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

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

vs.

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

Defendant/Counter-Plaintiff.

_____/

Case No. 50 2009 CA 040800XXXXMBAG

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.

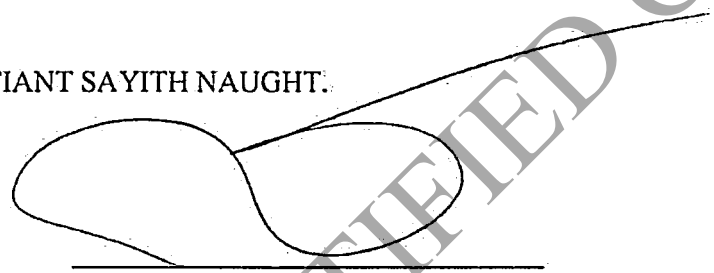
12. Equally consistent with the allegations in the press and in the Razorback Complaint that the Epstein Cases were being deliberately misused for purposes unrelated to the litigation in order to lure investors into the Ponzi Scheme is the fact that on July 24, 2009, Edwards filed a two hundred thirty-four (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 SAYITH 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 30th, 2017.

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NOTARY PUBLIC

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