

JEFFREY EPSTEIN,

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

CASE NO.: 502009CA040800XXXXMBAG

JUDGE: CROW

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually,
and BRADLEY J. EDWARDS,
individually.

Defendants.

_____/

**PLAINTIFF/COUNTER-DEFENDANT EPSTEIN'S RESPONSES TO
DEFENDANT/COUNTER-PLAINTIFF BRADLEY EDWARDS'S REQUEST
FOR PRODUCTION TO COUNTER-DEFENDANT (PUNITIVE DAMAGES)**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), by and through his undersigned counsel and pursuant to Rule 1.350 of the *Florida Rules of Civil Procedure*, hereby files his responses to Defendant/Counter-Plaintiff Bradley Edward's Request for Production to Counter-Defendant (Punitive Damages):

1. Please produce all Financial Statements prepared for or submitted to any Lender or Investor for the past five (5) years by you personally or on your behalf or on behalf of any entity in which you hold a controlling interest.

Objection. This Request for Production is vague and inartfully drafted such that Epstein is unable to formulate a proper response. Any and all requested financial statements are

subject to work product privilege and/or Accountant/Client Privilege. Additionally, it is well-settled law that only current financial documents are relevant to a claim for punitive damages. *Lane v. Capital Acquisitions*, 242 F.R.D. 667 (S.D. Fla. 2005). Plaintiffs' request for non-current financial information is irrelevant to a punitive damages determination, and a request as far back as five years is deemed overly-burdensome. See *Lane v. Capital Acquisitions*, 242 F.R.D. 667 (S.D. Fla. 2005) (“[t]he Court, however, does find that Plaintiffs’ discovery requests are overbroad on their face in that some seek financial records for a five year period.”).

2. Please produce the W-2’s and any other documents reflecting any income (including salary, bonuses, profit distributions, and any other form of income), including all gross and net revenue received by you directly or indirectly for the past five (5) years.

Objection. This Request for Production is overbroad as to the five year request (see above) and vague as drafted such that Epstein is unable to draft a proper response thereto. “Any other documents” may be subject to work product privilege, Accountant/Client Privilege and/or Attorney/Client Privilege. **Without waiving said objections . . .**

3. All tax returns filed with any taxing entity during the past five (5) years by you or on your behalf, or on behalf of any entity in which you hold or held a controlling interest at the time of filing.

Objection. This Request for Production is overbroad as to the five year request (see above). To the extent that this Request for Production requests tax returns containing confidential information of third parties, this Request violates the third parties’ rights to privacy under the Art 1, § 12 of the *Florida Constitution*. **Without waiving said objections . . . (give any one owned wholly by Epstein?)**

4. All bank statements or other financial statements which were prepared by or received by you, or on your behalf or by or on behalf of any entity in which you had an ownership interest of 10% or more at any time during the past five (5) years.

Objection. This Request for Production is overbroad as to the five year request (see above). This Request for Production is vague as to the request for “other financial statements” such that Epstein is unable to formulate a satisfactory response. However, to the extent that such documents were prepared for or by Epstein, depending upon the document, may be subject to certain privileges, including work product privilege, Accountant/Client Privilege and/or Attorney/Client Privilege. Furthermore, this Request for Production violates the rights to privacy as guaranteed by Art. 1, § 12 of the *Florida Constitution* of any party who has an interest in said entity.

5. All financial statements which were prepared by you or on your behalf, or by or on behalf of any entity in which you held an ownership interest of 10% or more at any time during the past five (5) years.

Objection. This Request for Production is identical in all material respects to the Request for Production, no. 4. For this reason, each and every objection made thereto is applicable to this Request.

6. The deeds and titles to all real property owned by you or held on your behalf either directly or indirectly at any time during the past five (5) years.

Objection, This Request for Production is overbroad as to the five year request (see above). I do not know that we can object to this one- but indirectly owned by you??-any takers? Inartfully drafted and cannot respond?

7. All passbooks with respect to savings accounts, checking accounts and savings and loan association share accounts owned by you or on which you hold a right or have a held a right to withdraw funds at any time during the past five years.

Objection. This Request for Production is overbroad as to the five year request (see above). This Request for Production in so far as it requests information regarding "share accounts" is violative the third parties' rights to privacy under the Art 1, § 12 of the *Florida Constitution*. I think we have to answer as to current bank accounts solely for Jeffrey.

8. All passbooks with respect to all savings accounts, checking accounts and savings loan association share accounts, owned by you in whole or in part jointly as co-partner, or joint venture, in any business enterprise, or owned by an entity in which you have or have had a controlling interest at any time during the past 5 years.

Objection. This Request for Production is overbroad as to the five year request (see above). This Request for Production in so far as it requests information regarding "share accounts" is violative the third parties' rights to privacy under the Art 1, § 12 of the *Florida Constitution*. I think we have to answer as to current bank accounts solely for Jeffrey.

9. The most recent bank ledger sheets in your possession, or accessible by you on the internet, with respect to all bank accounts in which you have a right to withdraw funds.

Objection. This Request for Production is repetitive of Requests for Production nos. 7 and 8 to the extent that a passbook reflects the activity in a party's account, while the ledger sheet contains the identical information in different form. To the extent that this Request for Production requires production of the same information as above, this Request is overly burdensome. The remaining objections to the above Requests for Production apply hereto.

10. The most recent bank ledger sheets in your possession, or accessible by you on the internet, with respect to all bank accounts owned by you solely, or jointly as co-

partner, or joint venture, in any business enterprise, or owned by any entity to which you have a controlling interest.

Objection. This Request for Production is repetitive of Requests for Production nos. 7 and 8 to the extent that a passbook reflects the activity in a party's account, while the ledger sheet contains the identical information in different form. To the extent that this Request for Production requires production of the same information as above, this Request is overly burdensome. The remaining objections to the above Requests for Production apply hereto.

11. All checkbooks for all accounts on which you were authorized to withdraw funds in the past five (5) years.

See responses to Requests no. 7 and 8 above.

12. All corporate securities (stocks or bonds) owned by you, directly or indirectly.

This Request for Production is vague as to what is meant by "directly or indirectly" such that Epstein is unable to formulate a satisfactory response. Additionally, this Request for Production is violative the third parties' rights to privacy under the Art 1, § 12 of the *Florida Constitution*. However, without waiving said objection, the following corporate securities are owned by Mr. Epstein directly:

13. The latest available balance sheets and other financial statements with respect to any and all business enterprises of whatever nature in which you possess any ownership interest of 10% or more, whether as partner, joint venture, stockholder, or otherwise.

Objection. This Request for Production is vague as to the request for "other financial statements" such that Epstein is unable to formulate a satisfactory response. However, to the extent that such documents were prepared for or by Epstein, depending upon the document, subject to certain privileges, including work product privilege, Accountant/Client Privilege and/or Attorney/Client Privilege. Furthermore, this Request for Production violates the rights to privacy as guaranteed by the Florida Constitution to any party who has an interest in said entity. Furthermore, this Request for Production is repetitive of Request for Production no. 4.

14. Your accounts receivable ledger or other company records which sets for the names and addresses of all persons or business enterprises that are indebted to you and the amounts and terms of such indebtedness.

Objection. This Request for Production requests information that is subject to the privacy rights of third parties through Art. 1, § 12 of the *Florida Constitution*. Furthermore, any such documents are subject to work product privilege, Accountant/Client Privilege, and/or Attorney/Client Privilege.

15. Copies of the partnership or corporate Income Tax Returns for any partnership or corporation in which you do possess or have possessed any ownership interest of 10% or more whether as partner, joint venture, stockholder or otherwise, for the last five (5) years.

Objection. This Request for Production is not relevant and not likely to lead to the discovery of admissible evidence. For those partnerships or corporations in which Epstein no longer possesses an interest, if any exist, those requested tax returns are irrelevant to his financial net worth as any increase or decrease in his income as the result of the termination of his involvement in same is reflected in other documents that have been the subject of this Request for Production. This Request for Production is, therefore, overbroad in nature since it encompasses documents that are not relevant to the subject matter at issue. Lastly, this Request for Production is repetitious to the extent that it requests document production of information that is the subject of Requests for Production nos. 3, 4 & 5.

16. The title certificates, registration certificates, bills of sale, and other evidences of ownership possessed by you or held for your beneficial interest with respect to any of the following described property owned by you or held directly or indirectly for your beneficial interest:

- a. Motor vehicles of any type;
- b. Commercial, business or construction equipment of any type; and
- c. Boats, launches, cruisers, planes, or other vessels of any type.

Objection. This Request for Production is vague and inartfully drafted such that Epstein could not possibly craft a proper response thereto. **I think this might be one we just give to them as to those directly owned by Epstein or an entity in which he owns 100%.**

17. All records pertaining to the transfer of any money or property interests or financial interests made by you in the past 5 years.

Objection. This Request for Production is overbroad as to the five year request (see above). This Request for Production is likewise vague and inartfully drafted such that Epstein is unable to craft a proper response thereto.

18. Any and all memoranda and/or bills evidencing the amount and terms of all of your current debts and obligations.

Objection. This Request for Production is overbroad and places an undue burden on Epstein. **Need more for this objection.**

19. All records indicating any and all income and benefits received by you from any and all sources for the past 5 years.

Objection. This Request for Production is overbroad as to the five year request (see above). This Request for Production is overbroad in scope, and repetitive of Request for Production no. 2. Accordingly, to the extent that Epstein is able to provide a response to this Request, said response has already been provided.

20. Copies of any and all brokerage account statements or securities owned by you individually, jointly with any person or entity or as trustee, guardian or custodian, for the past 5 years, including in such records date of purchase and amounts paid for such securities, and certificates of any such securities.

Objection. This Request for Production is overbroad as to the five year request (see above). This Request for Production is also inartfully drafted such that Epstein cannot formulate a proper response. Securities are no longer owned in the name of the beneficial owner but rather are owned in the street names of the brokerage firms. Therefore, no such documents exist. Furthermore, as a trustee, guardian or custodian of any such intangibles, Epstein merely holds legal title and does not possess a beneficial interest in the asset. Therefore, as to this portion of the request, this Request for Production is not designed to lead to the discovery of any admissible evidence and is irrelevant to the issue at hand. Additionally, this Request for Production is prohibited from discovery as production of these requested documents will violate the beneficiary's rights to privacy as guaranteed by the Florida Constitution in Article 1, § 12. This right to privacy also applies to any party with whom Epstein jointly owns any such interest.

21. All records pertaining to the acquisition, transfer and sale of all securities by you or on your behalf for the past 5 years, such records to include any and all information relative to gains or losses realized from transactions involving such securities.

Objection. This Request for Production is overbroad as to the five year request (see above). This Request for Production is not relevant or likely to lead to the discovery of admissible evidence as to Epstein's current net worth. To the extent that any response to this request is warranted, any such transactions are included in the responses to Requests for Production no. 2 and 3 above.

22. All policies of insurance in which you or any entity controlled by you is the owner or beneficiary.

Objection. This Request for Production is not calculated to lead to the discovery of admissible evidence and is not relevant to the issue of Epstein's financial net worth. Any insurance policy on which Epstein is the beneficiary is an unrealized asset that is not part of his net worth at the present moment, which is the issue at hand. Furthermore, any policy on which Epstein is the owner of the policy, production of same will violate the rights to financial privacy of the beneficiary as guaranteed under Art. 1, § 12 of the *Florida Constitution*.

23. Copies of any and all trust agreements in which you are the settlor or beneficiary together with such documents necessary and sufficient to identify the nature and current value of the trust res.

Objection. This Request for Discovery is not likely to lead to the discovery of admissible evidence. Neither the settlor nor the beneficiary of a trust holds legal title to the trust res. For the purposes of determining Epstein's net worth at the current time, this Request is not relevant. Furthermore, production of the requested trust documents will violate the rights of privacy of the third parties to the trust as guaranteed by Art. 1, § 12 of the *Florida Constitution*.

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served upon all parties listed below, via Electronic Service, this February ___, 2013.

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