

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

Case No. 502009CA040800XXXXMB

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

vs.

SCOTT ROTHSTEIN, individually;
BRADLEY EDWARDS, individually,

Defendants/Counter-Plaintiffs.

TRANSCRIPT OF PROCEEDINGS

DATE TAKEN: Wednesday, May 23rd, 2018
TIME: 9:00 a.m. - 9:18 a.m.
PLACE 205 N. Dixie Highway, Room 10D
West Palm Beach, Florida
BEFORE: Donald Hafele, Presiding Judge

This cause came on to be heard at the time and
place aforesaid, when and where the following
proceedings were reported by:

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/Counter-Defendant:

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

For Defendant/Counter-Plaintiff:

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

1 THE COURT: Well, based upon the fact
2 that there is going to be, at least from my
3 perception and my limited exposure to these
4 emails, a continued insistence, I will
5 presume by Mr. Epstein, on the utilization
6 of some of those emails; and the fact that
7 these emails have come to light subsequent
8 to the trial court -- my orders relative to
9 not permitting the floodgates to open and,
10 again, with respect to discovery that should
11 have been taken prior -- here I don't
12 believe that's something that would be
13 subject to that order, meaning, consistent
14 with Judge Ray's ruling -- I too will allow
15 Mr. Epstein to be -- on a limited basis --
16 questioned regarding his review of any of
17 the documents in question prior to
18 March 18th or subsequent thereto to the
19 present time.

20 Whether or not he has any knowledge
21 regarding the compliance of the Court's
22 order regarding destroying of the records,
23 that's not necessarily going to be
24 admissible at trial, although I think it's
25 discoverable.

1 Whether or not he shared any of the
2 allegedly privileged materials with anyone
3 other than Mr. Link, Ms. Rockenbach or
4 Mr. Goldberger; and which, if any, materials
5 he plans to use to testify at trial, if he
6 so testifies, the last issue can be avoided
7 if there is a representation on the record
8 that Mr. Epstein will not testify at any
9 trial proceedings in this case.

10 However, absent such a stipulation, he
11 will be compelled to answer questions as to
12 what, if any, of those materials he plans to
13 use, even if he doesn't have those materials
14 in his possession any longer. It would be
15 based upon his review.

16 So that would be the limited areas of
17 inquiry that I would allow in conjunction
18 with Judge Ray, and to be consistent,
19 essentially, with the spirit and intent of
20 Judge Ray's ruling, as well as a corollary
21 to what we are looking for in this
22 particular case relative to those materials.

23 So, if you can, in preparing an order,
24 Mr. Vitale, track the Court's ruling, I
25 would appreciate it.

1 I wish you all a very pleasant rest of
2 the week.

3 Is there anything else that's
4 remaining, because I think there were two
5 hearings that were set? Is there something
6 else? This is it?

7 MR. LINK: I believe this is the only
8 one, Your Honor.

9 THE COURT: Thank you for your
10 respective participation and arguments. I
11 appreciate that very much. Thank you.

12 - - -

13 (Whereupon the requested portion of the
14 proceedings concluded.)

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1 COURT CERTIFICATE

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4 STATE OF FLORIDA)
5 COUNTY OF PALM BEACH) : SS

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7 I, SONJA D. HALL, certify that I was
8 authorized to and did stenographically report the
9 foregoing proceedings and that the transcript is a
10 true record of my stenographic notes.

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13 Dated this 25th day of May 2018.

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17 SONJA D. HALL
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