

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

CIVIL DIVISION

CASE NO.

JEFFREY EPSTEIN, individually,

Plaintiff,

vs.

SITRICK AND COMPANY, a division  
of SITRICK BRINCKO GROUP, LLC

Defendant.

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COMPLAINT TO STAY ENFORCEMENT OF FOREIGN JUDGMENT

COMES NOW, JEFFREY EPSTEIN, appearing specially, by and through his undersigned attorney, and files this Complaint to Stay Enforcement of Foreign Judgment, and as grounds would show:

1. This is an action in which the amount in controversy is in excess of \$15,000.
2. The Defendant, SITRICK AND COMPANY, a division of SITRICK BRINCKO GROUP, LLC, is a Delaware limited liability company which does business in the State of California.
3. The Plaintiff, JEFFREY EPSTEIN, is and was, at all times material hereto, a resident of the U.S. Virgin Islands.
4. On or about August 27, 2014, the Defendant caused to be filed an "Affidavit in Support of Foreign Judgment in Florida" with the Clerk of the Fifteenth Judicial Circuit, in and for Palm Beach County. A copy of this Affidavit, along with the California default judgment in

question, are attached hereto as Composite Exhibit "A".

5. The California default judgment attached hereto is void and unenforceable as the Plaintiff, JEFFREY EPSTEIN, was never properly served with process in the underlying California action in which the default judgment was obtained.

6. A Proof of Service of Summons which was filed in the California action in which Defendant obtained its default judgment is attached hereto as Exhibit "B". According to the statements made in that Proof of Service of Summons, the purported service on Plaintiff allegedly took place at 358 El Brillo Way, Palm Beach, Florida.

7. As can be seen on the face of Exhibit "B", a process server attempted substituted service on Janusz Banasiak at the 358 El Brillo Way address. As also can be seen on the face of Exhibit "B", Mr. Banasiak informed the process server that JEFFREY EPSTEIN was not in, that he had left and Mr. Banasiak did not know when he would be returning. Further, the process server was told that it could be a couple of months before Mr. EPSTEIN would be present at the 358 El Brillo Way address.

8. As stated above, Mr. EPSTEIN is a resident of the U.S. Virgin Islands, and Mr. Epstein's residence in the U.S. Virgin Islands is his usual place of abode.

9. 358 El Brillo Way, Palm Beach, Florida, is not Mr. EPSTEIN's usual place of abode and he was not present or residing at that address when service was attempted. The Proof of Service of Summons shows on its face that there was no individual service on Mr. EPSTEIN, and because the attempted substitute service was made at an address which was not Mr. Epstein's usual place of abode, pursuant to Florida Statutes §48.031, the attempted service was ineffective, and the California default judgment obtained following the defective service is void.

WHEREFORE, Plaintiff, JEFFREY EPSTEIN, requests that this Court stay enforcement of

the foreign default judgment pending a hearing confirming the impropriety of the service of process by which this default judgment was obtained.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via certified mail, return receipt requested, to: Jonathan B. Cole and David A. Myers, NEMECEK & COLE, Attorney for Defendants, 15260 Ventura Boulevard, Suite 920, Sherman Oaks, CA 91403-5399, this 15<sup>th</sup> day of September, 2014.

/s/ W. Chester Brewer, Jr.  
W. CHESTER BREWER, JR.  
FLORIDA BAR NO.: 0261858  
W. Chester Brewer, Jr., P.A.  
Attorney for Plaintiff  
One Clearlake Centre, Suite 1400  
250 Australian Avenue South  
West Palm Beach, Florida 33401

Primary email: [REDACTED]

Secondary email: [REDACTED]



CFN 20140318368  
OR BK 27003 PG 1065  
RECORDED 08/27/2014 08:08:15  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1065 - 1067; (3pgs)

1 JONATHAN B. COLE (70460)  
2 DAVID A. MYERS (140181)  
3 NEMECEK & COLE  
4 A Professional Corporation  
5 15260 Ventura Boulevard, Suite 920  
6 Sherman Oaks, California 91403-5399  
7 (818)788-9500 Tel. / (818)501-0328 Fax

8 Attorneys for Plaintiff SITRICK AND COMPANY,  
9 a division of SITRICK BRINCKO GROUP, LLC

10  
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

13 SITRICK AND COMPANY, a division of  
14 SITRICK BRINCKO GROUP, LLC

15 Plaintiff,

16 -vs-

17 JEFFREY EPSTEIN, an individual, and  
18 DOES 1 through 20, inclusive,

19 Defendant.

Case No.: BC 502448  
[Assigned to the Hon. Kevin C. Brazile;  
Dept. 20]

AFFIDAVIT IN SUPPORT OF  
FOREIGN JUDGMENT IN FLORIDA

20  
21 DAVID A. MYERS, declares:

22 1. I am an attorney licensed to practice law in the State of California. I am a member of  
23 Nemecek & Cole, a Professional Corporation, the attorneys of record for Plaintiff/Judgment Creditor,  
24 SITRICK AND COMPANY, a division of SITRICK BRINCKO GROUP, LLC ("SITRICK"). I  
25 have personal knowledge of the following facts and could and would competently testify thereto if  
26 called as a witness in this action.

27 2. The judgment creditor's name is SITRICK AND COMPANY, a division of SITRICK  
28 BRINCKO GROUP, LLC and the business address is 11999 San Vicente Blvd., Penthouse, Los

1 Angeles, CA 90049.

2  
3 3. The judgment debtor is known to me as JEFFREY EPSTEIN and was last known to  
4 reside at 358 El Brillo Way, Palm Beach, FL 33480.

5 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
6 true and correct.

7  
8 Dated: 8/20/14

David A. Myers  
DAVID A. MYERS

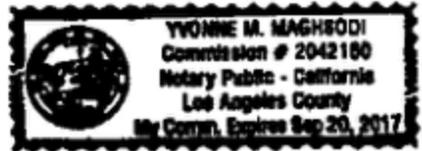
9  
10  
11  
12  
13  
14 State of California  
15 County of Los Angeles

16 On August 20, 2014 before me, Yvonne M. Maghsodi, Notary Public  
(insert name and title of the officer)

17 personally appeared David A. Myers  
18 who provided to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~-  
19 subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in  
his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(~~s~~) on the instrument the  
20 person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

21 I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

22 WITNESS my hand and official seal.



23  
24  
25 Signature Yvonne M. Maghsodi (Seal)  
26  
27  
28

This is not a certified copy

**Notice - Recording of Foreign Judgment**  
This notice is pursuant to provisions under F.S. Chapter 55.  
The foregoing reflects the name & address of the Judgment  
Creditor & their attorney, if any. Mailed by Registered  
Mail # EA 299 268 440 US on  
this 21<sup>st</sup> day of Aug 2014.  
Sharon R. Bock, Clerk & Comptroller  
By [Signature] ■



Return to: (enclose self-addressed stamped envelope)

Name:

Address:



CFN 20140318369  
OR BK 27003 PG 1068  
RECORDED 08/27/2014 08:00:15  
Palm Beach County, Florida  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 1068 - 1069; (2pgs)

This is a

ORIGINAL

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print name, state bar number, and address) Jonathan B. Cole (SBN 70460) David A. Myers (SBN 140181) NEMBECK & COLE 15260 Ventura Blvd., Suite 920 Sherman Oaks, CA 91403 TELEPHONE NO: (818) 788-9500 FAX NO. (818) 501-0328 E-MAIL ADDRESS: dmyers@nembeck-cole.com ATTORNEY FOR (Name): Plaintiff		FOR COURT USE ONLY  <b>FILED</b> Superior Court of California County of Los Angeles  <b>APR 14 2014</b>  Sheri B. Carter, Executive Officer/Clerk By: <i>[Signature]</i> Deputy Bernice G. Jordan
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: CENTRAL DISTRICT		
PLAINTIFF: SITRICK AND COMPANY, a division of SITRICK BRINCKO GROUP, LLC DEFENDANT: JEFFREY EPSTEIN, an individual; and DOBS 1-20		
JUDGMENT <input type="checkbox"/> By Clerk <input checked="" type="checkbox"/> By Court <input checked="" type="checkbox"/> By Default <input type="checkbox"/> On Stipulation <input type="checkbox"/> After Court Trial <input type="checkbox"/> Defendant Did Not Appear at Trial		CASE NUMBER: BC502448

1.  **BY DEFAULT**
- a. Defendant was properly served with a copy of the summons and complaint.
- b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
- c. Defendant's default was entered by the clerk upon plaintiff's application.
- d.  Clerk's Judgment (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
- e.  Court Judgment (Code Civ. Proc., § 585(b)). The court considered  
 (1)  plaintiff's testimony and other evidence.  
 (2)  plaintiff's written declaration (Code Civ. Proc., § 585(d)).
2.  **ON STIPULATION**
- a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
- b.  the signed written stipulation was filed in the case.
- c.  the stipulation was stated in open court  the stipulation was stated on the record.
3.  **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
- a. The case was tried on (date and time):  
 before (name of judicial officer):
- b. Appearances by:
- |  |  |
|--|--|
| <input type="checkbox"/> Plaintiff (name each):      | <input type="checkbox"/> Plaintiff's attorney (name each): |
| (1)  | (1)  |
| (2)  | (2)  |
| <input type="checkbox"/> Continued on Attachment 3b. |  |
| <input type="checkbox"/> Defendant (name each):      | <input type="checkbox"/> Defendant's attorney (name each): |
| (1)  | (1)  |
| (2)  | (2)  |
| <input type="checkbox"/> Continued on Attachment 3b. |  |
- c.  Defendant did not appear at trial. Defendant was properly served with notice of trial.
- d.  A statement of decision (Code Civ. Proc., § 632)  was not  was requested.

PLAINTIFF: SITRICK AND COMPANY, a division of SITRICK BRINCKO GROUP, LLC  
 DEFENDANT: JEFFREY EPSTEIN; an individual; and DOES 1-20

CASE NUMBER: BC502448

JUDGMENT IS ENTERED AS FOLLOWS BY:  THE COURT  THE CLERK

4.  Stipulated Judgment. Judgment is entered according to the stipulation of the parties.

5. Parties. Judgment is

a.  for plaintiff (name each): Sitrick And Company, a division of Sitrick Brincko Group, LLC  
 and against defendant (names): Jeffrey Epstein, an individual

c.  for cross-complainant (name each):  
 and against cross-defendant (name each):

Continued on Attachment 5a.

Continued on Attachment 5c.

b.  for defendant (name each):

d.  for cross-defendant (name each):

B. Amount.

a.  Defendant named in item 5a above must pay plaintiff on the complaint:

c.  Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1)	<input checked="" type="checkbox"/> Damages	\$ 103,517.82
(2)	<input checked="" type="checkbox"/> Prejudgment interest at the annual rate of 10	\$ 29,652.93
(3)	<input checked="" type="checkbox"/> Attorney fees	\$ 20,000.00
(4)	<input checked="" type="checkbox"/> Costs	\$ 2,293.47
(5)	<input type="checkbox"/> Other (specify):	\$ 0.00
(6)	<b>TOTAL</b>	<b>\$ 155,464.22</b>

(1)	<input type="checkbox"/> Damages	\$ 0.00
(2)	<input type="checkbox"/> Prejudgment interest at the annual rate of %	\$ 0.00
(3)	<input type="checkbox"/> Attorney fees	\$ 0.00
(4)	<input type="checkbox"/> Costs	\$ 0.00
(5)	<input type="checkbox"/> Other (specify):	\$ 0.00
(6)	<b>TOTAL</b>	<b>\$ 0.00</b>

b.  Plaintiff to receive nothing from defendant named in item 5b.  
 Defendant named in item 5b to recover costs \$ 0.00  
 and attorney fees \$ 0.00

d.  Cross-complainant to receive nothing from cross-defendant named in item 5d.  
 Cross-defendant named in item 5d to recover costs \$ 0.00  
 and attorney fees \$ 0.00

7.  Other (specify):

Date:

U  
A

Date:

Kevin C. Bryant  
 JUDICIAL OFFICER  
 Clerk, by \_\_\_\_\_ Deputy

CLERK'S CERTIFICATE (Optional)

I certify that this is a true copy of the original judgment on file in the court.

Date: AUG 15 2014

SHERRI R. CARTER

Clerk, by D WADE Deputy



JUDGMENT

Page 2 of 2

ORIGINAL

POS-010

FOR COURT USE ONLY

FILED

LOS ANGELES SUPERIOR COURT

JUN 7 2013

JUNIA CLANKE, CLERK

BY MARY FLORES, DEPUTY

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

JONATHAN B. COLE

70460

NEMECEK & COLE ==

15260 VENTURA BLVD., SUITE 920

SHERMAN OAKS, CA 91403

TELEPHONE: (818) 788-9500

ATTORNEY FOR: PLAINTIFF

L.A. SUPERIOR COURT/ CENTRAL LIMITED/UNLIMITED

STREET ADDRESS: per rule 2.150 (a) (8):

MAILING ADDRESS: the address of the court is not required

CITY AND ZIP CODE:

BRANCH NAME:

Plaintiff  
Defendant

SITRICK AND COMPANY, A DIVISION OF SITRICK BR  
JEFFREY EPSTEIN

CASE NUMBER:

BC502448 D-20

Clk. Ref. or File No.:

2489.003

PROOF OF SERVICE OF SUMMONS

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of:

SUMMONS; FIRST AMENDED COMPLAINT; NOTICE OF CASE ASSIGNMENT-UNLIMITED CIVIL CASE

3. a. [XX] Party served

JEFFREY EPSTEIN, AN INDIVIDUAL

b. [ ] Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):

4. Address where the party was served: 358 EL BRILLO WAY

Palm Beach, FL 33480

5. I served the party (check proper box)

b. [XX] by substituted service. On (date): 05/30/13 at (time): 10:00 am I left the documents listed in item 2 with in the presence of:

JANUSZ BANASIAK, CO-OCCUPANT

(2) [XX] (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.

(4) [XX] I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., 415.20). I mailed the documents on (date): 05/31/13 from (city): BOCA RATON, FL or [ ] a declaration of mailing is attached.

(5) [XX] I attach a declaration of diligence stating actions taken first to attempt personal service.

Page 1 of 2

Computer-generated form  
Judicial Council of California  
POS-010 (Rev. January 1, 2007)

PROOF OF SERVICE OF SUMMONS

Code of Civil Procedure, 417.10

OO: 11 alberta



AX0211-13541601

EXHIBIT "B"

EFTA01092964

Plaintiff  
Defendant

SITRICK AND COMPANY, A DIVISION OF SITRICK BRINCK  
JEFFREY EPSTEIN

CASE NUMBER:  
BC502448

c.  by mail and acknowledgment of receipt of service, I mailed the documents listed in item 2 to the party, to the address shown in Item 4, by first-class mail, postage prepaid.

(1) on (date):

(2) from (city):

(3)  with two copies of the Notice and Acknowledgment of Receipt (form 982(a)(4) and a postage paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt (form 982(a)(4).) (Code of Civ. Proc., 415.30).)

(4)  to an address outside California with return receipt requested. (Code Civ. Proc., 415.40)

d.  by other means specify means of service and authorizing code section):

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a.  as an individual defendant.

b.  as the person sued under the fictitious name of (specify):

c.  as occupant/tenant.

d.  on behalf of:

under the following Code of Civil Procedure section:

<input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> 416.60 (minor)
<input type="checkbox"/> 416.20 (defunct corporation)	<input type="checkbox"/> 416.70 (ward or conservatee)
<input type="checkbox"/> 416.30 (joint stock or company association)	<input type="checkbox"/> 416.90 (authorized person)
<input type="checkbox"/> 416.40 (association or partnership)	<input type="checkbox"/> 415.46 (occupant/tenant)
<input type="checkbox"/> 416.50 (public entity)	<input type="checkbox"/> other:
<input type="checkbox"/> CCP 415.95 (business organization, form unknown)	

7. Person who served papers

a. Name: W.S. MCNULTY, AGENT FOR: AMERICAN LEGAL SUPPORT SERVICES, INC.

b. Address: 16938 Ventura Boulevard Encino CA 91316

c. Telephone number: (213) 928-7247

d. The fee for service was: \$ 220.00 (recoverable under CCP1033.5(a)(4)(B))

e. I am:

(1)  not a registered California process server.

(2)  exempt from registration under Business and Professions Code Section 22350(b).

(3)  registered California process server:

(i)  Owner  Employee  Independent contractor.

(ii) Registration No.:

(iii) County:

8.  I declare under penalty of perjury under the laws of the State of California that  the foregoing is true and correct.

or

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 06/03/13

W.S. MCNULTY

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

JONATHAN B. COLE  
NEMECEK & COLE ==  
15260 VENTURA BLVD., SUITE 920  
SHERMAN OAKS, CA 91403  
TELEPHONE: (818) 788-9500

70460

FOR COURT USE ONLY

ATTORNEY FOR (Name): PLAINTIFF

L.A. SUPERIOR COURT/ CENTRAL

STREET ADDRESS: per rule 982.9 (a) (8):

MAILING ADDRESS: the address of the court is not required

CITY AND ZIP CODE:

BRANCH NAME: L.A. SUPERIOR COURT/ CENTRAL LIMITED/UNLIMITED

Plaintiff  
Defendant

SITRICK AND COMPANY, A DIVISION OF SITRICK BR  
JEFFREY EPSTEIN

CASE NUMBER:  
BC502448

Ref. or File No.:  
11-13541601

Declaration of Diligence

I received the within process on 05/15/13 and that after due and diligent effort, I have been unable to effect personal service on the within named party. Dates and times of attempts with reported details are listed below. Costs for diligence pertaining to substituted service is recoverable under § 1033.5(a)(4)(B).

Servee: JEFFREY EPSTEIN, AN INDIVIDUAL

Home address: 358 EL BRILLO WAY  
Palm Beach, FL 33480

Business address:

- 05/16/13 5:30pm NOT IN PER A MALE OCCUPANT, SAID JEFFREY EPSTEIN WAS NOT IN, HE LEFT AND DOES OT KNOW WHEN HE WILL BE RETURING, IT COULD BE A COUPLE OF MONTHS. I ADVISED HIM I WOULD KEEP CHECKING BACK PERIODICALLY. A VEHICLE IN THE DRIVEWAY, FL TAG: BDLH78, IS A CHEVY SUBURBAN REGISTERED TO NEC LLC IN NY.
- 05/18/13 7:45am SECOND ATTEMPT WAS MADE ON JEFFREY EPSTEIN. SAME MAN ANSWERED THE DOOR AND SAID, "I TOLD YOU , HE IS NOT HERE". I TOLD HIM I WOULD TRY BACK ANOTHER TIMES. I HAD TOLD HIM I AM A COURIER DROPPING OFF AN ENVELOPE WHICH SAYS IT HAS TO BE PERSONALLY DELIVERED. A SECOND VEHICLE WAS IN THE DRIVEWAY, FL TAG, BNHJ51, REGISTERED TO JANUSZ BANASIAK AND RODICA OPILLA BANASIAK AT THIS ADDRESS.
- 05/24/13 10:30am No answer at residence on current attempt. A vehicle in the driveway with FL tag BDL H78.
- 05/29/13 9:50am No answer at residence on current attempt. Same vehicle in the driveway with FL tag BDL H78.
- 05/30/13 8:00am No answer at residence on current attempt. Same vehicle in the driveway with FL tag BDL H78.
- 05/30/13 10:00am SUBSTITUTED SERVICE ON JANUSZ BANASIAK, CO-OCCUPANT AT THE GIVEN

⊙  
⊙  
⊙  
⊙  
⊙  
⊙  
⊙  
⊙

(Continued on next page)

FOR COURT USE ONLY

ATTORNEY OF PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

JONATHAN B. COLE 70460

NEMECEK & COLE ===  
15260 VENTURA BLVD., SUITE 920  
SHERMAN OAKS, CA 91403

TELEPHONE: (818) 788-9500

ATTORNEY FOR (Name): PLAINTIFF

L.A. SUPERIOR COURT/ CENTRAL

STREET ADDRESS: per rule 982.9 (a) (8) :

MAILING ADDRESS: the address of the court is not required

CITY AND ZIP CODE:

BRANCH NAME: L.A. SUPERIOR COURT/ CENTRAL LIMITED/UNLIMITED

Plaintiff SITRICK AND COMPANY, A DIVISION OF SITRICK BR  
Defendant JEFFREY EPSTEIN CASE NUMBER:  
BC502448

Ref. or File No.:  
11-13541601

Declaration of Diligence

I received the within process on 05/15/13 and that after due and diligent effort, I have been unable to effect personal service on the within named party. Dates and times of attempts with reported details are listed below. Costs for diligence pertaining to substituted service is recoverable under 1033.5(a)(4)(B).

Servee: JEFFREY EPSTEIN, AN INDIVIDUAL

Home address: 358 EL BRILLO WAY  
Palm Beach, FL 33480

Business address:

ADDRESS. MAILED OUT TO THE GIVEN ADDRESS ON 05/31/13 FROM BOCA RATON, FL.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Person serving (name, address, and telephone No.):

W.S. MCNULTY, AGENT FOR: AMERICAN LEGAL SUPPORT SERVICES, INC.  
16938 Ventura Boulevard  
Encino CA 91316  
(213) 928-7247

Fee for service: \$ 220.00

(recoverable per C.C.P. 1033.5(a)(4)(B))

- Not a registered California process server.
- Exempt from registration under 22350(b).
- Registered California process server.
  - (1) Employee or independent contractor.
  - (2) Registration No.:
  - (3) County:

Date: 06/03/13

*W.S. McNulty*  
\_\_\_\_\_  
(Signature)

Form Adopted by rule 982  
982.9(a)(5)

Declaration of Diligence

11-13541601

GO: 11