is Bradley Edwards, Rothstein,
14 Rosenfeldt & Adler, true?

15 A That's true.

16 Q Is that your signature?

17 A No.

18 Q Whose signature is that?

19 A I don't know. I don't know. That's not my
20 signature.

21 Q Who did you authorize to sign this to file
22 it?

23 A I would have told one of the paralegals to
24 file it.

25 Q And sign your name on a federal court

1 pleading?

2 A No. I would not have told them to do that.
3 I think that typically when that is done, it's an
4 electronic signature that's --

5 Q You think this is an electronic signature?

6 A No, no, I don't think that. I'm saying when
7 we file cases in federal court.

8 Q You know what an electronic signature looks
9 like, right?

10 A I wasn't saying that.

11 Q Okay, good. Because you just said
12 typically.

13 This is a real signature, agreed?

14 A Right.

15 Q So who signed a federal court, 234-page
16 complaint for you?

17 A I don't know whose signature that is. I just
18 told you that.

19 Q Does that signing -- having somebody else
20 sign this for you, that you don't know who it is,
21 comply with your Rule 11 obligations?

22 A I did not have somebody else sign this for
23 me.

24 Q You just said it's not your signature.

25 A It's not my signature.

1 Q Then who signed it for you?

2 A I don't know who signed this.

3 Q Okay.

4 A I wanted it filed. I mean --

5 Q You were in such a hurry to file it that
6 you couldn't sign it yourself?

7 A Until right now I believed I signed it
8 myself. I would have signed it myself.

9 Q But you didn't?

10 A That's not my signature. No, I didn't. But
11 I wanted this filed. I'm not saying I didn't want this
12 filed. I wanted this filed. I'm glad that it was
13 filed. It should have been filed.

14 Q You can't tell me who signed it for you?

15 A No.

16 Q Did you authorize somebody to sign this
17 complaint on your behalf?

18 A No.

19 Q Then did you fulfill --

20 A I authorized someone to file it. I
21 authorized someone to file the complaint.

22 Q I authorize my legal assistant and
23 secretaries to file things that I sign all the time.
24 I assume that's what you're talking about.

25 A Yes.

1 Q If I file a federal court lawsuit, 234
2 pages, it will have my signature on it.

3 A Okay.

4 Q Isn't that what you do?

5 A Typically. If -- yes, I would think so.

6 Q I would hope so.

7 A That's not necessarily true. I file
8 pleadings and other lawyers in my firm file pleadings
9 for me -- or sign signatures for me.

10 Q They sign your name?

11 A No, not sign my name.

12 Q Somebody signed your name here?

13 A Nobody signed my name. That doesn't say my
14 name. But I agree with you that somebody signed above
15 where it says my name.

16 Q This isn't a significant block that says
17 Scott Link and Kara Rockenbach and one of us signs
18 for the two of us. This only has one name on it,
19 Bradley Edwards. At the very least it should say
20 "for."

21 A Sure. I agree with you that this should say
22 somebody is signing for me.

23 Q So do you think it's compliant with your
24 Rule 11 obligation to have somebody sign this
25 234-page complaint to say, Juliette Smith for Bradley

1 J. Edwards complies with your obligations?

2 A Until right now, this second, I didn't know
3 that anyone else other than me signed this complaint.
4 I believed that I either signed it or that it was
5 electronically -- my electronic signature was on this
6 complaint.

7 Q I got it. But you see now --

8 A I see it.

9 Q -- that it's not true. And I'm asking you
10 does it comply with your Rule 11 obligations to have
11 a 234-page complaint filed in federal court with a
12 signature on it that's not yours and not somebody you
13 authorized?

14 A I don't know if it does or not. But I would
15 sign this document.

16 Q I understand you would. But you didn't.

17 A And I agree with it being signed.

18 Q And it was filed with some name that you
19 don't even know who it is, do you?

20 A Right. But I'm not running from the
21 document. I agree this document should have been
22 signed. It's as if -- you can treat it like I signed
23 the document.

24 Q I agree, but is that what a federal judge
25 would say to you?

1 A You can.

2 Q Would a federal judge say that under Rule

3 --

4 MR. SCAROLA: I am going to object to
5 that question. It's argumentive. It calls
6 for speculation. You don't have to answer.

7 BY MR. LINK:

8 Q You practice in federal court right?

9 A Yes.

10 Q You know what Rule 11 is, right?

11 A I do.

12 Q We have to sign under Rule 11 as lawyers?

13 A I have never had Rule 11 sanctioned against
14 me, so --

15 Q You don't know the obligations under Rule
16 11 as a lawyer? Just because you haven't been
17 sanctioned, that means you don't know what your
18 obligations are?

19 A I do.

20 Q So what are your obligations?

21 MR. SCAROLA: Excuse me. That question
22 is argumentive. It's not relevant or
23 material or reasonably calculated to lead to
24 the discovery of relevant and material
25 information. You don't need to answer.

1 BY MR. LINK:

2 Q Can you please tell me, as the lawyer who
3 authorized this to be filed, what your Rule 11
4 obligations were in July 2009 about signing this
5 pleading?

6 MR. SCAROLA: Same objection. Same
7 instruction.

8 BY MR. LINK:

9 Q Take a look at the civil cover sheet, last
10 page. See where it says, "The above information is
11 true and correct to the best of my knowledge.
12 Signature of attorney of record"? Is that your
13 signature, sir?

14 A No.

15 Q Do did you authorize that signature on this
16 civil cover sheet for the federal case?

17 A I authorized the case to be filed. That's
18 all I authorized.

19 Q Sir, listen, please. My question is really
20 easy. Did you authorize somebody to sign this
21 document as though they were you for this federal
22 court civil cover sheet?

23 A No.

24 Q Let's mark this. I'll hand you Exhibit 8.
25 (Plaintiff's Exhibit Number 8 was marked

1 for identification.)

2 BY MR. LINK:

3 Q Remember you mentioned earlier Cara, who
4 was an attorney and former FBI agent who worked for
5 Mr. Rothstein's firm, right?

6 A Yes.

7 Q So I'm showing you what's just been marked
8 as Exhibit 8. Cara L. Holmes, is that the Cara you
9 were referring to?

10 A I think so. I didn't know another Cara,
11 so --

12 Q And this is dated July 29th, 2009, right?

13 A Right.

14 Q About the same time that you filed the
15 234-page federal court complaint, right?

16 A Five days later.

17 Q What does Ms. Holmes say to you about
18 strategy relating to Mr. Epstein?

19 A "I think our best bet is to go after those
20 close to Epstein."

21 Q So let's take a look at this next exhibit,
22 Exhibit 9, which is the complaint filed on
23 December 7th by Mr. Epstein against Scott Rothstein,
24 Bradley Edwards and [REDACTED]

25 (Plaintiff's Exhibit Number 9 was marked

1 for identification.)

2 THE WITNESS: Uh-huh.

3 BY MR. LINK:

4 Q I would like you to please identify the
5 allegations in this complaint that cause your loss of
6 reputation.

7 A I would have to start basically reading the
8 entire complaint into the record.

9 Q Take your time.

10 A You want me to read the complaint to the
11 court reporter?

12 Q No. I want you to read it to yourself --
13 just read it to yourself. The document is an
14 exhibit. Read it, then we can go through it
15 paragraph by paragraph and then you can answer my
16 question.

17 THE VIDEOGRAPHER: There's less than 10
18 minutes left on the tape.

19 BY MR. LINK:

20 Q Why don't we take a break while you read
21 the complaint, and you can -- maybe if you want to
22 mark on there, why don't you mark each paragraph that
23 you read that caused injury to your reputation?

24 A How do you want me to mark it?

25 Q Put a bracket around or a checkmark.

1 Whatever is easiest for you.

2 MR. LINK: Okay. We can go off the
3 record.

4 THE VIDEOGRAPHER: The time is
5 2:22 p.m. This is the end of tape two. We
6 are going off the record.

7 (A recess was had.)

8 THE VIDEOGRAPHER: The time is
9 2:34 p.m. This is the beginning of tape
10 three and we are back on the record.

11 BY MR. LINK:

12 Q Okay. Mr. Edwards, you were going to go
13 through the Exhibit Number 9, which was the
14 December 7th, 2009 complaint filed by Mr. Epstein
15 against Scott Rothstein, Bradley Edwards and [REDACTED],
16 and you were going to highlight the paragraphs that
17 caused injury to your reputation.

18 A The complaint as a whole.

19 Q The entire complaint?

20 A The entire complaint. This is a complaint
21 that says that Scott Rothstein and I ran a Ponzi scheme
22 in which we together committed many federal crimes and
23 state crimes and fabricated cases and committed bar
24 violations and were guilty of conspiracy and RICO, and
25 fraud and conspiracy to commit fraud.

1 It reads like a federal indictment. And
2 there's no way to take pieces out of it that would
3 not injure somebody, because as a whole, this is
4 about as damaging to any lawyer's reputation as it
5 possibly could be, and it was intended to do that.

6 When I read back over it, I just remember
7 how unbelievably painful it was when I received it
8 and how I still feel today as a consequence of the
9 things that were put out there.

10 This is a criminal indictment against me.
11 That's what this is.

12 Q Can you point to the paragraphs, please,
13 that you just read through that contain the
14 inaccurate statements you just referred to?

15 A Start from the beginning.

16 Q So if I read the summary of the action,
17 tell me what's inaccurate about that. What's untrue
18 about the summary of the action, sir?

19 A These are statements that are consumed within
20 the counts at the back, which I'm part of every one of
21 those counts, so this applies to me. None of it is
22 true as it pertains to me.

23 Q I asked you to point out in the summary of
24 the action what is untrue. Can you take a look at
25 that and tell me --

1 A Scott Rothstein aided by others. The clear
2 implication is that the others are me and [REDACTED]

3 Q Does it say that there?

4 A It does. That's what a complaint is. It's
5 adopting everything into the count at back of this
6 complaint. The whole thing is about me.

7 Q It is? So is [REDACTED]. a lawyer?

8 A No. She's one of the females that
9 Mr. Epstein molested, and in this complaint alleges
10 that she wasn't molested and she was somehow
11 fabricating her claim against him.

12 Q Did [REDACTED]. authorize the 234-page complaint
13 we looked at that was Exhibit Number 7?

14 A Yes.

15 Q She authorized that filing?

16 A Yes.

17 Q So when I look at Summary of Action, first
18 sentence, it says, "Attorney Scott Rothstein aided by
19 other lawyers and employees at the firm" ... "for
20 personal greed enrichment."

21 Where does it talk about [REDACTED]. in there?
22 Does it?

23 A It's about me.

24 Q Well, you said you and [REDACTED]. When you said
25 how this impacts you, you said other lawyers like me

1 and [REDACTED]. That's what you said.

2 MR. SCAROLA: No.

3 THE WITNESS: That's not what I said.

4 That's fine.

5 BY MR. LINK:

6 Q Then I heard you wrong.

7 So in the Summary of Action, do you see
8 your name in there?

9 A My name is in the style of the case.

10 Q I know that, sir. I'm asking you about the
11 summary of the action.

12 A It speaks for itself. Whether my name is in
13 there generally or specifically, that's what this
14 complaint is talking about. And this complaint is
15 clearly designed to talk about me throughout the entire
16 case. Sometimes specifically, sometimes generally.

17 Q No question you're a defendant. And I'm
18 asking you what in the Summary of Action is an untrue
19 statement?

20 A Those things in the summary of the action, I
21 did not do.

22 Q I don't see that it says that you did in
23 the summary of the action.

24 MR. SCAROLA: Objection, argumentive.

25 THE WITNESS: It does. You can't just

1 take this piece. The whole complaint refers
2 to itself.

3 BY MR. LINK:

4 Q So can you point to a single sentence in
5 the Summary of Action that is an untrue statement?

6 A Sure.

7 Q Which one?

8 A All of it as it pertains to me.

9 Q Look at paragraph six. Can you tell me why
10 you denied being an employee, agent or associate or
11 partner, shareholder or other representative of RRA?

12 A You have my answer?

13 Q I do.

14 Take a look at Exhibit 10, which is the
15 answer and counterclaim of defendant Bradley
16 Edwards, which was date stamped December 21st, 2009,
17 and I believe it was filed with the clerk on the
18 17th of 2009. Okay?

19 A I think this would invade the attorney-client
20 privilege to tell you why.

21 (Plaintiff's Exhibit Number 10 was marked
22 for identification.)

23 BY MR. LINK:

24 Q Why you denied --

25 A Yes.

1 Q -- being a partner at RRA?

2 A Okay. I wasn't a partner at RRA, so that's
3 one reason.

4 Q So you weren't a partner at RRA?

5 A I was not.

6 Q So for the six months that you were
7 employed there, you did not hold yourself out as a
8 partner of the Rothstein firm; is that true?

9 A You are asking a different question. What
10 I'm saying is --

11 Q Okay.

12 A I don't understand the faces, but --

13 Q Let me start over. Did you hold yourself
14 out as a partner of the Rothstein law firm?

15 A This is something that we have gone over in
16 prior depositions. We are just rehashing what other
17 lawyers have asked me and I've explained this in
18 detail.

19 MR. SCAROLA: And because that is in
20 fact the case, and because that is clearly
21 outside the scope of the admitted areas of
22 inquiry for this deposition, I am going to
23 instruct Brad not to answer.

24 BY MR. LINK:

25 Q Were you an employee of the Rothstein firm?

1 MR. SCAROLA: Same objection. Same
2 instruction.

3 BY MR. LINK:

4 Q Were you an associate of the Rothstein
5 firm?

6 MR. SCAROLA: Same objection. Same
7 instruction.

8 BY MR. LINK:

9 Q Did you get paid by the Rothstein firm for
10 the six months that you worked there?

11 MR. SCAROLA: Same objection. Same
12 instruction.

13 BY MR. LINK:

14 Q Were you paid as a W-2 employee or a 1099
15 employee?

16 MR. SCAROLA: Same objection. Same
17 instruction.

18 BY MR. LINK:

19 Q Did you have a website for Jeffrey (sic)
20 Edwards & Associates?

21 MR. SCAROLA: Did you mean that
22 question as you asked it?

23 MR. LINK: I think so.

24 MR. SCAROLA: No, I don't think so.
25

1 BY MR. LINK:

2 Q Your answer is no?

3 MR. GOLDBERGER: Change the first name.

4 MR. LINK: I'm sorry. You're right.

5 Thank you.

6 BY MR. LINK:

7 Q Did you have a website for Bradley Edwards
8 & Associates?

9 A I don't think so.

10 Q When you would sign letters while you were
11 at the Rothstein firm, did you ever sign as a partner
12 of that firm?

13 MR. SCAROLA: Same objection. Same
14 instruction.

15 BY MR. LINK:

16 Q Do you agree that it would have been
17 reasonable for a person who was not within the
18 Rothstein firm to conclude that you were a partner of
19 that firm?

20 MR. SCAROLA: Question calls for
21 speculation and is an incomplete
22 hypothetical.

23 THE WITNESS: I don't know what would
24 have been reasonable for somebody to infer
25 in terms of how anyone was paid or whether

1 they shared equity according to any title.

2 BY MR. LINK:

3 Q I am going to show you Plaintiff's Exhibit
4 Number 11.

5 (Plaintiff's Exhibit Number 11 was marked
6 for identification.)

7 BY MR. LINK:

8 Q Can you tell us what Exhibit 11 is, please?

9 A It's a letter about depositions that were
10 already set by other plaintiff counsel and depositions
11 that we intended to take, in addition to those that
12 were already set.

13 Q What day is this letter?

14 A July 22nd, 2009.

15 Q Is it referencing any particular cases you
16 were working on.

17 A I don't see it, but it's representing -- it's
18 Epstein -- it's Epstein related.

19 Q Epstein related. All right. And how did
20 you sign that letter?

21 A Um.

22 Q What does the signature block say, sir?

23 A That's my signature, but --

24 Q What does the signature block say?

25 A Rothstein Rosenfeldt Adler, Bradley J.

1 Edwards, Esquire, Partner for the Firm.

2 Q And who signed that letter for you?

3 A I don't know.

4 Q Take a look at Exhibit 12 and go to page
5 five, please.

6 (Plaintiff's Exhibit Number 12 was marked
7 for identification.)

8 BY MR. LINK:

9 Q Exhibit 12 is the Rothstein Rosenfeldt
10 Adler Firm Directory Updated: October 23rd, 2009. Do
11 you see your name listed under Attorneys and Staff on
12 page five.

13 A Yes.

14 Q What is your title, sir?

15 A It says partner. I have never seen this
16 document before, but that's what it says.

17 Q Did you have an employment with the
18 Rothstein firm?

19 A Again, something else that has been asked in
20 previous depositions, but the answer, again, is no.

21 Q Take a look at Number 13.

22 (Plaintiff's Exhibit Number 13 was marked
23 for identification.)

24 BY MR. LINK:

25 Q This is a May 22nd, 2009 email from Bradley

1 J. Edwards to somebody at the Palm Beach Post, right?

2 A It appears to be a writer, I'm assuming, at
3 the Palm Beach Post. I don't remember her.

4 Q So back in May 2009, you were corresponding
5 with a writer at the Palm Beach Post about the
6 lawsuit, Jane Doe versus United States of America?

7 A Yeah. I'm telling that person that the
8 non-prosecution agreement was released pursuant to
9 protective order, so I can't discuss the contents of
10 the non-prosecution agreement. I'm assuming that
11 reporter called asking about the contents.

12 Q What does the signature block say?

13 A I'm not contesting that the signature block
14 probably always said Bradley Edwards, Partner,
15 Rothstein Rosenfeldt Adler. I would guess everything
16 that was signed there probably said that.

17 Q So you held yourself out as a partner in
18 the law firm, true?

19 A What does partner mean between us? I mean, a
20 partner is an equity partner. In a business, I was
21 not, nor did I ever tell anybody that I was. Lawyers
22 in the law firm, all -- almost all went by either
23 partner or shareholder, with very few exceptions.

24 So partner was an informal title that
25 indicated I carried my caseload as opposed to I

1 worked on somebody else's cases.

2 I was never an equity partner. I never
3 acted like I was an equity partner. I never told
4 anyone I was an equity partner, which in the sense
5 of a business is what an actual partner is.

6 So that's the full and complete answer.
7 Did it say partner as opposed to just mere employee
8 or whatever else it would say? Yes, that's what it
9 said.

10 Q Did you ever clarify when you were having
11 conversations with these folks that you just
12 mentioned that you never said I'm an equity, I'm an
13 owner, so on and so forth; that you were simply an
14 employee of the firm?

15 A Sure. With anyone that I had these
16 discussions with, including Michael Pike, who was one
17 of Mr. Epstein's lawyers. We talked about the
18 arrangement there, and including whether he would want
19 to come over to RRA at some point in time.

20 Q Tell me what you told him about the
21 arrangement there and why he might want to come over?

22 A It's a good law firm. It's a good law firm.
23 You get a lot of help. There's sufficient staff. You
24 will like it. You don't have to represent pedophiles.
25 You can actually be on the other side of the cases.

1 And at the time I didn't think that he was a bad guy,
2 and he -- and we had those types of conversations.

3 Q And you said to him, they will give you the
4 title partner but it doesn't really mean you're a
5 partner, but you get to hold yourself out to the
6 public as though you're a partner? Did you talk to
7 him about?

8 A Nobody says that.

9 Q The conversation you had with Mr. Pike must
10 have been before the lawsuit was filed against you in
11 December.

12 A I said it was while I was at RRA, which was
13 before the lawsuit was filed against me in December.

14 Q Now, if you would, please, turn to page --

15 A Which exhibit are we looking at?

16 Q Huh?

17 A Which exhibit?

18 Q We are on Exhibit 9, the complaint, which
19 you said the entire thing has caused damage to your
20 reputation, right? And did it --

21 Let's back up for a second. When did you
22 receive a copy of this complaint?

23 A I don't remember.

24 Q Were you personally served with it?

25 A Yes.

1 Q Where were you served at?

2 A I believe at a restaurant.

3 Q Which restaurant?

4 A I don't remember.

5 Q How many times have you been served by --
6 have you been served with a complaint?

7 A This is the only one that's memorable to me.
8 But we talked about a complaint previously.

9 Q Talked about several.

10 A I presume that I was served. I don't
11 remember being served, but I'm sure there's a
12 certificate of service where I was. Or if there was
13 substitute service at a law firm or something else,
14 that's possible too.

15 This complaint, though, I remember that I
16 was personally served. I am not sure exactly where
17 I was.

18 Q Were you served on the 7th or was it after
19 the 7th?

20 A Your guess is as good as mine on that.

21 Q If you look at the counterclaim that was
22 prepared, do you remember when you started drafting
23 that?

24 A No.

25 Q How long after you received a copy of the

1 complaint that was filed on December 7th did you
2 start drafting the counterclaim?

3 If we're looking at the counterclaim -- do
4 you have that in front of you? I believe that's
5 Exhibit Number --

6 MR. SCAROLA: I don't know that it was
7 marked.

8 MR. LINK: Did we not mark it?

9 THE WITNESS: Yeah, it's 10.

10 BY MR. LINK:

11 Q So we're looking at Exhibit Number 10 --
12 let me back up. Did you draft the counterclaim
13 that's attached to the answer?

14 A No.

15 Q Who did?

16 A I don't know.

17 Q Mr. Scarola's office?

18 A Yes.

19 Q So Mr. Scarola's office drafted an abuse of
20 process counterclaim based on the filing of a
21 complaint? Is that true?

22 A It appears that way. I mean, the document
23 speaks for itself. There's a signature for that
24 office, so it looks like that's what happened. I only
25 know what you are knowing right now.

1 Q Do you remember earlier you told me about
2 how much time you had to spend on this doing the
3 legal work because you were the one who knew and that
4 you were the one doing the drafting, not Mr. Scarola
5 or his firm?

6 MR. SCAROLA: That's an inaccurate
7 representation of the earlier testimony.

8 THE WITNESS: The record will speak for
9 itself just how badly you just bastardize
10 what I just said.

11 BY MR. LINK:

12 Q So this counterclaim that was filed, you
13 didn't draft it. Did you approve it before it was
14 filed?

15 A I'm sure.

16 Q Had there been any other pleadings or
17 anything done since December 7th and when this
18 counterclaim was prepared?

19 A Your question is had there been anything
20 done --

21 Q In this lawsuit --

22 A Oh, in this suit.

23 Q -- that you sued for abuse of process,
24 other than the filing of the complaint? Anything
25 else happen? Any other papers filed? Anything take

1 place?

2 A Did anything happen? Did anything take
3 place? Or were any papers filed?

4 Q Yeah. All the above.

5 A Which one is your question?

6 Q All of the above.

7 A I'm sure things happened.

8 MR. SCAROLA: Objection, compound.

9 BY MR. LINK:

10 Q Okay, what happened?

11 A You want me to recall what I did every day
12 between December 7th and December 21st?

13 Q No, sir. I want you to tell me what was
14 the abuse of process. What took place after the
15 complaint was filed to justify this counterclaim.

16 MR. SCAROLA: Excuse me. Can you tell
17 me where within the Court's defined area of
18 inquiry those questions fall?

19 MR. LINK: Uh-huh. I can.

20 MR. SCAROLA: Where?

21 MR. LINK: Probable cause and damages.

22 MR. SCAROLA: Filing of the federal
23 lawsuit, interaction with Rothstein and
24 knowledge of the Ponzi scheme, \$14 million
25 bond --

1 MR. LINK: That's your reading of it,
2 not mine. I sent you an entire email with
3 all of the Court's statements about starting
4 over --

5 MR. SCAROLA: I read every one.

6 MR. LINK: -- and probable cause --

7 MR. SCAROLA: I read every one --

8 MR. LINK: -- and damages --

9 MR. SCAROLA: You're wrong.

10 MR. LINK: And this relates to damages.

11 MR. SCAROLA: How does it relate to
12 damages?

13 MR. LINK: Because he's claiming
14 damages in this lawsuit. And he is seeking
15 damages from when he filed this. And I want
16 to find out what his damages were.

17 MR. SCAROLA: He's seeking damages from
18 the point at which he was maliciously named
19 in a false and fraudulent claim by a serial
20 pedophile.

21 MR. LINK: Good statement. I'm sure
22 the jury will enjoy that.

23 But for my purposes and today, are you
24 instructing him not to answer?

25 MR. SCAROLA: Yes.

1 BY MR. LINK:

2 Q So, are the damages you are seeking in this
3 case related to the complaint that was filed on
4 December 7th, 2009?

5 A They are related -- yes, they were proximally
6 caused by the complaint.

7 Q This is the complaint we're talking about,
8 right?

9 A Yes.

10 Q December 7, 2009.

11 A Yep.

12 Q And now we are looking at your answer and
13 the counterclaim to that complaint, right?

14 A Okay.

15 Q And through the counterclaim is how you
16 seek damages, isn't it, sir?

17 A I don't think this is the operative
18 counterclaim. Do you?

19 Q I didn't say it was the one operative
20 today. It's the one that you filed as soon as you
21 received the lawsuit in less than 14 days.

22 A Your statement is the counterclaim that we
23 are looking at is the one through which you are seeking
24 damages?

25 Q Yeah. When you first filed the

1 counterclaim you sought damages, correct?

2 MR. SCAROLA: This is an abuse of
3 process counterclaim.

4 MR. LINK: I know. And I am trying to
5 find out what the damages are.

6 MR. SCAROLA: The case that is being
7 prosecuted currently is a malicious
8 prosecution claim that relates back to the
9 December 7th, 2009 case.

10 As you are well aware, a malicious
11 prosecution claim cannot be filed until the
12 underlying action has been disposed of in
13 favor of Mr. Edwards.

14 MR. LINK: I actually thought that was
15 true, but you didn't wait that long. I do
16 agree with that statement. You're right.

17 But this is the pleading that was filed
18 that seeks damages, and it is the response
19 to the complaint.

20 If you won't let me ask him questions
21 about it, then instruct him not to answer
22 and we will go see what Judge Hafele says.

23 MR. SCAROLA: Well, let me hear what
24 the question is.

25 MR. LINK: I just asked it.

1 MR. SCAROLA: So far you haven't asked
2 one that I'm going to let him answer.

3 MR. LINK: That's fine.

4 BY MR. LINK:

5 Q What were your damages, sir -- what were
6 your damages on December 21st, 2009?

7 A It was the same types of damages that I am
8 claiming now, in that the complaint that was filed
9 against me was -- and it was intentionally designed to
10 link me to Scott Rothstein, who at that moment was the
11 most hated person in South Florida. And link me to him
12 in a way that was as if Scott Rothstein and I together
13 were running this Ponzi scheme.

14 And he did it -- Jeffrey Epstein did this
15 at a time when everyone -- everyone -- not
16 locally -- and as you said, nationally -- was paying
17 attention to the story, so as to cause the most
18 damage possible.

19 Since that point in time, those damages
20 have continued to increase. But they began right
21 from the time that this was filed. So whatever
22 damages, whatever cause of damage that I was seeking
23 back then, it's the same thing as now.

24 Q I got it. So it's the filing of the
25 complaint that caused damages, not it's being

1 disseminated? Is that right?

2 A Well, the filing of the complaint and the
3 consequences of that filing, which included the
4 dissemination of the information contained within that
5 complaint.

6 Q I understand that. Can you tell me,
7 please, one piece of information that was
8 disseminated publicly in newspaper, in articles,
9 somewhere before December 17th, when the counterclaim
10 was filed with the clerk? Tell me one public
11 document, news story, anything, discussing
12 Mr. Epstein's complaint against you.

13 A The complaint. That's public.

14 Q I understand.

15 A Okay. There it is.

16 Q Who saw it? Didn't somebody have to see
17 it? It's like if a tree falls it doesn't matter --
18 in the woods -- and nobody hears it.

19 What I'm asking you is, who saw it? Who
20 read it?

21 A The Epstein complaint was also a highly
22 publicized case, so then he makes this filing at this
23 time.

24 Q Right. I got that. My question is simple.
25 Who was it disseminate to, other than the court,

1 before December 17th when the counterclaim was filed?

2 A You are going to have to tell me.

3 Q Do you know one person it was disseminated
4 to that caused damage before you sued Mr. Epstein on
5 your counterclaim?

6 A Well, yeah.

7 Q Who?

8 A It was disseminated to whoever received a
9 copy of the complaint. I mean, how do I know who your
10 team -- I know we are through many lawyers now -- who
11 your team disseminated it to and who was getting
12 information about this.

13 Q I'm trying to understand. If your
14 reputation --

15 MR. SCAROLA: I'm sorry. You're
16 interrupting Mr. Edwards.

17 BY MR. LINK:

18 Q I thought you were done. My apologies.

19 A And at the time when it was filed against me,
20 the purpose also was to sidetrack me from the
21 prosecution of his cases -- the cases that I was
22 pursuing against him -- basically to extort me into
23 abandoning the legitimate cases that I was handling
24 against him, to inconvenience me, take my time away,
25 and make me have to deal with this complaint that I was

1 now being served with by Mr. Epstein.

2 Q Did I interrupt you?

3 A No. I will finish right there.

4 Q Good. I didn't want to interrupt you.

5 So, are you telling this jury that the
6 three clients that you represented, the settlements
7 that you obtained for them were somehow impacted by
8 your inability to fulfill your professional
9 obligations as a result of this counterclaim -- this
10 lawsuit being filed against you?

11 A No. I'm telling you that's what Jeffrey
12 Epstein wanted to happen, but I didn't let happen.

13 Q He failed; is that right?

14 A Look at the numbers. He said it was a
15 fabricated case. He paid millions of dollars for these
16 allegedly fabricated cases. It was all a big, fat lie
17 that he put in that complaint, which the jury is going
18 to get to hear about.

19 Q So his intent was to shut you down and make
20 you not settle the cases, or to somehow give them
21 away. He failed, because you, on behalf of your
22 clients, got every single penny they deserved, didn't
23 you?

24 A I did well for them.

25 Q You wouldn't have settled them if you

1 didn't believe you had reasonable settlements for
2 them, would you?

3 A It was not my choice to settle the cases. It
4 was my clients' choice.

5 Q Of course.

6 A So you say I wouldn't have settled them.
7 Look, I would have rather tried all three of them, to
8 tell you the truth.

9 Q Of course. I know that now.

10 But you settled those three cases. And as
11 a member of this bar, you did not believe that your
12 representation was somehow impacted by the filing of
13 this complaint, did you?

14 MR. SCAROLA: Objection, compound.

15 THE WITNESS: Thank goodness that Jack
16 was there to help me defend against that
17 lawsuit, otherwise, Mr. Epstein could have
18 been successful.

19 BY MR. LINK:

20 Q But he wasn't, was he?

21 A We made sure that my representation of my
22 clients was not compromised because of his attempt to
23 destroy my reputation.

24 Q And that's what I was asking.

25 A I did a pretty good job with that.

1 Q You fulfilled your professional
2 responsibilities and obligations to your client and
3 negotiated fair settlements for them, right?

4 A I believe so.

5 Q Good.

6 And focusing on this window of when you
7 are sued and when the counterclaim is filed, do you
8 know of any press that ran a story about the Epstein
9 lawsuit against Rothstein and Brad Edwards?

10 A And what I was getting at before answering
11 this question is, even when you were asking me
12 questions about the press and the timing of the press
13 with respect to the Ponzi scheme, I don't remember the
14 chronology of any of the press or any of the news on
15 any of these things.

16 I would have to look and see what was out
17 there at that time to be able to answer that
18 question. I just don't remember.

19 Q Have you sought press from December 2009
20 forward about your litigation with Mr. Epstein?

21 A If you could show me something to refresh my
22 recollection, I will try to answer that question. I
23 would do anything possible to mitigate the damage that
24 Mr. Epstein tried to cause. If the opportunity arose
25 and I thought the press could assist me in that

1 endeavor I would do it. Did it do it? I don't
2 remember doing it.

3 Q You don't remember having communication
4 with the press about your litigation with
5 Mr. Epstein?

6 MR. SCAROLA: Which litigation are we
7 talking about? Are we talking about
8 Mr. Epstein --

9 MR. LINK: His -- his litigation.

10 MR. SCAROLA: Yes. I understand that.
11 But he had -- he had litigation against
12 Mr. Epstein in which he was representing
13 clients. He also had litigation with
14 Mr. Epstein in which Mr. Epstein was suing
15 him. He also had litigation with
16 Mr. Epstein in which he was suing
17 Mr. Epstein. So the question -- so the
18 question is vague and ambiguous because we
19 don't know what lawsuit you are talking
20 about.

21 BY MR. LINK:

22 Q We have been talking about the Epstein
23 versus Rothstein and Edwards lawsuit, right, in this
24 deposition?

25 So I'm talking about Epstein versus

1 Rothstein and Edwards. And in the counterclaim by
2 Brad Edwards against Mr. Epstein, I'm asking you if
3 you've ever gone to the press or talked to the press
4 about that lawsuit and counterclaim.

5 A Those are two different questions. I would
6 say that the answer to the first question, did I go to
7 the press --

8 Q Uh-huh.

9 A -- I believe with great certainty that's not
10 true. Did I --

11 Q You don't recall issuing any press releases
12 about the litigation?

13 A At any point in time? Even with --

14 Q Well, after it was filed, December 7th,
15 2009.

16 A I don't remember issuing a press release.
17 But thinking back on it, when the case was dismissed
18 against me, that seems like an opportune time to
19 release a press release in order to mitigate the
20 damages that were being caused.

21 If I didn't, I wish I had. But I don't
22 remember doing that.

23 Did I ever speak to somebody from the
24 press who called me about it? I would if I believed
25 that it would mitigate the damages. I don't

1 remember a specific conversation like that.

2 Q Well, the lawsuit Mr. Epstein filed against
3 you was dismissed in 2012.

4 A Three years later.

5 Q 2012, okay.

6 And I asked you earlier if the dismissal
7 of that lawsuit stopped the damages that you are
8 claiming, and you said, No, it carries all the way
9 on to today. You remember telling me that?

10 A It carries on until a jury decides otherwise,
11 decides that these things against me were untrue and
12 hurtful.

13 Q What I have been asking you is, you filed a
14 counterclaim on December 15th, 10 days after the
15 lawsuit was filed. And I am trying --

16 A I think that's 14. 7th to the 21st.

17 Q The 17th is when it's filed. The 21st is
18 when it's stamped.

19 A Oh, it is. Okay.

20 Q Whether it's the 17th or the 21st --

21 A Okay.

22 Q One's 10, one's 14th, right?

23 A Yeah. Very soon after.

24 Q Had you been contacted by the press during
25 that 10-to-14-day window to ask you questions about

1 Mr. Epstein's lawsuit against you?

2 A I just don't remember anymore.

3 Q Did you have any damages -- any damages --
4 real damages on the 17th or the 21st of December 2009
5 related to the December 7th lawsuit Mr. Epstein
6 filed?

7 A Of course.

8 Q What were they?

9 A I was just linked with the biggest Ponzi
10 schemer in history as his primary co-conspirator. The
11 only lawyer in the whole law firm singled out by
12 Jeffrey Epstein in a complaint as being the
13 co-mastermind of a Ponzi scheme. It's filed in the
14 local community.

15 Every day my reputation is being tarnished
16 by that. That's going to be patently obvious to
17 anybody who sees this situation.

18 To you right now, you know this. That's a
19 complaint that's harmful. You read this and you go,
20 there's a criminal indictment basically against me
21 in the legal community that links me with the most
22 hated person in South Florida right now.

23 So the feeling that you get when you read
24 that is, I know that this is really, really, really
25 bad. There's only one way to come back from this,

1 and that's to prove that this is false. That's why
2 we are here still.

3 Q Only one way to come back from this you
4 said. Come back from what? Your career has been
5 more successful than ever since this lawsuit was
6 filed, right?

7 A Well, this kind of goes back to before. The
8 people who really know me and know the outstanding work
9 that I do for clients and see -- I'm a successful
10 lawyer in that way.

11 The people who don't know me, the
12 9 million people who read this who won't call me,
13 that don't want to have anything to do with
14 me because of this association, and this being what
15 they remember from that period of time and my
16 relationship to that period of time. There's only
17 one way to do this.

18 Q So you're really bothered that 9 million
19 people haven't called you? You just said these
20 9 million people aren't going to call you. Do you
21 think they were going to call you before the Epstein
22 suit?

23 A The only thing that matters to you is not
24 your reputation amongst your best friends. It's your
25 reputation in the community as a lawyer.

1 Yes, it's general people. I care about
2 people. And I care about what people think about
3 me. The truth, not some false indictment against
4 me.

5 Q Who do you think Mr. Epstein hurt more from
6 a financial standpoint and from a pain and suffering
7 and anxiety standpoint, you or the three clients that
8 you were representing while you were at the Rothstein
9 firm? Who's more the victim here? You or those
10 three folks, sir?

11 A It's tough put me up against -- it's not just
12 those three victims. It's the hundreds and hundreds of
13 little girls that he's molested over the years. I
14 mean, that's what he does on a day-to-day basis.
15 That's what he's still doing, I'm sure.

16 So hurting people is something that he
17 will do in any way, shape or form. But the fact is,
18 he tried to hurt me in a way so that he could
19 continue to hurt others and not have me call him out
20 on it.

21 Who's hurt more?

22 Q Yeah.

23 A It's different ways. He hurt my reputation
24 more, because I had more of a reputation in the
25 community. He hurt them more physically and

1 emotionally and has caused, you know, certain lives to
2 be destroyed.

3 I think I'm a stronger person than some of
4 them. I was older. I wasn't a 14-year-old little
5 girl. It's just very hard. You're comparing apples
6 and oranges. We have all been hurt to the maximum
7 degree possible. And that's always been his intent.

8 Q So let's go back to 2009 and '10, and have
9 you focus on my question. That was a good speech,
10 and I appreciate that. But I asked you whether the
11 three folks you represented -- not these hundreds
12 that you didn't represent or these thousands that you
13 think exist, or whatever you think Mr. Epstein is
14 doing today. You represented three individuals,
15 correct?

16 A Yes. At that time, yes.

17 Q At that time.

18 A Yes.

19 Q And you settled all three of their
20 lawsuits, right?

21 A I did. They settled their lawsuits, yes.

22 Q You were their lawyer, weren't you?

23 A I was. But I don't want you to make it seem
24 like I chose to settle their lawsuits. My clients
25 choose what they're going to do. They settled their

1 lawsuits. I was their lawyer, yes.

2 Q So you were their lawyer. You told me they
3 were really good lawsuits. You were proud of the job
4 you did, right? Isn't that what you told me?

5 A I was proud of the job that I did, yes.

6 Q Good. So I'm asking about those three
7 people and the harm that you believe Mr. Epstein
8 inflicted on those three people that you represented.
9 Do you think, sir, that the harm he inflicted on you
10 is more or less than the harm he inflicted on those
11 three individuals that you just told us about.

12 MR. SCAROLA: That question has been
13 asked and answered in great detail.

14 THE WITNESS: The best way for us to
15 get the answer to that question is, in this
16 trial we can try each one of those cases and
17 let the jury determine what amount of
18 damages fairly and fully compensates each
19 one of us for the harm he's cause, and we
20 will have our answer who was harmed worse.

21 BY MR. LINK:

22 Q Well, is that what your intent is in this
23 case, is --

24 A No, I'm trying to answer your question.

25 Q -- to try the clients' cases that you

1 settled?

2 A No. No. I'm just trying to play into your
3 sociological experiment that you are trying to ask me
4 about.

5 Q I was just asking you to tell me --

6 A If I were a juror?

7 Q No, sir, you, as the plaintiff in this
8 case. If you believe that the harm inflicted on you
9 by Mr. Epstein by filing his complaint in
10 December 2009 causes you more anxiety and suffering
11 than whatever he did to the three folks you
12 represented?

13 MR. SCAROLA: And that question is
14 argumentive. It's not reasonably calculated
15 to lead to the discovery of admissible
16 evidence. It's the fourth time you have
17 asked it. It's been answered. I will
18 instruct you not to answer again.

19 BY MR. LINK:

20 Q When Mr. Epstein filed his complaint
21 against you in December 2009, did he issue a press
22 release?

23 A Other than to take the Fifth, he doesn't say
24 anything.

25 Q So my question was, did he issue a press

1 release? I know you like to keep telling your story
2 as a trial lawyer, but my question was, did he issue
3 a press release?

4 MR. SCAROLA: Objection to the form of
5 the question.

6 BY MR. LINK:

7 Q Did he?

8 MR. SCAROLA: It's argumentive.

9 THE WITNESS: You tell me whether he
10 issued a press release. He's your client.

11 BY MR. LINK:

12 Q So you don't know whether Mr. Epstein
13 issued a press release related to the lawsuit he
14 filed against you that you are seeking damages for?

15 A If he did issue a press release, I did not
16 personally see it. If you are going to show me a press
17 release, then I'm not going to debate you with it.

18 Q You ever file any papers in federal court
19 that were devoid of factual support?

20 A What does that mean?

21 Q Have you ever filed any papers against
22 Mr. Epstein that were determined to be devoid of
23 factual support?

24 A What are we looking at?

25 Q Just asking you that question, sir.

1 A Oh, in my life? Up to today, or are we going
2 back to 2009? I'm confused what time period we are on.

3 Q 2009.

4 MR. SCAROLA: The first question wasn't
5 limited to Epstein. The next time the
6 question was asked, it was limited to
7 Epstein.

8 BY MR. LINK:

9 Q Let me ask it again. Was there ever any
10 time that you filed a federal court paper, motion,
11 pleading related to a case with Mr. Epstein that it
12 was determined to be devoid of factual support?

13 A Not that I recall.

14 Q You remember filing a petition to have
15 Mr. Epstein post a bond while you were working at the
16 Rothstein firm?

17 A Yeah, I remember that motion.

18 Q Did you sign that motion?

19 A Let me see.

20 Q Do you remember if you signed that motion?

21 A No. But I remember --

22 Q Do you remember the court's ruling on the
23 motion?

24 A It was denied.

25 Q Do you remember the Court making any

1 specific findings about your factual basis for
2 bringing the motion?

3 A I don't. But it was -- I believe that the
4 court denied it because prejudgment, you can't freeze
5 assets.

6 Q Did you have any evidence before you filed
7 that motion that Mr. Epstein was transferring his
8 assets offshore?

9 A Yeah, I had many sources during this
10 investigation. And we had significant evidence that
11 the way in which -- the way -- what we should fear is
12 that we would get a judgment and there would be no
13 money in his name, and that the money would have been
14 transferred offshore.

15 Q Who is the source that told you,
16 specifically at the time you filed the federal court
17 pleadings, that Mr. Epstein was, in fact,
18 transferring every dollar that he had offshore, so
19 there would be nothing left to pay the plaintiffs you
20 represented? Who was that?

21 MR. SCAROLA: Objection, work product.

22 BY MR. LINK:

23 Q Was it something you relied on in filing
24 the federal court action under your Rule 11
25 obligations?

1 A It's not something that I relied on in filing
2 this case.

3 Q No, sir. I'm not talking about that. I'm
4 talking about the federal court case where you sought
5 a bond in which you still have Rule 11 obligations.
6 Right?

7 A Right.

8 Q And before you file something in federal
9 court, you have to have a factual evidentiary basis
10 to do so, correct?

11 A Correct.

12 Q I'm asking you what was your factual
13 evidentiary basis for seeking the relief that you
14 sought on the bond motion.

15 A I had numerous sources. I had numerous
16 sources, and numerous sources that was (sic) shared
17 amongst plaintiff's counsel on the case.

18 Q I don't want to know about sources. I want
19 to know about evidence. Evidence is not protected.
20 You have to submit it to the court.

21 I'm not looking for your confidential
22 sources. I want to know what evidence you had, sir.

23 A Well, we knew that there were cars, boats,
24 houses that were placed in Larry Visoski's name.
25 That's some evidence that we had.

1 Q Uh-huh.

2 A And other than that, we had individuals who
3 were familiar with Mr. Epstein and knew him -- some of
4 which had known him for many years -- to provide us
5 good information that that's what he was doing.

6 Q And they were going to get on the stand and
7 testify.

8 A Would they have testified to that if
9 subpoenaed and on the stand? Yes.

10 Q Is there a reason you didn't get affidavits
11 from these folks to support your petition, if they
12 would have testified?

13 A Yes, there is.

14 Q What was the reason?

15 A This is also work-product privilege
16 information.

17 Q Let's take a look at Plaintiff's Exhibit
18 Number 14.

19 (Plaintiff's Exhibit Number 14 was marked
20 for identification.)

21 BY MR. LINK:

22 Q So we are on Exhibit Number 14, which is
23 United States District Court for the Southern
24 District of Florida. And if you go to page four of
25 this exhibit, you will find the motion for injunction

1 to restrain fraudulent transfer of assets. You see
2 that?

3 A Yes.

4 Q First, let's take a look at the last page.

5 A Of this exhibit or of the motion?

6 Q Of the motion.

7 A Which is page 21 of the exhibit.

8 Q I think it's page 19 of 41 at the top,
9 right?

10 A Okay.

11 Q You see that's an electronic signature,
12 right?

13 A Yes. This is what typically was on -- the
14 electronic signature that we would use when I would
15 authorize filings. That's what I was talking about
16 earlier.

17 Q And you see this one includes Paul Cassell,
18 right?

19 A Yeah, I do.

20 Q Now, let's go back to page four of 41.

21 A He drafted this motion, so I know --

22 Q He drafted it?

23 A Yeah.

24 Q But you put your name on it and filed this,
25 right?

1 A Of course. And I agreed with it.

2 Q So let's take a look. This motion was on
3 behalf of plaintiff Jane Doe?

4 A Right.

5 Q And you represented Jane Doe --

6 A Yes.

7 Q -- while you were at Mr. Rothstein's firm.
8 And this was filed while you were at Mr. Rothstein's
9 firm, right?

10 A It was.

11 Q Look at the first paragraph on page five.
12 It says, "Epstein is a billionaire, who recently has
13 been fraudulently transferring his assets overseas."

14 Do you see that?

15 A Yes.

16 Q What evidence -- admissible evidence -- did
17 you have of that statement before you made it in this
18 pleading?

19 A I had information that he was doing this from
20 sources, including sources close to him. I had
21 evidence that he had placed significant assets into at
22 least one other person's name, as well as properties
23 that were placed in the names of corporations or other
24 companies, as I remember, that was already going to
25 make it difficult on the collection end.

1 Q So what I'm asking is about your statement
2 here, sir, which is, that I would like to know the
3 evidence that you had that he was fraudulently
4 transferring his assets overseas. What evidence do
5 you have -- or did you have at the time?

6 MR. SCAROLA: That's the question that
7 was just asked and just answered.

8 MR. LINK: He didn't answer it.

9 MR. SCAROLA: I disagree with you.

10 MR. LINK: Okay.

11 BY MR. LINK:

12 Q Will you answer the question for me
13 specifically on transferring his assets overseas?
14 You told me about titling them, you told me about
15 things, but you didn't tell me about the evidence for
16 transferring his assets overseas.

17 A I told you that we had a very good source of
18 information that had given us this information that was
19 a longtime associate of Mr. Epstein's.

20 MR. SCAROLA: Are you disregarding the
21 affidavit attached to the motion? Are you
22 asking for information apart from the
23 affidavit attached to the motion?

24 MR. LINK: I'm asking what evidence he
25 had of this happening.

1 MR. SCAROLA: But there's an affidavit
2 attached to the motion.

3 MR. LINK: I know there is, and it
4 doesn't answer this question.

5 MR. SCAROLA: Well, respectfully, I
6 disagree.

7 MR. LINK: Okay. We disagree a lot
8 today. It's okay.

9 BY MR. LINK:

10 Q Mr. Scarola wants you to look at the
11 affidavit. Who signed the affidavit?

12 MR. SCAROLA: Mr. Scarola wants to know
13 whether your question is excluding the
14 affidavit.

15 BY MR. LINK:

16 Q Take a look at the affidavit and tell me
17 who signed it.

18 A Paul Cassell.

19 Q And he's a lawyer, right?

20 A Yes, he's a lawyer.

21 Q And he's a lawyer involved in this case,
22 right?

23 A He was a lawyer --

24 Q Was he going to get on the stand as the
25 lawyer involved in this case and testify about

1 personal knowledge that Mr. Epstein transferred
2 assets overseas? Was he going to do that?

3 MR. SCAROLA: Was he going to do that
4 in this case?

5 BY MR. LINK:

6 Q Was he going to do it then?

7 A You will have to take Mr. Cassell's
8 deposition and ask him that question.

9 Q So did you have -- did you and Mr. Cassell,
10 when you filed this injunction paper in federal
11 court, have evidence -- not sources -- I mean you
12 were a prosecutor. You know the difference between
13 sources and evidence, right?

14 There's lots of information out there.
15 Doesn't mean we get it in evidence, right? You know
16 that, as a trial lawyer.

17 A Okay.

18 Q You agree with me?

19 A I agree with you.

20 Q What evidence did you have?

21 MR. SCAROLA: Excuse me. May he finish
22 the answer to the question that you asked
23 before you ask the next question?

24 THE WITNESS: This case was a little
25 different than most in this sense. If I get

1 information in a case, such as this, I can
2 then take Mr. Epstein's deposition and say,
3 Is it true that you are transferring assets
4 here, there and everywhere? And if he tells
5 me the truth, he's going to tell me, Yes,
6 and then I will have that evidence.

7 He restricted our ability to gain
8 evidence on many subjects, not only by
9 claiming the Fifth himself, but having his
10 co-conspirators claim the Fifth, and then
11 having the next tier of associates show up
12 with lawyers who were paid by him, which
13 restricted our ability to gain the
14 testimonial evidence that we would need to
15 support many of our -- many of the things
16 that we knew about the case.

17 In this case, on this particular
18 subject, we had good sources, reliable
19 sources. And as this affidavit indicates,
20 other plaintiff lawyers and I -- speaking on
21 behalf of Paul Cassell -- have been greatly
22 concerned that Epstein might attempt to
23 transfer many of these assets overseas with
24 the intent to defeat any judgment.

25 This was one of the topics -- one of

1 the many topics that, amongst plaintiffs'
2 counsel, we discussed as the way in which
3 Epstein intended to ultimately defeat these
4 cases, which would ultimately prove his
5 serial sexual molestation of minors.

6 BY MR. LINK:

7 Q So is your concern something that's
8 evidence?

9 A And we had a source telling us our concern
10 was true.

11 Q I understand.

12 A Okay, so --

13 Q I have heard about the source. I am asking
14 you about evidence. You told me you had concerns.
15 Okay, I don't know that a federal judge cares about
16 your personal concerns. I doubt that a federal judge
17 cares that you have a source who won't get on the
18 stand.

19 So whenever I have filed a motion for
20 injunction, I intend to put evidence on in front of
21 the court. And I'm asking you, sir, what evidence
22 did you have in this federal proceeding to prove
23 your statement that Mr. Epstein was fraudulently
24 transferring his assets overseas?

25 MR. SCAROLA: Excuse me. I'm going to

1 object to Counsel's speech about Counsel's
2 experience. Move that it be stricken.

3 And the question as to what evidence
4 did Mr. Edwards have --

5 MR. LINK: Yes.

6 MR. SCAROLA: -- is a question that has
7 been asked and answered repeatedly.

8 BY MR. LINK:

9 Q So would you agree you had no admissible
10 evidence at the time that you filed this pleading?

11 A Hold on one second. So --

12 Q Yes, sir.

13 A -- this is evidence.

14 Q What is it?

15 A In request for admission I asked

16 Mr. Epstein --

17 Q Yes.

18 A -- admit you are moving financial assets
19 overseas outside of the direct territorial reach of the
20 US and Florida courts.

21 Question 22, you were making asset
22 transfers with the intent to defeat any judgment
23 that might be entered against you in this case or
24 similar cases.

25 Twenty-three, do you currently have the

1 ability to post a \$15 million bond to satisfy a
2 judgment in this case without financial or other
3 difficulty?

4 Q Uh-huh.

5 A If he told the truth, he would have said yes.
6 And that is what the adverse inference requirement
7 allows for us to draw when he says in response to those
8 direct requests for admissions that he's invoking his
9 Fifth Amendment right against self-incrimination, which
10 is tantamount to an admission. So that is evidence.

11 Q Okay. So you think that the adverse
12 inference --

13 A That's going to happen in this case, too.

14 Q Hang on. Let me just make sure I
15 understand.

16 You thought when you filed this that
17 having an adverse inference to a question --
18 whatever question you asked -- because he raised the
19 Fifth, makes it an admission? That's your
20 understanding of an adverse inference in federal
21 court?

22 A I had an admission by Mr. Epstein in response
23 to his question.

24 Q That was it? You told me he pled the Fifth
25 and didn't answer. All I'm asking is, was it your

1 belief that at the time in federal court that an
2 adverse inference based on raising a Fifth Amendment
3 privilege is an admission of your question?

4 A If his answer to that --

5 MR. SCAROLA: I'm sorry. The question
6 about what Mr. Edwards' belief was is
7 clearly a question that invades the
8 work-product privilege.

9 MR. LINK: Okay. Fair enough.

10 BY MR. LINK:

11 Q But the only evidence you had that you can
12 point to was your asking Mr. Epstein a question that
13 he raised his constitutional privilege to and that
14 you considered that an admission for purposes of
15 federal court?

16 MR. SCAROLA: Pardon me. That's
17 compound. You can ask him what the evidence
18 was. You cannot ask him what he considered.
19 What he considered is an operation of his
20 mind, and that is protected work product.

21 BY MR. LINK:

22 Q Do you remember on September 29, 2009,
23 writing a memo saying it would be really nice if we
24 can find evidence of a transfer?

25 A Show it to me. I will see it.

1 (Plaintiff's Exhibit Number 15 was marked
2 for identification.)

3 BY MR. LINK:

4 Q Take a look at Exhibit 15. This is an
5 email from Mr. Edwards to Ken Jenne. You remember
6 you told me earlier you weren't sure if Ken Jenne,
7 who was the sheriff that had criminal issues, worked
8 on the Epstein matter. You see his name there?

9 A Yes.

10 Q Who is Elizabeth Villar?

11 A I don't remember her.

12 Q Was she an investigator?

13 A No. I don't think that there were any female
14 investigators that I remember.

15 So this is on the subject of forensics.

16 Q Yep. Do you see the sentence that says,
17 "We need to be able to file a supplement to his
18 response, and it will be great to put in evidence of
19 a transfer."

20 So that you wanted to get a forensic
21 report done at that time and were having trouble --
22 do you remember this -- you were having trouble
23 getting the funding necessary to pay the forensic
24 person to determine if there had been any transfers
25 of assets?

1 A That's not true, the statement that you just
2 made, having trouble getting the --

3 Q Okay. That statement that I just made is
4 untrue and not supported by the files that have been
5 produced in this case? Is that your testimony?

6 A Right. You are basically implying that the
7 Josefsberg firm and the Searcy firm -- and nobody could
8 come up with money to do this.

9 This is clearly talking about the checks
10 that were coming from the other plaintiff's lawyers
11 for the purposes of hiring the forensic accountant.

12 Q Did Mr. Searcy -- did Mr. Scarola sign this
13 injunction paper?

14 A No. But now you're talking about two
15 different things.

16 Q Did Mr. Josefsberg sign this paper?

17 A You are talking about different things.

18 Q I'm asking you did they sign it.

19 A You tell me. Did they sign it?

20 Q I don't see it.

21 A Okay, then they didn't.

22 Q Did Mr. Scarola in his case file a federal
23 injunction seeking a bond?

24 A No. I did the work.

25 Q Did Mr. Josefsberg?

1 You did the work -- this is for
2 Mr. Scarola's case?

3 A No, but -- yes, the cases --

4 Q This is one of Mr. Scarola's cases?

5 A The cases were combined.

6 Q Let's look at the style. I just want to
7 make sure I understand this.

8 This motion you filed was to benefit
9 Mr. Scarola's client; is that right?

10 A No. What I'm saying is it was filed in Jane
11 Doe No. 2, Jane Doe No. 3, Jane Doe No. 4, Jane Doe No.
12 5, Jane Doe No. 6, Jane Doe No. 7, C.M.A., Jane Doe,
13 Doe No. 2, Doe No. 101, Doe No. 102.

14 So there was a motion filed in that case,
15 filed by me. This was work that was done by me to
16 freeze Mr. Epstein's money so that he could not move
17 assets out of the country and defeat any judgment
18 that I was to obtain.

19 Q For your client, right?

20 A Right.

21 Q Mr. Scarola even filed a federal court
22 action on behalf of his client?

23 A No. You're showing me this email that's
24 talking about -- an email that I sent about other
25 firms' checks that relate to the forensic accountant.

1 That's why I'm telling you, you're talking about
2 different things here.

3 Q This says right here, right, "Epstein has
4 to respond to the Judge as to why he's taking the
5 Fifth on all asset transfer questions."

6 You just read me asset transfer questions,
7 true?

8 A And if -- and if his answer to those
9 questions was no, that obviously wouldn't incriminate
10 him. He's not moving money overseas, okay, it doesn't
11 incriminate him. So clearly the answer was going to
12 incriminate him.

13 Now it looks like -- I'm saying -- the
14 Judge is going to make him respond as to why.

15 What we need is to file a supplement. It
16 would be great to have evidence of the transfer --

17 Q I agree --

18 A -- to file with our supplement.

19 Q -- it would have been great.

20 Did you have any evidence of the transfer?
21 It's what I've been asking for.

22 A We didn't have evidence that we could use at
23 that time to support the transfer. What we had was a
24 really good source, and we had evidence that Epstein's
25 invocation of the Fifth was evidence that he had indeed

1 done those things.

2 Q Is there any part of Rule 11 that says that
3 you do not have to have an evidentiary support for
4 your filings because a witness takes the Fifth
5 Amendment?

6 MR. SCAROLA: You know -- you know that
7 Rule 11 requires a good faith basis.

8 MR. LINK: I do.

9 MR. SCAROLA: It does not require that
10 you have evidence in your possession at the
11 time of the filing.

12 Complaints are filed on the basis of
13 good faith with a view towards obtaining
14 evidence all the time.

15 MR. LINK: And that's okay.

16 MR. SCAROLA: That's okay, as long as
17 there's a good faith basis.

18 MR. LINK: I agree with that.

19 MR. SCAROLA: So you are talking about
20 apples and oranges. You don't have to have
21 evidence for filing.

22 MR. LINK: This isn't a complaint.
23 This is a motion for injunction, which is
24 not --

25 MR. SCAROLA: You do not have to have

1 evidence at the time of the filing of the
2 motion. You have to have a good faith
3 belief that it's well-founded.

4 MR. LINK: Okay.

5 MR. SCAROLA: But you're arguing and my
6 arguing about what about Rule 11 has to do
7 with these pleadings has nothing to do with
8 any of these issues in this lawsuit. But it
9 has a lot to do with wasting time in this
10 fourth section of Mr. Edward's deposition --
11 the fourth and last session of Mr. Edward's
12 deposition.

13 MR. LINK: I think it's really most of
14 the first session, but that's okay. I
15 understand your position.

16 BY MR. LINK:

17 Q All right, so let me just wrap this up real
18 quick. All these Jane Does on here that you
19 mentioned, Mr. Scarola, did he have any clients in
20 this federal case that you are aware of?

21 A I think he represented C.M.A. Although, you
22 shake your head no, so maybe you know information that
23 I don't. If you are telling me the truth, I will
24 believe you.

25 Q I'm not telling you anything, sir.

1 A You are shaking your head.

2 Q Did Mr. Scarola have one of these Jane Doe
3 clients?

4 A You can't ask the question, then shake your
5 head, which indicates an answer no, and then ask me to
6 answer the question.

7 If you're telling me the answer is no, I
8 will agree with you. I assume you're telling me the
9 truth.

10 Q I'm not telling you any answer, sir.
11 That's your job.

12 A Why are you still shaking your head? Still.
13 Right now you are still shaking your head.

14 Q Maybe I have some kind of a twitch in my
15 neck. I don't know.

16 A So do know the answer to the question?

17 Q I'm not here to answer the question, sir.

18 A I don't know.

19 Q Did Mr. Josefsberg have any plaintiffs in
20 this federal action?

21 A I believe so.

22 Q Did Mr. Josefsberg authorize you to file
23 the motion for injunction on his behalf -- of his
24 clients?

25 A He knew that it was being filed.

1 Q You can file whatever you want for your
2 clients. I get that.

3 Did Mr. Josefsberg authorize you to file
4 this motion on behalf of his clients?

5 A No. That's not how we worked.

6 Q All right. Take a look, if you would,
7 please, at Exhibit Number 16.

8 (Plaintiff's Exhibit Number 16 was marked
9 for identification.)

10 BY MR. LINK:

11 Q Is my head still shaking no or --

12 A No, it's not. It's still now.

13 Q Okay. Good.

14 This is the order that the court entered
15 on the motion for injunction, true -- see Judge
16 Marra -- November 5th, 2009?

17 A Yeah.

18 Q And I want you look on page three. Do you
19 see where it says, "Plaintiff's motion" --

20 A I'm going to read it. I will get there.

21 Q Okay.

22 A Yeah.

23 Q Do you see where the federal district court
24 judge says, "Plaintiff's motion is entirely devoid of
25 evidence of defendants alleged fraudulent transfers"?

1 You see the court's statement?

2 A Yes. I'm just reading it in the context of
3 the rest of the order.

4 Q Is there something in the context of the
5 order that changes the court's words that the motion
6 that you and Mr. Cassell filed was entirely devoid of
7 evidence of Mr. Epstein's alleged fraudulent
8 transfers?

9 A No. I see that that is what the court says.
10 And also in light of the defendant being a billionaire,
11 the various retitling of vehicles in the view of the
12 court was de minimis in relativity.

13 So, yeah -- and there's a long string --
14 cite of cases indicating that prejudgment relief of
15 this type is not easy to obtain.

16 Q Mr. Edwards, I'm handing you what we just
17 marked as Exhibit 17, which is the Fourth Amended
18 Counterclaim that you filed against Mr. Epstein,
19 correct?

20 (Plaintiff's Exhibit Number 17 was marked
21 for identification.)

22 THE WITNESS: It appears like that's
23 what this is.

24 BY MR. LINK:

25 Q Would you take a look, please -- and this

1 is the operative pleading? Do you know?

2 A Are we on the fourth amended -- I don't know.

3 Are we on the fourth amended counterclaim? Not sure.

4 Q Not sure. Okay.

5 A I don't think so. Well, I only say that
6 because count one is abuse of process. I don't know
7 that we have an abuse of process in this case still
8 left. I thought it was only malicious prosecution. I
9 could be wrong.

10 Q Let's take a look at paragraph five. This
11 was filed on January 9th, 2013. Do you see that, the
12 Fourth Amended Counterclaim?

13 A Paragraph five?

14 Q No, the entire counterclaim. Look at the
15 first page of it. See the file stamp?

16 A January 9, 2013.

17 Q So as of January 13, 2000 -- January 9th,
18 2013 -- look at the last sentence of paragraph five.
19 Can you tell me on that day who are the victims
20 seeking compensatory and punitive damages against
21 Mr. Epstein that you represented?

22 A Okay.

23 MR. SCAROLA: If that information has
24 not been publicly disclosed, then I instruct
25 you that it is attorney-client privilege and

1 you should not respond.

2 BY MR. LINK:

3 Q Without disclosing their names, I will ask
4 the question differently.

5 Were you representing, in January 2013,
6 undisclosed victims that had compensatory and
7 punitive damage claims yet to be filed against
8 Mr. Epstein?

9 A I don't know. I don't know if at that time I
10 was or not.

11 Q Well, that's what this statement says,
12 right?

13 A It doesn't really. It says that upon
14 information and belief, federal law enforcement
15 continues to investigate additional allegations of
16 Epstein's serial abuse and molestation of children.

17 Q That's not the sentence we were just
18 looking at.

19 A "As a consequence" -- that's the sentence you
20 are looking at. "As a consequence of the" -- that's
21 what it says in the first sentence -- "Epstein
22 continues to face the potential of further criminal
23 prosecution and huge civil judgments from both
24 compensatory and punitive damages in favor of many
25 victims of his depraved criminal exploitation of

1 children" --

2 Q Including victims represented by Edwards.

3 A -- "including victims represented by
4 Edwards."

5 Q So I'm asking you, did you, in fact, in
6 January 2013 represent any victims of Mr. Edwards
7 (sic) that still had --

8 A Epstein.

9 Q I'm sorry. Mr. Epstein. Let me do it
10 again.

11 Mr. Edwards, did you in January 2013
12 represent any victims that had potential claims for
13 both compensatory and punitive damages against
14 Mr. Epstein?

15 MR. SCAROLA: You're misreading the
16 sentence. It doesn't say what you think --
17 what you are reading it to say. And as the
18 author of the sentence, I can tell you it
19 doesn't say what you think it says.

20 MR. LINK: I think it says exactly the
21 way I'm reading it, but it doesn't really
22 matter. So in answering my -- someone else
23 will decide what it says, not you or me.

24 MR. SCAROLA: Well, I will decide what
25 it says because I wrote it.

1 MR. LINK: Well, I don't think it
2 actually works that way. I expect the jury
3 will have to determine --

4 MR. SCAROLA: And I suspect that --

5 MR. LINK: That's improper --

6 MR. SCAROLA: -- to examine this
7 witness about the allegations --

8 MR. LINK: -- in a pleading.

9 MR. SCAROLA: -- in an unsworn
10 pleading. That's correct.

11 MR. LINK: We will find out.

12 MR. SCAROLA: Okay.

13 BY MR. LINK:

14 Q In any event, did you, in fact, in
15 January 2013 have any clients that you were
16 representing that still had potential civil
17 compensatory and punitive damages claims against
18 Mr. Epstein?

19 A I don't remember if in January of 2013 I
20 represented anybody who was a victim of Mr. Epstein's
21 molestation. I just don't remember.

22 Q Take a look at the last sentence of
23 paragraph six and the first sentence of paragraph
24 seven.

25 A Okay.

1 Q Tell me which lawyers were unable to
2 persist in the prosecution of their claims based on
3 Mr. Epstein's tactics?

4 A It doesn't say that. You are just reading
5 something into it a paragraph that's not even close to
6 what it says.

7 Q Talks about intimidating his victims and
8 their legal counsel into abandoning their legitimate
9 claims or resolving those claims for substantially
10 less than their just value, right? That's a
11 statement of fact in here of what has happened.

12 And it says, "Epstein's tactics have
13 proven successful, while other victims have thus far
14 withstood this continued assault upon them and
15 persisted in the prosecution of their claims."
16 Right?

17 So if Mr. Epstein's tactics proved
18 successful, then he must have intimidated victims
19 and their legal counsel into abandoning their
20 legitimate claims or abandoning their legit claims
21 or resolving them for substantially less than their
22 just value. And I would like to know who those
23 lawyers and victims were, sir.

24 MR. SCAROLA: That is argumentive. It
25 is a misreading of the sentence.

1 MR. LINK: Okay.

2 MR. SCAROLA: And if the question is
3 are you aware of victims who were
4 intimidated by Epstein and compromised their
5 claims for less than their value, that's a
6 legitimate question. But skip the whole
7 bunch of rhetoric that precedes it and ask
8 that question.

9 MR. LINK: You are done?

10 MR. SCAROLA: Yeah.

11 BY MR. LINK:

12 Q Do you remember my question?

13 A Hardly.

14 Q Me too.

15 So what I'm trying to understand is this
16 most current lawsuit against that Mr. Epstein has
17 allegations in it. And I know when we looked at
18 Mr. Epstein's complaint against you, you were
19 bothered by allegations that were in there that you
20 said were untrue, right?

21 A Yeah. The complaint is untrue.

22 Q I'm just looking at these allegations that
23 your lawyer filed on your behalf. Did you review
24 this complaint, this counterclaim before it was
25 filed?

1 A At some point in time, but not recently.

2 Q I said before it was filed.

3 A I'm sure.

4 Q And if there was something that you saw in
5 there that you thought Mr. Scarola got wrong or was
6 inaccurate, he unintentionally made a mistake, you
7 would have pointed it out, right?

8 A Well, Mr. Scarola was one of the lawyers who
9 also represented Epstein victims, so he knew -- he knew
10 the case, so did I. Did he know facts that I didn't
11 know? Maybe. But this doesn't look foreign to me. I
12 mean, Epstein intimidated victims. You've seen the
13 police reports. He intimidated victims. He
14 intimidated their families.

15 Q And their legal counsel, you say in here.
16 Mr. Scarola did not --

17 MR. SCAROLA: No, no. The complaint
18 said he attempted to intimidate victims and
19 legal counsel, and in some circumstances he
20 was successful.

21 MR. LINK: Right. I'm trying to figure
22 out who it was.

23 MR. SCAROLA: Okay, well, then ask that
24 question --

25 MR. LINK: I did.

1 MR. SCAROLA: -- are you aware of
2 victims or legal counsel who were
3 intimidated?

4 MR. LINK: I asked it my way. You are
5 better at it than I am. I will keep going
6 my way.

7 BY MR. LINK:

8 Q Can you tell me one lawyer who was
9 intimidated and resolved or abandoned a legitimate
10 claim, or resolved it for substantially less? Can
11 you tell me one?

12 A Because of intimidation, many of the victims
13 either didn't bring claims or abandoned their claims or
14 settled them for much -- well below the value of the
15 cases.

16 Q You said lawyer. Tell me one lawyer,
17 please, is what I asked. One lawyer. Did
18 Mr. Scarola? There's no chance, right?

19 MR. SCAROLA: How about one question at
20 a time.

21 MR. LINK: Fair enough.

22 BY MR. LINK:

23 Q Did Mr. Scarola capitulate and was afraid
24 of Mr. Epstein?

25 A It wasn't the --

1 MR. SCAROLA: That's two questions.

2 MR. LINK: It was?

3 MR. SCAROLA: Yes. Did Mr. Scarola
4 capitulate? Was Mr. Scarola intimidated by
5 Mr. Epstein?

6 MR. LINK: I bet he can handle that
7 question.

8 MR. SCAROLA: I'm sure he can, but the
9 law requires that you ask one question at a
10 time.

11 MR. LINK: It actually requires that
12 you just object to the form and then we will
13 see. That's what it requires. I know you
14 know that. I think you taught me that
15 during my objections.

16 MR. SCAROLA: Let's ask the proper
17 question, please.

18 THE WITNESS: All right. What's the
19 question?

20 BY MR. LINK:

21 Q Can you tell me one lawyer that represented
22 an Epstein plaintiff that abandoned their claim based
23 on Mr. Epstein's intimidation?

24 A I believe what is being said here is that the
25 intimidation of the victim caused the lawyer or the

1 victim to settle the case or the lawyer to not be able
2 to get the full value of the case.

3 I think that if you talk to Bob
4 Josefsberg, he will tell you that that happened.

5 Q That he settled his cases for less than he
6 otherwise would have because of him being intimidated
7 or not getting the evidence?

8 A His clients being intimidated.

9 Q I will ask him that.

10 A Perfect.

11 Q You can try to massage the words, as you
12 have done, but this says intimidate his victims and
13 their legal counsel. And I keep asking you about
14 legal counsel.

15 A And I keep telling you to ask him. Ask some
16 other legal counsel. It wasn't me.

17 Q This isn't his pleading. This is yours,
18 sir. And I'm asking you in this pleading that you
19 filed to please tell me one person that you are
20 referring to in this statement that you made. One.
21 Tell me one lawyer that abandoned a legitimate claim.

22 A I just told you who to go to ask and you
23 acted like I didn't say it.

24 Q Sir, your pleadings says that a legal
25 counsel abandoned a legitimate claim.

1 A It's Jack Scarola's --

2 MR. SCAROLA: My pleading does not say
3 -- my pleading does not say that any lawyer
4 was intimidated. My pleading says that
5 Jeffrey Epstein sought to intimidate victims
6 and their legal counsel into abandoning
7 their legitimate claims. That's what it
8 says. That's what he sought to do.

9 BY MR. LINK:

10 Q Can you identify any lawyers that were
11 intimidated and abandoned their claim, please? If
12 you can't, you can't. Just say, I don't know of any.

13 A I just told you it wasn't me.

14 Q I didn't ask if it was you, sir. I said if
15 you can identify any. This is about the 50th time
16 I've asked you can you tell me any lawyers that have
17 abandoned their claim. And all you have to say is, I
18 don't know of any. Or I do know, and here is who
19 they are.

20 A Any lawyers that abandoned their claim?

21 Q Yes.

22 A I don't know of any lawyers that abandoned
23 their claim.

24 Q Okay. Thank you.

25 Do you know of any lawyers that have

1 resolved their claim for substantially less than
2 their just value?

3 A I don't know of any lawyers that had a claim.
4 But if they had a claim against Mr. Epstein, I don't
5 know of any lawyer who abandoned his claim for
6 substantially less value.

7 Q Now, I'm not talking about a lawyer's
8 claim.

9 A That's what you just asked me.

10 Q No, it's not. It's the claim for the
11 clients they represent.

12 A Okay.

13 Q I am assuming that's what your paragraph
14 talks about here, are lawyers representing victims,
15 and that those lawyers, as a result of intimidation,
16 either walked away from the case, or took less money
17 than they thought was professionally and ethically
18 available for the case because of the intimidation.
19 That's what we're talking about.

20 So let's try it again, which is really
21 simple. Are you aware of any lawyer that abandoned
22 a legitimate claim filed on behalf of a client
23 because they were intimidated by Mr. Epstein?

24 MR. SCAROLA: Who is the they you're
25 speaking with?

1 MR. LINK: What?

2 MR. SCAROLA: You used a pronoun.

3 MR. LINK: Yeah.

4 MR. SCAROLA: The pronoun followed two
5 specific references. One was a reference to
6 client and the other was a reference to
7 lawyer.

8 BY MR. LINK:

9 Q You can answer the question.

10 A So am I aware -- is it your question or does
11 it relate to this paragraph? Does your question relate
12 to the paragraph?

13 Q Ignore the paragraph for a minute.

14 A Pretend the paragraph doesn't exist.

15 Q I can tell it's confusing.

16 A It is, because it doesn't relate to your
17 question, but -- okay.

18 So your question is --

19 Q You're objecting too? Now you're objecting
20 for yourself.

21 A No. I just thought that you were trying to
22 relate it to this paragraph, and that's what's making
23 this hard.

24 Q Don't worry about what's going on in my
25 head.

1 A So omit the paragraph?

2 Q I would like to know if you can identify
3 one lawyer that represented a victim with a
4 legitimate claim against Mr. Epstein where that
5 lawyer abandoned that claim because of Mr. Epstein's
6 intimidation.

7 A I'm not sure one way or the other. Like I
8 said, if -- Bob Josefsberg represented a lot of people.
9 If anybody's claim was abandoned because of
10 intimidation, he would probably know better than me.

11 Q Mr. Josefsberg is not sitting in that
12 chair, sir.

13 A Right.

14 Q I'm asking you. So if you don't know one,
15 is it hard no say I don't know of any?

16 A I believe victims abandoned their claims. I
17 remember that as a fact. I believe also that they were
18 represented by Mr. Josefsberg. I'm not positive about
19 that, but that's to the best of my memory. That's what
20 I think happened.

21 How this has anything to do with this
22 lawsuit, God only knows. But I'm trying for you.

23 Q So I should talk to Mr. Josefsberg to see
24 if, when he was legal counsel for a victim he
25 abandoned a legitimate claim because he was

1 intimidated by Mr. Epstein. Is that what you're
2 saying?

3 A That's not what I said. I said whether a
4 victim abandoned her claim where he happened to be the
5 lawyer because she was intimidated or Mr. Epstein used
6 his -- employed his extraordinary financial resources,
7 sought to avoid damages by employing extraordinary
8 resources at his disposal with the purpose of
9 intimidating his victims or legal counsel, I think that
10 that would be the person you would ask about that.

11 Q All right.

12 Turn to paragraph 25, which is on page
13 eight.

14 A Okay.

15 Q You see that it talks about Mr. Epstein
16 filing this claim against Edwards and Edwards' client
17 [REDACTED]. --

18 A I do.

19 Q -- for the sole purpose of further
20 attempting to intimidate?

21 A Yes.

22 Q And to abandoning or settling their
23 legitimate claims.

24 A Right.

25 Q We talked about that earlier, right?

1 A Yes.

2 Q And can you -- [REDACTED]. was a defendant in this
3 lawsuit, right?

4 A Right.

5 Q At the time that she was a defendant, she
6 was represented by you and your law firm as her
7 lawyer against Mr. Epstein, right?

8 A Correct.

9 Q Did you and your law firm represent [REDACTED]. in
10 the defense of this lawsuit?

11 A Yes.

12 Q And in representing [REDACTED]. in the defense of
13 this lawsuit where you're also a defendant, did you
14 charge her for that work?

15 A No.

16 Q Did you do it on a contingency basis?

17 A No.

18 Q Did you charge her for costs?

19 A No.

20 Q Did you have a written fee agreement with
21 her?

22 A Specifically for the defense of this case?

23 Q Yes, sir.

24 A Not a fee agreement, because I didn't charge
25 her a fee, and I don't think that there was a written

1 agreement at all, to the best of my memory.

2 Q Did you have any writing with her at all
3 discussing the terms upon which this representation
4 would go forward?

5 A No, other than I told her I would represent
6 her pro bono in this. It was unfair that this was his
7 tactic to try to extort her into abandoning her claim,
8 as well.

9 Q Did you have any writing with her
10 describing a conflict situation related to your being
11 a defendant in this lawsuit representing her in the
12 claims against Mr. Edwards (sic) and defending --

13 A Epstein.

14 Q Epstein. Thank you.

15 -- and defending her in the claim brought
16 by Mr. Epstein against her?

17 A I don't know if she signed a conflict waiver.
18 I'm trying to think through what that conflict would
19 be. It's not jumping out at me. I don't think that
20 she signed a conflict waiver.

21 Q Just so I get the names right -- thank you
22 for correcting me.

23 At the time you, Brad Edwards, represented
24 [REDACTED]. in a state lawsuit against Mr. Epstein.

25 A Right.

1 Q You, Brad Edwards, represented [REDACTED] in a
2 federal lawsuit against Mr. Epstein.

3 A Right.

4 Q Mr. Epstein sued [REDACTED] and you individually
5 in December 2009.

6 A Right.

7 Q Your law firm and you represented yourself,
8 right, in the defense of Mr. Epstein's suit?

9 A Mr. Scarola represented me.

10 Q Well, you filed a notice of appearance.

11 A Not then.

12 Q When did you file it?

13 A I don't remember. You would have to show me
14 the pleading, but not initially.

15 Q But you did, before Mr. Epstein's suite was
16 dismissed, file a notice of appearance, right?

17 A Before Mr. Epstein -- Mr. Epstein's lawsuit
18 with [REDACTED]. was dismissed?

19 Q Against you.

20 A Against me was dismissed?

21 Q Uh-huh.

22 A Yes.

23 Q And Mr. Epstein sued [REDACTED] and you and your
24 law firm agreed to represent her without charging her
25 to defend against the lawsuit Mr. Epstein brought?

1 A That's right.

2 Q And as far as you can remember, there's no
3 written fee agreement?

4 A True.

5 Q And there's no written conflict waiver
6 letter?

7 A Yes. We just went through that.

8 MR. SCAROLA: Good place for a break?

9 MR. LINK: Yeah. Perfect. Thank you.

10 THE VIDEOGRAPHER: The time is
11 4:01 p.m. This is the end of tape three and
12 we are going off the record.

13 (A recess was had.)

14 THE VIDEOGRAPHER: The time is
15 4:17 p.m. This is the beginning of tape
16 four. We are back on the record.

17 BY MR. LINK:

18 Q Mr. Edwards, looking at Exhibit 18 -- we
19 started the day talking about lawyers in the
20 Rothstein firm that worked on the Epstein matters
21 with you. And that is -- you testified earlier that
22 Russell Adler -- this is an email from him -- was the
23 head of the tort group.

24 A Right.

25 (Plaintiff's Exhibit Number 18 was marked

1 for identification.)

2 BY MR. LINK:

3 Q And this is a memo from him to you copying
4 Marc Nurik. Marc Nurik was a lawyer at Rothstein's
5 firm?

6 A One of the criminal defense lawyers.

7 Q And it's references Mr. Epstein's
8 non-prosecution agreement?

9 A That's what it looks like.

10 Q And it looks like it's a message from
11 Mr. Adler to you. Says, "Brad, Wayne Black and I
12 just had a great conversation with Marc Nurik about
13 the non-prosecution agreement, and I need you to
14 please get in contact with Marc and meet with him to
15 discuss the possibilities. Bring with you a copy of
16 the agreement."

17 Next sentence says, "We also discussed the
18 assets situation and there are some major
19 possibilities that need to be explored with Marc and
20 others."

21 "Get on it" exclamation point.

22 Were you reporting to Mr. Adler in how to
23 represent the three Rothstein clients -- the three
24 ladies -- on how to prosecute the Epstein matters?

25 A Well, this email is dated April 8th, 2009, so

1 I had just started at the firm. I had just got there.

2 Russ Adler was one of the only lawyers
3 that I had known for years before I got to the firm.
4 And Russ Adler handled sexual abuse cases. So,
5 especially in the beginning, I talked to Russ about
6 how to kind of navigate through the complications
7 with Jeffrey Epstein and with the type of defense
8 that was going on. So this just appears that Wayne
9 Black and Russ Adler -- Wayne was the
10 investigator -- that they were talking also about
11 how to -- what we needed to do in the investigation.

12 Yeah, Russ was definitely involved then.
13 He didn't do much in the day-to-day, so I don't want
14 to say anything to that.

15 Q I understand. But I'm talking about on
16 April 8th, 2009, it looks to me like he's giving you
17 instructions on what to do. Do you agree?

18 A Not giving me instructions on what to do. I
19 mean, he's telling me bring Marc Nurik the
20 non-prosecution agreement, is the instruction.

21 If anything, we are working together with
22 the common goal.

23 Q The get on it, exclamation point --

24 A We're buddies. Then we were just friends.
25 Get on it is let's do this.

1 Q So at least in April of 2009, Russ Adler, a
2 tort lawyer; Bradley Edwards, a tort lawyer; and Marc
3 Nurik, a criminal lawyer, are caucusing about the
4 Epstein litigation?

5 A About the non-prosecution agreement,
6 specifically, which is a complicated document that
7 related to the civil litigation, yeah. But that's why
8 we would involve Marc, because of the complications
9 related to that criminal document.

10 Q And was Mr. Adler a partner?

11 A No. I don't believe so. No.

12 I think there were only two equity
13 partners, which was Scott Rothstein and Stuart
14 Rosenfeldt.

15 Q As Mr. Adler the Adler at Rothstein,
16 Rosenfeldt & Adler?

17 A Yes.

18 Q So he was a named partner?

19 A He was a name on the door. I believe he was
20 a partner at the time. I did believe that, because his
21 name was on the door.

22 Q How about Mr. Nurik? Was he a partner?

23 A No.

24 Q Did you believe he was a partner at the
25 time?

1 A No. I learned -- I don't know about that
2 time. A month into my being there, I learned that only
3 Scott and Stuart were the actual partners.

4 Q Equity partners?

5 A Yes.

6 Q That he owned the firm?

7 A Yeah. The name partner really just meant you
8 kind of controlled your own life.

9 Q Did you talk with former Judge Bill Berger
10 about the Epstein -- the three Epstein cases that you
11 brought to the firm.

12 A Yes. And Bill Berger was the one I told you
13 earlier, he actually did certain things on the case:
14 attended hearings, may have helped to draft a motion or
15 two.

16 Q Let's take a look at this one. Was
17 Mr. Berger a partner?

18 A No.

19 Q Did he hold himself out as a partner?

20 A I don't know that, but I believe that if --
21 he may have carried that title partner, which means he
22 had his own division. He didn't have to report to
23 anybody.

24 Q If we look on the firm --

25 A That directory thing --

1 Q -- directory.

2 A I hadn't seen that until you showed it to me.
3 It's not going to surprise me if it says partner.

4 Q Berger's name probably says partner and so
5 does Mr. Adler and Mr. Nurik, right?

6 A Presumably.

7 Q So this is an email and it says May 19th.
8 And it's from Mr. Berger to Bradley Edwards -- that's
9 you -- Russell Adler, Steven Jaffe. Who is Steven
10 Jaffe?

11 A He's a lawyer there and in the successor firm
12 that I started after this.

13 Q And Matthew Weissing?

14 A Same.

15 Q And Gary Farmer?

16 A Same.

17 Q Is this Gary Farmer senior or junior?

18 A On this email that's junior.

19 Q So we have got Berger, Edwards, Adler,
20 Jaffe, Weissing and Farmer on email. Six lawyers.

21 A Right.

22 Q Discussing meeting with a psychologist
23 expert related to Epstein?

24 A Right.

25 Q And it's Berger inviting you, in fact, to

1 attend an interview of Dr. Amy Swan, a psychologist,
2 "who we're considering as the damages expert in
3 Epstein cases."

4 A Right. Yeah, the cases were being tried in
5 West Palm Beach -- in Palm Beach where Judge Berger had
6 just come off the bench. So the question really was,
7 who are the psychologists who treat sex abuse victims
8 in that area. And Judge Berger believed that she was
9 somebody that he thought was well qualified who had
10 appeared in front of him. So that's who he wanted us
11 to interview.

12 (Plaintiff's Exhibit Number 19 was marked
13 for identification.)

14 BY MR. LINK:

15 Q I got. He's asked five lawyers to --
16 invited them to participate in the interview?

17 A Yeah.

18 Q Right?

19 A I can't -- I can't imagine that many showed
20 up to that, but yeah.

21 Q Was Mr. Weissing, would he show up as a
22 partner on the directory?

23 A I don't know. Presumably though most --
24 everybody had that title.

25 Q Do you have the directory handy?

1 A Tell me what exhibit it is. I'm sure I do.

2 Q I think it's down at the bottom.

3 A Maybe it was earlier in the day than I
4 thought, unless I passed it. Yeah, I passed it.

5 Q Right after that.

6 A I will find mine. Ten -- here it is.
7 Exhibit 12. You were asking me about Berger, right?

8 Q Yeah. Let's just look at the folks that
9 were all invited to attend this meeting.

10 A William Berger says -- next to title, it says
11 shareholder.

12 Q Shareholder. Okay. Is that different than
13 a partner?

14 A In reality, no. But it's a different title.
15 Everybody was an employee, but -- it's a different word
16 than a partner.

17 Q Well, you said earlier that there's a
18 difference between a partner and a shareholder. And
19 a shareholder means you actually have equity in the
20 firm.

21 A No, I didn't say that. Again, you're making
22 things up. Totally made up.

23 Q Okay. Then I misunderstood you. What is a
24 shareholder?

25 A I don't know. Another title that was given

1 at the firm. I think everybody was just an employee.
2 There were two equity partners: Scott Rothstein and
3 Stuart Rosenfeldt. Everybody else, some form of
4 employee with a different name next to them,
5 meaningless.

6 Q Well, I see just on this very first page of
7 Exhibit 12, I see there's a partner. I see Russ
8 Adler is a shareholder. Roger Alvarez is an
9 associate. Larry Barsky is an associate. Bill
10 Berger is a shareholder. Shawn Birken is a partner.
11 Then you have law clerk, shareholder for Boden, and
12 partner for Bofshever.

13 I see lots of different titles.

14 A I do too. It's a made up stratification that
15 somebody created at the firm.

16 Q All right.

17 So who else was on that list that we just
18 looked at of the five names?

19 A Russ Adler, which we went to.

20 Q Shareholder. Berger, shareholder.

21 A Steve Jaffe.

22 Q How about Mr. Jaffe? So far working on --
23 with two shareholders and a partner.

24 A Page seven.

25 Q What is Mr. Jaffe?

1 A Partner.

2 Q Partner. Okay.

3 A Farmer. Farmer says shareholder.

4 Q So we have three shareholders --

5 A And Weissing says partner.

6 Q And all partners. All right. Stuart

7 Rosenfeldt says shareholder, by the way.

8 So he had the same title as Adler, Berger

9 and Farmer?

10 A Apparently, on this directory he did.

11 Q Okay.

12 A And Scott Rothstein says managing partner,
13 chairman, CEO.

14 Q Okay.

15 A I assume Mr. Rothstein named everybody, then,
16 since he's the only one with the highest title.

17 Q Look at Number 20.

18 A Yes, sir.

19 (Plaintiff's Exhibit Number 20 was marked
20 for identification.)

21 BY MR. LINK:

22 Q This just follows up on what you testified
23 earlier. This is from Susan Stirling. Who is Susan
24 Stirling?

25 A That name is familiar. I don't remember.

1 Q This is about Epstein. And it's her saying
2 to you, "I promise I will tell you about every check
3 I get. So far it has only been the one for the
4 motorcycle."

5 A So it looks like I sent an email before that
6 saying did we get a check to Wayne Black yet. That's
7 probably after he called me saying he hasn't been paid.
8 If not, let me know, and I will tell Russ about this,
9 again. Which is what I was saying, I will tell Russ
10 somebody needs to get paid.

11 She says, "No. I promise I will tell you
12 about every check I get. So far it has only been
13 one for the motorcycle." That's a different case.
14 That was a motorcycle in storage on another case.

15 Q So when you were mentioning about paying
16 Wayne Black and talking to Russ, this is --

17 A That's consistent with exactly what my memory
18 was this morning, is Wayne was saying he wasn't getting
19 paid, and I was referring it to Russ.

20 Q Mr. Edwards this is Exhibit 21.

21 (Plaintiff's Exhibit Number 21 was marked
22 for identification.)

23 BY MR. LINK:

24 Q And this is the Seventh Amended and
25 Supplemental Witness List filed on your behalf last

1 night at 5:20 p.m.

2 Can you tell me, please, what [REDACTED]
3 [REDACTED] -- what factual knowledge and information
4 she has and why she's expected to be presented as a
5 witness?

6 A I think who is going to be called and in what
7 order and what they're going to present is better asked
8 of my attorney, who is presenting the case. But I know
9 [REDACTED] --

10 Q Did I ask that? I don't remember asking
11 that.

12 A I thought you asked what information [REDACTED]
13 [REDACTED] was going to testify to in this case.

14 Q Right. Not when or if. She's listed here
15 as expected to be presented, right?

16 A It would be in response to any question --
17 any witness would be in response to any questions that
18 Mr. Scarola asks of them.

19 Q True.

20 A So I know what she would say if she told the
21 truth: Jeffrey Epstein was my employer. He hired me to
22 assist him in recruiting underaged girls so that he
23 could molest them. He did it all over the world. I
24 watched him traffic them nationally, internationally,
25 and I was also made to participate in that. And then

1 when Mr. Epstein was discovered by the FBI, he
2 assaulted me on an airplane to get me to cooperate with
3 him and not cooperate with the victims.

4 If she was going to tell the truth, that's
5 along the lines of what she would say.

6 Q We are talking about the counterclaim for
7 malicious prosecution, right, calling her in the
8 counterclaim claim for malicious prosecution, right?

9 A Right. The cases weren't fabricated.
10 Epstein really is a child molester. The underlying
11 cases that you were prosecuting against him really were
12 legitimate underlying cases. [REDACTED]. was a victim, not
13 fabricated.

14 Q Was there something in the claim that
15 Mr. Epstein brought where he said anything about his
16 interaction with [REDACTED] and the case that you filed?
17 Where does he say that?

18 A Yeah. He says --

19 Q Show me where that is.

20 A He says -- look at this deposition. He
21 says --

22 Q I'm asking you about the complaint that he
23 filed that you say -- as I understand you -- you have
24 one count, malicious prosecution, right? And that
25 you say on December 9th, 2007, when that complaint

1 was filed --

2 A 7, 2009. I got you.

3 Q December 7th, 2009 -- that Mr. Epstein did
4 not have a -- did not have probable cause to file
5 that proceeding. That's the complaint you brought,
6 right?

7 A Right.

8 Q So, understanding what was in Mr. Epstein's
9 mind about what he knew about Rothstein and his Ponzi
10 scheme, and what he knew about any connection to
11 that -- that he might have in his head, how does
12 [REDACTED] have personal knowledge about that?

13 A You just reframed this case to something that
14 this case is not.

15 Q Really. Tell me what the case is about
16 then.

17 A Well, at least as it relates to [REDACTED]

18 Q No, no. Is it not a malicious prosecution
19 case?

20 A It is a malicious prosecution case.

21 Q And it's whether or not Mr. Epstein had
22 probable cause when he filed it, right?

23 A To bring the complaint that he filed. Right.

24 Q The proceeding that he brought, whether he
25 had probable cause --

1 A Yes.

2 Q -- is one of the elements.

3 A Sure. That's one of the elements.

4 Q Does [REDACTED] have any factual
5 information related to whether Mr. Epstein had
6 probable cause to make the allegations he did about
7 Mr. Rothstein and about you?

8 A Mr. Epstein --

9 MR. SCAROLA: Excuse me. To the extent
10 that relevance is a legal concept, the
11 question calls for a legal conclusion. I
12 object to the form of the question on that
13 basis.

14 MR. LINK: Understood. Thank you.

15 THE WITNESS: Mr. Epstein's complaint
16 against me for the crimes that he alleged
17 that I and Scott Rothstein and [REDACTED]
18 committed is predicated upon the assertion
19 by him that I fabricated cases of a sexual
20 nature on behalf of victims, or fictitious
21 victims, including [REDACTED]

22 And in furtherance of these fictitious
23 cases, that I conducted irrelevant discovery
24 that could serve no purpose but to pump a
25 Ponzi scheme.

1 [REDACTED] would be able to testify
2 that [REDACTED]'s case was not fabricated, was not
3 as Mr. Epstein elaborated in his deposition,
4 ginned up; that it was indeed legitimate.
5 She was a legitimate victim. My pursuit of
6 discovery, including the flight logs, was
7 relevant to the proof of her claim,
8 including the punitive damage claim that I
9 was prosecuting, which would refute the
10 probable cause he claims existed when he
11 filed the complaint against me.

12 BY MR. LINK:

13 Q So help me understand. I know you have got
14 a bunch of these folks --

15 A I don't know if I can say it better than
16 that.

17 Q You said it very well.
18 What I'm asking about is -- if I
19 understand the counterclaim that you filed -- the
20 probable cause requires a reasonably cautious person
21 to have a good faith belief, essentially, in the
22 things that they allege -- Mr. Scarola said it more
23 articulately earlier, right -- and so that it has to
24 do with the allegations made.

25 Does Ms. [REDACTED] have any knowledge about

1 what Mr. Rothstein was doing?

2 A Ms. [REDACTED] has knowledge about what
3 Mr. Epstein did, and therefore, what Mr. Epstein knew.
4 And therefore, what Mr. Epstein said in his complaint
5 was knowingly false.

6 Q Let me try my question again.

7 A Which means no probable cause.

8 Q I must have confused you. Did Ms. [REDACTED]
9 have any knowledge about what Scott Rothstein was
10 doing?

11 A Ask her.

12 Q Pardon me?

13 A Ask her.

14 Q You don't know?

15 A I don't know if she knew what Scott Rothstein
16 was doing.

17 Q Did Ms. [REDACTED] have any idea what you were
18 doing at the Rothstein firm? Were you talking to
19 her? Did she participate?

20 A Not to my knowledge she didn't know what I
21 was doing.

22 Q So Ms. [REDACTED] testimony has to do with
23 claims made by victims that have settled their cases,
24 right?

25 MR. SCAROLA: It has to do with what

1 Mr. Edwards has described in detail it has
2 to do with. He doesn't --

3 What purpose does it serve for you to
4 recharacterize in five words the lengthy
5 answer that he gave you explaining in detail
6 the relevant, quote, unquote, knowledge that
7 you asked him?

8 BY MR. LINK:

9 Q I'm just trying to understand how the
10 knowledge is part of your case. That's what I'm
11 asking. I understand.

12 So her knowledge is about what she knew
13 about Mr. Epstein before he did his plea deal,
14 right?

15 A And after.

16 Q And after.

17 A It's what she knew about what Mr. Epstein did
18 and what Mr. Epstein knew at the time that he filed the
19 false complaint against me. That's what it is.

20 Q Did she talk to Mr. Epstein at the time he
21 filed the complaint and say, What's in your mind? Is
22 that what she's going to say? Mr. Epstein told me in
23 December of 2009 this is why I filed this complaint?

24 A All right. Let me just give you an example.

25 Q Okay.

1 A [REDACTED] was on the airplane with Jeffrey
2 Epstein and an underaged girl. Jeffrey Epstein makes
3 the allegation in the complaint that the proof that
4 Brad Edwards was pumping a Ponzi scheme is that he
5 sought flight logs, despite knowing that there were no
6 underaged girls on the airplane. Jeffrey Epstein knew
7 that to be false, because there were indeed underaged
8 girls on the airplane.

9 To the extent that Jeffrey Epstein himself
10 won't say that I knowingly filed this false
11 allegation, [REDACTED] could say, I know that
12 Jeffrey Epstein knew that that was a false
13 allegation, because I too was on the airplane and so
14 was this underaged girl, and he knew that.

15 So at the time that he filed this
16 complaint, he knew that it was false, the
17 allegations that he was making, which allegedly
18 formed the basis of his assertion that I was
19 involved in a Ponzi scheme.

20 Q Okay.

21 You lost me, but I'm not going --

22 A Read it back. I think it makes sense.

23 Q I'm not going to try to figure that out.

24 Do you have anyone that can testify about
25 what was in Mr. Epstein's mind in December 2009 at

1 the time that the lawsuit was filed about why he
2 filed it?

3 A Mr. Epstein testified to that.

4 Q Other than Mr. Epstein, do you have any
5 witnesses that are going to testify about the reasons
6 why Mr. Epstein made the decision to file the
7 lawsuit?

8 A No. It's very obvious why he filed the
9 lawsuit.

10 Q You have no other witnesses other than
11 Mr. Epstein, correct?

12 A We have attempted to take his attorneys'
13 depositions and they have all rejected that
14 opportunity. So he has no witnesses that can testify
15 as to what was in his mind at that time.

16 Q You are the plaintiff in the counterclaim,
17 right?

18 A We will see how this unfolds, right?

19 Q Let me just wrap this up, because you have
20 given me a lot of information to which I think are
21 simple questions. Do you have a witness that will
22 testify, other than Mr. Epstein, about what was in
23 his mind in December 2009 about why he brought the
24 lawsuit?

25 MR. SCAROLA: Direct evidence or

1 circumstantial evidence or both?

2 THE WITNESS: Let me think about that
3 question. About why he brought the lawsuit.
4 Specifically that.

5 MR. LINK: Can you read back the
6 question for him, please?

7 I won't take that as coaching at all.
8 In any event, well done. But I don't think
9 you heard my question.

10 Can you read it back?

11 (Thereupon, the requested portion of the
12 record was read back by the reporter as
13 above duly recorded.)

14 THE WITNESS: A witness other than
15 Mr. Epstein, no.

16 BY MR. LINK:

17 Q Thank you.

18 Why was Bill Berger added to the witness
19 list last night?

20 A You will have to ask somebody other than
21 myself.

22 Q Do you know what Mr. Berger -- why he's
23 listed as an expert in this case?

24 A Again, that's a question for the lawyers.

25 Q Do you know when Mr. Berger agreed to

1 testify as an expert in this case, or if he has?

2 A Also a question for Mr. Scarola.

3 Q Have you --

4 MR. SCAROLA: All of which I will be
5 happy to answer at the appropriate time.

6 BY MR. LINK:

7 Q Do you know what factual knowledge
8 Mr. Berger has upon which he will predicate an expert
9 opinion in the case?

10 A Again, this is not a question for me.

11 Q How about Earleen -- Earleen?

12 A He certainly knows why certain discovery was
13 done and for what legitimate purpose it was done. But
14 what he's going to testify to, again, that's just a
15 question for somebody else.

16 Q I will ask him. That's okay.

17 Earleen Cote --

18 A She's --

19 Q Do you know why she was listed last night
20 at 5:20 p.m. to the Seventh Amended and Supplemental
21 Witness List?

22 A She's a -- she's my former boss at Kubicki
23 Draper.

24 Q Why was she listed last night? What is she
25 going to testify about Mr. Epstein?

1 A She will not testify about Mr. Epstein's
2 knowledge of what was in his mind before -- whatever
3 that question was you asked. She won't testify about
4 that.

5 Q Can you tell me what the purpose for her
6 being included? What is the knowledge she has about
7 the lawsuit?

8 A No. Only about me.

9 Q She's going to testify about you as an
10 employee at Kubicki Draper?

11 A I have known her for many years, from that
12 time until today, so she can testify about --

13 Q About what? Related to the lawsuit.

14 A Sure. How the lawsuit has affected me over
15 time.

16 Q I see. Okay. So she's not -- that's what
17 she's going to testify about. Okay.

18 How about -- you took Mr. Dershowitz off
19 the witness list. Do you know why Mr. Dershowitz is
20 no longer --

21 A I didn't know he was on the witness list.

22 Q On for years.

23 A By you or by us?

24 Q This is your witness list, not mine.

25 You don't know why he was on there. Okay.

1 How about Prince Edwards? Do you know why
2 Prince Edwards was on the witness list? Is
3 he coming here to testify?

4 A I don't even know who that is.

5 Q You don't even know who he is?

6 A Prince Edwards. No.

7 Q Do you know whether he's coming to testify?

8 A I don't know who that is. How would I know
9 if he's coming to testify.

10 Q You're the plaintiff and a lawyer in the
11 case.

12 A Is that a real person?

13 Q He's on your witness list, sir, not mine.

14 A Show me where that is.

15 Q You don't have the witness list -- you, you
16 have the witness list. I can't tell you. I'm
17 looking at a chart, and they are not alphabetical.
18 It's like a scrambled witness list.

19 A Let me try.

20 Q I think he goes by Price Andrew, I'm told.

21 A Okay. Prince Andrew. If he testifies, he
22 would have relevant information.

23 Q Do you know what he has?

24 A Yeah. I know that Jeffrey Epstein lent at
25 least one underaged female to Prince Andrew.

1 Q Lent? What do you mean by that? Tell me
2 what you mean by that, please.

3 MR. SCAROLA: The witness
4 identification actually appears at number
5 48, Prince Andrew Albert Christian Edwards,
6 which is his full legal name. Duke of York,
7 Buckingham Palace Road, London.

8 THE WITNESS: I would love for him to
9 testify.

10 BY MR. LINK:

11 Q Has he been subpoenaed, do you know?

12 A I don't know. We have tried to subpoena him
13 in the past, and he doesn't seem to want to testify.

14 Q The Royals are not easy to get in a circuit
15 court?

16 A Apparently not. I think that your client
17 would have the ability to get him here, though, so I
18 would hope he could.

19 Q Since he's on your witness list --
20 Mr. Edwards -- I suspect that you would be the one
21 that would be calling him.

22 A Like I said, I would love to.

23 Q On the witness list, if you would, turn to
24 the back page -- Mr. Scarola's office didn't number
25 the pages -- oh, 18 of 22. He did. You see under

1 expert witnesses on page 18 of 22 --

2 A Yes.

3 Q -- Mr. Josefsberg? Has he agreed to be an
4 expert witness?

5 A Again, that's a question for Mr. Scarola.

6 Q Have you talked to Mr. Josefsberg --

7 A Ever?

8 Q No. Let me finish.

9 Have you talked to Mr. Josefsberg about
10 testifying in this case?

11 A Have I personally?

12 Q Yes.

13 A No.

14 Q How about Charles Lichtman at Berger
15 Singerman? Has he agreed to provide expert opinions
16 in this case?

17 A All of these witnesses, you would have to ask
18 Mr. Scarola.

19 Q So you told me --

20 A He's in charge of the case.

21 Q I got it.

22 So there's one, two, three, four, five,
23 six, seven, eight, nine expert witnesses listed?

24 A Most of which appear to be the plaintiff
25 attorneys who handled the other -- who represented the

1 other victims against Mr. Epstein, and would testify
2 that all of the discovery that Mr. Epstein claims to
3 have been done and so improper for some improper
4 purpose were joint decisions by all of us, and was
5 entirely proper and served very relevant purposes for
6 all of our clients.

7 Q Now, you have Earleen Cote -- who you told
8 me was a personal friend -- listed as an expert
9 witness. Does she have an expert opinion she's going
10 to provide to the jury?

11 A That's a question that is directed better to
12 Jack.

13 Q One of the experts that's listed --
14 Exhibit 22.

15 (Plaintiff's Exhibit Number 22 was marked
16 for identification.)

17 BY MR. LINK:

18 Q -- actually provided a report in your case.

19 A It looks like, from the expert witness list
20 that you showed me before, that he's the only one
21 that's above the paragraph saying, The following, or
22 attorneys that are not retained, or are specifically
23 employed to provide expert testimony. So that's
24 probably why we have a report, because he's the one
25 expert that has been employed to provide expert

1 testimony.

2 Q I understand. He's the only one that
3 complied with the disclosure rules and has a report,
4 but the rest are listed as under the actual expert
5 witness section.

6 A I hear you.

7 Q So in looking at -- do you have the report
8 in front of you, which we just marked as Exhibit 22
9 for Bernard Jansen, PhD?

10 A Yeah.

11 Q When was Mr. Jansen retained?

12 A I don't know.

13 Q Your counterclaim has been pending since
14 December 2009, correct?

15 A Yes.

16 Q Do you know why Mr. Jansen did not provide
17 a report until 2017?

18 A Don't know.

19 Q Do you know why Mr. Jansen was not listed
20 on any exhibit list from the beginning of the case --
21 the first -- I think it was five -- maybe five or six
22 witness list to the court?

23 A With certainty I don't know. I know the
24 types of things he does. And typically his report is
25 most useful right before trial, because it is a

1 quantification of the number of people who have seen
2 the articles associated -- depending on the type of
3 lawsuit in which he's testifying -- with the derogatory
4 and defamatory statements, so --

5 Q Dr. Jansen --

6 MR. SCAROLA: Excuse me. I'm sorry.

7 You interrupted Mr. Edwards.

8 BY MR. LINK:

9 Q Did I, Mr. Edwards?

10 A Yes. I was almost finish, though.

11 So his report can't be completed until --
12 well, you want it to be complete as close up to the
13 trial as possible so that you can have the final
14 numbers.

15 Q I understand you can update reports. But
16 you could have retained him at any time, because
17 there were other trial settings and there would have
18 been a witness list, right?

19 A Well, we have been on appeal for a while,
20 but --

21 Q I understand. But you've had five trial
22 settings.

23 In any event, you have used Mr. Jansen
24 before, correct?

25 A I have used Mr. Jansen before. As a

1 plaintiff I have not. This is my first time, I think.

2 Q As a lawyer?

3 A Yes.

4 Q I saw on his Appendix B on page 77 he lists
5 a lawsuit [REDACTED] versus Maxwell, that we talked
6 about earlier --

7 A That's the one I told you earlier.

8 Q -- with Boies Schiller --

9 A Right.

10 Q -- and your firm, Jaffe, Weissing, Edwards,
11 Fistos & Lehrman, right?

12 A Exactly.

13 Q And is that where you met Mr. Jansen,
14 during that lawsuit.

15 A Yes.

16 Q Was he somebody that the Boies Schiller
17 firm recommended that you use?

18 A In that lawsuit?

19 Q Yes.

20 A I don't remember who first found him. I
21 would say that in the first call with Mr. Jansen, right
22 before he was hired, it was either myself and
23 Mr. Boies, or somebody from his firm. So together we
24 found him.

25 I think he testified in the Erin Andrews

1 case. That's initially how we discovered him.

2 Q If you flip back in this report to --
3 forward in the report. Sorry -- to page 13. You see
4 the first article that he references is from
5 October 4th, 2017.

6 A I do see that.

7 Q This is one of the articles he references
8 as being dissemination of defamatory material about
9 you, correct?

10 A I don't know. I haven't read this report.

11 Q You didn't read his report?

12 A No.

13 Q So what was it that he was retained to do,
14 then, if you didn't read his report? Do you know?

15 A It wasn't so I could read his report. That's
16 definitely not what he was retained to do.

17 Q Okay. Did you understand that he was
18 supposed to do a search to see where articles had
19 been disseminated and the number of viewers?

20 A How many viewers viewed the dissemination of
21 the false allegations that were made against me that
22 were prompted or set in motion by Mr. Epstein's
23 complaint.

24 Q So he lists some examples here on page 13.
25 Are you familiar with the article, October 3rd, 2017,

1 in the Palm Beach Post about Jeffrey Epstein paid
2 three women \$5.3 million to end sex lawsuits?

3 A Yeah.

4 Q Did your office or Mr. Scarola's office
5 invite that reporter to the hearing on that day?

6 A I did not. I wasn't even in town, I don't
7 believe, for that day.

8 Q Do you know whether Mr. Scarola had lunch
9 with that reporter that day before the article came
10 out or the day before?

11 A I do not know. I don't think it's of
12 consequence, since that article contains these false
13 allegations, and it was only set in motion by this
14 complaint.

15 Q So even if you reached out and asked a
16 reporter to attend a hearing and publish an article,
17 that's Mr. Epstein's responsibility because he sued
18 you in December 2009; is that right?

19 A You got it. Although, I didn't do that.

20 Q You retained Mr. Scarola on a contingency
21 fee to represent you in this case?

22 A Yes.

23 Q So you haven't had to pay Mr. Scarola for
24 his work; is that correct?

25 Let's take a look at Exhibit 23.

1 (Plaintiff's Exhibit Number 23 was marked
2 for identification.)

3 BY MR. LINK:

4 Q Can you tell me from looking at Exhibit 23,
5 which is a compilation of Brad Edwards' time, when it
6 is that you started taking contemporaneous notes of
7 your time -- contemporaneous time records?

8 A I believe by February.

9 Q Of February 2010?

10 A I believe so.

11 Q What is it about February 2010 that makes
12 you think that's when you started?

13 A It looks like that's when --

14 Q Is there something different about that
15 February 2nd entry that's different than the
16 January 29th and 30th entry?

17 A No. What I thought was that there was a
18 hearing, because I remember -- like I said, I remember
19 being at a hearing at the courthouse. But now that I'm
20 looking at this, this says, "Review of" -- it's a
21 notice.

22 Okay, it was before my deposition, which
23 was March 23rd, 2010. It was before that day.

24 Q Before March 23rd?

25 A That's the date that it says my deposition

1 was taken here.

2 Q Was your deposition taken for 12 hours?

3 A It was similar to today, which, you know, I
4 left my house this morning at whatever time. It was --
5 it's going to be longer than 12 hours, you know.

6 Q So you bill from the time you leave your
7 house until the time you get back?

8 A Yeah. For that day I wrote that down. The
9 time I left -- the time I came here -- the whole time
10 that this deposition took out of my life that day, I
11 billed it.

12 Q When you're billing clients, do you bill
13 clients for the amount of time it takes you to drive
14 from your house to wherever the deposition is, if you
15 are charging them on an hourly-rate basis?

16 A That's usually worked out with the client.
17 Sometimes if it's out of town, I tell them you are
18 going to have to pay for travel. But most of the time
19 not if it's out of town. If it's in town -- it's down
20 the street, I bill from -- there's usually preparation
21 before the deposition, too, so, you know, it's --

22 Q I'm just reading what you wrote here. And
23 what you wrote is deposition of Brad Edwards at
24 Searcy Denney, 12 hours?

25 A Yeah. It was probably longer than that.

1 From the time that I -- the time that it took out of my
2 day was longer than that. And that wasn't in billing a
3 client. It was -- I couldn't do anything for any
4 client that day, because I was wrapped up in this
5 nonsense.

6 Q Well, you said -- okay. Let's go back,
7 then, and take a look at the beginning. Remember, I
8 asked you about your review of the complaint? You
9 said you did that on the 7th. And I total 22.7 hours
10 that you have recorded to review the complaint in
11 this case.

12 A I have reviewed it for longer than that. I
13 may not --

14 Q So to read this complaint you spent more
15 than 22 hours?

16 A Over the course of the last eight years, yes.

17 Q I'm talking about in the first five days,
18 it has the 22 hours, sir.

19 A If that's what the time records say. That
20 doesn't seem --

21 Q You have got 8.1 on the 7th. You see that?
22 Initial complaint, review and research.

23 A It's not just reviewing the complaint. It's
24 also research related to the complaint, which includes
25 a lot of things.

1 MR. SCAROLA: Do you have any questions
2 relating to these time records that concern
3 any of the four areas that the Court has
4 described, other than a general review of
5 the time records that was already conducted
6 by your predecessor counsel and still
7 co-counsel Fred Haddad?

8 MR. LINK: I am asking about his claim
9 for damages.

10 MR. SCAROLA: Yes, sir. I understand
11 that. But this aspect of his claim for
12 damages was the subject of prior deposition
13 testimony.

14 These records were produced in advance
15 of that deposition. Mr. Haddad had them.
16 Mr. Haddad conducted an examination with
17 regard to these time records.

18 We are not going to go through that
19 again. That is an area that was inquired
20 into. And everything about these time
21 records could reasonably have been asked at
22 that time or was asked at that time.

23 MR. LINK: I understand.

24 MR. SCAROLA: So I'm going to object to
25 any further questions, unless those

1 questions can be tied into the areas
2 specifically permitted by Judge Hafele.

3 MR. LINK: I believe Judge Hafele has
4 given me permission to ask about damages.

5 BY MR. LINK:

6 Q So would you take a look, if you would, at
7 September 2nd, 2010? And do you see on that date you
8 recorded 41 hours of time?

9 A It wasn't all done on that date.

10 Q By September 2nd, 2010, you told me you
11 were keeping contemporaneous time records. So if you
12 were keeping contemporaneous time records, you
13 recorded on that date 41 hours.

14 A But I'm not billing a client. This is
15 keeping records for me, so I know how much time I'm
16 spending on the file.

17 If you have seen the summary judgment
18 motion and seen the undisputed statement of facts,
19 and seen the volume of exhibits attached to it, you
20 would know how long is spent to assemble that
21 motion, and know that that's not really an
22 unbelievable amount of time.

23 So by that date, that's the number of
24 hours that I had spent on that, that block billed
25 that. This is not something that -- I am doing it

1 for me. It's not going to a client.

2 Q But you are doing it in order to recover
3 damages against Mr. Epstein, right?

4 MR. SCAROLA: Excuse me. Don't answer
5 that question.

6 And unless you can tie a specific
7 question regarding these time records to the
8 area specifically identified by Judge
9 Hafele, or demonstrate that the questions
10 that you are asking are questions that could
11 not reasonably have been covered during the
12 third session of Mr. Edwards' deposition,
13 then we will not answer the questions.

14 MR. LINK: So, if I understand it, any
15 questions that I have that relate to damages
16 that are set forth on Exhibit 23, your
17 position is I'm not allowed to ask?

18 MR. SCAROLA: Unless they can
19 specifically be tied to the filing of the
20 federal lawsuit, interaction with Rothstein
21 and knowledge of the Ponzi scheme, or the
22 \$14 million bond motion, that's correct.

23 This aspect of damages was fully and
24 completely explored by Mr. Haddad. We are
25 not here to redepose Mr. Edwards with regard

1 to matters that were already covered. And
2 no objections were raised with regard to
3 those questions, so this is not an area
4 where the Court sought a clearer record with
5 regard to the nature of the objections that
6 were being raised and any privilege
7 assertions that were being raised.

8 MR. LINK: Okay. You're entitled to
9 instruct him. I disagree with the way you
10 read the transcript. It is what it is.

11 MR. SCAROLA: That's fine.

12 MR. LINK: So the record is clear,
13 there are many questions I would want to ask
14 you about these time records, particularly
15 in light of you telling me that you kept
16 contemporaneous records, which I don't think
17 is true, based on the time that I see here
18 and based on the testimony I just heard,
19 which is that I block billed here, and that
20 I would like to explore that further.

21 Mr. Scarola --

22 MR. SCAROLA: Your personal assessment
23 of Mr. Edwards' credibility is neither
24 relevant nor material, particularly when
25 your predecessor counsel had every

1 opportunity to explore issues regarding
2 credibility with regard to these records.

3 MR. LINK: Move on?

4 MR. SCAROLA: Please do.

5 BY MR. LINK:

6 Q Mr. Edwards, since 2009 when Mr. Epstein's
7 lawsuit was filed, you have actually made
8 presentations about the Epstein case and about
9 representing sexual abuse victims, right?

10 A I have definitely made presentations about
11 representing sexual abuse victims. And one of those
12 cases is the case against Jeffrey Epstein.

13 Q Okay. Let's take a look at Exhibit 24.
14 (Plaintiff's Exhibit Number 24 was marked
15 for identification.)

16 BY MR. LINK:

17 Q If you would, I would like you to turn to
18 -- it's page 99. This was part of a bigger package.
19 I think it's a presentation you made to the National
20 Crime Victim Bar Association. Do you remember that
21 presentation?

22 A Let me see. Where was it? I know where it
23 was --

24 Q If you look on page one, it says, "Bradley
25 Edwards. Protecting the Rights of Crime Victims.

1 Why do we do what we do. Papers and Presentations."

2 You see that?

3 A I have given that presentation.

4 Q Turn to page 99.

5 A Yep.

6 Q So, if you look at Subsection F, you make
7 the comment in A that defendant will likely invoke
8 the Fifth. Does that mean the Fifth Amendment? Is
9 that what you mean by that, the constitutional right
10 to not testify against yourself?

11 A The Fifth -- your client does it all the
12 time. Yes, that's what I'm talking about.

13 Q Were you talking about Mr. Epstein here or
14 generally?

15 A Doesn't look like --

16 Q Doesn't look like Mr. Epstein to me.

17 A It doesn't look like it.

18 Q In most cases that are brought involving
19 sexual abuse, do the defendants invoke the Fifth
20 Amendment?

21 A When you sue a pedophile, typically they
22 invoke the Fifth. I mean, I can't even think of an
23 instance where they haven't.

24 The only time that they don't is if they
25 try to claim that it was negligent or they

1 misunderstood the age or misapprehended something
2 about the situation. But where they're actually
3 guilty, yeah, they take the Fifth.

4 Q You see here where you say here in those
5 cases where somebody pleads the Fifth, you can and
6 should ask -- something you put in quotes -- pressure
7 point questions. You see that?

8 A Yeah.

9 Q And then you give an example of a pressure
10 interrogatory.

11 A Yep.

12 Q What do you mean by finding pressure points
13 to ask defendants?

14 A Well, so this is talking about in an STD
15 transmission case, which I have had a bunch of them --
16 not a bunch of them, four or five of them. And one of
17 the things that is difficult about those cases is
18 proving that the perpetrator -- the perpetrator usually
19 doesn't admit, Yeah, I knew I had it beforehand. So in
20 this case, getting the names and numbers of all their
21 prior girlfriends and tracing back the disease is a
22 pressure point that typically when they see that you
23 are headed down this road that you are ultimately going
24 to get information from previous people to be able to
25 prove your case, it will lead to the defendant

1 understanding that you got me and --

2 Q A settlement?

3 A Yeah, and the case will settle.

4 Q So that if you apply the appropriate
5 pressure to the right -- in the right circumstances,
6 you will get them to settle?

7 A Yeah.

8 Q Is that a tactic that you were teaching
9 that folks should do if you were representing a
10 plaintiff, which is to find the right pressure points
11 so that you can extract the best settlement possible?

12 A Well, that's what every plaintiff lawyer does
13 in every case, is try to maximize the recovery. And in
14 order to do that, you need the right evidence. And in
15 order to get the right evidence, these are the types of
16 questions that you need to do to get it.

17 Q And you have to squeeze the pressure point,
18 right? Push the pressure point to get the best
19 settlement?

20 A You've got to get the right evidence to get
21 it, yeah. Of course.

22 MR. LINK: Let's mark this as a
23 composite Exhibit 25.

24 (Plaintiff's Exhibit Number 25 was marked
25 for identification.)

1 BY MR. SCAROLA:

2 Q Mr. Edwards, one of the things I have seen
3 is that you have been -- you have gotten awards and
4 accolades and different recognition by your peers
5 over the years, right?

6 A Mr. Haddad and I talked about this ad nauseam
7 at my second deposition, so yes. You've noticed the
8 same thing that your predecessor noticed.

9 Q What I was going to ask you is, I didn't
10 see any such accolades or awards before
11 December 2009. Were you rated by Martindale-Hubbell
12 before December 2009?

13 A This is the same line of questioning. We are
14 just rehashing the same thing.

15 Q So you don't want to answer?

16 MR. SCAROLA: I will let you answer --

17 THE WITNESS: It's not that I don't
18 want to answer, it's just wasting time.

19 MR. SCAROLA: I will let you
20 answer that one question.

21 THE WITNESS: I don't know.

22 When Mr. Haddad told me last time all
23 of the accolades, it was -- most of it was
24 news to me. Some of the things I didn't
25 even know about. Martindale-Hubbell, I do.

1 Was I rated before that? I don't know.

2 You would have to go back.

3 BY MR. LINK:

4 Q So the things in this exhibit --

5 A It's mainly Martindale-Hubbell.

6 Q -- 20 -- 30 -- 23 -- 23.

7 MR. SCAROLA: Twenty-five.

8 MR. LINK: Twenty-five?

9 MR. SCAROLA: Yes, sir.

10 BY MR. LINK:

11 Q Exhibit 25, you're aware of all of these
12 because you ordered plaques, right?

13 A I personally didn't. Did my firm? I don't
14 know. Like, I have never seen this before. I don't
15 know what this organization is. I haven't seen it.
16 Was it ordered? Possibly.

17 Q Do you put these plaques up in your office?

18 A I may have three plaques up in my office.
19 No. I don't have all these plaques.

20 Q You don't have all these plaques up in --
21 where are you storing your plaques?

22 A I don't know. That's a good question.

23 "Highest possible rating in both legal
24 ability and ethical standards." I feel like I would
25 have remembered seeing this plaque. I haven't seen

1 it.

2 Q But you see the picture of the plaque?

3 A I do.

4 Q With your name on it?

5 A You've made a great exhibit here. I'm going
6 to use it in my next presentation.

7 MR. SCAROLA: Marketers send you these
8 things with a picture of your plaque all the
9 time.

10 MR. LINK: Not me. They know better.

11 Why don't we take a couple minute's
12 break. Let me sort through some of this and
13 see where we can get to to move it along.
14 How's that?

15 THE WITNESS: Anything to move it
16 along.

17 MR. SCAROLA: Sounds promising.

18 THE VIDEOGRAPHER: The time is
19 5:15 p.m. We are going off the record.

20 (A recess was had.)

21 THE VIDEOGRAPHER: The time is
22 5:35 p.m. We are back on the record.

23 BY MR. LINK:

24 Q Mr. Edwards, Bill Corte, who is he?

25 A He's an IT guy.

1 Q Worked at the Rothstein firm?

2 A Yes.

3 Q And did he join the firm that you guys set
4 up, Farmer --

5 A No.

6 Q Tell me the name of the firm again.

7 A Farmer, Jaffe, Weissing, Edwards, Fistos &
8 Lehrman.

9 Q Did not join them?

10 A No.

11 Q Did you work with him while he was at
12 Rothstein when you were employed there?

13 A We were both employed there.

14 Q Did you work with him on any of the Epstein
15 files?

16 A No. He didn't work on Epstein files. He was
17 an IT guy.

18 Q I understand.

19 Did you use him for any part of the
20 Epstein cases?

21 A I don't think he worked on any -- we didn't
22 have any IT needs, I don't believe.

23 Q We talked earlier about the settlement with
24 the three clients that you represented when you were
25 at Rothstein, and I think the number was

1 5.2 million --

2 A It was 5.5 million. It settled in July of
3 2010, not while I was at Rothstein.

4 Q No, I understand. They were the three --
5 same three clients you represented while you were at
6 Rothstein's, right?

7 A Yes.

8 Q Can you tell me, of the 5.5, how much did
9 the three collectively collect from that?

10 A I don't remember that.

11 Q You didn't take those cases on a pro bono
12 basis, did you?

13 A No. It was a contingency arrangement,
14 similar to my arrangement with Mr. Scarola in this
15 case.

16 Q Okay. I understand. I understand.

17 So that contingency, do you remember what
18 percentage the contingency was?

19 A I don't.

20 Q Was it a third, 40 percent?

21 A Probably -- I don't know. But the standard
22 is between zero and a million, 40 percent if it's in
23 litigation; 1 to \$2 million, 30 percent; and then over
24 \$2 million, 20 percent or something. There's a sliding
25 scale. That's probably what was used.

1 Q Somewhere in that range, though. So on
2 average between 30 to 35 percent on total?

3 A Yeah.

4 Q Did your clients fund their expenses in the
5 litigation?

6 A No.

7 Q You fronted the expenses for them -- the
8 law firms did?

9 A Yeah.

10 Q The expenses that were fronted by the
11 Rothstein firm, were they ever collected?

12 A What do you mean by that?

13 Q So I assume when you were at the Rothstein
14 firm there were expenses advanced on behalf of the
15 three clients, right?

16 A Right.

17 Q And when Rothstein's firm went away, were
18 those expenses that the Rothstein firm advanced ever
19 paid to the trustee --

20 A Yeah.

21 Q -- or paid back --

22 A Yeah.

23 Q They were?

24 A Yes.

25 Q And how much was paid to the trustee for

1 the expenses?

2 A I don't remember that. I think this was
3 asked in a prior deposition and I gave the answer. I
4 remember this line of questioning, and I knew then. I
5 just don't now. Too many years have passed.

6 Q But there is some amount of the recovery
7 that went to the trustee, right?

8 A Yes.

9 Q Do you remember what the total costs were
10 that the three clients had deducted from the
11 settlement amount?

12 A I don't. Again, I definitely testified about
13 this at a time that I knew it, which was either my
14 second or third deposition. I don't remember anymore.

15 Q Do you have a rough estimate in your mind
16 about what the expenses were or the costs that were
17 advanced?

18 A Approximately \$200,000.

19 Q When -- at the Rothstein firm, the
20 four-plus investigators that would work on the
21 matter, would they record their time as an expense
22 that the clients would pay?

23 A No.

24 Q They did not.

25 So a couple hundred thousand dollars in

1 costs, roughly 30, 32 percent contingency fee. I
2 got that about right?

3 A Yeah. I mean based on the math that we're
4 doing. Again, I'm approximating based on --

5 Q I understand.

6 A Yeah.

7 Q So -- that's really hard math. I like a
8 round number. Roughly a million six or seven in fees
9 to your -- to the firm?

10 A It wasn't that much, because we had to pay a
11 portion of the fees to the trustee, too.

12 Q Oh, they got a portion of the fees and the
13 cost?

14 A Yes.

15 Q Do you remember what portion they got?

16 A I don't.

17 Q Half? More? Less?

18 A I just don't remember. I think less than
19 half.

20 Q Do you? All right.

21 Other than --

22 A It worked out based on how long different
23 lawyers were there. And I was at RRA for such a short
24 period of time that it would not have been half.
25 That's my deductive reasoning that leads me to answer

1 that question that way.

2 Q I got it.

3 So there was -- obviously there were three
4 firms that had an interest in whatever the fee
5 recovery was. Brad Edwards, PA?

6 A Yep.

7 Q The Rothstein firm?

8 A Wait. No. Brad Edwards, PA didn't.

9 It was the Rothstein firm -- when I came
10 to that firm, all of my cases became RRA cases. I
11 didn't retain --

12 Q Separate interest --

13 A No. I didn't retain any separate interest.
14 I just became an employee of a firm.

15 Q And gave them the cases?

16 A They were their cases.

17 Q I got it.

18 A So when I left, I took the cases with me
19 because there was no RRA anymore.

20 Q I didn't understand. Let me make sure I
21 got this. When you left Brad Edwards, PA and
22 became -- the salaried employee?

23 A Yes.

24 Q Salaried employee -- you brought those
25 cases with you and did not retain any percentage in

1 those cases?

2 A Correct.

3 Q Got it. And when those case leave and go
4 to the new Farmer firm, those cases go with, and
5 there's an agreement with the trustee for Rothstein
6 about how fees and costs will be shared?

7 A Exactly.

8 MR. LINK: Thank you very much. I have
9 questions only as to the areas that you
10 instructed him not to answer. But other
11 than that, I'm finished.

12 CROSS-EXAMINATION

13 BY MR. SCAROLA:

14 Q Brad, there were a number of questions
15 asked of you in regard to signatures on documents
16 that you do not recognize. But you testified that it
17 was your intent that those documents be filed under
18 your authority; is that correct?

19 A Right.

20 Q Do you have any reason to believe that,
21 although you did not recognize those signatures, that
22 those documents were signed without your authority?

23 A No. As I explained, I authorized the cases
24 to be filed. And any attorney could sign the pleading
25 and have it filed. It was my pleading. I wanted it to

1 be filed. Attorneys sign pleadings for people all the
2 time. So I authorized it to be filed.

3 Q There was --

4 A I think that the implication was that I
5 authorized somebody to sign my signature. I didn't
6 authorize anybody to sign my signature. I authorized
7 the cases to be filed -- an attorney could sign it, get
8 it filed.

9 Q Was that an unusual circumstance?

10 A No.

11 Q Was it unique in any respect with regard to
12 anything having to do with the Epstein cases?

13 A No.

14 Q Is it unusual in your experience for other
15 lawyers to operate in the same fashion?

16 A No. I signed pleadings. People sign
17 pleadings for me. It happens in every law firm that I
18 know, so --

19 Q You were also asked questions about your
20 knowledge of the compromise of claims based on
21 Jeffrey Epstein's intimidation. Did you have any
22 authority to settle claims without the knowledge and
23 consent of your clients?

24 A No.

25 Q Did you have any authority to refuse to

1 settle claims where your clients directed that their
2 claims be compromised?

3 A Repeat that question again.

4 Q Yes. You told us that you couldn't settle
5 a claim without your clients' authority. Did you
6 have any authority to refuse to settle a claim where
7 your client directed you to settle it?

8 A I did not. And as I explained, I wanted to
9 try all of those cases and not settle them. I settled
10 them because the clients wanted them settled.

11 Q Did Jeffrey Epstein's intimidation of
12 clients, to your knowledge, and without violation of
13 any attorney-client communication privilege, have an
14 impact on the amount for which claims against Jeffrey
15 Epstein were being settled?

16 MR. LINK: Object to the form. You are
17 going to testify about what the client said
18 but you are not waiving the privilege?

19 MR. SCAROLA: No. I'm asking him
20 whether from his perspective, as the trial
21 lawyer on those cases, whether Jeffrey
22 Epstein's intimidation had any impact on the
23 amount for which the claims were settled.

24 THE WITNESS: We are talking about just
25 the cases that I handled or all of the

1 cases?

2 BY MR. SCAROLA:

3 Q Right now I'm talking about just cases that
4 you handled.

5 A Of course. It wasn't just my clients. Every
6 single one of the girls were scared to death of Jeffrey
7 Epstein and his intimidation, and my clients were no
8 different. It was the same. His intimidation was very
9 successful in reducing the amount that should been paid
10 to every single one of these abused girls very
11 successfully.

12 MR. LINK: I am going to object and
13 move to strike as inconsistent with the
14 testimony that you already gave under oath
15 to me, but you may continue.

16 BY MR. SCAROLA:

17 Q Do you have an opinion with regard to the
18 full value of the claims of the three clients that
19 you represented?

20 A Sure.

21 Q Did the value of those claims exceed the
22 amounts for which they actually settled?

23 A Of course.

24 Q What are the factors that go into the
25 assessment of the value of a claim against Jeffrey

1 Epstein?

2 MR. LINK: Object to the form.

3 THE WITNESS: In my view, it was the
4 disparity of age between Jeffrey Epstein and
5 the particular victim. The way -- the types
6 of conduct, specifically, that Jeffrey
7 Epstein engaged in with the particular
8 victim. It wasn't all identical.

9 The psychological control that Jeffrey
10 Epstein gained over the particular victim,
11 the method that he gain that control over
12 the particular victim, and the lasting
13 impact that his abuse played in that
14 particular victim's life. Some recovered
15 better than others. Some didn't do well at
16 all.

17 MR. LINK: When you say some, are we
18 talking about your three clients?

19 THE WITNESS: I think we're talking
20 about how do you go into evaluating a claim
21 against Jeffrey Epstein.

22 MR. LINK: Generically, unrelated to
23 anyone specifically?

24 MR. SCAROLA: Generically.

25 MR. LINK: Okay.

1 THE WITNESS: And then -- and then it
2 was an assessment of punitive damages,
3 which, from the best that any of us could
4 tell, it appeared that his net worth was
5 going to be in the range of \$2 billion. And
6 the idea of punitive damages was to punish
7 him for the conduct that he committed
8 against that particular victim as well as to
9 deter him from engaging in similar conduct.

10 So understanding just how many other
11 victims had been abused, how long he had
12 been abusing these victims, with what --
13 with what frequency he was engaging in this
14 conduct, were all variables that would go
15 into making a determination just what amount
16 of money somebody would have to assess
17 against him to deter him from this habitual
18 conduct that he had been engaged in for
19 many years.

20 So when I put into a complaint that we
21 were requesting \$50 million -- which is the
22 exact same number that Jeff Herman put into
23 his complaint -- I thought that was a very
24 fair number.

25 And in fact, I always knew that if you

1 took a billion dollars from Jeffrey Epstein
2 and left him with a billion dollars, you
3 would not have actually satisfied the rule
4 under punitive damages, because he would not
5 have been deterred from that future conduct
6 and using his money to create this pyramid
7 of underaged girls that he could abuse.

8 So all of that was what went into how I
9 assessed the value of all of these cases.

10 BY MR. SCAROLA:

11 Q Your earlier testimony established that
12 there were two separate cases filed in different
13 jurisdictions on behalf of [REDACTED] One claim filed in
14 state court, one claim filed in federal court,
15 correct?

16 A Correct.

17 Q You have also acknowledged that both of
18 those claims arose out of the same misconduct on
19 Jeffrey Epstein's part, correct?

20 A That's correct.

21 Q Did the federal lawsuit seek the same
22 relief that the state lawsuit sought?

23 A No.

24 Q Explain that, if you would, please.

25 A So when Jeffrey Epstein agreed to a

1 non-prosecution agreement with the federal government,
2 there was a provision within that agreement that said
3 that if one of his victims brought a case against him
4 exclusively under 18 USC 2255, then only under that
5 circumstance of bringing that case exclusively under
6 that count would Jeffrey Epstein not contest liability
7 and agree to a minimum statutory damage amount of
8 \$150,000. He later contested and said that an earlier
9 application of the statute applied and it should only
10 be \$50,000.

11 But nonetheless, that was the general
12 principle. That statute did not allow for punitive
13 damages. And as I just explained, we assessed the
14 punitive damages as being extraordinary in the case.

15 So that's the answer to that question in
16 terms of the difference of the damages that we were
17 claiming in the state action, which contained a
18 claim for punitive damages and proceeded under
19 common law theories of battery or intentional
20 affliction, emotional distress. Those kinds of
21 things in the federal claim was to proceed under 18
22 USC 2255.

23 What happened in the summer of 2009 was
24 that it was realized -- like I said, not by me -- it
25 was initially realized by Mr. Cassell, but I agreed,

1 that [REDACTED]'s case was proceeding only in state court,
2 and that we had not taken advantage at all of the
3 provision in the non-prosecution agreement, which
4 would allow for statutory damages under 18 USC 2255,
5 and that [REDACTED]'s birthday -- 21st birthday, I
6 believe -- was coming up in August, and that the
7 statute of limitations would run -- or begin to run
8 at that birthday for bringing the 2255 claims.

9 Q Explain to the ladies and gentlemen of the
10 jury, if you would please, what the statute of
11 limitations as applied under the circumstance meant.
12 What was the significance of the statute of
13 limitations?

14 A Well, the statute of limitations in any sense
15 is you only have so long from the time that the tort or
16 the crime is committed to bring a claim, otherwise it's
17 waived forever.

18 So what we did not want to do is fail to
19 bring the claim under 2255 and that claim expire at
20 her 21st birthday, and it ultimately be a more
21 beneficial claim to have brought and us not have the
22 ability to bring it any more. Because it was also
23 around that same time that we began to believe
24 that -- there was an argument -- and perhaps the
25 right argument -- the argument that I still believe

1 to this day probably we would win on, but it never
2 got tested -- was that while Jeffrey Epstein, under
3 2255, would have to agree -- if you exclusively sued
4 him under that -- would have to agree to admit to
5 liability and to statutory minimum damages of
6 150,000. It was his position that that would be the
7 maximum regardless of the number of times that he
8 molested that particular person.

9 In [REDACTED]'s circumstance, she had been
10 molested by him for years and dozens and dozens and
11 dozens of times. I don't know how many times.
12 Maybe 100 times while a minor. So we started to
13 think, you know what, if you settled one of these
14 cases for \$150,000, it's grossly undervaluing the
15 case. If he has to admit to liability and you can
16 multiply 150,000 times the number of offenses that
17 he committed, it saves that victim from having to
18 endure extensive discovery and intimidation that
19 they -- especially [REDACTED] -- was having to endure.
20 And if we win that argument, then that's definitely
21 the best way to try this case, especially for [REDACTED]

22 Q Why that difference? Why would [REDACTED] be
23 shielded from abuse to which she was subjected in the
24 state court proceeding if the determination was made
25 to proceed in federal court under 18 USC 2255?

1 A If that determination was made in federal
2 court, she would not have been shielded in state court,
3 but we could have dismissed the state court claim and
4 only proceeded under the federal case. Then we would
5 be presenting a case in front of the jury where all of
6 the -- let's call it dirt that Jeffrey Epstein had dug
7 up about ██████ would not be -- would not all have to
8 come into evidence, and we could save her some of the
9 problems that we assessed as being problems with her
10 case.

11 Q You spoke about the statute of limitations
12 and ██████ turning 21. What is the statute of
13 limitations that applies in a federal 18 USC 2255
14 claim?

15 A From recollection, there were two readings of
16 the statute. I haven't seen the statute in a long
17 time -- at least in a while -- but it's -- it uses some
18 language that it's three years from the date that the
19 disability no longer exists, which we interpret as her
20 being a minor. So I think it's three years from the
21 time that she's no longer a minor.

22 So at the time she turned 21, there was an
23 argument that her 2255 claims, if we chose to
24 proceed under them, would have expired.

25 Q Did the timing of the filing of that

1 federal action have anything to do with any factor,
2 other than those that you have just described, the
3 potential expiration of the statute of limitations
4 and your desire to take advantage of the provisions
5 of the non-prosecution agreement as a potential
6 alternative to the state court claim?

7 A That is the only reason that we filed it at
8 that time.

9 Q Did Scott Rothstein have any role
10 whatsoever in that decision-making process?

11 A He never had any role in any decision-making
12 process with anything to do with any of these cases, so
13 no.

14 Q Did you become aware of the fact that your
15 Epstein-related files at some point in time had been
16 requested by Scott Rothstein?

17 A Yes.

18 Q How did you become aware of that?

19 A I think Mike told me -- Fisten.

20 Q Was there any explanation offered as to why
21 Scott Rothstein wanted to see the Epstein-related
22 files?

23 A That if these cases went to trial, he wanted
24 to try the cases with me.

25 Q He who?

1 A He, Scott Rothstein, wanted to try the case
2 with me. That's the explanation that I was given.

3 Q And was there anything suspicious about the
4 head partner in the firm telling you that in this
5 high-profile case he wanted to be part of the
6 prosecution team?

7 A No. If my associate brought in a
8 high-profile case right now, I would be the one to try
9 the case, despite the fact that she may be the only one
10 who knows anything about it. So there's nothing
11 suspicious about that.

12 Q Files got returned to you?

13 A Yes, files did get returned to me.

14 Q And -- was there anything about the request
15 for review of the files on the basis that Scott
16 Rothstein was considering participating in the
17 prosecution of those claims that aroused any
18 suspicion on your part?

19 A No.

20 Q Was there anything else that went on in the
21 short period of time that you were in that law firm
22 that gave any cause for you to suspect that your
23 files were being used in any way, directly or
24 indirectly, in connection with any illegal activity
25 of any kind?

1 A No. I was just a lawyer just working my case
2 and trying to prove my case. That's it. I wasn't
3 concerned with whatever other signals or signs there
4 were. But there weren't any. The most suspicious
5 thing was, there were police officers walking the
6 hallway. But police officers in the building didn't
7 give me that type of suspicion. It was an unnecessary
8 degree of security over the law firm, at best. But
9 with these files or any of the files, no suspicion
10 whatsoever.

11 Q Who were your coworkers in that law firm?
12 Who were the other lawyers that you were working
13 with?

14 A Just generally who was in the law firm?

15 Q Yeah. Give us a general description of the
16 quality of the people that were working for
17 Rothstein, Rosenfeldt & Adler during the period of
18 time that you became associated with the firm.

19 A Well, while I was at the firm, I worked with
20 Bill Berger, who had just come off the bench. He was a
21 judge.

22 Q There's been a number of references to Bill
23 Berger having just come off the bench. Was Judge
24 Berger a respected member of the judiciary in Palm
25 Beach County?

1 A Very much so, and that's why I welcomed him
2 to help with the file.

3 Q Did he leave under any circumstances that
4 gave rise to any suspicion whatsoever?

5 MR. LINK: Object to the form.

6 THE WITNESS: Not at all.

7 BY MR. SCAROLA:

8 Q Who were the other people that you were
9 working with?

10 A Like I said, I conducted -- I ran the files.
11 But other people --

12 Q When I say working with, I'm not talking
13 about limiting that question to people who worked on
14 the Epstein files. Who were the other folks that
15 were a part of this firm?

16 A Steve Jaffe, Gary Farmer, Matt Weissing.
17 Gary's Farmer's father was an appellate judge. In
18 fact, I think he was still on the bench then when we
19 were working there together. Gary is a senator now.
20 Matt Weissing, who became my partner. Steve Jaffe,
21 same. Mark Fistos, same.

22 These are high-quality people. Good
23 lawyers. The people that I associated with there,
24 good lawyers, good people, not doing anything bad.
25 They're just lawyers who are good lawyers. That's

1 it.

2 Q Did any of these high-qualify, respected,
3 good lawyers ever express any suspicion to you about
4 any of the activities that were being conducted
5 within that law firm?

6 A Not at all.

7 Q Did the unraveling of the Ponzi scheme come
8 as a total and complete surprise to you?

9 A Of course, yes.

10 Q Did you speak to anybody within the firm,
11 among those respected lawyers that you have
12 described, who indicated to you that the unraveling
13 of the Ponzi scheme did not come as a total and
14 complete surprise to them?

15 A All of them were just as surprised.

16 MR. SCAROLA: I have no further
17 questions.

18 MR. LINK: I have couple follow-ups on
19 it.

20 REDIRECT EXAMINATION

21 BY MR. LINK:

22 Q So, in your evaluation of the plaintiffs'
23 cases, generically, I didn't hear you describe any
24 aspect of the plaintiffs' past. Did you consider the
25 plaintiffs' past?

1 A I did.

2 Q You didn't say that when Mr. Scarola asked
3 you.

4 MR. SCAROLA: I disagree with you. I
5 think that that was identified. But the
6 record will speak for itself. That question
7 is argumentive.

8 THE WITNESS: I considered their past.

9 BY MR. LINK:

10 Q Okay. Talking generically.

11 A Sure. For a bunch of reasons, not the least
12 of which was how vulnerable were they before
13 Mr. Epstein abused them, how easy pry were they. That
14 factored big time into my assessment of the value of
15 the cases.

16 Q Did you factor into consideration other
17 sexual activity that they may have had?

18 A Sure. I took everything about them.

19 Q Whether they had worked as prostitutes
20 before?

21 A Before meeting Jeffrey Epstein?

22 Q Yeah.

23 A I don't remember that ever being the case
24 with any of them before meeting Jeffrey Epstein. That
25 might have been right after.

1 Q Any of them ever worked at strip clubs
2 before meeting Mr. Epstein? Those kind of factors --

3 A All of those things I will take into
4 consideration. Every single one of these. These were
5 just little girls, so, yes, I took all of those things
6 into consideration.

7 Q Did you take into consideration any of them
8 having fake IDs that expressed an age of 18 or older?
9 Did you take that into consideration?

10 A That's ridiculous? That's just not true.

11 Q You didn't?

12 A There's, like, 100 underaged girls. That was
13 not a factor in this case. It might be --

14 Q I'm asking if it's a factor you'd take into
15 consideration generically.

16 I didn't think Mr. Scarola asked you about
17 a specific case. I said is this generic, and he
18 said, yes, this is generic.

19 A Are you talking about any case or just
20 Jeffrey Epstein?

21 Q No. He asked you about a generic case.

22 A With Jeffrey Epstein?

23 Q Yes.

24 A Yes. Somebody having a fake ID, I think that
25 that was, like, one of the defenses that somebody ran

1 early on, but it's not a factor to consider in this
2 case.

3 Q Okay. So that's not a factor you would
4 have considered?

5 A No. I would have considered it if that was
6 true across the board. It just wasn't a factor in any
7 case related to Jeffrey Epstein.

8 Q Would you consider it a factor of any of
9 the victims changing their testimony from when they
10 spoke with the FBI until when they were -- when they
11 retained a lawyer? Would that impact your evaluation
12 of cases?

13 A I took into consideration all of those
14 circumstances.

15 Q All of those kinds of things.

16 How much did [REDACTED] net from the settlement
17 proceeds?

18 A I don't remember.

19 Q Of the gross amount of the 5.5, which
20 portion was allocated to [REDACTED]?

21 MR. SCAROLA: Excuse me. That assumes
22 that there was a lump-sum settlement that
23 involved an allocation among the three.

24 MR. LINK: I was not suggesting it was
25 a lump-sum at all. I just know the total

1 number is 5.5.

2 MR. SCAROLA: When you talk about
3 allocating a portion of the 5.5, that
4 suggests --

5 MR. LINK: I will ask the question
6 again.

7 MR. SCAROLA: Okay. Thank you.

8 BY MR. LINK:

9 Q What was the settlement amount for [REDACTED]?

10 A You know it as well as me. I believe
11 \$1 million. I could be wrong on that though.

12 Q Mr. Scarola asked you a bunch of questions
13 about the federal lawsuit and the statute of
14 limitations. Are you telling us that you filed a
15 245-page complaint to simply toll the statute of
16 limitation?

17 A It's only as long as it is because of the
18 number of times that Jeffrey Epstein molested her. As
19 you will see, it's just count after count after count,
20 so that we captured the number of counts that would
21 incorporate what he did to this particular person.

22 If it was one of the females who had only
23 gone to his house one or two times, it would be a
24 much shorter complaint. It's being held against me
25 that he molested so many times.

1 Q I asked you if it's true that you filed
2 that complaint simply to toll the statute of
3 limitations. That's what I asked.

4 A And I've already explained that, yes, that's
5 why we filed it, to toll the statute of limitations.

6 Q And by filing it and not serving it, did
7 that accomplish the goal you set out?

8 A It did. Although, I ordered it to be served.
9 I mean, I wanted that complaint served.

10 Q Did you do anything -- did you believe it
11 had been served? Was it your mental state when you
12 left the Rothstein firm that that complaint had been
13 served on Mr. Epstein?

14 A I think I knew at that point in time that it
15 hadn't been served yet. But the intention was to serve
16 it, and I wanted it served on him at his house when he
17 was in town. It just wasn't always easy to serve
18 Mr. Epstein.

19 Q Did you -- tell me what efforts you made to
20 serve that complaint.

21 A I don't remember. What I usually do is serve
22 --

23 Q I don't want to know what you usually do.
24 What did you do to serve that complaint?

25 A I, like you, don't walk around serving

1 complaints, so I don't make efforts to serve anybody.
2 I'm not a process server. I tell somebody I want it
3 served, and hopefully they get a process server to
4 serve the complaint.

5 Q Who did you tell to hire a process server,
6 sir? Who did you tell to hire a process server?

7 A I don't remember who was doing that at RRA at
8 that time. We are talking about eight years ago.

9 Q Well, when you went -- started your own
10 firm, the Farmer Jaffe firm, did you make efforts to
11 serve the complaint?

12 A I don't remember.

13 Q Well, if you did, there would be some
14 correspondence or communication, I assume, with a
15 process server or somebody --

16 A I would think so.

17 Q Do you still have the communications and
18 files that relate to the [REDACTED] federal court complaint
19 during the time period at Farmer Jaffe?

20 A I don't know. It is so not important to me
21 right now. I don't know.

22 Q But it was really important to you at the
23 time, because of the statute of limitations and her
24 21st birthday --

25 A We filed the complaint. We tolled the

1 statute of limitations. I don't need to serve it
2 before then.

3 Q You would have to serve it to prosecute it,
4 right, and to recover under it? If the ultimate
5 goal, based on what you told me, is to recover
6 damages, then you can't accomplish that unless you
7 serve the complaint, agreed?

8 A You can accomplish that, but all you need to
9 do is file the complaint before the statute of
10 limitations run. That tolls the statute.

11 Q Sir, I'm asking about recovering the
12 damages. You gave us this whole litany of the
13 damages that you wanted to recover, and that by doing
14 this federal complaint you could recover money for
15 [REDACTED] on the statutory counts. And I'm asking you in
16 order to accomplish the goal that you have told the
17 jury during Mr. Scarola's questioning, didn't you
18 have to first serve the complaint?

19 A If we were going to go to trial on the
20 federal case and not the state case, we would have had
21 to serve the complaint, and we would have had to drop
22 the state court case, go to trial on that complaint
23 because we would have had to proceed against him
24 exclusively under that count. So, yes, we --

25 Q You don't usually have to serve the

1 complaint until right before trial?

2 A I didn't say that.

3 MR. SCAROLA: He didn't say that.

4 BY MR. LINK:

5 Q You said if you were going to try it you
6 would have to serve it.

7 A You're just making things up.

8 MR. SCAROLA: He didn't say anything
9 like that.

10 BY MR. LINK:

11 Q So let me ask you this. When you filed
12 that complaint, was it your intent to prosecute that
13 action -- to move that action forward?

14 A When I filed that complaint it was to
15 preserve the statute of limitations in case we wanted
16 to go forward on that case and not the state case.

17 We were weighing, tactically, which way is
18 better for [REDACTED].

19 Q And did you make the decision to not pursue
20 the federal court case before service was effected?

21 A We ultimately made the decision to go forward
22 on the state court cases with [REDACTED] and with [REDACTED]

23 Q When was that decision made, sir?

24 A I don't remember when that decision was made.

25 Q Can you tell me approximately how long

1 after the complaint was filed that you made the
2 decision to abandon it?

3 A I don't know that we ever made the decision
4 to abandon it. Like I said, it was all premised on
5 this argument as to whether or not you are going to get
6 a multiplier by the number of events.

7 And I seem to remember that we started
8 getting into the legal pleadings on that debate
9 where Jeffrey Epstein was saying, no, it's \$150,000,
10 regardless of the number of times I molested
11 anybody. And we were saying, No, you get the
12 multiplier. You can't molest somebody one time, pay
13 \$150,000, and then get 99 free molestations. That
14 was, at least, our argument.

15 It was briefed in early 2010, I think, in
16 the Jane Doe case, in response to a motion for
17 summary judgment. And when that case settled, I
18 don't believe that Judge Marra had yet ruled on that
19 issue. In fact, I know that it was never ruled
20 upon. We never got the answer to that question.

21 So by that point in time, we had decided
22 we're going forward on the state court cases with
23 respect to [REDACTED] and [REDACTED] and we will go forward on
24 the federal case with respect to Jane Doe. And if
25 we win on that argument with Jane Doe, it may prompt

1 us to dismiss the counts that are not 2255 with
2 respect to Jane Doe. That was what was going on in
3 our mental processes with respect to how we were
4 going to process -- prosecute these cases.

5 Q So when did you withdraw the federal court
6 action for [REDACTED]?

7 A I believe it was dismissed by stipulation as
8 part of the settlement when Jeffrey Epstein paid [REDACTED]. a
9 million dollars for molesting her. That's what I
10 believe.

11 Q So it sat there -- even though it wasn't
12 served, you didn't dismiss the case until there was a
13 settlement?

14 You filed it, but you didn't serve it?

15 A Right. I think that's right. It got
16 dismissed in 2010 when he settled the cases, when he
17 settled her --

18 Q So it just sat there without being
19 prosecuted, the federal court case?

20 A Yes. I think it got joined with the other 15
21 or 16 cases for discovery purposes and whatever else,
22 so I don't know about just sit there. It's not like a
23 normal case where it just sits.

24 Q Can you conduct discovery in a case before
25 you serve it? Can you do that?

1 A What would discovery look like? It's still
2 taking the same depositions of the same people, the
3 same time. So we were conducting discovery on behalf
4 of [REDACTED]

5 In the state court action, it would have
6 looked exactly the same over here, which all would
7 have been together with all of the other victims
8 that he molested. So it wasn't like a single-act
9 case where you are not getting to do anything.

10 Everything else was happening. We weren't
11 hamstrung.

12 Q There wasn't anything happening for [REDACTED] in
13 the federal court, was there?

14 A She's still the same person. Whether she has
15 a case in the state court or the federal court, we
16 still needed to conduct discovery against Jeffrey
17 Epstein to prosecute the same type of case.

18 Q So Scott Rothstein, what was his trial
19 experience in the fall of 2009?

20 A I was told from the time that I got there
21 that he was this amazing employment lawyer, trial
22 lawyer, and that's how -- that's how he had built this
23 reputation as -- that he was the best employment trial
24 lawyer in South Florida.

25 Q So you practiced in Fort Lauderdale for

1 seven years before you joined the firm -- before you
2 joined Rothstein's firm?

3 A I mean, I was a prosecutor for three of those
4 years, so you don't really know anybody. When you're a
5 prosecutor you know -- that's a different world.

6 Q You know criminals?

7 A Yeah, you know criminals. Exactly. And then
8 I was insurance defense attorney for the next three
9 years.

10 Q So you don't really know anybody?

11 A Well, you just know a different world of
12 people. It's not the same thing. I didn't run into
13 Scott Rothstein.

14 Q Had you ever heard of him?

15 A No. I had not really heard of him. I mean,
16 I heard of him from -- I had heard of the firm from
17 Russ Adler. I worked out of the same gym as Russ, so
18 he would tell me all the time how great the firm was
19 and how great Scott was. Personally, I had no
20 experience with the guy.

21 Q When Mr. Rothstein decided he was going to
22 be the lead trial lawyer, which case was that?

23 A He didn't decide he was going to be the lead
24 trial lawyer. You just make things up in questions all
25 day long.

1 I was told that he was going to try the
2 case with me. Period. Not more than, not less than
3 that. That's just it. Not be the lead, not be the
4 second, not be the third.

5 Q Just try the case with you?

6 A That's what I was told.

7 Q And that was okay because he was head of
8 the firm and he owned the files, right?

9 A Correct.

10 Q You were an employee, in your mind, and he
11 was the lawyer ultimately at the firm responsible for
12 the three clients, true?

13 A There's seventy lawyers at the firm. They
14 all work for him. Hundreds of files. He's still the
15 equity partner of the firm, so they are the firm's
16 files. They are not --

17 Q I understand. You told me earlier. And I
18 didn't realize that, that the interest that Bradley
19 Edwards, PA had in three files, you gave up to
20 Mr. Rothstein and became a salary employee,
21 essentially.

22 A Gave up to RRA.

23 Q Mr. Rothstein's firm, correct?

24 A Right. We've established this.

25 Q And so that Mr. Rothstein was the lawyer at

1 that firm as the -- one of two equity shareholders
2 who was ultimately responsible for the three Epstein
3 matters?

4 A For every case in the entire firm, including
5 those --

6 Q Including the three Epstein matters?

7 A Every case, yeah.

8 MR. LINK: I have no further questions.

9 MR. SCAROLA: I have nothing further.

10 We will read.

11 THE VIDEOGRAPHER: The time is 6:16
12 p.m., and that concludes this deposition.

13 - - -

14 (The deposition was concluded
15 at 6:16 p.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA)
 : SS
COUNTY OF PALM BEACH)

I, the undersigned authority, certify that
BRADLEY EDWARDS personally appeared before me and was
duly sworn.

WITNESS my hand and official seal this 13th
day of November, 2017.

Sonja D. Hall
Commission No.: FF 082994
Notary Public - State of Florida
My Commission Expires: 2-01-18

1 REPORTER'S DEPOSITION CERTIFICATE

2
3 STATE OF FLORIDA)
4 : SS
COUNTY OF PALM BEACH)

5 I, SONJA D. HALL, certify that I was
6 authorized to and did stenographically report the
7 deposition of BRADLEY EDWARDS; that a review of the
8 transcript was requested; and that the transcript is a
9 true and complete record of my stenographic notes.

10 I further certify that on the 13th day of
11 November, 2017, I notified JACK SCAROLA, ESQUIRE that
12 the deposition of BRADLEY EDWARDS was ready for
13 reading and signing by the witness.

14 I further certify that I am not a relative,
15 employee, attorney, or counsel of any of the parties,
16 nor am I a relative or employee of any of the parties'
17 attorney or counsel connected with the action, nor am
18 I financially interested in the action.

19 Dated this 13th day of November, 2017.
20

21 _____
22 SONJA D. HALL
23
24
25

1 TO: BRADLEY EDWARDS
2 c/o JACK SCAROLA, ESQUIRE
3 SEARCY, DENNEY, SCAROLA, BARNHART &
4 SHIPLEY, P.A.
5 2139 Palm Beach Lakes Boulevard
6 West Palm Beach, FL 33409
7 By JACK SCAROLA, ESQUIRE

8 RE: JEFFREY EPSTEIN vs. SCOTT ROTHSTEIN,
9 individually; BRADLEY EDWARDS, individually

10 At the conclusion of your deposition given
11 in the above-styled cause you indicated you wished to
12 read and sign the transcript.

13 This letter is to advise you that your
14 deposition is ready, and we ask that you call our
15 office at [REDACTED] at your earliest convenience
16 for an appointment to come in.

17 If you are a party in this action and your
18 attorney has ordered a copy of this transcript, you
19 may wish to read his copy and forward to us a
20 photostatic copy of your signed correction sheet.

21 It is necessary that you do this as soon as
22 possible, since the transcript cannot be held beyond
23 two weeks from the date of this letter.

24 If you have any reason which you would like
25 for me to place on your deposition as to your failure
to sign the same, please advise.

Thank you for your prompt attention.

Very truly yours,
PALM BEACH REPORTING SERVICE, INC.
1665 Palm Beach Lakes Blvd.,
Suite 1001
West Palm Beach, Florida 33401

BY: SONJA D. HALL

Date: November 13th, 2017

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CORRECTION SHEET:

NAME: BRADLEY EDWARDS
RE: JEFFREY EPSTEIN vs. SCOTT ROTHSTEIN,
individually; BRADLEY EDWARDS, individually

The following corrections, additions or deletions were noted on the transcript of the testimony which I gave in the above-captioned matter held on November 10th, 2017:

PAGE(S) LINE(S) SHOULD READ

SIGNATURE: _____

DATE: _____