

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 08-80736-Civ-Marra/Johnson**

**JANE DOE #1 and JANE DOE #2**

v.

**UNITED STATES**  
\_\_\_\_\_ /

**JANE DOE #1 AND JANE DOE #2'S RESPONSE TO MOTION TO STRIKE NOTICE  
OF SUPPLEMENTAL AUTHORITY**

COME NOW Jane Doe #1 and Jane Doe #2 (also referred to as "the victims"), by and through undersigned counsel, to file this response to Epstein's Motion to Strike Notice of Supplemental Authority (doc. #177). The motion should be denied. The victims have properly provided supplemental information that the Court should consider in ruling on a pending motion – specifically an admission by Epstein's counsel that communications with Government entities are matters of public record and thus are not privileged under any theory.

This Court is familiar with all of the issues related to this case, including the overly-lenient plea deal and the various civil suits that were pursued against Mr. Epstein. Additionally, this Court knows that for a short time, from approximately April 2009 through October 2009, Mr. Edwards was an attorney at the former law firm of Rothstein Rosenfeldt Adler (RRA) while prosecuting several civil cases against Mr. Epstein for his molestation of Edwards's clients. Mr. Epstein has repeatedly tried to attack Mr. Edwards and his clients. When Scott Rothstein of the RRA firm went to jail, Epstein seized on that as a last ditch chance to push Edwards off the case. Epstein filed a SLAPP suit against Mr. Edwards, solely to attempt to harass, intimidate, and

bankrupt Mr. Edwards, and force Mr. Edwards to abandon the various actions he was pursuing on behalf of his clients against Epstein. Most of the frivolous counts against Mr. Edwards have been dismissed, and Mr. Edwards has countersued Mr. Epstein for Abuse of Process and Malicious Prosecution.

In that circuit court case, Epstein requested certain emails (such as confidential email between Edwards and his co-counsel and other confidential sources), purportedly so that he could attempt to defend the malicious prosecution action Edwards filed against him. Edwards believes that certain of those requested emails are privileged, and none of those requested emails are relevant to Epstein's defense. However, contrary to what Epstein implies in his response, Edwards has *not* claimed privilege regarding any email correspondence *with the government*.

Epstein moves to "strike" the supplemental authority that Edwards now provides to this court. But Epstein does not deny that – through his attorney, Ms. Hadded – he has taken the position that email communications with the government are not privileged "under any theory". As the Court will notice, Epstein does not even attempt to explain the inconsistent positions he has taken in different courts. The Court is certainly entitled to consider those inconsistent positions in evaluating the pending motions in this case.

### **CONCLUSION**

The Court should deny the motion to strike the supplemental authority.

DATED: June 12, 2012

Respectfully Submitted,

s/ Bradley J. Edwards  
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**CERTIFICATE OF SERVICE**

The foregoing document was served on June 12, 2012, on the following using the Court's

CM/ECF system:

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