

CASE NO.: 502009CA040800 AG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, etc., et al.,

Defendant(s).

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ORDER ON COUNTER-PLAINTIFF BRADLEY EDWARDS'  
MOTION FOR JURY INSTRUCTION REGARDING ADVERSE INFERENCE  
AND EVIDENCE PRECLUSION

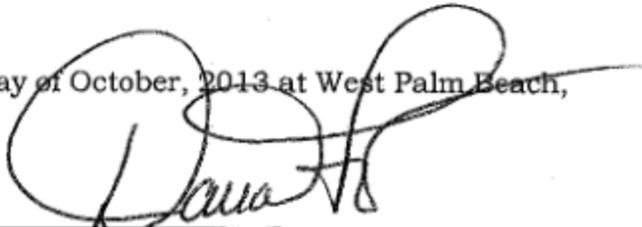
THIS CAUSE came before the Court upon the Counter-Plaintiff, BRADLEY EDWARDS' Motion for Jury Instruction in Regard to Adverse Inference and Evidence Preclusion. The Court reviewed the Motion, the Counter-Defendant's Response thereto, and the Supplemental Memorandum in support filed by the Counter-Plaintiff. The Court also heard argument of counsel and reviewed the various authorities they have cited. In addition, this Court allowed the Counter-Defendant to file a Supplemental Response to the Supplemental Memorandum filed by the Counter-Plaintiff BRADLEY EDWARDS. After a thorough review of all of these matters, and after being fully advised in the premises, it is thereupon

CONSIDERED, ORDERED AND ADJUDGED as follows:

1. The Counter-Plaintiff, BRADLEY EDWARDS' Motion for Jury Instruction is deferred until trial. At the time of trial, upon analysis of the specific questions and answers, this Court will determine whether an adverse inference instruction will, or will not, be given and the specific instruction, if any, that will be given. Counsel for the parties shall be prepared at trial to propose instructions.

2. The Defendant's Motion to Preclude Evidence is deferred until the time of trial. At trial, this Court will determine if certain testimony and documents will be permitted utilizing a *Binger* analysis.

DONE AND ORDERED this 7<sup>th</sup> day of October, 2013 at West Palm Beach,  
Palm Beach County, Florida.



DAVID F. CROW  
CIRCUIT COURT JUDGE

Copy furnished:  
See attached list.

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