

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

CIVIL DIVISION AG
CASE NO. 502009CA040800XXXXMB
Judge David F. Crow

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

v.

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

Defendants/Counter-Plaintiffs.

PLAINTIFF'S MOTION FOR ORDER REFERRING THE CASE TO MEDIATION

Plaintiff, Jeffrey Epstein ("Epstein"), by and through his undersigned counsel, hereby moves this Court pursuant to Fla. R. Civ. P. 1.700(a) for the entry of an Order referring all claims between the parties to mediation within forty-five (45) days, and in support thereof states as follows:

1. The claims between the parties are of such a nature and have reached a point where mediation may be of benefit to the litigants and the Court;
2. Mediation may be of particular benefit in the instant case in view of the fact that the Court has recently questioned the scope of the damages recoverable by Defendant/Counter-Plaintiff Bradley Edwards. Florida law does not permit recovery by Edwards for damages for abuse of process and malicious prosecution consisting of alleged "loss of the value of his time required to be diverted from his professional responsibilities" or "interference in his professional

responsibilities" based upon the purported alleged diversion of his professional time. Edwards may not be able to recover on other damage theories as well.

3. Epstein also recognizes that mediation would be advisable before further fees and costs are incurred.

4. Accordingly, it is in the interest of justice and judicial economy that the parties be compelled to mediate this matter forthwith.

5. The undersigned counsel certifies that he has attempted to resolve this matter without the need of a hearing with counsel for Edwards and will continue to do so.

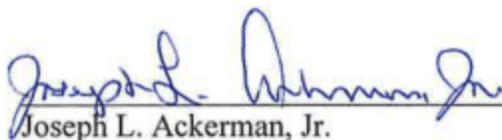
WHEREFORE, Plaintiff, Jeffrey Epstein, respectfully requests that this Court issue an Order referring all claims between the parties to mediation within forty-five (45) days of the date of its Order entered on this Motion.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via e-mail and U.S. Mail on this 11th day of April, 2012 to: Lilly Ann Sanchez, Esq., The L•S Law Firm, Four Seasons Tower, 15th Floor, 1441 Brickell Avenue, Miami, FL 33131; Jack Alan Goldberger, Esq., Atterbury, Goldberger & Weiss, P.A., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401-5012; Marc S. Nurik, Esq., Law Offices of Marc S. Nurik, One East Broward Boulevard, Suite 700, Fort Lauderdale, FL 33301; Jack Scarola, Esq., Searcy Denney Scarola Barnhart & Shipley, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, FL 33409; and Bradley J. Edwards, Esq., Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, P.L., 425 North Andrews Avenue, Suite 2, Fort Lauderdale, FL 33301.

Epstein v. Rothstein and Edwards
Case No. 502009CA040800XXXXMB/Division AG
Motion for Order Referring the Case to Mediation

Respectfully submitted,



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