

<p style="text-align: right;">1</p> <p>UNCERTIFIED TRANSCRIPT DISCLAIMER IN THE MATTER OF EPSTEIN v. EDWARDS</p> <p>The following transcript(s) of proceedings, or any portion</p>	<p style="text-align: right;">3</p> <p>1 THE COURT: Continue on with the 2 discussion. Mr. Link, you were in mid 3 thought. 4 MR. SCAROLA: I think Mr. Goldberger is 5 here to do the stay. 6 THE COURT: Let's go ahead and take 7 care of that. 8 Mr. Goldberger. 9 MR. GOLDBERGER: Thank you for taking 10 me out of order. One of those days I have 11 so much going on. 12 THE COURT: I completely understand. I 13 thank you also for adjusting your schedule 14 as well. 15 All right, let me get my materials 16 ready for that aspect of the case. I think 17 I am ready to go. Please proceed. 18 MR. GOLDBERGER: Thank you, Honor. So 19 we have a motion to stay your proceedings 20 pending at this time. I think it's 21 important for us to kind of discuss first 22 with the Court what it is that we are 23 seeking to have resolved before this case -- 24 we would like to see it proceed. 25 And I bring that up because</p>
<p style="text-align: right;">2</p> <p>1 thereof, in the above-entitled matter, taken on December 2 5th, 2017, is being delivered UNEDITED and UNCERTIFIED by 3 the official court reporter at the request of Kara 4 Rockenbach, Esquire. 5 The purchaser agrees not to disclose this uncertified and 6 unedited transcript in any form (written or electronic) 7 to anyone who has no connection to this case. 8 This is an unofficial transcript, which should NOT be 9 relied upon for purposes of verbatim citation of 10 testimony. 11 This transcript has not been checked, proofread 12 or corrected. It is a draft transcript, NOT a certified 13 transcript. As such, it may contain computer-generated 14 mistranslations of stenotype code or electronic 15 transmission errors, resulting in inaccurate or 16 nonsensical word combinations, or untranslated stenotype 17 symbols which cannot be deciphered by non-stenotypists. 18 Corrections will be made in the preparation of the 19 certified transcript, resulting in differences in content, 20 page and line numbers, punctuation and formatting. 21 This realtime uncertified and unedited transcript contains 22 no appearance page, certificate page, index or 23 certification. 24 25</p>	<p style="text-align: right;">4</p> <p>1 Mr. Scarola, in a prior hearing, had 2 mentioned that this is not just about the 3 resolution of the CVRA. Mr. Epstein perhaps 4 has other matters that he could potentially 5 have criminal liability concerning in other 6 jurisdictions that would not be covered by 7 the NPA, which is part of the CVRA. 8 THE COURT: Let's put on the record 9 exactly what you're speaking about so that 10 if anyone needs to review this they 11 understand these acronyms completely. So the 12 first matter we have, Your Honor, is what 13 has been referred to as the CVRA case. That 14 is the Crime Victims' Reporting (sic) Act. 15 And that matter is being litigated in 16 federal court in the Southern District of 17 Florida court before Judge Marra. 18 MR. SCAROLA: Excuse me. Since we are 19 doing this for purposes of the record, I 20 think that you may have mistaken. CVRA is 21 not crime victims' reporting act. It is the 22 Crime Victims' Rights. 23 MR. GOLDBERGER: Thank you very much. 24 I appreciate that, Mr. Scarola. 25 So that matter concerning the CVRA case</p>

5

1 is pending before Judge Marra in the
2 Southern District of Florida. In that
3 matter, Mr. Edwards, as the attorney for
4 [REDACTED]
5 [REDACTED], who happen to be involved in this
6 case, are seeking the unprecedented remedy
7 of setting aside Mr. Epstein's
8 non-prosecution agreement.

9 For the record, we need to establish
10 that there's a non-prosecution agreement in
11 place that prevents the US Attorney's Office
12 for the Southern District of Florida in
13 going forward on any criminal prosecution
14 Mr. Epstein related to certain enumerated
15 offenses if Mr. Epstein complies with his
16 non-prosecution agreement.

17 Mr. Epstein has complied with all parts
18 of that non-prosecution agreement. He has
19 served a sentence that was part of that
20 non-prosecution agreement, and he's going
21 about his life.

22 In an unprecedented action,
23 Mr. Edwards, on behalf of these individuals,
24 is seeking to set aside that non-prosecution
25 agreement and subject Mr. Epstein to

6

1 criminal prosecution for a matter that he
2 has already pled guilty to.

3 It tugs at the very, very cornerstones
4 of due process, Your Honor. But as a
5 criminal defense attorney with a lot of
6 years doing this, I have to act cautiously
7 because one thing that Judge Marra said.

8 Judge Marra in one of the orders in
9 this case, indicated that setting aside of
10 the non-prosecution agreement is something
11 that he would consider.

12 So I would be remiss, I would
13 committing malpractice if I allowed my
14 client to testify in matters in your lawsuit
15 before Your Honor in matters that would be
16 part of the non-prosecution agreement. So
17 that's kind of procedurally where we are
18 right now.

19 What I wanted to clarify for the Court,
20 is that we are not seeking to stay this case
21 for any reason other than matters that are
22 contained within the non-prosecution
23 agreement.

24 Now, Mr. Scarola has made reference to
25 potential prosecutions in other

7

1 jurisdictions: New York, US Virgin Islands,
2 many other places. That is not what this
3 stay motion is about.

4 THE COURT: But isn't that critical to
5 the analysis as to at least one prong of the
6 required elements that the Court is expected
7 to look into, and that is, the length of
8 time that the delay is being sought.

9 Because even though the argument that
10 you're making fits within a certain
11 parameter, and somewhat similar to the
12 discussions we had last week about each side
13 wanting to frame their respective cases in
14 the matter that they see fit -- and I
15 respect that because they are advocates --
16 but from the Court's perspective, from the
17 general public's perspective, from the
18 perspective of Mr. Edwards, when it comes to
19 Mr. Epstein's invocation of the Fifth
20 Amendment, whether or not the parameters
21 that you're seeking in your motion only
22 applies to the NPA at issue here, that same
23 potentiality of criminal prosecution in any
24 of these jurisdictions where -- not being a
25 criminal defense lawyer, I am not going to

8

1 sit here and try to estimate what the
2 statute of limitations are for these types
3 of alleged criminal activity --

4 And again, I am not accusing anybody of
5 anything. I want that to be clear. You
6 brought up these other jurisdictions and the
7 potentialities. I don't know what those
8 statute of limitations are. I only know
9 that in my limited experience when it comes
10 to these types of potential claims or
11 potential charges, that the statutes are
12 typically extraordinarily longer,
13 particularly when minors are involved for
14 very obvious reasons.

15 So while the parameters that you are
16 suggesting may be your intent, that when a
17 broader perspective is looked upon, it's
18 very possible that the same outcome that,
19 i.e., the invocation of the Fifth Amendment,
20 which I respect, I understand, and fully
21 intend to comply with his ability to invoke
22 the Fifth when appropriate.

23 We don't know when that ends.

24 MR. GOLDBERGER: I have a simple answer
25 for that, Your Honor. And I have sat here

1 and very carefully listened to Your Honor's
2 pronouncements and the way you've the
3 handled this hearing and the hearing that we
4 have had. And you have indicated that
5 what's in play in this case are [REDACTED]
6 [REDACTED]. Those are the
7 individuals that you have indicated you are
8 going to allow testimony concerning. Those
9 are the very same individuals that are in
10 the NPA. That's all we care about.

11 THE COURT: Excuse me for interrupting,
12 but I do want to make sure that this is
13 [REDACTED] -- these three
14 individuals are now over the age of 18.

15 Have they agreed to have their names
16 utilized at this point?

17 Mr. Scarola, do you wish to comment on
18 that? Do you know?

19 MR. SCAROLA: I cannot speak
20 authoritatively about that, Your Honor.

21 THE COURT: My preference, Mr.
22 Goldberger, is to continue to go ahead and
23 use the initials until I'm comfortable.
24 Because the criminal charges that were
25 brought, as you have recited them -- again,

1 recently taken of [REDACTED], it was with the
2 expressed stipulation that she would be
3 referred to in the record by those initials.

4 THE COURT: The only positive that's
5 come out of this is getting those names and
6 listening to those names, I don't know any
7 of these young ladies. I don't know any of
8 their families. The names don't sound a bit
9 familiar to me. So at least I don't have to
10 worry about that.

11 Mr. Link, did you want to add anything?

12 MR. LINK: If I might.

13 The witness list of Mr. Edwards
14 actually names these folks by name.

15 MR. SCAROLA: That was inadvertent,
16 Your Honor, and we plan to address it.

17 THE COURT: Okay. Thank you.

18 MR. LINK: The second thing, with Your
19 Honor's permission, we brought the plea.
20 You were asking about it last time what the
21 actually counts were, and I have a copy of
22 the non-prosecution agreement, which I can
23 provide to the Court. We have the actual
24 documents.

25 THE COURT: Thank you. I appreciate

1 I appreciate the fact that you were here
2 last week to help with those aspects --
3 those criminal charges pertain to them when
4 they were minors. So I don't want to, by
5 way of convenience or otherwise, suggest
6 without a full agreement or something that's
7 going to satisfy the Court, that they are
8 willing to have their names utilized, even
9 at this juncture. Because my comfort level
10 at this point is not high.

11 MR. GOLDBERGER: I 100 percent
12 understand. I have lived this case for 10
13 years. These names have been used
14 throughout both the criminal litigation and
15 the litigation of these cases.

16 THE COURT: So in the case before Judge
17 Marra, their names have been used?

18 MR. GOLDBERGER: They have not been.

19 MR. SCAROLA: Your Honor, if I may, as
20 I've thought about it. It is my belief that
21 there's only one Epstein victim who has
22 voluntarily agreed that her name may be used
23 and that is [REDACTED].

24 The others, I'm almost certain, have
25 not -- and in fact, when the deposition was

1 that.

2 MR. LINK: We will file them, so
3 they're part of the court record.

4 THE COURT: For the today, I'm going to
5 ask our court reporter -- absent any
6 objection from respective counsel -- to
7 simply amend the record so that only the
8 initials are used please, so that we don't
9 have the names specifically stated. And
10 hearing no objection.

11 We may need to address this later on
12 down the line. But again, until my comfort
13 level is satisfied, I want to do everything
14 we can to continue to use their initials or
15 the [REDACTED] as the third individual.

16 Again, Mr. Goldberger, I apologize for
17 interrupting you.

18 MR. GOLDBERGER: And I apologize if the
19 names were mentioned.

20 THE COURT: That's okay.

21 MR. GOLDBERGER: Anyhow, Judge -- but
22 to answer the Court's well-founded question,
23 is there any finality to the request for a
24 stay, and the answer that Your Honor has
25 ruled already that the testimony that will

1 be allowed in this trial is the testimony of
2 these three individuals; the very, very same
3 three individuals who are part of the
4 attempt to set aside the non-prosecution
5 agreement.

6 So I want to make it clear to the court
7 our request for a stay is a limited request
8 for a stay, until such time as the CVRA case
9 is resolved. And it has nothing to do with
10 over alleged women who may be making claims
11 against Mr. Epstein. And that even more
12 important, based on Your Honor's ruling that
13 you've made that those are the facts that
14 you are going to allow the parties to go
15 into this case and not tangential issues
16 involving other individuals.

17 So that is our -- that is the area --
18 and that is the case that we are seeking the
19 stay concerning.

20 So where are we procedurally? Well,
21 this attempt to set aside the
22 non-prosecution agreement was brought by
23 Bradley Edwards. We can't lose sight of
24 that. It was brought by Bradley Edwards,
25 who is the counter-plaintiff in this case.

1 I am just giving an example -- if he had
2 brought a defamation claim against
3 Mr. Epstein for things may have resulted
4 from extra judicial statements that may have
5 been made by Mr. Epstein to the press, to
6 whomever, to third parties, published, and
7 had some damage to Mr. Edwards, I could
8 understand the interplay and the potential
9 strategic decisions that would have been
10 made by Mr. Edwards in on the one hand
11 having the Crime Victims' Rights Act claim
12 being brought -- which, arguably, out of
13 necessity Mr. Epstein has to preserve his
14 Fifth Amendment right to self-incrimination,
15 and the fact that Mr. Edwards acted in
16 taking the offensive in bringing the tort
17 claim of some nature, generically -- again,
18 just as an exemplar -- against Mr. Epstein,
19 the strategies would then coalesce, co-exist
20 and would create concern of a significant
21 nature for the Court.

22 But this is quite different. How do we
23 address that?

24 MR. GOLDBERGER: Okay. Respectfully,
25 Judge, strategy has nothing to do with this.

1 So Mr. Epstein is put between the proverbial
2 rock and a hard place in this situation,
3 Your Honor.

4 THE COURT: You know the thrust of
5 Mr. Scarola's argument.

6 MR. GOLDBERGER: I know what's coming.
7 I know what's coming. That we started this.

8 THE COURT: And that's critical,
9 because but for Mr. Epstein's action in
10 bringing this lawsuit in 2009 and amending
11 his complaint in 2011, and then failing to
12 address in any fashion the motion for
13 summary judgment that was ultimately brought
14 by Mr. Edwards against Mr. Epstein and a
15 judgment resulting therefrom -- that is
16 judgment of dismissal of the claim by
17 Mr. Epstein -- this never would have been an
18 issue. What we are dealing with now would
19 never have been an issue.

20 I can certainly understand, and I
21 believe there would be firmer footing to
22 rely on if Mr. Edwards had brought some type
23 of claim against Mr. Epstein. Let's say
24 some type of defamation claim -- I am not
25 suggesting there are any grounds for that.

1 It's the playing field that we are on right
2 now.

3 Now, Mr. Epstein filed his lawsuit
4 against Mr. Edwards, and he very well could
5 have gone forward in that lawsuit without
6 having to testify, without having to worry
7 about Fifth Amendment privileges, whether
8 he's implicating himself in any kind of
9 criminal liability. He could have gone
10 forward on that case against Mr. Edwards
11 without having to get on the stand and
12 testify.

13 Now, in defense of that case, if that
14 case had gone forward and the defense had
15 called Mr. Epstein, then he would have had a
16 decision to make as to whether he was going
17 to answer the question.

18 THE COURT: Well, I couldn't imagine in
19 reviewing Mr. Epstein's complaint now for
20 the -- beyond 10 times -- that he could have
21 avoided taking the witness stand to justify
22 most, if not all of his claims, in that
23 initial suit. But go ahead.

24 MR. GOLDBERGER: If we put that aside,
25 and we turn to the playing field that we are

1 on right now, we have one lawsuit that's
2 pending right now. You can call it anything
3 you want. You can call it count-plaintiff,
4 counter-defendant -- I practice on the other
5 side of the elevator -- but we are defending
6 a lawsuit right now. We are the defendants
7 in this case.

8 We cannot defend that case. It is not
9 a fair playing field. We can't defend this
10 case because of what the plaintiff has done.
11 He has brought an action to set aside
12 Mr. Epstein's non-prosecution agreement.
13 And Mr. Epstein has no choice, if I'm his
14 lawyer, but to invoke his Fifth Amendment
15 privileges.

16 What does that do? It's going to allow
17 Mr. Scarola to ask for all of these adverse
18 inferences and try to truck roll those
19 adverse inferences to this jury. And that's
20 the playing field we have right now.

21 And we didn't bring this upon
22 ourselves. They are doing it, because they
23 have brought this action to set aside the
24 NPA.

25 I am not asking this Court to stay this

1 case for indeterminate period of time.
2 There's three things that can happen, Your
3 Honor. Mr. Edwards can volunteer to not
4 seek the remedy of setting aside the
5 non-prosecution agreement. He's seeking
6 other remedies in his CVRA case. He could
7 do that. Judge Marra could enter his order
8 on the account to set aside the NPA, or this
9 Court can temporarily stay the matter until
10 such time one of those things happen.

11 There's been no testimony on the record
12 from anybody as to how long that stay is
13 going to require.

14 I think at one hearing you asked
15 Mr. Edwards -- not on the stand or anything
16 like that -- how long is that CVRA case
17 going to go on for. Mr. Edwards said, Well,
18 it could go on for a long time. Well,
19 that's the only record you have right now
20 that this thing is not coming to fruition.

21 THE COURT: Well, that and anecdotally.
22 In seeing the newspaper account, I believe
23 it was suggested that the federal court is
24 not looking to try the case -- or there's
25 going to be a significant hiatus in terms of

1 Judge Marra getting out an order until the
2 spring or summer of 2018.

3 MR. GOLDBERGER: I don't have a
4 recollection of that, Your Honor. But if
5 that's been out there, I accept that --

6 THE COURT: It didn't give me much
7 confidence that it was going to be
8 accomplished in a relatively brief period of
9 time. And certainly -- at least, again
10 anecdotally, without having it here in front
11 me -- not going to be accomplished before
12 March 13 of 2018, which is the trial day
13 here.

14 MR. GOLDBERGER: My review of PACER I
15 think is they are at the point where there's
16 a motion for partial summary judgment that's
17 outstanding. So that to me -- again, not
18 being necessarily a civil practitioner --
19 when I hear the word summary judgment, means
20 to me someone is asking to end this thing.
21 I think that's the juncture that it's at
22 right now.

23 So my point is, Your Honor, that we are
24 not seeking an indeterminate stay. And the
25 Court has read the papers and you are aware

1 of the various factors that the Court is
2 considering in determining whether to grant
3 the stay, you have discussed one, I ask
4 rhetorically what is the prejudice at this
5 point for a limited stay so that matter
6 resolves.

7 Mr. Edwards, if he has been damaged,
8 has been damaged already. They want to try
9 this case in March. Everything that has
10 happened, has happened. Nothing to going to
11 change.

12 THE COURT: What they will argue though
13 is that there is financial recompense that
14 Mr. Edwards is claiming that has built up
15 over the years -- and Mr. Scarola was
16 alluding to -- there's a substantial amount
17 of loss that he has encountered as a result
18 of the ongoing litigation over the last
19 seven, going on eight years.

20 MR. GOLDBERGER: Your Honor, when you
21 weigh that -- Mr. Edwards, admittedly has
22 testified in deposition that he's
23 successful. He's doing very well for
24 himself -- and I congratulate him for
25 that -- but when you weigh that to the

1 prejudice to Mr. Epstein that he has these
2 handcuffs -- he's got them back on -- he
3 can't defend this case at this point.

4 I think -- Your Honor, we talked about
5 the 403 analysis on other matters, prejudice
6 versus probative value, I think we can kind
7 of do a balancing analysis in this
8 situation.

9 Maybe Mr. Edwards wants to have his day
10 court sooner than later. And there may be
11 some prejudice there. But when you look at
12 the extreme prejudice that Mr. Epstein is
13 suffering, well, he just can't defend this
14 case.

15 Courts are designed to be level playing
16 fields, and that's got nothing to do with
17 what the Court's doing. But just by virtue
18 of the way the facts have come out in this
19 case and procedurally what has happened, it
20 is not a level playing field for Mr. Epstein
21 because he has no choice but to invoke his
22 Fifth Amendment privileges, and Mr. Scarola
23 is waiting for everything to flow from that.

24 THE COURT: All right. Mr. Goldberger,
25 thank you. I will give you a couple minutes

1 to rebut if you choose to.

2 Mr. Scarola.

3 MR. SCAROLA: The complaint out of
4 which this malicious prosecution claim
5 arises was filed on December 9 of 2009. So
6 we are about to observe the ninth
7 anniversary of the pendency of this
8 litigation.

9 THE COURT: Excuse me for my
10 mathematical --

11 MR. SCAROLA: No, no. That's quite all
12 right, sir. I didn't make that comment as
13 any criticism of Court's math, but just to
14 observe that there have been nine years
15 during which a motion to stay could have
16 been brought to the attention of the Court.

17 And we know that the same basis upon
18 which the argument rests today existed on
19 December 9, 2009, because the complaint
20 itself refers in paragraph 42(1) to the
21 pendency of the non-prosecution agreement.
22 So it was there. And Mr. Epstein knew it
23 was there when he filed this case.

24 And as Your Honor observed, he filed
25 this case within days of the implosion of

1 Rothstein, Rosenfeldt & Adler when
2 presumably Mr. Edwards would have been most
3 susceptible to a malicious prosecution
4 assault. He didn't need to file it then.

5 He had at least four years in which to
6 file it if. He's claiming he's a victim of
7 a RICO action, he would have had at least
8 five years in which to file it. If he
9 claims that somehow he was unaware of the
10 reasonable basis for the filing of a claim
11 against Mr. Edwards because relevant facts
12 were concealed from him, then the statutes
13 of limitation wouldn't have even begun to
14 run.

15 So there's no question about the fact
16 that Mr. Epstein brought this upon himself.
17 He initiated these proceedings nine years
18 ago knowing, as Mr. Goldberger says, he
19 could not defend them.

20 And in deed he couldn't defend them,
21 because in the face of a motion for summary
22 judgment, which called upon him to disclose
23 the basis for his claims against
24 Mr. Edwards, he filed nothing.

25 And on the eve of the motion for

1 summary judgment, he voluntarily dismissed
2 his case. He didn't say, I need a stay in
3 order to be able to produce evidence to
4 support my claims. He allowed the claims to
5 be resolved against him now conclusively.

6 So those arguments, quite frankly,
7 don't make sense. And I have gone through
8 in the written response that we filed and
9 pointed out all of the stages in the
10 litigation where Mr. Epstein reasonably
11 could have come before the court said, I
12 need a stay.

13 What the defense acknowledges in their
14 motion to stay is -- and this is a quote.
15 "Florida courts have long recognized that
16 although under certain circumstances a trial
17 court may grant a stay in a civil proceeding
18 for a limited time during the pendency of a
19 concurrent criminal proceeding, such a stay
20 is not constitutionally required.

21 "The earlier the motion is made, the
22 more favorably it's looked upon. The
23 shorter the stay can reasonably anticipated
24 to last, the more favorably it's looked
25 upon."

1 The burden of proving how long this
2 stay reasonably can be anticipated to last
3 is not on us. It's on the party making the
4 motion.

5 THE COURT: This is not a typical
6 concurrent legal -- strike that.

7 Concurrent criminal prosecution that we
8 see in automobile accident cases, for
9 example, where there may be corresponding
10 vehicular manslaughter case --

11 MR. SCAROLA: Or a drunk driving
12 charge --

13 THE COURT: Or DUI-type issue.

14 MR. SCAROLA: Clearly. Clearly that's
15 the circumstance, Your Honor.

16 But let me talk about part of what
17 Mr. Goldberger has said with regard to what
18 we can reasonably anticipate with regard to
19 length of this stay.

20 There are two possibilities with regard
21 to the non-prosecution agreement. It can be
22 set aside or it cannot be set aside.

23 If it is not set aside, then
24 Mr. Goldberger tells us that there would be
25 no longer any basis for the assertion of the

1 there is a federal statute which makes
2 admissible in any other criminal proceeding
3 evidence of other child victim crimes.

4 So, Mr. Epstein can have the advantage
5 of a final disposition with regard to crimes
6 only in the Southern District of Florida --
7 as has been repeatedly pointed out. That's
8 all the non-prosecution agreement covers --
9 but he still has a Fifth Amendment right to
10 refuse to answer any questions about the
11 crimes that he committed in the Southern
12 District of Florida, because they are
13 admissible in every other jurisdiction where
14 he's been doing exactly the same thing to
15 children for years. And no one could
16 reasonably challenge that assertion of the
17 Fifth Amendment privilege. So that's one
18 alternative.

19 The other alternative is Crime Victims'
20 Rights Act case results in setting aside the
21 non-prosecution agreement. And no matter
22 what Mr. Goldberger may say about what he
23 believes the merits of that claim to be ad
24 the likelihood of that outcome to be, Judge
25 Marra has clearly indicated that Jeffrey

1 Fifth Amendment privilege.

2 Well, respectfully, I suggest that
3 there is nothing in the record that supports
4 the assertion that Mr. Epstein will waive
5 his Fifth Amendment privilege upon the
6 favorable conclusion of the Crime Victims'
7 Rights Act case.

8 THE COURT: As a second point, I
9 presume that, like any other civil case --
10 this isn't construed as a civil case,
11 correct, this Crime Victims' Rights Act
12 matter?

13 MR. SCAROLA: Yes, sir, it is. Subject
14 to appeal.

15 THE COURT: That's exactly what I was
16 going to say. Either side can appeal. So
17 in other words, the state could appeal -- or
18 whomever the actual federal government could
19 appeal -- or Mr. Edward's client could
20 appeal.

21 MR. SCAROLA: Yes, sir. True.

22 In addition to that, even assuming a
23 final and conclusive resolution of the Crime
24 Victims' Rights Act case which upholds the
25 validity of the non-prosecution agreement,

1 Epstein faces the possibility of having that
2 non-prosecution agreement set aside, in
3 which case, he faces criminal exposure,
4 criminal liability for the 40 cases that we
5 know of, and any other cases that are
6 developed subsequent to that time. And
7 those prosecutions can go on for years and
8 their appeals can go on for years.

9 So there simply is no basis, none, upon
10 which a prediction can be made as to a
11 reasonable limitation associated with a stay
12 in this case. And these are all things that
13 Mr. Epstein had an opportunity to avoid, or
14 at least an opportunity to limit, by
15 delaying the filing of his maliciously filed
16 claim.

17 He started this battle knowing the
18 criminal exposure that he faced clearly at
19 the time -- not only in the Southern
20 District of Florida -- but knowing the
21 criminal exposure he faces elsewhere as
22 well.

23 THE COURT: I made a notation in the
24 binder. And I think this is what you're
25 suggesting, Mr. Scarola. Correct me if I am

1 wrong.

2 What I wrote last night when I was
3 reviewing these materials, was that
4 Mr. Epstein by and through his attorney
5 should have recognized the potential
6 exposure, i.e., to a malicious prosecution,
7 when he brought suit against Mr. Edwards and
8 [REDACTED], for that matter as well.

9 I don't want to include Rothstein in
10 the mix because that's a separate can of
11 worms, which we don't have to get into
12 substantively at this point in time.

13 I don't think there's any way to not
14 consider that. In other words, when the
15 various claims were brought against
16 Rothstein, Edwards and [REDACTED], there should
17 have been -- and the Court would make this
18 finding in its ruling -- subject to
19 Mr. Goldberger's rebuttal -- that
20 Mr. Epstein by and through his counsel
21 should have realized the potential
22 ramifications of bringing this lawsuit. And
23 those potential ramifications being that if
24 he did not have the ability to sustain the
25 claims that he made -- whether by way of

1 summary judgment, jury trial, appeal,
2 whatever the case might have been -- then
3 that recognition should have carried over to
4 anticipate the very exposure which he now is
5 facing, that being the malicious prosecution
6 claim brought by Mr. Edwards.

7 MR. SCAROLA: Your Honor, I have just
8 one last matter that I want to address, and
9 that is the subject of prejudice.

10 As, Your Honor, I know appreciates,
11 delay is never the friend of the party with
12 the burden of proof. We have already
13 experienced a nine-year delay. And that
14 does have an impact on our ability to
15 sustain our burden of proof, because
16 memories fade and it impacts upon up to a
17 disproportionate degree than it does to the
18 defense when we carry the burden of proof.

19 But there's something more significant.
20 And that is, for nine years these
21 allegations have repeatedly been receiving
22 public attention without any final
23 disposition exonerating Brad Edwards.

24 There is a poison that has been
25 circulating within the stream of knowledge

1 that Brad Edwards has a right, an absolute
2 right to put an end to. And the only way he
3 conclusively does that is with a judgment in
4 his favor in this case.

5 So there is a very, very significant
6 prejudice that has already been suffered by
7 delay. There are other aspects -- less
8 significant. But if this case wasn't filed
9 until four years later, all of those
10 appellate proceedings, that were very costly
11 to the plaintiff, would have been avoided
12 because the law would have settled by that
13 time.

14 So there are many reasons to deny this
15 motion. There are no reasons to grant it.
16 Thank you, sir.

17 THE COURT: Thank you, Mr. Scarola.

18 Mr. Goldberger.

19 MR. GOLDBERGER: I don't want to
20 respond to each of Mr. Scarola's arguments.
21 I want to just reiterate the playing field
22 that we have here. The way things stand
23 right now, Your Honor, Mr. Epstein cannot
24 defend this case.

25 He can attempt to defend the case, but

1 he's going to have these adverse inferences
2 that are going to be pointing at him like
3 arrows. It's not a fair fight. And the
4 only way to avoid the situation where it's
5 not a fair fight is for a limited stay.

6 And when Mr. Scarola says we could have
7 filed our motion for a stay early on, we
8 specifically did not file our motion for
9 stay early on because that case -- that
10 being the CVRA case was in it's infancy.

11 As I've explained to the court, we're
12 at -- partial summary judgment status now,
13 so it's reasonable to assume -- despite what
14 the newspaper say, and despite how fast this
15 case has moved, we are much farther long in
16 the case, and a reasonable stay can make it
17 a fair playing field, is all that
18 Mr. Epstein is asking.

19 In my enthusiasm, I may have said
20 Mr. Epstein pled guilty to offenses
21 involving the three women. If I did say
22 that, that was not a correct statement. He
23 did not plead guilty to any of those
24 women -- anything involving those three
25 women.

1 THE COURT: Thank you both sides for
2 your written and oral presentations.
3 Obviously I have given this a great deal of
4 thought. I have reviewed the materials that
5 have been provided to me, including a
6 sampling of the case law that was provided
7 to the Court.

8 The motion is denied. There was a
9 phrase that was used in the motion filed by
10 Mr. Epstein that has some analogous
11 circumstances here. This talks in terms of
12 the invocation of the Fifth Amendment. I
13 will read it to you. But it gave me food
14 for thought, as I was trying to decide
15 reviews of the papers the next step in terms
16 of how I was going to deal this and the
17 subject of oral argument.

18 It says, quote, A necessity of the
19 validity of an assertion of Fifth Amendment
20 privilege, the court must look to all of the
21 circumstances of the case and be governed as
22 much by personal perceptions of the
23 peculiarities of the case as by the facts
24 actually in evidence, end quote. And that's
25 a quote from the case called SEC versus

1 Militano, M-I-L-I-T-A-N-O, which was an
2 order from the southern district of New York
3 citing -- and actually quoting from a case
4 called Hoffman versus United States at 341
5 US 479 and 486. United States Supreme Court
6 decision from 1951. Why did that quote
7 strike me as I was going through the actual
8 issues that are before the Court on the stay
9 order?

10 And that is, I think evidence, by the
11 quote and that in that personal perceptions
12 of the peculiarities of the case govern the
13 Court's determination of the validity of the
14 assertion of the Fifth Amendment as by the
15 facts actually in evidence.

16 I think this motion parallels that type
17 of analysis because of the absolute
18 peculiarity of this particular case and it's
19 procedural protocol and manifestations.

20 The timeline that's up on the Elmo at
21 this point is helpful to the Court in terms
22 of its analysis. And that is that we have a
23 situation where much of what was transpiring
24 in the latter part of 2009 was the pendency
25 of these three cases: [REDACTED], [REDACTED], and [REDACTED]

1 [REDACTED] all represented by Mr. Edwards. We had
2 the added complication of the implosion of
3 the Rothstein firm due to the heinous
4 activity that Mr. Rothstein ended up
5 pleading to.

6 We had, as I mentioned last week and as
7 Mr. Scarola reiterated today, what must have
8 been an extremely harrowing experience for
9 anyone concerned, including Rothstein
10 himself -- though I hold no personal empathy
11 for him. I will, of course, as an aside
12 adjudicate the case with full recognition of
13 his rights and remedies, as I would any
14 other litigant. But in terms of these
15 particular facts and the peculiarity of this
16 matter it's something that needs to be
17 dressed and discussed.

18 -- and the timeline that follows, which
19 is compelling to the Court and its analysis,
20 as it was earlier during recent hearings,
21 that Mr. Rothstein's arrest and the time
22 period -- which may not completely dovetail
23 with the federal agents raiding the
24 offices -- was a week before the subject
25 complaint filed by Mr. Epstein was

1 initiated.

2 And as I mentioned earlier, what I
3 wrote in the margin of the binder was what I
4 perceived to be a reasonable consideration
5 by counsel for Mr. Epstein and Mr. Epstein
6 himself as the plaintiff in that 2009 case
7 that he brought during the time period I
8 just indicated around December of 2009 and
9 here we are in 2017, which is actually the
10 eight anniversary, so my math skills weren't
11 off too badly, because the case was brought
12 in December of 2009. We are here now in
13 December of 2017.

14 As I indicated, Mr. Epstein brought
15 this case through counsel. And there is a
16 well stated axiom, generally, not in legal
17 field, but certainly has application here
18 that typically the best defense is with
19 offense.

20 And by taking the offensive and filing
21 the lawsuit -- which he had every right to
22 do -- as I mentioned earlier, there should
23 have been a recognition at that very moment
24 of the potential exposure to the
25 defendants -- but primarily Edwards -- when

1 he brought that suit. And that potential
 2 exposure should have been also construed to
 3 be that if he did not have sufficient
 4 ammunition -- for whatever reason -- and I'm
 5 not suggesting -- there are circumstances
 6 where people just don't want to fight
 7 anymore -- those are rare, but they do
 8 occur. But there should have been that
 9 recognition that that potential exposure
 10 existed at the time the suit was filed, that
 11 a malicious prosecution case could have been
 12 in the offend and may well have been in the
 13 offend, if necessary elements from a legal
 14 perspective or the requisite facts were not
 15 able to be proven or at least shown at the
 16 time of summary judgment, which ultimately
 17 occurred, which was not defended.

18 So by taking the approach that
 19 Mr. Epstein through counsel took, he was
 20 actually, for the Court's purposes,
 21 constructively aware of what would have been
 22 entailed for him to be able to, one, present
 23 and introduce the necessary legal and
 24 factual arguments to support his case; and
 25 two, be able to recognize the potential

1 exposure that a malicious prosecution claim
 2 could bring at the inception of his filing
 3 of the '09 suit if he couldn't deliver on
 4 what I have globally suggested is an
 5 accountability issue, and this is standing
 6 behind what has been filed.

7 I think amply Mr. Scarola has pointed
 8 out that there were -- what those in the
 9 criminal courts talk about -- critical
 10 stages of the proceeding when things like
 11 **Foray inference have to be re-evaluated
 12 and reasked by the trial judge. But these
 13 critical proceedings were set forth in the
 14 civil context to suggest that they were
 15 applicable and appropriate times when at the
 16 very least a stay could have been requested
 17 so that during these periods of times --
 18 which I'm adopting but won't be reiterating
 19 for this record -- will be a part of the
 20 order if you so desire -- a stay could have
 21 been requested and it could have been
 22 potentially far more compelling at one of
 23 those periods. And it would have been when
 24 the motion was filed, which was
 25 approximately two months prior to the court

1 at that point sitting the case for the
 2 December 5 date -- which was supposed to be
 3 today -- and not now when we are several
 4 months removed from trial.

5 The issue of accountability is an
 6 important one and has always been an
 7 important one to this court. And having to
 8 live with the consequences of ones
 9 choices -- whether they be independent or as
 10 a result of an attorney bringing the
 11 action -- which is that party's own chosen
 12 action, his own claim -- in this case it
 13 would Mr. Epstein through counsel -- has to
 14 be emphasized.

15 And again, the Court's analysis, though
 16 it will still be concerned about the
 17 timeliness -- timeliness does enter into the
 18 Court's view of this case -- the Court does
 19 find it will be prejudicial to the interest
 20 of Mr. Edwards to further delay the matter.
 21 And that an individual on either side is
 22 entitled to some finality.

23 The Court further finds that simply by
 24 virtue of this NPA matter being resolved by
 25 the trial judge or by a jury is applicable

1 in that Crime Victims' Rights Act case would
 2 not be the end of it. In fact, it would be
 3 shocking to me that an appeal would not be
 4 taken -- no matter whether it was decided by
 5 a Judge or jury, or a combination thereof --
 6 that one side or the other would not appeal
 7 the issue. So that would prolong it even
 8 further.

9 So the Court has taken into account all
 10 of the issues and all of the matters in
 11 balancing and trying to maintain the playing
 12 field in as level a manner as the Court can.

13 However, there are going to be, again,
 14 consequences for the actions taken. And by
 15 taking the offensive, this takes us out of
 16 the example that the court presented
 17 earlier, and that is, if Mr. Edwards had
 18 brought a claim against Mr. Epstein that had
 19 a relationship to the claims brought by
 20 Mr. Edwards on behalf of his clients against
 21 Mr. Epstein -- and I gave you examples of
 22 defamation -- something of that nature --
 23 some type of tort claim -- I could then see
 24 issues that would interfere with the level
 25 playing field that Mr. Goldberger and the

1 Court has emphasized both today and on other
2 occasions.

3 But that's not the case here.

4 Mr. Epstein chose the playing field to which
5 he has now found himself. I'm not here to
6 criticize, praise or otherwise comment on
7 that choice, other than to say that once
8 that choice was made, and once there was no
9 application for stay at any of those
10 critical junctures outlined in the Edwards
11 memorandum, then the Court, as a result,
12 denies the stay for the reasons that it
13 stated in the record.

14 All right, again, thank you
15 Mr. Goldberger. You are free to go if you
16 wish. Good luck on all the matters that
17 you're dealing with.

18 Mr. Scarola, again, I would ask that
19 your office prepare an order with some
20 detail, please -- citations as well as
21 citing to critical junctures which you have
22 cited in your memorandum to support the
23 Court's decision.

24 MR. SCAROLA: And I gather it will be
25 in sufficient to say that the motion is

1 denied for the reasons cited in the record.

2 THE COURT: Yeah. One of our now
3 federal court judges was criticized by the
4 Fourth District Court of Appeal for doing
5 just that, so we have to --

6 MR. SCAROLA: We will have detailed
7 order, Your Honor. We will take the
8 transcript.

9 THE COURT: Thank you. So I guess it's
10 back to the evidence.

11 MR. LINK: My turn.

12 THE COURT: Thanks for waiting again.
13 I appreciate that. Again, I apologize for
14 cutting you off mid thought.

15 Off the record.

16 (A discussion was held off the record.)

17 THE COURT: Back on the record, please.

18 Mr. Link.

19 MR. LINK: What we were talking about
20 before the break --

21 THE COURT: And don't be reluctant to
22 reintroduce me to we where we were.

23 MR. LINK: I was going to start over,
24 Judge, and make you listen to me twice.

25 THE COURT: That's okay.

1 MR. LINK: Before the break, what I as
2 saying, Judge, what I believe is important
3 and might help us all understand where we
4 are going and it this. I have looked at
5 this case maybe two simply, Your Honor.

6 THE COURT: Is this in conjunction now
7 with Jeffrey Epstein's phone records.

8 MR. LINK: It's in conjunction with
9 Mr. Scarola's confusion and Your Honor's
10 statement that he was going to by allowed to
11 prove the truth or falsity of the
12 allegations of the complaint.

13 What I said to the Court was that we
14 understand that you have said that. But we
15 don't believe that's what the law is. And
16 you asked me to explain why, so that's where
17 I was headed.

18 THE COURT: Sounds good.

19 MR. LINK: Maybe I was looking at it in
20 a too narrow of fashion, because of -- when
21 I read that Florida Supreme Court case that
22 we spent the morning on, I read it to say
23 you look at when the complaint was filed
24 that day. And you look at all of this
25 information -- but the when I mean you, I

1 mean you, Your Honor, as a judicial
2 determination -- unless there is a question
3 of fact -- and this is what you have to ask
4 yourself. You have to ask yourself two
5 things.

6 One, is this information sufficient to
7 a reasonable person -- it's an objective
8 standard -- to a reasonable person that they
9 would initiate the civil lawsuit. There's a
10 subject component to it, though, which is
11 this: that the person who is actually making
12 the decision cannot know that what they are
13 looking at is false.

14 So there's an objective component,
15 which is, is this enough for a reasonable
16 person -- subject component is the person
17 making the decision to initiate the civil
18 proceeding do they have a good faith belief
19 that what they're reading or being told or
20 looking at connecting the dots is false.

21 That was important in answering
22 questions that Mr. Epstein was asked because
23 there's bit of a disagreement between
24 plaintiff's -- counter-plaintiff's counsel
25 and us, because we believe Mr. Epstein

1 answered most -- he didn't answer them all,
2 Your Honor. You are going to find a couple
3 that you are going to say, I think that was
4 related. But he answered a lot of them, and
5 he gave nine to 13 pages of testimony and
6 two affidavits explaining essentially what
7 it was he looked at that gave him comfort to
8 bring the suit.

9 What we have focused on since then --
10 since our involvement in the case starting
11 on the 29th is this -- this is what
12 Mr. Edwards' counsel sent us last time --
13 put on the board last time. And this is
14 where the disconnect is for me. And here it
15 is. Lack of probable cause as to either or
16 both two false claims -- not just civil
17 proceeding, two false claims.

18 Here is the first one. Brad fabricated
19 the three claims against him. Now, we
20 looked at the complaint -- and I have heard
21 you say that we are accountable for the
22 allegations of the complaint. That
23 allegation is not in the complaint. You
24 looked at it with me and you saw the word
25 that said the claims were weak.

1 The words fabricated tie into
2 Rothstein, not Edwards. Put that aside for
3 a minute and let's assume, Your Honor, that
4 this is the statement in the complaint. Is
5 there a lack of probable cause in a 20-page
6 complaint with 79 allegations if Mr. Edwards
7 can demonstrate that one allegation happens
8 to be untrue. One allegation. Is that
9 enough for probable cause? What if we --
10 what if he can't prove that 75 of the
11 allegations were not false?

12 The jury instructions and the case law
13 doesn't let you parse through a complaint
14 and say, uh-huh. I found this sentence that
15 I don't think you can prove, or I found a
16 statement that I think is false, therefore
17 you don't have probable cause.

18 I harken back -- and I hate to say it.
19 You've made it clear -- we are not trying
20 defamation -- but that is a defamation case.
21 Because if I make 100 statements and 99 of
22 them are accurate but one is false, guess
23 what? You have a legitimate claim for
24 defamation.

25 THE COURT: At the same time -- again,

1 I'm not going to suggest to you that there's
2 always going to be a bright line separating
3 defamation claims versus claims of malicious
4 prosecution. They could often be somewhat
5 factually analogous.

6 However, this all goes to the global
7 decision the global finding by the Court, by
8 the jury, whomever, of weighing that
9 information that Mr. Epstein had at the time
10 he filed suit, and arguably through the
11 continuation of that claim. And just like
12 anything else, when we instruct the jury,
13 the jury can make a decision on all or part
14 of the evidence.

15 They have the wherewithal through
16 instruction to accept, reject or to do what
17 they wish with respect to opinions of
18 experts. They judge the credibility and
19 thus they infer and draw reasonable
20 inferences from the evidence as to what the
21 witnesses say. Same type of analysis here
22 in the sense that if it's the Court's
23 responsibility, the jury's responsibility.
24 They can find -- the Court can find
25 overriding facts that may be relevant to

1 ultimately the Court's analysis while
2 rejecting or accepting other facts that come
3 up with regard to the Court's analysis.

4 So in a vacuum we are getting into a
5 little bit far afield of what I would like
6 to get back to, and that is, these
7 individual evidentiary issues -- but -- you
8 know, I don't know where else you want to go
9 on this. Right now it is not before the
10 Court.

11 MR. LINK: It is in a sense, if I can,
12 Judge, which is this. This case has to be
13 tried differently, and the evidence will be
14 different.

15 If for example -- and this is not
16 talking about whose burden of proof it is.
17 Mr. Scarola said it's his burden, so I guess
18 he's going to try to prove the jury that
19 specific allegations in the complaint were
20 untrue. That's what I heard him say he's
21 going to do.

22 If he does that, what does that
23 accomplish? Here is what I mean by that?
24 What the case law tells us is that the jury
25 should make the decision about disputed

1 facts that were relied on by the person that
2 initiates the proceeding -- disputed facts.

3 They are not supposed to look at the
4 sentence and determine if it's true or
5 false. They are supposed to decide
6 if there's -- we say we relied on this fact,
7 they said we didn't rely on this fact.
8 Or -- or if we say we relied on a fact, and
9 Mr. Scarola takes the position that you
10 didn't have a good faith basis to rely on
11 that fact because -- then that would be a
12 jury decision about whether we relied on the
13 facts.

14 You would then decide, once the jury
15 determined we either relied on it or not,
16 whether there was probable cause. And you
17 will look at 15 facts -- so if there are 14
18 that are still good and one goes away, you
19 will make that decision. If five of them go
20 away and there's ten left or four left, you
21 will make the decision.

22 But how do we try this case? Here is a
23 sentence that you pointed out to me when I
24 said show me where -- it doesn't say
25 fabricated. You said, Well it says weak.

1 It says weak.

2 Well, how do we try before the jury is
3 that a contested fact where the cases were
4 weak? Do I have to call an expert to give
5 an opinion on the value of the cases at the
6 time. And weak compared to what?

7 THE COURT: I don't know what you're
8 asking me to do right now. All I'm saying
9 is -- all I would suggest to you is they
10 have the burden of proof when I comes to
11 elements in the malicious prosecution case.

12 MR. LINK: Yes, sir.

13 THE COURT: Ultimately, I agree with
14 you that largely it's going to be either the
15 Court's or the jury's determination as to
16 Epstein's subjective position at the time he
17 filed the suit -- and according to the law
18 continued the prosecution of this case.

19 Now, how you go about that, that's not
20 for me to say. But I agree with you to the
21 extent that there is a subjective element
22 that relates to Epstein's decision making to
23 file a suit.

24 But, on the other side of the coin, as
25 I indicated last week, that doesn't --

1 again, in my respectful view of the law --
2 end the analysis. Because at the same time,
3 as I pointed to the other day, Mr. Edwards
4 has the opportunity to dispel those claims
5 by Mr. Epstein.

6 Now, that's how the two sides resolve
7 the tension, and ultimately a determination
8 is made by the trier of fact.

9 MR. LINK: If there's a disputed fact.
10 Again, that's sort of my struggle. And
11 maybe it's Mr. Scarola's struggle, which is
12 this. If this is the disputed fact, they
13 say there should have been an allegation
14 that the litigation team, which included
15 Mr. Edwards, knew or should have known that
16 the three filed cases were weak. Let's just
17 look at that statement.

18 They have the burden of proof and they
19 come forward -- and I guess Mr. Edwards gets
20 on the stand and he says, jury, these cases
21 were strong. They paid \$5.2 million --

22 MR. SCAROLA: \$5.5 million.

23 MR. LINK: \$5.5 million to settle them.
24 I am now going to come forward and put on an
25 expert -- I am going to put someone on to

1 say that's a small number for these cases.
2 These cases are weak, because, look, [REDACTED].
3 worked at a strip club. She an admitted
4 prostitute, call girl. All of these things
5 come into factoring.

6 What I'm asking, Judge, is if we are
7 trying a probable cause/malicious
8 prosecution case, then I would suggest to
9 you that none of the specific allegations
10 can lead to a conclusion of probable cause
11 or not. The overall flavor of the case, the
12 overall complaint when fairly read
13 absolutely comes into consideration. It
14 does. Was there a reasonable basis to go
15 forward with this lawsuit. But
16 cherry-picking a sentence or two in he
17 complaint to prove it's falsity doesn't help
18 you or the jury determine probable cause.

19 THE COURT: Again, I don't know how we
20 found ourselves here. I just want to get
21 back to the evidence. Again, I can't be
22 making advisory opinions, orders, whatever
23 the case might be.

24 I want to get back to the individual
25 evidence provisions.

A			B	
ability 8:21 29:24 30:14	agree 50:13,20	40:3,6 42:4	back 21:2 42:10,17 46:18 48:6 52:21 52:24	13:15,18,25 16:10 16:13,14 17:7,8 17:10 18:1,6,16 18:24 20:9 21:3 21:14,19 22:23,25 24:2 25:10 26:7,9 26:10,24 27:20 28:3,12 30:2 31:4 31:8,24,25 32:9 32:10,15,16 33:6 33:21,23,25 34:3 34:12,18 35:12 36:6,11,15 37:11 37:24 39:1,12,18 40:1 41:3 43:5,21 45:10 46:12,20 48:12,24 49:22 50:11,18 52:8,11 52:23
able 24:3 37:15,22 37:25	agreed 9:15 10:22	appeals 28:8	badly 36:11	cases 7:13 10:15 25:8 28:4,5 34:25 50:3,5 51:16,20 52:1,2
above-entitled 2:1	agreement 5:8,10 5:16,18,20,25 6:10,16,23 10:6 11:22 13:5,22 17:12 18:5 22:21 25:21 26:25 27:8 27:21 28:2	appearance 2:22	balancing 21:7 40:11	cause 45:15 46:5,9 46:17 49:16 52:10 52:18
absent 12:5	agrees 2:5	appellate 31:10	based 13:12	cause/malicious 52:7
absolute 31:1 34:17	ahead 3:6 9:22 16:23	applicable 38:15 39:25	basis 22:17 23:10 23:23 25:25 28:9 49:10 52:14	cautiously 6:6
absolutely 52:13	allegation 45:23 46:7,8 51:13	application 36:17 41:9	battle 28:17	certain 5:14 7:10 10:24 24:16
accept 19:5 47:16	allegations 30:21 43:12 45:22 46:6 46:11 48:19 52:9	applies 7:22	begun 23:13	certainly 14:20 19:9 36:17
accepting 48:2	alleged 8:3 13:10	appreciate 4:24 10:1 11:25 42:13	belief 5:23 40:20	certificate 2:22
accident 25:8	allow 9:8 13:14 17:16	appreciates 30:10	believe 14:21 18:22 43:2,15 44:25	certification 2:23
accomplish 48:23	allowed 6:13 13:1 24:4 43:10	appropriate 8:22 38:15	believes 27:23	certified 2:12,19
accomplished 19:8 19:11	alluding 20:16	arguably 15:12 47:10	best 36:18	challenge 27:16
account 18:8,22 40:9	alternative 27:18,19	argue 20:12	beyond 16:20	change 20:11
accountability 38:5 39:5	amend 12:7	argument 7:9 14:5 22:18 33:17	binder 28:24 36:3	charge 25:12
accountable 45:21	amending 14:10	arguments 24:6 31:20 37:24	bit 11:8 44:23 48:5	charges 8:11 9:24 10:3
accurate 46:22	Amendment 7:20 8:19 15:14 16:7 17:14 21:22 26:1 26:5 27:9,17 33:12,19 34:14	arises 22:5	board 45:13	checked 2:11
accusing 8:4	ammunition 37:4	arrest 35:21	Brad 30:23 31:1 45:18	cherry-picking 52:16
acknowledges 24:13	amount 20:16	arrows 32:3	Bradley 13:23,24	child 27:3
acronyms 4:11	amply 38:7	aside 5:7,24 6:9 13:4,21 16:24 17:11,23 18:4,8 25:22,22,23 27:20 28:2 35:11 46:2	break 42:20 43:1	children 27:15
act 4:14,21 6:6 15:11 26:7,11,24 27:20 40:1	analogous 33:10 47:5	asked 18:14 43:16 44:22	brief 19:8	choice 17:13 21:21 41:7,8
acted 15:15	analysis 7:5 21:5,7 34:17,22 35:19 39:15 47:21 48:1 48:3 51:2	asking 11:20 17:25 19:20 32:18 50:8 52:6	bright 47:2	choices 39:9
action 5:22 14:9 17:11,23 23:7 39:11,12	anecdotaly 18:21 19:10	aspect 3:16	bring 3:25 17:21 38:2 45:8	choose 22:1
actions 40:14	anniversary 22:7 36:10	aspects 10:2 31:7	bringing 14:10 15:16 29:22 39:10	chose 41:4
activity 8:3 35:4	answer 8:24 12:22 12:24 16:17 27:10 45:1	assault 23:4	broader 8:17	chosen 39:11
actual 11:23 26:18 34:7	answered 45:1,4	assertion 25:25 26:4 27:16 33:19 34:14	brought 8:6 9:25 11:19 13:22,24 14:13,22 15:2,12 17:11,23 22:16 23:16 29:7,15 30:6 36:7,11,14 37:1 40:18,19	circulating 30:25
ad 27:23	answering 44:21	associated 28:11	burden 25:1 30:12 30:15,18 48:16,17 50:10 51:18	circumstance 25:15
add 11:11	anticipate 25:18 30:4	assume 32:13 46:3	built 20:14	circumstances 24:16 33:11,21 37:5
added 35:2	anticipated 24:23 25:2	assuming 26:22	brother 8:17	citation 2:9
addition 26:22	anybody 8:4 18:12	attempt 13:4,21 31:25	brotherly 8:17	citations 41:20
address 11:16 12:11 14:12 15:23 30:8	apologize 12:16,18 42:13	attention 22:16 30:22	bring 3:25 17:21 38:2 45:8	
adjudicate 35:12	appeal 26:14,16,17 26:19,20 30:1	attorney 5:3 6:5 29:4 39:10	bringing 14:10 15:16 29:22 39:10	
adjusting 3:13		Attorney's 5:11	broader 8:17	
Adler 23:1		authoritatively 9:20	brought 8:6 9:25 11:19 13:22,24 14:13,22 15:2,12 17:11,23 22:16 23:16 29:7,15 30:6 36:7,11,14 37:1 40:18,19	
admissible 27:2,13		automobile 25:8	brotherly 8:17	
admitted 52:3		avoid 28:13 32:4	break 42:20 43:1	
admittedly 20:21		avoided 16:21 31:11	brief 19:8	
adopting 38:18		aware 19:25 37:21	bright 47:2	
advantage 27:4		axiom 36:16	bring 3:25 17:21 38:2 45:8	
adverse 17:17,19 32:1			bringing 14:10 15:16 29:22 39:10	
advisory 52:22			broader 8:17	
advocates 7:15			brought 8:6 9:25 11:19 13:22,24 14:13,22 15:2,12 17:11,23 22:16 23:16 29:7,15 30:6 36:7,11,14 37:1 40:18,19	
affidavits 45:6			burden 25:1 30:12 30:15,18 48:16,17 50:10 51:18	
afield 48:5			built 20:14	
age 9:14			burden 25:1 30:12 30:15,18 48:16,17 50:10 51:18	
agents 35:23			brotherly 8:17	
ago 23:18			brought 8:6 9:25 11:19 13:22,24 14:13,22 15:2,12 17:11,23 22:16 23:16 29:7,15 30:6 36:7,11,14 37:1 40:18,19	

<p>cited 41:22 42:1 citing 34:3 41:21 civil 19:18 24:17 26:9,10 38:14 44:9,17 45:16 claim 14:16,23,24 15:2,11,17 22:4 23:10 27:23 28:16 30:6 38:1 39:12 40:18,23 46:23 47:11 claiming 20:14 23:6 claims 8:10 13:10 16:22 23:9,23 24:4,4 29:15,25 40:19 45:16,17,19 45:25 47:3,3 51:4 clarify 6:19 clear 8:5 13:6 46:19 clearly 25:14,14 27:25 28:18 client 6:14 26:19 clients 40:20 club 52:3 co-exist 15:19 coalesce 15:19 code 2:14 coin 50:24 combination 40:5 combinations 2:16 come 11:5 21:18 24:11 48:2 51:19 51:24 52:5 comes 7:18 8:9 50:10 52:13 comfort 10:9 12:12 45:7 comfortable 9:23 coming 14:6,7 18:20 comment 9:17 22:12 41:6 committed 27:11 committing 6:13 compared 50:6 compelling 35:19 38:22 compiled 5:17 complaint 14:11 16:19 22:3,19 35:25 43:12,23 45:20,22,23 46:4 46:6,13 48:19 52:12,17 completely 3:12 35:22 completely.So 4:11 complication 35:2 complies 5:15 comply 8:21</p>	<p>component 44:10 44:14,16 computer-generat... 2:13 concealed 23:12 concern 15:20 concerned 35:9 39:16 concerning 4:5,25 9:8 13:19 conclusion 26:6 52:10 conclusive 26:23 conclusively 24:5 31:3 concurrent 24:19 25:6,7 confidence 19:7 confusion 43:9 congratulate 20:24 conjunction 43:6,8 connecting 44:20 connection 2:7 consequences 39:8 40:14 consider 6:11 29:14 consideration 36:4 52:13 considering 20:2 constitutionally 24:20 constructively 37:21 construed 26:10 37:2 contain 2:13 contained 6:22 contains 2:21 content 2:19 contested 50:3 context 38:14 continuation 47:11 continue 3:1 9:22 12:14 continued 50:18 convenience 10:5 copy 11:21 cornerstones 6:3 correct 26:11 28:25 32:22 corrected 2:12 Corrections 2:18 corresponding 25:9 costly 31:10 counsel 12:6 29:20 36:5,15 37:19 39:13 44:24 45:12 count-plaintiff 17:3 counter-defendant</p>	<p>17:4 counter-plaintiff 13:25 counter-plaintiff's 44:24 counts 11:21 couple 21:25 45:2 course 35:11 court 2:3 3:1,6,12 3:22 4:8,16,17 6:19 7:4,6 9:11,21 10:7,16 11:4,17 11:23,25 12:3,4,5 12:20 13:6 14:4,8 15:21 16:18 17:25 18:9,21,23 19:6 19:25 20:1,12 21:10,24 22:9,16 24:11,17 25:5,13 26:8,15 28:23 29:17 31:17 32:11 33:1,7,20 34:5,8 34:21 35:19 38:25 39:7,18,23 40:9 40:12,16 41:1,11 42:2,3,4,9,12,17 42:21,25 43:6,13 43:18,21 46:25 47:7,24 48:10 50:7,13 52:19 Court's 7:16 12:22 21:17 22:13 34:13 37:20 39:15,18 41:23 47:22 48:1 48:3 50:15 courts 21:15 24:15 38:9 covered 4:6 covers 27:8 create 15:20 credibility 47:18 crime 4:14,21,22 15:11 26:6,11,23 27:19 40:1 crimes 27:3,5,11 criminal 4:5 5:13 6:1,5 7:23,25 8:3 9:24 10:3,14 16:9 24:19 25:7 27:2 28:3,4,18,21 38:9 critical 7:4 14:8 38:9,13 41:10,21 criticism 22:13 criticize 41:6 criticized 42:3 cutting 42:14 CVRA 4:3,7,13,20 4:25 13:8 18:6,16 32:10</p>	<p style="text-align: center;">D</p> <p>damage 15:7 damaged 20:7,8 date 39:2 day 19:12 21:9 43:24 51:3 days 3:10 22:25 deal 33:3,16 dealing 14:18 41:17 December 2:1 22:5 22:19 36:8,12,13 39:2 decide 33:14 49:5 49:14 decided 40:4 deciphered 2:17 decision 16:16 34:6 41:23 44:12,17 47:7,13 48:25 49:12,19,21 50:22 decisions 15:9 deed 23:20 defamation 14:24 15:2 40:22 46:20 46:20,24 47:3 defend 17:8,9 21:3 21:13 23:19,20 31:24,25 defendants 17:6 36:25 defended 37:17 defending 17:5 defense 6:5 7:25 16:13,14 24:13 30:18 36:18 degree 30:17 delay 7:8 30:11,13 31:7 39:20 delaying 28:15 deliver 38:3 delivered 2:2 demonstrate 46:7 denied 33:8 42:1 denies 41:12 deny 31:14 deposition 10:25 20:22 designed 21:15 desire 38:20 despite 32:13,14 detail 41:20 detailed 42:6 determination 34:13 44:2 50:15 51:7 determine 49:4 52:18 determined 49:15</p>	<p>determining 20:2 developed 28:6 differences 2:19 different 15:22 48:14 differently 48:13 disagreement 44:23 DISCLAIMER 1:1 disclose 2:5 23:22 disconnect 45:14 discuss 3:21 discussed 20:3 35:17 discussion 3:2 42:16 discussions 7:12 dismissal 14:16 dismissed 24:1 dispel 51:4 disposition 27:5 30:23 disproportionate 30:17 disputed 48:25 49:2 51:9,12 district 4:16 5:2,12 27:6,12 28:20 34:2 42:4 documents 11:24 5:4 9:6,13 12:15 35:1 doing 4:19 6:6 17:22 20:23 21:17 27:14 42:4 dots 44:20 dovetail 35:22 draft 2:12 draw 47:19 dressed 35:17 driving 25:11 drunk 25:11 due 6:4 35:3 DUI-type 25:13</p> <p style="text-align: center;">E</p> <p>9:13 11:1 34:25 earlier 24:21 35:20 36:2,22 40:17 early 32:7,9 Edward's 26:19 Edwards 1:4 5:3,23 7:18 11:13 13:23 13:24 14:14,22 15:7,10,15 16:4 16:10 18:3,15,17 20:7,14,21 21:9 23:2,11,24 29:7 29:16 30:6,23 31:1 35:1 36:25</p>
---	--	--	---	--

39:20 40:17,20 41:10 46:2,6 51:3 51:15,19 Edwards' 45:12 eight 20:19 36:10 either 26:16 39:21 45:15 49:15 50:14 electronic 2:6,14 element 50:21 elements 7:6 37:13 50:11 elevator 17:5 Elmo 34:20 empathy 35:10 emphasized 39:14 41:1 encountered 20:17 ended 35:4 ends 8:23 entailed 37:22 enter 18:7 39:17 enthusiasm 32:19 entitled 39:22 enumerated 5:14 Epstein 1:2 4:3 5:14 5:15,17,25 10:21 13:11 14:1,14,17 14:23 15:3,5,13 15:18 16:3,15 17:13 21:1,12,20 22:22 23:16 24:10 26:4 27:4 28:1,13 29:4,20 31:23 32:18,20 33:10 35:25 36:5,5,14 37:19 39:13 40:18 40:21 41:4 44:22 44:25 47:9 51:5 Epstein's 5:7 7:19 14:9 16:19 17:12 43:7 50:16,22 errors 2:15 Esquire 2:4 essentially 45:6 establish 5:9 estimate 8:1 eve 23:25 evidence 24:3 27:3 33:24 34:10,15 42:10 47:14,20 48:13 52:21,25 evidentiary 48:7 exactly 4:9 26:15 27:14 example 15:1 25:9 40:16 48:15 examples 40:21 Excuse 4:18 9:11 22:9	exemplar 15:18 existed 22:18 37:10 exonerating 30:23 expected 7:6 experience 8:9 35:8 experienced 30:13 expert 50:4 51:25 experts 47:18 explain 43:16 explained 32:11 explaining 45:6 exposure 28:3,18,21 29:6 30:4 36:24 37:2,9 38:1 expressed 11:2 extent 50:21 extra 15:4 extraordinarily 8:12 extreme 21:12 extremely 35:8	federal 4:16 18:23 26:18 27:1 35:23 42:3 field 16:1,25 17:9 17:20 21:20 31:21 32:17 36:17 40:12 40:25 41:4 fields 21:16 Fifth 7:19 8:19,22 15:14 17:14 21:22 26:1,5 27:9,17 33:12,19 34:14 fight 32:3,5 37:6 file 12:2 23:4,6,8 32:8 50:23 filed 16:3 22:5,23 22:24 23:24 24:8 28:15 31:8 32:7 33:9 35:25 37:10 38:6,24 43:23 47:10 50:17 51:16 filing 23:10 28:15 36:20 38:2 final 26:23 27:5 30:22 finality 12:23 39:22 financial 20:13 find 39:19 45:2 47:24,24 finding 29:18 47:7 finds 39:23 firm 35:3 firmer 14:21 first 3:21 4:12 45:18 Firth 16:7 fit 7:14 fits 7:10 five 23:8 49:19 flavor 52:11 Florida 4:17 5:2,12 24:15 27:6,12 28:20 43:21 flow 21:23 focused 45:9 folks 11:14 following 1:25 follows 35:18 food 33:13 footing 14:21 Foray 38:11 form 2:6 formatting 2:20 forth 38:13 forward 5:13 16:5 16:10,14 51:19,24 52:15 found 41:5 46:14,15 52:20 four 23:5 31:9 49:20	Fourth 42:4 frame 7:13 frankly 24:6 free 41:15 friend 30:11 front 19:10 fruition 18:20 full 10:6 35:12 fully 8:20 further 39:20,23 40:8	great 33:3 grounds 14:25 guess 42:9 46:22 48:17 51:19 guilty 6:2 32:20,23
H				
				hand 15:10 handcuffs 21:2 handled 9:3 happen 5:5 18:2,10 happened 20:10,10 21:19 happens 46:7 hard 14:2 harken 46:18 harrowing 35:8 hate 46:18 haven 31:12 headed 43:17 hear 19:19 heard 45:20 48:20 hearing 4:1 9:3,3 12:10 18:14 hearings 35:20 heinous 35:3 held 42:16 help 10:2 43:3 52:17 helpful 34:21 hiatus 18:25 high 10:10 Hoffman 34:4 hold 35:10 Honor 3:18 4:12 6:4 6:15 8:25 9:20 10:19 11:16 12:24 14:3 18:3 19:4,23 20:20 21:4 22:24 25:15 30:7,10 31:23 42:7 43:5 44:1 45:2 46:3 Honor's 9:1 11:19 13:12 43:9
I				
				i.e. 8:19 29:6 imagine 16:18 impact 30:14 impacts 30:16 implicating 16:8 implosion 22:25 35:2 important 3:21 13:12 39:6,7 43:2 44:21 inaccurate 2:15 inadvertent 11:15 inception 38:2

include 29:9
included 51:14
including 33:5 35:9
independent 39:9
indeterminate 18:1
 19:24
index 2:22
indicated 6:9 9:4,7
 27:25 36:8,14
 50:25
individual 12:15
 39:21 48:7 52:24
individuals 5:4,23
 9:7,9,14 13:2,3,16
infancy 32:10
infer 47:19
inference 38:11
inferences 17:18,19
 32:1 47:20
information 43:25
 44:6 47:9
initial 16:23
initials 9:23 11:3
 12:8,14
initiate 44:9,17
initiated 23:17 36:1
initiates 49:2
instruct 47:12
instruction 47:16
instructions 46:12
intend 8:21
intent 8:16
interest 39:19
interfere 40:24
interplay 15:8
interrupting 9:11
 12:17
introduce 37:23
invocation 7:19
 8:19 33:12
invoke 8:21 17:14
 21:21
involved 5:5 8:13
involvement 45:10
involving 13:16
 32:21,24
Islands 7:1
issue 7:22 14:18,19
 25:13 38:5 39:5
 40:7
issues 13:15 34:8
 40:10,24 48:7

J

5:4 9:6,13
 12:15 34:25
Jeffrey 27:25 43:7
judge 4:17 5:1 6:7,8
 10:16 12:21 15:25

18:7 19:1 27:24
 38:12 39:25 40:5
 42:24 43:2 47:18
 48:12 52:6
judges 42:3
judgment 14:13,15
 14:16 19:16,19
 23:22 24:1 30:1
 31:3 32:12 37:16
judicial 15:4 44:1
junction 10:9 19:21
junctions 41:10,21
jurisdiction 27:13
jurisdictions 4:6 7:1
 7:24 8:6
jury 17:19 30:1
 39:25 40:5 46:12
 47:8,12,13 48:18
 48:24 49:12,14
 50:2 51:20 52:18
jury's 47:23 50:15
justify 16:21

K

Kara 2:3
kind 3:21 6:17 16:8
 21:6
knew 22:22 51:15
know 8:7,8,23 9:18
 11:6,7 14:4,6,7
 22:17 28:5 30:10
 44:12 48:8,8 50:7
 52:19
knowing 23:18
 28:17,20
knowledge 30:25
known 51:15

L

9:13 29:8,16
 34:25 52:2
lack 45:15 46:5
ladies 11:7
largely 50:14
law 31:12 33:6
 43:15 46:12 48:24
 50:17 51:1
lawsuit 6:14 14:10
 16:3,5 17:1,6
 29:22 36:21 44:9
 52:15
lawyer 7:25 17:14
lead 52:10
left 49:20,20
legal 25:6 36:16
 37:13,23
legitimate 46:23
length 7:7 25:19
let's 3:6 4:8 14:23

46:3 51:16
level 10:9 12:13
 21:15,20 40:12,24
liability 4:5 16:9
 28:4
life 5:21
likelihood 27:24
limit 28:14
limitation 23:13
 28:11
limitations 8:2,8
limited 8:9 13:7
 20:5 24:18 32:5
line 2:20 12:12 47:2
Link 3:2 11:11,12
 11:18 12:2 42:11
 42:18,19,23 43:1
 43:8,19 48:11
 50:12 51:9,23
list 11:13
listen 42:24
listened 9:1
listening 11:6
litigant 35:14
litigated 4:15
litigation 10:14,15
 20:18 22:8 24:10
 51:14
little 48:5
live 39:8
lived 10:12
long 18:12,16,18
 24:15 25:1 32:15
longer 8:12 25:25
look 7:7 21:11 33:20
 43:23,24 49:3,17
 51:17 52:2
looked 8:17 24:22
 24:24 43:4 45:7
 45:20,24
looking 18:24 43:19
 44:13,20
lose 13:23
loss 20:17
lot 6:5 45:4
luck 41:16

M

M-I-L-I-T-A-N-O
 34:1
maintain 40:11
making 7:10 13:10
 25:3 44:11,17
 50:22 52:22
malicious 22:4 23:3
 29:6 30:5 37:11
 38:1 47:3 50:11
maliciously 28:15
malpractice 6:13

manifestations
 34:19
manner 40:12
manslaughter
 25:10
March 19:12 20:9
margin 36:3
Marra 4:17 5:1 6:7
 6:8 10:17 18:7
 19:1 27:25
materials 3:15 29:3
 33:4
math 22:13 36:10
mathematical 22:10
matter 1:1 2:1 4:12
 4:15,25 5:3 6:1
 7:14 18:9 20:5
 26:12 27:21 29:8
 30:8 35:16 39:20
 39:24 40:4
matters 4:4 6:14,15
 6:21 21:5 40:10
 41:16
mean 43:25 44:1
 48:23
means 19:19
memorandum
 41:11,22
memories 30:16
mentioned 4:2
 12:19 35:6 36:2
 36:22
merits 27:23
mid 3:2 42:14
Militano 34:1
million 51:21,22,23
minors 8:13 10:4
minute 46:3
minutes 21:25
mistaken 4:20
mistranslations
 2:14
mix 29:10
moment 36:23
months 38:25 39:4
morning 43:22
motion 3:19 7:3,21
 14:12 19:16 22:15
 23:21,25 24:14,21
 25:4 31:15 32:7,8
 33:8,9 34:16
 38:24 41:25
moved 32:15

N

name 10:22 11:14
names 9:15 10:8,13
 10:17 11:5,6,8,14
 12:9,19

narrow 43:20
nature 15:17,21
 40:22
necessarily 19:18
necessary 37:13,23
necessity 15:13
 33:18
need 5:9 12:11 23:4
 24:2,12
needs 4:10 35:16
never 14:17,19
 30:11
New 7:1 34:2
newspaper 18:22
 32:14
night 29:2
nine 22:14 23:17
 30:20 45:5
nine-year 30:13
ninth 22:6
non-prosecution 5:8
 5:10,16,18,20,24
 6:10,16,22 11:22
 13:4,22 17:12
 18:5 22:21 25:21
 26:25 27:8,21
 28:2
non-stenotypists
 2:17
nonsensical 2:16
notation 28:23
NPA 4:7 7:22 9:10
 17:24 18:8 39:24
number 5:5 9:6
 52:1
numbers 2:20

O

objection 12:6,10
objective 44:7,14
observe 22:6,14
observed 22:24
obvious 8:14
Obviously 33:3
occasions 41:2
occur 37:8
occurred 37:17
offend 37:12,13
offense 36:19
offenses 5:15 32:20
offensive 15:16
 36:20 40:15
office 5:11 41:19
offices 35:24
official 2:3
okay 11:17 12:20
 15:24 42:25
once 41:7,8 49:14
ones 39:8

ongoing 20:18	personal 33:22 34:11 35:10	presented 40:16	put 4:8 14:1 16:24 31:2 45:13 46:2 51:24,25	regard 25:17,18,20 27:5 48:3
opinion 50:5	perspective 7:16,17 7:18 8:17 37:14	preserve 15:13		reintroduce 42:22
opinions 47:17 52:22	pertain 10:3	press 15:5		reiterate 31:21
opportunity 28:13 28:14 51:4	phone 43:7	presumably 23:2	Q	reiterated 35:7
oral 33:2,17	phrase 33:9	presume 26:9	question 12:22 16:17 23:15 44:2	reiterating 38:18
order 3:10 18:7 19:1 24:3 34:2,9 38:20 41:19 42:7	place 5:11 14:2	prevents 5:11	questions 27:10 44:22	reject 47:16
orders 6:8 52:22	places 7:2	primarily 36:25	quite 15:22 22:11 24:6	rejecting 48:2
outcome 8:18 27:24	plaintiff 17:10 31:11 36:6	prior 4:1 38:25	quote 24:14 33:18 33:24,25 34:6,11	related 5:14 45:4
outlined 41:10	plaintiff's 44:24	privilege 26:1,5 27:17 33:20	quoting 34:3	relates 50:22
outstanding 19:17	plan 11:16	privileges 16:7 17:15 21:22		relationship 40:19
overall 52:11,12	play 9:5	probable 45:15 46:5 46:9,17 49:16 52:7,10,18	R	relatively 19:8
overriding 47:25	playing 16:1,25 17:9,20 21:15,20 31:21 32:17 40:11 40:25 41:4	probative 21:6	raiding 35:23	relevant 23:11 47:25
P	plea 11:19	procedural 34:19	ramifications 29:22 29:23	relied 2:9 49:1,6,8 49:12,15
PACER 19:14	plead 32:23	procedurally 6:17 13:20 21:19	rare 37:7	reluctant 42:21
page 2:20,22,22	pleading 35:5	proceed 3:17,24	re-evaluated 38:11	rely 14:22 49:7,10
pages 45:5	please 3:17 12:8 41:20 42:17	proceeding 24:17 24:19 27:2 38:10 44:18 45:17 49:2	read 19:25 33:13 43:21,22 52:12	remedies 18:6 35:13
paid 51:21	pled 6:2 32:20	proceedings 1:25 3:19 23:17 31:10 38:13	reading 44:19	remedy 5:6 18:4
papers 19:25 33:15	point 9:16 10:10 19:15,23 20:5 21:3 26:8 29:12 34:21 39:1	process 6:4	ready 3:16,17	remiss 6:12
paragraph 22:20	pointed 24:9 27:7 38:7 49:23 51:3	produce 24:3	realized 29:21	removed 39:4
parallels 34:16	pointing 32:2	prolong 40:7	realtime 2:21	repeatedly 27:7 30:21
parameter 7:11	poison 30:24	prong 7:5	reasked 38:12	reporter 2:3 12:5
parameters 7:20 8:15	portion 1:25	pronouncements 9:2	reason 6:21 37:4	reporting 4:14,21
parse 46:13	position 49:9 50:16	proof 30:12,15,18 48:16 50:10 51:18	reasonable 23:10 28:11 32:13,16 36:4 44:7,8,15 47:19 52:14	represented 35:1
part 4:7 5:19 6:16 12:3 13:3 25:16 34:24 38:19 47:13	positive 11:4	proofread 2:11	reasonably 24:10 24:23 25:2,18 27:16	request 2:3 12:23 13:7,7
partial 19:16 32:12	possibilities 25:20	prosecution 5:13 6:1 7:23 22:4 23:3 25:7 29:6 30:5 37:11 38:1 47:4 50:11,18 52:8	reasons 8:14 31:14 31:15 41:12 42:1	requested 38:16,21
particular 34:18 35:15	possibility 28:1	prosecutions 6:25 28:7	rebut 22:1	require 18:13
particularly 8:13	possible 8:18	prostitute 52:4	rebuttal 29:19	required 7:6 24:20
parties 13:14 15:6	potential 6:25 8:10 8:11 15:8 29:5,21 29:23 36:24 37:1 37:9,25	protocol 34:19	receiving 30:21	requisite 37:14
parts 5:17	potentialities 8:7	prove 43:11 46:10 46:15 48:18 52:17	recited 9:25	resolution 4:3 26:23
party 25:3 30:11	potentiality 7:23	proven 37:15	recognition 30:3 35:12 36:23 37:9	resolve 51:6
party's 39:11	potentially 4:4 38:22	proverbial 14:1	recognize 37:25	resolved 3:23 13:9 24:5 39:24
peculiarities 33:23 34:12	practice 17:4	provide 11:23	recognized 24:15 29:5	resolves 20:6
peculiarity 34:18 35:15	practitioner 19:18	provided 33:5,6	recollection 19:4	respect 7:15 8:20 47:17
pendency 22:7,21 24:18 34:24	praise 41:6	proving 25:1	recompense 20:13	respectful 51:1 respectfully 15:24 26:2
pending 3:20 5:1 17:2	prediction 28:10	provisions 52:25	record 4:8,19 5:9 11:3 12:3,7 18:11 18:19 26:3 38:19 41:13 42:1,15,16 42:17	resolution 4:3 26:23
people 37:6	preference 9:21	public 30:22	records 43:7	resolve 51:6
perceived 36:4	prejudice 20:4 21:1 21:5,11,12 30:9 31:6	public's 7:17	reference 6:24	resolved 3:23 13:9 24:5 39:24
percent 10:11	prejudicial 39:19	published 15:6	referred 4:13 11:3	resolves 20:6
perceptions 33:22 34:11	preparation 2:18	punctuation 2:20	refers 22:20	respect 7:15 8:20 47:17
period 18:1 19:8 35:22 36:7	prepare 41:19	purchaser 2:5	refuse 27:10	respectful 51:1 respectfully 15:24 26:2
periods 38:17,23	present 37:22	purposes 2:9 4:19 37:20		respective 7:13 12:6
permission 11:19	presentations 33:2			respond 31:20
person 44:7,8,11,16 44:16 49:1				response 24:8

<p>reviews 33:15 rhetorically 20:4 RICO 23:7 right 3:15 6:18 15:14 16:1 17:1,2 17:6,20 18:19 19:22 21:24 22:12 27:9 31:1,2,23 36:21 41:14 48:9 50:8 rights 4:22 15:11 26:7,11,24 27:20 35:13 40:1 rock 14:2 Rockenbach 2:4 roll 17:18 Rosenfeldt 23:1 Rothstein 23:1 29:9 29:16 35:3,4,9 46:2 Rothstein's 35:21 ruled 12:25 ruling 13:12 29:18 run 23:14</p> <hr/> <p style="text-align: center;">S</p> <p>sampling 33:6 sat 8:25 satisfied 12:13 satisfy 10:7 saw 45:24 saying 43:2 50:8 says 23:18 32:6 33:18 49:25 50:1 51:20 Scarola 3:4 4:1,18 4:24 6:24 9:17,19 10:19 11:15 17:17 20:15 21:22 22:2 22:3,11 25:11,14 26:13,21 28:25 30:7 31:17 32:6 35:7 38:7 41:18 41:24 42:6 48:17 49:9 51:22 Scarola's 14:5 31:20 43:9 51:11 schedule 3:13 SEC 33:25 second 11:18 26:8 see 3:24 7:14 25:8 40:23 seeing 18:22 seek 18:4 seeking 3:23 5:6,24 6:20 7:21 13:18 18:5 19:24 self-incrimination 15:14</p>	<p>sense 24:7 47:22 48:11 sent 45:12 sentence 5:19 46:14 49:4,23 52:16 separate 29:10 separating 47:2 served 5:19 set 5:24 13:4,21 17:11,23 18:8 25:22,22,23 28:2 38:13 setting 5:7 6:9 18:4 27:20 settle 51:23 settled 31:12 seven 20:19 shocking 40:3 shorter 24:23 show 49:24 shown 37:15 sic 4:14 side 7:12 17:5 26:16 39:21 40:6 50:24 sides 33:1 51:6 sight 13:23 significant 15:20 18:25 30:19 31:5 31:8 similar 7:11 simple 8:24 simply 12:7 28:9 39:23 43:5 sir 22:12 26:13,21 31:16 50:12 sit 8:1 sitting 39:1 situation 14:2 21:8 32:4 34:23 skills 36:10 small 52:1 somewhat 7:11 47:4 sooner 21:10 sort 51:10 sought 7:8 sound 11:8 Sounds 43:18 southern 4:16 5:2 5:12 27:6,11 28:19 34:2 speak 9:19 speaking 4:9 specific 48:19 52:9 specifically 12:9 32:8 spent 43:22 spring 19:2 stages 24:9 38:10 stand 16:11,21</p>	<p>18:15 31:22 51:20 standard 44:8 standing 38:5 start 42:23 started 14:7 28:17 starting 45:10 state 26:17 stated 12:9 36:16 41:13 statement 32:22 43:10 46:4,16 51:17 statements 15:4 46:21 States 34:4,5 status 32:12 statute 8:2,8 27:1 statutes 8:11 23:12 stay 3:5,19 6:20 7:3 12:24 13:7,8,19 17:25 18:9,12 19:24 20:3,5 22:15 24:2,12,14 24:17,19,23 25:2 25:19 28:11 32:5 32:7,9,16 34:8 38:16,20 41:9,12 stereotype 2:14,16 step 33:15 stipulation 11:2 strategic 15:9 strategies 15:19 strategy 15:25 stream 30:25 strike 25:6 34:7 strip 52:3 strong 51:21 struggle 51:10,11 subject 5:25 26:13 29:18 30:9 33:17 35:24 44:10,16 subjective 50:16,21 subsequent 28:6 substantial 20:16 substantively 29:12 successful 20:23 suffered 31:6 suffering 21:13 sufficient 37:3 41:25 44:6 suggest 10:5 26:2 38:14 47:1 50:9 52:8 suggested 18:23 38:4 suggesting 8:16 14:25 28:25 37:5 suit 16:23 29:7 37:1 37:10 38:3 45:8</p>	<p>47:10 50:17,23 summary 14:13 19:16,19 23:21 24:1 30:1 32:12 37:16 summer 19:2 support 24:4 37:24 41:22 supports 26:3 supposed 39:2 49:3 49:5 Supreme 34:5 43:21 sure 9:12 susceptible 23:3 sustain 29:24 30:15 symbols 2:17</p> <hr/> <p style="text-align: center;">T</p> <p>T.M 5:4 9:5 take 3:6 42:7 taken 2:1 11:1 40:4 40:9,14 takes 40:15 49:9 talk 25:16 38:9 talked 21:4 talking 42:19 48:16 talks 33:11 tangential 13:15 team 51:14 tells 25:24 48:24 temporarily 18:9 ten 49:20 tension 51:7 terms 18:25 33:11 33:15 34:21 35:14 testified 20:22 testify 6:14 16:6,12 testimony 2:10 9:8 12:25 13:1 18:11 45:5 thank 3:9,13,18 4:23 11:17,25 21:25 31:16,17 33:1 41:14 42:9 Thanks 42:12 therefrom 14:15 thereof 2:1 40:5 thing 6:7 11:18 18:20 19:20 27:14 things 15:3 18:2,10 28:12 31:22 38:10 44:5 52:4 think 3:4,16,20 4:20 18:14 19:15,21 21:4,6 28:24 29:13 34:10,16 38:7 45:3 46:15 46:16 third 12:15 15:6</p>	<p>thought 3:3 10:20 33:4,14 42:14 three 5:4 9:13 13:2 13:3 18:2 32:21 32:24 34:25 45:19 51:16 thrust 14:4 tie 46:1 time 3:20 7:8 11:20 13:8 18:1,10,18 19:9 24:18 28:6 28:19 29:12 31:13 35:21 36:7 37:10 37:16 45:12,13 46:25 47:9 50:6 50:16 51:2 timeline 34:20 35:18 timeliness 39:17,17 times 16:20 38:15 38:17 today 12:4 22:18 35:7 39:3 41:1 told 44:19 tort 15:16 40:23 transcript 1:1 2:6,8 2:11,12,13,19,21 42:8 transcript(s) 1:25 transmission 2:15 transpiring 34:23 trial 13:1 19:12 24:16 30:1 38:12 39:4,25 tried 48:13 trier 51:8 truck 17:18 true 26:21 49:4 truth 43:11 try 8:1 17:18 18:24 20:8 48:18 49:22 50:2 trying 33:14 40:11 46:19 52:7 tugs 6:3 turn 16:25 42:11 twice 42:24 two 25:20 37:25 38:25 43:5 44:4 45:6,16,17 51:6 52:16 type 14:22,24 34:16 40:23 47:21 types 8:2,10 typical 25:5 typically 8:12 36:18</p> <hr/> <p style="text-align: center;">U</p> <p>uh-huh 46:14</p>
---	---	--	---	--

ultimately 14:13 37:16 48:1 50:13 51:7	29:13,25 31:2,22 32:4	2		
unaware 23:9	we're 32:11	20-page 46:5		
uncertified 1:1 2:2,5 2:21	weak 45:25 49:25 50:1,4,6 51:16 52:2	2009 14:10 22:5,19 34:24 36:6,8,12		
understand 3:12 4:11 8:20 10:12 14:20 15:8 43:3 43:14	week 7:12 10:2 35:6 35:24 50:25	2011 14:11		
unedited 2:2,6,21	weigh 20:21,25	2017 2:2 36:9,13		
United 34:4,5	weighing 47:8	2018 19:2,12		
unofficial 2:8	well-founded 12:22	29th 45:11		
unprecedented 5:6 5:22	weren't 36:10	3		
untranslated 2:16	wherewithal 47:15	341 34:4		
untrue 46:8 48:20	willing 10:8	4		
upholds 26:24	wish 9:17 41:16 47:17	40 28:4		
use 9:23 12:14	witness 11:13 16:21	403 21:5		
utilized 9:16 10:8	witnesses 47:21	42(l) 22:20		
	women 13:10 32:21 32:24,25	479 34:5		
	word 2:16 19:19 45:24	486 34:5		
	words 26:17 29:14 46:1	5		
V	worked 52:3	5 39:2		
v 1:3	worms 29:11	5.2 51:21		
vacuum 48:4	worry 11:10 16:6	5.5 51:22,23		
validity 26:25 33:19 34:13	wouldn't 23:13	5th 2:2		
value 21:6 50:5	written 2:6 24:8 33:2	6		
various 20:1 29:15	wrong 29:1	7		
vehicular 25:10	wrote 29:2 36:3	75 46:10		
verbatim 2:9		79 46:6		
versus 21:6 33:25 34:4 47:3	X	8		
victim 10:21 23:6 27:3	Y	9		
victims' 4:14,21,22 15:11 26:6,11,24 27:19 40:1	Yeah 42:2	9 22:5,19		
view 39:18 51:1	years 6:6 10:13 20:15,19 22:14 23:5,8,17 27:15 28:7,8 30:20 31:9	99 46:21		
Virgin 7:1	York 7:1 34:2			
virtue 21:17 39:24	young 11:7			
voluntarily 10:22 24:1	Z			
volunteer 18:3	0			
	09 38:3			
W	1			
waiting 21:23 42:12	1 5:5 9:6			
waive 26:4	10 10:12 16:20			
want 8:5 9:12 10:4 11:11 12:13 13:6 17:3 20:8 29:9 30:8 31:19,21 37:6 48:8 52:20 52:24	100 10:11 46:21			
wanted 6:19	13 19:12 45:5			
wanting 7:13	14 49:17			
wants 21:9	15 49:17			
wasn't 31:8	18 9:14			
way 9:2 10:5 21:18	1951 34:6			