

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

CIVIL DIVISION

CASE NO.: 502009CA040800 AG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, etc., et al.,

Defendant(s).

2013 OCT 7 PM 3:36

PALM BEACH COUNTY
CLERK OF COURT
CIRCUIT CIVIL

ORDER ON COUNTER-PLAINTIFF BRADLEY EDWARDS'
MOTION FOR JURY INSTRUCTION REGARDING ADVERSE INFERENCE
AND EVIDENCE PRECLUSION

THIS CAUSE came before the Court upon the Counter-Plaintiff, BRADLEY EDWARDS' Motion for Jury Instruction in Regard to Adverse Inference and Evidence Preclusion. The Court reviewed the Motion, the Counter-Defendant's Response thereto, and the Supplemental Memorandum in support filed by the Counter-Plaintiff. The Court also heard argument of counsel and reviewed the various authorities they have cited. In addition, this Court allowed the Counter-Defendant to file a Supplemental Response to the Supplemental Memorandum filed by the Counter-Plaintiff BRADLEY EDWARDS. After a thorough review of all of these matters, and after being fully advised in the premises, it is thereupon

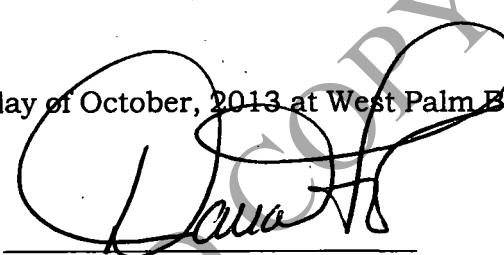
CONSIDERED, ORDERED AND ADJUDGED as follows:

1. The Counter-Plaintiff, BRADLEY EDWARDS' Motion for Jury Instruction is deferred until trial. At the time of trial, upon analysis of the specific questions and answers, this Court will determine whether an adverse inference instruction will, or will not, be given and the specific instruction, if any, that will be given. Counsel for the parties shall be prepared at trial to propose instructions.

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2. The Defendant's Motion to Preclude Evidence is deferred until the time of trial. At trial, this Court will determine if certain testimony and documents will be permitted utilizing a *Binger* analysis.

DONE AND ORDERED this 7th day of October, 2013 at West Palm Beach, Palm Beach County, Florida.


DAVID F. CROW
CIRCUIT COURT JUDGE

Copy furnished:
See attached list.

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