

# **EXHIBIT A**

#291874/mep

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, individually,  
BRADLEY J. EDWARDS, individually, and  
L.M., individually,

Defendant(s).

FILED  
2011 APR 20 PM 3:17  
SHARON R. BUCK, CLERK  
PALM BEACH COUNTY, FL  
CIRCUIT CIVIL 3

REQUEST TO PRODUCE TO JEFFREY EPSTEIN

Defendant/Counter-Plaintiff, Bradley J. Edwards by and through his undersigned counsel, requests, pursuant to Rule 1.350 of the Florida Rules of Civil Procedure, that Plaintiff/Counter Defendant, Jeffrey Epstein, produce and permit Bradley J. Edwards to inspect and copy each of the following documents\*:

1. All documents\* constituting, reflecting, or relating to communications between Plaintiff or any agent of Plaintiff, on the one hand, and William Scherer, or any person associated with William Scherer in the practice of law, any prosecuting, law enforcement, and/or government entity which communication relates directly or indirectly to any allegation of illegal activity or tortuous conduct in which Epstein is alleged to have engaged.

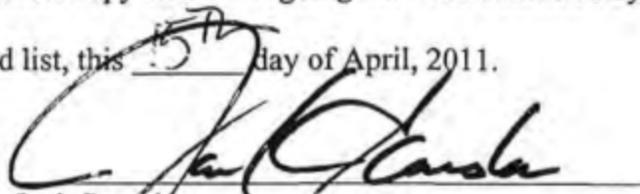
\*"Documents" shall include, but not be limited to all non-identical copies of writings, drawings, graphs, charts, photographs, phono-records, recordings, and/or any other data compilations from which information can be obtained, translated, if necessary, by the party to

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Request to Produce to Jeffrey Epstein

whom the request is directed through detection devices into reasonably usable form. "Documents" also include all electronic data as well as application metadata and system metadata. All inventories and rosters of your information technology (IT) systems—e.g., hardware, software and data, including but not limited to network drawings, lists of computing devices (servers, PCs, laptops, PDAs, cell phones, with data storage and/or transmission features), programs, data maps and security tools and protocols.

It is requested that the aforesaid production be made within thirty days of service of this request at the offices of Searcy Denney Scarola Barnhart & Shipley, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida. Inspection will be made by visual observation, examination and/or copying.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Fax and U.S. Mail to all Counsel on the attached list, this 15<sup>th</sup> day of April, 2011.



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Florida Bar No.: 169440  
Searcy Denney Scarola Barnhart & Shipley  
2139 Palm Beach Lakes Boulevard  
West Palm Beach, Florida 33409  
Phone: [REDACTED]  
Fax: [REDACTED]  
Attorneys for Bradley J. Edwards

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Case No.: 502009CA040800XXXXMBAG  
Request to Produce to Jeffrey Epstein

COUNSEL LIST

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Lehrman, PL  
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Joseph L. Ackerman, Jr., Esquire  
Fowler White Burnett, P.A.  
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901 Phillips Point West  
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West Palm Beach, FL 33401-6170  
Phone: [REDACTED]  
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# **EXHIBIT B**

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  
L.M., individually,

Defendant,

SHARUN H. BUCK, CLERK  
PALM BEACH COUNTY, FL  
CIRCUIT CIVIL 7  
13 JAN 22 PM 2:33

FILED

**REQUEST FOR PRODUCTION TO COUNTER-DEFENDANT**  
**(PUNITIVE DAMAGES)**

BRADLEY J. EDWARDS, by and through his undersigned counsel, and pursuant to Florida Rule of Civil Procedure 1.350, hereby requests Production from JEFFREY EPSTEIN of the documents and things described below for the purpose of inspection, copying, photographing, testing or sampling and any other purposes permitted under the Florida Rules of Civil Procedure at the office of the undersigned within thirty (30) days of service of this request.

**DEFINITIONS AND INSTRUCTIONS:**

A. The term "documents" as used in this Request is defined as including, but not limited to, the original and any non-identical copy (which is different from the original because of notations on such copy or otherwise) of all correspondence, telegrams, teletype messages, contracts (including drafts, proposals and any and all exhibits thereto), draft minutes and addenda, memoranda (including inter and intra office memoranda), memoranda for file, pencil jottings, diary entries, desk calendar entries, reported recollections and other written form of

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notation of events or intentions, transcripts and recordings of conversations and telephone calls, books, records, photographs, reports, tabulations, charts, books of account, ledgers, invoices, financial statements, purchase orders, receipts, canceled checks and other documentary material not subject to attorney/client privilege, together with any documents thereto, or enclosures therewith. The term "document" shall include data stored, maintained or organized electronically or magnetically through computer equipment, translated, if necessary, by you into comprehensible form.

The term "document includes the complete file or files within which any items constituting a "document" are found, including all such files within your possession, custody or control wherever located, including any branch, local or main offices, and including not only the contents of such files but also the folder, jacket, envelope or other container in which the file is kept or stored.

Each draft, final document, original, reproduction, and each signed and unsigned document and every additional copy of such document where such copy contains any commentary, note, notation or other change whatsoever that does not appear on the original or on the copy of the one document produced shall be deemed and considered to constitute a separate document.

B. As used herein, the following words shall have the meanings indicated:

- (i) "Plaintiffs" in addition to the Plaintiffs named in the full style of this action, shall include any attorney, officer, director, employee or agent of

Plaintiffs or any other persons acting under Plaintiffs' control or supervision, or in concert or association with Plaintiffs.

- (ii) "Defendant", in addition to the Defendant named in the full style of this action, shall include any attorney, officer, director, employee or agent of the Defendant or any other persons acting under Defendant's control or supervision, or in concert or association with the Defendant.
- (iii) "You" shall include the person (as defined below) or party to whom this Request is addressed and additionally all of his/her/its agents, officers, directors, employees, and other persons acting or purporting to act on his/her/its behalf, and includes also, to the extent there is no actual privilege, his/her/its attorneys.
- (iv) "Person" means any natural individual in any capacity whatsoever or any entity or organization, including divisions, departments, and other units herein, and shall include, but not be limited to, public or private corporations, partnerships, joint ventures, voluntary or unincorporated associations, organizations, proprietorships, trusts, estates, governmental agencies, commissions, bureaus, or departments, and the agents, servants and employees of same.
- (v) "Concerning" includes referring to, responding to, relating to, connected with, regarding, discussing, analyzing, showing, describing, reflecting, employing and constituting.

- (vi) "Evidencing" means having a tendency to show, prove, or disprove.
- (vii) "Communication" means any oral or written statement, dialogue, colloquy, discussion or conversation, and also means any transfer of thoughts or ideas between persons by means of documents and includes any transfer of data from one location to another by electronic or similar means.
- (viii) "Including" shall mean including but not limited to.
- (ix) The words "and" and "or" as used herein shall be construed either disjunctively or conjunctively as required by the context to bring within the scope of this production request any answer that might be deemed outside its scope by another construction.
- (x) "Related to" or "relating to" shall mean directly or indirectly, refer to, reflect, describe, pertain to, arise out of or in connection with, or in any way legally, logically, or factually be connected with the matter discussed.

C. This Request calls for production of all responsive documents in your possession, custody or control without regard to physical location of said document.

Control means in your possession, custody or control or under your direction, and includes in the possession, custody or control of those under the direction of you and your employees, subordinates, counsel, accountant, consultant, expert, parent or affiliated corporation, and any person purporting to act on your behalf.

D. All documents shall be originals unless otherwise indicated. If your original is a photocopy or other copy, then the photocopy shall be produced as the original.

E. Unless another time period is specified, this Request is addressed to documents created in the past five years from the date of this Request, and ending on the date of compliance with this Request.

F. If you possess no documents responsive to a paragraph in this Request, state this fact, specifying the paragraph concerned.

G. If you object in part to any Request, produce the portion of the documents requested to which you do not object, and state your objections to the remainder.

H. As required by Florida Rule of Civil Procedure 1.280(b)(5), if you (including your attorneys and agents) are withholding information otherwise discoverable under these rules by claiming that it is privileged or subject to protection as trial preparation material, you (including your attorneys and agents):

(i) Shall make the claim expressly and shall describe the nature of the documents, communications, or things not produced or disclosed in a manner that, without revealing the information itself privileged or protected, will enable the party seeking discovery through this Request to assess the applicability of the privilege or protection.

(ii) Provide a brief description of the document, including (a) the date of the document; (b) number of pages, attachments and appendices; (c) the names of its author, authors, preparers and an identification by employment and title of each

such person; (d) the name of each person who has sent, shown, or blind carbon copies of the documents, or has had access to or custody of the documents, together with an identification of each such person, and (e) in the case of any document relating or referring to a meeting or conversation, an identification of such meeting or conversation.

I. When appropriate, the singular form of a word should be interpreted in the plural as may be necessary to bring within the scope hereof any documents which might otherwise be construed to be outside the scope hereof.

#### **CONTINUING REQUEST**

This is a continuing request for the production of documents to the extent allowed by Florida Rule of Civil Procedure 1.280(e). At such time as you become aware of the existence of any additional documents responsive to this Request so that your response was not complete when made, you are hereby requested to produce such documents promptly.

#### **DESTROYED DOCUMENTS**

If any documents responsive to this Request were at one time in existence, but have been lost or destroyed, a list should be provided of the documents so lost or destroyed stating the following information for each such document: (a) the type of document; (b) the date on which it ceased to exist, (c) the circumstances of its loss or destruction; (d) the identity of all persons having knowledge; and (e) the identity of all persons having knowledge of its contents.

### MANNER OF PRODUCTION

Pursuant to Rule 1.350, you should produce the original documents in the form, order and manner in which they are maintained in your files or the files of other persons under your control. In this connection, and for purposes of illustration, documents are to be produced in the file folder and file cartons in which they have been maintained or stored, clipped, stapled or otherwise arranged in the same form and manner as they were found. In the alternative, you should segregate all documents according to the specifications of this Request, and should organize and label each group of documents with the appropriate specifications prior to production. If any document is responsive to more than one specification of this Request, it should be labeled to reflect each specification to which it is responsive.

### REQUESTS FOR PRODUCTION

1. Please produce all Financial Statements prepared for or submitted to any Lender or Investor for the past five (5) years by you personally or on your behalf or on behalf of any entity in which you hold a controlling interest.
2. Please produce the W-2's and any other documents reflecting any income (including salary, bonuses, dividends, profit distributions, and any other form of income), including all gross and net revenue received by you directly or indirectly for the past five (5) years.
3. All tax returns filed with any taxing entity during the past five (5) years by you or on your behalf, or on behalf of any entity in which you hold or held a controlling interest at the time of filing.

4. All bank statements or other financial statements which were prepared by or received by you, or on your behalf or by or on behalf of any entity in which you had an ownership interest of 10% or more at any time during the past five (5) years.

5. All financial statements which were prepared by you or on your behalf, or by or on behalf of any entity in which you held an ownership interest of 10% or more at any time during the past five (5) years.

6. The deeds and titles to all real property owned by you or held on your behalf either directly or indirectly at any time during the past five (5) years.

7. All passbooks with respect to all savings accounts, checking accounts and savings and loan association share accounts owned by your or on which you hold a right or have a held a right to withdraw funds at any time during the past five years.

8. All passbooks with respect to all savings accounts, checking accounts and savings loan association share accounts, owned by you in whole or in part jointly as co-partner, or joint venture, in any business enterprise, or owned by an entity in which you have or have had a controlling interest at any time during the past 5 years.

9. The most recent bank ledger sheets in your possession, or accessible by you on the internet, with respect to all bank accounts in which you have a right to withdraw funds.

10. The most recent bank ledger sheets in your possession, or accessible by you on the internet, with respect to all bank accounts owned by you solely, or jointly as co-partner, or joint venture, in any business enterprise, or owned by any entity in which you have a controlling interest.

11. All checkbooks for all accounts on which you were authorized to withdraw funds for the past five (5) years.

12. All corporate securities (stocks or bonds) owned by you, directly or indirectly.

13. The latest available balance sheets and other financial statements with respect to any and all business enterprises of whatever nature in which you possess any ownership interest of 10% or more, whether as partner, joint venture, stockholder, or otherwise.

14. Your accounts receivable ledger or other company records which sets forth the names and addresses of all persons or business enterprises that are indebted to you and the amounts and terms of such indebtedness.

15. Copies of the partnership or corporate Income Tax Returns for any partnership or corporation in which you do possess or have possessed any ownership interest of 10% or more whether as partner, joint venture, stockholder or otherwise, for the last five (5) years.

16. The title certificates, registration certificates, bills of sale, and other evidences of ownership possessed by you or held for your beneficial interest with respect to any of the following described property owned by you or held directly or indirectly for your beneficial interest:

- a. Motor vehicles of any type;
- b. Commercial, business or construction equipment of any type; and
- c. Boats, launches, cruisers, planes, or other vessels of any type.

17. All records pertaining to the transfer of any money or property interests or financial interests made by you in the past 5 years.

18. Any and all memoranda and/or bills evidencing the amount and terms of all of your current debts and obligations.

19. All records indicating any and all income and benefits received by you from any and all sources for the past 5 years.

20. Copies of any and all brokerage account statements or securities owned by you individually, jointly with any person or entity or as trustee, guardian or custodian, for the past 5 years, including in such records date of purchase and amounts paid for such securities, and certificates of any such securities.

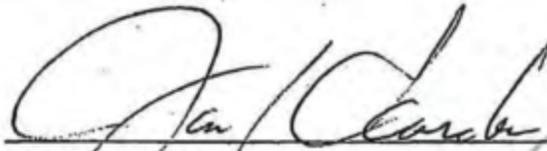
21. All records pertaining to the acquisition, transfer and sale of all securities by you or on your behalf for the past 5 years, such records to include any and all information relative to gains or losses realized from transactions involving such securities.

22. All policies of insurance in which you or any entity controlled by you is the owner or beneficiary.

23. Copies of any and all trust agreements in which you are the settlor or beneficiary together with such documents necessary and sufficient to identify the nature and current value of the trust res.

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Request to produce to Jeffrey Epstein (Punitive Damages)  
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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 21<sup>st</sup> day of December, 2012.



JACK SCAROLA  
Florida Bar No.: 169440  
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Secondary E-mail(s): [REDACTED]  
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2139 Palm Beach Lakes Boulevard  
West Palm Beach, Florida 33409  
Phone: [REDACTED]  
Fax: [REDACTED]  
Attorney for Bradley J. Edwards

NOT A CERTIFIED COPY

**COUNSEL LIST**

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# **EXHIBIT C**

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, individually,  
BRADLEY J. EDWARDS, individually, and  
L.M., individually,

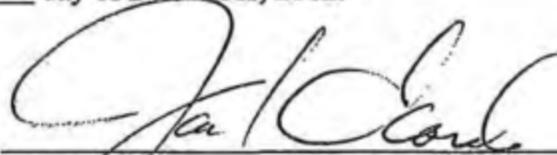
Defendant(s).

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**NOTICE OF SERVICE OF INTERROGATORIES TO COUNTERDEFENDANT**

Counterplaintiff, Bradley J. Edwards, hereby gives notice that pursuant to Rule 1.340(e), Florida Rules of Civil Procedure, that Net Worth Interrogatories numbered 1 through 13 have been directed to Counterdefendant, JEFFREY EPSTEIN, this 21<sup>st</sup> day of December, 2012.

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 21<sup>st</sup> day of December, 2012.



Jack Scarola

Florida Bar No.: 169440

Primary E-mail: [REDACTED]

Secondary E-mail(s): [REDACTED]

Searcy Denney Scarola Barnhart & Shipley, P.A.

2139 Palm Beach Lakes Boulevard

West Palm Beach, Florida 33409

Phone: [REDACTED]

Fax: [REDACTED]

Attorney for Bradley J. Edwards

COUNSEL LIST

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Lilly Ann Sanchez, Esquire

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Attorneys for Jeffrey Epstein

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Fax: [REDACTED]  
Attorneys for Jeffrey Epstein

**NET WORTH INTERROGATORIES TO JEFFREY EPSTEIN**

1. What is your full name?

2. How are you currently employed?

3. State the amount of your current annual income from all sources for each of the past 3 years and describe all additional benefits received by you or payable to you for each of the past 3 years including bonuses, allowances, pension and profit sharing participations, stock options, deferred compensation, insurance benefits and other prerequisites of your employment including the dollar amount or dollar value of each.

4. If you own or have any beneficial interest in any stocks, bonds, mutual funds, or other securities of any class in any government, governmental organization, company, firm or corporation, whether foreign or domestic, please state:

- (a) The name and address of the entity in which you own or have any beneficial property or security interest of any sort;

- (b) The date and cost of acquisition;
- (c) The current fair market value of each such interest;
- (d) The manner in which such value was calculated.

5. As to each income tax return filed by you or on your behalf with any taxing authority for the years 2009 through 2012, identify as specifically as identified in your tax return the source of all reported income and the separate amounts derived from each source

6. For each parcel of real property in which you hold any interest, state:

- (a) The address,
- (b) The legal description of the property;
- (c) The assessed value of the property for tax purposes;
- (d) The date and price of acquisition;
- (e) Whether, when, by whom, why and at what amount the property has been appraised since the time of purchase;
- (f) Whether, when, and at what price the property has been offered for sale since the time of purchase;

- (g) The name and address of each real estate agent with whom the property has been listed for sale since the time of purchase;
- (h) The cost of any improvements made to the property since purchase;
- (i) The nature of your interest in the property.
- (j) The current fair market value of the property and a description of the manner in which that value was calculated

7. List each item and state the estimated value of all personal tangible, and intangible property in which you have an interest which personal property was acquired at a cost in excess of \$10,000 or which personal property has an estimated present value in excess of \$10,000, and as to each state:

- (a) The date of acquisition;

- (b) The cost of acquisition;
- (c) The current estimated fair market value;
- (d) The manner in which the fair market value was estimated.

8. If any of the real or personal property owned by you, either individually, jointly or otherwise, is encumbered by either a real estate mortgage, chattel mortgage, or any other type of lien, then for each item of property, state a description of the nature and amount of the encumbrance, the date the encumbrance arose, whether the encumbrance is evidenced by any written document and, if so, a description of that document.

9. If you have an ownership interest in any businesses, for each business state:

- (a) The name and address of the business;
- (b) The present book value and the present market value of your interest in the business, and its percentage of the total value of the business;
- (c) A description of the manner in which the stated fair market value was calculated.

10. Identify all banks, credit union and savings and loan accounts, in which you have an interest or right of withdrawal and for each account state:

- (a) Where the account is located;
- (b) The highest and lowest balance in the account during the 365 day period immediately preceding your receipt of these interrogatories.

11. Identify all other assets of a value in excess of \$10,000 which assets were not previously identified and as to each state:

(a) The date of acquisition;

(b) The cost of acquisition;

(c) The current estimated fair market value;

(d) The means utilized to estimate the current fair market value.

12. Identify all other liabilities of an amount in excess of \$10,000 not previously identified and as to each state:

- (a) The date the liability arose;
- (b) The amount of the liability at inception;
- (c) The terms of repayment or satisfaction;
- (d) The current outstanding balance.

13. As to any calculation or estimate of your net worth at any time in the five years immediately preceding your receipt of these interrogatories, state:

- (a) the date of the calculation or estimate;
- (b) the name and address of the person or entity responsible for performing the work
- (c) the reason for performing the calculation or estimate;
- (d) the amount of net worth calculated or estimated

14. What is your present net worth?

15. As to all transfers of anything of a value in excess of \$10,000 made by you or on your behalf within the past 5 years, state:

- (a) a description of the transferred property;
- (b) the reason for the transfer;
- (c) the value of the item(s) transferred at the time of transfer;
- (d) the date and cost of your acquisition of the item(s);

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(e) whether you received anything of value in exchange for the transferred item(s) and, if so, a description of what you received and the dollar value of what you received;

(f) the name and address of the recipient of each transferred item

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did did/ not take an oath.

(SEAL)

\_\_\_\_\_  
(Notary signature)

\_\_\_\_\_  
(Notary name - print)

NOTARY PUBLIC, State of Florida

\_\_\_\_\_  
(Serial number, if any)

# **EXHIBIT D**

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, individually,  
BRADLEY J. EDWARDS, individually, and  
L.M., individually

Defendant(s).

---

**REQUEST FOR ADMISSIONS TO JEFFREY EPSTEIN**

COMES NOW the Counter-Plaintiff, Bradley J. Edwards, by and through his undersigned counsel and propounds the following Request for Admissions pursuant to Rule 1.370 Florida Rules of Civil Procedure, requesting that Counter-Defendant, Jeffrey Epstein, admit the truth of the facts set forth as follows:

1. Admit that you have publicly been described as a billionaire.
2. Admit that press reports have described you as a billionaire.
3. Admit that you have never publicly disputed the description of you as a billionaire.
4. Admit that you have never publicly disputed any press reports describing you as a billionaire.
5. Admit that you are a billionaire.
6. Admit that you have been a billionaire sometime within the past 5 years.
7. Admit that you have been a billionaire sometime within the past 10 years.

8. Admit that you have a reputation as being a billionaire.
9. Admit that your personal net worth has exceeded a billion dollars at times during the past 5 years.
10. Admit that your personal net worth has exceeded half a billion dollars at times during the past 5 years.
11. Admit that your personal net worth has exceeded a quarter of a billion dollars at times during the past 5 years.
12. Admit that you have never paid even one penny in punitive damages to any person who has alleged that you engaged in improper sexual conduct with them while that person was a minor.
13. Admit that you have never spent even one day in a state or federal prison facility (as opposed to a county jail) as punishment for any sex-related crime.

Pursuant to the Rules of Civil Procedure, each fact on which admission is requested shall be deemed admitted if not denied or if no reply is received on or before March 28, 2013.

Edwards adv. Epstein  
Case No.: 502009CA040800XXXXMBAG  
Request for Admissions to Jeffrey Epstein

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 26<sup>th</sup> day of February, 2013.



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Florida Bar No.: 169440

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Attorneys for Bradley J. Edwards

Edwards adv. Epstein  
Case No.: 502009CA040800XXXXMBAG  
Request for Admissions to Jeffrey Epstein

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315 SE 7th Street, Suite 301  
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Attorneys for Jeffrey Epstein

# **EXHIBIT E**

IN THE CIRCUIT COURT OF THE 15th JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CIVIL DIVISION  
CASE NO. 502009CA040800XXXXMBAG  
Judge David F. Crow

FILED  
11 MAY 18 PM 3:21  
MARION S. BOCA, CLERK  
PALM BEACH COUNTY, FL  
CIRCUIT CIVIL 8

JEFFREY EPSTEIN,

Plaintiff,

v.

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

Defendants.

**PLAINTIFF EPSTEIN'S RESPONSE TO  
DEFENDANT EDWARDS' REQUEST TO PRODUCE**

Plaintiff/Counter-Defendant, Jeffrey Epstein, by and through his undersigned counsel and pursuant to the Florida Rules of Civil Procedure, files this his Response to Request to Produce served on April 15, 2011 and states as follows:

1a. Plaintiff does not have any documents between Plaintiff or his agents and William Scherer or any person associated with William Scherer relating to any allegation of illegal activity or tortious conduct in which Epstein is alleged to have engaged;

1b. Plaintiff objects to the request for documents by and between the Plaintiff or his agents and any prosecuting agency, law enforcement and/or government entity relating directly or indirectly to the allegation of illegal activity or tortious conduct in which Epstein is alleged to have engaged. The request is overbroad. The request seeks information that is irrelevant to the issues in this case. It seeks information that may infringe upon the Plaintiff's constitutional rights under the Fifth, Sixth, and Fourteenth Amendment.

Further, in *Jane Doe, No. 2 v. Epstein*, Case Number 90:08-CV-80893 (D.E. 226), the Court entered an order stating that these documents are confidential and a preliminary ruling

must be made before they are available for use in this proceeding. Counsel for Epstein in the criminal proceedings, have asserted objections to these records in *Doe v. Epstein*, above, which Epstein adopts herein.

**CERTIFICATE OF SERVICE**

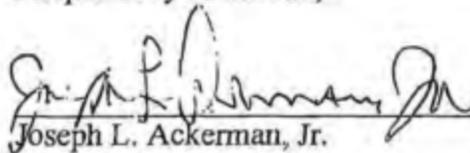
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail this 16<sup>th</sup> day of May, 2011 to:

Jack Scarola, Esq.  
Searcy Denney Scarola Barnhart & Shipley, P.A.  
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Respectfully submitted,



Joseph L. Ackerman, Jr.

Fla. Bar No. 235954

Email: [REDACTED]

FOWLER WHITE BURNETT, P.A.  
901 Phillips Point West  
777 South Flagler Drive  
West Palm Beach, Florida 33401  
Telephone: [REDACTED]  
Facsimile: [REDACTED]

# EXHIBIT F

\*\*\* FILED: PALM BEACH COUNTY, FL SHARON BOCK, CLERK. \*\*\*

JEFFREY EPSTEIN,  
Plaintiff,

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

vs.

SCOTT ROTHSTEIN, individually,  
BRADLEY J, EDWARDS,  
Individually, and L.M., individually.

CASE NO.502009CA040800XXXXMBAG

Defendants.

\_\_\_\_\_ /

**JEFFREY EPSTEIN'S NOTICE OF SERVING UNVERIFIED AMENDED  
ANSWERS TO DEFENDANT BRADLEY EDWARDS'S INTERROGATORIES**

Plaintiff Jeffrey Epstein, by and through his undersigned counsel and pursuant to Rule 1.340 of the *Florida Rules of Civil Procedure*, hereby certifies that the original amended answers to Defendant's Interrogatories was served upon Defendant via electronic service this July 10, 2013.

/s/ Tonja Haddad Coleman  
Tonja Haddad Coleman, Esq.  
Fla. Bar No.: 0176737  
LAW OFFICES OF TONJA HADDAD, PA  
315 SE 7<sup>th</sup> Street  
Suite 301  
Fort Lauderdale, Florida 33301

 (facsimile)

NOT A CERTIFIED COPY

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually,  
BRADLEY J, EDWARDS,  
Individually, and L.M., individually.

Defendants.

---

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

CASE NO.502009CA040800XXXXMBAG

**JEFFREY EPSTEIN'S NOTICE OF SERVING UNVERIFIED AMENDED  
ANSWERS TO DEFENDANT BRADLEY EDWARDS'S INTERROGATORIES**

Plaintiff Jeffrey Epstein, by and through his undersigned counsel and pursuant to Rule 1.340 of the *Florida Rules of Civil Procedure*, hereby certifies that the original amended answers to Defendant's Interrogatories was served upon Defendant via electronic service this July 10, 2013.

/s/ Tonja Haddad Coleman  
Tonja Haddad Coleman, Esq.  
Fla. Bar No.: 0176737  
LAW OFFICES OF TONJA HADDAD, PA  
315 SE 7<sup>th</sup> Street  
Suite 301  
Fort Lauderdale, Florida 33301

 (facsimile)

JEFFREY EPSTEIN,

Plaintiff,

vs.

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

Defendants.

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

CASE NO.: 502009CA040800XXXXMBAG

JUDGE: CROW

PLAINTIFF/COUNTER-DEFENDANT EPSTEIN'S AMENDED RESPONSES TO  
NET WORTH INTERROGATORIES TO JEFFREY EPSTEIN

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), by and through his undersigned counsel and pursuant to Rule 1.350 of the *Florida Rules of Civil Procedure* hereby files his amended responses to Defendant/Counter-Plaintiff Bradley Edward's Net Worth Interrogatories to Jeffrey Epstein:

1. What is your full name?

ANSWER: Jeffrey Edward Epstein

2. How are you currently employed?

ANSWER: Self-employed and Philanthropist.

3. State the amount of your current annual income from all sources for each of the past 3 years and describe all additional benefits received by you or payable to you for each of the past 3 years including bonuses, allowances, pension and profit sharing participations, stock options, deferred compensation, insurance benefits and other prerequisites of your employment including dollar amount or dollar value of each.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

4. If you own or have any beneficial interest in any stocks, bonds, mutual funds, or other securities of any class in any government, governmental organization, company, firm or corporation, whether foreign or domestic, please state:

- a. The name and address of the entity in which you own or have any beneficial property or security interest of any sort;
- b. The date and cost of acquisition;
- c. The current fair market value of each such interest;
- d. The manner in which such value was calculated.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

5. As to each income tax return filed by you or on your behalf with any taxing authority for the years 2009 through 2012, identify as specifically as identified in your tax return the source of all reported income and the separate amounts derived from each source.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

6. For each parcel of real property in which you hold any interest: state:

- a. The address;
- b. The legal description of the property;
- c. The assessed value of the property for tax purposes;
- d. The date and price of acquisition;

- e. Whether, when, by whom, why and at what amount the property has been appraised since the time of purchase;
- f. Whether, when and at what price the property has been offered for sale since the time of purchase;
- g. The name and address of each real estate agent with whom the property has been listed for sale since the time of purchase;
- h. The cost of any improvements made to the property since purchase;
- i. The nature of your interest in the property;
- j. The current fair market value of the property and a description of the manner in which that value was calculated.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

7. List each item and state the estimated value of all personal tangible, and intangible property in which you have an interest which personal property was acquired at a cost in excess of \$10,000 or which personal property has an estimated present value in excess of \$10,000, and as to each state:

- a. The date of acquisition;
- b. The cost of acquisition;
- c. The current estimated fair market value;
- d. The manner in which the fair market value was estimated.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth,

Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

8. If any of the real or personal property owned by you, either individually, jointly or otherwise, is encumbered by a real estate mortgage, chattel mortgage, or any other type of lien, then for each property, state a description of the nature and amount of the encumbrance, the date the encumbrance arose, whether the encumbrance is evidenced by any written document and, if so, a description of that document.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

9. If you have an ownership interest in any businesses, for each business state:
- a. The name and address of the business;
  - b. The present book value and the present market value of your interest in the business, and its percentage of the total value of the business;
  - c. A description of the manner in which the fair market value was calculated.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

10. Identify all banks, credit union and savings and loan accounts, in which you have an interest or right of withdrawal and for each account state:
- a. Where the account is located;
  - b. The highest and lowest balance in the account during the 365 day period immediately preceding your receipt of these interrogatories.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S.

391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

11. Identify all other assets of a value in excess of \$10,000 which assets were not previously identified and as to each state:

- a. The date of acquisition;
- b. The cost of acquisition;
- c. The current estimated fair market value;
- d. The means utilized to estimate the current fair market value.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

12. Identify all other liabilities of an amount in excess of \$10,000 not previously identified and as to each state:

- a. The date the liability arise;
- b. The amount of the liability at inception;
- c. The terms of repayment or satisfaction;
- d. The current outstanding balance.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth,

Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

13. As to any calculation or estimate of your net worth at any time in the five years immediately preceding your receipt of these interrogatories, state:

- a. The date of the calculation or estimate;
- b. The name and address of the person or entity responsible for performing the work;
- c. The reason for performing the calculation or estimate;
- d. The amount of net worth calculated or estimated.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

14. What is your present net worth?

Answer: I have already indicated my willingness to stipulate to a net worth in excess of one hundred million dollars.

15. As to all transfers of anything of a value in excess of \$10,000 made by you or on your behalf within the past 5 years, state:

- a. A description of the transferred property;
- b. The reason for the transfer;
- c. The value of the item(s) transferred at the time of transfer;
- d. The date and cost of your acquisition of the item(s);
- e. Whether you received anything of value in exchange for the transferred item(s) and, if so, a description of what you received and the dollar value of what you received;
- f. The name and address of the recipient of each transferred item.

Answer: Objection. This Interrogatory requires the provision of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

**[THIS PORTION INTENTIONALLY LEFT BLANK]**

# **EXHIBIT G**

JEFFREY EPSTEIN,

Plaintiff,

vs.

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

Defendants.

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

CASE NO.: 502009CA040800XXXXMBAG

JUDGE: CROW

**PLAINTIFF/COUNTER-DEFENDANT EPSTEIN'S AMENDED RESPONSES TO  
DEFENDANT/COUNTER-PLAINTIFF BRADLEY EDWARDS'S REQUEST FOR  
PRODUCTION TO COUNTER-DEFENDANT (PUNITIVE DAMAGES)**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), by and through his undersigned counsel and pursuant to Rule 1.350 of the *Florida Rules of Civil Procedure*, hereby files this amended response to Defendant/Counter-Plaintiff Bradley Edward's Request for Production to Counter-Defendant (Punitive Damages), and answers as follows:

1. Please produce all Financial Statements prepared for or submitted to any Lender or Investor for the past five (5) years by you personally or on your behalf or on behalf of any entity in which you hold a controlling interest.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). "[T]he act of production itself" may implicitly communicate "statements of fact" that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

2. Please produce the W-2's and any other documents reflecting any income (including salary, bonuses, profit distributions, and any other form of income), including all gross and net revenue received by you directly or indirectly for the past five (5) years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher*

v. *United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

3. All tax returns filed with any taxing entity during the past five (5) years by you or on your behalf, or on behalf of any entity in which you hold or held a controlling interest at the time of filing.

ANSWER: Copies of my personal Individual Income Tax Returns on Form 1040 for the years 2010 and 2011 were provided with our prior response.

4. All bank statements or other financial statements which were prepared by or received by you, or on your behalf or by or on behalf of any entity in which you had an ownership interest of 10% or more at any time during the past five (5) years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

5. All financial statements which were prepared by you or on your behalf, or by or on behalf of any entity in which you held an ownership interest of 10% or more at any time during the past five (5) years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to

questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

6. The deeds and titles to all real property owned by you or held on your behalf either directly or indirectly at any time during the past five (5) years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

7. All passbooks with respect to savings accounts, checking accounts and savings and loan association share accounts owned by you or on which you hold a right or have a held a right to withdraw funds at any time during the past five years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

8. All passbooks with respect to all savings accounts, checking accounts and savings loan association share accounts, owned by you in whole or in part jointly as co-partner, or joint venture, in any business enterprise, or owned by an entity in which you have or have had a controlling interest at any time during the past 5 years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth

and Fourteenth Amendment rights as guaranteed by the United States Constitution.

9. The most recent bank ledger sheets in your possession, or accessible by you on the internet, with respect to all bank accounts in which you have a right to withdraw funds.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

10. The most recent bank ledger sheets in your possession, or accessible by you on the internet, with respect to all bank accounts owned by you solely, or jointly as co-partner, or joint venture, in any business enterprise, or owned by any entity to which you have a controlling interest.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

11. All checkbooks for all accounts on which you were authorized to withdraw funds in the past five (5) years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth

and Fourteenth Amendment rights as guaranteed by the United States Constitution.

12. All corporate securities (stocks or bonds) owned by you, directly or indirectly.

ANSWER: This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

13. The latest available balance sheets and other financial statements with respect to any and all business enterprises of whatever nature in which you possess any ownership interest of 10% or more, whether as partner, joint venture, stockholder, or otherwise.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

14. Your accounts receivable ledger or other company records which sets forth the names and addresses of all persons or business enterprises that are indebted to you and the amounts and terms of such indebtedness.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

15. Copies of the partnership or corporate Income Tax Returns for any partnership or corporation in which you do possess or have possessed any ownership interest of 10% or more whether as partner, joint venture, stockholder or otherwise, for the last five (5) years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

16. The title certificates, registration certificates, bills of sale, and other evidences of ownership possessed by you or held for your beneficial interest with respect to any of the following described property owned by you or held directly or indirectly for your beneficial interest:

- a. Motor vehicles of any type;
- b. Commercial, business or construction equipment of any type; and
- c. Boats, launches, cruisers, planes, or other vessels of any type.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

17. All records pertaining to the transfer of any money or property interests or financial interests made by you in the past 5 years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See

*Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

18. Any and all memoranda and/or bills evidencing the amount and terms of all of your current debts and obligations.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

19. All records indicating any and all income and benefits received by you from any and all sources for the past 5 years.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

20. Copies of any and all brokerage account statements or securities owned by you individually, jointly with any person or entity or as trustee, guardian or custodian, for the past 5 years, including in such records date of purchase and amounts paid for such securities, and certificates of any such securities.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to

questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

21. All records pertaining to the acquisition, transfer and sale of all securities by you or on your behalf for the past 5 years, such records to include any and all information relative to gains or losses realized from transactions involving such securities.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

22. All policies of insurance in which you or any entity controlled by you is the owner or beneficiary.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See *Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

23. Copies of any and all trust agreements in which you are the settlor or beneficiary together with such documents necessary and sufficient to identify the nature and current value of the trust res.

ANSWER: Objection. This Request for Production requires the identification of the existence of detailed financial information which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). “[T]he act of production itself” may implicitly communicate “statements of fact” that are testimonial in nature. *United States v. Hubbell*, 530 U.S. 27, 35-36 (2000). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a “link in the chain of evidence” that could be used to prosecute me in future criminal proceedings. See

*Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served upon all parties listed below, via Electronic Service, this July 9, 2013.

/s/ Tonja Haddad Coleman  
Tonja Haddad Coleman, Esq.  
Fla. Bar No.: 0176737  
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[REDACTED]  
[REDACTED] (facsimile)  
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Electronic Service List

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Farmer Jaffe Weissing Edwards Fistos Lehrman  
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Fort Lauderdale, Florida 33301



Fred Haddad, Esq.  
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Suite 2612  
Fort Lauderdale, FL 33301



# **EXHIBIT H**

JEFFREY EPSTEIN,

Plaintiff,

vs.

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

Defendants.

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

CASE NO.: 502009CA040800XXXXMBAG

JUDGE: CROW

**PLAINTIFF/COUNTER-DEFENDANT EPSTEIN'S RESPONSES TO  
DEFENDANT/COUNTER-PLAINTIFF'S REQUESTS FOR ADMISSIONS**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), by and through his undersigned counsel and pursuant to Rule 1.350 of the *Florida Rules of Civil Procedure* hereby files his responses to Defendant/Counter-Plaintiff Bradley Edward's Requests for Admissions to Jeffrey Epstein as follows:

1. Admitted.
2. Admitted.
3. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

4. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

5. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

6. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history

and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

7. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

8. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

9. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486

(1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

10. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

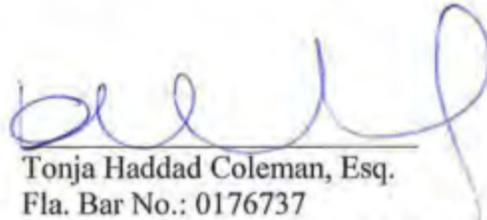
11. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

12. Objection. This Request for Admission requires a response which communicates statements of fact. *Fisher v. United States*, 425 U.S. 391, 410 (1976). I have a substantial and reasonable basis for concern that these statements of fact that are testimonial in nature could reasonably furnish a "link in the chain of evidence" that could be used to

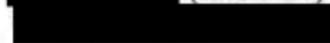
prosecute me in criminal proceedings. *See Hoffman v. United States*, 341 U.S. 479, 486 (1951). I cannot provide answers/responses to questions relating to my financial information without waiving my Fifth, Sixth and Fourteenth Amendment rights as guaranteed by the United States Constitution.

13. I admit that I was sentenced by a State Court Judge to the Palm Beach County Jail for the charges to which I plead.

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served upon Jack Scarola, Esq., and Bradley J. Edwards, Esq., via Electronic Service, this March 27, 2013.



Tonja Haddad Coleman, Esq.  
Fla. Bar No.: 0176737  
LAW OFFICES OF TONJA HADDAD, PA  
315 SE 7<sup>th</sup> Street  
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Fort Lauderdale, Florida 33301

 (facsimile)  


# EXHIBIT I

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, etc., et al.,

Defendant(s).

FILED  
2013 NOV 15 PM 3:47  
MARION R. BOSS, CLERK  
PALM BEACH COUNTY  
CIRCUIT CIVIL

ORDER ON COUNTER-PLAINTIFF BRADLEY EDWARDS'  
MOTION TO DETERMINE STATUS OF PUNITIVE DAMAGE DISCOVERY  
AND APPLICABILITY OF ADVERSE INFERENCE

THIS CAUSE came before the Court upon the Counter-Plaintiff, BRADLEY EDWARDS' Motion to Determine Status of Punitive Damage Discovery. The Court heard argument of counsel, has reviewed the submittals and is otherwise fully advised in the premises. At hearing, counsel for EDWARDS advised the Court that certain "net worth" discovery in regard to the punitive damage count against EPSTEIN had been objected to on the basis of the constitutional privilege against self-incrimination. All other objections to such discovery had been withdrawn. As such, EDWARDS now seeks a ruling from the Court in regard to an adverse inference (presumption) jury instruction and evidence preclusion at the time of trial. Based upon the foregoing, it is

CONSIDERED, ORDERED AND ADJUDGED as follows:

To the extent that the issue of amount of punitive damages is submitted to the jury at the bifurcated trial of this matter, the Court rules as follows:

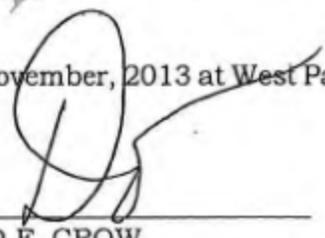
1. The Counter-Plaintiff EDWARDS' request for jury instruction adverse inference instruction is deferred until the time of trial. At the time of trial, upon specific analysis of the specific question and answers, including those propounded in discovery, the Court will determine whether an adverse instruction will, or will not, be given and the

specific instruction, if any, that will be given. Counsel for the parties shall be prepared at trial to propose such jury instructions.

2. The Motion to Preclude Evidence is also deferred until the time of trial. At the time of trial, this Court will determine whether certain testimony and/or documents will be precluded based upon non-compliance with this Court's Pretrial Order and/or a *Binger* analysis conducted by the Court at the time of trial.

3. Nothing in this Order shall be construed in and of itself as precluding the use of any answers submitted by EPSTEIN during discovery at trial if they are otherwise admissible.

DONE AND ORDERED this 15<sup>th</sup> day of November, 2013 at West Palm Beach, Palm Beach County, Florida.

  
\_\_\_\_\_  
DAVID F. CROW  
CIRCUIT COURT JUDGE

Copy furnished:  
See attached list.

Copies furnished by e-mail

Edwards adv. Epstein

Case No.: 502009CA040800XXXXMBAG

COUNSEL LIST

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Attorneys for Scott Rothstein

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Fax: [REDACTED]  
Attorneys for Jeffrey Epstein

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# **EXHIBIT J**

1                   IN THE CIRCUIT COURT  
2                   OF THE FIFTEENTH JUDICIAL CIRCUIT  
3                   IN AND FOR PALM BEACH COUNTY, FLORIDA  
4                   CASE NO. 502009CA040800XXXXMBAG

5                   JEFFREY EPSTEIN,  
6

7                   Plaintiff,

8                   -vs-

9                   SCOTT ROTHSTEIN, individually,  
10                  BRADLEY J. EDWARDS, individually,  
11                  and L.M, individually,

12                  Defendants.

---

13                  HEARING HELD BEFORE  
14                  THE HONORABLE DAVID F. CROW

15  
16                  Monday, September 16, 2013  
17                  3:30 p.m. - 4:05 p.m.

18  
19  
20                  205 North Dixie Highway  
21                  West Palm Beach, FL 33401

22  
23  
24                  Reported By:  
25                  Pamela Pittman Gunn, FPR  
                  Notary Public, State of Florida

‡

2

1    APPEARANCES:

2    On behalf of the Plaintiff:

Page 1

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3 TONJA HADDAD COLEMAN, ESQ.  
4 TONJA HADDAD, P.A.  
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6 Fort Lauderdale, FL 33301  
7 phone: [REDACTED]

7 On behalf of the Defendant Bradley J. Edwards:

8 JACK SCAROLA, ESQ.  
9 SEARCY, DENNEY, SCAROLA, BARNHART &  
10 SHIPLEY, P.A.  
11 2139 Palm Beach Lakes Blvd.  
12 West Palm Beach, FL 33409  
13 phone: [REDACTED]

**NOT A CERTIFIED COPY**

♀

3

1 P R O C E E D I N G S  
2 - - -

3 Hearing taken before Pamela Pittman Gunn, Court  
4 Reporter and Notary Public in and for the State of  
5 Florida at Large, in the above cause.  
6 - - -

7 THE COURT: Okay, this is the Epstein  
8 versus Rothstein case. It's the plaintiff --  
9 excuse me, counter plaintiff's motion to  
10 determine entitlement to adverse inferences and  
11 also prohibit the induction of evidence. I  
12 read the response. I read the motion and  
13 response. Counsel just hand delivered  
14 something to me today that evidentially I have  
15 never seen before. It was a supplemental  
16 memorandum I received.

17 MS. COLEMAN: Your Honor, Mr. Scarola  
18 filed it at 10:30 this morning. I haven't had  
19 a chance to review it. I was in court on  
20 another matter. I haven't reviewed it either.

21 THE COURT: Let me ask a question before  
22 we begin so I get my perspective back again. I  
23 entered an order some time ago in this case and  
24 I guess dealing with some of the privileged  
25 objections. Do y'all recall that?

1 MS. COLEMAN: Yes.

2 THE COURT: And I think I asked for some  
3 kind of privilege log. Is there anything I'm  
4 supposed be doing or is that on appeal?

5 MR. SCAROLA: I believe there are  
6 outstanding privileges as you said, Your Honor,  
7 that is still not yet determined.

8 THE COURT: Okay, because I didn't know  
9 that. I thought I was waiting for something  
10 from you guys.

11 MR. SCAROLA: I don't think so.  
Page 3

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12 THE COURT: I'm going to have to have a  
13 status conference and figure everything because  
14 I went back and looked at it and something's  
15 wrong. Okay. Good enough.

16 MR. SCAROLA: To put that in context, Your  
17 Honor.

18 THE COURT: What is that, ma'am?

19 MS. COLEMAN: I'm sorry?

20 THE COURT: What did you say?

21 MS. COLEMAN: Nothing, Judge. I was  
22 speaking -- I was just coming up to be part of  
23 it.

24 THE COURT: Go ahead.

25 MR. SCAROLA: Your Honor may recall that

1 there have been multiple privileges asserted  
2 with regard to a variety of issues. And we  
3 have over the course of these proceedings been  
4 attempting to narrow valid privileged  
5 assertions and distinguish them from invalid  
6 privileged assertions. That primarily means  
7 that while we have acknowledged that  
8 Mr. Epstein has a valid Fifth Amendment  
9 privilege because he does clearly remain in  
10 jeopardy with regard to the underlying criminal  
11 activity that resulted in both a state  
12 prosecution and a Federal non-prosecution  
13 agreement.

14 we believe that other privileges were  
15 invalid. And the practical implications of

16 making that distinction are that we cannot draw  
17 an adverse inference from the assertion of, for  
18 example, an attorney/client privilege. But we  
19 are under the case law clearly permitted to  
20 draw an adverse inference from the assertion  
21 of the Fifth Amendment, the right to remain  
22 silent.

23 So we need to eliminate the invalid  
24 assertion, assertions of privilege from our  
25 perspective. Leave in place the valid

1 assertion of privilege, which then permits us  
2 to draw an adverse from the valid assertions of  
3 privilege. Your Honor has under consideration  
4 some of those challenged privileged assertions.  
5 That's by way of an answer to Your Honor's  
6 question. It doesn't have anything to do with  
7 today's motion.

8 Because today's motion relates only to  
9 those circumstances where the only privilege  
10 asserted by Mr. Epstein is a Fifth Amendment  
11 privilege, his right to remain silent pursuant  
12 to the Fifth, Sixth and Fourteenth Amendments  
13 of the US Constitution that have been  
14 repeatedly asserted by him throughout the  
15 discovery in this case and in response to  
16 request to production and in response to  
17 interrogatories. And dozens and dozens and  
18 dozens of times in response to questions posed  
19 during the course of his deposition.

20 what we are seeking today, by way of what  
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21 really is a motion in limine is, in fact, a  
22 determination that where the only privilege  
23 asserted by Mr. Epstein is, the only valid  
24 privilege asserted by Mr. Epstein, is a Fifth  
25 Amendment privilege assertion. That we are

1 entitled to a jury instruction that will inform  
2 the jury that the assertion of that privilege  
3 allows them to draw an adverse inference. That  
4 is that had an answer been given, those answers  
5 would be unfavorable to Mr. Epstein. We have  
6 not laid out the precise wording of that jury  
7 instruction and if that's necessary at this  
8 point. But we are simply looking for a  
9 confirmation of that basic principal.

10 The second part of this motion is that as  
11 to those matters as to which Mr. Epstein has  
12 over the course of four years that, almost four  
13 years that this case has been prosecuted,  
14 consistently asserted a Fifth Amendment  
15 privilege. He is not going to be able to get  
16 up there during the course of trial and change  
17 his position and suddenly begin testifying  
18 about matters in which he has consistently  
19 refused to provide information in pretrial  
20 discovery.

21 So those are two parts. That's what we're  
22 asking for. We don't want to be surprised by  
23 Mr. Epstein coming and attempting to take the  
24 witness stand and to give testimony that he has

1 THE COURT: Is this matter set for trial?

2 MR. SCAROLA: We are set for trial, yes,  
3 sir. We're getting to the point now where --

4 THE COURT: When is it set?

5 MS. COLEMAN: We're on calendar call,  
6 Judge, October 18 for the trial commencing  
7 October 28th.

8 THE COURT: Yeah, that sounds right.  
9 Okay.

10 MR. SCAROLA: Now the principal response  
11 that we have gotten to this motion is that the  
12 Baxter (phonetics) case, which we have cited in  
13 support of our position is a case that arose in  
14 a context where an individual took the witness  
15 stand and asserted his Fifth Amendment  
16 privilege in the presence of the jury.

17 And the contention in the  
18 counter-defendant's response is we would be  
19 required to call Mr. Epstein to the witness  
20 stand. He would be obliged to assert his Fifth  
21 Amendment privilege in the presence of the jury  
22 before we would be entitled to any adverse  
23 implication instruction. That simply is wrong.  
24 And it's wrong because Rule 1.330(a) renders  
25 that distinction meaningless. Rule 1.330(a) is

1 the rule of civil procedure that talks about

2 the use of depositions at trial. And it

3 provides expressly that at trial a deposition  
4 may be used, in this case, against an opposing  
5 party as though the witness were then present  
6 and testified.

7 So we already have the basis upon which to  
8 draw the adverse inference. It isn't necessary  
9 that either we or Mr. Epstein -- call  
10 Mr. Epstein to the witness stand and have him  
11 repeat what he has already consistently said  
12 and that is that he refuses to answer these  
13 questions. So the distinction that they  
14 attempt to draw that this is procedurally  
15 premature because he has not yet taken the  
16 stand in front of the jury is rendered moot by  
17 virtue of Florida Rules of Civil Procedure  
18 which requires that his deposition testimony be  
19 treated in the same manner as trial testimony  
20 would be. That's basically our position, Your  
21 Honor.

22 THE COURT: Okay. Yes.

23 MS. COLEMAN: Good afternoon, Judge. To  
24 address the issues with which Mr. Scarola has  
25 discussed I would point out the following to

1 the Court. First, this motion is premature at  
2 best for several reasons. First of which is  
3 Mr. Epstein is now set for deposition by  
4 counter plaintiff on October 21st and I presume  
5 will be asked further questions to which he may  
6 or may not assert the Fifth Amendment. So to

7 preemptively presume that he will assert it or  
8 not assert it and make a ruling based on an  
9 adverse inference on something that hasn't yet  
10 happened is inapplicable.

11 Second, Judge, with respect to discovery  
12 that has gone on in this case over the past  
13 four years there are many, many, many questions  
14 sadly which are not spelled out in the bulk of  
15 this motion. Questions that have been posed to  
16 Mr. Epstein that irrefutably have absolutely  
17 nothing to do with this case. All that is  
18 evident from everything that has been filed in  
19 this case, that the parties, the counter  
20 plaintiff, would like to re-litigate the cases  
21 that were being prosecuted by him against  
22 Mr. Epstein several years ago. This is a  
23 simple abuse of process and malicious  
24 prosecution case, Judge. So with respect to  
25 the negative or adverse inference to which

1 counter plaintiff may or may not be entitled,  
2 this Court needs to conduct a far more detailed  
3 analysis into those questions and answers other  
4 than the blanket assertion made by this motion.

5 Judge, for example, to be entitled to a  
6 negative inference, the party seeking it must  
7 prove that the information cannot be benefited  
8 or received from obtaining -- I'm sorry, let me  
9 start that sentence over. The inference may  
10 not be drawn unless there's a substantial need  
11 for the information and there is not another

12 less burdensome way of obtaining that  
13 information. That's the first step. And I  
14 appreciate this is not fully -- this is like I  
15 received their memo this morning and I was  
16 under the misguided conception we were arguing  
17 the two cases he cited but I will lay this out  
18 for the Court anyway since we're here. The  
19 Court has discretion --

20 MR. SCAROLA: I don't mean to interrupt  
21 but that's all I have argued. I have not  
22 argued the supplemental memo at all

23 MS. COLEMAN: The rule to which he  
24 referred is not cited in his motion with  
25 respect to the use of the deposition. But what

12

1 this Court has to do before it can determine --

2 THE COURT: Let me ask a basic question.

3 MS. COLEMAN: Yes, you can.

4 THE COURT: There is bunch of cases where  
5 someone has waived Fifth Amendment and it  
6 happens all the time in DUI cases and then in  
7 civil lawsuits. I've never had anybody ask me  
8 for an actual jury instruction like you do in a  
9 spoliation case. What they do is they ask the  
10 question, the person denies it or -- excuse me,  
11 they take the Fifth Amendment. And says  
12 weren't you drunk on the night of the accident,  
13 and they answer I refuse on the basis of  
14 incrimination. Then they argue to the jury, he  
15 admitted it and --

16 MS. COLEMAN: That's exactly my point,  
17 Judge.

18 THE COURT: I've never seen a case where  
19 it says you're entitled to an actual  
20 instruction. In the cases you cited, the two  
21 cases cited, at least I didn't see that in the  
22 case you cited. Is there actually a case in  
23 Florida where if you take the Fifth Amendment,  
24 you're entitled to an adverse inference  
25 instruction like a spoliation case where

1 there's specific instruction approved by the  
2 Fourth District?

3 MS. COLEMAN: It's his motion, Judge,  
4 but --

5 THE COURT: I didn't see anything like  
6 that.

7 MS. COLEMAN: No, I didn't see anything  
8 either but again my understanding is, as I  
9 said, all the cases to which counter plaintiff  
10 referred clearly states that the witness is  
11 available, he's coming. He's listed on both  
12 witness lists. He's the defendant. He'll be  
13 here. He'll be testifying.

14 In every case that I've read, state and  
15 Federal, indicates that it occurs at trial. We  
16 don't know what questions are going to be  
17 asked. We don't know what's going to happen.

18 THE COURT: The jury can draw an adverse  
19 inference since nobody is pleading the Fifth  
20 Amendment and --

21 MS. COLEMAN: Only if you base your  
22 findings on a particular set of information  
23 delineated. For example, should Mr. Epstein --  
24 I'm hypothetically speaking -- take the stand  
25 and answer a question to which he's previously

1 asserted the Fifth, you can strike that answer.  
2 And then, and only then, would the issue of the  
3 negative inference become applicable. At this  
4 point we respectfully feel the plaintiff has  
5 the cart before the horse because we're not at  
6 trial. I don't think even Mr. Scardola can  
7 determine what evidence is going to come out at  
8 trial. I've never seen a jury instruction  
9 drafted before discovery is even finished.  
10 He's taken Mr. Epstein's deposition.

11 THE COURT: Only time I have ever done --  
12 sorry to interrupt you. I've never given a  
13 written one in the context of the Fifth  
14 Amendment. It's always been in the context of  
15 discovery violations or failure to comply with  
16 discovery requests or spoliation issues. And  
17 then we drafted instructions under -- I can't  
18 remember the name of the case.

19 MS. COLEMAN: It's Rule 1.380.

20 THE COURT: Actually, a case where you  
21 approve a specific, it's not a presumption,  
22 it's an inference. You give the presumption  
23 it's irrelevant, not to say stupid, something  
24 like that. I'm not really sure what you want

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me to rule to be honest with you.

25

15

1 MR. SCAROLA: There are two things I want  
2 you to rule, Your Honor. I want you first to  
3 rule that Mr. Epstein will not be permitted to  
4 give testimony or to produce evidence that he,  
5 himself, has withheld as a consequence of his  
6 consistent assertion of the Fifth Amendment  
7 privilege during the course of the four years  
8 that this matter has been in pretrial  
9 discovery. He should not be permitted after  
10 having refused to give that evidence in  
11 pretrial discovery, to present that evidence at  
12 trial. That's part one.

13 Part two, we should be entitled to an  
14 instruction after we publish Mr. Epstein's  
15 deposition testimony to the jury in which he  
16 has refused to answer questions, that his  
17 silence may be held against him.

18 Now I can't tell Your Honor that I have at  
19 hand a Florida case that approves a specific  
20 form of instruction. But the law is quite  
21 clear that we are entitled to jury instructions  
22 that support our theory of the case. And it is  
23 a proper statement of the law, that a statement  
24 -- excuse me -- that an assertion of privilege  
25 in the context of a civil case may be used by

1 the jury to draw an adverse inference,  
2 inference against the person who refuses to

Page 13

16

3 testify.

4 Now the common experiences of jurors who  
5 watch TV and read magazines and read books is  
6 that you may not hold an individual's right to  
7 remain silent against him. Because jurors are  
8 generally educated about such matters in the  
9 context of criminal proceedings. So to  
10 disabuse jurors who may believe that it is  
11 improper to hold an assertion of Fifth  
12 Amendment privilege against someone, we should  
13 be entitled to an instruction that says what  
14 the law is.

15 And the law is that you may indeed hold  
16 the assertion of the right to remain silent in  
17 the context of a civil case against the person  
18 who is making that assertion. There are very  
19 strong statements in support of that position  
20 in the cases that we have cited to Your Honor.  
21 Including the United States Supreme Court that  
22 has talked about the probative value of an  
23 assertion of a right to remain silent in the  
24 context of civil cases.

25 So it is on that basis that we are asking

1 the court to do those two things. Tell us  
2 right now that since Mr. Epstein's refused to  
3 give evidence pretrial, he's not going to be  
4 permitted to recede from that. And secondly,  
5 tell us that the jury will be informed of the  
6 basic legal principle that the assertion of the

7 right to remain silent in the context of a  
8 civil case can be used against the person  
9 asserting that right to remain silent.

10 THE COURT: Okay, you get the last word.

11 MS. COLEMAN: Thank you, Judge. I was  
12 unable to address section two or part two of  
13 Mr. Scarola's motion in which he asks that we  
14 be precluded at offering certain evidence at  
15 trial. First, Judge, I would submit that we  
16 had filed weeks ago our trial exhibit list and  
17 witness list. And if there's specific items  
18 contained on our exhibit list in which  
19 Mr. Scarola takes issue, he should bring it up  
20 at the proper time and object to it, which  
21 we're required to do pursuant to your Court  
22 order. If there is something listed on our  
23 exhibit list that violates what he's asking  
24 for, that's the proper time to raise it.

25 Furthermore, Judge, your order

18

1 specifically delineates, I believe in paragraph  
2 H, that if we haven't provided it to opposing  
3 counsel, we can't use it. It's that simple.  
4 Obviously, if we tried to submit evidence that  
5 we have not provided to the plaintiff in this  
6 case, we wouldn't be permitted to use it.

7 THE COURT: So there's a difference under  
8 the Binger analysis. There's two different  
9 things there. One I can -- certainly I don't  
10 have to do Binger analysis and the sanction. I  
11 want to know what I haven't done, okay.

12 Because I've evidentially missed something  
13 along the way. Because I entered an order  
14 basically saying I required you to file  
15 privilege logs which identify each document,  
16 what the privilege is to that document and so I  
17 can look at them and determine which ones more  
18 I have to look at. I don't recall. Did I get  
19 that?

20 MS. COLEMAN: No, what happened, Judge  
21 what we did we amended our answers to --

22 THE COURT: I must be losing my mind.

23 MS. COLEMAN: We amended our answers to  
24 all that discovery and only asserted the Fifth  
25 Amendment to those that we were asserting a

1 privilege. So there was no other privilege  
2 raised.

3 THE COURT: What am I supposed to be  
4 ruling on?

5 MS. COLEMAN: Right now? His motion.

6 THE COURT: No. No, I thought -- again,  
7 I'm sorry, guys I'm confused. I thought there  
8 was things out -- Mr. Scarola said there are  
9 things outstanding.

10 MS. COLEMAN: But there's still our issue  
11 with the privilege log filed by Mr. Edwards  
12 with respect to our discovery requests as well.

13 THE COURT: I'm talking about with regard  
14 to Mr. Epstein. Is there anything I need to  
15 rule on with him?

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MS. COLEMAN: NO.

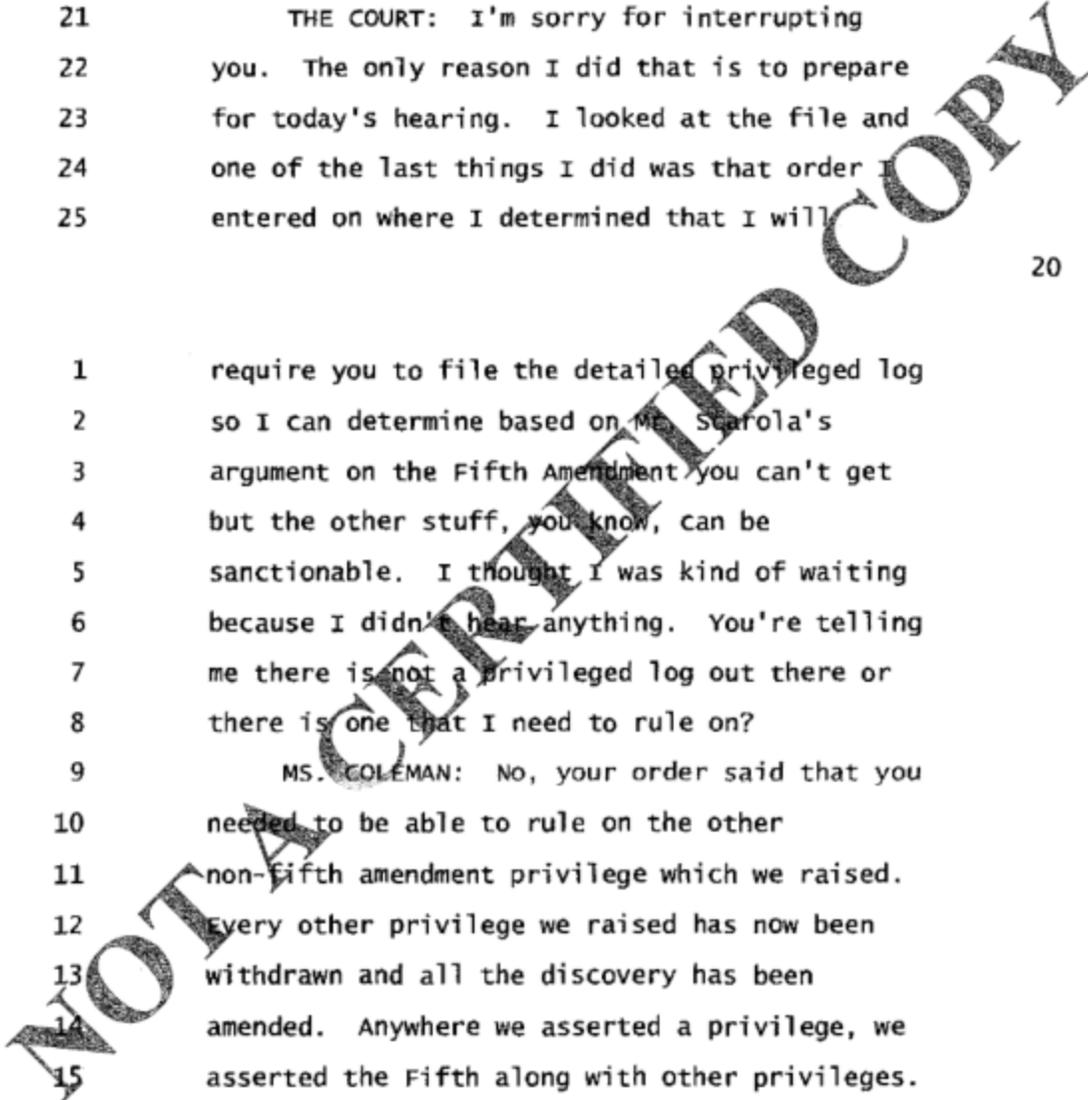
MR. SCAROLA: That wasn't my understanding but quite frankly, Your Honor, I didn't specifically review that for purposes of responding to that question.

THE COURT: I'm sorry for interrupting you. The only reason I did that is to prepare for today's hearing. I looked at the file and one of the last things I did was that order I entered on where I determined that I will

require you to file the detailed privileged log so I can determine based on Mr. Scarola's argument on the Fifth Amendment you can't get but the other stuff, you know, can be sanctionable. I thought I was kind of waiting because I didn't hear anything. You're telling me there is not a privileged log out there or there is one that I need to rule on?

MS. COLEMAN: No, your order said that you needed to be able to rule on the other non-Fifth amendment privilege which we raised. Every other privilege we raised has now been withdrawn and all the discovery has been amended. Anywhere we asserted a privilege, we asserted the Fifth along with other privileges. All the other privileges were taken out. So it's only the Fifth Amendment. So there's nothing to review.

THE COURT: Some of the case law I read in Federal court says even the Fifth Amendment



21 sometimes the court can look at in-camera to  
22 determine if it's --

23 MS. COLEMAN: If you would like us to  
24 do --

25 THE COURT: No, I never asked for

1 in-camera inspection if I don't need to do one.  
2 I'm just asking what it is I need to do that I  
3 haven't done in regards to the privilege log in  
4 regard to Mr. Epstein. We're just dealing with  
5 this.

6 MR. SCAROLA: I will accept Ms. Coleman's  
7 representation on the record that all of the  
8 discovery that has been withheld has been  
9 withheld solely on the basis of the Fifth  
10 Amendment privilege.

11 THE COURT: There's been a privilege log  
12 filed or not.

13 MS. COLEMAN: No, Judge. The answer it's  
14 all net-worth discovery. The discovery that  
15 was at issue is the net-worth discovery for the  
16 punitive damages.

17 THE COURT: This is probably unfair to you  
18 guys. I'm asking questions because it concerns  
19 me if there's something out there I'm supposed  
20 to be ruling on and I might have to do that.  
21 Is there something pending on me that I'm  
22 supposed to rule on?

23 MR. SCAROLA: Not if the only privilege  
24 that's being asserted is a Fifth Amendment

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privilege. Your Honor may recall that what you

22

1 did talk about at the time of that last hearing  
2 was that some of the financial information that  
3 was requested was corporate financial  
4 information. And you correctly observed a  
5 corporation has no Fifth Amendment privilege.  
6 So I don't know -- Your Honor asks the  
7 rhetorical question. I don't know how you can  
8 be asserting a Fifth Amendment privilege with  
9 regard to the corporate records.

10 THE COURT: It has to be testimonial even  
11 if it's an individual. I remember that.

12 MR. SCAROLA: Correct. And those were the  
13 concerns that Your Honor expressed. And it was  
14 my understanding that that shifted the burden  
15 back to the counter defendant to provide  
16 something else to Your Honor with regard to  
17 those matters. But I will repeat, if the  
18 position of the counter defendant is that  
19 everything that has been withheld in discovery  
20 has been withheld on the basis of the Fifth  
21 Amendment privilege, I'll accept that  
22 representation.

23 THE COURT: I'm asking you. I don't want  
24 to get --

25 MS. COLEMAN: That is not what I said,

23

1 Judge.

2 THE COURT: Hang on. I'm going to set a  
Page 19

3 status conference. You guys can talk about  
4 this. See what the status of discovery is at.  
5 What I need you to do is I need that fairly  
6 quickly. Probably next week or so you all are  
7 coming up on trial here. And see what I need  
8 to get done before you all walk into the  
9 courtroom. You said there's also stuff and so  
10 are you waiting for me to rule on --

11 MS. COLEMAN: Judge, you were taking -- It  
12 was quite a while back. That we had a motion  
13 with respect to the privileged log filed by  
14 Mr. Edwards first from (inaudible) then from  
15 Farmer Jaffe. There is some documents that  
16 were alleged by them to be confidential, just  
17 communications, such as communication with the  
18 press and the government that have not yet been  
19 ruled on. The hearing was supposed to be  
20 continued.

21 THE COURT: I don't recall. I have  
22 nothing in here, at least that I know, that  
23 hasn't been ruled on.

24 MS. COLEMAN: I'll refile the motion,  
25 Judge.

1 THE COURT: Or reschedule it or whatever.  
2 I don't have any in-camera that I haven't done  
3 so far.

4 MS. COLEMAN: If you're not making a  
5 ruling right now on this motion, we would like  
6 to be afforded the opportunity to respond to

7 the thirteen-page memorandum that Barnhart,  
8 Scarola provided a couple of hours ago.

9 THE COURT: How quickly can you respond?

10 MS. COLEMAN: Judge, the hearing was set  
11 -- he set this hearing on July 17th and it was  
12 given to me today. A week?

13 THE COURT: You think you can do it a  
14 little early? Can you have it by Friday?

15 MS. COLEMAN: No, Judge, I have to be in  
16 Tavernier and Marathon on Thursday and Friday.

17 THE COURT: Do you know who would love to  
18 be in the Keys?

19 MS. COLEMAN: Not on this case, Judge.  
20 I'm back here at 8:45 tomorrow morning in  
21 front of you again on this case.

22 THE COURT: You know I'm joking. I  
23 apologize, guys.

24 MS. COLEMAN: It's unfair for a five-day  
25 requirement

1 MR. SCAROLA: I have no problem.

2 MS. COLEMAN: Five day.

3 THE COURT: Next week. How about next  
4 Monday, next Tuesday?

5 MS. COLEMAN: Next Tuesday would be good.

6 THE COURT: Next Tuesday by 5 p.m. Tell  
7 you what I want you to do to make it easy.  
8 Call my JA or have someone call my JA and get  
9 an address. You can e-mail, maybe emailing it  
10 to me and the same to Mr. Scarola so I get it  
11 on Tuesday. Can you do that?

12 MS. COLEMAN: Yes.  
13 MR. SCAROLA: Will it be necessary for me  
14 to resubmit what I hand delivered?  
15 THE COURT: No, I'll take what I got and  
16 wait for her. Okay, I'll get an order out as  
17 soon as I receive a response.  
18 MR. SCAROLA: Thank you very much.  
19 THE COURT: I want you guys to sit down  
20 and talk about what you need to do. I'm going  
21 to schedule a conference to see what needs to  
22 be done. I got an easy feeling that things  
23 need to be done before this October 28. Thank  
24 you.  
25 (The hearing was concluded at 4:05 p.m.)

26

1 C E R T I F I C A T E

2  
3 STATE OF FLORIDA  
4 COUNTY OF PALM BEACH

5  
6  
7 I, Pamela Pittman Gunn, Court Reporter, State  
8 of Florida at large, certify that I was authorized  
9 to and did stenographically report the foregoing  
10 hearing, pages 1-25; proceedings were held on  
11 September 16, 2013 and that the transcript is a true  
12 and complete record of my transcription.

13 Dated this 23rd day of October, 2013.  
14  
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Pamela Pittman Gunn, Court Reporter

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