

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

CASE NO. 4D15-4527

JEFFREY EPSTEIN,

Appellant,

-vs-

BRADLEY J. EDWARDS and
PAUL G. CASSELL,

Appellees.

_____ /

MOTION TO DISMISS APPEAL AS MOOT

Appellees, BRADLEY J. EDWARDS and PAUL G. CASSELL, by and through undersigned counsel, hereby file this Motion to Dismiss this appeal on the basis that it is moot, since the underlying case has been dismissed with prejudice by the parties.

This appeal was filed by Jeffrey Epstein to challenge an order denying his motion to quash a subpoena and determining that the court had jurisdiction to require his attendance at a deposition in the Edwards v. Dershowitz, circuit court action (Notice of Appeal A1-3). Although, the Initial Brief has been filed by the Appellant, the case has been resolved in the circuit court. Undersigned filed an Agreed Motion to Stay the appeal for 60 days pending finalization of the

settlement. Apparently, the parties were able to resolve the settlement with finality very expeditiously and, on April 8, 2016, they filed a Stipulation of Dismissal with Prejudice (A4-8).

Since the only issue in this appeal was whether Epstein could be compelled to appear at a deposition in the underlying action, the Stipulation of Dismissal with Prejudice of that action necessarily moots out this appeal.

Undersigned contacted opposing counsel by email on April 22, 2016, inquiring whether he would be filing a dismissal of the appeal in the near future. Undersigned has received no response and, in the interest of assisting this Court with clearing its docket, has decided to file this Motion to Dismiss.

WHEREFORE, for the reasons stated above, Appellees respectfully request that this Court dismiss this appeal based on mootness.

I HEREBY CERTIFY that a true copy of the foregoing was furnished to all counsel on the attached service list, by email, on April 27, 2016.

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Epstein v. Edwards/Cassell

Case No. 4D15-4527

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