

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

Case No. 50-2009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

v.

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

Defendants/Counter-Plaintiff.

PLAINTIFF/COUNTER-DEFENDANT JEFFREY EPSTEIN'S
MOTION TO STRIKE DEFENDANT/COUNTER-PLAINTIFF'S
BRADLEY J. EDWARDS' REPLY TO EPSTEIN'S
RESPONSE IN OPPOSITION TO EDWARDS' MOTION
IN LIMINE FILED FEBRUARY 6, 2018

Plaintiff/Counter-Defendant, Jeffrey Epstein ("Epstein"), hereby moves to strike Defendant/Counter-Plaintiff Bradley J. Edwards' ("Edwards") Reply to Epstein's Response in Opposition to Edwards' Motion in Limine filed February 6, 2018, and states:

1. On February 6, 2018, Edwards filed a Motion in Limine relating to the comparison of settlement amounts of Edwards' three clients (L.M., E.W. and Jane Doe) and Edwards' claimed damages in this case.
2. Edwards noticed his Motion for a Uniform Motion Calendar hearing on February 27, 2018.
3. On February 21, 2018, Epstein filed his Response in Opposition to Edwards' Motion.
4. On February 22, 2018, Edwards filed a Reply to Epstein's Response.

5. Pursuant to the Court's November 14, 2017, Order Granting Epstein's Motion for Continuance of Trial, the Court informed the parties that Replies to Motions were not allowed: "As to the written motions, only the motion and a response will be permitted. No reply briefs will be allowed absent court order." **Exhibit A.**

6. In addition, at the November 29, 2017, hearing the Court stated:

17 I will remind you that the Court order
18 that I executed relative to the continuous
19 of the trial on 14 November this year,
20 ordered that no replies be provided to the
21 Court absent court order. You have violated
22 my order. The replies are being ignored. I
23 do not expect that to be repeated, absent
24 sanctions. Is that understood? Both sides?

(November 29, 2017, Transcript, p. 3, **Exhibit B.**)

7. While the Court was addressing submissions for the pre-trial motions set for hearing on November 29, December 5 and December 7, 2017, it was the undersigned's understanding that the Court's Order included future motion practice.

In light of the Court's rulings, Epstein respectfully requests that the Court strike Edwards' Reply to Epstein's Response to Edwards' Motion in Limine filed on February 6, 2018.

CERTIFICATE OF SERVICE

I certify that the foregoing document has been furnished to the attorneys listed on the Service List below on February 22, 2018, through the Court's e-filing portal pursuant to Florida Rule of Judicial Administration 2.516(b)(1).

LINK & ROCKENBACH, PA
1555 Palm Beach Lakes Boulevard, Suite 301
West Palm Beach, Florida 33401
(561) 727-3600; (561) 727-3601 [fax]

By: /s/ Scott J. Link

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Kara Berard Rockenbach (FBN 44903)

Angela M. Many (FBN 26680)

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*Trial Counsel for Plaintiff/Counter-Defendant
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<p>Bradley J. Edwards Edwards Pottinger LLC 425 N. Andrews Avenue, Suite 2 Ft. Lauderdale, FL 33301-3268 brad@epllc.com staff.efile@pathtojustice.com <i>Co-Counsel for Defendant/Counter-Plaintiff</i> <i>Bradley J. Edwards</i></p>	<p>Marc S. Nurik Law Offices of Marc S. Nurik One E. Broward Boulevard, Suite 700 Ft. Lauderdale, FL 33301 marc@nuriklaw.com <i>Counsel for Defendant Scott Rothstein</i></p>
<p>Jack A. Goldberger Atterbury, Goldberger & Weiss, P.A. 250 Australian Avenue S., Suite 1400 West Palm Beach, FL 33401 jgoldberger@agwpa.com smahoney@agwpa.com <i>Co-Counsel for Plaintiff/Counter-Defendant</i> <i>Jeffrey Epstein</i></p>	

EXHIBIT A

NOT A CERTIFIED COPY

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

CIRCUIT CIVIL DIVISION AG
CASE NO. 50-2009-CA-040800-XXXX-MB

JEFFREY EPSTEIN,
Plaintiff/Counter-Defendant,

v.

SCOTT ROTHSTEIN, individually, and
BRADLEY J. EDWARDS, individually,
L M,
Defendants/Counter-Plaintiff.

**ORDER GRANTING PLAINTIFF/COUNTER-DEFENDANT, JEFFREY EPSTEIN'S,
MOTION FOR CONTINUANCE OF TRIAL, SETTING HEARINGS AND RESETTING
CASE FOR SPECIAL SET TRIAL**

THIS CAUSE came before this court on the Plaintiff/Counter-Defendant, JEFFREY EPSTEIN's, Motion for Continuance of Trial and to Extend Pre-Trial Deadlines or, in the Alternative, Bifurcation of Trial, and the court, having heard arguments of counsel, having reviewed the motion and the attachments as well as the court file, and being fully advised of the premises it is:

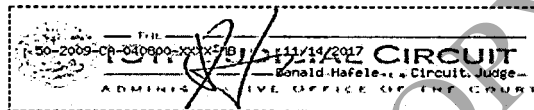
ORDERED AND ADJUDGED that the motion to continue is granted thereby mooting the remaining motions.

Under the circumstances of this unusual and relatively complex case, the court finds that there are simply too many significant, lengthy motions that are pending and need to be heard prior to December 5, 2017, the date that the trial was originally scheduled to commence. The court and counsel have tried to schedule these extensive and numerous pretrial motions but due to the busy schedules of all concerned, trying to hear all of the motions between now (November 14, 2017) and prior to December 5, 2017, would cause undue strain on the part of the court and counsel. At this late juncture, not knowing how the court will rule on critical issues would require counsel to try to strategize and plan their respective cases under extreme uncertainty and duress.

To stem this overriding concern but also taking into account the age of the case (the case's extensive appellate history is well known to the parties and will not be repeated here), the court specially sets this case Number 1 for the ten (10) day period commencing March 13, 2018 at 9:30 a.m. in Courtroom 10C. In the interim, lead counsel of record shall prepare a list of the parties' respective motions and the agreed sequence of the motions to be heard as well as the total anticipated time for argument (motion, response and rebuttal only). As to the written motions, only the motion and a response will be permitted. No reply briefs will be allowed

absent court order. This schedule shall be prepared and presented to the court no later than noon on November 17, 2017 as the court will be on vacation during Thanksgiving week. In addition to the November 29, 2017 date already provided (10:00 a.m. – 3:00 p.m. and allowing one hour and fifteen minutes for lunch), the court is opening up December 5, 2017 (10:00 a.m. – 3:00 p.m.) and December 7, 2017 (10:00 a.m. – noon) so that all pending motions (only) can be heard.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida, this 14th day of November, 2017.



DONALD HAFELE
Circuit Judge

Copies furnished to:

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EXHIBIT B

NOT A CERTIFIED COPY

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

3 Case No. 502009CA040800XXXXMB

4
5 JEFFREY EPSTEIN,

6 Plaintiff,

7 vs.

8 SCOTT ROTHSTEIN, individually,
9 BRADLEY EDWARDS, individually,

Defendants/Counter-Plaintiffs.
10 _____/

11
12 TRANSCRIPT OF PROCEEDINGS

13
14 DATE TAKEN: Wednesday, November 29th, 2017

15 TIME: 10:04 a.m. - 3:55 p.m.

16 PLACE 205 N. Dixie Highway, Room 10C
West Palm Beach, Florida

BEFORE: Donald Hafele, Presiding Judge

17
18 This cause came on to be heard at the time and place
aforesaid, when and where the following proceedings were
19 reported by:

20 Sonja D. Hall
Palm Beach Reporting Service, Inc.
21 1665 Palm Beach Lakes Boulevard, Suite 1001
West Palm Beach, FL 33401
22 (561) 471-2995
23
24
25

1 **THE COURT:** We are here on Epstein
2 versus Rothstein and Edwards. The two
3 applicable parties being dealt with -- have
4 a seat, please. Thank you.

5 -- being Mr. Epstein and Mr. Edwards,
6 and the counterclaim brought by Mr. Edwards
7 against Epstein relative to a malicious
8 prosecution claim that has been brought. We
9 will confine our arguments to that
10 particular matter. And we will keep in mind
11 the following: Direct all of your arguments
12 to the bench. Please do not speak to each
13 other. Please stay away from any
14 pejorative, unnecessary comments as it
15 relates, in particular, to the
16 counter-defendant.

17 I will remind you that the Court order
18 that I executed relative to the continuous
19 of the trial on 14 November this year,
20 ordered that no replies be provided to the
21 Court absent court order. You have violated
22 my order. The replies are being ignored. I
23 do not expect that to be repeated, absent
24 sanctions. Is that understood? Both sides?

25 Ms. Rockenbach?