

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

FILED  
2008 FEB -8 PM 3:26  
SHARON R. BLOOM  
PALM BEACH COUNTY  
CIRCUIT CRIMINAL

**RESPONSE TO MOTION FOR PROTECTIVE ORDER**

COMES NOW the Defendant, JEFFREY EPSTEIN, by and through his attorney and files his response to the Motion For Protective Order filed by counsel for State's witness Jane Doe No. 1.

1. In summary fashion, counsel for Jane Doe No. 1 complains that serving a witness for deposition by the use of a process server and the service of the witness' parents for the deposition to ensure service, amounts to "continuous and systematic harassment".<sup>1</sup>

2. The Motion For Protective Order was filed by one of the attorneys purporting to represent Jane Doe No. 1 in a separate civil proceeding.<sup>2</sup> While disagreeing with the

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<sup>1</sup> Undersigned counsel for the Defendant responds only to the issues in the Motion for Protective Order concerning service of a subpoena for deposition and the date for that deposition. Defendant and undersigned counsel have no knowledge of any agent of the Defendant going to the witness' place of employment representing "himself as an attorney who needed to contract (sp) her" as alleged "on information and belief" in paragraph 8 of the Motion for Protective Order.

<sup>2</sup> The Motion for Protective Order was filed by attorney Theodore Leopold. While he purports to represent Jane Doe No.1, attorney Jeffrey Herman also claims to represent the interests of Jane Doe No. 1. In that separate civil proceeding, the two law firms are presently litigating who represents the interests of Jane Doe No. 1.

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assertion in the Motion For Protective Order that Mr. Leopold and the undersigned agreed that Mr. Leopold would accept service on behalf of Jane Doe No. 1, and that the undersigned had agreed not to take the disposition on February 6, 2008, the matter has been rendered **moot**.

3. Prior to filing of a Motion For Protective Order, Mr. Leopold and the undersigned conferred and agreed in writing with the consent of the State Attorney's Office to the taking of Jane Doe No.1's deposition on February 20, 2008. The parties have also agreed that Mr. Leopold will accept service for Jane Doe's No.1's appearance on that date eliminating the need to use a process server to serve Jane Doe No.1. See Exhibit "A" attached. (Jane Doe No. 1's real name has been redacted from the exhibit.)

WHEREFORE, given the fact that the parties have agreed to a procedure for the taking of Jane Doe's No.1's deposition, it is respectfully requested that this Court deny Jane Doe No.1's Motion for Protective Order as moot.

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to Lanna Belohlavek, Esquire, The Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, Florida 33401, Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida, 33410 and Jeffrey Herman, Esquire, 18205 Biscayne Boulevard, Suite 2218, Miami, Florida, 33160, on this 7<sup>th</sup> day of February, 2008.

ATTERBURY, GOLDBERGER & WEISS, P.A.  
250 Australian Avenue South  
Suite 1400  
West Palm Beach, Florida 33401  
(561) 659-8300

JACK A. GOLDBERGER, ESQ.  
Florida Bar No.: 262013

\* JOSEPH R. ATTERBURY

\*† JACK A. GOLDBERGER

JASON S. WEISS

\* Board Certified Criminal Trial Attorney

† Member of New Jersey & Florida Bars

February 5, 2008

VIA FACSIMILE & U.S. MAIL  
(561)697-2383

Theodore J. Leopold, Esquire  
Ricci~Leopold  
2925 PGA Boulevard, Suite 200  
Palm Beach Gardens, Florida 33410

Re: State of Florida vs. Jeffrey Epstein  
Case No.: 2006CF009454AXX

Dear Ted,

Based on your availability on February 20, 2008, we have scheduled the deposition of [REDACTED] on that date beginning at 9:30 a.m. Assistant State Attorney, Lanna Belohlavek, has also committed to that date.

You have indicated to me that you will accept service on behalf of [REDACTED] for that date. Accordingly, I am enclosing the notice of deposition and a subpoena for deposition for [REDACTED] for February 20, 2008 beginning at 9:30 a.m.

If you are unwilling or unable to produce Ms. [REDACTED] for deposition, please advise me immediately, so I may have her served with a subpoena.

Very truly yours,

Jack A. Goldberg

JAG/na  
Enclosure

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

CASE NO. 2006CF009454AXX

STATE OF FLORIDA

**SUBPOENA FOR DEPOSITION**

vs.

JEFFREY EPSTEIN,


Defendant.

TO: [REDACTED] a minor  
c/o Theodore J. Lepold, Esquire  
2925 PGA Boulevard, Suite 200  
Palm Beach Gardens, Florida 33410

YOU ARE COMMANDED to appear before a person authorized by law to take depositions on the 4th floor (Rooms 4.2004-4.2010), of the Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida on **February 20, 2008 beginning at 9:30 a.m.** for the taking of your deposition in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorneys and unless excused from this subpoena by these attorneys or the Court, you shall respond to this subpoena as directed.

**WITNESS** my hand and seal of said Court on this 5<sup>th</sup> day of February, 2008.

  
\_\_\_\_\_  
Jack A. Goldberger, ESQ.  
For the Court  
250 Australian Avenue South, Suite 1400  
West Palm Beach, Florida 33401  
(561) 659-8300

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

CASE NO.: 2006CF009454AXX

STATE OF FLORIDA

vs.

NOTICE OF DEPOSITION

JEFFREY EPSTEIN,  
Defendant.

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TO: Lanna Belohlavek, Esquire  
Office of the State Attorney  
401 N. Dixie Hwy  
West Palm Beach, Florida 33401

PLEASE TAKE NOTICE that pursuant to the Florida Rules of Criminal Procedure that on **February 20, 2008** beginning at the hour of **9:30 A.M.**, at the **Palm Beach County Courthouse, 4<sup>th</sup> Floor, 205 North Dixie Highway, West Palm Beach, Florida 33401**:

before Consor & Associates who is authorized by law to take depositions in the State of Florida, the Plaintiffs will, upon oral examination, take the deposition of the following named via telephone, to wit:

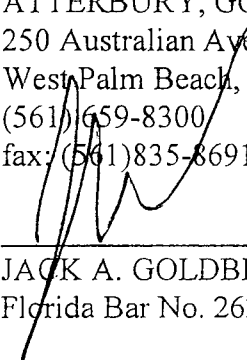
9:30 A.M. [REDACTED]

Such oral examination will continue from day to day until completed. You are hereby notified to phone in and take part in said examination as you may be advised, and as shall be fit and proper.

This deposition is being taken for the purposes of discovery, for use as primary evidence or for such other purposes as are permitted under the applicable Statutes or Rules of Court.

I HEREBY CERTIFY that a copy of the foregoing Notice of Taking Deposition has been furnished to the above named addressee and Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida 33410 by via fax & mail this 5<sup>th</sup> day of February, 2008.

ATTERBURY, GOLDBERGER, & WEISS, P.A.  
250 Australian Avenue South, Suite 1400  
West Palm Beach, Florida 33401  
(561) 659-8300  
fax: (561) 835-8691

  
\_\_\_\_\_  
JACK A. GOLDBERGER, ESQUIRE  
Florida Bar No. 262013