

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 NET
WORTH INTERROGATORIES TO JEFFREY EPSTEIN**

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 Net Worth Interrogatories to Jeffrey Epstein:

1. What is your full name?

Jeffrey Edward Epstein

2. How are you currently employed?

Financier and Philanthropist

3. State the amount of your current annual income from all sources for each of the past 3 years and describe all additional benefits received by you or payable to you for each of the past 3 years including bonuses, allowances, pension and profit sharing participations, stock options, deferred compensation, insurance benefits and other prerequisites of your employment including dollar amount or dollar value of each.

Objection. This Interrogatory is overly burdensome, as 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.”). To the extent that this Interrogatory requests information that is covered by the Accountant/Client and or the Attorney/Client privilege, I assert said privileges as provided for in §90.502 and § 90.5055 of the *Florida Statutes*. Finally, this information is a trade secret and protected from disclosure under The Florida Uniform Trade Secrets Act, §688.01 *et seq.* of the *Florida Statutes*; to wit: as a successful financier, I have developed “information, including a formula, pattern, compilation, program, device, method, technique, or process that: (a) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and (b) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.” §688.002(4) FLA. STAT. (2012).

4. If you own or have any beneficial interest in any stocks, bonds, mutual funds, or other securities of any class in any government, governmental organization, company, firm or corporation, whether foreign or domestic, please state:
 - a. The name and address of the entity in which you own or have any beneficial property or security interest of any sort;
 - b. The date and cost of acquisition;
 - c. The current fair market value of each such interest;
 - d. The manner in which such value was calculated.

Objection. This Interrogatory is overly burdensome. [CASELAW].

This information is a trade secret and protected from disclosure under The Florida Uniform Trade Secrets Act, §688.01 *et seq.* of the *Florida Statutes*; to wit: as a financier, I have developed “information, including a formula, pattern, compilation, program, device, method, technique, or process that: (a) derives independent economic value,

actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and (b) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.” §688.002(4) FLA. STAT. (2012).

Furthermore, to the extent that this Interrogatory requires “the date and cost of acquisition” and “the current fair market value of each such interest,” this request lacks relevance and is not calculated to lead to the discovery of admissible evidence; to wit: the acquisition cost of an asset and its corresponding current fair market value of each such interest are irrelevant to the extent that such costs are opportunity costs of holding the security, represent at best paper gains or losses and not an actual reflection of an increase or decrease in a party’s personal wealth.

Finally, to the extent that this Interrogatory requests “the manner in which the value was calculated,” I object as this is proprietary information and therefore subject to the Florida Uniform Trade Secrets Act as described above. In addition, this calculation is deemed work product.

5. As to each income tax return filed by you or on your behalf with any taxing authority for the years 2009 through 2012, identify as specifically as identified in your tax return the source of all reported income and the separate amounts derived from each source.

This Interrogatory is inartfully drafted and vague; this Interrogatory seems to be asking for a summary of the information contained within documents that are the subject of a Request to Produce. In accordance with Rule 1.340(c) of the *Florida Rules of Civil Procedure*, Edwards is directed to examine the tax returns for said response. Any information requested that is the subject of accountant work sheets is protected by the work product privilege, Accountant/Client privilege and/or Attorney/Client privilege. To the extent that the sources of all reported income and the separate amounts derived from each source is proprietary information that falls within the definition of trade secret as defined by §688.002(4) of the *Florida Statutes*, I object to the production of such information. This information is also protected by the Florida Uniform Trade Secrets Act.

6. For each parcel of real property in which you hold any interest: state:
 - a. The address;
 - b. The legal description of the property;
 - c. The assessed value of the property for tax purposes;
 - d. The date and price of acquisition;

- e. Whether, when, by whom, why and at what amount the property has been appraised since the time of purchase;
- f. Whether, when and at what price the property has been offered for sale since the time of purchase;
- g. The name and address of each real estate agent with whom the property has been listed for sale since the time of purchase;
- h. The cost of any improvements made to the property since purchase;
- i. The nature of your interest in the property;
- j. The current fair market value of the property and a description of the manner in which that value was calculated.

Objection. This Interrogatory is repetitive of a Request to Produce and is once again a request for a summary of the requested production. Under Rule 1.340(c) of the *Florida Rules of Civil Procedure*, Edwards is directed to examine the corresponding production for the response to this Interrogatory. This Interrogatory lacks relevance and is not calculated to lead to the discovery of admissible evidence; specifically subparts (d), (e), (f) and (j) request information that reflects opportunity costs and/or paper losses or gains which is irrelevant to the value of the asset at some time in the future. Under Rule 1.340(c) of the *Florida Rules of Civil Procedure*, Edwards is directed to the relevant production with respect to a response to subpart (h) since capital improvements to real estate are reflected in the taxable basis of the property. Subparts (i) and (j) are proprietary information, classified as trade secrets and subject to the Florida Uniform Trade Secret Act, as explained above. Subpart (g) is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, as whether a property has been listed for sale and the name of the agent given the listing, is irrelevant to my current Financial Net Worth.

7. List each item and state the estimated value of all personal tangible, and intangible property in which you have an interest which personal property was acquired at a cost in excess of \$10,000 or which personal property has an estimated present value in excess of \$10,000, and as to each state:
 - a. The date of acquisition;
 - b. The cost of acquisition;
 - c. The current estimated fair market value;
 - d. The manner in which the fair market value was estimated.

Objection. This Interrogatory lacks relevance and is not reasonably calculated to lead to the discovery of admissible evidence, as the acquisition cost of an asset is

irrelevant to its present value, as most assets depreciate over time such that the current value of the asset has no relevance to the value of the eroding asset at some point in the future. Subpart (d) asks for information subject to work product privilege, Accountant/Client and/or Attorney/Client privilege.

Additionally, intangible assets are trade secrets and as such are subject to the Florida Uniform Trade Secret Act as defined above. Furthermore, intangible assets are the subject of several other Interrogatories and Requests for Production, and as such, this part of the Interrogatory is repetitive.

8. If any of the real or personal property owned by you, either individually, jointly or otherwise, is encumbered by a real estate mortgage, chattel mortgage, or any other type of lien, then for each property, state a description of the nature and amount of the encumbrance, the date the encumbrance arose, whether the encumbrance is evidenced by any written document and, if so, a description of that document.

Objection. This Interrogatory is inartfully drafted as to what is meant by “or otherwise,” and as such cannot be properly responded to as asked. To the extent that this Interrogatory requests information regarding third parties, this information is protected by the third party’s right to financial and economic privacy. I think we may have to give him anything owned by Jeffrey personally.

9. If you have an ownership interest in any businesses, for each business state:
 - a. The name and address of the business;
 - b. The present book value and the present market value of your interest in the business, and its percentage of the total value of the business;
 - c. A description of the manner in which the fair market value was calculated.

Objection. This Interrogatory is inartfully drafted and vague such that I am unable to formulate a proper response to this Interrogatory. [Is Edwards asking for every company in which Jeffrey owns one share of stock or more? What if he owns a share in a mutual fund that owns stocks in several companies – is he required to list each of those? Or is he only asking for those companies in which he has a real interest and not merely an investment interest?] To the extent that this Interrogatory requests information regarding third parties, that information is protected by the third party’s right to financial and economic privacy. Additionally, the requested information is proprietary information that falls within the definition of trade secret as defined by §688.002(4) of the *Florida Statutes*. This information is also protected by the Florida Uniform Trade Secrets Act.

10. Identify all banks, credit union and savings and loan accounts, in which you have an interest or right of withdrawal and for each account state:

- a. Where the account is located;
- b. The highest and lowest balance in the account during the 365 day period immediately preceding your receipt of these interrogatories.

Not sure about an objection to this one.

11. Identify all other assets of a value in excess of \$10,000 which assets were not previously identified and as to each state:

- a. The date of acquisition;
- b. The cost of acquisition;
- c. The current estimated fair market value;
- d. The means utilized to estimate the current fair market value.

Objection. This Interrogatory has already been answered. See Interrogatory Number 7 above and response thereto.

12. Identify all other liabilities of an amount in excess of \$10,000 not previously identified and as to each state:

- a. The date the liability arise;
- b. The amount of the liability at inception;
- c. The terms of repayment or satisfaction;
- d. The current outstanding balance.

Objection. There is neither a date nor time frame provided in this request, and to the extent that this Interrogatory asks for non-current information, it is overly burdensome, as it is well-settled law that only current financial information is relevant to a claim for punitive damages. *Lane v. Capital Acquisitions*, 242 F.R.D. 667 (S.D. Fla. 2005). **Not sure about any other objection to this one.**

13. As to any calculation or estimate of your net worth at any time in the five years immediately preceding your receipt of these interrogatories, state:

- a. The date of the calculation or estimate;
- b. The name and address of the person or entity responsible for performing the work;

- c. The reason for performing the calculation or estimate;
- d. The amount of net worth calculated or estimated.

Objection. This Interrogatory is overly burdensome, as it is well-settled law that only current financial information is 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.”). To the extent that this Interrogatory requests information that is covered by the Accountant/Client and or the Attorney/Client privilege, I assert said privileges as provided for in §90.502 and § 90.5055 of the *Florida Statutes*. This subject of this Interrogatory is also protected by work product privilege.

14. What is your present net worth?

I have already indicated my willingness to stipulate to a net worth in excess of one hundred million dollars.

15. As to all transfers of anything of a value in excess of \$10,000 made by you or on your behalf within the past 5 years, state:

- a. A description of the transferred property;
- b. The reason for the transfer;
- c. The value of the item(s) transferred at the time of transfer;
- d. The date and cost of your acquisition of the item(s);
- e. Whether you received anything of value in exchange for the transferred item(s) and, if so, a description of what you received and the dollar value of what you received;
- f. The name and address of the recipient of each transferred item.

Objection. This Interrogatory is overly burdensome, as it is well-settled law that only current financial information is 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.”). To the extent that this Interrogatory requests information regarding

third parties, that information is protected by the third party's right to financial and economic privacy. To the extent that this Interrogatory requests information that is covered by the Accountant/Client privilege, I assert said privilege as provided for in § 90.5055 of the *Florida Statutes*. This subject of this Interrogatory is also protected by work product privilege.

[THIS PORTION INTENTIONALLY LEFT BLANK]

State of _____)
County of _____)

Before me, the undersigned authority, this day personally appeared Jeffrey Epstein, who is personally known to me, and who first being duly sworn, says that all of the matters contained herein are true and correct.

NOTARY PUBLIC

Sworn and Subscribed before me this January ____, 2013.