

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and PAUL G.
CASSELL,

Plaintiffs,

vs.

ALAN M. DERSHOWITZ,

Defendant.

NOTICE OF TAKING CONTINUED VIDEO DEPOSITION DUCES TECUM

TO: All counsel on the attached Counsel list:

PLEASE TAKE NOTICE that the undersigned attorneys will take video deposition(s) of:

<u>NAME AND ADDRESS</u>	<u>DATE AND TIME</u>	<u>LOCATION</u>
Alan M. Dershowitz	1/12/16 and 1/13/16 Starting at 9:30 a.m. daily until completed	Cole, Scott & Kissane 

VIDEOGRAPHER: Above & Beyond Reprographics

***DUCES TECUM: TO HAVE AND BRING WITH YOU AT THE TIME OF THE
DEPOSITION THE FOLLOWING:**

1. Copies of any and all documents reflecting or relating to any and all occasions on which you have been physically present on Little Saint James Island including but not limited to your visit to Little Saint James Island, as described in paragraph 3 of the sworn Declaration of Alan M. Dershowitz.*¹

¹ *References to the sworn Declaration of Alan M. Dershowitz are to the Declaration attached to the contemporaneously filed Interrogatories to Defendant, Alan M. Dershowitz.

2. Copies of any and all documents evidencing the presence of your wife and daughter on Little Saint James Island, as described in paragraph 3 of the sworn Declaration of Alan M. Dershowitz.

3. Copies of any and all documents reflecting or relating to any and all occasions on which you have been physically present at Jeffrey Epstein's Ranch in New Mexico including but not limited to your visit to Jeffrey Epstein's Ranch in New Mexico, as described in paragraph 4 of the sworn Declaration of Alan M. Dershowitz.

4. Copies of any and all documents evidencing the presence of your wife and daughter at Jeffrey Epstein's Ranch in New Mexico, as described in paragraph 4 of the sworn Declaration of Alan M. Dershowitz.

5. Copies of any and all documents evidencing the presence of your wife and daughter on Jeffrey Epstein's private plane, as described in paragraph 5 of the sworn Declaration of Alan M. Dershowitz.

6. Copies of any and all documents evidencing the presence of your nephew on Jeffrey Epstein's private plane, as described in paragraph 5 of the sworn Declaration of Alan M. Dershowitz.

7. Copies of any and all documents evidencing the presence of "members of Mr. Epstein's legal team", as described in paragraph 5 of the sworn Declaration of Alan M. Dershowitz.

8. Copies of any and all flight manifests reflecting your presence or the presence of any member of your family on any aircraft on which Jeffrey Epstein was also a passenger during the same flight.

9. Copies of any and all “absolute proof” as described in paragraph 8 of the sworn Declaration of Alan M. Dershowitz.

10. Copies of any and all documents supporting the allegation that “Jane Doe #3 is a serial liar” as described in paragraph 8 of the sworn Declaration of Alan M. Dershowitz.

11. Copies of any and all documents tending to establish that President Clinton has never visited Jeffrey Epstein’s island, Little Saint James, as described in paragraph 8 of the sworn Declaration of Alan M. Dershowitz.

12. Copies of any and all documents evidencing that Jane Doe #3 “has also told lies about many world leaders” as described in paragraph 8 of the sworn Declaration of Alan M. Dershowitz.

13. Copies of any and all documents evidencing that “the State Attorney in Palm Beach County dropped a case that she sought to bring based on an assessment by the investigating detective regarding the ‘victim’s lack of credibility’” including a copy of the letter reflecting this decision as described in paragraph 8 of the sworn Declaration of Alan M. Dershowitz.

14. Copies of any and all documents evidencing that the attorneys for the Jane Does acted “in bad faith in an effort to have the media report it” as described in paragraph 9 of the sworn Declaration of Alan M. Dershowitz.

15. Copies of any and all documents reflecting that Jane Doe #3 has charged President Bill Clinton with having sex with her on Jeffrey Epstein's Little Saint James Island.

16. Copies of any and all documents reflecting that Jane Doe #3 has alleged that President Bill Clinton had sex or engaged in any inappropriate contact with her on the Island owned by Jeffrey Epstein.

17. Copies of all pages of Passports held by you at any time during the past 12 years.

18. Copies of any and all documents reflecting that Jane Doe #3 has ever willfully engaged in prostitution.

19. Copies of any and all documents reflecting that Jane Doe #3 is either a liar or has perjured herself in any way.

20. Copies of any and all documents tending to support your assertion that Bradley J. Edwards:

- a. has a reputation of being sleazy;
- b. has acted in a sleazy manner;
- c. has engaged in unethical conduct;
- d. has knowingly relied upon false statements in any legal document filed by him;
- e. has engaged in any form of unethical conduct;
- f. has engaged in any form of conduct tending to demonstrate a lack of fitness to engage in the practice of law;

- g. has engaged in any form of conduct warranting the loss of his license to practice law or the imposition of any professional disciplinary action against him;
- h. has acted in a corrupt manner;
- i. failed to conduct any investigation of the allegations of Jane Doe #3 relating to you before referring to those allegations in a legal filing.

21. Copies of any and all documents tending to support your assertion that Paul G. Cassell:

- a. has a reputation of being sleazy;
- b. has acted in a sleazy manner;
- c. has engaged in unethical conduct;
- d. has knowingly relied upon false statements in any legal document filed by him;
- e. has engaged in any form of unethical conduct;
- f. has engaged in any form of conduct tending to demonstrate a lack of fitness to engage in the practice of law;
- g. has engaged in any form of conduct warranting the loss of his license to practice law or the imposition of any professional disciplinary action against him;
- h. has acted in a corrupt manner;

- i. failed to conduct any investigation of the allegations of Jane Doe #3 relating to you before referring to those allegations in a legal filing.

22. Copies of any and all records for the period 1998-2007 reflecting or relating to travel by you and/or any member of your family on any aircraft, boat, helicopter, or other means of transport owned, controlled, or under the direction of Jeffrey Epstein and/or any business entity with which Jeffrey Epstein was affiliated at the time of travel.

23. Copies of any and all records, including emails and text messages, between you and Jeffrey Epstein between December 29, 2014 and today, regarding allegations made by Jane Doe #3 of sexual misconduct by either of you.

24. Copies of all photographs depicting any portion of any of Jeffrey Epstein's properties, including his mansions in New York and Florida, his ranch in New Mexico, and his island in the U.S. Virgin Islands.

25. A copy of the flight logs that you provided to Detective [REDACTED] of the Palm Beach Police Department on behalf of Jeffrey Epstein in 2006 or 2007, as well as copies of any and all records pertaining to your delivery and his receipt of these flight logs.

26. Copies of any and all records reflecting attempts to subpoena or question you by Mr. Edwards or other persons regarding Jeffrey Epstein's improper or sexual actions with underage girls, including all records, emails, and text messages concerning (1) correspondence sent to you around August and September, 2011 by the Searcy law firm attempting to question you regarding your presence with Jeffrey Epstein in the presence of underage females, (2) the

service of a subpoena on you around October 21, 2009, and (3) any contact with Jeffrey Epstein regarding the foregoing.

27. Copies of any and all records relating to paragraph 7 of the sworn Declaration of Alan M. Dershowitz, including any records, emails, or text messages regarding your response to a request that you provide information regarding crimes committed by Jeffrey Epstein in your presence.

28. Copies of any and all records pertaining to your knowledge of information communicated by Brad Edwards during your attendance at his deposition in the *Epstein v. Edwards* lawsuit.

29. Copies of any and all documents reflecting or relating to any statement made by you since December 30, 2014, concerning Paul Cassell or Brad Edwards.

30. Copies of any and all documents concerning your knowledge of the extent of the investigation that Messrs. Cassell and Edwards did to corroborate allegations made by Jane Doe #3.

31. Copies of any and all documents reflecting or relating to any time spent by you in the presence of Jeffrey Epstein at any time during the past 12 years.

32. Any and all documents* reflecting, constituting, or relating to any communications between Alan Dershowitz and any attorney referenced in any public statement made by Dershowitz in which Dershowitz has admitted having been informed by his lawyer that he has no viable action against Bradley Edwards or Paul Cassell including but not limited to the

following written statement made by Dershowitz, published in the *Wall Street Journal* on January 14, 2015:

Well, at least you can sue for defamation the two lawyers and the woman who made the false charges. No, you can't, your lawyer tells you. They leveled the accusation in a court document, which protects them against the defamation lawsuit as a result of the so-called litigation privilege.

33. All documents containing, concerning, or reflecting communications on or after December 30, 2014, between you (or anyone acting on your behalf) and any public news source or media representative (including ABC, NBC, MSNBC, CBS, CNN, Fox News, the BBC, the New York Times, the Wall Street Journal, The New York Daily News, The New York Post, Politico, the Huffington Post, BuzzFeed, the Palm Beach Daily News, the Miami Herald, the Boston Globe, the Harvard Crimson, the American Lawyer, Business Insider, Nancy Grace, Lou Dobbs, Lawrence O'Donnell, Greta Van Susteren, Meredith Vieira, Hala Gorani, Inside Edition), any of the following British news sources including The Sun, The Guardian, The Mirror, The Daily Record, The Daily Mail, The Independent, The Telegraph, The Sunday Times, ITV1, the BBC; any international news sources including the Australian Broadcasting System, as well as anyone acting on behalf of such publications and media which communications reference by name or otherwise Brad Edwards, Paul Cassell, Jane Doe Number 3, this action, or the pending CVRA action; whether or not such communications were "on the record" or "off the record." Please construe this request for production as broadly as you construe the parallel production request you propounded to Brad Edwards and Paul Cassell.

34. All documents containing, concerning, or reflecting correspondence or other communications with federal and/or state prosecutors and officials (including prosecutors and officials in the U.S. Attorney's Office for the Southern District of Florida and in "main Justice" in Washington, D.C. at the Child Exploitation and Obscenity Section of the Criminal Division, the Office of the Assistant Attorney General of the Criminal Division, the Deputy Attorney General's Office, or other components of the Justice Department) regarding any possible state or federal criminal charges against Jeffrey Epstein relating to sexual offenses or activities committed against or involving Jane Does No. 1, 2, 3, 4 and other under-aged victims of Jeffrey Epstein's alleged criminal conduct (or any non-prosecution agreement for such charges), including any documents involving co-conspirators of Epstein who would receive immunity from prosecution for such charges. Please include in your answer any documents concerning drafts and the final non-prosecution agreement reached between Jeffrey Epstein and the U.S. Attorney's Office for the Southern District of Florida.

35. All documents containing, concerning, or reflecting correspondence or other communications between you and any other members of the Jeffrey Epstein criminal defense team (including Roy Black, Ken Starr, Jay Lefkowitz, Martin Weinberg, Lilly Ann Sanchez) concerning a (draft or finalized) provision in a non-prosecution agreement between Jeffrey Epstein and the U.S. Attorney's Office for the Southern District of Florida extending immunity from prosecution to co-conspirators of Epstein.

36. All documents generated on or after December 30, 2014, containing, concerning, or reflecting correspondence or other communication with members of the Jeffrey Epstein

criminal defense team (including Roy Black, Ken Starr, Jay Lefkowitz, Martin Weinberg, or Lilly Ann Sanchez) regarding, directly or indirectly, the Crime Victims Rights Act case *Does v. Epstein* or this defamation case.

37. All documents generated on or after December 30, 2014, containing, concerning, or reflecting contact by you (or anyone acting with your knowledge or on your behalf) regarding allegations made against you by Jane Doe No. 3 or regarding the Crime Victims Rights Act case *Jane Does v. Epstein* with: (1) Yale Law Professor Akhil Amar, (2) Baylor Univ. President Ken Starr, (3) former federal judge and Harvard law professor Nancy Gertner, (4) Jay Lefkowitz, (5) Martin Weinberg, (6) Charles J. Ogletree, Jr., (7) Philip B. Heymann, (8) Charles R. Nesson, (9) Lewis D. Sargentich, or (10) any other member of the Harvard law faculty.

38. All documents containing, concerning, or reflecting any investigation of Jane Doe #3, conducted on or after December 30, 2014, by you or anyone acting on your behalf or at your request, including any documents reflecting contact with or correspondence with the Palm Beach County Sheriff's Office.

39. All documents related to a story (and the allegations contained in that story) that appeared on or about February 23, 2015, in the *New York Daily News* titled "EXCLUSIVE: Alleged 'sex slave' of Jeffrey Epstein, Prince Andrew accused 2 men of rape in 1998, but was found not credible."

40. All documents, communications, or correspondence that you had with Jeffrey Epstein or other persons regarding the referenced story.

41. All materials that you reviewed or upon which you relied when preparing an affidavit you filed in the CVRA case on or about January 5, 2015, which affidavit contained these statements: “Finally, on information and belief, the State Attorney in Palm Beach County dropped a case that she sought to bring based on an assessment by the investigating detective regarding the “victim’s lack of credibility.” A copy of the letter reflecting this decision was forwarded to central records.”

42. All documents containing, concerning, or reflecting any public or media statements you have made about Jeffrey Epstein’s involvement (or lack thereof) in criminal or sexual activities with underage girls, as well as about any plea agreement or non-prosecution agreement that Jeffrey Epstein should enter or did enter regarding those activities.

43. All documents containing, concerning, or reflecting insurance coverage that you have relating to allegations of defamation, including insurance that might cover the cost of defense in this matter or make a payment on your behalf (or reimburse you for a payment that you make) to Brad Edwards or Paul Cassell as the result of any settlement or judgment in this case.

44. Any and all documents* constituting, reflecting or relating to any and all communications by or on behalf of Alan Dershowitz at any time during the past 6 months which communication relates to efforts to obtain any materials held by or at Harvard University and which materials may be responsive to any previously filed request to produce herein. This request excludes attorney/client privileged communications.

45. Any and all documents* constituting or relating to communications by you, at your direction, on your behalf, and/or with your knowledge and consent which communications relate to or concern Bradley Edwards, Paul Cassell, David Boies, and/or [REDACTED] [REDACTED] which communications were with any third-party including but not limited to the New York Times, ABC, or any other news or entertainment source. This request expressly excludes documents which constitute attorney-client privileged communications between you and your legal counsel.

46. Every newspaper account and blog upon which you contend you relied in stating during an interview aired on CNN that she [referring to [REDACTED] also known as Jane Doe #3] said that Bill Clinton was with her at an orgy on Jeffrey [Epstein's] island.

47. Every source of information upon which you have relied in publicly stating that [REDACTED] ever stated that Stephen Hawking was a participant in an orgy.

48. All telephone records, notes, and documents* of any description which describe, relate to, fix the date and time of and/or concern the duration of any and all communications by you and/or any one acting on your behalf with the individuals referenced in your deposition of October 15, 2015, Michael and Rebecca.

*"Documents" shall include, but not be limited to all non-identical copies of writings, drawings, graphs, charts, photographs, phono-records, recordings, and/or any other data compilations from which information can be obtained, translated, if necessary, by the party to whom the request is directed through detection devices into reasonably usable form. "Documents" also include all electronic data as well as application metadata and system

metadata. All inventories and rosters of your information technology (IT) systems—e.g., hardware, software and data, including but not limited to network drawings, lists of computing devices (servers, PCs, laptops, PDAs, cell phones, with data storage and/or transmission features), programs, data maps and security tools and protocols.

upon oral examination before Phipps Reporting, Inc., a Notary Public; or any other officer authorized by law to take depositions in the State of Florida. The oral examination is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the applicable Statutes or Rules.

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 22nd day of December, 2015.

[Redacted]

Jack Scarola
Florida Bar No.: 169440

MARCO HOFFFIELD JR
(#37053)

[Redacted]

Searcy Denney Scarola Barnhart & Shipley, P.A.

[Redacted]

Attorneys for Plaintiffs

cc: Phipps Reporting, Inc. (court reporter)
Above & Beyond Reprographics (videographer)

E-TRANSCRIPT, ASCII, CD AND/OR DVD REQUESTED

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“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Americans with Disabilities Act Coordinator at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”

“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Americans with Disabilities Act Coordinato por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediateamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711.”

“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Americans with Disabilities Act Coordinator nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”