

IN THE CIRCUIT COURT OF THE 15th JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CIVIL DIVISION
CASE NO. 502009CA040800XXXXMBAG
Judge David F. Crow

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

v.

SCOTT ROTHSTEIN, individually and
BRADLEY J. EDWARDS, individually,
and [REDACTED], individually,

Defendants/Counter-Plaintiffs.

**PLAINTIFF/COUNTER-DEFENDANT, JEFFREY EPSTEIN'S MOTION FOR LEAVE
TO USE DOCUMENTS PRODUCED UNDER CONFIDENTIALITY AGREEMENT**

Plaintiff/Counter-Defendant, Jeffrey Epstein (“Epstein”), by and through his undersigned counsel and pursuant to the Florida Rules of Civil Procedure, files this his Motion for Leave of Court to use certain documents which are not privileged, which were produced under a Confidentiality Agreement by the Defendant/Counter-Plaintiff, Bradley J. Edwards (“Edwards”). The grounds for this motion are as follows:

1. On or about February 23, 2011, Edwards produced documents under a Confidentiality Agreement. The production was in two parts. The first documents, were labeled for review by attorney’s only. (“Attorney’s Eyes Only”). The Second set of documents, were labeled irrelevant, but could be reviewed by Epstein (“Irrelevant”). Under the Agreement, if Epstein’s counsel believes the documents were either not privileged or relevant, leave of court would be sought prior to disclosure.

2. Counsel for Epstein believes the following documents which are being submitted in-camera to this Court for review, are either not privileged and/or are relevant below and show the following:

(1) Meetings related to the Non-Prosecution Agreement, which had nothing to do with the Edwards' victims claims and contain no confidential information;

(2) Memos demonstrating intent to try and force Epstein to settle and specifically going after the people close to him. These memos are not protected by any privilege;

(3) Using Q-Tasks for the Epstein matters. These documents are not privileged and are needed for future discovery requests;

(4) Using media to feature Edwards' firm regarding the Epstein case for the purpose of attracting investors. No confidential information involved in this document;

(5) Lack of good faith basis for a motion filed in federal court to freeze Epstein assets pre-judgment was denied. No privilege involved;

(6) Serving subpoena for Epstein medical and prescription records, when no issue of Epstein's health was in the case. No applicable privilege exists;

(7) Numerous emails scheduling meetings with Edwards and many of the lawyers in Rothstein, Rosenfeldt & Adler, P.A. ("RRA"), including Scott Rothstein ("Rothstein"), contrary to Edwards' deposition testimony. Documents contain no confidential communications and are merely evidence of the meetings;

(8) Email demonstrating Edwards knowledge of recording devices in firm including for speaker phone conversations, Not privileged and possible violation of Florida Criminal Statute relating to wire-taps;

(9) Email demonstrating contacts with U.S. Attorney's Office for the purpose of interfering with the Non-Prosecution Agreement. It is not privileged because it is a communication with a third party;

(10) Efforts to depose Donald Trump, a friend of Epstein who had no knowledge of the case and Alan Dershowitz, one of Epstein's criminal lawyers in the victim cases also without any knowledge of the case in furtherance of the purpose of going after those close to Epstein. No privilege information involved;

(11) Emails by and between Rothstein and A.J. Discala ("Discala"), and other investors showing the need to conclude the receipt of investor monies on Epstein cases so that Rothstein does not lose his Epstein Plaintiffs to other lawyers and so that one Epstein Plaintiff does not report him to The Florida Bar. These are communications with third parties and involve no privilege.

3. These documents were produced under a Confidentiality Agreement and are not identified on the Privilege Log. A simple review of the documents will clearly show that it contains no attorney-client communication and no work product information that relates to an attorney's thoughts or strategies. The emails do contain evidence of the Rothstein's firm to use other extra-judicial or inappropriate judicial means to further the advancement of the Ponzi scheme and thus are not privileged.

WHEREFORE, Plaintiff/Counter-Defendant, Jeffrey Epstein, respectfully requests that this Court review these emails and enter an Order granting permission for Epstein to use these emails and release them from the provisions of the Confidentiality Agreement.

I HEREBY CERTIFY that a true and correct copy of the foregoing was emailed and mailed this ____ day of July, 2011 to:

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