

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

Complex Litigation, Fla. R. Civ. P. 1.201

Case No. 50 2009CA040800XXXXMB AG

JEFFREY EPSTEIN,

Plaintiff,

v.

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

Defendants.

FILED

10 JUN 25 PM 1:12

SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CIVIL 2

BANKRUPTCY TRUSTEE'S SUPPLEMENTAL MOTION FOR PROTECTIVE ORDER

Herbert Stettin, Trustee of the Bankruptcy Estate of Rothstein Rosenfeld Adler, P.A. ("Trustee"), hereby files this Supplemental Motion for Protective Order pursuant to Rule 1.410 and 1.280(c), and states:

1. On November 10, 2009, the law firm of Rothstein Rosenfeldt Adler, P.A. ("RRA") was placed into involuntary bankruptcy, with a case pending in the United States Bankruptcy Court for the Southern District of Florida. On November 20, 2009, Herbert Stettin was appointed Trustee of RRA by the bankruptcy Court.

2. On April 16, 2010, Plaintiff caused a subpoena *duces tecum* ("Subpoena") to be served on the Trustee seeking documents from a lawsuit that is currently active and pending, being litigated by ex-RRA lawyers. A copy of the Subpoena is annexed hereto as Exhibit A.

3. On May 19, 2010, the Trustee filed a Motion for Protective Order addressing issues primarily relating to costs associated with reviewing and compiling responsive documents to the subpoena. A copy of the Motion for Protective Order is annexed hereto as Exhibit B.

4. On June 18, 2010, counsel for L.M. filed a Motion for Protective Order. A copy of the Motion for Protective Order is annexed hereto as Exhibit C.

5. Within the bankruptcy court, the Trustee obtained a protective order dealing with its production of documents. The Trustee believes that the documents requested in the Subpoena are subject to the attorney-client privilege and/or work product doctrine, or are simply, actually the clients documents, even though the Trustee holds the attorney-client privilege as to RRA.

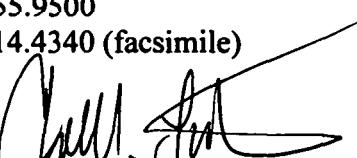
6. However, since the former RRA attorneys never obtained their files from RRA when the firm was closed, the Trustee is effectively standing in the shoes of the former RRA attorneys and clients, and thus the Subpoena cannot request discovery from the Trustee to somehow circumvent the attorney-client privilege.

WHEREFORE, for the foregoing reasons, the Trustee requests this Court to grant this Motion and enter an Order of protection prohibiting Plaintiff from obtaining the discovery sought in the Subpoena.

Respectfully submitted,

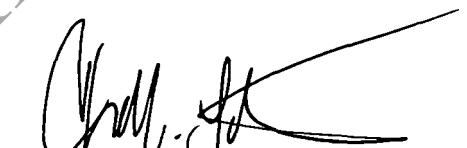
BERGER SINGERMAN
Counsel for the Trustee
200 S. Biscayne Blvd.
Tenth Floor
Miami, Florida 33131
305.755.9500
305.714.4340 (facsimile)

By:


Charles H. Eichtman
Florida Bar No. 501050

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S. Mail and facsimile on **Mr. Robert D. Critton, Jr.**, Burman Critton Luttier & Coleman, 303 Banyan Blvd., Suite 400 West Palm Beach FL; **Mr. Marc Nurik, Esq.**, Law Offices of Marc S. Nurik, One East Broward Blvd., Suite 700, Ft. Lauderdale, FL 33301; **Mr. Jack Scarola**, 2139 Palm Beach Lakes Blvd., West Palm Beach, FL; **Mr. Gary Farmer, Esq.**, Farmer Jaffe Weissing, et al., 425 N. Andrews Ave., Suite 2, Fort Lauderdale, FL 33301 and **Mr. Jack Goldberger, Esq.**, Atterbury Goldberger et al., 250 Australian Ave. South, Suite 1400, West Palm Beach, FL 33401-5012; and to **Rodney Janis, Esq.**, Fowler, White Burnett, P.A., Phillips Point, West Tower, 777 S. Flagler Dr., Ste 901, West Palm Beach, Florida 33401 this 24th day of June, 2010.


Charles H. Lichtman

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

JEFFREY EPSTEIN

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

Plaintiff,

Case No. 50 2009CA040800XXXXMB AG

v.

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

Defendants.

SUBPOENA DUCES TECUM FOR DEPOSITION – DOCUMENTS ONLY

THE STATE OF FLORIDA

TO: **Herbert Stettin, Trustee in Bankruptcy for Rothstein Rosenfeldt Adler, PA**
C/O James C. Cunningham, Jr., Esq.
Berger Singerman, P.A.
200 South Biscayne Blvd., Suite 1000
Miami, FL 33131

YOU ARE COMMANDED to appear at Prose Court Reporting, 101 NE 3rd Avenue,
Suite #1500, Ft. Lauderdale, FL 33301, on May 19, 2010, 4:00 p.m., bring with you the
following:

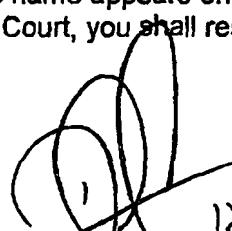
See attached Exhibit A

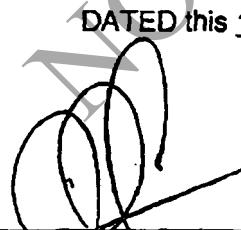
If you fail to appear, you may be in contempt of court.

You are subpoenaed by the attorney whose name appears on this subpoena and unless
excused from this subpoena by the attorney or the Court, you shall respond to this subpoena as
directed.

DATED this 16th day of April, 2010.

BY:


12492
ROBERT D. CRITTON, JR., ESQ.
For the Court


ROBERT D. CRITTON, JR.
(Attorneys for Defendant Jeffrey Epstein)
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561-842-2820

