

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

Case No. 50 2009CA040800XXXXMB AG

JEFFREY EPSTEIN

Plaintiff,

v.

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

Defendants.

FILED  
10 MAY 27 PM 4:16  
JAMES B. BOON, CLERK  
PALM BEACH COUNTY, FL  
CIRCUIT CIVIL 4

**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:

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