

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

CASE NO. 502008CA028051XXXMB AB

L.M.,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

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**EPSTEIN'S MOTION TO COMPEL**  
**ANSWERS TO FOURTH SET OF INTERROGATORIES**

Defendant, JEFFREY EPSTEIN ("Epstein"), pursuant to Fla. R. Civ. P. 1.380, moves to compel Plaintiff, L.M. to answer Epstein's Fourth Set of Interrogatories and states:

1. On February 25, 2010, Epstein propounded his Fourth Set of Interrogatories on LM (attached as **Exhibit A**).
2. On April 1, 2010, LM served Unverified Answers to Defendant's Fourth Interrogatories (attached as **Exhibit B**).
3. First, Epstein moves to compel LM to provide verified answers to Epstein's Fourth Set of Interrogatories as required by Fla. R. Civ. P. 1.340, which provides that "[e]ach interrogatory shall be answered separately and fully in writing under oath...."
4. Next, Epstein moves to compel LM to provide a better answer to Interrogatory No. 1, which states:

List the names, business addresses, telephone and cell phone numbers, dates of employment, immediate supervisor (name and address) and rates of pay regarding all employers, including self-employment, for whom you have worked since you answered the First Set of Interrogatories

propounded by Defendant on or about December 10, 2008; this includes listing any and all sources of income you have received.

5. LM failed to provide an adequate answer to Interrogatory No. 1:

Objection, irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, harassing, without waiving objections or invocations of privilege, Plaintiff has already been deposed since December 2008 on the subject, additionally, she has withdrawn her wage claim.

6. Moreover, her objections are not well founded as the interrogatory seeks relevant information notwithstanding that LM withdrew her wage claim.

7. Epstein is entitled to discovery information regarding LM's employment. LM has repeatedly testified that Epstein forced her into a life of prostitution. Since LM asserts causes of action for battery and intentional infliction of emotional distress in addition to her claim under Fla. Stat. §796.09, information related to her employment is clearly relevant and discoverable. See Balas v. Ruzzo, 703 So. 2d 1076, 1080 (Fla. 5th DCA 1997) (holding that since plaintiff filed a multi-count complaint that included claims for battery and intentional infliction of emotional distress, in addition to her cause of action under Fla. Stat. §796.09, discovery related to plaintiff's employment was relevant and discoverable).

8. Indeed, Judge Linnea Johnson, in her October 28, 2009 Order on Epstein's Motions to Compel (DE #377), found that information related to Plaintiff's income is directly relevant to her emotional and psychological damage claims:

Plaintiff ... is seeking millions of dollars in personal injury damages for, among other things, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity and invasion of her privacy. ... The sought after tax returns and supporting information will provide

direct evidence as to Plaintiff's claim damages, both with regard to her loss of earning capacity damage claim as well as her emotional psychological/mental health type damage claims.

See DE #377 at 5 – 6.

9. As such, information regarding LM's employment, supervisors, co-workers, clients and/or customers is relevant to her alleged damages, which include pain and suffering, emotional distress, psychological trauma, mental anguish humiliation, embarrassment, loss of self-esteem, loss of dignity and loss of the capacity to enjoy life. See Second Amended Complaint. For example, LM has admitted to working as a prostitute and working at what she called a "jack shack," in which she was paid to masturbate and perform oral sex on 1 – 4 men per day. See 2/09/10 Deposition of LM at 455 – 458. This is the same conduct for which LM is claiming damages in this case. Accordingly, LM's work as a prostitute, as well as any other employment, is clearly discoverable as it goes directly to her damage claims and the issue of proximate causation.

10. Moreover, in her February 9, 2010 deposition, LM testified that she is no longer engaged in prostitution. See 2/9/10 Deposition Transcript of LM ("LM Depo.") at 365-68. However, she told Epstein's expert, Dr. Hall, that she still is, in fact, a prostitute. Accordingly, Interrogatory No. 1 seeks information that goes to LM's credibility, which is certainly discoverable.

11. For the foregoing reasons, the Court should compel LM to provide a complete answer to Interrogatory No. 1.

WHEREFORE, Defendant, JEFFREY EPSTEIN, requests the Court enter an order compelling Plaintiff, L.M., to fully answer Interrogatory No. 1 and grant any

additional relief the Court deems just and proper.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing was sent by fax and U.S.

Mail to the following addressees on this 27th day of April, 2010:

Brad Edwards, Esq.  
Farmer, Jaffe, Weissing, Edwards, Fistos &  
Lehrman, PL  
424 N. Andrews Avenue, Suite 2  
Fort Lauderdale, FL 33301



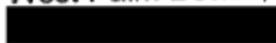
*Counsel for Plaintiff*

Jay Howell, Esq.  
Jay Howell & Associates, P.A.  
644 Cesery Boulevard  
Suite 250  
Jacksonville, FL 32211

Phone  
Fax

*Co-counsel for Plaintiff*

Jack Alan Goldberger, Esq.  
Atterbury Goldberger & Weiss, P.A.  
250 Australian Avenue South  
Suite 1400  
West Palm Beach, FL 33401-5012

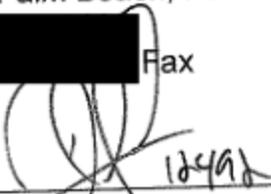


*Co-Counsel for Defendant Jeffrey Epstein*

**BURMAN CRITTON LUTTIER & COLEMAN, LLP**  
303 Banyan Boulevard, Suite 400  
West Palm Beach, FL 33401



Fax

By:  \_\_\_\_\_

Robert D. Critton, Jr.  
Florida Bar #   
Michael J. Pike  
Florida Bar # 

(Counsel for Defendant Jeffrey Epstein)

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

L.M.,

CASE NO. 502008CA028051XXXXMB AB

Plaintiff,

v.

JEFFREY EPSTEIN

Defendant.

**DEFENDANT'S NOTICE OF SERVING  
FOURTH SET OF INTERROGATORIES TO PLAINTIFF**

Defendant, Jeffrey Epstein, (hereinafter "Mr. Epstein"), files this Notice of Serving Fourth Set of Interrogatories to Plaintiff L.M., pursuant to Rule 1.340, Florida Rules of Civil Procedure, and request the Plaintiff to answer said interrogatories in writing within thirty (30) days from date of service hereof.

**Certificate of Service**

I HEREBY CERTIFY that a true copy of the foregoing was sent by U.S. Mail to the following addressees on this 15<sup>th</sup> day of February, 2010:

Brad Edwards, Esq.  
Farmer, Jaffe, Weissing, Edwards, Fistos  
& Lehrman, PL  
425 N. Andrews Avenue, Suite 2  
Fort Lauderdale, FL 33301  
954-524-2820  
954-524-2822 – fax  
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*Counsel for Plaintiff*

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*Co-Counsel for Defendant Jeffrey Epstein*

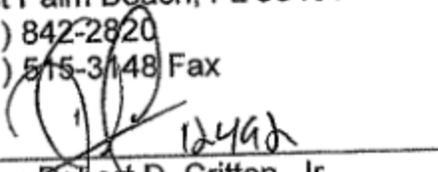
Jay Howell, Esq.  
Jay Howell & Associates, P.A.  
644 Cesery Boulevard  
Suite 250  
Jacksonville, FL 32211

EXHIBIT A

904-680-1234 Phone  
904-680-1238 Fax  
*Co-counsel for Plaintiff*

**BURMAN, CRITTON, LUTTIER  
& COLEMAN, LLP**  
303 Banyan Boulevard, Suite 400  
West Palm Beach, FL 33401  
(561) 842-2820  
(561) 515-3148 Fax

By: \_\_\_\_\_



Robert D. Critton, Jr.  
Florida Bar #224162  
Michael J. Pike  
Florida Bar #617296  
*(Counsel for Defendant Jeffrey Epstein)*

## DEFINITIONS AND INSTRUCTIONS

1. The term "Plaintiff" refers to L.M., and all her agents, employees, representatives, attorneys, accountants or anyone else acting on their behalf.
2. The term "Defendant" refers to Jeffrey Epstein and all his agents, representatives, employees, assigns, or other person or persons acting or purporting to act on its behalf.
3. The words "and" and "or" shall be construed both conjunctively and disjunctively so as to make the request inclusive rather than exclusive. The singular shall be construed to include the plural and the plural to include the singular.
4. The word "communication(s)" shall mean any oral or written statement or exchange of information of any type between two or more persons, including but not limited to documents, telephone or face-to-face conversations, meetings or conferences.
5. The word "document" shall mean any writing of every kind, including, but not limited to, any letter, book, record, report, file folder, envelope, file cabinet drawer label, memorandum, correspondence, communication, drawing, chart, draft, schedule, photograph, tape, disc, card, wire, computer program computer printout and any other electronic or mechanical recording or transcript of any other instrument or device from which information can be perceived or which is used to memorialize human thought, speech or action in the possession, custody, or control of Plaintiff. The term "document" also includes copies containing information in addition to that contained on the original and all the attachments, enclosures, or documents referred to in any document. The term "document" is also defined to be synonymous in meaning and equal in scope to

the usage of this term in Federal Rule of Civil Procedure 34(a), including, without limitation, electronic or computerized data compilations. A draft or non-identical copy is a separate document within the meaning of this term.

6. The word "person" shall mean any natural person, individual, proprietorship, partnership, corporation, association, organization, joint venture, business trust or other business enterprise, governmental body or agency, or governmental, public, legal, or business entity, or group of natural persons or other entities whether *sui juris* or otherwise.

7. The phrase "relate to" shall mean refer to, contain, allude to, respond to, comment upon, discuss, show, disclose, explain, mention, analyze, constitute, comprise, evidence, set forth, summarize, support, refute or characterize, either directly or indirectly, in whole or in part.

8. "Identify," when used to refer to a natural person, means to state the following:

- (a) his or her full name and address (or, if the present address is not know, his or her last known address);
- (b) the full name and address of each of his or her employers, each corporation of which he or she is an officer or director, and each business in which he or she is a principal;
- (c) his or her present position (or if the present position is not known, his or her last known position(s) at the time of the act to which the Interrogatory response relates).
- (d) Such other information sufficient to enable Defendant to identify the person.

9. "Identify" when used to refer to any entity other than a natural person means to state the following:

- (a) The full name of the entity, the type of the entity (e.g., corporation, partnership, etc.), the address of its principle place of business, its principle business activity, and if it is a corporation, the jurisdiction under which it has been organized and the date of incorporation.

10. "Identify," when used with reference to a Document or Communication means to state the following:

- (a) the nature of the document (e.g., letter, memorandum, etc), date of creation, author, place of preparation, the name and address of each addressee;
- (b) The identity of each signatory;
- (c) The title or heading of the document;
- (d) the general substance and subject matter;
- (e) Its present location and custodian (or, if not know, the last known);
- (f) the identity of each person to whom a copy of the document was sent and each date of its receipt and date of its transmittal or other disposition;
- (g) The circumstance of each such receipt and each transmittal or other disposition, including identity of the person transmitting and receiving it.

11. In lieu of identifying any document, Plaintiff may attach a true and correct copy of such document as an exhibit to its response to these Interrogatories, along with an explicit reference to the Interrogatory to which each document is responsive.

12. If the response to all or part of any Interrogatory is not known at the time the initial response is made, please include a statement to that effect, furnish the information that is known or available, and respond to the Interrogatory by amended or supplemental response in writing under oath within ten (10) days of the date on which the complete response becomes known or available.

#### FOURTH SET INTERROGATORIES TO PLAINTIFF

1. List the names, business addresses, telephone and cell phone numbers, dates of employment, immediate supervisor (name and address) and rates of pay regarding all employers, including self-employment, for whom you have worked since you answered the First Set of Interrogatories propounded by Defendant on or about December 10, 2008; this includes listing any and all sources of income you have received.
  
2. Identify<sup>1</sup> each physician or medical provider (including mental health professionals, drug or alcohol counselors and therapists) with whom you have consulted or who has treated or examined you, and identify each facility (including drug or alcohol treatment facilities, whether inpatient or outpatient) where you have received any consultation, examination or treatment that is in any way related to this case; and state as to each the date of consultation, examination or treatment and the injury, condition or other reason for which you were examined or treated since you answered the First Set of Interrogatories propounded by Defendant on or about December 10, 2008.

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<sup>1</sup> Please refer to the "Definitions" section of these Interrogatories for the information sought by use of the term "identify."

3. List separately the names, addresses and phone numbers of all males, excluding Mr. Epstein, with whom you have had sexual activity since you answered the First Set of Interrogatories propounded by Defendant on or about December 10, 2008 up through the current date. Describe the nature of sexual activity, the date(s) and whether you received money or other consideration from the person.
  
4. Are you now, or have you ever been a member of a social networking website such as MySpace.com, Facebook.com, Bebo.com, Flickr.com or any similar websites?
  - a. If so, please list all social networking websites of which you are currently a member; list all social networking websites of which you were previously a member and state the date you joined each site and the date you cancelled your membership with each site.
  
  - b. Also, please list all usernames, screen names or "handles" you used for each social networking site of which you were ever a member. Also, please provide all uniform resource locators ("URL") for each social networking website of which you are, or were previously a member (i.e. myspace.com/janedoe).

5. Are you now, or have you ever been a member of an online dating website such as match.com, eharmony.com, cupid.com or any similar website?

a. If so, please list all online dating websites of which you are currently a member; list all online dating websites of which you were previously a member and state the date you joined each site and the date you cancelled your membership with each site.

b. Also, please list all usernames, screen names or "handles" you used for each online dating website of which you were ever a member. Also, please provide all URLs for each social networking website of which you are, or were previously a member (i.e. match.com/janedoe).

6. Do you, or have you ever kept, a diary or journal since 2002? If so, please state whether the diary or journal was/is kept in hard copy or whether it was/is kept on a computer or other electronic device.

a. If the diary or journal was kept in hard copy, describe its physical attributes (i.e. book, collection of loose paper, day planner) and state its current location.

- b. If the diary or journal was/is kept on a computer or other electronic device, please identify the computer or electronic device, including the make and model; identify the owner of the computer or electronic device; and state the current location of the computer or electronic device. If the current location is unknown, please state the last known location of the computer or electronic device.
  
  - c. Identify all individuals, including their full name, current address, home telephone number and cellular telephone number, that have read any portion of the diary or journal.
  
  - d. Please state whether any copies were made of the diary or journal. If so, state the number of copies made and identify all individuals, including their full name, current address, home telephone number and cellular telephone number, who have, or at any time had, a copy of the diary or journal.
10. Please identify all computers you have used since 2002 and identify the owner of each computer; state the make, model and current location of each computer; if the current location of a particular computer is unknown, state each location in which you used last used each computer.



**VERIFICATION**

By: \_\_\_\_\_

STATE OF FLORIDA            )  
  ) ss  
COUNTY OF PALM BEACH    )

SWORN TO AND SUBSCRIBED before me this \_\_\_\_ day of \_\_\_\_\_, 2010 by \_\_\_\_\_, who is personally known to me or has produced the following identification \_\_\_\_\_ which is current or has been issued within the past five years and bears a serial or other identifying number.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

NOTARY PUBLIC - STATE OF FLORIDA  
Commission Number:  
My commission expires:  
(Notarial Seal)

4/1 2

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

CASE NO: 502008CA028051XXXXMB AB

L.M.

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

**NOTICE OF SERVICE OF PLAINTIFF'S UNVERIFIED ANSWERS TO  
DEFENDANT'S FOURTH INTERROGATORIES**

Plaintiff, L.M., hereby files her Notice of Service of Plaintiff's Unverified  
Answers to Fourth Interrogatories propounded by Defendant on ~~March~~ <sup>February</sup> 25, 2010.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the original of the above and a copy of the  
foregoing has been provided this 1<sup>st</sup> day of April 2010 via U.S. Mail and email  
transmittal to all those on the attached service list

**Farmer, Jaffe, Weissing,  
Edwards, Fistos & Lehrman, P.L.**  
425 N. Andrews Ave., Suite 2  
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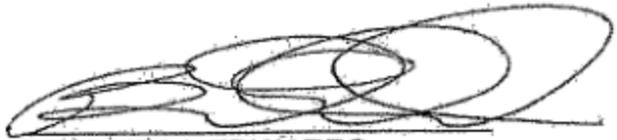
By:   
BRADLEY J. EDWARDS  
Florida Bar No.: 542075

EXHIBIT B

cc: JEK

**SERVICE LIST**

Robert D. Critton, Jr.  
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Jay Howell & Assoc.  
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Suite 250  
Jacksonville, FL 32211

Jack Alan Goldberger, Esq.  
Atterbury Goldberger et al.  
250 Australian Avenue South  
Suite 1400  
West Palm Beach, FL 33401

## **PLAINTIFF'S ANSWERS TO FOURTH INTERROGATORIES**

1. List the names, business addresses, telephone and cell phone numbers, dates of employment, immediate supervisor (name and address) and rates of pay regarding all employers, including self-employment, for whom you have worked since you answered the First Set of Interrogatories propounded by Defendant on or about December 10, 2008; this includes listing any and all sources of income you have received.

### **ANSWER:**

Objection, irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, harassing, without waiving objections or invocations of privilege, Plaintiff has already been deposed since December 2008 on the subject, additionally, she has withdrawn her wage claim.

2. Identify<sup>1</sup> each physician or medical provider (including mental health professionals, drug or alcohol counselors and therapists) with whom you have consulted or who has treated or examined you, and identify each facility (including drug or alcohol treatment facilities, whether inpatient or outpatient) where you have received any consultation, examination or treatment that is in any way related to this case; and state as to each the date of consultation, examination or treatment and the injury, condition or other reason for which you were examined or treated since you answered the First Set of Interrogatories propounded by Defendant on or about December 10, 2008.

### **ANSWER:**

Amy C. Swan, Psy.D.  
918 N. E. 26th Avenue  
Fort Lauderdale, FL 33304

### **Interrogatories 3-12**

### **ANSWERS:**

Objection, beyond the limit of Interrogatories allowed pursuant to FRCP 1.340.