

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

Case No. 50-2009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

v.

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

Defendants/Counter-Plaintiff.

## PART 6

### PLAINTIFF/COUNTER-DEFENDANT JEFFREY EPSTEIN'S APPENDIX OF DOCUMENTS IN SUPPORT OF HIS REVISED OMNIBUS MOTION IN LIMINE

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein") files this Appendix of Documents in support of his revised Omnibus Motion in Limine:

No.	Date	Document
1	1/5/11	<b>Epstein's Motion to Amend Complaint (D.E. 195)</b>
2	4/9/09	<b>Plaintiff's Motion to Strike References to Non-Prosecution Agreement or, in the Alternative, to Lift Protective Order Barring Jane Doe's Attorneys from Revealing Provisions in the Agreement (D.E. 32); Jane Doe v. Jeffrey Epstein; S.D. Fla. Case No. 9:08-cv-80893-KAM</b>
3	4/17/09	<b>Plaintiff's First Amended Complaint (D.E. 38)</b> <i>Jane Doe v. Jeffrey Epstein; S.D. Fla. Case No. 9:08-cv-80893-KAM</i>
4	4/30/09	<b>Jeffrey Epstein's Deposition Transcript Excerpts (pp. 148, 151-152); E.W. v. Jeffrey Epstein; 15<sup>th</sup> Judicial Circuit Case No. 50-2008-CA-028058-XXXX-MB</b>

No.	Date	Document
5	6/19/09	<b>Plaintiff's Motion for Injunction Restraining Fraudulent Transfer of Assets, Appointment of a Receiver to Take Charge of Property of Epstein, and to Post a \$15 Million Bond to Secure Potential Judgment</b> (D.E. 165); <i>Jane Doe 2 v. Jeffrey Epstein</i> ; S.D. Fla. Case No. 08-cv-80119-MARRA/JOHNSON
6	11/5/09	<b>Order Denying Plaintiff's Motion for Injunction, etc.</b> (D.E. 400) <i>Jane Doe 2 v. Jeffrey Epstein</i> ; S.D. Fla. Case No. 08-cv-80119-MARRA/JOHNSON
7	7/22/09	<b>Letters from Edwards re depositions</b>
8	7/27/09	<b>Complaint</b> (D.E. 1) <i>L.M. v. Jeffrey Epstein</i> ; S.D. Fla. Case No. 9:08-cv-81092-KAM
9	N/A	<b>Court Docket</b> <i>L.M. v. Jeffrey Epstein</i> ; S.D. Fla. Case No. 9:08-cv-81092-KAM
10	8/11/09 8/24/09	<b>Re-Notices of Taking Videotaped Deposition of Donald Trump</b> <i>Jane Doe v. Jeffrey Epstein</i> ; S.D. Fla. Case No. 9:08-cv-80893-KAM
11	8/10/09	<b>Plaintiff's Request for Entry Upon Land</b> (D.E. 143) <i>E.W. v. Jeffrey Epstein</i> ; 15 <sup>th</sup> Judicial Circuit Case No. 50-2008-CA-028058-XXXX-MB
12	8/24/09	<b>Epstein's Motion for Protective Order Regarding Depositions of Lawrence Visoski and David Hart Rogers</b> (D.E. 159) <i>L.M. v. Jeffrey Epstein</i> ; 15 <sup>th</sup> Judicial Circuit Case No. 50-2008-CA-028051-XXXX-MB
13	11/3/09	<b>Article: <u>South Florida Sun-Sentinel</u> - Scott Rothstein's investment deals seemed too good to be true</b>
14	11/6/09	<b>Article: <u>New Times Broward-Palm Beach</u> – Scott Rothstein: The Jeffrey Epstein and Bill Clinton Ploy</b>
15	11/9/09	<b>Verified Complaint for Forfeiture In Rem</b> (D.E. 1) <i>United States of America v. Scott W. Rothstein</i> (Forfeiture Action); S.D. Fla. Case No. 0:09-CV-61780-WJZ
16	11/12/09	<b>Article: <u>South Florida Sun-Sentinel</u> – FBI doubts Rothstein ran a Ponzi scheme alone</b>

No.	Date	Document
17	11/20/09	<b>Complaint (without exhibits) (D.E. 3)</b> <i>Razorback Funding, LLC v. Rothstein</i> 17th Jud. Cir. Case No. 062009CA062943AXXXCE
18	11/23/09	<b>Amended Verified Complaint for Forfeiture <i>In Rem</i> (D.E. 14)</b> <i>United States of America v. Scott W. Rothstein</i> (Forfeiture Action); S.D. Fla. Case No. 0:09-CV-61780-WJZ
19	11/23/09	<b>Article: <u>South Florida Sun-Sentinel</u> – You’re in a town full of thieves</b>
20	11/24/09	<b>Article: <u>The Miami Herald</u> – Feds: Scott Rothstein Ponzi scheme paid salaries at law firm</b>
21	11/25/09	<b>Amended Complaint (without exhibits) (D.E. 12)</b> <i>Razorback Funding, LLC v. Rothstein</i> 17th Jud. Cir. Case No. 062009CA062943AXXXCE
22	12/1/09	<b>Information (D.E. 1)</b> <i>United States v. Rothstein</i> ; S.D. Fla. Case No. 0:09-cr-60331-JJC
23	12/7/09	<b>Complaint (without exhibits) (D.E. 5)</b>
24	6/30/17	<b>Affidavit of Jeffrey Epstein (D.E. 931)</b>
25	11/10/17	<b>Bradley J. Edwards’ Deposition Transcript Excerpts (pp. 163-164, 166, 227-229, 259-260, 276-278, 321-322, 338-339)</b>
26	3/23/10	<b>Bradley J. Edwards’ Deposition Transcript Excerpts (pp. 112, 116-117, 123-125, 230-231)</b>
27	10/10/13	<b>Bradley J. Edwards’ Deposition Transcript Excerpts (pp. 205)</b>
28	7/26/09 8/13/09 10/23/09	<b>Email from Pricilla Nascimento to Scott Rothstein</b> <b>Email from Bradley J. Edwards to Priscilla Nascimento</b> <b>Email from Ken Jenne to Scott Rothstein</b>
29	6/14/12	<b>Scott Rothstein’s Deposition Transcript Excerpts (pp. 23-26, 52-53)</b>

No.	Date	Document
30	12/12/11	<b>Scott Rothstein's Deposition Transcript Excerpts</b> (pp. 59-62); <i>Razorback Funding, LLC v. Rothstein</i> ; 17th Jud. Cir. Case No. 062009CA062943AXXXCE
31	12/21/11	<b>Scott Rothstein's Deposition Transcript Excerpts</b> (p. 2278) <i>Razorback Funding, LLC v. Rothstein</i> ; 17th Jud. Cir. Case No. 062009CA062943AXXXCE
32	3/17/10	<b>Jeffrey Epstein's Deposition Transcript Excerpts</b> (pp. 13-14, 19-20, 23, 25-26, 28-34, 36-39, 48-55, 57, 59-60, 62-69, 73-74, 76-80, 83-88, 90-95, 116-123)
33	11/9/17	<b>Edwards' Amended Exhibit List</b> (D.E. 1043)
34	11/15/17	<b>Epstein's Objections to Edwards' Amended Exhibit List</b> (D.E. 1058)
35	11/9/17	<b>Edwards' Seventh Amended and Supplemental Witness List</b> (D.E. 1042)
36	1/25/12	<b>Jeffrey Epstein's Deposition Transcript Excerpts</b> (pp. 19-21)

## CERTIFICATE OF SERVICE

I certify that the foregoing document has been furnished to the attorneys listed on the Service List below on November 21, 2017, through the Court's e-filing portal pursuant to Florida Rule of Judicial Administration 2.516(b)(1).

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**APP. 23**

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A: No.

(DT 300:5-8)

e. In her FBI statement (pre-EDWARDS and RRA), L.M. testified about others L.M. brought to the Epstein home. L.M. testified that women she brought to EPSTEIN's home were eager for the opportunity and content with their experiences:

A: None of my girls ever had a problem and they'd call me. They'd beg me, you know, for us to go to Jeffrey's house because they love Jeffrey. Jeffrey is a respectful man. He really is. I mean, and he all thought we were of age always. This is what's so sad about it. (p 30 - FBI).

Q: Did any of the girls complain about what happened after they left there?

A: No. You asked me that question. No, everybody loved Jeffrey. (p. 44 - FBI)

A: Every girl that I brought to Jeffrey, they said they were fine with it. and like for example [E.W. -- another of RRA's clients in the Civil Actions], a lot of girls begged me to bring them back for the money. And as far as I know, we all had fun there. (p. 45 - FBI)

Yet, with EDWARDS and RRA as her attorneys, L.M. did a "180" at her September, 2009 deposition in saying:

A: . . . Once they were there, they were scared out of their mind. They did it anyways and some of them walked out and said L.M. don't ever do this to me again. That was the worst thing that ever happened to me. (DT 170:6-11)

. . . A: And then, a lot of girls weren't comfortable. (DT 171:13)

f. The above represent only a few of the dramatic changes L.M. made in her testimony prior to her representation by EDWARDS/RRA and after she hired ROTHSTEIN, EDWARDS and RRA.

48. As a result of the fraudulent investment or (Ponzi) scheme, L.M. may knowingly have compromised her alleged interests in her Civil Action, or committed a fraud on the court.

49. RRA and the Litigation Team took an emotionally driven set of facts involving alleged innocent, unsuspecting, underage females and a Palm Beach Billionaire and sought to turn it into a gold mine. Rather than evaluating and resolving the cases based on the merits (i.e. facts) which included knowledgeable, voluntary and consensual actions by each of the claimants and substantial pre-Epstein psychological and emotional conditions of each of the claimants and substantial sexual experiences pre-Epstein, RRA and the Litigation Team sought through protective orders and objections to block relevant discovery regarding their claimants. They instead forged ahead with discovery the main purpose of which was to pressure Epstein into settling the cases.

Fortunately, their tactics have not been successful. As Magistrate Judge Linnea Johnson wrote in a discovery order dated September 15, 2009 (DE 299 in Federal Case #08-80119) in denying Plaintiffs' Motion for Protective Order:

"This is his [Epstein's] right. The Record in this case is clear that the childhood of many of the Plaintiffs was marred by instances of abuse and neglect, which in turn may have resulted, in whole or in part, in the damages claimed by the Plaintiffs."

In addition, in an Omnibus Order dated October 28, 2009 (DE 377 in Federal Case #08-80119) Magistrate Judge Linnea Johnson wrote:

"Here the request at issue goes to the very heart of the Plaintiff's damage claims, requesting not only general information relating to Plaintiff's sexual history, but inquiring as to specific instances wherein Plaintiff received compensation or consideration for sex acts, claim other males sexually assaulted, battered, or abuses her; and/or claim other males committed lewd or lascivious acts on her. As a global matter, Plaintiffs clearly and unequivocally place their sexual history in issue by their allegations that Epstein's actions in this case has negatively affected their relationships by, among other things, "distrust in men," "sexual intimacy problems," "diminished trust," "social problems," "problems in personal relationships," "feeling of stress around men," "premature teenage pregnancy," "antisocial behaviors," and "hyper-sexuality and promiscuity." Considering these allegation, there simply can be no question that Epstein is entitled to know whether Plaintiffs were molested or the subject of other "sexual activity" or "lewd

and lascivious conduct" in order to determine whether there is an alternative basis for the psychological disorders Plaintiffs claim to have sustained, whether Plaintiffs engaged in prostitution or other similar type acts and how certain acts alleged in the Complaint materially affected Plaintiffs' relationships with others or how those acts did not have such an affect on those relationships and/or whether Plaintiffs suffered from the alleged emotional and psychological disorders as a result of other sexual acts prior to the acts alleged in the Complaint. To deny Epstein thus discovery, would be tantamount to barring him from mounting a defense.

50. ROTHSTEIN, EDWARDS and L.M.'s actions constitute a fraud upon EPSTEIN as RRA, ROTHSTEIN and the Litigation Team represented themselves to be acting in good faith and with the bests interests of their clients in mind at all times when in reality, they were acting in furtherance of the investment or Ponzi scheme described herein. EPSTEIN justifiably relied to his detriment on the representations of RRA, and Defendants, ROTHSTEIN, EDWARDS and L.M. as to how he conducted and defended the Civil Actions brought against him.

51. As a direct and proximate result of the fraudulent and illegal investment or Ponzi scheme orchestrated by ROTHSTEIN and as yet other unknown co-conspirators and as a result of the litigation tactics undertaken by the Litigation Team and L.M. as set forth herein, Plaintiff EPSTEIN has incurred and continues to incur the monetary damages including, but not limited to, having to pay an amount in excess of the Civil Actions' true value as a result of them refusing to settle in that a percentage of any payment by

EPSTEIN may have been promised to third party investors; incurring significant additional legal fees and costs as result of Defendants refusal to conduct settlement negotiations in a forthright and good faith manner because any monies paid by EPSTEIN is in reality a promised return on an investment; and incurred significant attorneys' fees and costs in defending the discovery that was not relevant, material and/or calculated to lead to the admissibility of evidence, but which was done for the sole purpose of "pumping" the cases to investors.

52. EPSTEIN has also been injured in that the scope of the fraudulent and criminal or racketeering activity so permeated the RRA law firm that EPSTEIN has been prevented from fully and fairly defending the civil actions brought against him. In essence, the very existence of RRA was based on the continuation of the massive Ponzi scheme orchestrated by ROTHSTEIN and other co-conspirators. In order to continue to bring in monies from investors, ROTHSTEIN and other co-conspirators used the Civil Actions against EPSTEIN, along with other manufactured lawsuits, as a means of obtaining massive amounts of money.

53. ROTHSTEIN, EDWARDS and L.M. are liable for damages caused to EPSTEIN – individually, and jointly and severally.

Count 1 – Violation of ss772.101, et seq., Fla. Stat.  
Florida Civil Remedies for Criminal Practices Act –  
Against All Defendants

54. Plaintiff realleges and incorporates paragraphs 1 through 53 as if fully set forth herein.

55. RRA, ROTHSTEIN, EDWARDS and L.M. each and collectively constitute an enterprise pursuant to §772.102(3), Fla. Stat. (2009).

56. ROTHSTEIN, EDWARDS and L.M. engaged in a pattern of criminal activity as defined in §772.102(3) and (4), Fla. Stat. (2009).

57. As alleged herein, ROTHSTEIN and EDWARDS committed multiple predicate acts in violation of §772.103(1), (2), (3) and (4), Fla. Stat., including violations of Florida Statutes - Chapter 517, relating to securities transactions; Chapter 817, relating to fraudulent practices, false pretenses, and fraud generally (which includes L.M.); Chapter 831, relating to forgery; §836.05, relating to extortion (which includes L.M.); and Chapter 837, relating to perjury (which includes L.M.). Substantially more than two predicate acts (i.e., the selling of or participation of the sale of fabricated settlements outlined herein, including the Civil Actions involving Epstein as well as the improper litigation tactics outlined above) occurred within a five-year time period.

58. As a direct and proximate result of ROTHSTEIN, EDWARDS and L.M.'s violations of §772.103, Fla. Stat., EPSTEIN has been injured.

59. Pursuant to §772.104(1), Fla. Stat., Plaintiff EPSTEIN is entitled to threefold of his actual damages sustained, reasonable attorney's fees and court costs, and such other damages as allowed by law.

WHEREFORE, Plaintiff EPSTEIN respectfully demands the entry of a judgment for damages against all the named Defendants.

Count II - Florida RICO -  
"Racketeer Influenced and Corrupt Organization Act"  
Pursuant to §5895.01, et seq., Fla. Stat. (2009),  
Against All Defendants

60. Plaintiff realleges and incorporates paragraphs 1 through 53 as if fully set forth herein.

61. RRA, along with ROTHSTEIN, EDWARDS and L.M., each and collectively, constitute an enterprise pursuant to §895.02(3), Fla. Stat. (2009).

62. During all times relevant hereto, ROTHSTEIN, EDWARDS and L.M. were and are associated with the enterprise, RRA, and each other.

63. Defendants, ROTHSTEIN, EDWARDS and L.M., as persons associated with the enterprise, RRA and each other (as an enterprise), unlawfully conducted or participated, directly or indirectly, in such an enterprise through a pattern of racketeering, § 895.03(3), Fla. Stat., as alleged above herein.

64. The breadth and scope of ROTHSTEIN, EDWARDS and, potentially, L.M.'s racketeering activity continues to be investigated by the FBI, as numerous civil lawsuits against some of the Defendants and others continue to be filed by persons who have been damaged. As of the filing of this Complaint, criminal charges have only been brought against ROTHSTEIN.

65. Substantially more than two predicate acts (i.e., the selling of fabricated settlements outlined herein, including the Civil Actions involving Epstein as well as the Improper litigation tactics outlined above) occurred within a five year time period.

66. Pursuant to §895.02, Fla. Stat., ROTHSTEIN and EDWARDS engaged in a pattern of "racketeering activity" through the commission of crimes as defined in § 895.02(1)(a)-(b), Fla. Stat., including Chapter 517, relating to securities; Chapter 817, relating to fraudulent practices, false pretenses, and fraud (including L.M.) generally;

Chapter 813, relating to forgery; §836.05, relating to extortion (including L.M.); Chapter 837, relating to perjury (including L.M.).

67. Pursuant to §895.05, Fla. Stat., Plaintiff seeks the following relief against Defendants, ROTHSTEIN, EDWARDS and L.M.:

- a) Ordering ROTHSTEIN and EDWARDS to divest themselves of any interest in the enterprise, RRA;
- b) Enjoin all Defendants from engaging in the same type of conduct and activities as described herein; and
- c) Temporarily enjoining ROTHSTEIN, EDWARDS and L.M., from the continuation of the Civil Actions brought against EPSTEIN, until criminal charges have been formally brought against RRA and/or any of the Defendants, such that EPSTEIN may be allowed to evaluate whether a stay or dismissal of all Civil Actions against him is merited.

68. EPSTEIN further seeks an award of his reasonable attorney's fees and costs, and such other relief that this Court deems appropriate.

WHEREFORE, Plaintiff EPSTEIN respectfully demands the entry of a judgment for the relief sought and damages against the named Defendants.

Count III – Abuse of Process  
Against All Defendants

69. Plaintiff realleges and incorporates paragraphs 1 through 53 as if fully set forth herein.

70. After Instituting the Civil Actions against EPSTEIN, the actions of Defendants, ROTHSTEIN, EDWARDS and L.M. as alleged in paragraphs 9 through 53 herein, constitute an illegal, improper or perverted use of process.

71. ROTHSTEIN, EDWARDS and L.M. possessed ulterior motives or purposes in exercising such illegal, improper, or perverted use of process.

72. As a result of ROTHSTEIN, EDWARDS and L.M.'s actions, EPSTEIN suffered damages.

WHEREFORE, Plaintiff EPSTEIN respectfully demands the entry of a judgment for damages against all the named Defendants.

Count IV – Fraud  
Against All Defendants

73. Plaintiff realleges and incorporates paragraphs 1 through 53 as if fully set forth herein.

74. ROTHSTEIN, by and through Defendant EDWARDS and L.M. made false statements of fact to EPSTEIN and his attorneys and agents, known to be false at the time made, and/or intentionally concealed material information from EPSTEIN and his attorneys and agents, for the purpose of inducing EPSTEIN to act in reliance thereon.

75. EPSTEIN did so act on the misrepresentation and/or concealment by incurring additional attorney's fees, costs, and expenses in aggressively defending the civil actions whereas in reality, because the Civil Actions against Plaintiff were being exploited and over-valued so as to lure additional investors and to attempt to extort as much money as possible from EPSTEIN so as to continue the massive fraud.

WHEREFORE Plaintiff EPSTEIN demands judgment against Defendants for damages incurred and for any other relief to which he is entitled under the law.

Conspiracy to Commit Fraud  
Against All Defendants

76. Plaintiff realleges and incorporates paragraphs 1 through 53, and 74 and 75 as if fully set forth herein.

77. ROTHSTEIN, EDWARDS and L.M. conspired to commit a fraud upon EPSTEIN.

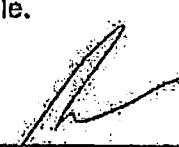
78. ROTHSTEIN, EDWARDS and L.M. combined by and through concerted action as detailed herein to accomplish an unlawful purpose or accomplish some purpose by unlawful means. The unlawful purpose was, among other things, the orchestrating and continuation of the massive fraudulent Ponzi scheme and receipt of monies for the continuation of the scheme. The unlawful means includes, but is not limited to, the use of the Civil Actions against EPSTEIN in an unlawful, improper, and fraudulent manner.

79. As a direct and proximate result of ROTHSTEIN, EDWARDS and L.M.'s conspiracy to defraud EPSTEIN, EPSTEIN suffered damages.

WHEREFORE Plaintiff EPSTEIN demands judgment against Defendants for damages incurred and for any other relief to which he is entitled under the law.

Jury Trial

Plaintiff demands Jury Trial on all issues so triable.

By:   
ROBERT D. CRITTON, JR., ESQ.  
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**APP. 24**

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

JEFFREY EPSTEIN.

Plaintiff/Counter-Defendant.

Case No. 50-2009 CA 040800XXXXMBAG

vs.

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

Defendant/Counter-Plaintiff.

AFFIDAVIT OF JEFFREY EPSTEIN

The undersigned, Jeffrey E. Epstein, having first been duly sworn, hereby deposes and says:

1. I am over eighteen (18) years old and have personal knowledge of the facts stated herein.
2. I am the Counter-Defendant in the above captioned action (the "Action") and submit this Affidavit in support of my Motion for Summary Judgment (the "Summary Judgment Motion") with respect to the Fourth Amended Counterclaim (the "Counterclaim") of Counter-Plaintiff Bradley Edwards ("Edwards").
3. In his Counterclaim, Edwards has a sole, unsupported claim against me for Malicious Prosecution.
4. As more fully described below, at the time that I commenced the Action against Edwards and Scott Rothstein ("Rothstein") in December 2009, I had a good faith basis for filing the same; based on the facts that existed at the time I filed suit, as set forth below and more fully in my Summary Judgment Motion.

5. I filed the Action against Rothstein and Edwards because, based on the facts described below and in the Summary Judgment Motion, I believed at the time of filing my original Complaint that these two individuals, and other unknown partners of theirs at Rothstein, Rosenfeldt, Adler ("RRA"), engaged in serious misconduct involving a widely publicized illegal Ponzi scheme operated through their law firm (the "Ponzi Scheme") that featured the very civil cases litigated against me by Edwards, which were being used to defraud potential investors in the Ponzi Scheme.

6. In early November 2009, stories in the press, on the news, and on the internet were legion about the implosion of RRA, the Ponzi Scheme perpetrated at that firm, and the misuse in the Ponzi Scheme of certain civil cases then being litigated against me by RRA partner, Edwards. The cases Edwards was litigating against me, which are described in the Summary Judgment Motion (the "Epstein Cases"), were being used to defraud investors out of millions of dollars and to fund the RRA Ponzi Scheme.

7. In November 2009, I also became aware of news stories that as a result of the Ponzi scheme at RRA, the Florida Bar had commenced investigations into over one-half of the attorneys employed by RRA.

8. At or about the same time in November 2009, I also became aware that the law firm of Conrad Scherer filed a Complaint against Scott Rothstein and others, *Razorback Funding, LLC, et al. v. Scott W. Rothstein, et al.*, Case No. 09-062943(19) (hereinafter referenced as the "Razorback Complaint"), on behalf of some of the Ponzi Scheme investors.

9. Upon reviewing the Razorback Complaint, I learned that the Razorback Complaint detailed the use of the Epstein Cases (i.e., the cases being litigated against me

by Edwards) to defraud investors in the Ponzi Scheme; including, but not limited to, improper discovery practices and other methods to bolster the cases.

10. Prior to my filing the initial Complaint in the Action, I also became aware that the Federal government filed an Information against Scott Rothstein, which included allegations of RRA as an "Enterprise" in which Rothstein and his yet unidentified co-conspirators engaged in a racketeering conspiracy, money laundering conspiracy, mail and wire fraud, conspiracy, and wire fraud, and specifically alleged that (a) potential investors were defrauded by Rothstein and other co-conspirators who falsely advised that confidential settlement agreements were available for purchase, when the settlement agreements offered were fabricated; (b) the fabricated settlements agreements were allegedly available in amounts ranging from hundreds of thousands of dollars to millions of dollars and could be purchased at a discount and repaid to the investors at face value over time; (c) Rothstein and other co-conspirators utilized the offices of RRA and the offices of other co-conspirators to convince potential investors of the legitimacy of the and success of the law firm, which enhanced the credibility of the purported investment opportunity in these fictitious settlements; (d) Rothstein and other co-conspirators utilized funds obtained through the Ponzi Scheme to supplement and support the operation and activities of RRA, to expand RRA by the hiring of additional attorneys and support staff, to fund salaries and bonuses, and to acquire larger and more elaborate office space and equipment in order to enrich the personal wealth of persons employed by and associated with the RRA Enterprise.

11. Prior to filing the initial Complaint in the Action, consistent with the allegations made by the press, in the Razorback Complaint, and in the Rothstein

Information, it was clear that the activity in the Epstein Cases being litigated by Edwards intensified substantially during the short six (6) months during which Edwards was a partner at RRA from April 2009 through the end of October 2009. Furthermore, during that six (6)-month period, questionable discovery like that detailed in the Razorback Complaint had taken place in the Epstein Cases being litigated against me by Edwards, including Edwards noticing the depositions of famous dignitaries and celebrities such as Bill Clinton and David Copperfield. However, the plaintiffs in the Epstein Cases had made no allegations of improper conduct against them implicating any celebrities or dignitaries.

12. Equally consistent with the allegations in the press and in the Razorback Complaint that the Epstein Cases were being deliberately misused for purposes unrelated to the litigation in order to lure investors into the Ponzi Scheme is the fact that on July 24, 2009, Edwards filed a two hundred thirty-four (234) page, one fifty-six (156) count federal complaint against me on behalf of a plaintiff, LM, for whom Edwards was already prosecuting a case against me in state court involving the same matters alleged in the federal complaint. The complaint was filed in federal court, but was never served on me or prosecuted, leading me to conclude that the only reason it was filed was to enhance the case files shown at the offices of RRA to potential investors in the Ponzi Scheme.

13. Also while a partner at RRA, Edwards filed a motion in Federal court in which he requested that the court order me to post a fifteen million dollar bond in the *Jane Doe* case. This case, according to the Razorback Complaint, was being touted at that same time to investors in the Ponzi Scheme. In connection with that motion, Edwards filed papers discussing my net worth and filed supplemental papers purporting to list in great detail my vehicles, planes and other items of substantial value, all at a time when, according to the

accounts in the press, the Information and the Razorback Complaint, the Ponzi Scheme was unraveling and the need for new investors in the Ponzi Scheme was becoming urgent. The court rejected the Motion, calling it "devoid of evidence."

14. The facts set forth above and in the Summary Judgment Motion were the facts upon which I relied in (a) determining that I had incurred damages, such as attorneys fees and disbursements paid to defend against abusive litigation practices which appeared to be unrelated to the underlying litigation against me, and (b) asserting my causes of action against Edwards and Rothstein in the Action.

FURTHER AFFIANT SAYETH NAUGHT.

JEFFREY EPSTEIN

STATE OF NEW YORK. )  
                          ) ss.:  
COUNTY OF NEW YORK )

Sworn and subscribed to before me, the undersigned authority, by Jeffrey Epstein,  
this June 30<sup>th</sup>, 2017.

Habibe Avdiu  
NOTARY PUBLIC

HABIBE AVDIU  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01AV6313116  
Qualified in Richmond County  
My Commission Expires October 14, 2018

**APP. 25**

NOT A CERTIFIED COPY

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

Case No. 502009CA040800XXXXMB

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually;  
BRADLEY EDWARDS, individually,

Defendants/Counter-Plaintiffs.

\_\_\_\_\_/ VOLUME I

VIDEOTAPED DEPOSITION

OF

(BRADLEY) (EDWARDS)

Taken on Behalf of Plaintiff

Friday, November 10th, 2017

10:02 a.m. - 6:16 p.m.

2139 Palm Beach Lakes Boulevard  
West Palm Beach, Florida 33409

Examination of the witness taken before

Sonja D. Hall  
Palm Beach Reporting Service, Inc.  
1665 Palm Beach Lakes Boulevard, Suite 1001  
West Palm Beach, FL 33401  
(561) 471-2995

1 "discovered that there were high-profile witnesses  
2 onboard Epstein's private jet where some of the  
3 alleged sexual assaults took place, and showed D3" --  
4 the potential investors -- "copies of a flight log  
5 --" Right?

6 A Yeah.

7 Q -- "purportedly containing names of  
8 celebrities, dignitaries and international figures."

9 A Right.

10 Q Did the flight log in fact contain names of  
11 celebrities?

12 A Epstein's flight log does contain names of  
13 celebrities. Those are the people he hung out with.

14 Q And dignitaries?

15 A What's the definition of dignitary? I think  
16 so.

17 Q Good enough for me.

18 Q And international figures.

19 A Yes.

20 Q (So there is some truth that Rothstein is  
21 weaving in, based on documents, the flight log that  
22 was obtained by you as the lead trial lawyer in the  
23 pending lawsuits?)

24 A (There is some truth in the pending lawsuits?)

25 Q No. I'm saying that what Rothstein was

1 doing -- we all --

2 (A) (He used actual evidence to support @  
3 fabricated story.)

4 (Q) (And the actual evidence that was referred  
5 to here are these flight logs that you as the lead  
6 lawyer obtained and brought back to the Rothstein  
7 firm, right?)

8 (A) I maintain the evidence for all of my cases  
9 at the Rothstein firm where I worked, yes.

10 (Q) That's all I was confirming.

11 (A) Does it appear that Rothstein gained access  
12 to it and used it to support his fairytale? It does.

13 (Q) It does, right? And you agree with that.

14 (A) Yes.

15 Q So paragraph 41.

16 A Yes.

17 Q In this case, Razorback -- this is not  
18 Mr. Epstein's suit, right? This is Bill Scherer  
19 representing the Razorback client that he represented  
20 suing Rothstein is making these allegations?

21 A Yes.

22 Q Right? Okay.

23 So Mr. Scherer -- do you know Mr. Scherer?

24 A I know him now better than I did then. I  
25 didn't know him at all then.

1 underaged women were onboard." There were underage  
2 women onboard. Epstein knew that. So he knows this to  
3 be false. "And no elicit activities took place."  
4 Epstein knows elicit activities took place on his  
5 airplane, so he knows that to be false.

6 He can't just adopt what Bill Scherer says  
7 and say, Oh, that forms the basis of something I  
8 believe. It can't possibly form the basis of what  
9 he believes, because he knows it to be false.

10 Q Okay. So did any of the three clients that  
11 you represented while you were at Mr. Rothstein's  
12 testified that they went on Mr. Epstein's plane?

13 A They were not three of -- they were not on  
14 Mr. Epstein's plane. They were not the victims on the  
15 plane.

16 Q So the clients that you represented -- you  
17 individually while at the Rothstein firm -- your  
18 three clients testified or admitted that they never  
19 traveled on Mr. Epstein's plane, correct?

20 A If they testified truthfully, they would say  
21 that. I just don't remember if they were asked that  
22 question.

23 Q But you know the question is --

24 A I do know the answer to that question for  
25 sure.

1                   the many topics that, amongst plaintiffs'  
2                   counsel, we discussed as the way in which  
3                   Epstein intended to ultimately defeat these  
4                   cases, which would ultimately prove his  
5                   serial sexual molestation of minors.

6                   BY MR. LINK:

7                   Q        So is your concern something that's  
8                   evidence?

9                   A        And we had a source telling us our concern  
10                   was true.

11                   Q        I understand.

12                   A        Okay, so --

13                   Q        I (have) (heard) (about) (the) (source.) I (am) (asking)  
14                   (you) (about) (evidence.) (You) (told) (me) (you) (had) (concerns.)  
15                   Okay, I (don't) (know) (that) @ (federal) (judge) (cares) (about)  
16                   (your) (personal) (concerns.) I (doubt) (that) @ (federal) (judge)  
17                   cares) (that) (you) (have) @ (source) (who) (won't) (get) (on) (the)  
18                   (stand.)

19                   So whenever I (have) (filed) a (motion) (for)  
20                   (injunction,) I (intend) (to) (put) (evidence) (on) (in) (front) (of)  
21                   (the) (court.) And I'm (asking) (you,) (sir,) (what) (evidence)  
22                   did) (you) (have) (in) (this) (federal) (proceeding) (to) (prove)  
23                   (your) (statement) (that) (Mr.) (Epstein) (was) (fraudulently)  
24                   (transferring) (his) (assets) (overseas?)

25                   (MR.) (SCAROLA:) Excuse me. I'm going to

③ (And) (the) (question) (as) (to) (what) (evidence)

(4) did Mr. Edwards have --

⑤ | (MR.) (LINK) (Yes.)

(6) (MR. SCAROLA) -- is a question that has

been asked and answered repeatedly.

(8) (BY) (MR.) (LINK:)

(9) Q So would you agree you had no admissible  
(10) evidence at the time that you filed this pleading?

(11) (A) (Hold) on (one) (second.) (So) (-)

(12) (Q) (Yes, sir.)

(13) (A) — (this) (is) (evidence.)

(14) (O) (What) (is) (it?)

(15) (A) (In) (request) (for) (admission) (I) (asked)

(16) (Mr.) (Epstein) (—)

(17) (Q) Yes.

(18) (A) → (B) admit (you are moving) (financial) (assets)

(19) ~~(overseas) (outside) (of) (the) (direct) (territorial) (reach) (of) (the)~~

(20) US and Florida courts.

(21) Question (22) you were making asset

(22) (transfers) with (the) intent (to) defeat (any) (judgment)

(23) (that) might be entered against you in (this) case or

(24) similar cases.

(25) Twenty-three, do you currently have (the)

1       ability to post a \$15 million bond to satisfy a  
2       judgment in this case without financial or other  
3       difficulty?

4       Q       Uh-huh.

5       A       If he told the truth, he would have said yes.  
6       And that is what the adverse inference requirement  
7       allows for us to draw when he says in response to those  
8       direct requests for admissions that he's invoking his  
9       Fifth Amendment right against self-incrimination, which  
10      is tantamount to an admission. So that is evidence.

11      Q       Okay. So you think that the adverse  
12      inference --

13      A       That's going to happen in this case, too.

14      Q       Hang on. Let me just make sure I  
15      understand.

16               You thought when you filed this that  
17      having an adverse inference to a question --  
18      whatever question you asked -- because he raised the  
19      Fifth, makes it an admission? That's your  
20      understanding of an adverse inference in federal  
21      court?

22      A       I had an admission by Mr. Epstein in response  
23      to his question.

24      Q       That was it? You told me he pled the Fifth  
25      and didn't answer. All I'm asking is, was it your

1 for identification.)

2 BY MR. LINK:

3 Q And this is a memo from him to you copying  
4 Marc Nurik. Marc Nurik was a lawyer at Rothstein's  
5 firm?

6 A One of the criminal defense lawyers.

7 Q And it's references Mr. Epstein's  
8 non-prosecution agreement?

9 A That's what it looks like.

10 Q And it looks like it's a message from  
11 Mr. Adler to you. Says, "Brad, Wayne Black and I  
12 just had a great conversation with Marc Nurik about  
13 the non-prosecution agreement, and I need you to  
14 please get in contact with Marc and meet with him to  
15 discuss the possibilities. Bring with you a copy of  
16 the agreement."

17 Next sentence says, "We also discussed the  
18 assets situation and there are some major  
19 possibilities that need to be explored with Marc and  
20 others."

21 "Get on it" exclamation point.

22 Were you reporting to Mr. Adler in how to  
23 represent the three Rothstein clients - the three  
24 ladies - on how to prosecute the Epstein matters?

25 A Well, this email is dated April 8th, 2009, so

1        I had just started at the firm. I had just got there.  
 2           Russ Adler was one of the only lawyers  
 3           that I had known for years before I got to the firm.  
 4           And Russ Adler handled sexual abuse cases. So,  
 5           especially in the beginning, I talked to Russ about  
 6           how to kind of navigate through the complications  
 7           with Jeffrey Epstein and with the type of defense  
 8           that was going on. So this just appears that Wayne  
 9           Black and Russ Adler -- Wayne was the  
 10           investigator -- that they were talking also about  
 11           how to -- what we needed to do in the investigation.

12           Yeah, Russ was definitely involved then.  
 13           He didn't do much in the day-to-day, so I don't want  
 14           to say anything to that.

15           Q        I understand. But I'm talking about on  
 16           April 8th, 2009, it looks to me like he's giving you  
 17           instructions on what to do. Do you agree?

18           A        Not giving me instructions on what to do. I  
 19           mean, he's telling me bring Marc Nurik the  
 20           non-prosecution agreement, is the instruction.

21                   If anything, we are working together with  
 22           the common goal.

23           Q        The get on it, exclamation point --

24           A        We're buddies. Then we were just friends.

25           Get on it is let's do this.

1           A     Sarah Kellen was on the airplane with Jeffrey  
2 Epstein and an underaged girl. Jeffrey Epstein makes  
3 the allegation in the complaint that the proof that  
4 Brad Edwards was pumping a Ponzi scheme is that he  
5 sought flight logs, despite knowing that there were no  
6 underaged girls on the airplane. Jeffrey Epstein knew  
7 that to be false, because there were indeed underaged  
8 girls on the airplane.

9                   To the extent that Jeffrey Epstein himself  
10 won't say that I knowingly filed this false  
11 allegation, Sarah Kellen could say, I know that  
12 Jeffrey Epstein knew that that was a false  
13 allegation, because I too was on the airplane and so  
14 was this underaged girl, and he knew that.

15                   So at the time that he filed this  
16 complaint, he knew that it was false, the  
17 allegations that he was making, which allegedly  
18 formed the basis of his assertion that I was  
19 involved in a Ponzi scheme.

20           Q     Okay.

21                   You lost me, but I'm not going --

22           A     Read it back. I think it makes sense.

23           Q     I'm not going to try to figure that out.

24                   DO (you) (have) (anyone) (that) (can) (testify) (about)  
25                   what) (was) (in) (Mr.) (Epstein's) (mind) (in) (December) (2009) (at)

1        (the time that the lawsuit was filed about why he  
 2        filed it?)  
 3        (A)      Mr. Epstein testified to that.  
 4        (Q)      Other than Mr. Epstein, do you have any  
 5        witnesses that are going to testify about the reasons  
 6        why Mr. Epstein made the decision to file the  
 7        lawsuit?  
 8        (A)      No. It's very obvious why he filed the  
 9        lawsuit.  
 10       (Q)      You have no other witnesses other than  
 11       Mr. Epstein, correct?  
 12       (A)      We have attempted to take his attorneys'  
 13       depositions and they have all rejected that  
 14       opportunity. So he has no witnesses that can testify  
 15       as to what was in his mind at that time.  
 16       (Q)      You are the plaintiff in the counterclaim,  
 17       right?  
 18       (A)      We will see how this unfolds, right?  
 19       (Q)      Let me just wrap this up, because you have  
 20       given me a lot of information to which I think are  
 21       simple questions. Do you have a witness that will  
 22       testify, other than Mr. Epstein, about what was in  
 23       his mind in December 2009 about why he brought the  
 24       lawsuit?  
 25       (MR. SCAROLA: Direct evidence or

## 1 | (circumstantial) evidence or both?

(2) (THE WITNESS:) Let me think about that  
(3) question. About why he brought the lawsuit.  
(4) Specifically that.

5 MR. LINK: Can you read back the  
6 question for him, please?

(7) I won't take that as coaching at all.

(8) In any event, well done. But I don't think

(9) you heard my question.

(10) (Can) (you) (read) (it) (back?)

(11) ((Thereupon, the requested portion of the  
(12) record was read back by the reporter as  
(13) above (duly recorded.))

(14) (THE) WITNESS: A witness other than  
(15) (Mr.) Epstein, no.

16 | BY MR. LINK:

17 Q Thank you.

18 Why was Bill Berger added to the witness  
19 list last night?

20 A You will have to ask somebody other than  
21 myself.

22 Q Do you know what Mr. Berger -- why he's  
23 listed as an expert in this case?

24 | A Again, that's a question for the lawyers.

25 Q Do you know when Mr. Berger agreed to

1     federal action have anything to do with any factor,  
2     other than those that you have just described, the  
3     potential expiration of the statute of limitations  
4     and your desire to take advantage of the provisions  
5     of the non-prosecution agreement as a potential  
6     alternative to the state court claim?

7           A     That is the only reason that we filed it at  
8     that time.

9           Q     Did Scott Rothstein have any role  
10    whatsoever in that decision-making process?

11          A     He never had any role in any decision-making  
12    process with anything to do with any of these cases, so  
13    no.

14          Q     Did you become aware of the fact that your  
15    Epstein-related files at some point in time had been  
16    requested by Scott Rothstein?

17          A     Yes.

18          Q     How did you become aware of that?

19          A     I think Mike told me to listen.

20          Q     Was there any explanation offered as to why  
21    Scott Rothstein wanted to see the Epstein-related  
22    files?

23          A     That if these cases went to trial, he wanted  
24    to try the cases with me.

25          Q     He who?

1           A    (He, Scott Rothstein, wanted to try the case  
2 with me.) That's the explanation that I was given.

3           Q    And was there anything suspicious about the  
4 head partner in the firm telling you that in this  
5 high-profile case he wanted to be part of the  
6 prosecution team?

7           A    No. If my associate brought in a  
8 high-profile case right now, I would be the one to try  
9 the case, despite the fact that she may be the only one  
10 who knows anything about it. So there's nothing  
11 suspicious about that.

12          Q    Files got returned to you?

13          A    Yes, files did get returned to me.

14          Q    And -- was there anything about the request  
15 for review of the files on the basis that Scott  
16 Rothstein was considering participating in the  
17 prosecution of those claims that aroused any  
18 suspicion on your part?

19          A    No.

20          Q    Was there anything else that went on in the  
21 short period of time that you were in that law firm  
22 that gave any cause for you to suspect that your  
23 files were being used in any way, directly or  
24 indirectly, in connection with any illegal activity  
25 of any kind?

1           I was told that he was going to try the  
2 case with me. Period. Not more than, not less than  
3 that. That's just it. Not be the lead, not be the  
4 second, not be the third.

5           Q     Just try the case with you?

6           A     That's what I was told.

7           Q     And that was okay because he was head of  
8 the firm and he owned the files, right?

9           A     Correct.

10           Q     (You were an employee, in your mind, and he  
11       was the Lawyer ultimately at the firm responsible for  
12       the three clients, true?)

13           A     (There's seventy lawyers at the firm. They  
14       all work for him. Hundreds of files. He's still the  
15       equity partner of the firm, so they are the firm's  
16       files. They are not E-

17           Q     I understand. You told me earlier. And I  
18       didn't realize that, that the interest that Bradley  
19       Edwards, PA had in three files, you gave up to  
20       Mr. Rothstein and became a salary employee,  
21       essentially.

22           A     Gave up to RRA.

23           Q     Mr. Rothstein's firm, correct?

24           A     Right. We've established this.

25           Q     And so that Mr. Rothstein was the Lawyer at

1 (that) (firm) as (the) (one) (of) (two) (equity) (shareholders)  
2 (who) (was) (ultimately) (responsible) (for) (the) (three) (Epstein)  
3 (matters?)  
4 (A) (For) (every) (case) (in) (the) (entire) (firm,) (including)  
5 (those) (—)

6 Q (Including) (the) (three) (Epstein) (matters?)  
7 A (Every) (case,) (yeah.)

8 MR. LINK: I have no further questions.

9 MR. SCAROLA: I have nothing further.

10 We will read.

11 THE VIDEOGRAPHER: The time is 6:16  
12 p.m., and that concludes this deposition.

13 - - -  
14 (The deposition was concluded  
15 at 6:16 p.m.)

24  
25