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
[redacted]., individually,

Defendants.
_____/

RESPONSE IN OPPOSITION TO DEFENDANT JEFFREY EPSTEIN'S MOTION TO ALLOW AMENDMENT TO EXHIBIT LIST AND SUPPLEMENT TO MOTION TO ALLOW AMENDMENT TO EXHIBIT LIST

Bradley J Edwards ("Edwards"), by and through undersigned counsel, hereby files this Response in Opposition to Defendant Jeffrey Epstein's Motion to Allow Amendment to Exhibit List and Supplement thereto, and as grounds therefor states as follows:

Delay, Delay, Delay

When the Court peels back the layers of Defendant Epstein's attempt to drastically alter his Exhibit List, it will be left with a rather basic question: How far will the Defendant be permitted to go in his efforts to avoid a trial of this nearly nine (9) year old case?

On November 1, 2017, the law firm of Link & Rockenbach entered its appearance in this case as trial counsel on behalf of Epstein. At the time, this case was set to begin trial on December 5, 2017, and the parties had already exchanged exhibit and witness lists pursuant to the Court's Order Specially Setting Trial, which was entered on July 20, 2017. [1]

[1] Two days later, on November 3, 2017, Edwards filed his Objections to Epstein's Trial Exhibits.

On November 6, 2017, Epstein filed his Motion to Continue the December 5, 2017 special set trial. In the Motion to Continue, Epstein made the following representation to the Court and the parties:

> Following the Court's clear and unambiguous advice at the October 3, 2017, hearing to fortify lead counsel in the preparation and defense of his claim, on October 13, 2017, Plaintiff retained new trial counsel, who appeared in the case on November 1, 2017. Plaintiff also retained a team of lawyers from the Gunster law firm as trial support. None of the things Plaintiff is asking for in this Motion is based on lack of manpower. Even using all of these resources, there is still not enough time to get everything that is needed done before the December 5, 2017, trial date. **Importantly, Plaintiff and his trial counsel will not seek another continuance. We will be ready to try the case in 90 days.**

(Emphasis added). Based in part on this representation, the Court granted the Motion to Continue and reset this case for a special set trial on March 13, 2018.

Despite the representation that it would not seek any further continuances, at the December 5, 2017 all-day hearing, Plaintiff and his trial counsel asked the Court to indefinitely stay this case pending resolution of the Crime Victim's Rights Act Proceeding in federal court. The Court denied Epstein's Motion for Temporary Stay of Proceedings on the record, and the corresponding order was entered on December 28, 2017.

Yet, on March 5, 2018, after the parties had taken up a considerable amount of the Court's resources for multi-day special set hearings and other matters, Epstein once again sought to avoid trial by filing a Motion to Remove Case from Trial Docket, based on a hyper-technical argument that the case was not "at issue" under Rule 1.440. In what was in all likelihood a first in this Judicial Circuit, Epstein did not assert that Edwards' malicious prosecution claim was not at issue. Rather, Epstein argued that his claim against Scott Rothstein, an uncollectible defendant in federal prison,

was not at issue as a result of Epstein's own dilatory conduct in failing to know what pleading was pending against Rothstein and failing to know whether a default had been entered.

At the hearing on March 8, 2018, Epstein's trial counsel nonetheless repeatedly claimed that they were "excited" to try this case, and, in fact, represented to the Court repeatedly that they were "ready to try the case" on March 13, 2018. See 3/8/18 Hr'g Tr. at 14:13-14. However, when given the option to waive any technical argument under Rule 1.440, they declined to do so:

> MR. LINK: Thank you.
> I know Mr. Scarola said they're excited to try the case, believe me, Judge, we are really excited to try the case.
> The evidence that we recently discovered –
>
> THE COURT: Then waive the technicality. If you are so excited about it, then waive the technicality.
>
> MR. LINK: I won't do that, Judge.

3/8/18 Hearing Tr. at 49:8-17.

Although Epstein's trial counsel would not waive the technically, they did represent to the Court that, if the Court were to remove the case from the trial docket **and** deny severance of the *Edwards v. Epstein* counterclaim and the *Epstein v. Rothstein* claim, they were prepared to have a default judgment entered against Rothstein that day and would be remain "ready" to try this case within 50 days, or by April 27, 2018:

> MS. ROCKENBACH: I have an order for the Court to sign to enter a default. Served it on Mr. Rothstein's counsel of record, Marc Nurik. **And we will then be ready** once this Court enters the default, and presumably either party notices it for trial in 20 days when it is then at issue, this Court can then set it no less 30 days.

3/8/18 Hearing Tr. at 11, 6-14.

At the end of the oral argument on Epstein's Motion to Remove Case From Trial Docket, undersigned counsel warned that the hyper-technical argument being raised with regard to Rule 1.440 was merely a ploy to reopen discovery and delay this case once again by, among other things, attempting to invalidate the Court's July 20, 2017 pre-trial order:

> MR. SCAROLA: The defense, in violation of this Court's order, last week listed 724 new exhibits they want to use. **And they are going to use this hyper technicality to say the pretrial order was invalid because the case was not at issue;** a new pretrial order needs to be issued; **discovery is not yet closed**; we have an opportunity to proceed with additional discovery; **and we can amend our exhibit list**, and we can include 724 new exhibits, and more which they say we are still finding.

3/8/18 Hearing Tr. at 65:24 to 66:10.

And, now here we are. After representing to the Court in November 2017 that Epstein would be ready to try this case on March 13, 2018, after representing to the Court on March 8, 2018 that they were ready to try the case on March 13, 2018 but for a hyper-technical "at issue" argument, **and after representing to the Court that they would be ready to try the case by April 27, 2018 (as long as Rothstein's claim was not severed, of course)**, When one reviews the timeline and conflicting representations made above, Epstein's strategy becomes quite clear.

If Epstein is permitted to amend his exhibit list to add exhibits that were publicly available **years** before trial counsel entered its appearance in this case, the parties will necessarily be required to take additional discovery to cure the resulting prejudice to Edwards, who disclosed his witness and exhibit list, and prepared to try this nearly decade old case, without the burden of

dealing with these newly listed exhibits.[2] Epstein's decision to omit these exhibits from his prior lists (as required by the Court's pre-trial order and by the Court's oral pronouncements at the December 5, 2017 hearing that all exhibits were to be disclosed and this case would not be tried by ambush) was the tactical choice made by Epstein's lengthy series of prior lawyers. Every single proposed exhibit was available to Epstein prior to the Court-ordered deadline on exhibit disclosures. No manufactured continuances can change that fact, and permitting Epstein to use untimely exhibits at trial would substantially prejudice Edwards. Accordingly, the Court should deny Epstein's motion and supplement thereto.

Argument

I. The Court's Orders Are Clear: The Deadline to Amend Exhibit Lists Has Long Since Passed.

First, it is Edwards' position that the Court's Order Specially Setting Trial, entered on July 20, 2017,[3] is valid. The parties have been operating under that Order for over a year, and as recently as the March 8, 2018 hearing, Epstein, through counsel, represented that he would be ready to try this case by no later than April 27, 2018. In making that representation, Epstein's counsel never raised any issue regarding the validity of the pre-trial order and Epstein is estopped from raising any such argument now. See Watson Clinic, LLP v. Verzosa, 816 So. 2d 832, 834 (Fla. 2d DCA 2002) (identifying the elements of equitable estoppel). And, even if the doctrine of equitable estoppel did not apply, the representation by Epstein's counsel that they were ready to try this case on April 27, 2018, without the necessity of a new pre-trial order, is clearly a waiver of what is

[2] The same is true for Epstein's renewed request to disclose an "expert" witness, Skip Smith, a request that has already been denied by this Court.
[3] A copy of the Court's Order Specially Setting Trial is attached hereto as Exhibit 'A'.

nothing more than another hyper-technical argument. See Goodwin v. Blu Murray Ins. Agency, Inc., 939 So. 2d 1098, 1104 (Fla. 5th DCA 2006) ("The elements of waiver are: (1) the existence at the time of the waiver of a right, privilege, advantage, or benefit which may be waived; (2) the actual or constructive knowledge of the right; and (3) the intention to relinquish the right.").

Moreover, Epstein has already tried unsuccessfully (twice) to reopen pretrial deadlines to allow the amendment of his Exhibit List. First, on November 27, 2017, the Court entered its Order on Motion to Reconfirm Existing Pretrial Deadlines and Re Pretrial Stipulation[4], in which this Court rejected Epstein's request to push the pretrial deadlines given the March 13, 2018 trial date. The Court explicitly stated that any attempt to seek additional discovery (or, presumably, to alter the reconfirmed pretrial deadlines), would be permitted **only** if the moving party could show that the request was "impacted by the Court's rulings on motions currently pending to be heard on November 28, December 5th and December 7th."

Over the last nine (9) months, the Court has made clear that it meant what it said: all pretrial deadlines have passed. In fact, Epstein attempted to unilaterally amend his Exhibit List on March 5, 2018, and the Court granted Edwards' motion to strike the untimely exhibits at issue. Edwards urges the Court in the interest of justice to continue upholding its July 20, 2017 and November 27, 2017 orders. Discovery is closed. Pretrial deadlines have passed. **Both** parties have represented on the record that they have been ready to try this case since March 8, 2018, and the Court should require the parties to stick to their word.

[4] A copy of the Court's November 20, 2017 Order is attached hereto as Exhibit 'B'.

II. The Joint Pre-Trial Stipulation Does Not Permit Amendment in Violation of This Court's Orders.

Epstein's reliance on the Joint Pre-Trial Stipulation is a classic example of trying to have your cake and eat it too. Epstein tells this Court that the Order Specially Setting Trial, entered on July 20, 2017, is invalid. See Mot. at p. 5 ("There is no trial order in place."). Yet, Epstein attempts to rely upon the Joint Pre-Trial Stipulation that was entered pursuant to the very pre-trial order he claims is invalid. The Court should not permit this sort of double-sided argument.

In any event, at the December 5, 2017 hearing, the Court instructed that any identified exhibits not previously produced must be provided to opposing counsel by no later than December 19, 2017. See, e.g., 12/5/17 Tr. at 225:21-226:4. The Court also cautioned that general "catch-all" exhibit categories would not be permitted and that, instead, the specific documents covered by such exhibits must be separately identified and produced. See, e.g., 12/5/17 Tr. at 223:11- 225:14. In compliance with this Order, Edwards broke out certain exhibits related to the Crime Victim's Rights Act case that had previously been included within a now stricken "catch-all" exhibit category.

On December 22, 2017, Epstein and Edwards filed their Joint Pretrial Stipulation, in which the parties reserved their "**right** to amend their Exhibit Lists." Obviously, the right of either party to amend their Exhibit List is subject to the discretion of the Court, particularly given the Court's December 5th ruling that trial by ambush would not be permitted, that all exhibits were to have been disclosed by December 19, 2017, and that general "catch-all" categories were explicitly prohibited. See City of Opa Locka v. Williams, 901 So. 2d 865 (Fla. 1st DCA 2005 (amendment should have been permitted where the pretrial stipulation at issue agreed that the parties could

amend "**without leave of court**" for up to 30 days before trial). In fact, when Epstein attempted to unilaterally amend his exhibit list prior to the March 13, 2018 trial date, the Court struck the additional exhibits as untimely and in violation of this Court's repeated orders regarding the timeframe in which exhibits were to be disclosed. Epstein has cited to no authority that would permit the parties' pre-trial stipulation to override a trial court's orders, and Edwards respectfully suggests that no such authority exists. Thus, the Court should uphold its prior ruling denying Epstein leave to amend his exhibit list beyond the pretrial deadline.

III. Edwards Would Be Severely Prejudiced by The Proposed Amendment.

Epstein seeks to amend his Exhibit List to include the following categories of documents, all of which were available to Epstein for **years** prior to the Court's deadline to disclose trial exhibits: (1) Exhibits from production in this case; (2) Public records related to [redacted]., [redacted]., and Jane Doe; (3) Public records related to a 2015 case involving Edwards and Alan Dershowitz; (4) Publicly available information regarding Edwards on his law firm's website; (5) Publicly available information regarding Edwards' property records; and (6) Publicly available information related to the Crime Victim's Rights Act case, to which Epstein has intervened. These documents could have been listed on Epstein's original exhibit list, and the only reason they weren't is because Epstein's prior counsel chose not to do so. Now, Epstein's trial counsel seeks a "do-over" so that, rather than appear as trial counsel on the eve of trial to actually try the case, they can reopen discovery and start from scratch. Binger, however, does not permit Epstein to do so.

Epstein correctly notes that the Court should not permit Epstein to amend his exhibit list if the proposed amendment would prejudice Edwards. See, e.g. Mot. at 6 (citing Tomlinson-

McKenzie v. Prince, 718 So. 2d 394, 396 (Fla. 4th DCA 1998) (citing Binger). As the Fourth DCA aptly stated in Tomlinson-McKenzie:

> The objecting party is prejudiced by the admission of such evidence **if the party might have taken some action to protect itself had it had timely notice of the witness or exhibit,** and there exists no other alternatives to alleviate the prejudice. The supreme court, in Binger, stated that
>
> Prejudice in this sense refers to the surprise in fact of the objecting party, and it is not dependent on the adverse nature of the testimony. Other factors which may enter into the trial court's exercise of discretion are: (i) the objecting party's ability to cure the prejudice or, ... [its] independent knowledge of the existence of the witness; **(ii) the calling party's possible intentional, or bad faith, noncompliance with the pretrial order; and (iii) the possible disruption of the orderly and efficient trial of the case (or other cases).**

718 So. 2d at 396 (emphasis added).

Obviously, had Edwards known that Epstein intended to utilize these publicly available exhibits, he would have altered his pretrial strategy by taking additional depositions, serving altered discovery requests, by identifying any necessary rebuttal witnesses as permitted by the Court's Order Specially Setting Trial. See Order at p. 1 (rebuttal witnesses to be disclosed ten days after the exchange of the parties' exhibit lists), and would have challenged the admissibility of the newly listed exhibits in a series of motions in limine. The now second attempt to amend Epstein's exhibit list would therefore cause significant prejudice to Edwards and would in all likelihood necessitate the reopening of discovery and further extensive delays in the eventual trial of this case. Of course, as can be seen from the timeline laid out in the beginning of this response, that is clearly Epstein's ultimate goal.

Moreover, the Tomlinson-McKenzie court, following Binger, identifies as an important factor whether the moving party either intentionally or in bad-faith failed to comply with the trial

court's pre-trial order. Epstein attempts to circumvent this factor by playing a game of bait and switch as to who is bound by the Court's pretrial deadlines and whose bad-faith or intentional violation is at issue:

> **Epstein's current counsel** had not been retained when the Court entered its July 20, 2017 Order Specially Setting Trial . . . The request to amend is not made in bad faith but, rather, is necessitated by the change in the scope and focus of the trial as determined in December 2017. **Epstein's new counsel took steps in good faith** after that hearing to reevaluate all evidence compiled to determine how to best defend Epstein's case and determined an amended to Epstein's Exhibit list was warranted.

Mot. at 7-8.

Whether Epstein's **current counsel** attempted to comply with the Court's pre-trial order is irrelevant. The question is whether Epstein, through his prior counsel, complied with the pre-trial order in good faith. **And, the answer to that question is 'Yes'**. Epstein filed his Exhibit List in advance of the October 6, 2017 deadline for exhibit list disclosures. All that has happened since then is that Epstein retained new trial counsel, on the eve of trial, to try a case that had been worked up for years. It is abundantly clear that Epstein's new trial counsel is dissatisfied with the way in which Epstein's prior counsel prepared the defense of this case. They want a do-over, and the repeated attempts to amend Epstein's exhibit list are nothing more than thinly-disguised requests for the Court to bail Epstein out for what his new trial counsel sees as an imperfect defense strategy. The Court, however, has made abundantly clear at recent hearings that both parties are responsible for the way this case was worked up over the past nine (9) years. Therefore, given the substantial prejudice to Edwards and the fact that every single proposed new exhibit was available to Epstein well in advance of the Court-ordered deadline for exhibit disclosures, Edwards respectfully requests that the Court deny Epstein's now second attempt to amend his Exhibit List.

Conclusion

For the foregoing reasons, Plaintiff Bradley Edwards respectfully requests that the Court deny Epstein's request to amend his Exhibit List.

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 19th day of July, 2018.

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

CIRCUIT CIVIL DIVISION AG
CASE NO. 50-2009-CA-040800-XXXX-MB

JEFFREY EPSTEIN,
Plaintiff(s)
v.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS, individually,
and L M, individually,
Defendant(s).
_____/

ORDER SPECIALLY SETTING JURY TRIAL

THIS CAUSE came before this court on July 6, 2017 on Counter-Plaintiff, BRADLEY J. EDWARDS', Motion to Set Cause for Trial and the Court's Motion to Determine Need for Discovery/Motion Scheduling Order and the court having reviewed the Motion, heard argument and being otherwise fully advised in the premises, it is hereby

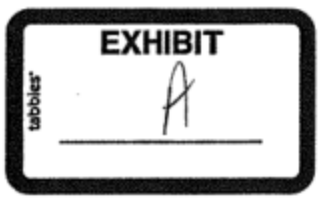
ORDERED AND ADJUDGED that this case is specially set, number one, for jury trial on **Tuesday, December 5, 2017, at 9:30 [redacted]**., (10 days reserved) in Courtroom 10C, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida 33401.

II. UNIFORM PRETRIAL PROCEDURE

A. On the last business day no later than **60 DAYS PRIOR TO TRIAL**, the parties shall exchange lists of all trial exhibits, names and addresses of all trial witnesses, and names and addresses of all expert witnesses.

B. On the last business day no later than **50 DAYS PRIOR TO TRIAL**, the parties shall exchange lists of names and addresses of all rebuttal witnesses.

C. In addition to names and addresses of each expert retained to formulate an expert opinion with regard to this cause, both on the initial listing and on rebuttal, the parties shall provide:
   1. the subject matter about which the expert is expected to testify;
   2. the substance of the facts and opinions to which the expert is expected to testify;
   3. a summary of the grounds for each opinion;



4. a copy of any written reports issued by the expert regarding this case; and
5. a copy of the expert's curriculum vitae.

D. On the last business day no later than **30 DAYS PRIOR TO TRIAL**, the parties shall confer and:
   1. discuss settlement;
   2. simplify the issues and stipulate, in writing, as to as many facts and issues as possible;
   3. prepare a Pre-Trial Stipulation in accordance with paragraph E; and
   4. list all objections to trial exhibits.

E. PRETRIAL STIPULATIONS MUST BE FILED. It shall be the duty of counsel for the Plaintiff to see that the Pre-Trial Stipulation is drawn, executed by counsel for all parties, and filed with the Clerk no later than **20 DAYS PRIOR TO TRIAL**. UNILATERAL PRETRIAL STATEMENTS ARE DISALLOWED, UNLESS APPROVED BY THE COURT, AFTER NOTICE AND HEARING SHOWING GOOD CAUSE. Counsel for all parties are charged with good faith cooperation in this regard. The Pre-Trial Stipulation shall contain in separately numbered paragraphs:
   1. a list of all pending motions including MOTIONS IN LIMINE and DAUBERT MOTIONS requiring action by the Court and the dates those motions are set for hearing (MOTIONS IN LIMINE shall not be heard the day of trial or thereafter). All Daubert Motions must be heard 20 days before the start of the trial.
   2. stipulated facts which require no proof at trial which may be read to the trier of fact;
   3. a statement of all issues of fact for determination at trial;
   4. each party's numbered list of trial exhibits with specific objections, if any, to schedules attached to the Stipulation;
   5. each party's numbered list of trial witnesses with addresses (including all known rebuttal witnesses); the list of witnesses shall be on separate schedules attached to the Stipulation;
   6. a statement of estimated trial time;
   7. names of attorneys to try case;
   8. number of peremptory challenges per party; and
   9. each party's proposed jury instructions and verdict form, with citations to supporting authority, as schedules attached to the Stipulation.

F. FILING OF PRE-TRIAL STIPULATION. Failure to file the Pre-Trial Stipulation or a Court Approved Unilateral Stipulation as above provided may result in the case being stricken from the Court's calendar at its sounding or other sanctions.

G. ADDITIONAL EXHIBITS, WITNESSES OR OBJECTIONS. At trial, the parties shall be strictly limited to exhibits and witnesses disclosed and objections reserved on the

schedules attached to the Pre-Trial Stipulation prepared in accordance with paragraphs D and E, absent agreement specifically stated in the Pre-Trial Stipulation or order of the Court upon good cause shown. Failure to reserve objections constitutes a waiver. A party desiring to use an exhibit or witness discovered after counsel have conferred pursuant to paragraph D shall immediately furnish the Court and other counsel with a description of the exhibit or with the witness' name and address and the expected subject matter of the witness' testimony, together with the reason for the late discovery of the exhibit or witness. Use of the exhibit or witness may be allowed by the Court for good cause shown or to prevent manifest injustice.

H. DISCOVERY. Unless permitted by court order, all discovery must be completed no later than 10 DAYS BEFORE THE DATE SET FOR TRIAL. ABSENT A TRUE EMERGENCY, FAILURE TO COMPLETE DISCOVERY SHALL NOT CONSTITUTE GROUNDS FOR CONTINUANCE.

I. PRE-TRIAL CONFERENCE. No pre-trial conference pursuant to Fla. R. Civ. P. 1.200 is set by the Court on its own motion. If a pre-trial conference is set upon motion of a party, counsel shall meet and prepare a stipulation pursuant to paragraphs D and E and file the stipulation no later than **5 DAYS BEFORE THE CONFERENCE**. Failure to request a pre-trial conference in a timely fashion constitutes a waiver of the notice of requirement of Rule 1.200. Motions for Summary Judgment will not be heard at any pre-trial conference.

J. UNIQUE QUESTIONS OF LAW. Prior to trial, counsel for the parties are directed to exchange and simultaneously submit to the Court appropriate memoranda with citations to legal authority in support of any unique legal questions which may reasonably be anticipated to arise during the trial.

K. MODIFICATION TO UNIFORM PRE-TRIAL PROCEDURE. Upon written stipulation of the parties filed with the court, the Pre-Trial Procedure, except for items II D-F, inclusive, may be modified in accordance with the parties' stipulation, except to the extent that the stipulation may interfere with the Court's scheduling of the matter for trial or hinder the orderly progress of the trial.

L. PREMARKING EXHIBITS. Prior to trial, each party shall meet with and assist the clerk in marking for identification all exhibits, as directed by the clerk.

M. DEPOSITION DESIGNATIONS. No later than **20 DAYS PRIOR TO TRIAL**, each party shall serve his, her, or its designation of depositions, or portions of depositions, each intends to offer as testimony in his, her or its case in chief. No later than **10 DAYS PRIOR TO TRIAL**, each opposing party shall serve his, her, or its counter (or "fairness") designations to portions of depositions designated, together with objections to

the depositions, or portions thereof, originally designated. No later than trial, each party shall serve his, her or its objections to counter designations served by an opposing party.

III. MEDIATION

A. All parties are required to participate in mediation.
   1. The appearance of counsel who will try the case and representatives of each party with full authority to enter into a complete compromise and settlement is mandatory. If insurance is involved, an adjuster with authority up to the policy limits or the most recent demand, whichever is lower, shall attend.
   2. At least **ONE WEEK BEFORE THE CONFERENCE**, all parties shall file with the mediator a brief, written summary of the case containing a list of issues as to each party. If an attorney or party filing the summary wishes its content to remain confidential, he/she must advise the mediator in writing when the report is filed.
   3. All discussions, representations, and statements made at the mediation conference shall be privileged consistent with Florida Statutes sections 44.102 and 90.408.
   4. The mediator has no power to compel or enforce a settlement agreement. If a settlement is reached, it shall be the responsibility of the attorneys or parties to reduce the agreement to writing and to comply with Florida Rule of Civil Procedure 1.730(b), unless waived.

B. The Plaintiff's attorney shall be responsible for scheduling mediation. The parties should agree on a mediator. If they are unable to agree, any party may apply to the Court for appointment of a mediator in conformity with Rule 1.720 (f), Fla. R. Civ. P. The lead attorney or party shall file and serve on all parties and the mediator a Notice of Mediation giving the time, place, and date of the mediation and the mediator's name. The mediator shall be paid $175.00 per hour, unless otherwise agreed by the parties.

C. Completion of mediation prior to trial is a prerequisite to trial. If mediation is not conducted, or if a party fails to participate in mediation, the case, at the Court's discretion, may be stricken from the trial calendar, pleadings may be stricken, and other sanctions may be imposed.

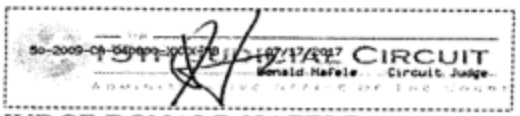
D. Any party opposing mediation may proceed under Florida Rule of Civil Procedure 1,700(b).

IV. NONCOMPLIANCE

NONCOMPLIANCE WITH ANY PORTION OF THIS ORDER MAY RESULT IN THE STRIKING OF THE CASE, WITNESSES, OR EXHIBITS, OR IMPOSITION OF SUCH OTHER SANCTIONS AS ARE JUST.

Order Specially Setting Jury Trial
Case No: 50-2009-CA-040800-XXXX-MB

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida this 20th day of July, 2017.



JUDGE DONALD HAFELE
Circuit Judge

Copies furnished to:

- ☑ ([redacted])
- ☑ Andrew A. Harris ([redacted])
- ☑ Bradley James Edwards ([redacted])
- ☑ Fred Haddad ([redacted])
- ☑ John Scarola ([redacted])
- ☑ JOSEPH L ACKERMAN, JR ([redacted])
- ☑ Maria Kelljchian ([redacted])
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- ☑ William Chester Brewer, Jr. ([redacted])
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- ☑ John Scarola ([redacted])
- ☑ Rodney G Romano ([redacted])
- ☑ John R. Beranek ([redacted])
- ☑ Fred Haddad ([redacted])
- ☑ James B Chaplin ([redacted])
- ☑ Tonja Haddad Coleman ([redacted])
- ☑ Fred Haddad ([redacted])

Order Specially Setting Jury Trial
Case No: 50-2009-CA-040800-XXXX-MB

- ☑ Jayme Lynn Day (Jayme[redacted])
- ☑ John R. Beranek [redacted])
- ☑ Jack A Goldberger [redacted])
- ☑ Andrew A Harris [redacted])
- ☑ Philip M Burlington ([redacted])
- ☑ Marc Nurik ([redacted])
- ☑ Jack A Goldberger ([redacted])
- ☑ Bradley Edwards ([redacted])
- ☑ W Chester Brewer Jr ([redacted])

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
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CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS, individually, and
[redacted]1., individually,

Defendant(s).
_____/

EXHIBIT
tabbies
B

ORDER ON MOTION TO RECONFIRM EXISTING PRETRIAL DEADLINES
AND RE PRETRIAL STIPULATION

THIS CAUSE having come to be considered upon Bradley J. Edwards' MOTION TO RECONFIRM EXISTING PRETRIAL DEADLINES, and the Court having reviewed the file and being fully advised in the premises, it is hereby,

ORDERED and ADJUDGED: that the motion is granted & the time that wholesale additional discovery will not be permitted but individual discovery requests may be allowed on a* matter by matter basis and only if the discovery requests are impacted by the court's rulings on motions currently pending & to be heard on Nov. 29, Dec. 6 & 7th '17. Joint pre-trial stipulation shall be prepared and filed no later than December 15, '17.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this 27 day of Nov., 2017.

DONALD HAFELE
CIRCUIT JUDGE

Copies have been furnished to all counsel on the attached counsel list.