

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., individually,

Defendants.

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**RESPONSE IN OPPOSITION TO DEFENDANT JEFFREY EPSTEIN'S MOTION TO  
COMPEL COUNTER-PLAINTIFF BRADLEY J. EDWARDS TO IDENTIFY BATES  
NUMBERS OF DOCUMENTS PRODUCED**

Bradley J Edwards ("Edwards"), by and through undersigned counsel, hereby files this Response in Opposition to Defendant Jeffrey Epstein's Motion to Compel Edwards to Identify Bates Numbers of Documents Produced thereto, and as grounds therefor states as follows:

In 2012, Edwards filed his privilege log in the underlying lawsuit filed by Jeffrey Epstein ("Epstein") against Edwards, Scott Rothstein, and victim █. Although Epstein made some effort to challenge the privilege log in early 2012, he (through his prior counsel, Fowler White) eventually abandoned these discovery issues and instead chose to voluntarily dismiss all of his claims against Edwards on the eve of a summary judgment hearing, without ever having filed any opposition. As the barrage of recent motions demonstrates, Epstein's new trial counsel does not agree with Fowler White's litigation strategy decision in this matter.

Now, six years later, after discovery has been closed since November 2017 and two (2) trial dates have been continued at the request of Epstein, Epstein's new trial counsel seeks to

relitigate waived discovery issues in order to continue wasting Court resources and to ensure that no jury is ever impaneled to decide Edwards' malicious prosecution counterclaim. Epstein's newest tactic? Motion practice requesting that Edwards' counsel review discovery production in the underlying case that occurred over five years ago to "identify by Bates number the documents that [were] produced in this case." If Epstein's new trial counsel would like to know what Epstein's former trial counsel knew – which documents were produced to them in this case - they should contact the numerous prior attorneys that have represented Epstein in this proceeding. Or they should consult with their co-counsel, Jack Goldberger, Esq., who has been counsel of record for years in this case. In any event, it is simply not the responsibility of Edwards' counsel to perform document review for Epstein's trial counsel, of documents already reviewed by Edwards' counsel years ago.

Moreover, Edwards has already specifically identified by bates number the 49 privileged documents that Epstein obtained in violation of a Federal bankruptcy court order and attempted to list as exhibits the week before the parties' March 13, 2018 trial date. Those documents are identified in the chart below, which was included in Edwards' Motion to Strike Epstein's Untimely Supplemental Exhibits and to Strike all Exhibits and Any Reference to Documents Containing Privileged Materials Listed on Edwards' Privilege Log, which the Court granted at the March 8, 2018 pre-trial hearing:

<b>Number of Privileged Emails in Epstein's Possession (49 TOTAL)</b>	<b>Bates Numbers from Epstein's Untimely Supplemental Exhibit #13</b>	<b>Bates Number/Range on Edwards' February 23, 2011 Privilege Log</b>
1	02645	02633-02646
1	00149	00149

1	01527	01527
1	04493	04491-04518
1	04494	04494
1	04495	04495
1	00014	00014
1	00090	00090
1	00133	00133
1	08006	08000-08011
1	00026	00026
1	01004	01003-01005
1	12289	12289
1	26481	26479-26481
1	26480	26479-26481
1	26356	26356
1	26570	26570
1	03731	03719-03736
3	06406-06408	06404-06408
1	01686	01686
3	11123-11125	11123-11136
1	11126	11126
1	25925	25925
1	25874	25874
1	11145	11143-11146

1	03191	03191-03196
5	04398-04402	04387-04402
5	04408-04412	04403-04416
1	267476	26741-26763
1	08042	08033-08070
1	26741	26741-26763
3	08059-08061	08033-08070
3	26756-26758	26741-26763
3	08036-08038	08033-08070
1	26762	26741-26763
1	01117	01112-01117
3	08121-08123	08118-08123
4	26749-26752	26741-26763
3	08128-08130	08124-08156
3	08118-08120	08118-08123
3	08131-08133	08124-08156
3	08124-08126	08124-08156
4	08135-08138	08124-08156
1	27494	27494
1	26760	26741-26763
1	25997	25997
1	25937	25937
2	26604-26605	26604-26605

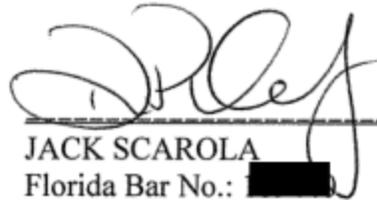
3	07019-07021	07019-07024
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Lastly, the time-consuming exercise Epstein is requesting Edwards' counsel to perform is one that he can complete himself. It would require starting with the filed privilege log, which clearly indicates all documents by Bates number which were, at that time, withheld from production on the basis of an assertion of privilege. Later, a category of documents consisting of approximately 163 pages of emails on the privilege log were ordered to be produced and those documents were then produced. The combination of all Bates numbers not included on the privilege log plus the 163 pages that were later ordered to be produced comprises the universe of produced documents.

### **Conclusion**

For the foregoing reasons, Plaintiff Bradley Edwards respectfully requests that the Court deny Epstein's motion.

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 day of July, 2018.



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