

IN THE CIRCUIT COURT OF THE 15<sup>th</sup>  
JUDICIAL CIRCUIT, IN AND FOR PALM  
BEACH COUNTY, FLORIDA

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

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

Defendants.

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**MOTION TO STRIKE**

Defendant, L.M., individually, hereby files this Motion to Strike, and in support thereof states the following:

1. In what can only be described as a jaw-dropping case of arrogance, delusion and conceit, and in a blatant attempt to distract the Court and gain some strategic advantage from the irrelevant alleged actions of Defendant Rothstein, all of which occurred long after EPSTEIN had sexually abused and assaulted hundreds of minor girls and which in no way undermines the overwhelming evidence against EPSTEIN, EPSTEIN has filed the instant action against L.M. (one of his victims) and others. L.M. has answered most of the Complaint and will soon seek summary judgment, but in the interim she seeks to strike certain portions of the Complaint that are redundant, immaterial, impertinent and scandalous. But first, some background – most of which the Court is already aware.

2. EPSTEIN has invoked his 5<sup>th</sup> Amendment right against self-incrimination in every case involving his sexual abuse of minor girls in which he was asked any question. He has taken the 5<sup>th</sup> on questions as mundane as “what is your address” and as factually relevant as “Isn’t it true that you engaged in sexual activity with more than 49 minor girls.” In his deposition in the case of EW v. Epstein, he invoked his 5<sup>th</sup> Amendment right more than 200 times. In fact, the only relevant questions for which he did not invoke his 5<sup>th</sup> Amendment right were the questions that he refused to answer and to which he ultimately terminated and left his deposition. His deposition was taken in the case of CMA v. Epstein and he invoked the 5<sup>th</sup> on every question. His deposition was taken in the case of BB v. Epstein twice. The first time, Mr. Kuvin, seeking to confirm physical characteristics that confirm his identity and involvement in sexual abuse of numerous girls, asked him “is it true that you have what has been described as an egg-shaped penis?” EPSTEIN immediately left that deposition without answering. After he was sanctioned for improperly terminating that deposition, he returned for his deposition in that case. Again, he invoked the 5<sup>th</sup> on nearly every question. Additionally, LM, as well as other victims, has propounded interrogatories, requests for production and requests for admissions to Mr. Epstein on all subjects related to his having sexually abused L.M., and many other minor females, and once again he invoked his 5<sup>th</sup> Amendment Right on every question propounded.

3. In the face of EPSTEIN’s constant and consistent avoidance of addressing questions that will directly prove the allegations of numerous complaints of sexual abuse by him against minor girls, EPSTEIN now seeks to profiteer from the alleged actions of ROTHSTEIN and distract this Court from its proper focus. Aside from the fact that this is chutzpah at its highest form,<sup>1</sup> EPSTEIN’s Complaint contains a section entitled “Summary of

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<sup>1</sup> See *Williams v. State*, 126 Ga.App. 350, 190 S.E.2d 785, 785 & n. 1 (1972): [T]his expressive Yiddish word appears in modern English dictionaries as meaning “colossal effrontery” or “brazen gall” but as stated in *The Joys of Yiddish* by Leo Rosten, “The classic definition of ‘chutzpah’ is that quality enshrined in a man, who having killed his mother and father, throws himself upon the mercy of the court because he is an orphan.”

Action” that is not part of a numbered paragraph, is not specifically omitted or incorporated into any numbered paragraph of the Complaint, and otherwise constitutes a self-serving recitation of EPSTEIN’s concocted theory of this case. Because this section is not incorporated into any paragraph, Plaintiff is unsure how to respond to same or if any response is necessary at all. Moreover, because the statement is scandalous and at parts redundant of other parts of the Complaint, it serves no useful purpose. As such, the Court should strike it from the Complaint.

WHEREFORE, Plaintiff L.M. respectfully requests that the Court enter an order granting the relief requested herein.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email and U.S. Mail to all counsel on the attached list on December 23, 2009.

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