

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

FILED *Lar* D.C.

NOV 12 2009

STEVEN M. LARIMORE
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S.D. OF FLA. - W.P.B.

Related cases:

08-80232, 08-08380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092

DEFENDANT EPSTEIN'S EMERGENCY MOTION FOR ORDER FOR THE
PRESERVATION OF EVIDENCE, & INCORPORATED MEMORANDUM OF LAW
(AS TO JANE DOE v. EPSTEIN, Case No. 08-CIV-80893 Marra/Johnson)

Defendant, Jeffrey Epstein, (hereinafter "Epstein"), by and through his undersigned attorneys, pursuant to Rules 26, 34, and 37, Fed.R.Civ.P. (2009), moves for entry of an order for the preservation of evidence directed to Bradley J. Edwards, a "partner" in Rothstein Rosenfeldt Adler, P.A. ("RRA"); Stuart Rosenfeldt as partner/shareholder and receiver of RRA; and Herbert Stettin, as Court Appointed Receiver for RRA. In support, Epstein states:

1. This motion is being filed as an emergency motion due to the fact that RRA law firm's implosion has been developing over the last six-seven days associated with serious ethical and criminal implications. Various documents and information (written and electronic) could intentionally or inadvertently be destroyed by those who seek to

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protect themselves from potential criminal or bar related violations. Epstein seeks only to preserve the status quo as to the relief sought.

2. Relevant to this motion, Epstein is currently the named Defendant in three civil actions – one of which is filed in federal court (Jane Doe v. Epstein, Case No. 08-CIV-80893, U.S.D.C. S.D. Fla.), and two of which have been filed in state court in the 15th Judicial Circuit Court, Palm Beach County, State of Florida, (L.M. v. Esptein, Case No. 502008CA028051XXXXMB AB; E.W. v. Epstein, Case No. 502008CA028058XXXXMB AB), (hereinafter “civil actions”).

3. In each of these civil actions, each of the Plaintiffs is represented by Bradley J. Edwards, William Berger and the RRA law firm, 1109 NE 2d Street, Hallendale Beach, Florida 33009-8515. Attorneys Russell Alder and Peter Feaman have also appeared for the Plaintiffs.

4. Based upon recent and ongoing media reports, statements of law enforcement personnel (FBI and others), and statements of attorneys for investors (as more fully detailed below herein), RRA and Scott Rothstein and possibly other attorneys and/or members, illegally and unethically solicited investors to invest monies in and/or to buy a financial interest in the potential outcome or settlement of pending or prospective lawsuits, or settled lawsuits and operated a Ponzi scheme. Based upon media reports and statements by persons with knowledge of this investment scam, RRA, by and through its attorneys and members, would seek monies from investors in exchange for a promise of a financial interest in a structured settlement or outcome of potential or pending legal actions, or to purchase an interest therein.

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5. As part of this scheme, RRA, by and through its attorneys and members, may have unethically and illegally:

- A. Sold an interest in non-settled personal injury lawsuits (which are non-assignable and non-transferable) or sold a non-existent structured settlements (including those cases involving Epstein);
- B. Reached agreements to share attorneys fees with non-lawyers;
- C. Used investor money to pay plaintiffs "up front" money such that plaintiffs would refuse to settle;
- D. Conducted searches, wiretaps or other activities in violation of state or federal laws and Bar rules.

6. Any such actions by RRA, through its attorneys and members, would be a violation of various Florida Bar Rules prohibiting the improper sharing of fees or costs, and various conflict of issues rules to name a few. This of course raises many questions, such as: how can any RRA attorney in these civil actions represent its client's interests and give unbiased legal counsel when an outside investor has been promised a financial interest in the outcome of the action?; if a plaintiff is receiving payments from investment monies while her action is ongoing, this clearly would impact the plaintiff's decision of whether or not to settle the current litigation; are the Plaintiffs motivated to, in essence, commit perjury or shade their testimony to gain the greatest return on the investment? In essence, if RRA was counseling its Plaintiffs to either knowingly or unknowingly participate in an improper and unethical investment scheme and the client was a participant, her case may be subject to dismissal.

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7. Miami attorney and developer, Alan Sakowitz, was quoted in a recent article as saying that he had met with Rothstein as a potential investor in August of 2009, but became suspicious. He stated "I was convinced it was all a Ponzi scheme and I notified the FBI in detail how Scotty was hiding behind a legitimate law firm to peddle fake investments." Attorney Sakowitz was also quoted as saying Rothstein had sophisticated eavesdropping equipment and former law enforcement officers who would sift through a potential defendants' garbage.

8. Respected Ft. Lauderdale attorney William Scherer represents multiple Rothstein related investors. He indicated in an article that RRA/Rothstein had used the "**Epstein Ploy** ... as a showpiece as bait. That's the way he raised all the money. He would used legitimate cases as bait for luring investors into fictional cases. All the cases he allegedly structured were fictional. I don't believe there was a real one in there."

9. Relevant to Epstein and these three civil actions, the evidence as detailed below herein is required to be preserved to ensure that any and all evidence of (a) improper or illegal payments to the three Plaintiffs, (b) the specific details of the investment scheme (who, what, when, how much), (c) all written agreements between investors, Rothstein, RRA and any Plaintiff, (d) investigator billings and services, and any other evidence relevant to the investment scheme which has been estimated to be in the range of \$500 million, according to media reports, is not destroyed by RRA and Bradley Edwards; Stuart Rosenfeldt; Herbert Stettin, as Court Appointed Receiver, in each of their capacities as Records Custodian, employees, agents, associates, partners or other representative for RRA.

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10. Defendant has previously served Subpoenas Duces Tecum for Deposition, dated November 5, 2009, upon Bradley J. Edwards, Esq.; Rothstein Rosenfeldt Adler, PA; Stuart Rosenfeldt, Esq., as Records Custodian For RRA; and Herbert Stettin, as the Court Appointed Receiver for RRA. The Subpoenas, which were filed in the state court action of L.M. v. Epstein, referenced above, are attached as **Composite Exhibit A**. Epstein believes RRA and the persons identified herein exercise sole custody and control over all the items identified in the subpoenas. The items identified are directly relevant to the impact of the described investment scheme on the civil actions in which Epstein is named as a Defendant.

11. Defendant seeks an Order preserving the items specifically identified in the attached Subpoenas, **Composite Exhibit A**, and as well any investigators (firm employed or third party) billings and services documents and directing Bradley J. Edwards, Esq.; Rothstein Rosenfeldt Adler, PA; Stuart Rosenfeldt, Esq., as Records Custodian For RRA; and Herbert Stettin as Court Appointed Receiver as receiver for RRA to neither destroy, tamper with, or alter any evidence relevant to the investment scheme described above herein. A proposed order is attached as **Exhibit B**.

12. When there is a good faith belief that evidence may be lost or destroyed, the Court has the authority to enter an order preserving such evidence. See AT&T Mobility LLC v. Dynamic Cellular Corp., 2008 WL 2139518 (S.D. Fla. May 7, 2008); Tracfone Wireless, Inc. v. King Trading, Inc., 2008 WL 918243, at *1 (N.D. Tex. Mar. 13, 2008) (finding "a legitimate concern for the continuing existence and maintenance of the integrity of the evidence in question absent an order preserving the evidence."). This

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evidence, most of which is in the sole custody, dominion and control of the persons and entity identified herein is critical and indispensable to Epstein's ability to fully defend the actions brought against him and to evaluate and analyze whether the Plaintiffs and their attorney have been acting in good faith and in truthful manner when it comes to discovery and attempts to resolve the actions; and also whether unethical, illegal, or fraudulent conduct has occurred which would preclude Plaintiffs from pursuing their claims, or whether Plaintiffs and their attorneys irresolvable conflicts. Epstein's concerns outweigh any potential harm to the Plaintiffs from the entry of an order preserving the evidence. There is no burden to the Plaintiffs as it the lawyers, law firm and receiver, identified herein that possess and control the items identified in the subpoenas.

WHEREFORE, Epstein respectfully requests this Court enter an Order to preserve all evidence relevant to the investment scheme as described herein and to further prohibit the persons and RRA from tampering, destroying or altering any such evidence and to grant any additional relief the Court deems just and proper.

Rule 7.1 A. 3. Certification of Pre-Filing Conference

Counsel for Defendant in good faith conferred with Plaintiff's counsel, Bradley Edwards, by telephone and Mr. Edwards does not oppose the entry of an order.

Counsel for Defendant wrote and enclosed copies of this motion and proposed agreed orders to Kendall Coffey, Esq., counsel for Stuart A. Rosenfeldt, individually, and Rothstein Rosenfeldt Adler, P.A., Coffey Burlington 2699 South Bayshore Drive, Penthouse, Miami, Florida 33133, and Paul Singerman, Esq., counsel for Herbert

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Stettin, Esq. as Court Appointed Receiver, Berger Singerman, 2000 South Biscayne Blvd., Suite 1000, Miami, FL 33131. At the time this motion is being filed, the undersigned has not received a response from Mr. Coffey or Mr. Singerman.

By: s/Robert D. Critton
ROBERT D. CRITTON, JR., ESQ.
Florida Bar No. 224162
rcrit@bclclaw.com

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the following Service List in the manner specified by CM/ECF on this 12th day of November 2009.

A true copy was served by fax and U.S. Mail to Kendall Coffey, Esq., counsel for Stuart A. Rosenfeldt, individually, and Rothstein Rosenfeldt Adler, P.A., Coffey Burlington, 2699 South Bayshore Drive, Penthouse, Miami, Florida 33133, and Paul Singerman, Esq., counsel for Herbert Stettin, Esq. as Court Appointed Receiver, Berger Singerman, 2000 South Biscayne Blvd., Suite 1000, Miami, FL 33131.

Respectfully submitted,

By: s/Robert D. Critton
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Certificate of Service

Jane Doe No. 2 v. Jeffrey Epstein

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Adam D. Horowitz, Esq.

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Counsel for Plaintiffs

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Counsel for Plaintiff in Related Case No. 08-80469

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Katherine W. Ezell, Esq.

Podhurst Orseck, P.A.

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Jane Doe No.2 v. Epstein

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*Counsel for Plaintiff in Related Case No.
08-08804*

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*Counsel for Plaintiffs in Related Cases
Nos. 09-80591 and 09-80656*

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Counsel for Defendant Jeffrey Epstein

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

L.M.

CASE NO. 502008CA028051XXXXMB AD

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

/

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA

TO: **Stuart Rosenfeldt, Esq., as Records Custodian
For Rothstein Rosenfeldt & Adler, P.A.
401 E. Las Olas Blvd., Suite #1650
Ft. Lauderdale, FL 33301**

**YOU ARE COMMANDED to appear at Prose Court Reporting, 101 NE 3rd Avenue,
Suite #1500, Ft. Lauderdale, FL 33301, on November 19, 2009, 1:00 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 5th day of November, 2009.

BY:


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


ROBERT D. CRITTON, JR.
(Attorneys for Defendant Jeffrey Epstein)
Burman, Critton, Luttier & Coleman
515 N. Flagler Drive, Suite 400
West Palm Beach, FL 33401
561-842-2820

Composite
EXHIBIT A

EXHIBIT A – RECORDS CUSTODIAN

DEFINITIONS AND INSTRUCTIONS

A. "Document" means any written or graphic matter or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including the **originals** and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, letters, purchase orders, telegrams, teletype, telefax bulletins, e-mails, electronic data, meetings, reports, or other communications, interoffice and intra-office telephone calls, diaries, chronological data, minutes, books, reports, charts, ledgers, invoices, worksheets, receipts, returns, trade information regarding fabric, carpets, samples etc..., computer printouts, prospectuses, financial statements, schedules, affidavits, contracts, cancelled checks, transcripts, statistics, surveys, magazine or newspaper articles, releases (and any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphs or aural records or representations of any kind, including, without limitation, photographs, charts, graphs, microfiche, microfilm, video tape, recordings, motion pictures and electronic, mechanical or electric recordings or representations of any kind (including, without limitation, tapes, cassettes, discs and recordings), and including the file and file cover.

The term "Document" also means any and all computer records, data, files, directories, electronic mail, and information of whatever kind whether printed out or stored on or retrievable from floppy diskette, compact diskette, magnetic tape, optical or magnetic-optical disk, computer memory, hard drive, zip drive, jaz drive, orb drive, microdisk, external memory stick, software, or any other fixed or removable storage media, including without limitation, all back-up copies,

dormant or remnant files, and any and all miscellaneous files and/or file fragments, regardless of the media on which they reside and regardless of whether the data consists in an active file, deleted file, or file fragment.

B. "Communications" means any oral or written statement, dialogue, colloquialism, discussion, conversation or agreement.

C. "Plaintiff" means *L.M. (L.M. v. Jeffrey Epstein, Palm Beach County Case #502008CA028051XXXXMB), E.W. (E.W. v. Jeffrey Epstein, Palm Beach County Case #502008CA028058XXXXMB), Jane Doe/S.R. (Jane Doe v. Jeffrey Epstein, United States District Court Case #08-civ-80893-Marra/Johnson)*, and any other person who is or was represented by Rothstein Rosenfeldt & Adler that has not yet filed an action against Jeffrey Epstein, and any employee, agent or attorney for any plaintiff and/or any other person acting for or on behalf of any plaintiff, or under her authority and control.

D. "RRA" means Rothstein Rosenfeldt & Adler, P.A.

E. "Money" means any tangible thing of value.

REQUESTED ITEMS

1. For the time period from January 1, 2008, to present, any and all documents reflecting communication between, or on behalf of RRA, its employees or agents or clients, and any third party regarding a purported settlement of any litigation between Jeffrey Epstein and RRA and/or its clients, or the financing of any litigation between Jeffrey Epstein and RRA and/or its clients, including but not limited to:

- a. Representations that litigation with Jeffrey Epstein has been settled;
- b. Soliciting or receiving money in return for settlement funds alleged paid or to be paid on behalf of Jeffrey Epstein;
- c. Soliciting money to help finance ongoing litigation against Jeffrey Epstein;
- d. Soliciting money to be given to, or used on behalf of, the plaintiffs in litigation against Jeffrey Epstein;

- e. Communication between third party investors or potential investors and the plaintiffs or their attorneys involved in litigation against Jeffrey Epstein;
- f. Payments made by RRA to or on behalf of any plaintiff

2. Any and all fee agreements that exist or have existed between the following:

- a. Any Plaintiff and Bradley J. Edwards or any entity with which he was associated
- b. Any Plaintiff and the law firm RRA

3. All documents reflecting the sale, purchase or investment by any person or entity (company, corporation, LLC, etc...) in the prospective settlement or resolution of any plaintiff's case against Jeffrey Epstein.

4. All emails, data, correspondence, memos, or similar documents exchanged between Bradley J. Edwards and Scott W. Rothstein, and/or any attorney or representative of RRA and any investor or third party (person or entity) in any plaintiff's case where the investor provided financing to include, money and/or any other consideration to Bradley J. Edwards, any plaintiff, or RRA with regard to the settlement or potential settlement of any plaintiff's case against Jeffrey Epstein.

5. All agreements or documents of any nature which were entered into by an investor relating to any plaintiff's case with Jeffrey Epstein and any of the following:

- a. Scott W. Rothstein
- b. Bradley J. Edwards
- c. RRA
- e. any entity formed by RRA or Bradley J. Edwards or Scott W. Rothstein to create investment opportunities for third party investors to invest in any plaintiff's case against Jeffrey Epstein

6. All fee sharing agreements between Bradley J. Edwards, RRA, or Scott W. Rothstein and/or any other attorney or investor relating to any aspect of any plaintiff's case.

7. All investment packages, or information, settlement agreements, and any other documents made available to any investor by Bradley J. Edwards, RRA, Scott W. Rothstein or any of Scott W. Rothstein's entity to solicit "investors" for or in any plaintiff's case.

8. The names and addresses of all individuals or entities who invested in any aspect of any plaintiff's case against Jeffrey Epstein.

9. All assignments or agreements between any investor (person or entity) and any plaintiff and/or her attorneys regarding any plaintiff's case (cause of action) against Jeffrey Epstein.

10. All documents evidencing payment of any bill or costs in each plaintiff's case against Jeffrey Epstein, and the source(s) for said payments of any costs.

11. All press releases, tapes of interviews, transcripts of interviews generated by Bradley J. Edwards or any existing or former RRA attorney, regarding any plaintiff's case against Jeffrey Epstein.

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

L.M.

CASE NO. 502008CA028051XXXXMB AD

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA

TO: **Herbert Stettin, as receiver for Rothstein Rosenfeldt Adler, PA**
5401 Hammock Drive
Coral Gables, FL 33156-2105

YOU ARE COMMANDED to appear at **Prose Court Reporting, 101 NE 3rd Avenue, Suite #1500, Ft. Lauderdale, FL 33301**, on **November 19, 2009, 4:00 p.m.**, bring with you the following:

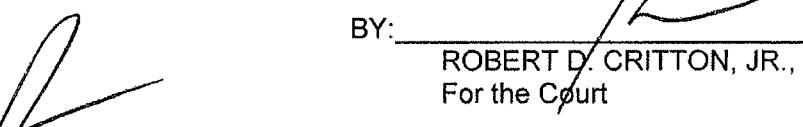
See attached Exhibit A

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 5th day of November, 2009.

BY:


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


ROBERT D. CRITTON, JR.
(Attorneys for Defendant Jeffrey Epstein)
Burman, Critton, Luttier & Coleman
515 N. Flagler Drive, Suite 400
West Palm Beach, FL 33401
561-842-2820

EXHIBIT A – RECORDS CUSTODIAN

DEFINITIONS AND INSTRUCTIONS

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The term "Document" also means any and all computer records, data, files, directories, electronic mail, and information of whatever kind whether printed out or stored on or retrievable from floppy diskette, compact diskette, magnetic tape, optical or magnetic-optical disk, computer memory, hard drive, zip drive, jaz drive, orb drive, microdisk, external memory stick, software, or any other fixed or removable storage media, including without limitation, all back-up copies,

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D. "RRA" means Rothstein Rosenfeldt & Adler, P.A.

E. "Money" means any tangible thing of value.

REQUESTED ITEMS

1. For the time period from January 1, 2008, to present, any and all documents reflecting communication between, or on behalf of RRA, its employees or agents or clients, and any third party regarding a purported settlement of any litigation between Jeffrey Epstein and RRA and/or its clients, or the financing of any litigation between Jeffrey Epstein and RRA and/or its clients, including but not limited to:

- a. Representations that litigation with Jeffrey Epstein has been settled;
- b. Soliciting or receiving money in return for settlement funds alleged paid or to be paid on behalf of Jeffrey Epstein;
- c. Soliciting money to help finance ongoing litigation against Jeffrey Epstein;
- d. Soliciting money to be given to, or used on behalf of, the plaintiffs in litigation against Jeffrey Epstein;

- e. Communication between third party investors or potential investors and the plaintiffs or their attorneys involved in litigation against Jeffrey Epstein;
- f. Payments made by RRA to or on behalf of any plaintiff

2. Any and all fee agreements that exist or have existed between the following:

- a. Any Plaintiff and Bradley J. Edwards or any entity with which he was associated
- b. Any Plaintiff and the law firm RRA

3. All documents reflecting the sale, purchase or investment by any person or entity (company, corporation, LLC, etc...) in the prospective settlement or resolution of any plaintiff's case against Jeffrey Epstein.

4. All emails, data, correspondence, memos, or similar documents exchanged between Bradley J. Edwards and Scott W. Rothstein, and/or any attorney or representative of RRA and any investor or third party (person or entity) in any plaintiff's case where the investor provided financing to include, money and/or any other consideration to Bradley J. Edwards, any plaintiff, or RRA with regard to the settlement or potential settlement of any plaintiff's case against Jeffrey Epstein.

5. All agreements or documents of any nature which were entered into by an investor relating to any plaintiff's case with Jeffrey Epstein and any of the following:

- a. Scott W. Rothstein
- b. Bradley J. Edwards
- c. RRA
- e. any entity formed by RRA or Bradley J. Edwards or Scott W. Rothstein to create investment opportunities for third party investors to invest in any plaintiff's case against Jeffrey Epstein

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8. The names and addresses of all individuals or entities who invested in any aspect of any plaintiff's case against Jeffrey Epstein.

9. All assignments or agreements between any investor (person or entity) and any plaintiff and/or her attorneys regarding any plaintiff's case (cause of action) against Jeffrey Epstein.

10. All documents evidencing payment of any bill or costs in each plaintiff's case against Jeffrey Epstein, and the source(s) for said payments of any costs.

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

L.M.

CASE NO. 502008CA028051XXXXMB AD

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

/

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA

TO: **Bradley J. Edwards, Esq.**
1109 NE 2nd Street
Hallendale Beach, FL 33009-8515
-or-
Rothstein Rosenfeldt Adler, PA
1109 NE 2nd Street
Hallendale Beach, FL 33009-8515

YOU ARE COMMANDED to appear at **Prose Court Reporting, 101 NE 3rd Avenue, Suite #1500, Ft. Lauderdale, FL 33301**, on **November 19, 2009, 9:00 a.m.**, bring with you the following:

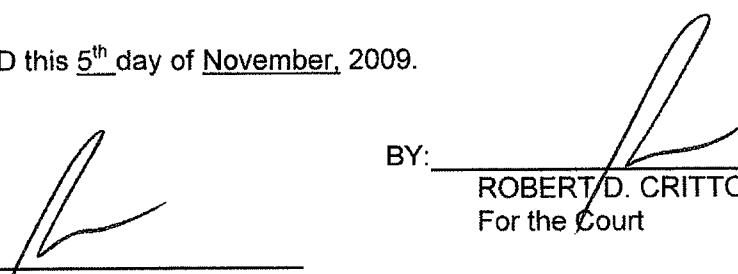
See attached Exhibit A

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 5th day of November, 2009.

BY:


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


ROBERT D. CRITTON, JR.
(Attorneys for Defendant Jeffrey Epstein)
Burman, Critton, Luttier & Coleman
515 N. Flagler Drive, Suite 400
West Palm Beach, FL 33401
561-842-2820

EXHIBIT A

DEFINITIONS AND INSTRUCTIONS

A. "Document" means any written or graphic matter or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including the **originals** and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, letters, purchase orders, telegrams, teletype, telefax bulletins, e-mails, electronic data, meetings, reports, or other communications, interoffice and intra-office telephone calls, diaries, chronological data, minutes, books, reports, charts, ledgers, invoices, worksheets, receipts, returns, trade information regarding fabric, carpets, samples etc..., computer printouts, prospectuses, financial statements, schedules, affidavits, contracts, cancelled checks, transcripts, statistics, surveys, magazine or newspaper articles, releases (and any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphs or aural records or representations of any kind, including, without limitation, photographs, charts, graphs, microfiche, microfilm, video tape, recordings, motion pictures and electronic, mechanical or electric recordings or representations of any kind (including, without limitation, tapes, cassettes, discs and recordings), and including the file and file cover.

The term "Document" also means any and all computer records, data, files, directories, electronic mail, and information of whatever kind whether printed out or stored on or retrievable from floppy diskette, compact diskette, magnetic tape, optical or magnetic-optical disk, computer memory, hard drive, zip drive, jaz drive, orb drive, microdisk, external memory stick, software, or any other fixed or removable storage media, including without limitation, all back-up copies,

dormant or remnant files, and any and all miscellaneous files and/or file fragments, regardless of the media on which they reside and regardless of whether the data consists in an active file, deleted file, or file fragment.

B. "Communications" means any oral or written statement, dialogue, colloquialism, discussion, conversation or agreement.

C. "Plaintiff" means *L.M. (L.M. v. Jeffrey Epstein, Palm Beach County Case #502008CA028051XXXXMB)*, *E.W. (E.W. v. Jeffrey Epstein, Palm Beach County Case #502008CA028058XXXXMB)*, *Jane Doe/S.R. (Jane Doe v. Jeffrey Epstein, United States District Court Case #08-civ-80893-Marra/Johnson)*, and any other person who is or was represented by Rothstein Rosenfeldt & Adler that has not yet filed an action against Jeffrey Epstein, and any employee, agent or attorney for any plaintiff and/or any other person acting for or on behalf of any plaintiff, or under her authority and control.

D. "RRA" means Rothstein Rosenfeldt & Adler, P.A.

E. "Money" means any tangible thing of value.

REQUESTED ITEMS

1. For the time period from January 1, 2008, to present, any and all documents reflecting communication between, or on behalf of RRA, its employees or agents or clients, and any third party regarding a purported settlement of any litigation between Jeffrey Epstein and RRA and/or its clients, or the financing of any litigation between Jeffrey Epstein and RRA and/or its clients, including but not limited to:

- a. Representations that litigation with Jeffrey Epstein has been settled;
- b. Soliciting or receiving money in return for settlement funds alleged paid or to be paid on behalf of Jeffrey Epstein;
- c. Soliciting money to help finance ongoing litigation against Jeffrey Epstein;
- d. Soliciting money to be given to, or used on behalf of, the plaintiffs in litigation against Jeffrey Epstein;

- e. Communication between third party investors or potential investors and the plaintiffs or their attorneys involved in litigation against Jeffrey Epstein;
- f. Payments made by RRA to or on behalf of any plaintiff

2. Any and all fee agreements that exist or have existed between the following:

- a. Any Plaintiff and Bradley J. Edwards or any entity with which he was associated
- b. Any Plaintiff and the law firm RRA

3. All documents reflecting the sale, purchase or investment by any person or entity (company, corporation, LLC, etc...) in the prospective settlement or resolution of any plaintiff's case against Jeffrey Epstein.

4. All emails, data, correspondence, memos, or similar documents exchanged between Bradley J. Edwards and Scott W. Rothstein, and/or any attorney or representative of RRA and any investor or third party (person or entity) in any plaintiff's case where the investor provided financing to include, money and/or any other consideration to Bradley J. Edwards, any plaintiff, or RRA with regard to the settlement or potential settlement of any plaintiff's case against Jeffrey Epstein.

5. All agreements or documents of any nature which were entered into by an investor relating to any plaintiff's case with Jeffrey Epstein and any of the following:

- a. Scott W. Rothstein
- b. Bradley J. Edwards
- c. RRA
- e. any entity formed by RRA or Bradley J. Edwards or Scott W. Rothstein to create investment opportunities for third party investors to invest in any plaintiff's case against Jeffrey Epstein

6. All fee sharing agreements between Bradley J. Edwards, RRA, or Scott W. Rothstein and/or any other attorney or investor relating to any aspect of any plaintiff's case.

7. All investment packages, information, settlement agreements, and any other documents made available to any investor by Bradley J. Edwards, RRA, Scott W. Rothstein or any of Scott W. Rothstein's entity to solicit "investors" for or in any plaintiff's case.

8. The names and addresses of all individuals or entities who invested in any aspect of any plaintiff's case against Jeffrey Epstein.

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

L.M.

CASE NO. 502008CA028051XXXXMB AD

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA

TO: **Bradley J. Edwards, Esq.**
1109 NE 2nd Street
Hallendale Beach, FL 33009-8515
-or-
Rothstein Rosenfeldt Adler, PA
1109 NE 2nd Street
Hallendale Beach, FL 33009-8515

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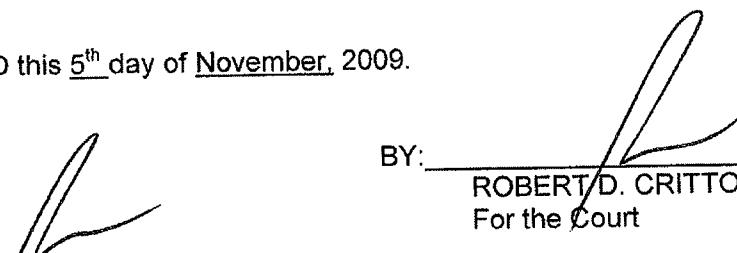
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related cases:

08-80232, 08-08380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092

**ORDER ON DEFENDANT EPSTEIN'S MOTION
FOR ORDER FOR THE PRESERVATION OF EVIDENCE**

This matter came before the Court on Defendant JEFFREY EPSTEIN's Motion for Order for the Preservation of Evidence, & Incorporated Memorandum of Law, dated November 12, 2009. It is HEREBY ORDERED and ADJUDGED that Defendant's motion is GRANTED.

Accordingly, Bradley J. Edwards, Stuart Rosenfeldt, as a partner/shareholder in RRA and Receiver of RRA and Herbert Stettin, as Court Appointed Receiver for RRA, are HEREBY ordered and directed to immediately preserve, and neither tamper with or alter the items of evidence identified in the Subpoenas Duces Tecum For Deposition directed to them and attached as Composite Exhibit A to Defendant's motion and also identified below herein absent further order of this Court:

EXHIBIT B

Jane Doe No.2 v. Epstein

Case No. 08-CIV-801189

Order on Epstein's Emergency Motion for Order for the Preservation of Evidence

Page 2 of 4

1. For the time period from January 1, 2008, to present, any and all documents reflecting communication between, or on behalf of RRA, its employees or agents or clients, and any third party regarding a purported settlement of any litigation between Jeffrey Epstein and RRA and/or its clients, or the financing of any litigation between Jeffrey Epstein and RRA and/or its clients, including but not limited to:

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- c. Soliciting money to help finance ongoing litigation against Jeffrey Epstein;
- d. Soliciting money to be given to, or used on behalf of, the plaintiffs in litigation against Jeffrey Epstein;
- e. Communication between third party investors or potential investors and the plaintiffs or their attorneys involved in litigation against Jeffrey Epstein;
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Jane Doe No.2 v. Epstein

Case No. 08-CIV-801189

Order on Epstein's Emergency Motion for Order for the Preservation of Evidence

Page 3 of 4

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11. All press releases, tapes of interviews, transcripts of interviews generated by Bradley J. Edwards or any existing or former RRA attorney, regarding any plaintiff's case against Jeffrey Epstein, and;

12. All investigator (RRA employed and third parties) billing and invoice records reflecting services rendered/Performed relating to any case involving Jeffrey Epstein.

DONE and ORDERED this _____ day of November, 2009.

Jane Doe No.2 v. Epstein

Case No. 08-CIV-801189

Order on Epstein's Emergency Motion for Order for the Preservation of Evidence

Page 4 of 4

Linnea R. Johnson
United States Magistrate Judge

Courtesy copies:

The Honorable Kenneth A. Marra
Counsel of Record

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