

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

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

Defendant(s).

**NOTICE OF FILING EDWARDS' SUBSTITUTE
PROPOSED ADVERSE INFERENCE JURY INSTRUCTION**

Bradley J. Edwards, by and through his undersigned counsel, hereby provides Notice of the Filing of a Substitute Proposed Adverse Inference Jury Instruction as attached.

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-Serve to all Counsel on the attached list, this 6th day of March, 2018.



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BRADLEY EDWARDS' SUBSTITUTE PROPOSED ADVERSE INFERENCE INSTRUCTION

ADVERSE INFERENCE INSTRUCTION – FIFTH AMENDMENT

An individual is constitutionally protected by the Fifth Amendment to the United States Constitution from being compelled to provide evidence against himself in a criminal proceeding and guilt of a crime may not be inferred from the exercise of the Fifth Amendment right to remain silent. However, the protection that applies in a criminal proceeding does not apply in a civil lawsuit when a person, based upon the Fifth Amendment, refuses to answer questions and evidence is offered against him which is relevant to the case.

Therefore, if you find that Jeffrey Epstein refused to answer questions when confronted with relevant evidence against him on the ground that his answers may tend to incriminate him, then you may, but are not required to, infer that his answers would have incriminated him. You may consider this, together with the other evidence, in determining the issues of this case, but a Judgment against Jeffrey Epstein cannot rest solely on the adverse inference.

Authority: Fla. St. Jury Ins. 301.11a; *Baxter v. Palmigiano*, 425 U.S. 308 (1976); *Coquina Investments v. Rothstein*, No. 10-60786-cv-2012 WL 4479057 (S.D. Fla. Sept. 28, 2012)