

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

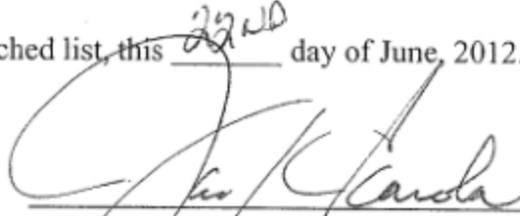
SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS, individually, and
L.M., individually,

Defendant,

**NOTICE OF FILING TRANSCRIPT IN SUPPLEMENTAL SUPPORT OF BRADLEY
EDWARDS' MOTION FOR SUMMARY JUDGMENT**

Defendant/Counterplaintiff, BRADLEY J. EDWARDS, by and through his undersigned attorneys, hereby gives notice of the filing of the transcript of the deposition of Scott Rothstein taken on June 14, 2012. Specific portions of the deposition on which Mr. Edwards' relies in support of his motion for summary judgment are highlighted.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all counsel on the attached list, this 29th day of June, 2012.



JACK SCAROLA

Florida Bar No.: 169440

Searcy Denney Scarola Barnhart & Shipley, P.A.

2139 Palm Beach Lakes Boulevard

West Palm Beach, Florida 33409


Attorneys for Bradley J. Edwards

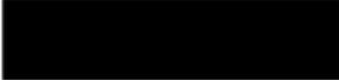
EFTA01130733

COUNSEL LIST

Bradley J. Edwards, Esquire
Farmer, Jaffe, Weissing, Edwards, Fistos
425 North Andrews Avenue, Suite 2
Fort Lauderdale, FL 33301



Jack A. Goldberger, Esquire
Atterbury, Goldberger & Weiss, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, FL 33401



Marc S. Nurik, Esquire
One E Broward Blvd., Suite 700
Fort Lauderdale, FL 33301



Tonja Haddad Coleman, Esquire
Law Offices of Tonja Haddad, P.A.
524 S Andrews Avenue, Suite 200N
Fort Lauderdale, FL 33301



Lilly Ann Sanchez, Esquire
The L-S Law Firm
1441 Brickell Avenue, 15th Floor
Miami, FL 33131



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

JEFFREY EPSTEIN,
Plaintiff,

vs. No. 502009CA040800XXXXMBAG

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

500 East Broward Boulevard,
Ft. Lauderdale, Florida
Thursday, June 14, 2012
9:14 a.m. - 12:37 p.m.

D E P O S I T I O N
Of
SCOTT ROTHSTEIN
(Via Video Conference)

Taken on behalf of the Trustee
pursuant to a notice of taking deposition

- - -

1 APPEARANCES:

2 LAW OFFICES OF TONJA HADDAD, P.A. by
3 Tonja Haddad, Esq.
4 Attorney for the Plaintiff.

5 ATTERBURY, GOLDBERGER & WEISS, P.A., by
6 Jack Goldberger, Esq.
7 Attorney for the Plaintiff.

8 SEARCY DENNEY SCAROLA ET AL., by
9 Jack Scarola, Esq.
10 Attorney for the Defendant, Brad Edwards.

11 MARC NURIK, P.A., by
12 Marc Nurik, Esq.
13 Attorney for Scott Rothstein.
(Appearing via Video Conference.)

14 U.S. ATTORNEY'S OFFICE, by
15 Laurence LaVecchio, Esq.
16 Attorney for the Department of Justice.

1 Thereupon:

2 SCOTT ROTHSTEIN,

3 was called as a witness and, having been duly sworn,
4 was examined and testified as follows:

5 THE WITNESS: I do.

6 MS. HADDAD: Good morning, Scott. How are
7 you?

8 THE WITNESS: Good morning, Tonja. How are
9 you?

10 MS. HADDAD: Fine, thank you. It's nice to
11 see you.

12 THE WITNESS: Good to see you, too.

13 MR. SCAROLA: Mr. Rothstein, I don't know
14 that you and I have met. I'm Jack Scarola, I'm
15 representing Brad Edwards and I know you know Brad
16 who's to my immediate left.

17 THE WITNESS: Hey, Brad, how are you?
18 Jack, good to see you.

19 MR. SCAROLA: Thank you.

20 MR. GOLDBERGER: Also present is another
21 Jack, Jack Goldberger, and I also represent Jeffrey
22 Epstein. To my right is Darryn Indyke --

23 THE WITNESS: Good morning, Jack.

24 MR. GOLDBERGER: How are you today?

25 And to my right is Darryn Indyke, who is

1 INDEX

2 WITNESS DIRECT CROSS REDIRECT RECROSS

3 SCOTT ROTHSTEIN

4 (By Ms. Haddad) 5
5 (By Mr. Goldberger) 92
6 (By Mr. Scarola) 121

7 EXHIBITS

8 PLAINTIFFS FOR IDENTIFICATION

9
10 1 64
11 2 69
12 3 72
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Mr. Epstein's in-house counsel.

2 MR. INDYKE: Good morning.

3 THE WITNESS: Good morning, sir.

4 MR. NURIK: Good morning, everyone.

5 MR. GOLDBERGER: Hi, Marc, how are you?

6 MR. NURIK: Good. You'll be seeing my
7 shoulder most of the day.

8 MR. GOLDBERGER: Okay.

9 DIRECT EXAMINATION

10 BY MS. HADDAD:

11 Q. Well, Scott, I know you've talked about this
12 probably more than you even care to, but I'd like to
13 start a little bit asking you about the scheme at your
14 firm and how and when it started and things of that
15 nature just very briefly because I know you've covered
16 it many times.

17 MR. SCAROLA: It has been covered and
18 protocol precludes asking questions that have already
19 been answered and covering areas that have already
20 been covered, so we do object.

21 MR. GOLDBERGER: Your objection is noted.

22 BY MS. HADDAD:

23 Q. When did this first start?

24 A. It started back in '05, '06. The question
25 is a little bit vague for me because it started in a

1 different form than it ended because it started as
2 bridge loans and things of that nature, and then
3 morphed into the Ponzi scheme. But you are looking
4 back into the 2005 time frame for the very beginning.
5 Q. The 2005 time frame, that's when the bridge
6 loans started?
7 A. I can't be certain exactly what we were
8 doing. I need to see all the documents to tell you
9 what we were doing at what specific point in time.
10 Q. What made you decide to start doing this?
11 A. I started doing it out of greed and the need
12 to support the law firm, which was having significant
13 financial trouble at the time.
14 Q. And in 2005 had you moved over to 401 yet or
15 were you still in the building where Colonial Bank
16 was?
17 A. I don't remember.
18 Q. Do you recall approximately how many
19 attorneys you had working for you when it started?
20 A. I do not. Between five and ten, Tonja.
21 Q. Was it before you started acquiring
22 attorneys like you were acquiring cars and watches?
23 MR. SCAROLA: Object to the form of the
24 question, vague.
25 THE WITNESS: Yes.

Page 6

1 BY MS. HADDAD:
2 Q. Well, who were you partners with when it
3 first started?
4 A. Stu Rosenfeldt.
5 Q. Okay. Anyone else?
6 A. Susan Dolin, I believe. It was definitely
7 Stu Rosenfeldt, Michael Pancier, and Susan Dolin may
8 have been partners of ours at that time, I'm not
9 certain.
10 Q. Because if memory serves me correctly, you
11 went from being in the One Financial Plaza Building to
12 the building across the street, it was Rothstein,
13 Rosenfeldt, Dolin and Pancier; is that correct?
14 A. Yes.
15 Q. And it was some time later that you moved
16 into the 401 Building, correct?
17 A. You are skipping one step. I went from One
18 Financial Plaza to Phillips, Eisinger, Koss, Kusnick,
19 Rothstein and Rosenfeldt. Then Stu Rosenfeldt and I
20 broke off and formed Rothstein Rosenfeldt. And then
21 Rothstein, Rosenfeldt, Dolin, Pancier over at the
22 Colonial Bank Building. And then we took the space in
23 the 401 Building and eventually moved over there and
24 that's when the real growth started.
25 Q. And when you say, "that's when the real

Page 7

1 growth started," do you mean both the scheme -- do you
2 mean the scheme and the firm or either one or both?
3 A. Both.
4 Q. Do you recall approximately when you took
5 the space in the 401 Building?
6 A. I do not.
7 Q. At the time everything imploded, how many
8 partners did you have at the firm, do you recall?
9 A. Are you saying partners and shareholders?
10 Because remember, we had both, two designations.
11 Q. I want to start with just attorneys that
12 had -- not in your firm name but named as "partner" on
13 the cards, for example.
14 A. I'd have to see a list of all the employees.
15 We had a bunch.
16 Q. Do you recall about how many attorneys you
17 had working there?
18 A. Approximately 70.
19 Q. In the year before, do you recall how many
20 you had?
21 A. I do not.
22 Q. So how many equity partners did you have or
23 shareholders? I'm not sure of the word that we are
24 using.
25 A. Actual shareholders, equity shareholders

Page 8

1 were two, me and Stu Rosenfeldt.
2 Q. And everyone else was just a partner for
3 title purposes?
4 A. There were shareholders for title purposes
5 and partners for title purposes.
6 Q. If someone was called a shareholder for
7 title purposes then, did they get to receive any of
8 the funds? Were they shareholders receiving money or
9 they were not considered shareholders in that sense?
10 MR. SCAROLA: Objection to the form of the
11 question.
12 THE WITNESS: What kind of funds are you
13 talking about?
14 BY MS. HADDAD:
15 Q. In general from the firm. When you say
16 equity shareholders, I understand that's you and Stu.
17 What I'm saying is, if you had someone else that was
18 named as a shareholder, why did you call them a
19 shareholder as opposed to a partner?
20 A. It was a title of prestige and achievement.
21 Q. So it was basically an ego thing, it had
22 nothing really to do with the finances or hierarchy of
23 the firm?
24 A. They got paid more generally, but it did not
25 have anything to do with distributions.

Page 9

3 (Pages 6 to 9)

1 Q. When you were hiring and bringing in all
2 these new attorneys, did everyone come in as a
3 partner?

4 A. No.

5 Q. How did you decide who came in as a partner
6 and who came in as an associate?

7 A. Depended upon their level of expertise,
8 practice, book of business. It was a decision Stuart
9 and I made together on a case-by-case basis.

10 Q. So you and Stu where the -- were in charge
11 of hiring?

12 A. Stuart and I tried to consult on every
13 hiring decision, yes.

14 Q. Did you guys also decide salaries?

15 A. I generally decided the salary and then let
16 Stu know what I was going to do. And he would say if
17 he thought it was okay or if he thought it was too
18 much or too little, but I generally had free reign in
19 that regard.

20 Q. Did someone's book of business directly
21 correlate to the salary that you would offer?

22 A. That is a very broad question because it
23 depends upon what other needs we had for that
24 individual.

25 Q. What do you mean by "what other needs"?

Page 10

1 A. Well, I'll give you a good example. My
2 lawyer, Mr. Nurik, his salary was directly related to
3 the fact that he was a great lawyer and had a solid
4 book of business.

5 Q. Yes.

6 A. David Boden, on the other hand, was, as I
7 previously testified, I don't know if you've had a
8 chance to read the testimony, but David Boden was not
9 only the general counsel to the law firm but he was
10 also -- acted as my consigliere in a significant
11 number of illegal operations and he was compensated
12 significantly for that, if that helps you understand
13 the difference.

14 Q. It does.

15 So, for example, when you were hiring former
16 judges, let's use that as an example, Pedro and Julio,
17 clearly they don't have a book of business coming in
18 because they haven't had clients, but they may carry
19 some sort of prestige or give some legitimacy, if you
20 will, to the firm. How would you decide the salary
21 for someone like that?

22 A. Stu and I would discuss it. It was more a
23 market issue than anything else, how much are judges
24 coming off the bench getting, how much business do we
25 think they can generate.

Page 11

1 Q. Would you need to look at someone's book of
2 business if they were coming in just solely to be a
3 rainmaker for the firm prior to hiring them?

4 A. I discussed it with them. There were not
5 many people that I recall that I actually looked at
6 their numbers. Once David Boden was working for me I
7 had him check people's numbers, but I rarely looked. I
8 took most people's words for what they were
9 generating.

10 Q. My recollection is, you were always looking
11 to bring in more people, to hire more people, some of
12 us were somehow able to resist you while others were
13 not. How would you decide who you were looking at to
14 bring into your firm?

15 A. We were trying to develop, on the legitimate
16 side of the law firm, we were trying to develop real
17 talent, real practice groups. I mean, Brad is a
18 perfect example, great lawyer, got a great reputation.
19 You know, it was our hope that, you know, he was going
20 to be one of the people to actually in some ways
21 rescue the firm because he had a practice group that
22 could generate substantial income. You know, on the
23 legitimate side that's what we were trying to do, we
24 were trying to find the best and the brightest.

25 Q. Okay. With respect to bringing people that

Page 12

1 you thought could bring a book of business, you just
2 said Brad, for example, that he had a legitimate
3 practice group with a good book of business. How did
4 you know that?

5 A. Everyone in the tort world that I had spoke
6 to spoke extremely highly of Brad, not only people I
7 already had working for me but other people that knew
8 him. He was very -- came very highly recommended to
9 us.

10 Q. Like who, for example?

11 A. We wanted him in there. We were trying to
12 develop a significant tort group and we thought that
13 he'd be a great part of it.

14 Q. Who besides Russ told you that about Brad?

15 A. It would have been other people in the tort
16 group. I don't want to guess, Tonja, as to which
17 other people told me, but it was -- well more than
18 Russ.

19 Q. Was it people within --

20 A. Might have been people in politics that I
21 talked to that knew him because we had significant
22 input at the gubernatorial level with regard to tort
23 reform and the like, and there were people there who
24 knew who Brad was. It was more than one person that
25 told us that.

Page 13

4 (Pages 10 to 13)

1 Q. Okay. When you were looking at people to
2 bring in to the firm to legitimize, as you said. Your
3 firm had a very unique area of practice and had a very
4 unique environment to which to work. How did you know
5 or how did you come to decide what people may or may
6 not fit into that?

7 A. Okay. Hang on one second. I think you just
8 accidentally misstated my testimony.

9 I was not bringing the people in to
10 legitimize the law firm. I was bringing them in to
11 the legitimate side of the law firm. The bulk of the
12 law firm, despite the lack of financial success, was a
13 large group of very honest, hard working lawyers
14 trying to do their best in difficult economic
15 conditions. There were some that were obviously not
16 legitimate. And the way I decided to bring people in,
17 again, it's really everything I just told you. Are
18 you looking for how I brought people into the Ponzi
19 scheme?

20 Q. No, right now I'm just asking about the firm
21 because, as I said, it's a very unique way in which to
22 practice and a very unique workplace environment with
23 politics and restaurants and parties at your home and
24 things of that nature. I'm asking, personality wise,
25 other than the book of business, how did you decide on

Page 14

1 that time with Farmer and Fistos and Jaffe and
2 Mr. Edwards.

3 Q. Do you know where Mr. Edwards was working
4 when you first learned of him?

5 A. I don't recall whether he was working for
6 someone or had his own practice, I don't recall.

7 Q. When did you first learn about Brad?

8 A. I don't remember the time frame.

9 Q. Do you recall when you first met with him
10 regarding a job?

11 A. No. The easiest way to figure that out is
12 to go look at his personnel file, it will have the
13 notes saying when he met with me the first time.

14 Q. You don't have any recollection of your
15 first meeting with him?

16 A. No. As you know, I was hiring people left
17 and right and I was also unfortunately very busy doing
18 things I shouldn't have been doing, so I don't have a
19 specific recollection of when I hired him. I barely
20 have a specific recollection of when I hired me.

21 Q. But you did, in fact, meet with him?

22 A. I'm certain I met with him before I hired
23 him. I can't imagine -- although I did hire people
24 without meeting them. I did hire people based on
25 other people's word, if they were people within the

Page 16

1 people that would be a good fit?

2 A. I looked for people that were outgoing, that
3 had the type of personality. On the legitimate side
4 of the business, people that had charisma that were --
5 that could go out and hustle and try to develop a book
6 of business if they didn't have it. And as one of the
7 50 percent of the shareholders of the firm I was
8 trying to hire people I wanted to work with.

9 Q. Okay. When you would see people from whom
10 you would offer jobs, for example, as you mentioned
11 earlier with Brad and his practice, if somebody stated
12 that people told you that he was a good lawyer, did
13 you need to see him in action, so to speak, prior to
14 your deciding to hire them or would you just take
15 people at their word for it?

16 A. Some of people I saw in action; he wasn't
17 one of them. Steve Osber is an excellent example of
18 that. I hired Steve after he was beating the living
19 daylights out of me on the other side of a case. And
20 I certainly would ask around about the people. But
21 the people that I trusted -- see, I can't remember. I
22 think Gary Farmer was working for me before Brad, and
23 if I'm not mistaken he would have been one of the
24 people that I went to with regard to Brad because we
25 were really developing that whole tort group around

Page 15

1 firm that I trusted. Because I always said, I had a
2 very simple, you lie or die by what you are telling
3 me. If you are telling me this guy is good and he's
4 not good, that's on you, it's going to hurt your
5 income. So I used to tell my partner, people that
6 were recommending people to me, don't sell me a bill
7 of goods just to get somebody in here because if you
8 do that it's going to come back on you, it's going to
9 affect your income and your ability to grow in the
10 firm. So with that admonishment, I might have very
11 well hired someone sight unseen based upon what
12 someone else told me.

13 Q. But you did meet with Brad you say before he
14 came in to work?

15 A. Now that I'm saying it out loud, I think I
16 did but really I'm guessing. I don't have a specific
17 recollection of meeting him.

18 Q. Do you recall if you knew that he had worked
19 as an assistant state attorney for a few years prior
20 to doing tort litigation?

21 A. I don't recall that one way or the other.

22 Q. So you wouldn't have asked Howard Scheinberg
23 or anybody about him before he came to work there?

24 A. I can't say that I wouldn't have asked
25 because, like I said, I might have asked. But

Page 17

5 (Pages 14 to 17)

1 unfortunately, you are taking a little tiny spot out
2 of a very, very busy time period in my life and in the
3 life of the firm, so I can't tell you one way or the
4 other.

5 Q. I know you had a lot going on, I'm just
6 trying to see if you remember anything specific about
7 this.

8 Do you recall what salary you had offered
9 Brad to come join the firm?

10 A. I do not. You have to just try to
11 differentiate that what I knew then is a lot different
12 than what I know now so ...

13 Q. Meaning?

14 A. Obviously meaning that at the point in time
15 that I was hiring him or maybe a year after, I would
16 be able to tell you what I was paying him, but now
17 it's insignificant. I don't remember how much I was
18 paying him.

19 Q. Did you learn about his book of business or
20 know what kind of cases he was bringing in prior to
21 hiring him?

22 A. I do know that he -- I discussed either with
23 Russ, well, I know with Russ, and perhaps some other
24 people, I knew about the Epstein case.

25 Q. What did you know about it?

Page 18

1 A. I knew that it was a significant case of
2 potentially significant value against an extremely
3 collectible pedophile, for lack of a better word.

4 Q. So was that case your primary motive in
5 bringing Brad into the firm?

6 A. I doubt it. I mean, I can't tell you one
7 way or the other, but I doubt that I would bring him
8 in just for one case because what if the case fails,
9 then I'm stuck with a lawyer who can't do anything,
10 you know.

11 I'm not saying, Brad, that you couldn't do
12 anything, I'm just saying that if I only relied on one
13 case, then if I bring a lawyer in for one case and one
14 case only, what do I do with him when the case is
15 over.

16 Q. How did you know that this case would be a
17 collectible case then?

18 MR. SCAROLA: I'm going to object to the
19 form of the question because it misstated the prior
20 testimony. The prior testimony was not that it was a
21 collectible case but that it was a case against a
22 "extremely collectible pedophile."

23 BY MS. HADDAD:

24 Q. What made you think that this case had any
25 financial value?

Page 19

1 A. Epstein was a billionaire.

2 Q. Okay. Did you know anything about the
3 legitimacy or illegitimacy of the claims prior to
4 knowing he was a billionaire?

5 A. I knew what I was told. I didn't check it
6 out myself, but I trusted the people that told me.

7 Q. And who told you?

8 A. The only person I remember discussing it
9 with, as I sit here today, is Russ Adler. But if
10 Farmer and Jaffe and those guys were with me at the
11 time, I likely would have discussed it with them as
12 well.

13 Q. So were you aware of this case before you
14 made an offer to Brad to join the firm?

15 A. Yes.

16 Q. You said you didn't -- I don't want to
17 misquote you. You said you heard about it from other
18 people, but you didn't do anything to know that
19 personally. Was that before you made the offer of
20 employment?

21 A. I made the offer of employment based upon
22 what other people had told me about Brad.

23 Q. About Brad and his book of business or just
24 Brad and his legal skills?

25 A. Okay. When I say Brad, I mean Brad and his

Page 20

1 book of business and his legal skills.

2 Q. Okay.

3 A. And his ability to generate business in the
4 future.

5 Q. You stated that you believed that you first
6 heard about these cases from Russ and then perhaps
7 from Brad. Once Brad was at the firm, did you keep up
8 with these cases, these Epstein cases?

9 MR. SCAROLA: Excuse me, I'm going to
10 object to the form of the question. It is an
11 inaccurate reflection of the prior testimony. It has
12 no predicate. There was no reference about having
13 heard about these cases from Brad. The names
14 mentioned were Adler, possibly Farmer, possibly
15 Jaffe.

16 BY MS. HADDAD:

17 Q. Once Brad started working at the firm,
18 you've already testified you already knew about these
19 Epstein cases, correct?

20 A. Yes.

21 Q. How did you keep abreast of these cases?

22 A. I didn't.

23 Q. You didn't know anything about them?

24 A. I didn't say I didn't know anything. I said
25 I didn't keep track of it.

Page 21

6 (Pages 18 to 21)

1 Q. You didn't keep track of it?
2 A. I did not keep track of it. From time to
3 time Russ and the other guys in the tort group would
4 tell me what was going on in certain cases, but until
5 I made a decision to utilize that file for an illegal
6 purpose related to something illegal that I was doing
7 along with my co-conspirators, I just assumed my
8 lawyers were going to work the case and eventually it
9 would hopefully work out well for the law firm.
10 Q. At your firm, when e-mails would go out to
11 attorneys at RRA or all attorneys at RRA, were you
12 part of that e-mail group?
13 A. You are talking about all staff?
14 Q. No, all it says is attorneys at RRA.
15 A. It's the e-mail group "attorneys"?
16 Q. Yes.
17 A. Yes, I'm a part of that e-mail group.
18 Q. And I appreciate that you were very busy and
19 may not have read all of them, but you did receive
20 those e-mails when they would go around?
21 A. Yes, and I tried my best to read them.
22 Q. Okay. At what point did you decide to use
23 this case to further your Ponzi scheme?
24 A. I don't remember the date, but I can give
25 you the circumstances, if you'd like.

Page 22

1 Q. Please do.
2 A. The Ponzi scheme was running very low on
3 capital. My co-conspirators and I needed to find a
4 new feeder fund, new investment sources. We had a
5 couple of very large, significantly wealthy potential
6 investors out there. I was looking for something that
7 would have been very attractive. We had had a lot of
8 inquiry during the due diligence period with these
9 people that were doing due diligence on the putative
10 cases that we were selling. And when I thought about
11 the Epstein case, realizing that it was a substantial
12 actual file in the office, I came up with the idea
13 that if I created a fake confidential settlement
14 circling around -- based upon this actual case, they
15 would be able to increase the level of due diligence
16 that I was able to offer to my potential investors.
17 Q. How did you know this was a substantial file
18 in your office at that time?
19 A. Again, through the people I spoke to in the
20 office.
21 Q. Such as who?
22 A. Again, same people, Adler, Farmer, Jaffe,
23 Fistos.
24 Q. You never spoke to Brad about this case?
25 A. I didn't say that, but I had a lot more

Page 23

1 interaction --
2 Sorry, Tonja, I didn't mean to speak over
3 you.
4 If you talk to the people in the firm, if
5 they are honest with you, they'll tell you my
6 interaction was far more significant with Russ Adler,
7 probably more so because he was a co-conspirator of
8 mine. My interaction with Russ was far greater by
9 many, many percents over my interaction with Brad, and
10 then you go down the line. I had more interaction
11 with Mr. Farmer than I did with Mr. Fistos, more
12 interaction with Jaffe than I did with Mr. Edwards,
13 and so on.
14 Q. Russ was the head of your tort group, right?
15 A. Yes.
16 Q. So these cases fell under the tort group; is
17 that correct?
18 A. Yes, it fell under the -- fell under Russ'
19 purview ultimately, yes.
20 Q. And Brad was a partner at your firm during
21 the time these cases were there, correct?
22 A. I believe that was his title. He was either
23 partner or shareholder. I don't think we had made him
24 a shareholder yet.
25 Q. But he wasn't coming in as an associate,

Page 24

1 correct?
2 A. To the best of my recollection, no.
3 Q. So you stated that you learned this case
4 was -- I don't want to misquote you and listen to a
5 long speaking objection, but what did you call this
6 case?
7 MR. SCAROLA: Who wants the quote?
8 THE WITNESS: It was a substantial case
9 with a -- what I perceived to be a highly collectible
10 pedophile as a defendant.
11 BY MS. HADDAD:
12 Q. Right. How did you know at the time when
13 you said these investors wanted to investigate and you
14 said you were going to create a fake settlement, how
15 did you know that this case was the case that you
16 could use?
17 A. From talking to all the people that I just
18 said, Adler, Fistos, Jaffe, Farmer, Mr. Edwards, to
19 the extent that I spoke to him about it.
20 Q. Did you speak with Mr. Edwards about the
21 case?
22 A. I don't have a specific recollection one way
23 or the other. I remember speaking to him at least
24 briefly the day or the day of or the day before the
25 actual investor's due diligence was going on as to

Page 25

7 (Pages 22 to 25)

1 what was going on. And I may have spoke to him, I
2 know I spoke to Russ, but I may have spoke to him as
3 well within a couple of days just prior to this due
4 diligence because I was trying to at least get some
5 information in my head that I could use when I was
6 creating this story for the investors.

7 Q. Scott, what's Q-task?

8 A. Q-task is a web based software system that I
9 had invested \$7 million in.

10 Q. And what was the purpose of this internet
11 system?

12 A. To be able to communicate in a secure
13 fashion and in a unique group fashion about specific
14 files.

15 Q. So forgive me, we all know I'm not good with
16 the computer. That was something that would be useful
17 within a law firm, why?

18 A. Because it allowed you to create groups and
19 have both general and private chats, organize data in
20 a very unique fashion. That was, at least to our way
21 of thinking, would have been very, very helpful in the
22 law firm setting with multiple practice groups.

23 Q. Did you belong to any groups on Q-task?

24 A. I'm certain that I did. I don't remember
25 which groups I belonged to. I never got into the full

Page 26

1 use of it. I tried to, but again, I was very busy
2 doing other things. But I know that Mr. Adler's group
3 used it extensively.

4 Q. Because it was your firm and, as you said,
5 you invested \$7 million in it, did you have the
6 ability to access a group if you wanted to?

7 A. Yes. And if I couldn't, I could get Russ to
8 give me access.

9 Q. So you didn't necessarily have to be invited
10 into the Q-task group for you to be able to utilize or
11 view the communications within it?

12 A. No, that's not true. I actually had to be
13 invited, that's what I was telling Russ to do, is to
14 have me invited.

15 Q. But I'm saying, the lawyers wouldn't have to
16 personally invite you, you can get someone within your
17 firm to give you access maybe without the lawyers
18 knowing?

19 A. No, I think it might have had a, quote,
20 unquote, confidential, super secret viewing
21 capability, but I don't recall it having that, and I'd
22 have no need to utilize that. Just invite me into the
23 group and let me see what's going on.

24 Q. Okay. I know that you are or were a very
25 hands-on person within certain of the practice groups

Page 27

1 and with that, with the Q-task and the e-mails, did
2 someone assist you with reviewing everything and
3 letting you know what was going on within the groups?

4 MR. SCAROLA: Excuse me, I'm going to
5 object to counsel's testimony. Object to the form of
6 the question as leading.

7 THE WITNESS: I really don't even
8 understand the question.

9 Can you try to rephrase it for me, Tonja?

10 BY MS. HADDAD:

11 Q. Of course, I would.

12 Did you keep abreast of everything that was
13 going on in every practice group or was someone
14 through Q-task and e-mails, for example, or was
15 someone giving you information keeping you posted on
16 what was going on within the practice?

17 A. Well, as part of the tort group I had a
18 pretty good idea of what was going on there all the
19 time just because of the significant amount of
20 interaction, both legitimate and otherwise, that I had
21 with Russ Adler, so I was probably more up-to-date on
22 that group than any group other than the labor and
23 employment group, again, because I had such
24 significant interaction with Stu Rosenfeldt, both
25 legitimately and illegitimately, so I knew what was

Page 28

1 going on in that group.

2 I tried, as best as I could, given my time
3 constraints, to stay on top of what was going on, you
4 know, throughout the firm. But I relied on other
5 people like Debra Villegas and Irene Stay and David
6 Boden, Les Stracker to the lesser extent, to monitor
7 what was going on in the different practice groups and
8 keep me up to speed.

9 Q. Was there audio and video surveillance
10 throughout the entire firm or only within your office?

11 A. No, through the entire office, not in the
12 individual offices.

13 Hang on. Not in the individual offices but
14 throughout the general office space.

15 Q. So in 2009 how many floors did you have?

16 A. Three, I think.

17 Q. And do you recall approximately how many
18 attorneys you had working there at that time?

19 A. Approximately 70.

20 Q. And when you say "not the individual offices
21 but the other areas," do you mean -- would that
22 include conference rooms?

23 A. I didn't have surveillance in the conference
24 rooms.

25 Q. So can you please tell me exactly where you

Page 29

8 (Pages 26 to 29)

1 had audio and/or video surveillance? We'll start with
2 audio.

3 A. I don't have a specific recollection of
4 every place I had video and audio, but it was in -- I
5 had it set up so that in all of the common areas,
6 including our shareholder's lounge, we had -- I had
7 audio and video capabilities.

8 Q. When you say "capabilities," does that mean
9 you didn't always turn it on or you just turned it on
10 when you felt like it?

11 A. I turned it on when I felt like it, when I
12 felt like seeing what was going on. I sometimes left
13 the screen up because I had four computer screens on
14 my desk, I sometimes left the screen on with the video
15 of the reception area and some other general areas.
16 But unless I wanted to see what was going on or listen
17 to what was going on, I didn't turn it on. It would
18 have been too distracting.

19 Q. Did the attorneys know that this
20 surveillance existed?

21 A. You can see it in the -- it wasn't hidden,
22 you can see it. There were globes up in the ceiling
23 all over the office.

24 Q. Did you have -- you said -- you didn't
25 answer this, you said you didn't recall. Did you have

Page 30

1 out, because I remember building out space and I
2 remember Jaffe and all those guys moving into that
3 space.

4 Q. If you were building up that space, do you
5 recall when you put the surveillance in there?

6 A. It would have been while they were building
7 it out or shortly thereafter.

8 Q. During 2009 it seems that you hired lots of
9 former law enforcement people to work at the firm.
10 Why were they people you wanted to hire?

11 A. Severalfold. I had a significant amount of
12 illegal activity going on with various law enforcement
13 agencies throughout South Florida and hiring people
14 from former law enforcement assisted me in engendering
15 support and camaraderie with the law enforcement that
16 I was actually utilizing in illegal activities.

17 Q. So you are saying --

18 A. Secondly, I wanted to have a very strong
19 investigative team, ultimately, to do both legitimate
20 and illegitimate things for the law firm, and hiring
21 former law enforcement was the best way to do that. I
22 was hoping to actually ultimately create a group. Ken
23 Jenne and I had talked about that extensively.

24 Q. Why did you hire Ken Jenne?

25 A. Prior to Ken going to prison, he and I were

Page 32

1 any surveillance in the conference rooms?

2 A. No.

3 Q. Other than the common areas you just went
4 over, in the hallways and the reception -- did you
5 have it in the hallways, is that a common -- do you
6 deem that a common area?

7 A. All the hallways pretty much with the
8 exception of a few blind spots, I can see all the
9 hallways.

10 Q. And this was on all three floors?

11 A. Yeah. For some reason I think we might
12 have taken some space on a fourth floor, but I could
13 be mistaken. But yes, on the three floors that we
14 actively had a significant amount of space on, I tried
15 to have surveillance on all the common areas of all
16 that space.

17 Q. And what floor was Mr. Edwards' office on?

18 A. I don't recall.

19 Q. Did you have the tort group all together or
20 was it divided up?

21 A. Except for Adler, Adler was on with -- near
22 me, down the hall from me. The rest of the group was
23 all together. I think they were on -- let's see.

24 There were people up on 22. I was on 16. He must
25 have been on the other floor that we were building

Page 31

1 very friendly and he was extremely friendly with
2 someone that was very close to me, Grant Smith.
3 During the time that he was down in FDC Miami, I went
4 down to visit him. And after speaking to him and
5 after speaking to Grant, I told him, because he was
6 talking to me about how many people had turned on him
7 and abandoned him. And I told him that when he got
8 out of jail that he had no worries, that I would give
9 him a job.

10 Q. And what --

11 A. And that was the primary reason -- that was
12 my primary reason for hiring him.

13 Q. What was it you were hiring him to do
14 exactly?

15 A. Ultimate the goal was to head up on
16 investigative arm within RRA, within the RRA entities.

17 Q. Well, while he was there, since that didn't
18 happen, what was his obligation to the firm
19 day-to-day?

20 A. He handled firm security issues and he did
21 handle overseeing certain investigative things. We
22 had an alcohol and beverage group that was forming and
23 he was overseeing that. He was helping me find new
24 people to staff it, that kind of thing.

25 Q. Did you have a lot of interaction --

Page 33

9 (Pages 30 to 33)

1 A. He had had significant -- as you know, he
2 also had significant political connections and
3 everyone who is not living under a rock knows I was
4 doing everything I could to garner significant
5 political power.

6 Q. I think many people miss your parties.

7 But, with respect to Mr. Jenne and his
8 political connections, were you hiring him to utilize
9 him with respect to any of the police department
10 investigations? You had stated earlier you had
11 dealings with police departments. I don't want --
12 again, I don't want to put words in your mouth. You
13 said you had dealings going on with various police
14 agencies?

15 A. I had -- I mean, we had a criminal defense
16 section in the law firm, so we had legitimate dealings
17 with law enforcement. But I also had significant
18 illegitimate things with law enforcement that had
19 nothing to do with Ken Jenne.

20 Q. And how about with respect to former FBI
21 agents you were hiring?

22 A. They were all people that were operating in
23 a legitimate fashion within the law firm.

24 Q. In what role was that?

25 A. The investigative roles and the alcohol

Page 34

1 beverage roles and anything else Ken or other staff
2 could think of to have them do.

3 Q. Let's talk about the investigative roles for
4 a minute.

5 What kind of investigations were these teams
6 running?

7 A. I do not know. You have to speak to lawyers
8 that were actually utilizing them. I put it out there
9 and Ken put it out there, that they were available to
10 lawyers in the firm for use like in-house
11 investigators. And what people did with them
12 ultimately was up to them.

13 Q. Were they on salary or were their costs and
14 fees associated with utilizing them within a specific
15 practice group?

16 A. They were all on salary with me. The
17 ultimate goal was to have it as a separate entity that
18 could bill the law firm and have the clients at least
19 defray some of the cost. I don't recall whether or
20 not we ever got to that level or not.

21 Q. With all that in-house police action, why
22 did you have police security surrounding you all the
23 time?

24 A. I guess the best answer was I was paranoid,
25 but I mean -- that's the simple answer to it. You

Page 35

1 know, having -- there were mixed reasons. For
2 example, I -- are you talking about my Fort Lauderdale
3 police detail?

4 Q. Yes. You had it at the office and at your
5 home, correct?

6 A. Yeah. There's a myriad of facts that
7 motivated me to do that. One was that I really wanted
8 the security for the office. Two was, I was paranoid
9 and this is in no particular order. Three was the
10 Melissa Lewis murder that shook the entire law firm
11 and shook me terribly. I didn't want that to ever
12 have to happen again. And four was, I wanted -- the
13 more law enforcement you have around, the
14 more legitimacy it adds to you and your appearance to
15 the community. So there were a multitude of reasons.

16 I mean, I hired certain law enforcement to
17 work for me that were just friends of mine that
18 were -- that needed additional money, so I wanted to
19 make sure that they had money, both guys that did the
20 illegal stuff for me and guys that didn't do anything
21 illegal for me.

22 Q. Let's go back to the Epstein case and when
23 you decided to utilize it -- to use for the investors
24 for your Ponzi scheme.

25 Do you recall approximately when it was that

Page 36

1 these investors were coming that you decided to use
2 the files?

3 A. My best recollection it was in 2009,
4 sometimes after April of 2009, but I don't have a
5 specific recollection beyond that.

6 Q. What makes you think it was after April of
7 2009?

8 A. Because, to the best of my recollection, the
9 Clockwork Group came in towards the middle of 2009.
10 When I say Clockwork, that's an umbrella term that I
11 use to mean the Von Allmen, AJ Discala, and other
12 investors that came in through that feeder fund.

13 Q. So that was around April 2009?

14 A. No, it was after, to the best of my
15 recollection. I mean, you can tell because all you
16 have to do is look and see when the first, very first
17 Clockwork investment is. Actually, you can pinpoint
18 it even closer. Look for the very first settlement
19 deal that we did that was related to the Epstein case,
20 within 60 days prior to that would have been when I
21 was meeting with those due diligence people, 30 to
22 60 days before that.

23 Q. So when you decided to use that case, take
24 me through exactly what you did to familiarize
25 yourself with that case.

Page 37

10 (Pages 34 to 37)

1 A. I talked to Russ Adler. I may have talked
2 to some of the other lawyers. I flipped through
3 certain boxes in the file.
4 Q. How did you get the boxes?
5 A. I asked someone to bring them to me.
6 Q. Do you know where those files were stored?
7 A. I do not.
8 Q. So you flipped -- sorry, please continue.
9 Flipped through some files?
10 A. I flipped through some files. I had the
11 files in my office. The day that the investor group
12 came in, I actually had Ken Jenne and some others
13 actually bring me some more of the boxes actually into
14 my office while the investors were there. I already
15 had some of the boxes with me.
16 Q. You say "Ken Jenne and others," who were the
17 others to whom you are referencing?
18 A. I don't specifically recall who carried them
19 in. I was very focused on my investors at that time.
20 Q. Were any of the lawyers present with you
21 when you were meeting with these investors?
22 A. During the actual meeting with them, no. I
23 recall that some of the lawyers may have met some of
24 the investors, but I don't recall who.
25 Q. Do you recall approximately when that

Page 38

1 happened?
2 A. No, it's the same dates that I was giving
3 you before.
4 Q. Okay. So you had, to further your Ponzi
5 scheme, you had to familiarize yourself with this case
6 so that you could speak intelligently with the
7 investors; is that correct?
8 A. Well, sort of because most of what I told
9 the investors was all things that I was creating as I
10 went.
11 Q. About this particular case, the Epstein
12 case?
13 A. Yes, from an investor -- you have to
14 understand how the inner working of the Ponzi scheme
15 were crafted but --
16 Q. Please tell me then.
17 A. I'm telling you -- hang on. From an
18 investor's standpoint, the investor is simply looking
19 for is the case believable. And once they get past
20 that, is it of such case -- excuse me, is it of such a
21 nature that it is possible to be generating a
22 significant amount of settlement dollars. And then
23 after that, their concern is simply on the due
24 diligence side of making sure we actually have the
25 money, that the documents pass -- the documents

Page 39

1 unrelated to this case, documents related to the
2 settlements. Other than proving the existence of the
3 case, there's very little an investor, at least from
4 my end, investigates into the actual case. It was
5 more after having the case exist and not caring about
6 really what was going on in the case other than a lot
7 of money was going to be collected.
8 Q. Well, with respect to showing them that the
9 case existed and that there was a likelihood of a
10 possibility of a payday at the end, how did you
11 convince them of that? What did you use to convince
12 them of that?
13 A. I did two main things. One, I put the boxes
14 in my office while they were there. I told them to
15 specifically look at a couple of sheets of a flight
16 manifest that was in the file that Russ had shown me.
17 And I told them that it would be a breach of
18 attorney/client privilege for them to look at the
19 file, but that I was going to step out for a while and
20 leave them there with the boxes, wink, wink, and
21 that's what I did. I stepped out, I let them look at
22 whatever they wanted to look at. I came back in, they
23 were satisfied that it was a real case and I was off
24 and running.
25 Q. And these were the real legitimate files for

Page 40

1 this case; is that correct?
2 A. These were the legitimate files, yes.
3 Q. Nothing had been created at this time for
4 them to look through?
5 A. I didn't add anything to the case files.
6 The case files were significant enough by themselves.
7 Q. Do you know how long they were in your
8 office; days, weeks?
9 A. The people or the boxes?
10 Q. The boxes.
11 A. The boxes were in there probably a little
12 more than a week. I don't have a specific
13 recollection.
14 Q. Okay. Did you ever go through them?
15 A. Yes, I flipped through them at some point in
16 time.
17 Q. And what do you recall about what you saw in
18 the cases? Do you remember anything?
19 A. I remember seeing the flight manifest. I
20 don't recall seeing anything else. I'm sure I looked
21 at other things, but again, for my purposes it was
22 insignificant to me because the actual content of the
23 boxes was not necessary in the sale of the fake
24 settlements.
25 Q. Why was the flight manifest so interesting

Page 41

11 (Pages 38 to 41)

1 to you?
2 A. Because of who was on it.
3 Q. Who was on it?
4 A. I don't recall, but I do recall saying to
5 the investors -- I recall having a conversation prior
6 to the investors coming in with Russ Adler and Russ
7 had told me that Epstein had flown Bill Clinton on his
8 plane, had flown Prince Andrew on his plane. And I
9 don't remember whether that was on any of the flight
10 manifests or not, but I left that to the investors'
11 imagination as to what they were being told about
12 Mr. Epstein and these other famous people that were
13 cavorting with Mr. Epstein and let them look at the
14 file.

15 You have to understand from an investor's
16 perspective -- hang on. From an investor's
17 perspective the only thing that matters to the
18 investor is that it's a real case and that they can
19 verify that real dollars are being paid. The fact
20 that it was a real case was evident, I had a lot of
21 boxes with real pleadings in it and a lot of other
22 information in it. The fact that there was real money
23 being paid was a fiction that was created by me and my
24 co-conspirators, everyone from bankers, to computer
25 people. So the actual role of the case, and I want to

Page 42

1 make sure you understand this, the actual role of the
2 actual physical case in the Ponzi scheme is, from my
3 perspective, minimal. It was just another vehicle for
4 me.

5 Q. After that initial meeting with the
6 investors where they looked at the file, what happened
7 with respect to their desire or lack of desire to
8 invest?

9 MR. SCAROLA: Excuse me. I'm going to
10 object to the form of the question, it assumes facts
11 not in evidence. There's been no testimony that the
12 investors actually looked at the files, only that
13 they were given the opportunity to look at the files.
14 BY MS. HADDAD:

15 Q. Was your video surveillance on when you left
16 the investors alone in your office?

17 A. No, no, I didn't have cameras in my office.
18 I didn't let people look in my office when I was in
19 there, that would have been bad.

20 Q. So you left them alone in there?

21 A. Yes.

22 Q. Do you recall for approximately how long?

23 A. No more than 20, 30 minutes. It was a short
24 period of time.

25 Q. When you went back in what happened?

Page 43

1 A. I went back to selling the Ponzi deal.

2 Q. And did you sell it?

3 A. I believe I did. You'd have to look at the
4 actual settlement documents to see if I put one
5 together for that, but I'm pretty sure we did.

6 Q. Do you recall if the investors asked you for
7 any additional information or any additional
8 documentation?

9 A. I don't recall one way or the other.

10 Q. After this initial meeting with the
11 investors, did you give any direction regarding this
12 particular case?

13 A. To whom?

14 Q. To any of the attorneys working on the
15 Epstein case.

16 A. No. I didn't interfere in how they were
17 running their cases. They were far more experienced
18 than I was in that type -- in handling that type of
19 case. As a matter of fact, I was practicing very
20 little real law at this point in time. I wouldn't
21 have had time to tell them or to get involved.

22 Q. Did you ever keep up with this case after
23 this initial meeting with the investors?

24 A. I'm certain that I talked to Russ Adler
25 about it from time to time, but my main focus by this

Page 44

1 point in time in 2009 was the Ponzi scheme.

2 Q. Did you try to sell this particular
3 settlement to any other investors?

4 A. I don't recall one way or the other.

5 Q. Okay. Did you ever have any conversations
6 with any of your investors about this Epstein case?

7 A. I don't recall one way or the other.

8 Q. I notice there's been a privilege log
9 produced with respect to e-mails. There seems to be
10 quite a bit of communication between you and Ken Jenne
11 with the topic being the Epstein case. Do you have
12 any recollection what that would be about?

13 A. I don't. As I sit here today, I don't have
14 a specific recollection of having significant e-mail
15 contact with Ken Jenne about the case. But if you are
16 telling me I did, I'll accept that, but I don't recall
17 what it was.

18 Q. Earlier you had stated that when you were
19 hiring good attorneys such as Mr. Edwards, looking at
20 their book of business was -- I don't want to put
21 words in your mouth -- it was the legitimacy of the
22 practice, it would bring in legitimate money to the
23 practice, is that what you were hoping to do?

24 A. Earlier when I testified I specifically
25 testified that I personally did not look at most of

Page 45

12 (Pages 42 to 45)

1 their book of business. This being said, I was
2 bringing in legitimate lawyers to form legitimate
3 practice groups to practice legitimate law, having
4 nothing to do with the Ponzi scheme.

5 Q. During the year 2009, were there any, to
6 your knowledge, any big settlements of any cases at
7 RRA?

8 A. To the best of my recollection, no. We had
9 a dismal year.

10 Q. The year 2009 was just dismal across the
11 board?

12 A. Some people did better than others, but yes,
13 overall it was for a firm of 70 lawyers, it was
14 dismal.

15 Q. So there were no big wins coming into the
16 firm as far as a financial windfall other than from
17 your other businesses?

18 A. The only significant capital coming into the
19 firm was money my co-conspirators and I were stealing.

20 Q. Was there any particular practice group that
21 you can remember that had a particularly non-dismal
22 year in 2009?

23 A. Mr. Nurik had a good year.

24 Q. Do you recall what the gross revenue was
25 from legitimate sources in 2009?

Page 46

1 A. It was somewhere between eight and
2 \$10 million, probably right around the nine million
3 mark.

4 Q. Do you know what your --

5 A. On its best day.

6 Q. What was your overhead for salaries in 2009,
7 do you recall?

8 A. I don't have a clue.

9 Q. Was it more than you brought in
10 legitimately?

11 A. With what I was paying in salaries, I'm -- I
12 mean, I'd be guessing. If it wasn't more than, it was
13 certainly close to it.

14 Q. That's just salary, that's not talking about
15 anything else, rent, overhead, things of that nature?

16 A. That's correct.

17 Q. Who was paying for the investigations of the
18 cases that were going on in 2009, the deposition
19 costs, the filing of complaints, and things of that
20 nature? Where did that money come from from your
21 firm?

22 A. It varied from case to case.

23 Q. For the tort group?

24 A. It was fronted by the law firm for the most
25 part.

Page 47

1 Q. For the most part.

2 What wasn't fronted by the law firm?

3 A. I recall there being a couple of agreements
4 that various tort lawyers had with certain clients
5 where they were going to assist in helping to pay the
6 costs. All the other costs would have been paid by
7 the law firm, both through legitimate and illegitimate
8 means.

9 Q. So when you say by "illegitimate means,"
10 where would the illegitimate means money come from?

11 A. It came from the Ponzi scheme, and all the
12 tentacles of the Ponzi scheme, other illegal activity.

13 Q. Such as?

14 A. Things I was doing with law enforcement,
15 things I was doing in politics, things that I was
16 doing with organized crime, things I was doing with
17 politicians, judges, other lawyers, bankers, business
18 people, things of that nature, I'm sure there's more.

19 Q. Do you recall if any of these Epstein cases
20 underwent significant investigation while the cases
21 were at your firm?

22 A. I'd be guessing. I don't remember.

23 Q. There was a meeting in 2009, July of 2009,
24 and it appears from the e-mail communications that it
25 was for everyone in the firm to attend and it was

Page 48

1 regarding the Epstein case. In fact, there was an
2 Epstein conference room that was reserved for it.
3 Were you present at that meeting?

4 A. I may have been.

5 Q. Do you recall?

6 A. I don't recall one way or the other.

7 Q. You don't recall it.

8 Do you recall anything about the Epstein
9 case in July of 2009?

10 A. I do not. Do you have something that might
11 refresh my recollection?

12 MS. HADDAD: Can we just take a five-minute
13 break right now?

14 THE WITNESS: Sure.

15 MR. GOLDBERGER: Thank you.

16 MS. HADDAD: Thanks.

17 [Short recess taken.]

18 BY MS. HADDAD:

19 Q. Scott, I was asking you before we took the
20 break about a meeting with respect to the Epstein
21 cases. There was a 159-page privilege log filed,
22 which I'm sure you don't have and are not aware of.
23 But in it there are many, many e-mails to both
24 attorneys at RRA, yourself, and Mr. Nurik regarding
25 the Epstein litigation. And all this resolved in July

Page 49

13 (Pages 46 to 49)

1 of 2009 about the Epstein meeting and some additional
2 investigation into the Epstein case.
3 Does that refresh your investigation as to
4 when you met with the investors in the
5 Discala/Clockwork Group?
6 A. It does not. The best thing to refresh my
7 recollection as to when I met with them would be to
8 see the deal documents.
9 Q. Okay. I unfortunately don't have those.
10 Do you recall if you took Discala and his
11 other investors to a football game in 2009?
12 A. Sure, I did.
13 Q. Okay. Would that be around the time you
14 were trying to get them to invest in the case?
15 A. It would have been around the time I was
16 trying to get them to invest in general. It's may
17 have been around the time that I was showing them the
18 Epstein file.
19 Q. Did you show them any files other than the
20 Epstein file?
21 A. I may have. I don't have a specific
22 recollection one way or the other.
23 Q. You testified earlier that you had over a
24 dozen boxes brought to your office that were related
25 to the Epstein case.

Page 50

1 MR. SCAROLA: Excuse me, counsel. Counsel,
2 there has been no such testimony.
3 BY MS. HADDAD:
4 Q. You said there were several boxes brought to
5 your office by different people. You don't recall who
6 that is; is that correct?
7 A. Yes, I had some boxes already in my office
8 and I had Ken Jenne and some other people bring some
9 others. I don't remember how many boxes.
10 Q. Was it more than three?
11 A. Sure, it was more than three boxes, yes.
12 Q. Was it more than 10?
13 A. I don't believe so, no.
14 Q. You stated that you looked -- I don't want
15 to put words in your mouth. What did you look at
16 specifically in that case?
17 A. Other than looking at the flight manifest
18 that Russ Adler told me to look at, I have no specific
19 recollection as to what I looked at in that file.
20 Q. Do you know if there was more than one case
21 being prosecuted by your office against Mr. Epstein?
22 A. To the best of my recollection there were --
23 it was multiple plaintiffs.
24 Q. Okay. Do you recall if those cases were
25 pending in state or federal court?

Page 51

1 A. I don't recall.
2 Q. Did you check?
3 A. I don't remember one way or the other. It
4 was insignificant to me.
5 Q. Well, then explain to me. You testified
6 earlier that what was important to the investors to
7 see is that there was a real case, correct?
8 A. Yes.
9 Q. What did you look at or show them -- what
10 did you look at, first of all, to see if it was, in
11 fact, a real case?
12 A. I knew it was a real case.
13 Q. How did you know?
14 A. Because my lawyers told me it was a real
15 case. I believed them.
16 Q. What lawyers told you that?
17 A. I already told you it was a mixture of Russ
18 and Jaffe and Fistos and Farmer and Mr. Edwards. I
19 mean, I knew it was a real case. We had all these
20 boxes, we had people really working on the file --
21 Q. How do you know --
22 A. -- or they were pulling a hell of a scam on
23 me. Not that I didn't deserve it but ...
24 Q. How did you know, you just said you knew
25 people were working really hard on this case. Who do

Page 52

1 you know was working on the case?
2 A. The only people that I knew for certain were
3 working on the case was Brad Edwards and Russ Adler
4 was doing his supervisory schtick, whatever that was.
5 But other than that, I don't know which other lawyers
6 were assisting Mr. Edwards. I didn't get involved at
7 that level.
8 As far as the Ponzi scheme goes, the only
9 thing I cared about, Tonja, was being able to show the
10 investors that this case that I was utilizing to steal
11 a significant amount of money from them was a real
12 case. That's all I cared about.
13 Q. That case came into your office through
14 Mr. Edwards, correct? He brought it with him when he
15 came to RRA?
16 A. Yes.
17 Q. He was lead counsel on the case, correct?
18 A. I assume he was lead counsel. I never
19 checked to see if he listed himself as lead counsel.
20 Q. Do you know if any additional complaints
21 were filed while the case was at RRA?
22 A. I have no idea one way or the other.
23 Q. Did you ever instruct, in furtherance of
24 your Ponzi scheme, Mr. Edwards or anyone in that
25 litigation group to file additional complaints?

Page 53

14 (Pages 50 to 53)

1 A. No.
2 Q. Who is Cara Holmes?
3 A. Who is who?
4 Q. Cara or Cara, C-a-r-a, Holmes?
5 A. To the best of my recollection, she was a
6 former FBI agent or maybe IRS agent. I don't know.
7 She was a former federal agent.
8 Q. Did you hire her to work for you?
9 A. It was either IRS or FBI.
10 Q. Did you hire her to work for you?
11 A. Yes, I hired her at the suggestion of Ken
12 Jenne.
13 Q. For what purpose?
14 A. To work in the group that he was overseeing.
15 Q. So what did she do for RRA while she was
16 there?
17 A. I don't remember.
18 Q. Did you ever mention her to your potential
19 investors from the Clockwork group?
20 A. It's a possibility because, as I was
21 building the Ponzi scheme, I frequently referred to
22 the fact that we had former state and federal law
23 enforcement working for us and on our investigative
24 teams. It added legitimacy to the Ponzi scheme.
25 Q. Didn't you tell investors that she could

Page 54

1 case or any communications --
2 A. I may have.
3 Q. Do you recall when that --
4 A. I may have.
5 Q. Do you recall when that may have happened?
6 A. I do not.
7 Q. Do you recall the first time you looked at
8 the flight manifest to which you referenced earlier?
9 A. Prior to the investors coming in. I don't
10 remember the date.
11 Q. Did you instruct anybody, to further your
12 Ponzi scheme, to investigate or check into anyone
13 whose name was listed on the flight manifest?
14 A. I may have, but with this clarification. If
15 I instructed someone to look into something, I did it
16 without that person knowing that I was involved in a
17 Ponzi scheme or that what they were doing was illegal
18 and it was just to get me additional information to
19 help with my sale of the fake settlements.
20 Q. So it was to further your --
21 A. So I may have asked someone -- I may have
22 asked someone to get me some additional information,
23 but as I sit here today, I don't recall ever asking
24 anyone to do anything on the file that was for the
25 purpose of furthering the Ponzi scheme, other than

Page 56

1 hack into a computer as part of her skills?
2 A. I certainly may have. I told the investors
3 a whole host of lies about what was going on about
4 with case and what people could do and did do.
5 Q. Did you ever personally utilize Cara Holmes'
6 skills in any of your cases?
7 A. I don't remember.
8 Q. Were you handling any cases during the 2009?
9 A. I was overseeing cases in 2009, but my
10 involvement was mostly supervisory. I was handling
11 very little that was legitimate at that point in time.
12 Q. Were you legitimately, when I say
13 "legitimately," were you invited into Q-task on any
14 particular cases that you can recall?
15 A. I'm certain I was. I don't recall one way
16 or the other.
17 Q. Do you recall if you were involved in
18 Mr. Epstein's case on Q-task?
19 A. I may very well have been, but I don't have
20 a specific recollection one way or the other.
21 Q. Do you know who invited you in?
22 A. I have no idea if I was invited in. And if
23 I was invited in, I have no idea who invited me.
24 Q. Once you decided to use this case in your
25 Ponzi scheme, did you go into Q-task to look at the

Page 55

1 perhaps getting me a piece of information that I
2 needed.
3 Q. I'm going to try to refresh your
4 recollection as to whether or not you attended those
5 meeting in July of 2009. And it appears that in
6 between the dates of July 22nd, 2009 and July 24th,
7 2009, there was a number of communications through
8 e-mail by and between yourself, Mr. Adler, Brad
9 Edwards and Ken Jenne regarding an Epstein meeting
10 that was going to be taking place. Do you remember
11 that at all?
12 A. I think what you are referring to, and I'm
13 not certain, but I think that what you are referring
14 to is me making sure that the file was in the
15 condition in which I wanted it at the time the
16 investors were coming in. I don't think it had
17 anything to do with the actual functioning of the
18 Epstein case. I think it had to do with my
19 illegitimate purpose. That's the best of my
20 recollection, but if you have documents or something
21 that you can show me, that would be helpful.
22 Q. We are not privy to all of the e-mails
23 because they've been alleged as privileged or work
24 product, so I unfortunately can't show them to you.
25 But according to the privilege log between

Page 57

15 (Pages 54 to 57)

1 July 22nd and 23rd there were numerous e-mails sent
2 about the meeting. It was almost an all-hands-on-deck
3 type meeting where everybody needed to attend. It was
4 labelled the Epstein meeting with an Epstein
5 conference room reserved.

6 A. Yes.

7 Okay. What's your question and I will tell
8 you.

9 MR. SCAROLA: First I'm going to object to
10 counsel's testimony, but let's hear the question.

11 BY MS. HADDAD:

12 Q. The question is, does that refresh your
13 recollection as to whether or not this meeting took
14 place?

15 A. To the best of my recollection, I actually
16 had introduced some of the investors to some of the
17 people working on the Epstein case, and that is likely
18 the meeting that you are referring to. But for the
19 life of me, I don't have a specific recollection of
20 it.

21 Q. But it could be the meeting where you
22 introduced the Epstein litigation team to your Ponzi
23 investors?

24 MR. SCAROLA: Excuse me, I'm going to
25 object to the form of the question. It misstates the

Page 58

1 mentioned letting them look through the litigation
2 boxes, you've mentioned the meeting. What other way
3 would you have convinced them that it was a real case?

4 A. I mentioned letting them look at boxes, what
5 they did when I was out of the office, that's -- I
6 don't know because I couldn't see what they were
7 doing. Number two, I may have introduced them to
8 people in the office. Number three, I'm certain that
9 when the people brought the boxes to my office I
10 introduced them to whoever was carrying the boxes.
11 And number four, the rest of it would have been all
12 stuff I created in my imagination because, again, it
13 was the sale of something that didn't exist. This was
14 not settling. There was no real settlement money.
15 There were no real settlement documents. I even
16 manufactured, I think, the actual plaintiff, because I
17 don't recall even knowing the plaintiff's real name or
18 if I did it was of no significance to me.

19 Q. How would you have manufactured a
20 plaintiff's name, would you have created additional
21 documents to further your Ponzi scheme using
22 Mr. Epstein as the defendant?

23 A. No.

24 Q. How would you --

25 A. The name just would have appeared on the

Page 60

1 prior testimony. It has no predicate.

2 BY MS. HADDAD:

3 Q. That could have been the meeting in which
4 you introduced the Ponzi investors to people working
5 on the Epstein case?

6 MR. SCAROLA: Excuse me, counsel. The
7 testimony was that there may have been a meeting at
8 which investors may have been introduced to some
9 people working on the Epstein file. And your efforts
10 continuously to mischaracterize the prior testimony
11 are highly improper. I object.

12 BY MS. HADDAD:

13 Q. Scott, did you or did you not say that you
14 introduced some of the investors to some of the
15 lawyers on the Epstein case?

16 A. No, I actually said, Tonja, that I may have.
17 I have a recollection that I may have based upon you
18 just refreshing my recollection, but I just do not
19 remember one way or the other. This was, in the
20 scheme of what I was doing, insignificant. I was
21 simply trying to establish to the investors that this
22 was a real case, with real potential, with real
23 lawyers working on it. Other than that, it was of no
24 interest to me.

25 Q. How else would you convince them? You've

Page 59

1 confidential settlement agreement.

2 Q. Would they have already seen the documents
3 at that point?

4 A. I can't tell you one way or the other what
5 they had seen, because I don't know what they actually
6 looked at.

7 Q. Forgive me, you've now confused me so I'm
8 just going to ask you for some clarification.

9 You used a legitimate case and created fake
10 settlement documents, correct, in the simplest sense?

11 A. If this culminated in an actual sale of a
12 fake settlement, then the answer is yes.

13 Q. So it was a real case with a real plaintiff
14 and real defendant, just a fake settlement document?

15 A. No. Let me see if I can clarify this for
16 you. Over 90 percent of the settlements that I sold,
17 the fake settlements, were completely fictitious?

18 Q. Right.

19 A. A very small percentage of them were based,
20 at least in part, on some type of real litigation that
21 either had occurred or was currently occurring. I
22 utilized the Epstein case to bolster the visual for
23 the investors that a real case existed. Because as
24 these were being sold to more sophisticated investors,
25 the questions kept coming up, was there -- how do we

Page 61

16 (Pages 58 to 61)

1 know this is a real case? So I was finally able to
2 say this is how you know, here is a case file. I may
3 have, I don't remember specifically one way or the
4 other, but I may have utilized actual plaintiff names
5 from the cases filed, but I may have made them up. I
6 have no specific recollection one way or the other. I
7 was totally geared toward simply getting the investor
8 money into the Ponzi scheme.

9 Q. Were you aware that the day after this
10 meeting took place on July 24th, 2009, a new federal
11 complaint was filed against Epstein with one of the
12 same plaintiffs that was already pending in state
13 court?

14 A. I don't know that I was aware of that or
15 not. If they were filing it, someone may have told
16 me. I don't recall one way or the other.

17 Q. Did you ask anyone to file it to further
18 your Ponzi scheme?

19 A. No, I don't remember doing that.

20 Q. Do you recall any situation where you --

21 A. You do realize -- Tonja, hang on, I just
22 want to make sure this record is clear. Other than
23 Russ Adler, the people that were involved in the
24 Epstein case had absolutely nothing to do with the
25 Ponzi scheme.

Page 62

1 A. Hold on one second.

2 Okay. What number am I looking at?

3 Q. It's a very large document. It's begins
4 with Bates Stamp Number 081 and ends with 264.

5 A. It's in the computer, hold on a second.
6 I have that in front of me.

7 Q. Do you see the date on that complaint
8 stamped?

9 A. I do.

10 Q. And there's -- give me one second, Scott,
11 sorry.

12 What was the date that complaint was filed?

13 A. What's the last page of the complaint,
14 what's the Bates number?

15 Q. The last page is 234. I'm sorry, 263 would
16 be the last page of the complaint.

17 [The Complaint referred to was marked for
18 identification as Defendant's Exhibit 1.]

19 MR. SCAROLA: You may want to call his
20 attention to the filing stamp on the first page.

21 MS. HADDAD: I did. I guess he didn't hear
22 me.

23 THE WITNESS: I'm sorry.

24 MS. HADDAD: It's stamped on the first
25 page.

Page 64

1 Q. Directly?

2 A. Or indirectly. They had nothing to do with
3 it.

4 Q. Yet the file was used for you to further
5 your Ponzi scheme. I'm not saying that they gave it
6 to you to use for the Ponzi scheme, I'm asking, you
7 used their case. I'm not -- the question is you used
8 the case?

9 A. I took advantage of some good, innocent,
10 people for my own and my co-conspirator's illegal
11 purposes. Mr. Edwards is one of them, and for that I
12 am sorry, Brad.

13 Q. Did you ask anyone involved in the Epstein
14 case to file a federal complaint?

15 MR. SCAROLA: Objection, repetitious.

16 THE WITNESS: Without seeing a document,
17 Tonja, I can't tell you one way or the other. I
18 don't want to -- I do not want to guess. If you have
19 an e-mail where I'm saying to someone, file a federal
20 case, then obviously I did. But I have no specific
21 recollection of that.

22 BY MS. HADDAD:

23 Q. You do have a document with you, it's marked
24 for you, it's Bates stamped. It begins at EP 081 and
25 goes through through 264.

Page 63

1 THE WITNESS: Hang on, the complaint is
2 dated July 24th, 2009. It was entered onto the
3 docket on July 27th, 2009.

4 MR. SCAROLA: Do you have another question?

5 MS. HADDAD: I thought he was still looking.
6 Scott, are you done looking?

7 THE WITNESS: Yes, one second.

8 MS. HADDAD: That's what I thought.

9 THE WITNESS: No, hang on one second. It
10 shows the stamp on the first page says July 24th,
11 2009. The filing say electronically filed July 24th,
12 2009. There's an entry onto the docket on July 27,
13 2009, and the complaint is signed July 24th, 2009.
14 That's all the dates I have.

15 BY MS. HADDAD:

16 Q. Okay. And back on Bates Stamp Page Number
17 263, who's the attorney that filed this complaint?

18 A. I don't know if that's his signature, but
19 the name is Brad Edwards.

20 Q. Okay. And does that e-mail --

21 A. With the squiggle on top of it.

22 Q. And does that e-mail address look like the
23 correct e-mail address for RRA?

24 A. It is.

25 Q. So that is, in fact, a legitimate e-mail

Page 65

17 (Pages 62 to 65)

1 address from your firm; is that correct?
2 A. Yes.
3 Q. And were you filing any cases back in 2009
4 in federal court? Do you remember how PACER works?
5 MR. SCAROLA: Which question would like
6 answered?
7 THE WITNESS: I don't remember.
8 MR. SCAROLA: Objection, compound.
9 BY MS. HADDAD:
10 Q. Do you remember how PACER worked when you
11 were filing a case, Scott?
12 A. I actually never actually did the actual
13 electronic filing procedure. I had people that did
14 that. I knew that we could file electronically.
15 Q. Do you know the purpose of your using your
16 e-mail address when you were filing electronically in
17 federal court?
18 A. I guess so you can get a receipt, but I have
19 no idea.
20 Q. Did you ever receive an e-mail from federal
21 court in your e-mail address that showed that a
22 document had been filed with the stamps that you see
23 on the top of that one?
24 - MR. SCAROLA: Counsel, are you
25 attempting --

Page 66

1 THE WITNESS: I don't know one way or the
2 other.
3 MR. SCAROLA: Are you attempting to
4 establish that that complaint was filed in federal
5 court by Brad Edwards?
6 MS. HADDAD: I'm asking him if he recalls
7 the way it's drafted and why.
8 MR. SCAROLA: Just ask your question.
9 MS. HADDAD: I'm asking a question. If you
10 have any objection, please lay it on the record.
11 MR. SCAROLA: No, what I want to do is try
12 to save some time. If what you are trying to
13 establish is that Brad filed the complaint in federal
14 court on July 24th and used the PACER system, you
15 don't need to ask any more questions about that, it
16 happened.
17 MR. GOLDBERGER: We appreciate that, but
18 when we depose you we'll ask you that question. But
19 we are deposing Rothstein right now so let her ask
20 her questions. Don't do this speaking stuff, let her
21 ask the questions, okay?
22 MR. SCAROLA: Maybe.
23 MR. GOLDBERGER: Okay. Go ahead, Tonja.
24 BY MS. HADDAD:
25 Q. Scott, did you ever get e-mails like that

Page 67

1 from federal court?
2 A. I'm certain I did, Tonja. I don't have a
3 specific recollection of getting the one pertaining to
4 this. I don't even know if they sent it to me. I
5 would imagine they'd send it back to Mr. Edwards.
6 Q. The filing attorney?
7 A. I suspect, unless the PACER system is
8 registered on my name, then maybe it comes to me, but
9 I am completely guessing.
10 Q. But based upon the e-mail communications of
11 July 22nd and the meeting occurring on July 23rd, this
12 complaint was filed the day of this meeting; is that
13 correct?
14 A. Okay. But here is the problem with your
15 question, I don't remember whether or not there
16 actually was a meeting. I said there may have been,
17 and I don't have an independent recollection of this
18 being filed. I do not have an independent
19 recollection of whether I told someone to file this.
20 And for the life of me, this I am certain of, if I
21 told Mr. Edwards to file a complaint in federal court,
22 if there wasn't a legitimate reason for him to do it,
23 he wouldn't have done it.
24 Q. Do you recall if this federal case was filed
25 when you decided to use the case for your Ponzi scheme

Page 68

1 and show it to your investors?
2 A. It may have been filed around that time,
3 because I haven't been able to establish the exact
4 time. It also certainly may have been utilized by me
5 to further the Ponzi scheme. Also, I don't have an
6 independent recollection of that either. Without
7 seeing e-mail traffic, I can't tell you one way or the
8 other exactly what was going on at that time.
9 Q. Well, then I'll point you to another e-mail
10 which is marked as EP 001.
11 MR. EDWARDS: Let me see it.
12 MS. HADDAD: I sent a copy to your office.
13 MR. SCAROLA: He would like to see a copy
14 now. Thank you.
15 [The E-mail referred to was marked for
16 identification as Defendant's Exhibit 2.]
17 BY MS. HADDAD:
18 Q. Were you able to find it, Scott?
19 A. Got it. Yes, I have it.
20 Q. You have it, okay.
21 You said Cara Holmes used to be an FBI
22 agent, correct?
23 MR. SCAROLA: No. What he said is --
24 THE WITNESS: FBI or IRS.
25

Page 69

18 (Pages 66 to 69)

1 BY MS. HADDAD:
2 Q. Or IRS. We'll use the blanket term federal
3 agent. Is that a fair assessment?
4 A. Yes.
5 Q. Thank you.
6 Do you recall when you hired her to work for
7 you?
8 A. I do not.
9 Q. Was it in 2009?
10 A. I don't have a recollection one way or the
11 other.
12 Q. Okay. Have you ever seen this e-mail
13 before?
14 A. I saw it when I was reviewing your exhibits.
15 Before that I have no independent recollection of
16 having seen it. I'm not copied on it so ...
17 Q. Did you ever have any communications with
18 Ms. Holmes about people that were close to
19 Mr. Epstein?
20 A. I do not remember.
21 Q. You stated earlier that you knew that
22 Mr. Epstein was a wealthy man. Is that a fair
23 statement? You called him "collectible," was that
24 because he had money?
25 MR. SCAROLA: He called him a billionaire

Page 70

1 too.
2 MS. HADDAD: Billionaire.
3 THE WITNESS: I knew he was a billionaire.
4 BY MS. HADDAD:
5 Q. Do you have any independent recollection in
6 the month of July 2009 of this case being intensified
7 in any way such as going after those close to
8 Mr. Epstein?
9 A. I don't remember that one way or the other.
10 Q. If you knew that Mr. Epstein was a
11 billionaire, do you have any recollection of asking
12 someone to investigate those close to Mr. Epstein to
13 further your Ponzi scheme?
14 A. I don't have an independent recollection of
15 that one way or the other.
16 Q. Do you recall if you ever directed the
17 depositions to be taken of the people who were listed
18 on the flight manifest that you saw?
19 A. I don't recall one way or the other. I may
20 have told the investors that I was going to take the
21 depositions without ever intending to take them, but I
22 don't recall one way or the other.
23 Q. Are you familiar with a gentleman by the
24 name of Mr. Rodriguez, Alfredo Rodriguez?
25 A. No.

Page 71

1 Q. Never heard that name before?
2 A. Alfredo Rodriguez?
3 Q. Yes.
4 A. It's not ringing any bells to me.
5 Q. Do you remember hearing at your office with
6 respect to Mr. Epstein's case that one of his former
7 employees was willing to come forward with a big book
8 of names?
9 A. I don't remember that one way or the other.
10 Q. You have no recollection of that.
11 Do you recall anyone approaching to ask if
12 the office can purchase this book?
13 A. I don't recall that.
14 Q. Do you recall instructing any of the
15 attorneys in your office to get an opinion from
16 Kendall Coffey whether or not they can legally and
17 legitimately purchase this book?
18 A. I don't recall that one way or the other.
19 [The Complaint referred to was marked for
20 identification as Defendant's Exhibit 3.]
21 BY MS. HADDAD:
22 Q. Okay. I'm going to direct your attention to
23 what's now Bates stamped as EP 002, which I'm sure you
24 haven't seen before since you just said you didn't
25 know who he was, but I'll give you a minute to look

Page 72

1 over it.
2 A. This is rather long. Do you want to direct
3 me to a specific portion of it?
4 Q. Sure. If you look at the Page Bates Stamp
5 EP 004, Paragraph 5 and 6.
6 A. Okay. I read number five.
7 Q. Would you please read number six as well?
8 A. Okay.
9 Q. Does this refresh your memory as to whether
10 or not anyone ever asked you in your office about
11 purchasing a book?
12 A. It does not.
13 Q. Do you know that the cooperating witness was
14 an attorney who worked for you at your firm?
15 A. I did not know that until you just said it
16 right now.
17 Q. According to Paragraph Number 5, "The
18 deposition of this Mr. Rodriguez occurred on
19 July 27th, 2009;" is that correct?
20 MR. SCAROLA: Is it correct that that's
21 what it says? I'm going to object to the form of the
22 question, it's vague and ambiguous.
23 BY MS. HADDAD:
24 Q. That's what's listed in the federal
25 complaint, correct?

Page 73

19 (Pages 70 to 73)

1 A. What does it say? Say it again.
2 Q. It says, "The first deposition occurred on
3 July 27th," correct?
4 A. Yes.
5 Q. Some three days after the federal complaint
6 was filed, correct, that we referenced earlier?
7 A. That's correct.
8 Q. And Paragraph 6 clearly delineates that in
9 August 2009 a phone call was received by the
10 cooperating witness that explained that this
11 Mr. Rodriguez had a list of other purported victims or
12 contact information for people who Mr. Edwards could
13 also potentially bring lawsuits for -- on behalf of;
14 is that correct?
15 A. I don't know one way or the other. You
16 know, Tonja, just so this record is clear, you know,
17 as I'm sitting here, I have a vague recollection of
18 perhaps Ken Jenne coming, talking to me and telling me
19 that someone in my office was going to cooperate with
20 someone in this investigation. But for the life of
21 me, I can't be certain of that. So much time has
22 passed, but as I'm reading this, and it could be
23 completely unrelated to this, I just want to make sure
24 the record is a hundred percent clear, it's possible
25 that Ken Jenne discussed that with me, but I don't

Page 74

1 know who it was.
2 Q. You are testifying that you didn't know it
3 had anything to do with the Epstein case, as you sit
4 here now, you don't remember?
5 A. No, no, I don't have a specific
6 recollection, and I want to just make sure so I answer
7 all your questions completely, is that as I'm sitting
8 here my recollection was refreshed that I have a vague
9 recollection of having a conversation with Ken Jenne
10 about the fact that someone in our office was going to
11 cooperate as a confidential informant for some law
12 enforcement agency, I just can't remember if it was
13 the Epstein case or not.
14 Q. Do you recall what you said to Mr. Jenne
15 about that?
16 A. No. What I just related to you is all I
17 remember. And I'm not even sure it had anything to do
18 with this.
19 Q. Who's Wayne Black?
20 A. Who?
21 Q. Wayne Black.
22 A. Sounds like the name of someone I hired, but
23 I could be mistaken. I don't recall.
24 Q. Okay. You don't recall ever meeting
25 Mr. Black?

Page 75

1 A. I may have. I don't recall one way or the
2 other. You have something that might refresh my
3 recollection?
4 Q. Do you know what he does for a living?
5 A. I do know the name. Sounds familiar to me,
6 but I can't recall one way or the other who he was or
7 what he did.
8 Q. Did you instruct your office to begin
9 investigating Mr. Epstein's pilot or his airplanes?
10 A. I do not recall one way or the other.
11 Q. You did testify that the flight manifest was
12 the one document you recall for sure looking at in
13 Mr. Epstein's case; is that correct?
14 A. Yes.
15 Q. And if it did, in fact, contain the names
16 that you are purporting that it claimed or that you
17 knew of, that would be something that would be juicy
18 for the investors to further your Ponzi scheme that it
19 was a collectible case; is that true?
20 A. I'm sorry, you have to repeat the question,
21 Tonja. I don't understand what you just asked me.
22 Q. If these big names were on this list, as you
23 seem to recall they were, that would be most helpful
24 to you and your Ponzi scheme investors in convincing
25 them it was a big case, right?

Page 76

1 A. If they were on there, or if I lied to them
2 and told them they were on there, or if Adler told me
3 they were on there and I repeated, all those things
4 would have been helpful to the Ponzi scheme.
5 Q. You stated earlier that you -- the only
6 thing you looked at was the flight manifest because
7 you were told to look at it. Is that still true?
8 A. That's not what I testified to. I testified
9 that I flipped through other parts of the file and
10 that I didn't remember what I had flipped through. I
11 remember looking at the flight manifest because
12 Mr. Adler told me about it.
13 Q. You said that you met these investors in
14 your office, but there were no cameras in your office,
15 correct?
16 A. I didn't have cameras specifically in my
17 office.
18 Q. You had these investors in your office for
19 this particular Epstein case?
20 A. Yes.
21 Q. Do you recall if it was during work hours or
22 after work hours?
23 A. I do not recall.
24 Q. Typically when you were meeting with your
25 potential Ponzi investors, did you meet them during

Page 77

20 (Pages 74 to 77)

1 work hours or after work hours?
2 A. Both.
3 Q. Did you always meet with them in your office
4 or did you do it more socially down at Bova or
5 elsewhere?
6 A. Both.
7 Q. But with this particular case, do you recall
8 meeting them at least one time in your office where
9 they could look through the files?
10 A. Actually, that group of investors were
11 looking at a lot of different cases or at least
12 multiple different cases that we were attempting to
13 lure them into the Ponzi scheme utilizing, so I met
14 with them on multiple occasions, both in my office and
15 at restaurants.
16 Q. Who is Mike Fisten?
17 A. Mike Fisten was a law enforcement officer of
18 some type that I hired.
19 Q. Why did you hire him?
20 A. He was a Ken Jenne suggestion.
21 Q. And were you hiring him to start up your
22 company with Mr. Jenne, as you indicated earlier?
23 A. I don't recall what the purpose of hiring
24 him was. It had nothing to do with what Ken Jenne was
25 doing for us.

Page 78

1 Ponzi scheme investors?
2 A. Not really.
3 Q. Would it have given more legitimacy to your
4 allegation that it was a good case in which they
5 should invest?
6 A. In the way that I was selling the Ponzi
7 settlements, it would have likely been overkill.
8 Q. So did you ever instruct them not to speak
9 to the press about the case?
10 A. I don't recall that either one way or the
11 other.
12 Q. If it had gotten out there that the cases
13 had not, in fact, settled, as you were claiming when
14 you were selling the settlement, would that have
15 hindered your case, your Ponzi investor's case?
16 A. Not really because they would have no way of
17 knowing if I had created a fake plaintiff's name. I
18 mean, there could have been something in the news
19 that -- and I don't know that there was -- there could
20 have been something in the news that says none of this
21 settled. And I just simply would have created a fake
22 name with my co-conspirators, created a fake set of
23 settlement documents and handle it that way.
24 Q. Did you know where Mr. Epstein lived?
25 A. I only knew that he was from Palm Beach,

Page 80

1 Q. So what did he do at RRA?
2 A. My best recollection is that he had been a
3 former ADT officer and so it would reason that he
4 would be working in our alcohol beverage practice that
5 we were establishing.
6 Q. Do you know if he ever did any work for your
7 firm as an investigator?
8 A. He may have. I don't have a specific
9 recollection one way or the other.
10 Q. Did you ever speak to the press about the
11 Epstein case?
12 A. I don't have a recollection one way or the
13 other.
14 Q. Did you ever have Kip utilize the Epstein
15 case to put any publicity or spin out there with
16 respect to the case?
17 A. I don't have a specific recollection of that
18 one way or the other.
19 Q. Did you ever instruct Brad or Russ to talk
20 to the press about the case? We'll start with Brad
21 then Russ.
22 A. I do not specifically recall getting
23 involved at the publicity level of that case. I don't
24 have a recollection one way or the other.
25 Q. Would that publicity have been good for your

Page 79

1 other than that, no.
2 Q. Okay. In 2009, did you ever have any firm
3 meetings?
4 A. Of any type?
5 Q. Of any type, in general, firm meetings.
6 A. I'm certain I did.
7 Q. Do you recall about how many?
8 A. I do not recall.
9 Q. Did you ever have any partner meetings?
10 A. Yes.
11 Q. Do you recall how many?
12 A. I do not.
13 Q. Do you recall how many partners you had at
14 the firm in 2009?
15 A. I do not.
16 Q. Do you recall how many fundraisers you had
17 at your home in 2009?
18 A. I do not.
19 Q. More than 10?
20 A. I'd be guessing, Tonja.
21 Q. Okay.
22 A. It's easy enough to check, there's state and
23 federal records of all that stuff.
24 Q. In 2009, did you still require the attorneys
25 from your firm to attend the fundraisers you would

Page 81

21 (Pages 78 to 81)

1 have?
2 A. You said "still require," which would have
3 meant that I testified --
4 Q. Sorry.
5 A. -- previously that it was requiring them.
6 Q. Did you require attorneys at your firm to
7 attend your fundraisers?
8 A. I asked them to, I urged them to, I tried to
9 cajole them into coming, but it wasn't an absolute
10 requirement.
11 Q. Do you recall between April and July of 2009
12 how many fundraisers you would have had?
13 A. I do not.
14 Q. Did you have fundraisers anywhere besides
15 your home in 2009?
16 A. I probably did, but I don't recall without
17 seeing the documents. If you have the invitation or
18 the e-mails, that would help me.
19 Q. Did you hold fundraisers at your office in
20 2009?
21 A. I may have. That wouldn't have been
22 unusual, but I don't have a specific recollection.
23 Q. Did you ever meet any of the plaintiffs in
24 the Epstein case?
25 A. I don't have a specific recollection of

Page 82

1 that.
2 Q. Do you recall ever revving copies of e-mails
3 from Mr. Jenne with respect to the plaintiffs in the
4 case that the subject matter would say "information we
5 need to use"?
6 A. I don't recall that one way or the other.
7 It's certainly possible.
8 Q. Do you recall ever reviewing anything that
9 was titled "causes of action against Epstein"?
10 A. I do not have a specific recollection of
11 that one way or the other.
12 Q. Do you recall ever reviewing with Mr. Jenne
13 or any other investigator in your firm any information
14 regarding Mr. Epstein's house staff or airplane staff?
15 A. I do don't recall that one way or the other.
16 I may have, I may not have.
17 Q. Who is Bill Berger?
18 A. A former Palm Beach judge that we hired.
19 Q. Okay. What was his role at your firm?
20 A. He was a shareholder.
21 Q. What kind of practice?
22 A. Litigating cases.
23 Q. What kind of practice did he litigate? What
24 kind of cases did he litigate?
25 A. I don't recall specifically.

Page 83

1 Q. When did you hire him?
2 A. 2008 or 2009. I don't have a specific
3 recollection.
4 Q. If you hired lawyers who didn't have a book
5 of business, what kind of practice did they do at your
6 office?
7 A. It depended upon the lawyer. I would have
8 tried to get them to work with other lawyers in an
9 area that they either were proficient in or wanted to
10 become proficient in.
11 Q. Okay. You had a meeting at your office
12 during which you were asking about information
13 regarding referring attorneys, attorneys who had
14 referred business to the firm. Do you know what I'm
15 talking about? I believe it was back in December of
16 '08 or early 2009.
17 A. The way you are characterizing that meeting,
18 I had a lot of meetings like that.
19 Q. What was the purpose of those?
20 A. You are going to have to be more specific
21 for me, Tonja.
22 Q. Let's start generally then. What was -- you
23 said you had many meetings like that. Tell me what
24 these meetings were for?
25 A. Making sure that we were maximizing

Page 84

1 generation of business into the law form.
2 Q. What kind of business, legitimate business
3 or the other --
4 A. Legitimate business.
5 Q. Sorry, I couldn't hear you.
6 A. Legitimate business. The general meetings
7 that you are discussing, that was legitimate business.
8 Q. So there was a meeting for all attorneys to
9 attend regarding generating business, those meetings
10 were for the legitimate business?
11 A. If it was addressed to all attorneys, yes.
12 Q. Okay. And if an e-mail went out to all
13 attorneys, did paralegals and support staff get it as
14 well or was it just directed to the attorneys?
15 A. Certain support staff probably were on that
16 list, like my CFO and COO, and perhaps my IT people,
17 but it was general for the attorneys.
18 Q. With respect to your IT people, did you have
19 the capability to review e-mails and internet activity
20 of all of your employees?
21 A. I did.
22 Q. Including attorneys?
23 A. I did.
24 Q. Did you ever utilize that tool?
25 A. Very infrequently. It was a pain because I

Page 85

22 (Pages 82 to 85)

1 had to have Curtis Renie or Bill actually come into my
2 office, set up a special icon to allow me to do that.
3 It was a real pain, so it was rare.

4 Q. Who else attended the meetings that you had
5 with the Clockwork group with respect to the investors
6 in the Epstein case?

7 A. There were multiple meetings with what I'll
8 call the Clockwork investors at various points in
9 time. A variety of people came in and out of the
10 meetings. Some of the meetings occurred down in Bova.
11 Other people came up to the meetings. Some of the
12 meetings involved Michael Szafranski, our fake
13 independent verifier. Some of the meetings may have
14 involved bankers and the like. I cannot tell you
15 specifically who was at those meetings.

16 Q. The specific meetings that we are talking
17 about with -- where you left the boxes at your office,
18 do you recall who else was there with you at that
19 meeting?

20 A. I only remember there being a handful of
21 people from the investment group and myself. I don't
22 recall -- and I remember the guys bringing the boxes
23 the down, but they didn't stay for the meeting. There
24 may have been other people there, I don't recall one
25 way or the other who it was.

Page 86

1 where we owed 20, \$30 million in Ponzi payments out
2 and she needed to write a check for even \$5,000, she
3 probably would have checked with me on that. So
4 substantial and whether or not she would have checked
5 with me depended upon the circumstance at the time.

6 Q. You stated earlier, and I think I'll get
7 this quote right, that 2009 was a dismal year; is that
8 correct?

9 A. For the legitimate law firm business, it was
10 a dismal year.

11 Q. So in the months immediately preceding the
12 dissolution of RRA, July to October of 2009, what
13 would you consider a substantial expense that had to
14 be approved?

15 A. It would vary literally from day-to-day.

16 Q. Do you have any independent recollection of
17 how you were doing in, say, July 2009?

18 A. The legitimate business was always doing
19 poorly in 2009, as far as I was concerned.

20 Q. So would you have --

21 A. The Ponzi scheme had its moments of
22 significant wealth and significant poverty, so it
23 varied from time to time. It was a daily thing.
24 Sometimes it was hourly. It just depended upon what
25 was coming in and what needed to go out.

Page 88

1 Q. If the expenditures were being made on a
2 case that were substantial, did you have to approve
3 them or did you have a specific practice for them?

4 A. The head of a practice group could basically
5 approve them but Irene, our CFO, would generally run
6 them by me before she actually cut the check. If I
7 wasn't around she'd run it by Stu.

8 Q. So as the equity partners you had the
9 authority to make the determination what funds could
10 and could not be expended?

11 A. As the shareholders, as the two 50 percent
12 shareholders, we controlled the finances.

13 Q. And if Irene was coming to you to tell you
14 what the funding was for, to get approval rather,
15 would she tell you specifically what the funding was
16 for or just tell you "we need \$100,000"?

17 A. No, if it was a substantial expense --

18 Q. Tell me what you deem as substantial.

19 A. That would have been -- substantial to me
20 would have been based upon how much money we had in
21 our coffers at the time. So, if it was one of those
22 periods of time where we had 20 or \$30 million
23 floating around the law firm, Irene probably would
24 have just written a check without even letting me know
25 we were writing it. If it was one of those times

Page 87

1 Q. So would you have to utilize the
2 illegitimate funds to fund the legitimate cases at
3 times?

4 A. Yes.

5 Q. And that varied daily you said?

6 A. Well, all the money was commingled together,
7 so we used whatever funds were in there to fund both
8 the legitimate and the illegitimate financial
9 requirements of the firm, the Ponzi scheme and other
10 legitimate and illegitimate things that were going on.

11 Q. If an outside agency or investigator was
12 being utilized for a case and they needed a signed
13 retainer agreement with your firm, would you have to
14 approve that?

15 A. It would depend upon the significance of the
16 expense. I didn't necessarily get involved in every
17 retention of every expert in every case.

18 Q. Okay. So it would depend on the cost or the
19 nature of the case?

20 A. Who the lawyer was, their level of
21 expertise, all things of that nature.

22 Q. If it was this gentleman who you have no
23 recollection of meeting, Mr. Black, and the attorney
24 was Mr. Edwards, was that something you needed to look
25 over?

Page 89

23 (Pages 86 to 89)

1 A. Did Wayne Black work for Ron Cacciatore?
2 Q. Are you asking me --
3 A. I'm asking anyone in the room who wants to
4 talk to me.

5 Q. I love to talk to you, but I don't know the
6 answer to that question. He might have. Brad might
7 be able to tell you.

8 MR. EDWARDS: No.

9 THE WITNESS: When you said Wayne Black's
10 name again and that I hired him to do something, I
11 seem to think that he may have been associated in
12 some way with Mr. Cacciatore, but I'm not sure one
13 way or the other. I don't remember whether or not I
14 met Mr. Black, it's possible I did, it's also
15 possible I did not. And I don't have an independent
16 recollection of retaining him to do anything or
17 whether I was part and parcel of the decision if we
18 did, in fact, retain him, whether I was part and
19 parcel of the decision to retain him.

20 BY MS. HADDAD:

21 Q. Traveling out of state for depositions for
22 the particular cases, did you have to approve that?

23 A. It would depend upon who the lawyers were,
24 the significance of the expense. It would have been
25 case by case. I certainly would not have been

Page 90

1 [Short recess taken.]

2 FURTHER DIRECT EXAMINATION
3 BY MR. GOLDBERGER:

4 Q. All right. Mr. Rothstein, Jack Goldberger,
5 I'm going to ask you some questions now. You
6 testified that you knew Jeffrey Epstein was a
7 billionaire. You did testify to that today, correct?

8 A. Yes.

9 Q. Okay. Tell me how you knew that. How did
10 you know that Mr. Epstein was a billionaire?

11 A. Russ Adler told me. I looked him up on the
12 internet.

13 Q. What did you look on the internet about
14 Mr. Epstein?

15 A. I don't recall, but I remember looking up an
16 seeing that he was very wealthy, that he was a
17 billionaire.

18 Q. Okay. So as far as learning that
19 Mr. Epstein was a billionaire, you learned via two
20 ways, one was from Russ Adler, correct? Is that
21 correct?

22 A. Yes, sir.

23 Q. And the other was through looking up
24 Mr. Epstein on the internet, correct?

25 A. Yes.

Page 92

1 approving or disapproving Mr. Nurik's travel,
2 Mr. Rosenfeldt's travel, Mr. Boden's travel,
3 Mr. Lippman's travel. That was their own thing.

4 If a younger lawyer like a Shawn Birken came
5 to me and said he need to travel out of state for
6 something, if it was just for a deposition, I wouldn't
7 have gotten involved in that unless he was telling my
8 CFO, Ms. Stay, that he wanted to fly first class and
9 stay in the Ritz Carlton, then I would have gotten
10 involved. But other than that, no. The firm was too
11 big for me to get involved on a daily basis with all
12 that stuff.

13 Q. If Brad had to go out of state to take a
14 deposition, you wouldn't be the person to approve or
15 disapprove that?

16 A. Russ Adler would have handled that. And if
17 there was an issue, Russ would have come to me. And I
18 don't know what the relationship was specifically
19 between Brad and Russ, but it's certainly possible
20 that Brad just was going to go do what he needed to do
21 to properly handle the case and I would have trusted
22 him to do that.

23 MS. HADDAD: Can we just take a second. We
24 are going to take a minute, okay?

25 THE WITNESS: Sure.

Page 91

1 Q. Okay. And you don't know what you reviewed
2 on the internet in an effort to determine that
3 Mr. Epstein was a billionaire; is that correct?

4 A. I do not recall.

5 Q. Do you know when you did that?

6 A. I do not.

7 Q. Was it prior to your needing to use the
8 Epstein case to further your Ponzi scheme?

9 A. Yes.

10 Q. Okay. So prior to -- I think you indicated
11 that you needed an influx of money at some point and
12 that's when you decided to use the Epstein case in
13 furtherance of the Ponzi scheme; is that correct?

14 A. Yes.

15 Q. So prior to that time though, prior to
16 determining that you needed to use the Epstein case
17 for the Ponzi scheme, you looked up Mr. Epstein and
18 you spoke to Mr. Adler about his work; is that
19 correct?

20 A. Yes.

21 Q. Why did you do that, Mr. Rothstein, if you
22 weren't using the Epstein case at that point in your
23 Ponzi scheme?

24 A. Because it was a legitimate case in the
25 legitimate portion of RRA that I had reason to believe

Page 93

24 (Pages 90 to 93)

1 from speaking to Mr. Adler could bring in a
2 significant amount of money to the firm.
3 Q. At that time Mr. Adler was one of your
4 co-conspirators in the Ponzi scheme; is that correct?
5 A. By this time, yes, sir.
6 Q. Okay. When did Mr. Adler become a
7 co-conspirator in your Ponzi scheme?
8 A. I don't recall the specific date.
9 Q. Was it before or after Mr. Adler recommended
10 that Brad Edwards be hired at your firm?
11 A. Before.
12 Q. So before Brad Edwards was hired at RRA,
13 Russell Adler was a co-conspirator of yours in the
14 illegal part of the RRA firm; is that correct?
15 A. Yes.
16 Q. Then after that time you hired --
17 Mr. Edwards was hired after Adler was your
18 co-conspirator? You are laughing, you are smiling,
19 why is that, sir?
20 A. Because when you say "RRA" that way, the
21 speaker sounds, it sounds like you are roaring.
22 Q. Okay. I'll just say Rothstein, how about
23 that? You know what I'm talking about if I just say
24 Rothstein.
25 A. RRA is fine.

Page 94

1 Q. What did Adler tell you about the Epstein
2 case that Edwards had at the time you were
3 contemplating hiring him to become a member of the
4 Rothstein firm?
5 A. He told me that it was a huge case involving
6 a billionaire pedophile and that it was a winner.
7 Q. Did you, when you heard that, did you think
8 that that was a case that could become part of your
9 Ponzi scheme?
10 A. No, I actually thought of it as a way to
11 earn legitimate money to help me out of the Ponzi
12 scheme.
13 Q. So at the time you hired Mr. Edwards and you
14 were talking to Adler about Edwards, you were trying
15 to get out from under the Ponzi scheme?
16 A. In the bulk of 2009 I was praying for some
17 sort of legitimate influx of money to get out of the
18 Ponzi scheme.
19 Q. Okay. So now Adler tells you about this
20 Brad Edwards guy, did you know Brad Edwards before
21 Adler talked to you about him? Had you run into him?
22 A. I may have. I don't have a specific
23 recollection one way or the other.
24 Q. Okay. So now he tells you that you should
25 consider hiring Brad Edwards, this is your

Page 96

1 Q. Okay. So Adler is your co-conspirator in
2 the Ponzi scheme at the time that Brad Edwards is
3 hired, correct?
4 A. Yes.
5 Q. Okay. Was it Adler who recommended to you
6 that Brad Edwards be hired?
7 A. Yes. He was one of the people.
8 Q. Who else recommended that Edwards be hired?
9 A. I don't have a specific recollection of who
10 it was, but others did.
11 Q. All right. But you have a recollection of
12 Adler being one of the people, so let's talk about
13 that, all right?
14 What did Adler tell you about Brad Edwards
15 when you hired him? Did he tell you that he had these
16 Epstein cases or an Epstein case in the fold?
17 A. Among other things, yes.
18 Q. What else did he tell you?
19 A. Told me he was a great lawyer and a great
20 guy.
21 Q. Did he tell you what his history was, what
22 Edwards' history was prior to coming to the Rothstein
23 firm?
24 A. I'm certain that I asked him, but I don't
25 have a specific recollection of that conversation.

Page 95

1 co-conspirator talking to you, right? Is that
2 correct?
3 A. Yes.
4 Q. And he says, by the way, he's got this great
5 Epstein case involving this billionaire, correct?
6 A. Yes.
7 Q. Presumably then you had a meeting with Brad
8 Edwards when you met him; is that correct?
9 MR. SCAROLA: Presumably he had a meeting
10 when he met him?
11 MR. GOLDBERGER: I'm sorry, Mr. Scarola was
12 cutting you off when you answered, so go ahead, answer
13 again.
14 MR. SCAROLA: I didn't understand the
15 question.
16 BY MR. GOLDBERGER:
17 Q. Do you understand the question,
18 Mr. Rothstein?
19 A. I'm not sure I do because you asked me if I
20 had a meeting when I met him and I think that meeting
21 him is a meeting.
22 Q. Well, there was a meeting, correct?
23 A. I most likely met him before I hired him. I
24 most likely talked to him before I hired him because
25 that was my general way of doing business. It's all

Page 97

25 (Pages 94 to 97)

1 together possible that I gave Russ the okay to hire
2 him before, I just don't have a specific recollection
3 one way or the other.

4 Q. At some point, I take it, you learned,
5 whether you sat in on a meeting when Mr. Edwards was
6 hired or whether your co-conspirator hired him, at
7 some point you learned that Mr. Edwards, in fact, had
8 been hired by the firm; is that correct?

9 A. I'm certain that I gave the final okay to
10 hire him.

11 Q. Okay. When you were giving the final okay
12 to hire him, I assume there had to be discussion of
13 the money that he was going to be paid, correct?

14 A. With somebody, yes.

15 Q. Certainly with Mr. Edwards, right? I assume
16 he wanted to know how much he was getting paid.

17 A. Yes, but I don't have a specific
18 recollection of whether I discussed that with him or
19 whether I authorized Adler or maybe even Rosenfeldt to
20 discuss it with him. I don't recall.

21 Q. Do you have the slightest idea how much
22 money Mr. Edwards was paid when he first joined the
23 firm, what his salary was?

24 A. I don't have an independent recollection.

25 Q. Generally someone like Mr. Edwards at his

Page 98

1 factor I considered.

2 Q. All right. Do you know whether he brought,
3 in his book of business, do you know whether he
4 brought any other cases to the firm other than the
5 Epstein case?

6 A. I don't recall one way or the other.

7 Q. Okay. Do you know whether your -- well, bad
8 question, I won't ask that.

9 Now, you've talked a lot about Ken Jenne
10 here this morning. Was Ken Jenne part of your Ponzi
11 scheme?

12 A. No, sir.

13 Q. Had nothing to do with it, right?

14 A. That's correct.

15 Q. Other than his having -- working for you as
16 an investigator, he was not one of your
17 co-conspirators, right?

18 A. He didn't work for me as an investigator, he
19 worked for me heading up our investigative division,
20 heading up our internal security, heading up my
21 personal security, and acting as a political advisor
22 to me.

23 Q. Okay. Did he serve any kind of
24 investigative function at all, after all, he was a law
25 enforcement officer at one point in his career?

Page 100

1 level of accomplishment and his age, you know what the
2 general salary would have been at your firm?

3 A. It didn't work that way.

4 Q. I see. Tell me how it worked.

5 A. It's a case-by-case basis.

6 Q. Tell me how it worked.

7 A. Case-by-case basis.

8 Q. And how did you make that determination on a
9 case-by-case basis?

10 A. Actual book of business, potential book of
11 business, potentiality for growth, character, what he
12 brought to the table, and obviously a function of how
13 much money we had available at the time.

14 Q. Okay. And you don't have any recollection
15 of the machinations that occurred in determining what
16 Mr. Edwards salary would be, correct?

17 A. I do not.

18 Q. But certainly one of the things you would
19 consider would be the book of business, i.e. the
20 Epstein case, right?

21 A. I'm certain that I did consider the Epstein
22 case.

23 Q. Do you know whether he brought any other
24 book of business --

25 A. But I'm also certain it wasn't the only

Page 99

1 A. I note that he assisted the other people at
2 the firm that were doing the investigative work. I
3 don't know if he personally did investigative work.
4 He may have.

5 Q. Do you know whether Mr. Jenne, in his role
6 as your advisor or your political consultant, do you
7 know if he was involved in any kind of illegality,
8 illegal wire tapping or anything like that while he
9 was at Rothstein?

10 MR. SCAROLA: Excuse me, I'm going to
11 object to the form of the question, vague and
12 ambiguous.

13 THE WITNESS: To my knowledge he was not.
14 BY MR. GOLDBERGER:

15 Q. To your knowledge, no?

16 A. Correct.

17 Q. Okay. You talked about having a bunch of
18 fundraisers, I know you had a bunch of fundraisers
19 that was kind of a deal at Rothstein. This was kind
20 of a rock star law firm, right? I mean, you had lots
21 of fundraisers, lots of parties, right? Was that the
22 image you were trying to present?

23 A. In reality that's the way we were.

24 Q. Okay.

25 A. A lot of young lawyers having a good time,

Page 101

26 (Pages 98 to 101)

1 trying to make money.
2 Q. And these young lawyers, would you consider
3 Mr. Edwards to be a young lawyer or a middle-aged
4 lawyer?
5 A. Young lawyer.
6 Q. Okay. Was he one of young lawyers that came
7 to these fundraisers at your home?
8 A. I don't recall whether he was there or not.
9 I recall him being at some, but I didn't know if he
10 was at all of them.
11 Q. Okay. You do recall him coming to some of
12 the fundraisers, though, correct?
13 A. I recall him being at my home. It may have
14 been for firm parties or other parties, it may have
15 been for fundraisers there.
16 Q. And that was during the time period that the
17 Ponzi scheme was still going on, correct?
18 A. Yes.
19 Q. Did Adler ever tell you about any
20 discussions he had with Brad Edwards about the illegal
21 part of the operations at Rothstein?
22 A. Can you reask the question, please?
23 Q. Sure. Sure.
24 Did Russell Adler ever tell you -- Russell
25 Adler is your co-conspirator, we've established that.

Page 102

1 Did Russell Adler in the furtherance of your
2 conspiracy ever tell you he had discussed with Brad
3 Edwards about the illegal activities at RRA?
4 A. No.
5 Q. Now, you testified when asked about whether
6 the press -- if you were involved in asking the press
7 to run with the Epstein story, you said something to
8 the effect, "the way I was selling the Ponzi scheme it
9 would be overkill."
10 I didn't understand your answer like you
11 didn't understand some of my questions, so I'd like
12 you to kind of tell me what you meant by that.
13 A. I was selling purportedly confidential
14 settlements. Confidentiality was the hallmark of the
15 Ponzi scheme, so too much publicity would have created
16 a problem for me in the sale of what was supposed to
17 be a completely confidential settlement.
18 Q. I think what you are telling me, and I don't
19 want to misstate what I think you are telling me, but
20 is it true that you felt some publicity would be okay
21 but too much would be counter to the purposes of the
22 conspiracy. Is that a fair statement?
23 A. The way I was thinking about it at the time
24 this was going on was that some publicity would assist
25 in establishing for the potential investors that there

Page 103

1 was a real case going on, but that within that I would
2 have to create some sort of fictions in order to sell
3 the fake product.
4 Q. Okay. At the time that you decided to use
5 the Epstein case as part of your illicit Ponzi scheme
6 theme, I think you testified earlier today, when you
7 were in some dire straights, you needed an influx of
8 money, right?
9 A. Yes.
10 Q. That's when you decided to use the Epstein
11 matters, correct?
12 A. Yes.
13 Q. Okay. And you knew, I assume, being the
14 Ponzi scheme mastermind here, that you needed to make
15 sure that you had at least a working knowledge of the
16 Epstein case so that you could answer questions to the
17 investors. I recognize that you left the room and
18 told them to look at it, but you had to some knowledge
19 of the case, right?
20 MR. SCAROLA: Counsel, that's a
21 misrepresentation of what the earlier testimony was.
22 I object, no proper predicate.
23 MR. GOLDBERGER: Okay, let's go through the
24 whole thing again.
25 MR. SCAROLA: No, you are not going to go

Page 104

1 through the whole thing again. Just because we have
2 tolerated two lawyers asking questions, does not mean
3 we are going to tolerate two lawyers asking the same
4 questions.
5 MR. GOLDBERGER: Your objection is noted.
6 BY MR. GOLDBERGER:
7 Q. Okay. So let's talk about your need to use
8 the Epstein case to further your conspiracy. You
9 needed an influx of money, did you not?
10 A. Yes.
11 Q. Okay. You decided to use the Epstein case
12 for that purpose, right?
13 A. Yes.
14 Q. And in order to use the Epstein case, you
15 were going to meet with the investors and pitch the
16 Epstein case with the investors, correct?
17 A. Yes.
18 Q. And in an effort to pitch the case to the
19 investors, you had to have some knowledge of the case,
20 did you not?
21 A. Some level of knowledge, yes, sir.
22 Q. Okay. And in order to gain that knowledge,
23 you spoke to your co-conspirator, Russell Adler; is
24 that correct?
25 A. That's one of the things I did.

Page 105

27 (Pages 102 to 105)

1 Q. Okay. And do you remember what Adler told
2 you specifically about the Epstein case that helped
3 you have a basis of information to sell it to the
4 investors?

5 A. Other than him telling me that it was a
6 billionaire pedophile, other than him telling me about
7 the flight manifest, I don't have a specific
8 recollection of what else he told me.

9 Q. Did you actually look at the flight manifest
10 at sometime, Mr. Rothstein?

11 A. Yes, sir.

12 Q. And what was it about those flight manifests
13 that you felt would help you pitch the Epstein case to
14 the investor?

15 A. I don't remember who specifically was on it,
16 but I remember it looking juicy.

17 Q. You don't know who was on it?

18 A. I don't recall.

19 Q. Did you add any names to that manifest at
20 any time?

21 A. I had -- you mean physically write names on
22 there?

23 Q. Any way you want to interpret -- did you --
24 not physically write any names on the manifest, but
25 did you tell the investors that there were names on

Page 106

1 were all the manifests within the law firm of RRA and
2 you simply didn't have them in your office?

3 A. I have no idea one way or the other.

4 Q. Okay.

5 A. I did not have them.

6 Q. You were told by Russell Adler that you
7 didn't have -- that you physically didn't have all the
8 manifests, correct?

9 A. That's correct.

10 Q. But you don't know whether they were in the
11 building somewhere, these other supposed manifests?

12 A. I have no idea one way or the other.

13 Q. You never asked for proof that Bill Clinton
14 or Prince Andrew's name were on a manifest somewhere?

15 A. I didn't say that. I may very well have
16 asked Adler or Ken Jenne to find the other manifests.

17 Q. Were you ever shown a manifest with the name
18 Bill Clinton or the name Prince Andrew on them?

19 A. I do not recall one way or the other whether
20 I saw that or not. I remember Adler telling me about
21 it and then me repeating that information to the
22 investors based upon Mr. Adler's representations to
23 me.

24 Q. Now, you testified that you were told that
25 the Epstein cases were "legitimate cases. Do you

Page 108

1 the manifest that were actually not on the manifest?

2 A. I told the investors that there were other
3 people that appeared on manifests, I don't recall
4 whether it was that manifest or other manifests, and I
5 got the names of those people from Russ Adler.
6 Whether or not they actually appeared on the manifest
7 or another manifest, I do not know.

8 Q. What names did you get from Russ Adler?

9 A. Russ Adler told me that Bill Clinton flew on
10 Mr. Epstein's plane and that Prince Andrew flew on
11 Mr. Epstein's plane.

12 Q. And is it your testimony today that you
13 never looked at the manifest to see whether Bill
14 Clinton or Prince Andrew's name were really on the
15 manifest that you were going to use to pitch the
16 investors?

17 A. It was my understanding they didn't have all
18 the manifests.

19 Q. Okay. Did you ever ask for the manifests
20 that purportedly had the name of Bill Clinton or
21 Prince Andrew on it?

22 A. I probably did, but I don't have a specific
23 recollection one way or the other.

24 Q. When you say you didn't have all the
25 manifests, were all the manifests in your office --

Page 107

1 remember that testimony you gave this morning?

2 A. Yes.

3 Q. And you remember your testimony that you
4 were told they were legitimate cases by both Russ
5 Adler and Brad Edwards, do you remember that?

6 A. I never said that Mr. Edwards or Mr. Adler
7 said, "Scott, these are legitimate cases." I didn't
8 question them as to their legitimacy.

9 Q. You did testify that you talked to Brad
10 Edwards about the Epstein cases; is that correct?

11 MR. SCAROLA: No, counsel, that is a
12 misrepresentation of the earlier testimony.

13 MR. GOLDBERGER: No, it's not.

14 BY MR. GOLDBERGER:

15 Q. Did you talk to Brad Edwards about the
16 Epstein cases?

17 A. I do not recall one way or the other. That
18 was my prior testimony, that's still my testimony. I
19 don't -- I do not recall.

20 Q. We'll let the record speak --

21 A. I know I spoke to Adler about it.

22 Q. We'll let the record speak for itself. Your
23 testimony, as I am questioning you now, is that you do
24 not recall whether you spoke to Brad Edwards about the
25 Epstein cases; is that correct?

Page 109

28 (Pages 106 to 109)

1 A. If you are including within that me walking
2 past Brad in the hall and saying, "Hey, Brad how are
3 you? How is the Epstein stuff going?" Then it's very
4 likely that I talked to him about it in that manner.
5 But I have no specific recollection one way or the
6 other as to having any lengthy conversations with
7 Mr. Edwards about the case.

8 I had a co-conspirator who was deeply
9 involved in the Ponzi scheme that I could go to to get
10 any information I wanted, Mr. Adler. I didn't need to
11 go to Mr. Edwards.

12 Q. So if you had a question of your
13 co-conspirator, Russell Adler, about the Epstein case,
14 you would go ask Adler and would Adler always have the
15 answer for you or would he say he would get you the
16 answer?

17 A. Both.

18 Q. When he didn't have the answer, do you know
19 who he was getting the answer from?

20 MR. SCAROLA: Objection, predicate.

21 THE WITNESS: I don't know who he was
22 getting it from and I may have contacted other people
23 in the office who were working on the file to ask. I
24 may have asked Mr. Jenne, I may have asked Ms.
25 Holmes, I many have asked a whole myriad of people.

Page 110

1 A. She may have, I don't recall one way or the
2 other.

3 Q. Did you ever ask Ms. Holmes to use any of
4 her prior contacts in law enforcement to assist you in
5 the Ponzi scheme to get information for you?

6 A. The question is kind of convoluted because
7 the way you are asking it, it seems like you are
8 intimating that Ms. Holmes knew. I may have asked
9 Ms. Holmes to get me information that I was going to
10 utilize with my co-conspirators in the Ponzi scheme,
11 but Ms. Holmes did not know that there was a Ponzi
12 scheme going on.

13 Q. All right. So you may have asked Ms. Holmes
14 to try and get some information for you from her
15 contacts in law enforcement, but it's your testimony,
16 and I don't dispute it, it's your testimony that she
17 knew nothing about the Ponzi scheme, correct?

18 A. I may have, I may not have. I do not
19 remember and she absolutely knew nothing about the
20 Ponzi scheme.

21 Q. Okay. Now, we talked about Brad Edwards
22 getting paid and the multilevel ways in which you
23 determined what a person's salary was. Do you know
24 whether Brad Edwards got any bonuses along the way
25 once the Epstein case was used as part of the Ponzi

Page 112

1 BY MR. GOLDBERGER:

2 Q. So Ms. Holmes was working on the Epstein
3 cases?

4 A. It's my refreshed recollection from seeing
5 one of those e-mails that she must have been.

6 Q. Okay. And Ms. Holmes you said was a former
7 federal law enforcement officer, was that your
8 testimony?

9 A. Yes.

10 Q. You don't know whether she was FBI or IRS,
11 correct?

12 A. I don't remember.

13 Q. Okay. And upon reflection, do you know
14 whether she was hired without your say-so based on
15 what Mr. Jenne told you or did you meet with her?

16 A. No, I actually -- I remember meeting with
17 Ms. Holmes.

18 Q. Okay. What do you remember about that
19 meeting?

20 A. I remember talking about her relative who
21 was a judge. I remember her telling me about her time
22 in law enforcement. I just don't remember which
23 agency.

24 Q. Did she tell you why she left law
25 enforcement?

Page 111

1 scheme?

2 A. He did not.

3 Q. So he was --

4 A. If he got a bonus, it was something he
5 earned.

6 Q. Did you make a determination as to what that
7 bonus would be?

8 A. If he got a bonus, I would have been
9 instrumental in determining it. You can determine if
10 he got a bonus by looking at our financial records, I
11 don't have an independent recollection one way or the
12 other.

13 Q. So you don't know whether he got a bonus at
14 all, correct?

15 A. That's correct.

16 Q. So I assume that if he got a bonus you
17 wouldn't know whether it occurred before or after the
18 Epstein case was used as part of the Ponzi scheme?

19 A. I don't know if he got a bonus, which means
20 I wouldn't know the time frame.

21 Q. But we would learn -- you are instructing
22 us, we would learn that by looking at when the Epstein
23 case was brought into the Ponzi scheme and we learn
24 that by looking at these -- what was the group that it
25 was used to pitch to?

Page 113

29 (Pages 110 to 113)

1 A. Clockwork.
2 Q. So we would look at when the Clockwork group
3 was brought into this and the Epstein case was used
4 then and then we would look at the payroll records to
5 see whether Mr. Edwards got a bonus after the
6 Clockwork group was brought into the Ponzi scheme,
7 correct?

8 A. From a timing perspective, yes. But
9 Mr. Edwards had nothing to do with the Ponzi scheme,
10 nor was he rewarded even surreptitiously without his
11 knowledge for helping me with the Ponzi scheme. If he
12 was rewarded it was because he deserved, I felt he
13 deserved a reward, having nothing to do with the Ponzi
14 scheme. The bulk of this law firm had nothing to do
15 with the Ponzi scheme.

16 Q. I think you testified already, though, that
17 money was fundable in the firm, right? I mean, you
18 know, illegal money was used for legitimate purposes,
19 correct?

20 A. Yes.

21 Q. Okay. So, for example, investigations that
22 were done with the Epstein case, it's very possible
23 that legitimate Ponzi money was used to finance those
24 investigations?

25 A. I'd be guessing. It's certainly possible

Page 114

1 about? By the way, you had a number of Epstein cases
2 in-house, do you know which case you were talking
3 about?

4 A. As I sit here today, no, sir, I don't
5 remember.

6 Q. Was it a state case or a federal case?

7 A. I don't remember one way or the other.

8 Q. All right.

9 A. I utilized all those boxes all together. I
10 don't remember which one I sold them.

11 Q. And the exhibits --

12 A. It's something completely fictitious that I
13 made up that I told them.

14 Q. The exhibit that you were shown earlier,
15 Exhibit Number 1, that's the long multi-page federal
16 lawsuit. Do you know whether that was part of the
17 information that you reviewed or shown to the
18 investors when you were pitching to them?

19 A. I do not remember one way or the other.

20 Q. Okay. Now, did you make any effort to learn
21 from your co-conspirator who the plaintiffs were in
22 this case, what kind of women they were?

23 A. Only that they were underage.

24 Q. Did anyone tell you that these women had --
25 some of these women had a history of prostitution?

Page 116

1 because all the money went into a whole series of
2 pots, and if you look at, most of the pots were trust
3 accounts. If you look back, you look to see what my
4 CFO, who was also a co-conspirator was doing, she was
5 pulling the money from wherever she needed to to fund
6 whatever she needed to fund.

7 MR. LAVECCHIO: Off the record a second.

8 [Discussion off the record.]

9 BY MR. GOLDBERGER:

10 Q. Let me circle back to what you needed to
11 learn about the Epstein cases to help make your pitch
12 to the investors.

13 You talked about the manifest already,
14 correct, the flight manifest?

15 A. Yes.

16 Q. Okay. What else did you want to learn about
17 the case or what else did you learn about the case so
18 that you were conversant when you spoke to the
19 investors about the Epstein case?

20 A. I recall asking someone what the causes of
21 action were.

22 Q. Okay. Did you understand what they were?

23 A. I likely did at the time, I don't remember
24 what they were now.

25 Q. Okay. Do you know which case we are talking

Page 115

1 A. They may have told me that, I wouldn't have
2 cared one way or the other.

3 Q. Why would you not have cared about that,
4 Mr. Rothstein?

5 A. It had nothing to do with the sale of the
6 Ponzi scheme settlements.

7 Q. Okay. Were you told by anyone whether any
8 of the women involved as plaintiffs in the case may
9 have worked at adult clubs in the past? I mean strip
10 clubs, let's call it what it is.

11 A. I may have been told that one way or the
12 other. But again, it had nothing to do with the Ponzi
13 scheme sale of fake settlements.

14 Q. As part of the information that you were
15 told by you co-conspirator, Russell Adler, were you
16 told that some of the plaintiffs that you had in-house
17 had travelled on Mr. Epstein's airplane?

18 A. I believe Russ did tell me that.

19 Q. You know, in fact, that that was not true,
20 correct?

21 A. I have no idea one way or the other, nor did
22 I care.

23 Q. But your co-conspirator told you that,
24 right?

25 A. Mr. Adler did, in fact, tell me that certain

Page 117

30 (Pages 114 to 117)

1 of the underage women had travelled on Mr. Epstein's
2 plane.

3 Q. Did you ever meet any of the plaintiffs?

4 MR. SCAROLA: That's question that's been
5 asked and answered.

6 THE WITNESS: I do not have a specific
7 recollection of ever meeting them.

8 MR. SCAROLA: You are exhausting my
9 indulgence.

10 MR. GOLDBERGER: Fair enough.

11 MR. SCAROLA: You've exhausted my
12 indulgence.

13 BY MR. GOLDBERGER:

14 Q. Do you know whether any of your
15 investigators at the firm had any kind of high tech
16 surveillance equipment or, you know, wire tapping
17 equipment?

18 A. I believe they did.

19 Q. Do you know whether this was legal stuff or
20 illegal stuff?

21 A. I did not know, nor did I care.

22 Q. Do you know if any of that stuff was used to
23 either wire tap or surveil Mr. Epstein?

24 A. I do not know one way or the other.

25 Q. What sort of equipment did you know that

Page 118

1 have any knowledge of your firm's attempt during the
2 Ponzi scheme to depose Alan Dershowitz?

3 A. No, sir. I don't have a recollection of one
4 way or the other.

5 Q. Okay. The name Kendall Coffey was brought
6 up before. Do you know who Kendall Coffey is?

7 A. Yes.

8 Q. Who do you know him to be?

9 A. Former U.S. attorney, current criminal
10 defense lawyer.

11 Q. Was he a friendship of the firm's?

12 A. Represented RRA when I fled the country.

13 Q. So he was a friend of the firm, or a friend
14 of yours at least, right?

15 A. He wasn't a friend of mine.

16 Q. A friend of the firm?

17 A. No idea.

18 Q. He represented them when I fled the country.
19 I remember him coming in and doing like a show and
20 tell in my office on TV.

21 MR. GOLDBERGER: Patience gets rewarded.
22 I'm done.

23 Thank you, Mr. Rothstein. That's all the
24 questions that I have.

25 THE WITNESS: You are welcome.

Page 120

1 they had, meaning your investigators?

2 A. I had told Mr. Jenne and others involved in
3 the investigation arm of RRA to get whatever equipment
4 they thought they needed and to get the best stuff
5 that they could get. What they actually did, I can't
6 tell you.

7 Q. You know as part of the Epstein litigation,
8 and I'm talking about now after your using it in the
9 Ponzi scheme, do you know whether anyone at your firm
10 attempted to depose ex-President Bill Clinton?

11 A. I don't recall that, sir.

12 Q. Okay. How about Donald Trump, same
13 question?

14 A. I don't recall that. As a matter of fact,
15 we had represented Trump in some things, we had some
16 pretty close ties with him, so I can't imagine that
17 they would have done that with my authority.

18 Q. Okay.

19 A. I don't recall that.

20 Q. Do you know whether Adler would have --
21 would Adler have the authorize to do that without
22 getting your permission?

23 A. The authority, no. Might he have tried,
24 yes.

25 Q. Okay. How about Alan Dershowitz, do you

Page 119

1 CROSS EXAMINATION

2 BY MR. SCAROLA:

3 Q. Mr. Rothstein, again, Jack Scarola on behalf
4 of Brad Edwards. I want you to assume that Brad has
5 testified under oath that you never had a substantive
6 discussion with him regarding the Epstein case. Do
7 you have any basis whatsoever to question the accuracy
8 of that testimony?

9 A. I do not.

10 Q. I want you to assume that Brad has or will
11 testify under oath that while you were copied on
12 e-mails, you never attended a single legitimate
13 meeting regarding the legitimate prosecution of the
14 Epstein cases. Do you have any basis whatsoever to
15 question the accuracy of that testimony?

16 A. No, sir.

17 Q. I want you to assume that Brad has or will
18 testify under oath that you never directed the filing
19 of any documents in the Epstein case, including the
20 July federal complaint that's been marked as an
21 exhibit to your deposition. Do you have any reason
22 whatsoever to question the accuracy of that testimony?

23 A. No, sir.

24 Q. I want you to assume that Brad has or will
25 testify under oath that you never directed the taking

Page 121

31 (Pages 118 to 121)

1 of a single deposition, or the propounding of any
2 discovery in the Epstein cases. Do you have any
3 reason to doubt the accuracy of that testimony?

4 A. No, sir.

5 Q. I want you to assume that Brad has or will
6 testify that you did not provide any input whatsoever
7 into the handling of the legitimate Epstein cases. Do
8 you have any reason whatsoever to doubt the accuracy
9 of that testimony?

10 A. No, sir.

11 Q. I want you to assume that Brad has or will
12 testify that you never met any of the legitimate
13 plaintiffs in the Epstein cases. Do you have any
14 reason to doubt the accuracy of that testimony?

15 A. No, sir.

16 MS. HADDAD: I'm going to object to these
17 same questions you keep asking, because Mr. Rothstein
18 has testified at nauseam that he doesn't recall any
19 of this and now you are asking him to bolster
20 Mr. Edwards' either already given or purported
21 testimony when he's testified he doesn't recall it.

22 BY MR. SCAROLA:

23 Q. I want you to assume that Brad has or will
24 testify under oath that you never asked him once to
25 report back to you on any factual matters regarding

Page 122

1 illegal activities at the RRA firm and you concealed
2 your knowledge of Brad Edwards' knowledge of that
3 illegal activity, what do you understand the
4 consequences of that false testimony to be?

5 A. I'll be violating my agreement with the
6 United States government and I would run the risk of
7 dying in prison.

8 MR. SCAROLA: Thank you. I don't have any
9 further questions.

10 THE WITNESS: Thank you, sir.

11 MR. NURIK: Mark, I don't know what your
12 time frame is on your litigation, but the ability to
13 receive the transcript, review it and prepare an
14 errata sheet within what is normally the time
15 allotted under the court rules cannot be accomplished
16 in this case.

17 MR. GOLDBERGER: How much time are you
18 generally --

19 MR. NURIK: I don't know.

20 Actually, the first set of errata sheets
21 have just been prepared and finalized for the first
22 deposition in December. I'm not suggesting it will
23 take that long this time, but if you can give me an
24 idea of what your time responsibilities are with the
25 court, what the time limits are --

Page 124

1 the Epstein case. Do you have any reason to doubt the
2 accuracy of that testimony?

3 A. No, sir.

4 Q. I want you to assume that Brad has testified
5 repeatedly that he had absolutely no involvement in or
6 knowledge of any illegal activity engaged in by you or
7 any other RRA lawyer. Do you have any reason to doubt
8 the accuracy of that testimony?

9 A. No, sir.

10 Q. I want to talk to you briefly about your
11 personal perceptions of the significance of the
12 testimony that you are giving today. If Brad Edwards
13 had, in fact, been a participant in any of the illegal
14 activities that you have been questioned about at any
15 stage of this very lengthy deposition, and you
16 knowingly concealed Brad Edwards' participation, what
17 do you understand the personal consequences to be as a
18 consequence of your having knowingly concealed Brad
19 Edwards' participation?

20 A. I'll be violating my agreement with the
21 United States government and I would run the risk of
22 dying in prison.

23 Q. If Brad Edwards, contrary to what you have
24 testified under oath and what Brad himself has
25 repeatedly said, knew about anything having to do with

Page 123

1 MR. GOLDBERGER: Do you think it will be
2 less than a month, two months?

3 MR. NURIK: I don't think it will be less
4 than a month. First of all, a lot depends on the
5 ability to get the transcript to him to review.

6 MR. GOLDBERGER: Right.

7 MR. NURIK: And that's a whole procedure,
8 it's not normal circumstances that we are dealing
9 with.

10 MR. GOLDBERGER: If time becomes an issue,
11 we'll approach you and ask you to expedite.

12 MR. SCAROLA: Mark, I will tell that from
13 our perspective time is an issue.

14 MR. NURIK: Have at it then, Jack. Do what
15 you need to do to get it done.

16 MR. SCAROLA: There is a long pending
17 motion for summary judgment on Brad's behalf that has
18 been delayed for purposes of taking this deposition.
19 We are very anxious to be able to call that motion
20 for summary judgment up for hearing, so whatever can
21 be done reasonably to expedite the preparation of
22 this portion of this transcript would be appreciated.
23 We understand there are limitations beyond your
24 control, but to the extent you can do it, that would
25 be helpful. Thank you.

Page 125

32 (Pages 122 to 125)

1 MS. HADDAD: It's scheduled in a month,
2 Mark.
3 MR. NURIK: We'll cooperate.
4 MR. SCAROLA: Thank you very much.
5 [Thereupon, the taking of the deposition was
6 concluded at 12:37 p.m.]
7
8
9
10

11 SCOTT ROTHSTEIN
12 Sworn to and subscribed
13 before me this day
14 of , 2012.
15 Notary Public, State
16 of Florida at Large.
17
18
19
20
21
22
23
24
25

Page 126

1 FRIEDMAN, LOMBARDI & OLSON
2 Suite 924, Biscayne Building
3 19 West Flagler Street
4 Miami, Florida 33130
5 Telephone (305) 371-6677

6 June 21, 2012

7 IN RE: EPSTEIN VS EDWARDS

8 SCOTT ROTHSTEIN C/O MARC NURIK
9 One East Broward Boulevard, Seventh Floor
10 Ft. Lauderdale, Florida 33301

11 Dear SCOTT ROTHSTEIN:

12 With reference to the deposition of
13 yourself taken on June 14, 2012, in connection with
14 the above-captioned case, please be advised that the
15 transcript of the deposition has been completed and
16 is awaiting signature.

17 Please arrange to stop by our office for
18 the purpose of reading and signing the deposition.
19 Our office hours are 9:00 a.m. to 4:00 p.m., Monday
20 through Friday. Please telephone in advance.

21 You may, however, read a copy of the
22 transcript, provided by any of the attorneys
23 connected with the case, denoting any corrections by
24 page and line number on a separate sheet of paper.
25 This correction page must be signed by you and
notarized and returned to us for filing with the
original.

If this has not been taken care of,
however, within the next 30 days, or by the time of
trial, whichever comes first, I shall then conclude
that the reading, subscribing and notice of filing
have been waived and shall then proceed to deliver
the original of the transcript to ordering attorney
without further notice.

Pearlyck Martin

Page 128

1 CERTIFICATE
2 STATE OF FLORIDA)
3 COUNTY OF MIAMI-DADE)

4 I, Pearlyck Martin, a Notary Public in and
5 for the State of Florida at Large, do hereby certify
6 that, pursuant to a Notice of Taking Deposition in
7 the above-entitled cause, SCOTT ROTHSTEIN was by me
8 first duly cautioned and sworn to testify the whole
9 truth, and upon being carefully examined testified as
10 is hereinabove shown, and the testimony of said
11 witness was reduced to typewriting under my personal
12 supervision and that the said Video Conference
13 deposition constitutes a true record of the testimony
14 given by the witness.

15 I further certify that the said Video
16 Conference deposition was taken at the time and place
17 specified hereinabove and that I am neither of
18 counsel nor solicitor to either of the parties in
19 said suit nor interested in the event of the cause.

20 WITNESS my hand and official seal in the
21 City of Miami, County of Dade, State of Florida, this
22 day of June 19, 2012.
23
24
25

Pearlyck Martin

Page 127

33 (Pages 126 to 128)

FRIEDMAN, LOMBARDI & OLSON
305-371-6677

5ed93085-0554-447f-bcdd-ca2d8fe941df

EFTA01130767