

#291874/mep

IN THE CIRCUIT COURT OF THE  
FIFTEENTH 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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**DEFENDANT BRADLEY J. EDWARDS' MOTION TO COMPEL  
COMPLETE RESPONSE TO REQUEST TO PRODUCE**


Defendant BRADLEY J. EDWARDS, by and through his undersigned attorneys, moves this Honorable Court for entry of an Order overruling discovery objections and compelling Plaintiff, Jeffrey Epstein, to fully respond to Defendant's Request for Production, and states:

1. On March 18, 2010, Defendant served by a Request to Produce, a copy of which is attached as Exhibit A.
2. On May 26, 2010, Plaintiff served his Response to Edwards' Request to Produce, raising multiple privilege and other objections. A copy of the Response is attached as Exhibit B. Plaintiff also produced documents that were almost entirely redacted.
3. On June 3, 2010, Plaintiff served a Supplemental Production Pursuant to Defendant's Request for Production, a copy of which is attached as Exhibit C. The supplemental production was, again, almost entirely redacted.
4. Plaintiff's objections, and the redactions, are not well-founded.

5. Movant's counsel certifies that a bona fide effort to agree or to narrow the issues raised by this motion has been made with opposing counsel or will be made before any hearing on the motion.

WHEREFORE, Defendant BRADLEY J. EDWARDS moves for an Order overruling all objections and requiring Plaintiff, Jeffrey Epstein, to comply with the Request to Produce by making full production of all responsive documents, awarding the fees and costs incurred in bringing this motion, and providing such other relief as the Court may deem proper under the circumstances.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Fax and U.S. Mail to all Counsel on the attached list, this 14<sup>th</sup> day of June, 2010.

  
Jack Scarola

Florida Bar No.: 169440

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Attorneys for Scott Rothstein

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L.M., individually,

Defendants.

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**DEFENDANT/COUNTERPLAINTIFF'S**  
**REQUEST TO PRODUCE TO JEFFREY EPSTEIN**

Defendant/Counterplaintiff Bradley J. Edwards by and through the undersigned counsel, request, pursuant to Rule 1.350 of the Florida Rules of Civil Procedure, that Plaintiff, Jeffrey Epstein, produce and permit to inspect and copy each of the following documents\*:

\*"Documents" shall include, but not be limited to all non-identical copies of writings, drawings, graphs, charts, photographs, phono-records, recordings, and/or any other data compilations from which information can be obtained, translated, if necessary, by the party to whom the request is directed through detection devices into reasonably usable form. "Documents" also include all electronic data as well as application metadata and system metadata. All inventories and rosters of your information technology (IT) systems—e.g., hardware, software and data, including but not limited to network drawings, lists of computing devices (servers, PCs, laptops, PDAs, cell phones, with data storage and/or transmission features), programs, data maps and security tools and protocols.

It is requested that the aforesaid production be made within thirty (30) days of service of this request at the offices of Searcy Denney Scarola Barnhart & Shipley, P.A., 2139 Palm Beach Lakes Boulevard, West Palm Beach, Florida. Inspection will be made by visual observation, examination and/or copying.

1. All documents\* upon which the Plaintiff does or may rely in support of his claim for damages against the Defendants, including but not limited to:

a. All agreements with attorneys, the payment of whose services are alleged as an element of damages;

b. All invoices for attorney services and costs alleged as an element of damages;

c. All time records reflecting services rendered, the payment for which is alleged as an element of damages;

d. Every cancelled check, receipt, ledger entry, and other document of whatever kind or description reflecting, referencing, evidencing, or relating to every expenditure by you or on your behalf which expenditure is alleged as an element of damages.

2. Any and all prescriptions for corrective lenses issued to you within the past five (5) years.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by  
U.S. Mail to all Counsel on the attached list, this 18<sup>th</sup> day of March 2010.



Jack Scarola

Florida Bar No.: 169440

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Attorney for Defendant/Counterplaintiff

BRADLEY J. EDWARDS

NOT A CERTIFIED COPY

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Counsel for Scott Rothstein

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JEFFREY EPSTEIN

Plaintiff,

v.

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

Defendants.  
\_\_\_\_\_ /

**EPSTEIN'S RESPONSE TO EDWARDS' REQUEST TO PRODUCE**

Plaintiff, JEFFREY EPSTEIN ("Epstein"), pursuant to Fla. R. Civ. P. 1.350, submits his response to the March 18, 2010 Request to Produce served by Defendant, BRADLEY J. EDWARDS ("Edwards"), and states:

1. All documents upon which the Plaintiff does or may rely in support of his claim for damages against the Defendants, including but not limited to:

a. All agreements with attorneys, the payment of whose services are alleged as an element of damages;

b. All invoices for attorney services and costs alleged as an element of damages;

c. All time records reflecting services rendered, the payment for which is alleged as an element of damages;

d. Every cancelled check, receipt, ledger entry, and other document of whatever kind or description reflecting, referencing, evidencing, or relating to every



expenditure by you or on your behalf which expenditure is alleged as an element of damages.

**RESPONSE:**

Objection: this request seeks documents and information protected by the attorney/client privilege and work product privilege, as well as documents that are irrelevant and/or duplicative of other requests. As to subsections (a) and (d), Epstein objects as the information is confidential and protected by attorney/client privilege, and also asserts his Fifth Amendment privilege. However, Epstein will be producing invoices in redacted form which contain substantially the same information requested in subsections (a) and (d). In addition, subsection (d) is unduly burdensome as it would require Epstein to cull through thousands of documents to determine which, if any, documents are responsive. Epstein also asserts his U.S. constitutional privileges under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. Epstein asserts his Fifth Amendment privilege against self-incrimination. See DeLisi v. Bankers Ins. Company, 436 So.2d 1099 (Fla. 4<sup>th</sup> DCA 1983); Malloy v. Hogan, 84 S.Ct. 1489, 1495 (1964)(the Fifth Amendment's Self-Incrimination Clause applies to the states through the Due Process Clause of the Fourteenth Amendment - "[i]t would be incongruous to have different standards determine the validity of a claim of privilege based on the same feared prosecution, depending on whether the claim was asserted in state or federal court."). Without waiving the foregoing objections, Epstein will produce responsive

documents in redacted form pursuant to the Agreed Order entered on May 21, 2010.

The undersigned will produce additional documents the week of May 31, 2010.

2. Any and all prescriptions for correctives lenses issued to you within the past five (5) years.

**RESPONSE:**

Documents responsive to this request have already been produced to Edwards.

**Certificate of Service**

I HEREBY CERTIFY that a true copy of the foregoing was sent by fax and U.S. Mail to the following addressees on this 26<sup>th</sup> day of May, 2010:

Gary M. Farmer, Jr., Esq.  
Farmer, Jaffe, Weissing, Edwards, Fistos  
& Lehrman, PL  
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By: 

Robert D. Critton, Jr.

for Florida Bar #224162

Michael J. Pike

Florida Bar #617296

*(Counsel for Defendant Jeffrey Epstein)*

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

Defendants.

**EPSTEIN'S SUPPLEMENTAL PRODUCTION PURSUANT  
TO DEFENDANT'S REQUEST FOR PRODUCTION**

Plaintiff, JEFFREY EPSTEIN ("Epstein"), pursuant to Fla. R. Civ. P. 1.350, submits his first supplemental response to the March 18, 2010 Request to Produce served by Defendant, BRADLEY J. EDWARDS ("Edwards"), and states:

1. All documents upon which the Plaintiff does or may rely in support of his claim for damages against the Defendants, including but not limited to:

a. All agreements with attorneys, the payment of whose services are alleged as an element of damages;

b. All invoices for attorney services and costs alleged as an element of damages;

c. All time records reflecting services rendered, the payment for which is alleged as an element of damages;

d. Every cancelled check, receipt, ledger entry, and other document of whatever kind or description reflecting, referencing, evidencing, or relating to every

expenditure by you or on your behalf which expenditure is alleged as an element of damages.

**RESPONSE:**

Objection: this request seeks documents and information protected by the attorney/client privilege and work product privilege, as well as documents that are irrelevant and/or duplicative of other requests. As to subsections (a) and (d), Epstein objects as the information is confidential and protected by attorney/client privilege, and also asserts his Fifth Amendment privilege. However, Epstein will be producing invoices in redacted form which contain substantially the same information requested in subsections (a) and (d). In addition, subsection (d) is unduly burdensome as it would require Epstein to cull through thousands of documents to determine which, if any, documents are responsive. Epstein also asserts his U.S. constitutional privileges under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable, and would therefore violate the Constitution. Epstein asserts his Fifth Amendment privilege against self-incrimination. See DeLisi v. Bankers Ins. Company, 436 So.2d 1099 (Fla. 4<sup>th</sup> DCA 1983); Malloy v. Hogan, 84 S.Ct. 1489, 1495 (1964)(the Fifth Amendment's Self-Incrimination Clause applies to the states through the Due Process Clause of the Fourteenth Amendment - "[i]t would be incongruous to have different standards determine the validity of a claim of privilege based on the same feared prosecution, depending on whether the claim was asserted in state or federal court."). Without waiving the foregoing objections, Epstein will produce responsive

documents in redacted form pursuant to the Agreed Order entered on May 21, 2010. The undersigned will produce additional documents the week of May 31, 2010. See attached.

2. Any and all prescriptions for correctives lenses issued to you within the past five (5) years.

**RESPONSE:**

Documents responsive to this request have already been produced to Edwards.

**Certificate of Service**

I HEREBY CERTIFY that a true copy of the foregoing was sent by fax and U.S. Mail to the following addressees on this 3 day of June, 2010:

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