

IN THE CIRCUIT COURT OF THE  
15th JUDICIAL CIRCUIT IN AND  
FOR PALM BEACH COUNTY,  
FLORIDA

JEFFREY EPSTEIN,

Plaintiff,

Complex Litigation, Fla. R. Civ. Pro.1201

Case No. 50 2009CA040800XXXXMB AG

v.

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

Defendants.

RE-NOTICE OF TAKING DEPOSITION DUCES TECUM

PLEASE TAKE NOTICE that the undersigned attorney or an attorney of the firm will  
take the deposition of:

Name: A.J. Discala

Date and Time: Thursday, March 10, 2011 at 10:00 a.m.

Place: Dewey & LeBouef  
1301 Avenues of the Americas  
NY, NY 10010  
(212) 259-8000

Upon oral examination before TSG Reporting, Notary Public, or any other notary public or  
officer authorized by law to take depositions in the State of New York. The oral examination will  
continue from day to day until completed. This deposition is being taken for the purposes of  
discovery, for the use at trial, or for such other purposes as are permitted under the rules of the  
Court.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 23 day of February, 2011 to Jack Scarola, Searcy Denney Scarola Barnhart & Shipley, Attorneys for Bradley J. Edwards, 2139 Palm Beach Lakes Boulevard, West Palm Beach, FL 33409 and Marc S. Nurik, Law Offices of Marc S. Nurik, Attorneys for Scott Rothstein, One E. Broward Blvd., Ste 700, Fort Lauderdale, FL 33301.

Respectfully submitted,



Joseph L. Ackerman, Jr.  
Fla. Bar No. 235954

FWLER WHITE BURNETT P.A.  
Espirito Santo Plaza, 14<sup>th</sup> Floor  
1395 Brickell Avenue  
Miami, Florida 33131-3302  
Telephone: (305) 789-9200  
Facsimile: (305) 789-9201

cc: TSG Reporting  
747 3<sup>rd</sup> Avenue, 10<sup>th</sup> Floor  
NY, NY 10017

SCHEDULE "A"

1. Any and all documents including but not limited to correspondence and emails by/between you and any of the following attorneys, employees or agents of the former Rothstein law firm regarding investment opportunities in any claim or litigation against Jeffrey Epstein:

- a) Scott Rothstein
- b) Russell Adler
- c) William Berger
- d) Bradley Edwards
- e) Michael Fisten
- f) Kenneth Jenne
- g) David Boden
- h) Deborah Villegas
- i) Andrew Barnett
- j) Patrick Roberts
- k) Richard (Rick) Fandrey
- l) Christina Kitterman

2. Any and all contracts and/or agreements, including all drafts and final versions, which were provided to you by any of the following attorneys, employees or agents of the former Rothstein law firm relating to any potential investment in any claim or litigation against Jeffrey Epstein.

- a) Scott Rothstein
- b) Russell Adler
- c) William Berger
- d) Bradley Edwards
- e) Michael Fisten
- f) Kenneth Jenne
- g) David Boden
- h) Deborah Villegas
- i) Andrew Barnett
- j) Patrick Roberts
- k) Richard (Rick) Fandrey
- l) Christina Kitterman

3. Any and all written notes regarding any meetings you were in attendance with any of the following attorneys, employees or agents of the former Rothstein law firm regarding any potential investment in any claim or litigation against Jeffrey Epstein.

- a) Scott Rothstein
- b) Russell Adler
- c) William Berger
- d) Bradley Edwards

- e) Michael Fisten
- f) Kenneth Jenne
- g) David Boden
- h) Deborah Villegas
- i) Andrew Barnett
- j) Patrick Roberts
- k) Richard (Rick) Fandrey
- l) Christina Kitterman

4. Any and all documents given to you by any of the following attorneys, employees or agents of the former Rothstein law firm regarding any potential investment in any claim or litigation against Jeffrey Epstein

- a) Scott Rothstein
- b) Russell Adler
- c) William Berger
- d) Bradley Edwards
- e) Michael Fisten
- f) Kenneth Jenne
- g) David Boden
- h) Deborah Villegas
- i) Andrew Barnett
- j) Patrick Roberts
- k) Richard (Rick) Fandrey
- l) Christina Kitterman

At an Ex-Parte Motion Office at the Supreme Court of the State of New York, held in and for the County of New York at the Courthouse thereof, located at 60 Centre Street, New York, New York 10007, on the 26<sup>th</sup> day of January, 2011.

PRESENT: **CAROL E. HUFF**  
HON.

LSK&D #: 574-0133 / 1570111  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
In the Matter of the Application of JEFFREY EPSTEIN, for the issuance of Subpoena for A.J. DiSCALA, to be used in an action entitled JEFFREY EPSTEIN v. SCOTT ROTHSTEIN, Individually, BRADLEY J. EDWARDS, Individually and L. M., individually, now pending in the Circuit Court of the 15<sup>th</sup> Judicial Circuit, in and for Palm Beach County, Florida

INDEXED  
FILED  
JAN 26 2011  
NEW YORK  
COUNTY CLERK'S OFFICE  
Index No.: 100532/11

ORDER PURSUANT TO  
CPLR § 3102(e)

-----X  
UPON the reading and filing of the petition of Alison Pighi, Esq. dated January 26, 2011, and the Commission issued by Circuit Judge David F. Crow of the Circuit Court of the 15<sup>th</sup> Judicial Circuit, in and for Palm Beach County, Florida, dated January 3, 2011, authorizing the out-of-state deposition of A. J. DiScala;

NOW, upon the application of Alison Pighi, Esq., dated January 26, 2011, attorney for the petitioner, JEFFREY EPSTEIN, it is hereby,

ORDERED, that the A.J. DiScala, is directed to appear and testify as follows:

- A.J. DiScala, is directed to appear to testify on February 22, 2011, at 11:00 a.m. at the law offices of Lester Schwab Katz & Dwyer, LLP, 120 Broadway, 38<sup>th</sup> Floor, New York, New York 10271, before

videographer, Robert Horgan of Diamond Reporting and Legal Video, 16 Court Street, Brooklyn, New York 11241, Telephone No. (718) 624-7200, and/or such other dates, times or places to which the same be noticed or continued; further, pursuant to the Subpoena.

ORDERED, that the personal service of a copy of this Order, together with the Subpoena, upon A.J. DiScala, 303 Park Avenue South, #1401, New York, New York 10010, and service of a copy of the Order and Subpoena by mail or fax on attorneys for all parties in the pending action on or before the 1<sup>st</sup> day of February, 2011, shall be deemed good and sufficient service.

ENTER:

J.E.H.

CAROL E. HUFF

FILED

JAN 28 2011

NEW YORK  
COUNTY CLERK'S OFFICE

LSK&D #: 574-0133 / 1570166

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
In the Matter of the Application of JEFFREY  
EPSTEIN, for the issuance of Subpoena for  
A.J. DiSCALA, to be used in an action entitled  
JEFFREY EPSTEIN v. SCOTT ROTHSTEIN,  
individually, BRADLEY J. EDWARDS,  
Individually and L. M. individually, now pending  
in the Circuit Court of the 15<sup>th</sup> Judicial Circuit,  
in and for Palm Beach County, Florida

Index No.: 100532/11

SUBPOENA

-----X  
TO: A. J. DiScala  
303 Park Avenue South  
#1401  
New York, New York 10010

WE COMMAND YOU, that all business and excuses being laid aside, you appear at the law offices of Lester Schwab Katz & Dwyer, LLP, 120 Broadway, 38<sup>th</sup> Floor, New York, New York 10271, on February 22, 2011 at 11:00 a.m., and at any recessed or adjourned date, before videographer, Robert Horgan of Diamond Reporting and Legal Video, 16 Court Street, Brooklyn, New York 11241, Telephone No. (718) 624-7200, to give evidence and testimony on the part of the plaintiff, JEFFREY EPSTEIN relating to the action entitled JEFFREY EPSTEIN v. SCOTT ROTHSTEIN, Individually, BRADLEY J. EDWARDS, Individually, and L.M. Individually, Case No. 50-2009CA040800XXXXMB AG, now pending in the 15<sup>th</sup> Judicial District in and for Palm Beach County, Florida.

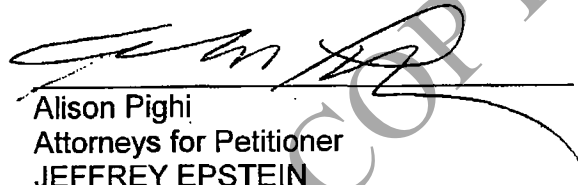
Failure to comply with this Subpoena is punishable as a contempt of Court and shall make you liable to the person on whose behalf this subpoena was issued for a

penalty not to exceed fifty dollars and all damages sustained by reason of your failure to comply.

Dated: New York, New York  
January 28, 2011

Yours, etc.

LESTER SCHWAB KATZ & DWYER, LLP



Alison Pighi  
Attorneys for Petitioner  
JEFFREY EPSTEIN  
120 Broadway  
New York, New York 10271  
(212) 341-4267

NOT A CERTIFIED COPY