

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CIVIL DIVISION

BRADLEY J. EDWARDS and PAUL G. CASSELL,

Plaintiffs,

vs.

CASE No.:
CACE 15-000072

ALAN M. DERSHOWITZ,

Defendant.

~~~~~

PROCEEDINGS BEFORE THE  
HONORABLE JUDGE THOMAS M. LYNCH, IV

Friday, April 10, 2015  
9:05 - 9:55 o'clock a.m.

Broward County Courthouse  
201 Southeast 6th Street  
Room 950  
Fort Lauderdale, Florida 33301

JERROLD Wm. SEGAL, Court Reporter



800.211.DEPO (3376)  
EsquireSolutions.com

1 APPEARANCES OF COUNSEL

2 On behalf of the Plaintiff:

3 JACK SCAROLA, ESQ.  
4 SEARCY, DENNY, SCAROLA, BARNHART & SHIPLEY, P.A.  
5 2139 Palm Beach Lakes Boulevard  
6 West Palm Beach, Florida 33409  
7 561-686-6300  
8 [REDACTED]

9 On behalf of the Defendant:

10 THOMAS E. SCOTT, ESQ.  
11 STEVEN R. SAFRA, ESQ. (via speakerphone)  
12 of the Law Offices of  
13 COLE, SCOTT & KISSANE, P.A.  
14 Dadeland Centre II  
15 Suite 1400  
16 9150 South Dadeland Boulevard  
17 Miami, Florida 33156  
18 305.350.5320  
19 305.373.2294 (Fax)  
20 [REDACTED]

21 Co-counsel: Defense

22 MARY E. BORJA, ESQ.  
23 of the Law Offices of  
24 WILEY REIN, LLP  
25 1776 K STREET NW  
Washington, DC 20006  
202.719.4252  
[REDACTED]

1 Proceedings in the Matter of Bradley J. Edwards and  
2 Paul G. Cassell, Plaintiffs, vs, Alan M. Dershowitz,  
3 Defendant.

4 Friday, April 10, 2015

5 THE BAILIFF: Please, remain seated. Everyone,  
6 please come to order. Court is now in session, the  
7 Honorable Thomas M. Lynch, IV now presiding.

8 THE COURT: Good morning, everyone.

9 MR. SCAROLA: Good morning, Your Honor.

10 MR. SCOTT: Good morning, Your Honor.

11 THE COURT: We are here on case number CACE  
12 15-000072, Bradley J. Edwards and Paul G. Cassell,  
13 Plaintiffs, versus Alan M. Dershowitz, Defendant.

14 MR. SCAROLA: That's correct, Your Honor.

15 THE COURT: Now, I see that someone is on the  
16 telephone?

17 MR. SCOTT: Yes, Your Honor, that's one of my  
18 folks.

19 THE COURT: That's okay. I just wasn't sure  
20 who, but I knew someone was appearing by phone  
21 today.

22 MR. SCOTT: Yes, Your Honor

23 THE COURT: And my friend, Diego, here will be  
24 taking this chair. This is "Bring Your Kid to Work  
25 Week," but since my kid is probably trying a case

1 right now, I decide that he's probably working  
2 anyway. Now, let me see --

3 MR. SCOTT: Your Honor, from my firm, Steve  
4 Safra is appearing by telephone from Cole, Scott,  
5 Kissane.

6 THE COURT: I'm going to put him on the line in  
7 a moment.

8 MR. SCOTT: Thanks, Your Honor.

9 THE COURT: Good morning. Can you hear me?  
10 Hello? Can you hear me?

11 MR. SAFRA: Good morning, Your Honor, yes,  
12 thank you.

13 THE COURT: For the record, counsel, if you  
14 could please tell us your name?

15 MR. SAFRA: Steven Safra and I work with Tom  
16 Scott and I'm available if he needs assistance, but  
17 I'm not lead today.

18 THE COURT: Okay, that's very good. Thank you.  
19 Mr. Safra, you may have some difficulty in hearing  
20 those individuals that are not real close to the  
21 telephone today because our equipment doesn't work  
22 very well.

23 MR. SAFRA: Okay, Your Honor.

24 THE COURT: Just let us know if it's a problem  
25 and if it is a problem and if it's necessary for the

1 gentleman to hear everything, then we'll have to ask  
2 you to come a little closer to the telephone.

3 MR. SAFRA: I appreciate that, Your Honor.

4 THE COURT: Sure, sure.

5 Now, we have two motions to hear this morning  
6 -- Plaintiffs' Motion to Compel, as well as the  
7 Defendant's Motion, as it relates to depositions.

8 MR. SCOTT: That's correct.

9 MR. SCAROLA: Yes, Judge.

10 THE COURT: So which one do you gentlemen want  
11 to do first?

12 MR. SCOTT: I think, the depositions, Your  
13 Honor.

14 MR. SCAROLA: That's fine. It was the first  
15 filed of the motions, Your Honor, so I don't have  
16 any problem dealing with it in that order.

17 THE COURT: Okay. That's fine, thank you.

18 MR. SCOTT: Judge, do you prefer that we each  
19 address you from here or should be use the podium up  
20 there?

21 THE COURT: Oh, just make yourself comfortable.

22 MR. SCOTT: Okay. Your Honor, as you know, we  
23 gave the Court a book on all of the pleadings and  
24 things. Has the court had an opportunity yet to  
25 look at that?

1 THE COURT: I have reviewed the motions. I've  
2 actually reviewed everything that's been filed, but  
3 I haven't reviewed the book yet.

4 MR. SCOTT: Okay. Well Your Honor, the first  
5 motion is really --

6 THE COURT: Plus, I'm going to reserve ruling  
7 or at least I'll likely reserve.

8 MR. SCOTT: On the both motions?

9 THE COURT: Probably.

10 MR. SCOTT: Okay. Judge, the first motion  
11 that's up for hearing is actually our Motion to  
12 Compel the deposition of Mr. Paul Cassell and a  
13 third-party witness, the Jane Doe witness, prior to  
14 the deposition of my client, Mr. Alan Dershowitz.

15 And the factual background around it, is that  
16 this case was filed on June 6. Then on June 7 --  
17 oh, I mean on January 6 -- and on January 7 Mr.  
18 Scarola sent me an e-mail and asked if I'd accept  
19 service. I did it one day later, on January 7.

20 Then on the 9 of January, Your Honor, he sent  
21 me a Notice of Taking Deposition of my client, Mr.  
22 Alan Dershowitz. On that same day we sent Notices  
23 of Taking Deposition of his client, Mr. Cassell and  
24 also of the Jane Doe third-party witness.

25 Your Honor, I might point out to you that the

1 Court has appointed a commissioner and she has been  
2 served with a deposition -- with a subpoena and a  
3 lawyer representing her has filed a Notice of  
4 Quashing that, which is going to have to be heard by  
5 the Court.

6 THE COURT: Okay. Now, I didn't read that.

7 MR. SCAROLA: Yes, that actually just happened,  
8 Your Honor.

9 THE COURT: Because I recall signing -- I don't  
10 know if it was electronically or otherwise, but I do  
11 recall signing an order -- Colorado, I think.

12 MR. SCAROLA: Yes, Colorado, it is.

13 MR. SCOTT: Colorado it is. So Judge, the issue  
14 is the following: Mr. Scarola says that, "I, by  
15 just a matter of an hour or two, and within the  
16 three days, noticed your client first and so your  
17 client should go first."

18 Our position is twofold, Your Honor. Number  
19 one, that the rule does not contemplate that, Rule  
20 1.310, and the reading of that rule -- and I'm going  
21 to paraphrase it, Your Honor. It's actually in  
22 front of you. I'm not going to read it all, but the  
23 way that I paraphrase it, that rule 1.310 provides  
24 that a Plaintiff may only notice a Defendant for  
25 deposition within thirty days after service of

1 process, if the Defendant has otherwise initiated  
2 discovery, which we had not done yet, or is about to  
3 go out of the state and thus be unavailable for  
4 deposition, which is not in this case, applicable,  
5 as he is a resident of Miami Beach.

6 So Your Honor, Mr. Scarola and I actually have  
7 a different interpretation of the rule. I will tell  
8 you, Judge, that I have researched it and I spoke to  
9 Jack and Jack has researched it and we cannot find a  
10 direct case actually interpreting that particular  
11 rule.

12 THE COURT: There isn't -- well, I haven't  
13 found it either.

14 MR. SCAROLA: So now that's three of us.

15 MR. SCOTT: Well, it comes down to a question  
16 of how you interpret it, Judge? I think it says  
17 that a Plaintiff may only notice -- and that means a  
18 Notice of Deposition for depositions within thirty  
19 days after service of process.

20 And the way that we interpret that rule, Judge,  
21 is that he has to wait thirty days after we respond  
22 in order to file it. I think that Mr. Scarola's  
23 interpretation is, "No, I don't need to do it, so  
24 long as the deposition is held within thirty days."

25 That in a nutshell, that is what the dispute is

1 here, Your Honor. Your Honor, we think that the  
2 intent clearly was to provide at least thirty days  
3 for the Defendant, before he can be noticed for a  
4 deposition, to have an opportunity to prepare, to be  
5 not placed in a situation where if he were to answer  
6 today, you know, and/or the Plaintiff could notice  
7 him, for example, with a Complaint and then  
8 literally within ten days after responding to the  
9 Complaint or so, to have his deposition taken.

10 I think it's a breathing space -- unless the  
11 Defendant, himself or herself, initiates that. And  
12 I think it just makes sense that that's the correct  
13 interpretation of the rule. Otherwise the Plaintiff  
14 would always practically have the first opportunity  
15 to take the deposition and the whole thing would be  
16 moot.

17 But Judge it's your interpretation and you're  
18 going to do it the way you think it's done.

19 THE COURT: I was hoping one of you would come  
20 up with a case, but I couldn't find one.

21 MR. SCOTT: No, no, Your Honor, and I really  
22 tried and Mr. Scarola tried too. We have a second  
23 position too, Judge, which is this. We think that  
24 no matter how the rule is interpreted, that you have  
25 the inherent discretion under Rule 1.280(c) to let

1 the Defendant -- I mean to let the Plaintiff go  
2 first and the Defense go secondly.

3 Here, you know, the Defendant did not initiate  
4 discovery and here we think that where the Plaintiff  
5 has made the accusation of the defamation, where the  
6 Plaintiffs' client, Jane Doe, the third, is also the  
7 accuser, that the Defendant is really entitled to  
8 know before he has to give a deposition -- the  
9 Defendant is entitled to know when it is that these  
10 purportedly acts of misconduct occurred, to feel out  
11 what their position is, especially when they took  
12 such prompt action, within three days, and to have  
13 those depositions taken before he, the Defendant, is  
14 placed in that position of having to respond.

15 I think this is necessary in order to narrow  
16 the issues and in order to narrow the scope of the  
17 deposition and things of that nature. I would also  
18 say to you, Judge, in this case in particular, the  
19 Defendant is a public figure and he has been fifty  
20 years in the community as a leading lawyer and he  
21 should not be subject to deposition of this nature  
22 without at least having had the opportunity to hear  
23 what the accusers have to say.

24 So Judge, it's almost like actually flipping  
25 the burden of proof, so we think that this situation

1 is one where, you know, from an equitable standpoint  
2 that it should be the Plaintiff first, and then the  
3 Defendant second.

4 Judge, I found one case which I provided to Mr.  
5 Scarola earlier. Just yesterday, I actually went  
6 down to the law library and it's been a long time  
7 since I did that one -- and I found a case -- a case  
8 called Klein vs. Lancer. It's a 2nd District case,  
9 Your Honor. May I approach?

10 THE COURT: Sure, of course. Thank you, very  
11 much.

12 MR. SCOTT: Yes, Your Honor.

13 (Handing)

14 This is a case in which a -- it was actually a  
15 slander suit, just like this one. It's not a long  
16 opinion, but basically, in this case the judge ruled  
17 that the Plaintiff's deposition had to go before the  
18 Defense's deposition and the Plaintiff took a cert  
19 petition to the Court on it -- and from a slander  
20 accusation. And the court said, "The trial judge  
21 did not abuse the discretion granted to him by a  
22 Florida Rule of Civil Procedure 1.380(a)2 when he  
23 limited Petitioner's ability to proceed in deposing  
24 Respondent. Because that is so, there was no  
25 departure from the requirements of law."

1 THE COURT: Okay.

2 MR. SCOTT: So here's a case where, clearly,  
3 this trial judge in this case, back in 1983 in the  
4 2nd District agreed with this -- made the Plaintiff  
5 go first and the Defendant afterwards. I provide  
6 that just to show the Court that that's the closest  
7 case that I could get on this type of an issue, Your  
8 Honor.

9 THE COURT: Well, I've actually had the very  
10 same issue before.

11 MR. SCOTT: So Judge, I would also say one  
12 thing, and I don't know if you have yet had an  
13 opportunity, but when this case was first started --

14 MR. SCAROLA: Excuse me. I'm very sorry to  
15 interrupt, Your Honor, but I'm really a little bit  
16 concerned that we have a half hour set aside for two  
17 motions today and a significant portion of that time  
18 has already been used by Mr. Scott.

19 MR. SCOTT: I guess, please, give me three more  
20 minutes, Judge?

21 THE COURT: Sure. Go ahead.

22 MR. SCOTT: I apologize. When this Complaint  
23 was filed, in paragraph 17 -- and I think that this  
24 is very important for the Court -- paragraph 17 of  
25 the Complaint says, "Immediately following the

1 filing of what Dershowitz knew to be an entirely  
2 proper and well founded pleading, Dershowitz  
3 initiated a massive public media assault on Mr.  
4 Edwards and Mr. Cassell."

5 I bring this to your attention because, Judge,  
6 the truth is that they initiated that accusation in  
7 the case before Judge Marra and in that particular  
8 litigation, they filed a Motion to Intervene.

9 THE COURT: Right.

10 MR. SCOTT: And in the course of that Motion to  
11 Intervene they blasted not only Mr. Dershowitz, my  
12 client, mostly, but they also blasted Prince Andrew;  
13 they blasted the President of the United States, all  
14 of which was totally unnecessary to that litigation.

15 And it was that fact -- that fact that led to  
16 my client responding publicly, because he had been a  
17 public figure for fifty years, in order to defend  
18 himself. This week -- this week Judge Marra entered  
19 an order in which -- and I'm going to quote from it  
20 because I think it has a lot of relevance -- and I  
21 have a copy for the Court.

22 THE COURT: I've read the news report, but not  
23 the order.

24 MR. SCOTT: Yes, and I have a blowup of certain  
25 portions of it, which I think it's highly relevant

1 to this case.

2 (Handing.)

3 THE COURT: Thank you.

4 MR. SCAROLA: I'm sorry, but are there copies  
5 available?

6 MR. SCOTT: I sure do, buddy. I wasn't going  
7 to forget you.

8 MR. SCAROLA: I wouldn't let you.

9 MR. SCOTT: You and I have had too many battles  
10 in the past.

11 (Handing)

12 MR. SCAROLA: Thanks.

13 MR. SCOTT: Judge, in that order I highlighted  
14 three portions and I'm only going to read now from  
15 two. What the judge did was to, basically, strike  
16 every accusation and sealed it, involving my client  
17 and all of the things, saying that it was completely  
18 unnecessary. It was not required and, in effect, he  
19 was saying -- and denying the Plaintiffs that -- Mr.  
20 Cassell's Motion to Intervene. I think that Mr.  
21 Scarola was actually a part of that case?

22 And Your Honor, it's really important to see  
23 that what Judge Marra, who by the way is a very  
24 conservative excellent judge, who has had this case  
25 for eight years now, and has ruled constantly for

1 the victims in this case on major motions -- "at  
2 this juncture in the proceedings these lurid details  
3 are unnecessary to the determination of whether Jane  
4 Doe and Jane Doe 4 should be permitted to join the  
5 Plaintiffs' claim that the government violated the  
6 rights under the Crime Victim Protections Act. The  
7 factual details regarding with whom and where Jane  
8 Doe engaged in sexual activities are immaterial and  
9 impertinent to the central claim, that is, that they  
10 were known victims of Mr. Epstein and the government  
11 owed to the CVRA duties, especially considering that  
12 these details involved non-parties who are not  
13 related to the government's actions. These  
14 unnecessary details shall be stricken."

15 THE COURT: Okay.

16 MR. SCOTT: And the third one -- the second  
17 page is just the ruling. On the third one I gave  
18 you it says, "Regarding the declarations in support"  
19 -- no, that's not the one I want.

20 (Perusing document.)

21 Okay. Here it is now. The second one, Judge,  
22 is where it says, "As mentioned Mr. Dershowitz had  
23 moved to intervene in that case to clear his name  
24 after these accusations were made." Judge Marra  
25 said, "As mentioned, Mr. Dershowitz moves to

1 intervene for the limited purposes of moving to  
2 strike the outrageous and impertinent allegations  
3 made against him and requesting a show cause order  
4 to take to the attorneys that have made them.

5 "As the court has taken it upon itself to  
6 strike the impertinent factual details from the Rule  
7 21 motion and the related filings, the Court  
8 concludes that Mr. Dershowitz's intervention in this  
9 case is unnecessary. Accordingly, the Motion to  
10 Intervene will be denied. Regarding whether a show  
11 cause order should issue against the attorneys" --  
12 which Mr. Dershowitz had requested -- "the Court  
13 finds that its actions of striking these lurid  
14 details from Petitioner's submissions is sanctions  
15 enough -- sanctions -- sanctions against the  
16 lawyers.

17 "However, the Court cautions that all counsel  
18 are subject to Rule 11's mandate that all  
19 submissions be presented for a proper purpose and a  
20 factual contention have evidentiary support and that  
21 the Court may, on its own, strike from the pleadings  
22 any redundant, impertinent or any scandalous  
23 proceedings."

24 THE COURT: I do have one question?

25 MR. SCOTT: Yes, Your Honor?

1 THE COURT: I really don't know what, if  
2 anything, that would have to do with this cause of  
3 action? It's quite a unique cause of action in a  
4 Federal suit, as I understand it? And the striking  
5 of those accusations, which is understandable to me,  
6 notwithstanding the fact that I'm not really very  
7 familiar with that cause of action -- I'm not sure  
8 what, if anything, that would have to do with this?

9 MR. SCOTT: Well, I think, Judge, that what I'm  
10 trying to say to you is that it was really those  
11 accusations that led to this whole lawsuit, because  
12 he -- when they did that, Mr. Dershowitz, being a  
13 public figure had a complete weekend nightmare of a  
14 deplete publicity nightmare, with people calling him  
15 and things like that. And he responded by defending  
16 himself and trying to do it.

17 And so now if these things hadn't been put in  
18 there by the same lawyers who are now suing my  
19 client, we wouldn't even be here today. And I think  
20 that that just goes to show you -- and I bring that  
21 to your attention, Judge -- that the equity argument  
22 that I did, that at least given this type of ruling  
23 by such a conservative judge -- and you know, I've  
24 never actually seen a judge strike things sui sponte  
25 like that and just dismiss a pleading like that. It

1 just shows you that it's the right thing to do in  
2 this case, to have Mr. Cassell and to have the  
3 accuser, his client, Jane Doe 3, be deposed before  
4 my client, Mr. Dershowitz, is deposed. Thank you,  
5 Your Honor.

6 THE COURT: Thank you, very much, counsel.

7 MR. SCAROLA: Your Honor, let me begin first by  
8 acknowledging that the Court has discretion to order  
9 discovery.

10 MR. SCAROLA: There is no question about the  
11 fact that whatever ruling Your Honor were to decide  
12 was appropriate with regard to the ordering of the  
13 discovery is not going to be disturbed except under  
14 extraordinary circumstances, by any appellate court  
15 and I would assure Your Honor, that that's not a  
16 matter that we would consider subject to an appeal.

17 There are very good reasons why the order of  
18 discovery here should be the order in which the  
19 discovery has been noticed. Although Mr. Scott has  
20 repeatedly paraphrased Rule 1.1.310 as prohibiting  
21 the noticing of a deposition within thirty days of  
22 the service of a Complaint, that's simply not what  
23 the rule says. I will quote directly. "Leave of  
24 Court granted with or without notice, must be  
25 obtained only if the Plaintiff seeks to take a

1 deposition within thirty days after service of the  
2 process."

3 So Your Honora, a deposition cannot be taken  
4 within thirty days. A deposition may be noticed  
5 prior to thirty days, but it may not be taken under  
6 the terms of the rules, within thirty days, Your  
7 Honor. Service was obtained by consent on January  
8 7. The earliest, under the rule, that we would have  
9 been able to take Professor Dershowitz's deposition  
10 would have been February 6.

11 We sent a Notice of Deposition to depose Mr.  
12 Dershowitz well outside the thirty day period of  
13 time, on February 25, and accompanying that notice  
14 was a letter. And that letter is, in fact, attached  
15 to the pleadings that Your Honor has already seen.

16 And what that letter said was, "If this date is  
17 not convenient, we are willing to move it to a more  
18 convenient time. We move it up or we'll move it  
19 back." And in light of Mr. Dershowitz's repeated  
20 public proclamations that he's extremely anxious to  
21 be able to be deposed to be able to vindicate  
22 himself, we will do it as early as you want to do  
23 it."

24 Now, during this period of time Mr. Dershowitz  
25 was taking every opportunity that he possibly could

1 to appear before every audience that would have him,  
2 Your Honor, to defame Mr. Bradley Edwards and Mr.  
3 Paul Cassell. And I want to be sure than Your Honor  
4 is really focused on what this defamation case is  
5 really all about.

6 This defamation case is about two lawyers who  
7 are working, pro bono, to vindicate the rights of  
8 more than forty women who were sexually abused and  
9 trafficked by Mr, Jeffrey Epstein over an extended  
10 period of time. And Mr. Jeffrey Epstein, through  
11 the work of Alan Dershowitz, had obtained an  
12 extraordinary agreement from the federal government.  
13 That extraordinary agreement said, that, "If you  
14 plead guilty to one state court claim and serve,  
15 basically, one year on house arrest, we will grant  
16 you immunity from any federal prosecution and we  
17 will grant all of your co-conspirators immunity from  
18 any federal prosecution, as well."

19 Your Honor, that deal, if entered into, without  
20 the consultation nor with an opportunity to be heard  
21 by any of the victims of Jeffrey Epstein, in spite  
22 of federal law provisions that expressly state that  
23 those victims must be consulted and they must have  
24 an opportunity to inform the Court as to their own  
25 position with regard to a plea bargain.

1           The position that the federal government took  
2 was there was no indictment the and Crime Victims  
3 Rights Act is actually only triggered by the filing  
4 of an indictment. Judge Marra has absolutely  
5 rejected that position and the 11th Circuit Court  
6 has also rejected that position. And there is a lot  
7 of active discovery in that case.

8           Now, Jane Doe number 3, she moves to intervene  
9 through Bradley Edwards and Paul Cassell, her two  
10 pro bono lawyers. This action has nothing to do  
11 with monetary damages. It is simply an action about  
12 a right to be heard, to set aside an extraordinary  
13 plea deal, and to have an opportunity to be heard  
14 before those claims are disposed of.

15           THE COURT: I was a little confused with the  
16 facts in the state case? If I recall, there was a  
17 plea to one count and an eighteen months sentence or  
18 something like that.

19           MR. SCOTT: Yes.

20           MR. SCAROLA: I think eighteen months is right,  
21 Your Honor. He actually served --

22           THE COURT: Well, he served about eighty-five  
23 percent?

24           MR. SCAROLA: Yes, sir.

25           MR. SCOTT: It was a state court pleading.

1 They had cases in both the federal and the state.  
2 They took it to the state and they pled guilty there  
3 and he got an eighteen months sentence.

4 MR. SCAROLA: And it was served mostly on house  
5 arrest.

6 THE COURT: Okay.

7 MR. SCAROLA: So in light of the scope of the  
8 activities that were engaged in, on the number of  
9 victims, and extraordinary plea deal, so Jane Doe  
10 number 3 moves to intervene. Allegations are made  
11 in a sworn Affidavit to support the intervention and  
12 basically what Judge Marra has said is that, "The  
13 original pleading that was filed in this case  
14 addresses the concerns of all of the victims of  
15 Jeffrey Epstein. We don't need to have Jane Doe  
16 number 3 and Jane Doe number 4 moved into this case  
17 because their rights are already being protected  
18 under the terms of the pleading that currently now  
19 exists."

20 And then he also says, here in a section that's  
21 included in one of these quotes that's been provided  
22 to Your Honor, "Jane Doe number 3 is now free to  
23 reassert these factual details through the proper  
24 evidentiary proof should Petitioners demonstrate a  
25 good faith basis for believing that such details are

1 pertinent to a matter presented for the Court's  
2 consideration."

3 One of the matters being presented for the  
4 Court's consideration is the extent to which Alan  
5 Dershowitz was a co-conspirator of Jeffrey Epstein  
6 and negotiated an unusual plea deal that immunized  
7 all co-conspirators. So it remains to be seen, the  
8 extent to which those representations do or do not  
9 become relevant in the federal action, but that  
10 really has nothing to do with the case before this  
11 Court.

12 Because whether Jane Doe number 3 ultimately is  
13 proven, if she ever is, because this may well be a  
14 "he said - she said" type circumstance, where Alan  
15 Dershowitz says, "I never ever had sex with this  
16 young woman" and she says, "Oh, yes, you did" and  
17 it's never actually proved conclusively one way or  
18 another -- but that's really not the heart of this  
19 defamation case.

20 THE COURT: Right.

21 MR. SCAROLA: What Alan Dershowitz was saying  
22 repeatedly in front of every audience that he could  
23 gather and because of the profile that he enjoys,  
24 that meant every national morning news show, every  
25 midday national news show, every afternoon national

1 news show, every evening national news show, every  
2 late night national news show -- just about every  
3 single talk show he could get on, he said over and  
4 over again, repeatedly, "These lawyers knew at the  
5 time that this Affidavit was filed, that it was  
6 false. They fabricated it together with Jane Doe  
7 number 3. They did it to just enhance their own  
8 reputations and they did it for selfish, economic  
9 reasons. They all lied. They knew that they were  
10 lying at the time and they engaged in conduct that  
11 requires their disbarment."

12 So the issue is not whether Jane Doe number 3  
13 lied. The issue is whether Paul Cassell and Bradley  
14 Edwards were liars? Whether they knew at the time  
15 of filing of the this pleading that it was actually  
16 false? That's the focus of this issue in this case.

17 So when the Court is making a determination,  
18 Your Honor, as to who ought to be deposed first,  
19 when Mr. Dershowitz is repeatedly making these  
20 assertions, when his counsel is placed on notice,  
21 "Please, stop your client, so that this litigation  
22 can be conducted in a reasonable fashion" and Mr.  
23 Dershowitz continues to defame Mr. Cassell and Mr.  
24 Edwards on every occasion that he possibly can, I  
25 think it's very reasonable for us to say, "If you

1 say these folks are liars and if you say that you  
2 have already gathered the proof that they are liars,  
3 then we ought to find out what expert he has for  
4 that. But let me move on from there, if I could?

5 THE COURT: Sure, but we do have another motion  
6 and the good news is one of my hearings was canceled  
7 so actually do we have a little bit more time, but  
8 not a lot.

9 MR. SCAROLA: Thank you, Your Honor. I'll be  
10 brief about this.

11 THE COURT: That's fine.

12 MR. SCAROLA: One of the conditions -- one of  
13 the predicates that they want the Court to adopt  
14 before Mr. Dershowitz is deposed -- they don't want  
15 Mr. Dershowitz to be deposed before Jane Doe number  
16 3 is deposed. However, Jane Doe number 3 is living  
17 in Colorado. Jane Doe number 3 has been served with  
18 a subpoena and there has already been a Motion for a  
19 Protective Order that's been filed with regard to  
20 that deposition including or particularly addressing  
21 the scope of the duces tecum that's attached to that  
22 Notice of Deposition.

23 She is actually represented by separate private  
24 counsel. Separate counsel has offered to have those  
25 issues resolved by this Court, but that offer has

1 not been accepted by opposing counsel yet. We don't  
2 even know when or how those issues are going to be  
3 resolved. Ordinarily, absent a stipulation, they  
4 would have to be resolved in Colorado. Again, we  
5 really don't even know how long it's going to take  
6 to resolve those issues and the last thing we want  
7 to do is to have Mr. Dershowitz's deposition being  
8 contingent upon an undeterminable delay relating to  
9 Jane Doe number 3.

10 I will tell you, quite frankly, whether Paul  
11 Cassell is deposed before or after Alan Dershowitz  
12 is of less significance to me, except that he is  
13 also out-of-state and that will also require some  
14 coordination. And I want to get Alan Dershowitz's  
15 deposition taken as quickly as possible, because I  
16 am hoping that the taking of his deposition will  
17 slow down the juggernaut of defamation, the ongoing  
18 assault that continues on almost a daily basis,  
19 until such time as he is placed under oath and is  
20 actually confronted with regard to the accusations  
21 that he has made.

22 So for those reasons, Your Honor, because I  
23 believe that the rule clearly allows us to take a  
24 deposition, noticed before thirty days, but after  
25 thirty days, because our notice went first, because

1 the focus of this case is really on Mr. Dershowitz's  
2 having made statements that cannot be supported  
3 about the Plaintiffs having been knowing and been  
4 intentional liars and co-conspirators, we would ask,  
5 respectfully, that we get to depose Mr. Dershowitz  
6 as soon as possible. I'm sorry I've taken so long,  
7 Your Honor.

8 THE COURT: That's okay. Mr. Scott?

9 MR. SCOTT: One minute. Judge, in the federal  
10 court action -- I think that it's been pending for  
11 eight years -- eight years later these -- through  
12 Mr. Cassell's law firm, they filed this Motion to  
13 Intervene. And to repeat, it contains accusations  
14 that are totally irrelevant against my client --  
15 totally irrelevant, not needed for any reason, other  
16 than to just make my client look bad and to gather  
17 publicity by filing that.

18 THE COURT: Well, that's what the federal  
19 judge, essentially, ruled.

20 MR. SCOTT: Absolutely, that's what he ruled.  
21 All I'm saying is that, put into that position, a  
22 public figure like Mr. Dershowitz, and faced on a  
23 weekend with phone calls coming out of nowhere -- he  
24 didn't even know that the darn thing had been filed.  
25 And he responded the only way he did, by denying it

1 because he had to, as a public figure placed into  
2 that position. That's why it was so important to do  
3 it and to continue to do so when these issues come  
4 up. I mean, he's defending his name of fifty years.

5 Thank you, Your Honor.

6 THE COURT: Well, like I said earlier, I'm  
7 going to reserve and I'll let you know, probably,  
8 Monday or Tuesday, but we do have a motion and some  
9 argument on that?

10 MR. SCAROLA: Yes, thank you, very much, Your  
11 Honor. This is Plaintiff's Motion to Compel their  
12 Production of Documents.

13 THE COURT: Go ahead.

14 MR. SCAROLA: As the motion itself reflects, we  
15 served a Notice to Produce on the Defense and after  
16 more than forty-five days have elapsed, Your Honor,  
17 we still had not received any discovery. There was  
18 an exchange of communications with opposing counsel.  
19 The Response that we got to the Request to Produce  
20 has some very basic flaws to it. First of all, it  
21 raises some general objections and it says that all  
22 their Responses are made subject to those general  
23 objections.

24 The result of that is we don't know whether we  
25 are getting everything or if we are not getting

1 everything, because the objections are not at all  
2 specifically stated with regard to our individual  
3 requests.

4 It also says that whatever production that is  
5 going to be made, is going to be made subject to  
6 privilege. However, there is no privilege log. We  
7 don't know whether we are getting everything or  
8 whether some documents are being withheld on the  
9 basis of privilege?

10 It also says that production will be made, but  
11 with no indication as to actually when production  
12 will be made. I called these defects to opposing  
13 counsel's attention weeks ago, and I said that an  
14 indefinite Response that, "Production will be made  
15 sometime in the future," when the rules require  
16 production to be made within thirty days after the  
17 request is made, is absolutely inadequate. I said,  
18 "Can you tell me when you have the documents ready  
19 and I'll come and get them? I didn't get a Response  
20 to that request.

21 Ninety days elapsed after the filing of the  
22 Request to Produce and just last night, on the eve  
23 of this hearing, we got a whole bunch of documents  
24 that I have not had a chance to review in their  
25 entirety. They are not, as far as I can tell,

1 divided on a request by request basis, and they  
2 consist almost entirely of pleadings filed in the  
3 Crime Victims Rights Act case, newspaper articles  
4 and yet the substantive requests that were made  
5 still have not been responded to. I'm told by Mr.  
6 Scott that his client is still in the process of  
7 gathering the documents.

8 Your Honor, I am entitled to production within  
9 thirty days. I certainly should have had production  
10 within forty-five days and I certainly should have  
11 had the production now within ninety days and yet I  
12 still don't have even a representation, as to when  
13 the full production will be made of the substantive  
14 matters that have been requested, Judge.

15 These requests are very specific and they are  
16 tied into the statements that Mr. Alan Dershowitz,  
17 himself, has publicly made. Those statements are  
18 identified in the Request to Produce. He talks  
19 about specific documents which he claims that he was  
20 able to gather within one hour of these accusations  
21 having been made against him, which he says actually  
22 "conclusively prove" his innocence.

23 Now, at the very least, I ought to have the  
24 same documents that he said took him just an hour to  
25 gather after the allegations were made, but I still

1 haven't gotten any of those. I haven't gotten any  
2 of his travel records. I haven't gotten the  
3 airplane manifests. There's a statement that he  
4 does not have custody of the airplane manifest, but  
5 is made also subject to this general privilege  
6 objection. Now, I don't know whether he has them or  
7 if he doesn't have them because I have no privilege  
8 log. These Responses are patently inadequate,  
9 Judge, and in light of the efforts that have been  
10 made to try to get this discovery and to work these  
11 matters out, and I assure you, I don't blame Mr.  
12 Scott personally. I'm sure that he has been doing  
13 everything that he can to get this information from  
14 his client, but unless and until an order is  
15 actually entered establishing a very short deadline  
16 and unless and until sanctions are imposed so that  
17 Mr. Dershowitz is aware of the fact that he going to  
18 have to begin to pay for his extraordinary disregard  
19 of his discovery obligations, these problems are all  
20 going to continue.

21 THE COURT: I was under the impression, as it  
22 relates, for instance, to the flight manifest, that  
23 he responded that he actually did not have those  
24 documents?

25 MR. SCAROLA: He does say that he doesn't have

1     them, Your Honor, but that's subject to the general  
2     objections, and the general objections would allow  
3     him to not produce them.

4             THE COURT:   Okay.

5             MR. SCAROLA:  So that's the difficulty that we  
6     have in that regard and he also claims a privilege  
7     with regard to that Response.

8             THE COURT:  I'm not sure if he claims privilege  
9     but we'll get there.

10            MR. SCAROLA:  All right, Your Honor.  That  
11     basically conclude my presentation, Your Honor.

12            THE COURT:  Okay.

13            MR. SCAROLA:  I don't think that I need to go  
14     through these individually?  The Responses are  
15     really boilerplate -- the same thing over and again.  
16     I will produce without any deadline.  I'm producing  
17     subject to all my privilege claims and he is also  
18     qualifying it by saying that, "These things are not  
19     currently in my possession."  Well, Your Honor,  
20     that's not really a satisfaction of his discovery  
21     obligation.

22            THE COURT:  Thank you.

23            MR. SCAROLA:  Thank you, sir.

24            MR. SCOTT:  Judge, let just start off by saying  
25     that we have not received one document from the

1 Plaintiffs, just -- at all. Also basically their  
2 position up until -- just what I heard Mr. Scarola  
3 say -- "We are not producing anything unless you  
4 are." So I want you to understand nobody has any  
5 documents. We were actually the first one to  
6 produce and we produced documents yesterday. Okay?

7 Number two, Judge, in our Response we clearly  
8 say -- nobody is hiding anything. "We will produce  
9 documents related to the false and irrelevant  
10 allegations asserted by the Plaintiffs on behalf of  
11 Jane Doe."

12 We say, "We will produce documents of the  
13 failure by the Plaintiffs to investigate carefully  
14 the allegations about the Defendant before  
15 asserting." We also said that we would prove the  
16 Defendant's statements identified in the Complaint  
17 that are the subject. Almost -- if you look through  
18 the Responses, we say that, but what our problem is,  
19 is the scope of the entire thing. There is no  
20 limitation, whatsoever, in the Request to Produce as  
21 to time -- nothing. I mean, this thing goes back  
22 eight, ten, twelve years -- there's nothing.

23 We said to them, "Okay. Why don't we do this?  
24 We'll produce in a time frame of the events  
25 concerning the accusations of slander. We will

1 produce all of the events, documents concerning the  
2 six accusations that Jane Doe says she had sex with,  
3 which is the relevant frame here, because we don't  
4 have any idea as we sit here today -- we have no  
5 clue as to when any of these accusations about my  
6 client having sexually assaulted Jane Doe number 3  
7 ever occurred. So he has to go back and produce ten  
8 or fifteen years worth of documents? I mean, the  
9 litigation has only been going on for eight --

10 THE COURT: Counsel, do you think there's a  
11 reasonable limitation, timewise?

12 MR. SCAROLA: Your Honor, the limitation is  
13 actually built into the requests. If you look at  
14 the requests they are all tied into Mr. Dershowitz's  
15 own statements. He is the one saying, "I have  
16 documents that prove this." And everyone of these  
17 requests or almost all of the requests ask him,  
18 "Which documents were you referring to in your  
19 Affidavit?"

20 THE COURT: Okay.

21 MR. SCAROLA: Those are the documents so the  
22 limitation is built in and that's all.

23 THE COURT: Go ahead.

24 MR. SCOTT: You're asking good questions,  
25 Judge. I don't mind. I prefer that.

1 THE COURT: Go ahead.

2 MR. SCOTT: But Judge, what I was saying is  
3 there really is no limitation here. This woman has  
4 accused my client of six things but she can't even  
5 give us the date, and what concerns me is that if we  
6 don't even know when the date is, or when the events  
7 are, then how do we produce the documents relevant  
8 to it? Tell us when these things occurred? Give us  
9 a time frame, whatever it is -- 2004 to 2006? This  
10 is when it occurred. These are when the events are,  
11 so he can do it. But they want travel logs and  
12 everything. I mean, it's ridiculous for him to go  
13 through all this when we don't even know when these  
14 events allegedly occurred?

15 So we need some kind of -- that's why I asked  
16 the Court, tell us -- have them tell us when these  
17 events occurred? Otherwise, they're just going to  
18 go around the corner and depose my client and then  
19 they're going to say, "Oh, based on what we've just  
20 learned from you, this is when that happened."

21 And that really just goes back to my earlier  
22 argument, Your Honor.

23 THE COURT: Let me ask you this --

24 MR. SCOTT: I just want to say one thing more,  
25 Judge. My client, Alan Dershowitz is a very public

1 figure. He has even had death threats over this and  
2 all types of things. He's concerned. He is very  
3 concerned about producing documents on a basis like  
4 this so I want to make sure that that is absolutely  
5 in there.

6 Now, as far as the production of documents is  
7 concerned, we filed an Affidavit. I don't know  
8 whether the Court read it but you've got to read the  
9 Affidavit, Your Honor.

10 THE COURT: If it was attached to your Response  
11 then I did?

12 MR. SCOTT: Yes, it's in there. It's attached,  
13 Your Honor.

14 MS. BORJA: I've got an extra copy.

15 MR. SCOTT: Oh, you've got an extra copy?

16 MS. BORJA: Yes, I've got an extra one.

17 (Handing)

18 MR. SCOTT: This is what he says, under oath.

19 (Handing.)

20 THE COURT: Thank you.

21 MR. SCOTT: And we have two problems. Okay?  
22 Number one is when he moved down here in 2013 -- he  
23 left --

24 THE COURT: (Perusing document.)

25 I apologize. Just for the record, I didn't see

1 this before.

2 MR. SCOTT: Judge, please, there are a lot of.  
3 documents, and you've got a lot of cases. That's  
4 why I brought these things with me. Basically, he  
5 is, right today -- when he moved down here he left  
6 all of his documents up in Massachusetts in his old  
7 home. He has not had an opportunity -- he is up  
8 there, literally today, trying to go through and  
9 trying to find the documents in order to produce  
10 them. But the bigger problem is this and the reason  
11 that Ms. Borja is here -- she's co-counsel -- is  
12 Harvard University. Some documents are tied up in  
13 the computers. He doesn't have a computer. See,  
14 the computers are all at Harvard University and we  
15 hired a company to try to go into those computers,  
16 to get the documents.

17 We've been negotiating with Harvard to do it,  
18 but there has not been any agreement yet on that  
19 basis. It's by a third-party, not by us, and we are  
20 continuing to try to work that out so that we can  
21 get into the computers and get the documents from  
22 Harvard. And we've even hired an IT company to do  
23 that, but they have not been very forthcoming.  
24 There has not yet been an agreement and it's not  
25 under our control, but we are making every effort to

1 do that.

2 There's one other thing, Judge. They're seeking  
3 a lot of documents if you look at the Request to  
4 Produce -- many things are not related to this case,  
5 but relate to the underlying federal litigation,  
6 involving the original plea deal and things of that  
7 nature. That has no bearing, whatsoever, in this  
8 case and so we think that that should be taken out.

9 Now, as far as this waiver is concerned --

10 THE COURT: One question?

11 MR. SCOTT: Sure.

12 THE COURT: Let me just jump right in here?

13 MR. SCOTT: Sure.

14 THE COURT: Do you anticipate ever having a  
15 privilege log?

16 MR. SCOTT: Absolutely, yes, but what we said,  
17 Judge, and what the case law says and if I can hand  
18 you what the 4th District says -- yes, we are going  
19 to file a privilege log, but the cases say -- and  
20 this is a 4th DCA case -- but until you decide today  
21 the scope of production, then no privilege log is  
22 required. It wouldn't make sense, because how do  
23 you know --

24 THE COURT: I really just didn't know if you  
25 anticipated one or not?

1 MR. SCOTT: Absolutely, yes, and we are going  
2 to file the privilege log, but we couldn't do it  
3 until we got some sort of a determination on the  
4 time frame of the production and also the nature of  
5 the production, when it's limited, and based upon  
6 that, we will then do the privilege log and that's  
7 exactly what the 4th DCA says. So until that's  
8 decided, there's really no need for a privilege log.  
9 There's no waiver.

10 THE COURT: How long do you think that it's  
11 going to take for Harvard to make their decision  
12 with access?

13 MR. SAFRA: I brought along the person who's  
14 been dealing with them.

15 MS. BORJA: Judge, I have a call scheduled --  
16 well, actually, I have had many calls with Harvard,  
17 with their general counsel's office, which is the --  
18 they have final say over or access to the Harvard  
19 University documents. Their concern has to do with  
20 the federal requirements for student privilege. We  
21 are working diligently with them. I have a call  
22 with them, with their IT office, with our document  
23 vendor next Tuesday and I am hoping that I can get  
24 Harvard University's IT and their general counsel  
25 office to agree to it, but I don't control them, but

1 I am doing everything that I can, Your Honor.

2 THE COURT: Of course, I understand. I'm just  
3 trying to get a flavor, as to the time?

4 MS. BORGIA: If we can get an agreement with  
5 them next week, then we will immediately have our  
6 vendor start pulling the electronic documents out of  
7 the Harvard University system. We'll need to then  
8 give access to Harvard's general counsel's office,  
9 so that they can then claw back any required student  
10 documents, subject to their federal privileges for  
11 the students. And once Harvard University makes the  
12 documents available to us, then we can review for  
13 responsiveness. We can then produce a privilege  
14 log, et cetera.

15 MR. SCOTT: We can do a rolling production.

16 MS. BORJA: I intend to do it. We've started  
17 our rolling production, as counsel had mentioned,  
18 yesterday. He hasn't even gone through all of those  
19 documents. So we're really doing everything that we  
20 can. I'm using my best efforts. I understand the  
21 need to get this done and nobody wants to get it  
22 done any more than I do.

23 THE COURT: All right. I'll tell you what.  
24 I'm going to reserve ruling on this. Give me  
25 until -- I know I'm not going to get this done by

1 Monday, so give me until maybe Tuesday or Wednesday.

2 MR. SCOTT: Judge, take a few days. I'd rather  
3 you get it right.

4 MR. SAFRA: Your Honor?

5 THE COURT: Yes, sir?

6 MR. SCAROLA: Your Honor, just a few seconds on  
7 a privilege log issue to, perhaps, help you out?

8 THE COURT: Sure.

9 MR. SAFRA: If Your Honor was to narrow the  
10 scope to the six instances of the alleged times when  
11 this misconduct allegedly or purportedly occurred  
12 and excise out any documents after the filing of  
13 this defamation action and Mr. Dershowitz's legal  
14 representation of Jeffrey Epstein related to the  
15 federal action, which has nothing to do with this  
16 case, then we do not anticipate privileged documents  
17 but those documents are irrelevant, otherwise, and  
18 privileged as to a client, and Mr. Jeffrey Epstein,  
19 who would have to waive the privilege.

20 MR. SCOTT: That's it for us, Judge. Thank  
21 you, very much, for your time.

22 THE COURT: All right. Yes, sir?

23 MR. SCAROLA: May I, like, a minute or so,  
24 Judge?

25 THE COURT: You can, just as soon as I finish

1 up this note.

2 MR. SCOTT: Jack always needs to get the last  
3 word in.

4 MR. SCAROLA: Well, especially when it is my  
5 motion.

6 THE COURT: I'm sorry. Go ahead.

7 MR. SCAROLA: Oh, that's quite all right, Your  
8 Honor. Your Honor, I simply want to point out at  
9 this point that almost everyone of these requests  
10 ties directly to the statements that were made in  
11 Mr. Dershowitz's Affidavit and just asks for the  
12 documents that relate to those specific statements  
13 by Mr. Dershowitz. I don't know how I could impose  
14 any greater limitation, than to say, "Give us the  
15 documents that support what you, yourself, have  
16 sworn to under oath."

17 Now, with regard to the airplane manifests,  
18 that's request number eight, and the Response is,  
19 the Defendant responds that he has, "No responsive  
20 non-privileged documents."

21 THE COURT: Right.

22 MR. SCAROLA: So he is asserting a privilege  
23 with regard to the manifests, but he is not telling  
24 us by virtue of a privilege log, what the privileged  
25 documents are. And so it is entirely improper to

1 assert a privilege over non-existent documents. And  
2 if the documents don't exist, then he doesn't have  
3 to assert a privilege. And if they do exist, if he  
4 does, then he is required to provide a privilege  
5 log.

6 What the 4th DCA says is that If the Court has  
7 to first determine relevance, you don't have to have  
8 a privilege log to documents that are challenged on  
9 the basis of relevance. These challenges aren't  
10 relevant challenges; none of them are, but yet the  
11 privilege is asserted with regard to this production  
12 without any privilege log. And that's improper.  
13 Those privileges have been waived by failing to  
14 properly assert them. Thank you, sir.

15 THE COURT: I did have one more thing I wanted  
16 to ask?

17 MR. SCAROLA: Yes.

18 THE COURT: I know that I didn't go on-line and  
19 review it this morning, but I do know through some  
20 conversations with my assistant, that we do have  
21 something upcoming? Is that a motion to dismiss?

22 MR. SCOTT: Yes, the counter-claim.

23 THE COURT: Okay.

24 MR. SCOTT: We're setting that.

25 MR. SCAROLA: And we also have other discovery

1 disputes that haven't been resolved yet.

2 THE COURT: I'm sure. What? You actually have  
3 discovery disputes? Really? Oh, my.

4 MR. SCOTT: I know that it's hard to believe.

5 THE COURT: Yes, ha, ha, ha.

6 MR. SCOTT: Especially, on a Friday after a  
7 long week. Thank you, Judge.

8 THE COURT: All right. So we'll have a hearing  
9 on that and then I guess whatever happens with the  
10 Colorado attorney?

11 MR. SCOTT: Judge, I just want to say one more  
12 thing -- that we got a request last night or just  
13 yesterday when she filed the objection to the  
14 subpoena, to consider having you hear it. I do  
15 believe that you will be the one. I just have to  
16 run it through the ranks, but I just wanted to let  
17 you know that it wasn't like a month ago and we  
18 didn't do anything.

19 THE COURT: Oh, no, no, I understand. I just  
20 wanted to get the lay of the land, because some  
21 things are moving slowly and some things are moving  
22 faster. Let me get a copy of this Affidavit.

23 MR. SAFRA: Your Honor, the Affidavit is there  
24 as Exhibit C to our opposition to their Motion to  
25 Compel.

1 THE COURT: Oh, okay, because when I read that  
2 knew I didn't see it, at least in my copy?

3 MR. SCOTT: It's one of the exhibits but you  
4 could have missed it.

5 MS. BORJA: There are three exhibits.

6 MR. SCAROLA: Your Honor, I have two blank  
7 orders and also envelopes. Do you want me to --

8 THE COURT: Let me explain what I usually do.  
9 After I make my decision, I indicate that to my  
10 assistant who then simultaneously notifies both  
11 sides and requests orders, so we'll do it that way.

12 MR. SCOTT: Thank you, Your Honor.

13 MR. SCAROLA: Thank you, Your Honor.

14 THE COURT: Have a good day everyone. Off the  
15 record.

16 THE REPORTER: We are going off the record at  
17 9:55 a.m.

18

19 (Proceedings concluded at 9:55 o'clock a.m.)

20

21

22

23

24

25

CERTIFICATE OF NOTARY

STATE OF FLORIDA :  
COUNTY OF BROWARD :

SS:

I, JERROLD Wm. SEGAL, Court Reporter, Notary Public in and for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings in the above styled cause as set forth above; that the foregoing pages, numbered 1 to 45 inclusive, constitute a true and correct transcription of my shorthand reporting of the proceedings and the statements made by the involved parties.

I further certify that I am not an attorney nor counsel of any of the parties, nor a relative, nor employee of any attorney or counsel connected with the action, nor financially interested in the outcome of action.

WITNESS my hand and official seal in the City of Plantation, County of Broward, State of Florida, this 16th day of April, 2015.



JERROLD Wm. SEGAL  
Court Reporter and Notary Public