

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually,  
BRADLEY J. EDWARDS, individually, and  
█, individually,

Defendants.

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**UNOPPOSED EMERGENCY MOTION BY █, █, AND JANE DOE TO  
INTERVENE TO PROTECT CONFIDENTIALITY OF THEIR PRIVILEGED AND  
OTHERWISE PROTECTED MATERIALS AND TO SEEK OTHER APPROPRIATE  
REMEDIES**

Sexual assault victims █, █, and “Jane Doe” (hereinafter “the three victims”), proceeding pseudonymously and through undersigned counsel, hereby file this Unopposed Emergency Motion to Intervene to Protect the Confidentiality of Their Privileged and Protected Materials and to Seek Other Appropriate Remedies, and in support states as follows:

As the Court is aware from previous pleadings filed in this case, each of the three victims identified above were sexually abused as minor girls as part of Jeffrey Epstein’s abuse of dozens and dozens of victims in his Palm Beach mansion. *See generally* Edwards’ Statement of Undisputed Facts in Support of Motion for Summary Judgment (filed Sept. 22, 2010). In particular, it appears to be uncontested that:

- Epstein began sexually assaulting █ when she was thirteen years old and continued to molest her on more than fifty occasions over three years. *Id.* at 5, ¶ 7.

- Epstein also sexually assaulted [REDACTED], beginning when she was fourteen years old and did so on numerous occasions. *Id.* at 5, ¶ 9.
- Another of the minor girls Epstein sexually assaulted was Jane Doe; the abuse began she was fourteen years old. *Id.* at 5-6, 10.

As the Court is aware from recently-filed pleadings, on the evening of Friday, March 2, 2018, counsel for Jeffery Epstein filed his Notice of Service of Unredacted Appendix in Support of Response in Opposition to Edwards' Second Supplement to Motion in Limine Addressing Scope of Admissible Evidence (hereinafter "Notice of Unredacted Materials"). That "Notice" included as an exhibit a series of emails over which Edwards (on behalf of his clients, [REDACTED], [REDACTED], and Jane Doe, the three victims who bring this motion) had asserted protections of various types. Epstein filed his Notice of Unredacted Materials in the public court file. On Monday, March 5, 2018, Edwards filed a Motion to Strike Epstein's Untimely Supplemental Exhibits and to Strike All Exhibits and Any Reference to Documents Containing Privileged Materials Listed on Edwards' Privilege Log. That motion generally asserted that Epstein was improperly disclosing privileged materials.

The three victims now move to intervene in this case to protect their privileges, protections, and confidentiality interests in the materials at issue. Pursuant to Florida Rule of Civil Procedure 1.230, "Anyone claiming an interest in pending litigation may at any time be permitted to assert a right by intervention, but the intervention shall be in subordination to, and in recognition of, the propriety of the main proceedings, unless otherwise ordered by the court in its discretion." It is well established law that "[i]ntervention should be liberally allowed." *Nat'l Wildlife Fed'n Inc. v. Glisson*, 531 So. 2d 996, 998 (Fla. Ct. App. 1<sup>st</sup> DCA 1988).

The three victims have a clear interest in this pending litigation, which involves (for example) potential disclosure of information protected by *their* attorney-client privilege. See, e.g., Fla. Stat. § 90.502(3) (recognizing attorney-client privilege, which belongs to the client). The attorney-client privilege “belongs to the client, and may be claimed by the client or the lawyer on behalf of the client.” *Nova Southeastern Univ., Inc. v. Jacobson*, 25 So. 3d 82, 86 (Fla. 4th DCA 2009) (citing *Neu v. Miami Herald Pub. Co.*, 462 So.2d 821, 825 (Fla.1985) (internal citation omitted)). The three victims are not seeking to enlarge the subjects in dispute, but simply to have their positions heard with regard to a dispute that has already arisen between the parties as to the confidentiality of certain documents and related information – as demonstrated by Edwards’ Motion to Strike. They also have a clear interest in the litigation, because they are entitled to know how Epstein obtained their confidential and privileged materials, which should never have been disclosed to him – a man who sexually abused them when they were minors. These issues are among the subjects of the pending motion filed by Edwards, see Mot. to Strike at 14 (seeking court order that Epstein’s counsel show how they came into possession of privileged materials), and the three victims have important interests in the outcome of this motion.

The victims’ motion to intervene is unopposed, as both Edwards’ and Epstein’s counsel (previously contacted) have agreed to it.

This motion is an “emergency” motion, because the three victims seeks to intervene to present arguments at the hearing the Court has scheduled for Thursday, March 8, 2018, where the confidentiality of these materials will be argued. Counsel for the victims (Mr. Cassell, who is also filing a motion for admission to the bar of this Court *pro hac vice*) intends to seek the

Court's permission to present the victims' interests during that hearing on the privilege and related issues.

For the foregoing reasons, the Court should grant the three victims' emergency motion to intervene in this case to protect their privileges, protections, and confidentiality interests in the materials disclosed in Epstein's Notice of Unredacted Materials.

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-Serve to all Counsel on the attached list, this 7<sup>th</sup> day of March, 2018.



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*Pro Hac Vice Motion Pending*

Attorneys for [REDACTED], [REDACTED], and Jane Doe

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<sup>1</sup> This daytime business address and telephone number is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah.

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