

JEFFREY EPSTEIN,  
Plaintiff,

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

vs.

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

CASE NO.: 502009CA040800XXXXMBAG

JUDGE: CROW

Defendants.

\_\_\_\_\_/

**PLAINTIFF/COUNTER-DEFENDANT JEFFREY EPSTEIN'S MOTION FOR  
CLARIFICATION OF THIS COURT'S ORDER DATED MARCH 11, 2013**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), by and through his undersigned counsel and pursuant to Rules 1.530, 1.280, and 1.350 of the *Florida Rules of Civil Procedure*, hereby seeks clarification of this Court's Order on Defendant/Counter-Plaintiff Bradley Edwards's ("Edwards") Motion to Strike Untimely Objections to Financial Discovery, which was entered by this Court on March 11, 2013 (hereinafter "the Order"). In support thereof, Epstein states:

**SUMMARY OF PROCEEDINGS**

On February 22, 2013, Epstein filed his responses to Edwards's Net Worth Interrogatories and Request for Production. On February 25, 2013, in response, Edwards filed a Motion to Strike Untimely Objections to Financial Discovery. During oral argument on this Motion on March 11, 2013, the Court permitted Edwards's very able counsel to fully argue all of the issues purportedly raised in his one-line Motion to Strike Untimely Objections to Financial Discovery ("Motion"). This Court further permitted Epstein's counsel to rebut Edwards's position, and Edwards's counsel to respond to Epstein's Memorandum of Law in Opposition to Edwards's Motion. On

March 11, 2013, this Court entered its Order on Edwards's Motion by overruling all objections other than privilege; to wit:

[t]he court heard argument of counsel, reviewed the court file, has reviewed the authorities counsel has cited, has reviewed the discovery along with the objections filed on behalf of the Counter-Defendant . . . [t]he Counter-Defendant's Objections to Discovery **other than privilege (including but not limited to constitutional guarantees under the V, VI and XIV Amendments, attorney/client privilege, work product privilege)** are overruled.

*March 11, 2013 Order on Counter-Plaintiff's Motion to Strike Untimely Objections to Financial Discovery*, attached hereto as "Exhibit A" (emphasis added).

On March 20, 2013, Edwards served a Notice of a Specially-Set Hearing for thirty (30) minutes, scheduled for April 22, 2013 at 9:30AM, before this Court. The purported purpose of this special set hearing is to argue "Epstein's Privilege Objections raised in response to Interrogatories and Request for Production served 2/22/13." *See Notice of Hearing*, attached hereto as "Exhibit B." Edwards did not, however, file and/or serve a new Motion upon which he intends to argue this already ruled-upon issue before the Court. Instead, Edwards asserted that the "objections are already on file." *See Email dated March 14, 2013 sent 2:31pm*, attached hereto as "Exhibit C."

A review of this Court's Order of March 11, 2013 regarding the Discovery Objections irrefutably shows that the issues raised in Edwards's Motion regarding the timeliness of Epstein's objections as well as all privilege issue(s) raised, were completely argued, considered, and decided by this Court. *See Exhibit B*. As such, based upon Edwards's pending Special Set Hearing, in which Edwards apparently seeks to re-litigate the privilege issues, Epstein requests that this Honorable Court clarify its

ruling with respect to the privilege issues adjudicated in the March 11, 2013 Order, or alternatively remove the Hearing from its docket.

### ARGUMENT

A motion for clarification is the equivalent of a motion for rehearing. *Kirby v. Speight*, 217 So. 2d 871, 872 (Fla. 1st DCA 1969); *Dambro v. Dambro*, 900 So. 2d 724, 725-26 (Fla. 4th DCA 2005). As such, a motion for clarification is filed in accordance with Rule 1.530(b) of the *Florida Rules of Civil Procedure*. “The purpose of a Motion for a Rehearing is to give the trial court an opportunity to consider matters which it failed to consider or overlooked.” *Pingree v. Quaintance*, 394 So. 2d 161, 162 (Fla. 1st DCA 1981). Here, Epstein is not requesting a rehearing on this issue, but only that this Court issue another Opinion, in which it more clearly delineates its ruling upon Edwards’s Motion with respect to the privilege issue, based solely upon the fact that Edwards is impermissibly seeking to re-litigate the issue without a proper Motion or Notice.

Edwards’s demand for a hearing on April 22, 2013 on issues already decided in the record fits the legal definition of a Motion for Rehearing. *Id.* Edwards’s request for this hearing, much like his previously-filed and ruled-upon Motion to Strike Discovery Objections as Untimely, is habitually devoid of proper motion practice, case law, and legal authority, leaving Epstein to speculate as to the issues he intends to raise with the court. In this instance, however, Edwards has not even filed a motion for his thirty (30) minute specially-set hearing, but instead relies solely on an email stating that the “objections are already on file.” *See Exhibit C.* Epstein is unable to respond to this and should not be required to. Moreover, because the only motion filed by Edwards

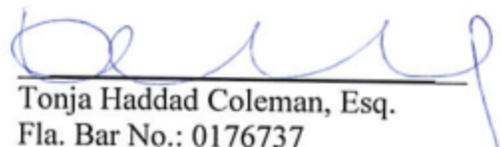
objecting to Epstein's responses to Edwards's financial net worth discovery, including the privileges raised, has already been fully adjudicated by this Court, Edwards is improperly asking for a rehearing. If, in fact, Edwards is seeking a rehearing on his already ruled-upon Motion, he should properly request and plead same.

Finally, Epstein certifies that he, "in good faith, has conferred or attempted to confer" with Edwards regarding this purported discovery motion/motion for rehearing "without court action." FLA. R.CIV. P. 1.380. *See Exhibit C; see also Communication to Counsels of Record dated March 20, 2013.* Pursuant to Rule 1.380 of the *Florida Rules of Civil Procedure*, Epstein is entitled to reasonable attorney's fees incurred as necessitated by Edwards's actions.

#### CONCLUSION

Accordingly, for all of the reasons delineated above and in reliance upon the applicable law cited herein, Jeffrey Epstein respectfully requests that this Court, clarify its Court Order dated March 11, 2013, award attorney's fees as sanctions against Edwards, and such other and further relief as this Court deems proper.

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served upon all parties listed below, via Electronic Service, this March 21, 2013.

  
\_\_\_\_\_  
Tonja Haddad Coleman, Esq.  
Fla. Bar No.: 0176737  
LAW OFFICES OF TONJA HADDAD, PA  
315 SE 7<sup>th</sup> Street  
Suite 301  
Fort Lauderdale, Florida 33301

Electronic Service List

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West Palm Beach, FL 33401

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Bradley J. Edwards, Esq.  
Farmer Jaffe Weissing Edwards Fistos Lehrman  
425 N Andrews Avenue  
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Fort Lauderdale, Florida 33301

Fred Haddad, Esq.  
1 Financial Plaza  
Suite 2612  
Fort Lauderdale, FL 33301

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

CASE NO.: 502009CA040800XXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, etc., et al.,

Defendants.

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ORDER ON COUNTER-PLAINTIFF'S MOTION TO STRIKE  
UNTIMELY OBJECTIONS TO FINANCIAL DISCOVERY

THIS CAUSE came before the Court upon the Counter-Plaintiff's Motion to Strike Untimely Objections to Financial Discovery. The Court heard argument of counsel, reviewed the court file, has reviewed the authorities counsel has cited, has reviewed the discovery along with the objections filed on behalf of the Counter-Defendant. Based upon the foregoing, and after a thorough review of same, it is

CONSIDERED, ORDERED AND ADJUDGED as follows:

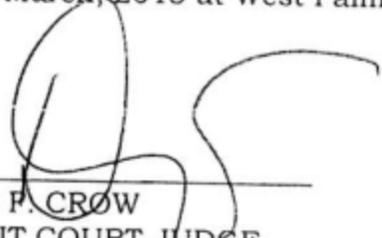
The Counter-Defendant's Objections to Discovery other than privilege (including but not limited to constitutional guarantees under the V, VI and XIV Amendments, attorney/client privilege, work product privilege, privacy privilege under the Florida Constitution or any other applicable privilege) are overruled. However, as to any privileges other than a privilege against self-incrimination as guaranteed by the V, VI and XIV Amendments of the United States Constitution, the Counter-Defendant shall file a detailed privilege log outlining the documents and the applicable privilege. The Counter-Defendant shall not be required to list any documents he contends are

EXHIBIT A

EFTA01107617

privileged pursuant to the V, VI and XIV Amendments. The privilege log as well as more complete responses shall be filed within fifteen (15) days of the date of this Order.

DONE AND ORDERED this 11<sup>th</sup> day of March, 2013 at West Palm Beach, Palm Beach County, Florida.



DAVID F. CROW  
CIRCUIT COURT JUDGE

Copy furnished:

See attached list.

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

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

Defendant(s).

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**NOTICE OF SPECIAL SET HEARING**  
**30 MINUTES**

**YOU ARE HEREBY NOTIFIED** that the undersigned has called up for hearing the following:

**DATE:** April 22, 2013  
**TIME:** 9:30 a.m.  
**JUDGE:** Honorable David F. Crow (Palm Beach County Courthouse)  
**PLACE:** 205 N. Dixie Highway, West Palm Beach, FL 33401  
**ROOM #:** 9-C

**SPECIFIC MATTERS TO BE HEARD:**

Epstein's Privilege Objections raised in response to Interrogatories and  
Request for Production served 2/22/13

Moving counsel certifies that he or she contacted opposing counsel and attempted to resolve the discovery dispute without hearing.

EXHIBIT B

EFTA01107619

Division AG rules:

1. The JA cannot cancel this hearing unless the issue is resolved;
2. No add-ons are permitted;
3. Any Memorandums submitted are limited to 10 double-spaced pages;
4. Any materials submitted are due at least 7 days prior to the hearing; and
5. The moving party is required to bring to the hearing a blank proposed Order with copies and envelopes.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by  
E-Service to all Counsel on the attached list, this 20<sup>th</sup> day of March, 2013.



JACK SCAROLA  
Florida Bar No.: 169440  
Searcy Denney Scarola Barnhart & Shipley  
2139 Palm Beach Lakes Boulevard  
West Palm Beach, Florida 33409  
Phone: [REDACTED]  
Fax: [REDACTED]  
Attorney for Bradley J. Edwards

**Subject:** FW: Regarding: Edwards, Bradley adv. Epstein (File #: 291874)  
**Date:** Thursday, March 14, 2013 2:38:46 PM Eastern Daylight Time  
**From:** Debbie Fein  
**To:** Tonja Haddad Coleman

Debbie Fein, Law Clerk  
Tonja Haddad, P.A.  
Advocate Building  
315 S.E. 7th Street  
Suite 301  
Fort Lauderdale, FL 33301  
954-312-0420  
[REDACTED]

---

**From:** "Mary E. Pirrotta" <[REDACTED]>  
**Date:** Thursday, March 14, 2013 2:31 PM  
**To:** Debbie Fein <[REDACTED]>  
**Subject:** RE: Regarding: Edwards, Bradley adv. Epstein (File #: 291874)

No. The Objections are already on file.

---

**From:** Debbie Fein [REDACTED]  
**Sent:** March 14, 2013 2:29 PM  
**To:** Mary E. Pirrotta  
**Cc:** Tonja Haddad Coleman  
**Subject:** Re: Regarding: Edwards, Bradley adv. Epstein (File #: 291874)

Ms. Coleman is unavailable on this date. Please provide alternate dates. Will there be a Motion filed before this hearing?

Debbie Fein, Law Clerk  
Tonja Haddad, P.A.  
Advocate Building  
315 S.E. 7th Street  
Suite 301  
Fort Lauderdale, FL 33301  
[REDACTED]  
[REDACTED]

**From:** "Mary E. Pirrotta" <[REDACTED]>  
**Date:** Thursday, March 14, 2013 2:17 PM  
**To:** Tonja Haddad Coleman <[REDACTED]>, Debbie Fein <[REDACTED]>  
**Subject:** Regarding: Edwards, Bradley adv. Epstein (File #: 291874)

Please advise if you are available for a 30 min. hearing on April 15, 2013 at 10:00 before Judge Crow Re: Privilege objections raised in response to Int. and RTP served 2/22/13

\*\*\*\*\*  
Privileged and Confidential Electronic communication is not a secure mode of communication and may be accessed by unauthorized persons. This communication originates from the law firm of Searcy Denney Scarola Barnhart & Shipley, P.A. and is protected under the Electronic Communication Privacy Act, 18 U.S.C. S2510-2521. The information contained in this E-mail message is privileged and confidential under Fla. R. Jud. Admin. 2.420 and information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this communication is strictly prohibited. Personal messages express views solely of the sender and shall not be attributed to the law firm. If you received this communication in error, please notify the sender immediately by e-mail or by telephone at (800) 780-8607 and destroy all copies of the original message. Thank you.  
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\*\*\*\*\*  
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\*\*\*\*\*

**Tonja Haddad Coleman**

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**From:** Tonja Haddad Coleman  
**Sent:** Wednesday, March 20, 2013 12:01 PM  
**To:** 'Mary E. Pirrotta'; [REDACTED]; [REDACTED]; [REDACTED]; 'Dee@FredHaddadLaw.com'; [REDACTED]; [REDACTED]; Debbie Fein  
**Subject:** RE: EDWARDS ADV. EPSTEIN SERVICE OF COURT DOCUMENTS - 502009CA040800XXXXMBAG (File #: 291874)  
**Attachments:** Crow's Order.PDF

The Judge has already ruled on all of our privilege objections as you requested at the last hearing- see Judge Crow's Order dated March 11, 2013, attached hereto for your reference. In sum, he overruled all objections *except* the privilege objections, rendering the need for this hearing moot. Accordingly, please cancel this hearing. Alternatively, if you are requesting a Motion for Rehearing or Reconsideration of the Judge's very specific Order, please provide a proper Motion.

Tonja Haddad Coleman, Esq.  
TONJA HADDAD, P.A.  
Advocate Building  
315 SE 7<sup>th</sup> Street  
Fort Lauderdale, FL 33301  
[REDACTED]

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**From:** Mary E. Pirrotta [mailto:[REDACTED]]  
**Sent:** Wednesday, March 20, 2013 11:52 AM  
**To:** [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; 'marc@nuriklaw.com'; Tonja Haddad Coleman; Debbie Fein  
**Subject:** EDWARDS ADV. EPSTEIN SERVICE OF COURT DOCUMENTS - 502009CA040800XXXXMBAG (File #: 291874)

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA  
502009CA040800XXXXMBAG  
JEFFREY EPSTEIN v. SCOTT ROTHSTEIN, individually, BRADLEY J. EDWARDS, individually, and L.M., individually  
Notice of Special Set Hearing on 4\_22\_13  
Sent by: Jack Scarola [REDACTED]

\*\*\*\*\*  
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