

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

DOCKETING STATEMENT
AND NOTICE OF APPEARANCE OF COUNSEL
(Revised as of May 1, 2013)

The Court requires the following information in order to facilitate disposition of the case.

APPELLANT/PETITIONER: If this case involves an original writ, is an appeal of a non-final order or is a case involving child custody, this docketing statement must be completed and returned within **five days**. In all other cases, the **appellant** must file the docketing statement within **20 days** from the date of the acknowledgment of the notice of appeal.

APPELLEE/RESPONDENT: Is not required to file a docketing statement unless there are amendments, corrections or additions to the docketing statement filed by the appellant/petitioner. Appellee/respondent is only required to file a notice of appearance if counsel's name does not already appear on the certificate of service. Appellee's/respondent's docketing statement, if necessary, is due within **5 days** from service of the appellant's/petitioner's docketing statement.

PLEASE PROVIDE THE FOLLOWING INFORMATION:

DOCKETING STATEMENT OF: (CHECK ONE) **APPELLANT/PETITIONER** X
APPELLEE/RESPONDENT _____

1. STYLE OF CASE

DCA CASE
NUMBER

LOWER COUR
CASE NUMBER

Edwards v. Epstein

4D14-2282

502009CA040800XXXXMB

NOTICE OF APPEARANCE OF COUNSEL FOR APPELLANT (If party is not represented by counsel, party should so indicate and provide accurate mailing address and phone number).

2a Name: Philip M. Burlington, Esq. Bar Number 285862
Address: Courthouse Commons, Ste. 350, 444 W. Railroad Ave., West Palm Beach, FL 33401
Attorney For: Appellant Phone Number (561) 721-0400 Email pmb@flappellatelaw.com

APPELLEE'S TRIAL COUNSEL AND/OR APPELLATE COUNSEL (IF KNOWN)

2b Name: Tonja Haddad Coleman, Esq. Bar Number: 176737
Address: 315 SE 7th Street, Fort Lauderdale, FL 33301
Attorney For: Jeffrey Epstein Phone Number: (954) 467-1223 Email Tonja@tonjahaddad.com

3. INTERESTED PERSONS: List names of all persons or entities having an interest in this matter. Please clarify whether these persons or entities are parties, lawyers or otherwise, and as to parties, designate whether appellant or appellee.

Bradley J. Edwards, Appellant

Philip M. Burlington, Esq.
Burlington & Rockenbach, P.A. Appellate counsel for Appellant

Jack Scarola, Esq.
William B. Knight, Esq.
Searcy Denney Scarola Barnhart & Shipley, Trial counsel for Appellant

Jeffrey Epstein, Appellee

Tonja Haddad Coleman, Esq.
Tonja Haddad, P.A., Appellate counsel for Appellee, Jeffrey Epstein

W. Chester Brewer, Jr., Esq.
W. Chester Brewer, Jr., P.A., Trial counsel for Appellee, Jeffrey Epstein

Jack Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A., Trial counsel for Appellee, Jeffrey Epstein

Fred Haddad, Esq.
Fred Haddad, P.A., Trial counsel for Appellee, Jeffrey Epstein

Scott Rothstein, Appellee

Mark Nurik, Esq.
Law Offices of Marc S. Nurik, Trial counsel for Appellee, Scott Rothstein

4. JUDGES BELOW: List the name of all judges, deputy commissioners and hearing officers/examiners who were involved in this action below. Specify the judge who entered the order appealed.

The Honorable David F. Crow
The Honorable Meenu Sasser
The Honorable Donald W. Hafele – Entered Order for Appeal

5. JURISDICTION: State the basis for this court's jurisdiction, including the following: (1) the appellate rule providing jurisdiction claimed 9.030(b)(1)(A); (2) the date of filing in the lower tribunal of the order appealed May 27, 2014; (3) if this is an appeal from a final order, the date of the return of verdict in a jury action N/A, the service date of any Fla. R. Civ. P. 1.530 motion, and the date of entry of the order deciding such motion N/A.

6. PENDING MATTERS IN LOWER TRIBUNAL: Are there any matters, including counts of claims or counterclaims, still pending in the lower tribunal? If yes, please explain exactly what remains pending.

Yes, Plaintiff/Counter-Defendant Jeffrey Epstein's Motion for Fees and Costs and Incorporated Memorandum of Law set for hearing on September 29, 2014 at 2:30pm.

7. CURRENT AND PRIOR PROCEEDINGS IN THIS COURT:

List by style and case number of this court, all cases which are or have been pending before this court involving issues arising from the same lower tribunal case and the current status of same:

4D13-133 - Epstein v. Rothstein (Certiorari Petition)

Criminal appeals: List by style and case number of this court all co-defendants currently or previously on appeal to this court.

N/A

Similar Issues: List by style and case number of this court, all cases which are or have been pending before this court which are related to this action or which involve an issue which will be similar or determinative to the issue in this case on appeal.

N/A

If you become aware of appeals filed subsequent to the submission of this docketing statement involving a co-defendant in a criminal case, the same controversy or parties, or substantial similar issues, please file an amended response to this question.

8. Court Transcript:

Do you intend to order any portion of the transcript for the appeal? Yes ___ No **X**

If yes, have all arrangements been made for its preparation? Yes ___ No **X**

If yes, date ordered _____

If no, why not? Already Complete

Estimated date of completion: Completed

Estimated number of pages: _____

Name and address of court reporter(s):

9. CUSTODY STATUS IN CRIMINAL APPEALS: Is the appellant in custody and serving a sentence imposed as a result of a conviction which is the subject of this appeal? No.
If so, state the length of the sentence imposed. N/A

ISSUES:

If this case involves the determination of the constitutionality of a statute, cite the statute involved.

Please state in short form the anticipated issues raised. For example, on criminal issues: denial of motion for judgment of acquittal, denial of motion to suppress evidence, error in sentence; on civil issues, award of alimony, error in valuation of assets for equitable distribution, error in determining contract damages; error in admission of hearsay at trial.

10. TYPE OF CASE: PLACE A CHECK BY THE MOST APPROPRIATE TYPE OF CASE:

A. Civil

- 1. Domestic Relations - divorce, child custody, paternity or support
- 2. Child dependency
- 3. Adoption/Termination of Parental Rights
- 4. Professional Malpractice
- 5. Products Liability
- 6. Negligence
- 7. Contract or Indebtedness
- 8. Condominium - rules violations, developer suits
- 9. Foreclosure - mortgage, lien
- 10. Inmate Appeal - gain time, rule challenges, disciplinary action
- 11. Attorney's Fees
- 12. All others – Intentional Tort

B. Criminal

- 1. Direct Appeal - judgment and sentence
- 2. Direct Appeal - sentence only
- 3. Direct Appeal - juvenile
- 4. Collateral Attack - (Rule 3.850 or habeas corpus) - judgment and sentence
- 5. Collateral Attack - (Rule 3.800, Rule 3.850 or habeas corpus) - sentence only
- 6. Collateral Attack - juvenile
- 7. Appeal by the State
- 8. All Others - specify _____

C. Administrative

- 1. Department of Professional Regulation
- 2. Unemployment Appeals Commission

SERVICE LIST

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