

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 IN LIMINE ON DEFENDANT/COUNTER-PLAINTIFF'S NEWLY
DISCLOSED TRIAL EXHIBITS AND TO EXCLUDE DEPOSITION
TESTIMONY OF WITNESSES WHO WERE NOT DEPOSED IN THIS MATTER**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein"), files this Motion in Limine directed at the newly disclosed exhibits on Defendant/Counter-Plaintiff Bradley J. Edwards' December 7, 2017, Second Amended Exhibit List (D.E. 1109) and to exclude certain witnesses disclosed on Edwards' November 9, 2017, Seventh Amended Witness List (D.E. 1042) to testify by deposition, and states:

PRELIMINARY STATEMENT

Original Timely Exhibits and Rulings

On November 9, 2017, Edwards filed his Amended Exhibit List identifying 142 exhibits. (D.E. 1043.) (Exhibit A.) On November 15, 2017, Epstein filed his Objections to Edwards' exhibits. (D.E. 1058.) In addition, on November 17, 2017, Epstein filed his Revised Omnibus Motion in Limine which, in part, asked the Court to sustain those objections. (D.E. 1070.) The

Court heard extensive arguments on Epstein's objections at special set hearings on November 29, 2017, and December 5, 2017, and made specific findings. (11/29/17 Tr. 160-187; 12/5/17 Tr. 64-82; 146-235.) (**Exhibit B.**) On January 16, 2018, the Court memorialized those findings in an Order. (D.E. 1149.) (**Exhibit C.**)

Edwards' New 79 Untimely Exhibits

This Motion addresses *new* exhibits revealed by Edwards on December 7, 2017, with the filing of Edwards' Second Amended Exhibit List identifying 218 exhibits, which modified some of his earlier disclosed exhibits and identified 79 new items.¹ (D.E. 1109.) (**Exhibit D.**) At no time during the special set hearings did Edwards' counsel advise the Court that he planned to amend the Exhibit List or that the parties and Court were working from an incorrect list. Epstein filed his written objections to Edwards' Second Amended Exhibit List on December 15, 2017. (D.E. 1120.) (**Exhibit E.**)

Epstein incorporates the introduction and background sections of his November 17, 2017, Revised Omnibus Motion in Limine (D.E. 1070) and, for brevity purposes, has not restated those sections here.

THE COURT'S RULINGS

At the November 29, 2017, and December 5, 2017, hearings, this Court made clear that it would not allow the parties to stray too far afield from the malicious prosecution claim. (11/29/17 Tr. 178:8-23.) The Court is not going to allow the parties to try a child molestation case. (11/29/17 Tr. 187:2-8.) The Court is also not going to allow the introduction of tangential matters into this case which would either directly or indirectly inflame the jury. (12/5/17 Tr. 81:12-16.)

¹ While Edwards produced many of the new exhibits on November 9, 2017, he never identified them as trial exhibits on his November 9, 2017, Exhibit List and Epstein was not aware that he intended to rely on them at trial at the time of filing his Revised Omnibus Motion in Limine.

The relationship between the value (“weak” allegation) of Edwards’ three clients’ claims (L.M., E.W. and Jane Doe) and Epstein’s claimed probable cause will be permitted in a manner that benefits the dignity of the courtroom without pejorative commentary. (12/5/17 Tr. 83:1-8.) Edwards is going to be allowed to provide testimony and speak generically about the evidence that relates to his three clients or as it relates to his preparation and evaluation of their cases. Otherwise, the Court sustained many of Epstein’s objections based on relevance and because the exhibits’ probative value was substantially outweighed by the danger of unfair prejudice under section 90.403, Florida Statutes. The Court indicated that before certain exhibits could be referenced or allowed at trial they would need to be discussed outside the presence of the jury. (12/5/17 Tr. 198:19-199:5.) The Court also deferred ruling on Epstein’s objections concerning exhibits identified to support Edwards’ punitive damages claim. (12/5/17 Tr. 163:17-164:15.) While the Court will allow Edwards to speak generically about claims of plaintiffs he did not represent, he may not go into detail about those cases. (12/7/17 Tr. 4:25-6:24.) Finally, the Court ordered Edwards to produce those exhibits already listed, but that had not already been produced, by December 20, 2017. (12/5/17 Tr. 216, 219, 226, 228.)

THE NEWLY IDENTIFIED EXHIBITS

Edwards’ newly identified exhibits can be grouped into several categories:

A. Virginia Giuffre a/k/a Virginia Roberts

Edwards identified thirty-one new exhibits specifically referencing or relating to Virginia Giuffre a/k/a Virginia Roberts, who was *not* one of Edwards’ three clients. For instance, Edwards has listed Ms. Roberts’ medical records (Ex. 133), twenty-three photographs in which Ms. Roberts appeared (Exs. 136, 137, 139, 142-157, 159, 165, 173, 174), travel related documents (Exs. 175,

176, 177), an FBI interview form for Ms. Roberts (Ex. 181), the docket of Ms. Roberts' lawsuit against Epstein (Ex. 178), and an application for her passport (Ex. 201).

The Court has already determined that Edwards may discuss his three clients' claims, but other than discussing the general number of claims of other individuals he did not represent, specific information about those other claims will not be allowed. (12/7/17 Tr. 4:25-6:24.) In addition, the Court has already sustained Epstein's relevancy objection as to a photo depicting Ms. Roberts with Ghislaine Maxwell and Prince Andrew (Ex. 121) and will only allow such exhibits if the context comes up and only after it is discussed outside the presence of the jury. Epstein requests his objections to these thirty-one newly disclosed exhibits concerning Ms. Roberts also be sustained.

B. Travel and Airplane Related Exhibits

Although Edwards has conceded that his three clients never traveled with Epstein, he has listed exhibits relating to travel: airport codes (Ex. 185) and a brochure for a Boeing Super 727-100 (Ex. 200). The Court has already sustained Epstein's objections to passenger manifests and flight logs (Ex. 51, 52) recognizing that they bear no relevance to the malicious prosecution action. (12/5/17 Tr. 198:13-199:8.) These new trial related documents similarly have no place at the trial of Edwards' malicious prosecution Counterclaim and Epstein's objections should be sustained.

C. Phone Records

Edwards has identified Sara Kellen's cellular phone records (Exs. 190-192). Ms. Kellen is not a party to this lawsuit and the Court has already sustained Epstein's objection as to Edwards' Trial Exhibit No. 11 which identified Ms. Kellen's phone records. (12/5/17 Tr. 149:20-150:1; 159:12-160:7.) The Court should uphold the same ruling as to these exhibits.

D. Photographs

Edwards has identified nineteen other photographs (scenic, various individuals, Epstein, properties) (Exs. 138, 140, 141, 158, 160-164, 166-172, 184, 205 and 206). While Ms. Roberts is not depicted in these photographs, Epstein assumes Edwards intends to use many of them with that witness. With the exception of Exhibit No. 205, which Edwards may claim relates to his punitive damages claim (and which the Court has earlier deferred ruling on such items), the photographs have no bearing on the issues of this malicious prosecution action and Epstein's objections should be sustained.

E. Other Individuals

Edwards has identified exhibits relating to Epstein's alleged former housemen, Alfredo Rodriguez and Juan Alessi: Alfredo Rodriguez' sentencing transcript, criminal complaint and plea agreement (Exs. 202-204) and Juan Alessi's sworn statement and deposition transcripts (Exs. 197-199). He has also identified deposition transcripts relating to Ghislaine Maxwell (Ex. 180) and Epstein's brother (Ex. 182). None of this testimony was given in this case or relates specifically to Edwards' three clients, and therefore cannot be used at trial as set forth more fully below.

Edwards has also identified a "typed list of victims/co-conspirators unique to the investigation of Jeffrey Epstein" (Ex. 179). Many of the names on this list are alleged victims who were minors at the time they filed suit and it is unknown if they have given up their right to remain anonymous. Furthermore, the Court has already ruled that, while the number of claims can be discussed, the specific nature of the claims of individuals not represented by Edwards cannot be discussed in detail. (12/7/17 Tr. 4:25-6:24.)

F. Criminal Records

Edwards has identified a number of criminal records involving Epstein: March 2008 Summary of the Case from the Assistant U.S. Attorney (Ex. 183), a Statement from an unidentified victim (Ex. 188), Santa Monica Police Report from 1997 (Ex. 194), Epstein's Guilty Plea (Ex. 207), Palm Beach County State Attorney's file (Ex. 208) and Palm Beach County Incident Reports (Exs. 59 and 69). The Court has already deferred ruling on plea related documents, but it has sustained Epstein's objections to criminal type records on the basis of relevancy and section 90.403 prejudice and has only allowed them to be introduced if the context comes up, outside the presence of the jury (i.e., Exs. 13, 15, 48, 49, 50). (12/5/17 Tr. 150:4-152:11; 153:16-160:24, 159:12-160:7; 197:24-199:6.) Epstein respectfully requests that these exhibits be treated in the same way.

G. Punitive Damages

Based on the Court's earlier rulings, Epstein anticipates the Court will defer ruling on three exhibits which Edwards may claim support his punitive damages claim as follows: video of Epstein's property inspection (Ex. 6), DVD of search warrant walk through of Epstein's home (Ex. 187), and folder titled "planes" (Ex. 195).

H. Other Records

Edwards has identified a number of other exhibits including, a hand drawing of Bart Simpson (Ex. 134), a proposed joint letter to the Special Master (Ex. 135), a March 3, 2011, newspaper article (Ex. 186), evidence of Epstein's donations to law enforcement (Ex. 189), a checking account ledger for November 2004 (Ex. 193), and house information (Ex. 196) which in no way relate to Edwards' malicious prosecution Counterclaim. Furthermore, the Court has already sustained Epstein's objections to similar items (i.e., donations to law enforcement, Ex. 45;

Epstein's house contacts, Ex. 66). Epstein requests that the Court sustain his objections to these new exhibits.

EPSTEIN'S OBJECTIONS TO UNTIMELY NEW EXHIBITS

Epstein has raised the following objections to Edwards' untimely identified new exhibits:

LEGEND FOR EPSTEIN'S OBJECTIONS:

- 1 – All Objections
- 2 – All Objections except Authenticity
- 3 - Relevance
- 4 – Probative value substantially outweighed by danger of unfair prejudice, confusion of issues, misleading the jury, or needless presentation of cumulative evidence
- 5 – Privileged
- 6 - Opinion
- 7 – Hearsay
- 8 – Authenticity
- 9 – Other (please identify basis of objection)
- 10 – Completeness
- 11 – Overbroad
- 12 – Not provided to Counsel for Epstein Prior to Filing Pretrial Stipulation
- 13 – Not a proper exhibit
- 14 – Trade secrets/Confidential

No.	Edwards' Exhibit Description	Epstein's Objections
6.	Video of Epstein Property Inspection 01/18/10	3, 4, 8
59.	Palm Beach Police Department Incident Report dated 07/25/06 (unredacted)	3, 4, 7, 8
69.	Palm Beach Police Department Incident Report dated 07/19/06 (redacted)	3, 4, 7, 8
133.	Medical Records: New York Presbyterian Hospital re: Virginia Guiffre, 2001	3, 4, 6, 7, 8, 10
134.	Hand Drawing of Bart Simpson (signed by Matt Groening)	3, 4, 7, 8
135.	Proposed Joint Letter to the Special Master	3, 4, 6, 7, 8
136.	Front and Back of Hard Copy Color Photo Virginia (Mar-A-Lago)	3, 4, 7, 8
137.	Color photo of Virginia Roberts on ferry "New York"	3, 4, 7, 8
138.	Scenic photo of Time Square	3, 4, 7, 8

No.	Edwards' Exhibit Description	Epstein's Objections
139.	Virginia Roberts photo on back of ship	3, 4, 7, 8
140.	Picture of room in New York	3, 4, 7, 8
141.	Color photo of man on horse (New Mexico Ranch)	3, 4, 7, 8
142.	Color photo of Virginia Roberts at Zorro Ranch standing in front of gate sign with "Z" (New Mexico Ranch)	3, 4, 7, 8
143.	Virginia Roberts photo on horse front of ranch	3, 4, 7, 8
144.	Virginia Roberts photo standing against rocks (red coat)	3, 4, 7, 8
145.	Virginia Roberts standing against rocks (red coat) (far) (with back photo white; back date).	3, 4, 7, 8
146.	Virginia Roberts photo riding horse blue jacket far	3, 4, 7, 8
147.	Virginia Roberts photo on side of horse hand up	3, 4, 7, 8
148.	Virginia Roberts photo on side of horse	3, 4, 7, 8
149.	Virginia Roberts photo outside next to tables	3, 4, 7, 8
150.	Virginia Roberts photo red coat leaning on rail	3, 4, 7, 8
151.	Virginia Roberts photo standing outside next to fireplace	3, 4, 7, 8
152.	Virginia Roberts photo standing in front of ranch	3, 4, 7, 8
153.	Virginia Roberts photo with hand over head(black/white)	3, 4, 7, 8
154.	Virginia Roberts photo standing next to piano	3, 4, 7, 8
155.	Virginia Roberts photo in front of fireplace(museum)	3, 4, 7, 8
156.	Virginia Roberts photo in front of wagon in museum	3, 4, 7, 8
157.	Color photo of Virginia Roberts in front of museum exhibition (Santa Fe, New Mexico)	3, 4, 7, 8
158.	Photograph in Spain Jeffrey Epstein and Ghislaine Maxwell in front of building	3, 4, 7, 8
159.	Virginia Roberts (Australia Storage): Photo Book 2	3, 4, 7, 8
160.	Cover photo book 2	3, 4, 7, 8
161.	Scenic photo (with back photo white)	3, 4, 7, 8
162.	Scenic photo (with back photo white)	3, 4, 7, 8
163.	Scenic photo (with back photo white)	3, 4, 7, 8
164.	Scenic photo (with back photo white)	3, 4, 7, 8

No.	Edwards' Exhibit Description	Epstein's Objections
165.	Virginia Roberts steps with trees overhead	3, 4, 7, 8
166.	Scenic photo (with back photo white)	3, 4, 7, 8
167.	Scenic photo (with back photo white)	3, 4, 7, 8
168.	Scenic photo (with back photo white)	3, 4, 7, 8
169.	Scenic photo (with back photo white)	3, 4, 7, 8
170.	Scenic photo (with back photo white and black)	3, 4, 7, 8
171.	Scenic photo (with back photo white and black)	3, 4, 7, 8
172.	Scenic photo (with back photo white and black)	3, 4, 7, 8
173.	Virginia Roberts on steps with children (with back photo white and black)	3, 4, 7, 8
174.	Virginia Roberts on street white wall (far) (with back photo white and black).	3, 4, 7, 8
175.	Travel envelope	3, 4, 7, 8
176.	Singapore Airlines Travel Cover with handwritten notes by Virginia Roberts	3, 4, 7, 8
177.	Thailand Hotel Receipts	3, 4, 7, 8
178.	Court Docket for Jane Doe No. 102 v. Epstein	3, 4, 7, 8, 13
179.	Typed List of Victims/ Co-Conspirators unique to the investigation of Jeffrey Epstein	3, 4, 7, 8, 10
180.	Ghislaine Maxwell deposition, 04/22/16	3, 4, 7, 8, 14
181.	FBI Form 302 - Interview of Virginia Giuffre in Australia (Redacted) 03/17/11	3, 4, 7, 8, 10
182.	Mark Epstein Deposition	3, 4, 7, 8
183.	March 19, 2008, email of Assistant U.S. Attorney Ann Marie Villafana (Summary of the Case) (Coonan File)	3, 4, 7, 8, 10
184.	Color photos of Ghislaine Maxwell, one with Jeffrey Epstein	3, 4, 7, 8
185.	Airport Codes (Demonstrative)	3, 7, 8, 10
186.	March 3, 2011 - New York Post: Uppity Tranny to Epstein: Pay Up!	3, 4, 7, 8
187.	DVD of Epstein PBPD 358 El Brillo Search Warrant Walk Through 05/11/09; DVD Audio from Cassettes, Part 1	3, 4, 7, 8, 12 (only photo of DVDs provided)
188.	[Alex Hall] Redacted Transcript taken by Detective Joe Recarey and Detective Dawson (with Exhibits) 10/11/05	3, 4, 7, 8, 10

No.	Edwards' Exhibit Description	Epstein's Objections
189.	Palm Beach Police Investigation: Palm Beach PD Records; Wachovia Bank Account	3, 4, 7, 8, 10, 11
190.	Folder titled Sara Kellen Cell Phone Summary by Detective Recarey: Enclosing phone records. SAO FOIA Disc 7 (State Files)	3, 4, 7, 8, 10, 11
191.	Folder titled Sara Kellen Cell: Sara Kellen Cell Phone Usage 09/2005-10/2005	3, 4, 7, 8, 10, 11
192.	Folder titled Sara Kellen: AT&T February 12, 2005 Statement	3, 4, 7, 8, 10, 11
193.	Demand Deposit Account Statement History for Household Bank Account Jeffrey Epstein or Ghislaine Maxwell or Alfredo Rodriguez	3, 4, 7, 8, 10, 14
194.	Santa Monica Police Report (May 12, 1997)	3, 4, 7, 8
195.	Folder titled PLANES: Information relating to Epstein's planes/aircrafts collected by the State Attorney's Office unique to the investigation of Jeffrey Epstein	3, 4, 7, 8
196.	Palm Beach House/Information Sheet	3, 4, 7, 8
197.	Sworn Statement of Juan Alessi taken by Palm Beach Police Department	3, 4, 7, 8
198.	Juan Alessi Deposition (Vol. I) 09/08/09	3, 4, 7, 8
199.	Juan Alessi Deposition (Vol II) 09/08/09	3, 4, 7, 8
200.	Brochure for Boeing Super 727-100	3, 4
201.	Passport application; issued January 12, 2001	3, 4, 7, 8, 10
202.	Sentencing Transcript, Alfredo Rodriguez	3, 4, 6, 7
203.	Criminal Complaint — Alfredo Rodriguez	3, 4, 6, 7
204.	Plea Agreement — Alfredo Rodriguez	3, 4, 7, 8
205.	Photos of Jeffrey Epstein's properties and planes	3, 4, 7, 8, 10
206.	Photos of Jeffrey Epstein employees and former employees	3, 4, 7, 8, 10
207.	Jeffrey Epstein Guilty Plea documents	3, 4
208.	Palm Beach County State Attorney's Response to Public Records Request (including audio recordings)	3, 4, 6, 7, 8, 10, 11, 13

ARGUMENT

1. The 79 New Exhibits are Untimely Pursuant to this Court’s Order

At Edwards’ urging, this Court declined to extend any of the original pretrial deadlines. (D.E. 1059; D.E. 1086.) Although Epstein requested the recalculation of pretrial deadlines based on the trial continuance from December 2017 to March 2018, Edwards objected “to any effort to expand existing deadlines.” *Id.* On November 27, 2017, this Court agreed with Edwards and granted Edwards’ Motion to Reconfirm Existing Pretrial Deadlines, finding that, “to the extent that wholesale additional discovery will not be permitted but individual discovery requests may be allowed on a matter by matter basis only if the discovery requests are impacted by the Court’s ruling on motions currently pending to be heard” (D.E. 1086, e.s.)

The 79 new exhibits were a result of Edwards’ lack of diligence, not any ruling of this Court. Exhibit Lists were due on October 6, 2017. Epstein takes no issue with the timeliness of Edwards’ October 6, 2017, Revised Exhibit List (D.E. 1011), Edwards’ November 9, 2017, Amended Exhibit List (D.E. 1043), and Edwards’ November 16, 2017, Amended Exhibit List (D.E. 1067), which were filed *before* Epstein spent substantial time preparing a Motion in Limine to address those exhibits and the parties spent days arguing Epstein’s objections before the Court. The timing of Edwards’ December 7, 2017, Second Amended Exhibit List (D.E. 1109), after the Court finished hearing argument on Epstein’s objections, should not be allowed because the Exhibit List is untimely.

2. The Newly Identified Exhibits Must be Excluded Pursuant to Sections 90.401 and 90.403, Florida Statutes.

All of the newly identified exhibits on Edwards’ December 7, 2017, Second Amended Exhibit List (D.E. 1109) must be excluded because they are irrelevant by neither tending to prove or disprove any material fact in this malicious prosecution action. *See* § 90.401, Fla. Stat. To the

extent Edwards could argue that any of the exhibits are relevant, any alleged “probative value is substantially outweighed by the danger of unfair prejudice, confusion of issues, misleading the jury, or needless presentation of cumulative evidence.” § 90.403, Fla. Stat., *Dailey v. Multicon Dev., Inc.*, 417 So. 2d 1106, 1107 (Fla. 4th DCA 1982). “‘Unfair prejudice’ has been described as ‘an undue tendency to suggest decision on an improper basis, commonly, though not necessarily, an emotional one.’ This rule of exclusion ‘is directed at evidence which inflames the jury or appeals improperly to the jury’s emotions.’” *Wright v. State*, 19 So. 3d 277 (Fla. 2009); *Byrd v. BT Foods, Inc.*, 26 So. 2d 600 (Fla. 4th DCA 2009). *See also Canales v. Compania De Vapores Realma, S.A.*, 564 So. 2d 1212 (Fla. 3d DCA 1990) (holding any probative value of testimony about marriage proposal plaintiff purportedly made offering money to woman to marry him so that he could avoid deportation, on issue of plaintiffs credibility, was far outweighed by its prejudicial effect); *DeSantis v. Acevedo*, 528 So. 2d 461 (Fla. 3d DCA 1988) (finding probative value of the defendant’s cross-examination of the plaintiff and his main witness about prior unrelated incidents that insinuated that both the plaintiff and the witness had been dishonest was outweighed by prejudicial nature of questions).

Edwards’ inclusion of the newly identified exhibits on his Second Amended Exhibit List further demonstrates that Edwards intends to inject and focus on prejudicial and inflammatory allegations and evidence that have no bearing on the malicious prosecution Counterclaim. Epstein requests that this Court remain consistent in its rulings and sustain his objections to the additional exhibits. The newly disclosed exhibits have no bearing on any material issue in this lawsuit and only serve to mislead the jury from Edwards’ burden of proving Epstein lacked probable cause by moving the focus to matters relating to settled claims or concluded lawsuits.

3. Exhibits Relating to Prior Convictions and Criminal Matters Must Also Be Excluded.

Certain exhibits on Edwards' Second Amended Exhibit List (D.E. 1109) must also be excluded based on well-settled law that evidence of prior convictions, acquittals or arrests is irrelevant in a civil action and thus inadmissible. *Eggers v. Phillips Hardware Co.*, 88 So. 2d 507 (Fla. 1956); *Kelley v. Mutnich*, 481 So. 2d 999, 1001 (Fla. 4th DCA 1986). As such, Epstein's conviction, as well as any testimony or evidence of any other criminal investigation, is inadmissible. This includes, for example, documents relating to a 1997 Santa Monica Police Report (Ex. 194), Epstein's Guilty Plea (Ex. 207), the Palm Beach County State Attorney's file (Ex. 208), and other newly identified exhibits on Edwards' Second Amended Exhibit List that relate to the criminal investigation and proceedings.

At the December 7, 2017, hearing the Court deferred ruling on these type of documents:

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
14.	All probable cause affidavits related to criminal investigation of Jeffrey Epstein	3, 4, 7, 8, 10	<u>12/5/17 Tr. 152:14-153:13</u> Deferred. The Court recognizes that this exhibit is more specific and it is potentially critical to the analysis as it relates to the strength of the cases that are involved
29.	The Palm Beach State Attorney's Criminal file against Jeffrey Epstein	3, 4, 6, 7, 8, 10, 11, 13	<u>12/5/17 Tr. 168:17-175:1</u> Sustained in part and overruled in part. If Edwards had access to formulate his positions as to the legitimacy of his three clients' claims, this file may come into play. The individual pages are not subject to admission and would need to be discussed outside the presence of the jury.

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
30.	All documents related to Jeffrey Epstein's 6/30/08 conviction	3, 4, 7, 8, 12	<u>12/5/17 Tr. 175:2-179:25</u> Deferred. Because of the uncertainty, the Court defers ruling until further information is developed in order to make a cogent and knowledgeable decision
31.	Jeffrey Epstein's criminal plea colloquy	3, 4, 7, 8, 12	<u>12/5/17 Tr. 175:2-180:5</u> Deferred. Because of the uncertainty, the Court defers ruling until further information is developed in order to make a cogent and knowledgeable decision. If the exhibit does not have anything to do with Edwards' three clients, the Court is inclined to sustain the objection
44.	Probable Cause Affidavits prepared against Jeffrey Epstein and Sarah Kellen	3, 4, 7, 8, 10	<u>12/5/17 Tr. 195:19-196:2</u> Deferred. If the Affidavit was prepared against Epstein himself, then it is relevant, unless it relates to any issues of Mr. Edwards' knowledge and his diligence and the like relating to his preparation of the cases on behalf of his three clients.
64.	Jeffrey Epstein's Booking photograph	3, 4, 7, 8, Document says cannot rely on this for legal action	<u>12/5/17 Tr. 203:5-204:2</u> Deferred

Because none of these documents relate to Edwards' three clients, Epstein respectfully requests that the Court sustain his objections to these exhibits.

4. Other Exhibits Must be Excluded as Inadmissible Hearsay.

In addition to being irrelevant, all of the newly identified exhibits are inadmissible hearsay. “Hearsay is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted.” § 90.801(c), Fla. Stat. In fact, many of these documents contain double hearsay, so that even if Edwards could establish an exception for the first layer of hearsay, the documents still contain inadmissible hearsay. Many of these documents contain contents that are entirely based upon prior statements made by individuals and other extrinsic documents; all of which undeniably do not fall into an exception. *See Reichenberg v. Davis*, 846 So. 2d 1233 (Fla. 5th DCA 2003). “The problem here is that, in both reports, the authors simply related the substance of what the witnesses had told the authors. These witness’s statements, even though contained within the business records, do not fall within the exception, because they were not based upon the personal knowledge of an agent of the “business.” *Id.* at 1234; *see also Harris v. Game and Fresh Water Fish Com’n*, 495 So. 2d 806, 808 (Fla. 1st DCA 1986); *Van Zant v. State*, 372 So. 2d 502 (Fla. 1st DCA 1979). Accordingly, any hearsay documents, and any reference or testimony related thereto, must be excluded.

5. Certain Exhibits Should be Excluded as Inadmissible Opinion Testimony.

Other documents on Edwards’ Second Amended Exhibit List (D.E. 1109), identified by the number “6” in the objections column, irrefutably contain opinion statements about Epstein who is party to, and possible witness in, this case, rendering it improper opinion testimony about the credibility of a witness. *Alvarado v. State*, 521 So. 2d 180 (Fla. 3d DCA 1988). In *Childers v. State*, 936 So. 2d 585 (Fla. 1st DCA 2006), the court was faced with a similar issue, and in denying the admission of the information/documents, avowed:

admission of the notice would have been similar to admitting an opinion by the State concerning Junior’s character, truthfulness, and credibility. Such opinion

testimony regarding a witness' reputation for truthfulness is clearly inadmissible. *See Antone v. State*, 382 So.2d 1205, 1213-14 (Fla. 1980) (holding improper a question of a witness which sought "to elicit the individual and personal view of the witness."); *Hernandez v. State*, 575 So.2d, 1321, 1322 (Fla. 4th DCA 1991) (holding that it was reversible error to admit testimony of police officers and teacher that sexual abuse victim was truthful. "A witness invades the jury's exclusive province when that witness gives his or her personal views of the credibility of another witness."); *Alvarado v. State*, 521 So.2d 180, 181 (Fla. 3d DCA 1988) (holding that an opinion of a witness concerning his or her belief as to the truthfulness of another witness clearly inadmissible."); *Morrison v. State*, 818 So.2d 432, 451 (Fla. 2002) (holding that it was improper to allow personal opinion to establish reputation for truthfulness without laying a foundation based on knowledge of the witness' reputation in community for truthfulness); *Wyatt v. State*, 578 So.2d 811, 813 (Fla. 3d DCA 1991) (holding that section 90.405, Florida Statutes, does not permit opinion testimony regarding evidence of character); Ehrhardt, Florida Evidence § 405.2 at 258 ("Opinion testimony, concerning a person's character has traditionally been inadmissible on the basis that it is too unreliable; it will be tainted by the underlying prejudice and bias, of the person expressing the opinion on expressing the opinion.").

Id. at 595-96.

6. Exhibits Should be Excluded for Other Reasons as Well.

Other exhibits are overbroad and vague, so that they should also be excluded as identified by an "11" in the objection column.

7. The Deposition Transcripts and Witnesses Presented Through Deposition Testimony Should Not be Allowed

On his November 9, 2017, Seventh Amended Witness List (D.E. 1042), Edwards identified four nonparties whom he intends to call as witnesses through deposition testimony:

- 154. Mark Epstein
- 155. Adriana Ross (Adriana Mucinska)
- 156. Louella Rabuyo
- 157. Alfredo Rodriguez

(D.E. 1042) **Exhibit F.** Edwards has not filed deposition designations for these individuals or specified the transcripts on which he intends to rely. Furthermore, none of these witnesses'

depositions have been taken in *this* matter and, thus, Epstein's counsel has not had an opportunity to cross exam them on the issues presented in this case.

Furthermore, on his December 7, 2017, Second Amended Exhibit List, Edwards has identified transcripts for some of these witnesses and for other individuals:

106. Statements, deposition transcripts, videotaped depositions and transcripts taken in connection with this *and all related cases* and exhibits thereto
180. Ghislaine Maxwell deposition, 04/22/16
182. Mark Epstein deposition
198. Juan Alessi deposition (Vol. I) 9/08/09
199. Juan Alessi deposition (Vol. II) 09/08/09
202. Sentencing Transcript, Alfredo Rodriguez

(D.E. 1109) Exhibit D.

a. *Not Provided Testimony in this Action*

Edwards can only present depositions taken in this matter because no prior litigation involving Epstein pertained to the malicious prosecution's essential elements of probable cause and malice. It is error to allow the admission at trial of the other lawsuit's discovery depositions of nonparty witnesses as substantive evidence:

We hold that the admissibility of a discovery deposition of a nonparty witness as substantive evidence continues to be governed by rule 1.330(a)(3). We reach this conclusion for two reasons. First, rule 1.330(a)(3) has not been amended and continues to require certain prerequisites before the deposition of a nonparty is admissible at trial. Second, section 90.803(22) [former testimony] requires that "the party against whom the testimony is now offered ... had an opportunity *and similar motive* to develop the testimony by direct, cross, or redirect examination." (Emphasis added.) **An attorney taking a discovery deposition does not approach the examination of a witness with the same motive as one taking a deposition for the purpose of presenting testimony at trial.**

... it was error to allow the presentation of a deposition of a nonparty witness as substantive evidence

Friedman v. Friedman, 764 So. 2d 754, 755 (Fla. 2d DCA 2000) (emphasis added).

None of the individuals identified on Edwards' Seventh Amended Witness List (Nos. 154-157) or identified through transcripts on Edwards' Second Amended Exhibit List (Nos. 180, 182, 198, 199, 202) have provided deposition testimony in *this case* and it is improper to allow their depositions to be used at the trial in this matter.

- Mark Epstein is Epstein's brother and resides in New York. His deposition has not been taken in this case. Edwards has identified on his Exhibit List the September 21, 2009, transcript of Mark Epstein's deposition taken in the matter of *Jane Doe v. Jeffrey Epstein*, U.S. District Court, Southern District of Florida Case No. 08-80893 (Ex. 182). Edwards represented "Jane Doe" in that action and conducted the deposition, however, he did not ask any specific questions about his three clients. Furthermore, Mark Epstein testified that he never visited Epstein during the alleged periods of time in Edwards' clients' Complaints. Also, while Epstein's counsel was present at this deposition, he did not have the opportunity to question the witness about the motives and issues in *this* malicious prosecution action.
- Adriana Ross (Adriana Mucinska) is an alleged former assistant of Epstein who resides in Miami Beach, Florida. Her deposition was not taken in this matter and Edwards has not identified or produced a transcript on which he intends to rely.
- Louella Rabuyo is alleged to be Epstein's former housekeeper and resides in Palm Beach County. Her deposition has not been taken in this matter and Edwards has not identified or produced a transcript on which he intends to rely.
- Alfredo Rodriguez is alleged to be Epstein's former houseman who was incarcerated, but is now deceased. His deposition was not taken in this matter and Edwards has not identified or produced a deposition transcript on which he intends to rely.
- Ghislaine Maxwell is alleged to be Epstein's former girlfriend and assistant. Her deposition has not been taken in this matter. Edwards has identified on his Exhibit List the transcript of Ms. Maxwell's **confidential** deposition taken in the matter of *Virginia L. Giuffre v. Ghislaine Maxwell*, U.S. District Court Southern District of New York, Case No. 15-cv-07433 (Ex. 180). Epstein was not even a party to that action and, thus, his counsel did not attend or question the witness. It is further unclear if Edwards has obtained the permission from the parties in that matter to disclose confidential testimony in this action.

- Juan Alessi is alleged to be Epstein's former houseman who resides in West Palm Beach. His deposition has not been taken in this case. Edwards has identified on his Exhibit List the transcript of Mr. Alessi's September 8, 2009, deposition taken in the matter of *Jane Doe No. 2 v. Jeffrey Epstein*, U.S. District Court, Southern District of Florida, Case No. 08-CV-80119 (Exs. 198, 199). Edwards was not counsel of record in that matter, and the transcript produced does not reflect that he was even at the deposition or that the questions relate to his clients.

This deposition testimony is obviously intended to do little more than unfairly inflame and prejudice the jury with irrelevant information from Epstein's criminal case and prior civil cases which have settled or are concluded.

Moreover, the above-mentioned witnesses do not have personal knowledge of this matter as required by section 90.604, Florida Statutes, which states in pertinent part, that "a witness may not testify to a matter unless evidence is introduced which is sufficient to support a finding that the witness has personal knowledge of the matter." § 90.604, Fla. Stat. (2017). Likewise, the collateral matter rule states that litigation of purely collateral matters for the sole purpose of impeaching a party or witness is improper. *Dempsey v. Shell Oil Co.*, 589 So. 2d 373, 377 (Fla. 4th DCA 1991). A matter is considered collateral if it is not material and would not be admitted for any purpose other than the contradiction. *Id.* Thus, unless these witnesses have knowledge and can speak to what Epstein believed when he filed suit against Edwards, their testimony would be irrelevant and collateral and their deposition testimony should not be allowed.

Florida Rule of Civil Procedure 1.330 provides:

(a) **Use of Depositions.** At the trial or upon the hearing of a motion or an interlocutory proceeding, any part or all of a deposition may be used against any party who was present or represented at the taking of the deposition or who had reasonable notice of it so far as admissible under the rules of evidence applied as though the witness were then present and testifying in accordance with any of the following provisions:

(3) The deposition of a witness, whether or not a party, may be used by any party for any purpose if the court finds: (A) that the witness is dead; (B) that the witness is at a greater distance than 100 miles from the place of trial or hearing, or is out of the state, unless it appears that the absence of the witness was procured by the party offering the deposition; (C) that the witness is unable to attend or testify because of age, illness, infirmity, or imprisonment; (D) that the party offering the deposition has been unable to procure the attendance of the witness by subpoena; (E) upon application and notice, that such exceptional circumstances exist as to make it desirable, in the interest of justice and with due regard to the importance of presenting the testimony of witnesses orally in open court, to allow the deposition to be used; or (F) the witness is an expert or skilled witness.

(b) Objections to Admissibility. Subject to the provisions of rule 1.300(b) and subdivision (d)(3) of this rule, objection may be made at the trial or hearing to receiving in evidence any deposition or part of it for any reason that would require the exclusion of the evidence if the witness were then present and testifying.

While deposition testimony from a different proceeding may be admissible if the party to whom it is offered was provided with an opportunity to examine the deponent, because Epstein did not have the opportunity to develop the testimony based on the issues in *this* litigation (Edwards' malicious prosecution Counterclaim), it would be error to allow the deposition testimony relating to issues not relevant in this litigation.

Accordingly, Epstein seeks to exclude Edwards' use of deposition testimony from Mark Epstein, Adriana Ross (Adriana Mucinska), Louella Rabuyo, Alfredo Rodriguez, Ghislaine Maxwell, Juan Alessi, and any other witness whose testimony was taken in other cases because such testimony is irrelevant, misleading, confusing, and prejudicial, and the witnesses lack any knowledge regarding the issue at hand in this matter.

CONCLUSION

For the reasons stated above, and in reliance upon the applicable law cited herein, Epstein respectfully requests that this Court enter an Order *in Limine* precluding Edwards, his counsel, and his witnesses from making any argument, statement, evidence or comment, as well as precluding from use at trial, the exhibits listed above and deposition testimony from other matters.

CERTIFICATE OF SERVICE

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

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*Trial Counsel for Plaintiff/Counter-Defendant
Jeffrey Epstein*

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EXHIBIT A

NOT A CERTIFIED COPY

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,

COUNTER-PLAINTIFF'S, BRADLEY J. EDWARDS,
AMENDED EXHIBIT LIST

COMES NOW the Counter-Plaintiff, BRADLEY J. EDWARDS, and hereby files his Amended Exhibit List as follows:

INDEX TO OBJECTIONS

O. No objection	5. Privileged
1. All objections	6. Opinion
2. All objections, except authenticity	7. Hearsay
3. Irrelevant or immaterial	8. Authenticity lacking
4. Probative value substantially outweighed by danger of unfair prejudice, confusion of issues, misleading the jury, or needless presentation of cumulative evidence	9. Other (please identify basis of objection)

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
1.	All applicable criminal statutes.			
2.	All applicable Florida Statutes.			
3.	Photos and information of Jeffrey Epstein's homes, airplanes and automobiles.			
4.	Order confirmation from <u>Amazon.com</u> for purchase of books SM 101: A Realistic Introduction," "Slave Craft: Roadmap for Erotic Servitude-Principles, Skills and Tools" and "Training Miss Abernathy: A Workbook for Erotic Slaves and Their Owners".			
5.	Non-Prosecution Agreement.			
6.	Jane Doe 102 Complaint.			
7.	Messages taken from message pads found at Epstein's home.			
8.	Documents related to Jeffrey Epstein produced by Alfredo Rodriguez.			
9.	Jeffrey Epstein's flight logs.			
10.	Jeffrey Epstein's phone records.			
11.	Sarah Kellen's phone records.			
12.	Jail Visitation Logs.			
13.	Jeffrey Epstein's probation file.			
14.	All probable cause affidavits related to criminal investigation of Jeffrey Epstein.			
15.	Victims' statements to the FBI related to criminal investigation of Jeffrey Epstein.			
16.	Video of Search Warrant of Jeffrey Epstein's home being executed.			
17.	Application for Search Warrant of Jeffrey Epstein's home.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
18.	Complaint Jane Doe v. Epstein and all subsequent Amended Complaints.			
19.	All records of homes, properties, bank accounts and any/ all records related to Jeffrey Epstein's assets.			
20.	Jeffrey Epstein's passport (or copy).			
21.	Jeffrey Epstein's driver's license (or copy).			
22.	List of corporations owned by Jeffrey Epstein.			
23.	Yearbooks of Jane Doe.			
24.	2002 Royal Palm Beach High School Year Book.			
25.	2001 Royal Palm Beach High School Year Book.			
26.	2003 Palm Beach Gardens High School Year Book.			
27.	Affidavit and Application for Search Warrant on Jeffrey Epstein's home.			
28.	Notepads found in Jeffrey Epstein's home and/or during trash pulls outside of his home during criminal investigation.			
29.	The Palm Beach State Attorney's Criminal file against Jeffrey Epstein.			
30.	All documents related to Jeffrey Epstein's 6/30/08 conviction.			
31.	Jeffrey Epstein's criminal plea colloquy.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
32.	List of properties and vehicles in Larry Visoski's name.			
33.	All of Jeffrey Epstein's Responses to Requests for Production, Requests for Admission, Answers to Interrogatories in this matter, and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092.			
34.	All discovery related responses of Jeffrey Epstein in this matter and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092.			
35.	Jeffrey Epstein's Answers and Affirmative Defenses in all civil cases against him.			
36.	All Complaints in which Jeffrey Epstein is/was a defendant.			
37.	Jeffrey Epstein's Deposition testimony and discovery responses in this case and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092.			
38.	Jeffrey Epstein's Deposition testimony and discovery responses in State Court cases LM v. Jeffrey Epstein, Case No. 502008CA028051XXXXIMB AB and E.W. v. Jeffrey Epstein, Case No. 502008CP003626XXXXMB.			
39.	Jeffrey Epstein Deposition Testimony and discovery responses in State Court case Jeffrey Epstein v. Scott Rothstein, et al. Case No 502009CA040800XXXXMBAG.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

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Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
40.	Any and all newspaper articles, online articles or publications related to Jeffrey Epstein.			
41.	Report and Analysis of Jeffrey Epstein's assets.			
42.	Video footage (DVD) of walk through site inspection of Jeffrey Epstein's home..			
43.	Photos of all of Jeffrey Epstein's properties, cars, boats and planes.			
44.	Probable Cause Affidavits prepared against Jeffrey Epstein and Sarah Kellen.			
45.	Documents related to or evidencing Jeffrey Epstein's donations to law enforcement.			
46.	Victim Notification Letter from US Attorney's Office to Victim.			
47.	Expert Dr. L. Dennison Reed's Report of Victim.			
48.	Palm Beach Police Department Incident Report dated 4/20/06.			
49.	All reports and documentation generated by Palm Beach Police Department related to Jeffrey Epstein.			
50.	All Witness Statements generated by Palm Beach Police Department relating to Jeffrey Epstein.			
51.	Passenger Manifests of Jeffrey Epstein's aircraft and private plane flight logs.			
52.	Passenger lists for flights taken by Jeffrey Epstein.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

**Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.
Case No. 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List**

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
53.	Letter from Jeffrey Epstein to Alberto Pinto regarding house island project.			
54.	Jeffrey Epstein's bank statements.			
55.	Jeffrey Epstein's tax returns.			
56.	MC2 emails involving communications of Jeffrey Epstein, Jeff Fuller, Maritza Vasquez, Pappas Suat, Jean Luc Brunel and Amanda Grant.			
57.	DVD of plea and colloquy taken on 6-30-08.			
58.	Transcript of plea and colloquy taken on 6-30-08.			
59.	Massage Table.			
60.	No Contact Orders entered against Jeffrey Epstein.			
61.	Criminal Score Sheet regarding Jeffrey Epstein.			
62.	Documents evidencing Jeffrey Epstein's Community Control and Probation.			
63.	Jeffrey Epstein's Sex Offender Registrations (from various states).			
64.	Jeffrey Epstein's Booking photograph.			
65.	CAD calls to 358 EL BRILLO WAY, PALM BEACH FL 33480.			
66.	List of Jeffrey Epstein's House contacts.			
67.	Documents related to Jeffrey Epstein's investments.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

**Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.
Case No. 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List**

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
68.	Letter from Chief Michael Reiter to Barry Krischler.			
69.	List of planes owned by Jeffrey Epstein.			
70.	Letter from Guy Fronstin to Assistant State Attorney dated 1-11-06.			
71.	Letter from Guy Fronstin to Assistant State Attorney dated 1-13-06.			
72.	Letter from Guy Fronstin to Assistant State Attorney dated 2-17-06.			
73.	Letter from Guy Fronstin to Assistant State Attorney dated 4-6-06.			
74.	Letter from Guy Fronstin to Assistant State Attorney dated 4-10-06.			
75.	Letter from Goldberger dated 6-22-06.			
76.	All subpoenas issued to State Grand Jury.			
77.	Documents related to the rental of a vehicle for Vanessa Zalis.			
78.	Ted's Sheds Documents.			
79.	Documents related to property searches of Jeffrey Epstein's properties.			
80.	Arrest Warrant of Sarah Kellen.			
81.	Police report regarding Alexandra Hall picking up money dated 11-28-04.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

**Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.
Case No. 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List**

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
82.	List of Trilateral Commission Members of 2003.			
83.	Alan Dershowitz Letter dated 4-19-06 and Statute 90.410.			
84.	Guy Fronstin letter dated 4-17-06.			
85.	Jeffrey Epstein Account Information.			
86.	Jeffrey Epstein Criminal Closeout Sheet.			
87.	JEGE, Inc. Passenger Manifest.			
88.	Hyperion Air Passenger Manifest.			
89.	Flight information for Dana Burns.			
90.	Passenger List Palm Beach flights 2005.			
91.	Jeffrey Epstein notepad notes.maria.			
92.	Pleadings of Jane Doe 1 and 2 v. US case.			
93.	Jeffrey Epstein 5 th Amendment Speech.			
94.	Reiter letter to Krisher dated 5-1-06.			
95.	Alexandra Hall Police Report dated 11-28-04.			
96.	Victim's school records and transcripts.			
97.	Victim Notification letter dated 7-9-08.			
98.	Police report of Juan Alessi theft at Jeffrey Epstein's home.			
99.	Victim's Medical Records from Dr. Randee Speciale.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
100.	All surveillance conducted by law enforcement on Jeffrey Epstein's home.			
101.	Emails received from Palm Beach Records related to Jeffrey Epstein.			
102.	All items listed on the Palm Beach Police Property Report Lists.			
103.	All copies of convictions related to Jeffrey Epstein.			
104.	Jeffrey Epstein criminal records.			
105.	All documents produced by Palm Beach Police Department prior to the deposition of Detective Recarey.			
106.	Statements, deposition transcripts, videotaped depositions and transcripts taken in connection with this and all related cases and exhibits thereto.			
107.	Any and all expert witness reports and/or records generated in preparation for this litigation by any party to this cause.			
108.	Demonstrative aids and exhibits including, but not limited to, charts, diagrams and models, surveys, photographs and similar material including blow-ups of the listed items/exhibits.			
109.	Edwards' reserves all objections to Epstein's Exhibits.			
110.	Edwards reserves the right to supplement and/or amend his Exhibit List.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
111.	By listing an Exhibit, Edwards is not waiving his right to object to same at trial and does not waive their right to amend same.			
112.	All exhibits listed by Epstein subject to Edwards' objections.			
113.	All pleadings and attachments in the action under the Crime Victims Rights Act prosecuted by Bradley Edwards on behalf of victims of Epstein's criminal molestations.			
114.	Edwards' Motions for Summary Judgment, all attachments thereto and all Undisputed Facts.			
115.	All time records and hourly billing documentation produced in discovery.			
116.	All deposition testimony and discovery responses by Epstein submitted in this action.			
117.	All pleadings filed by Epstein in the Rothstein bankruptcy proceeding.			
118.	All submissions by Epstein in connection with the Rothstein deposition.			
119.	All Settlement Agreements between Epstein and victims of his sexual molestations.			
120.	Phone Journal taken from Epstein's home and produced to the FBI by Alfredo Rodriguez.			
121.	Photo depicting Virginia Roberts, Ghislaine Maxwell and Prince Andrew.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
122.	All flight logs for any Epstein owned or controlled aircraft			
123.	All emails produced by Defendant and/or all emails produced by Plaintiff in this case.			
124.	Evidence of contributions to the Palm Beach Police Dept.			
125.	Dr. Bernard J. Jansen Expert Report, Attachments and Back-up Documents, October 20, 2017.			
126.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Complaint, December 7, 2009.			
127.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M, Fourth Amended Counterclaim, January 9, 2013.			
128.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M, Plaintiff/Counter-Defendant Jeffrey Epstein's Answer and Affirmative Defenses to Defendant/Counter-Plaintiff Bradley Edwards's Fourth Amended Counterclaim, February 21, 2013.			
129.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M, Notice of Voluntary Dismissal, August 16, 2012.			
130.	Brad Edward's Times Records and Billing Records related to this matter.			
131.	Jeffrey Epstein's NY State Online Sex Offender Registry Profile.			
132.	New York Post article: Billionaire Jeffrey Epstein: I'm a sex offender, not a predator, February 25, 2011			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Amended Exhibit List

Counter-Plaintiff

No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
133.	Any and all responses to Subpoenas Duces Tecum with or without deposition.			
134.	All Interrogatories and Answers thereto, Requests to Produce and Responses, Requests for Admissions and Responses thereto.			
135.	Any and all documents produced in this action.			
136.	Any and all depositions taken in this action.			
137.	Any documents or other exhibit attached to or used during any deposition in this action.			
138.	Any and all exhibits, documents, etc. referred to in any deposition.			
139.	Any and all documents and exhibits designated by all parties to this action.			
140.	Any and all exhibits needed for impeachment or rebuttal.			
141.	Any and all pleadings filed in this action.			
142.	Any and all records produced or that will be produced by all records custodians relative to this action.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-Serve
to all Counsel on the attached list, this 9th day of November, 2017.



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Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

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Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Amended Exhibit List

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Attorneys for Scott Rothstein

EXHIBIT B

NOT A CERTIFIED COPY

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

Case No. 502009CA040800XXXXMB

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually,
BRADLEY EDWARDS, individually,

Defendants/Counter-Plaintiffs.

1

TRANSCRIPT OF PROCEEDINGS

DATE TAKEN: Wednesday, November 29th, 2017

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

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

BEFORE: Donald Hafele, Presiding Judge

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

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

1 the flaw in the argument is what I perceive
 2 to be a lack of recognition of, not only
 3 Mr. Epstein's rationale for filing his suit,
 4 but the focus, or lack thereof, on
 5 Mr. Edwards' responsibility and burden -- a
 6 strict one and a strong one according to
 7 onerous -- used by one of the cases in being
 8 able to prove probable cause here.

9 And Mr. Scarola has used in his
 10 briefing this building-block approach. And
 11 I think the same type of analogy or picture
 12 can be utilized here when speaking about the
 13 motive. What was the probable cause in
 14 actuality from the counter-plaintiff
 15 Edwards' standpoint for Epstein doing what
 16 he did?

17 As I indicated before, but didn't use
 18 the analogy, what you and Mr. Link provided
 19 to the Court provides, not only building
 20 blocks for potentially Mr. Epstein's
 21 probable cause, but likewise provides
 22 building blocks for Mr. Edwards' proving
 23 that he did not have probable cause.

24 And as far as the Court is concerned,
 25 if the guilty plea came after he filed suit,

1 then there might be some reasonable argument
 2 to separate it out and say, Judge, he hadn't
 3 even filed suit -- the suit was filed
 4 -- strike that.

5 He hadn't pled guilty. The guilty plea
 6 came three years after he filed this suit
 7 for malicious prosecution, then it would
 8 probably be a relevancy argument that may or
 9 may not win the day.

10 But when looking at it from a building
 11 block type of analysis, as I have in the
 12 most simplest terms, in looking at it from
 13 both sides, which I am incumbent to do, as
 14 Mr. Scarola alluded to, this is but one item
 15 that could be argued to have fueled
 16 Mr. Epstein to have filed this lawsuit, thus
 17 making it relevant.

18 Now, the fluidity issue that I spoke
 19 about is, I'm willing to look at it, again,
 20 if there's a case on point that specifically
 21 says otherwise. But for purposes of this
 22 particular matter, the Court would find
 23 absent the production of a case that would
 24 say otherwise, that Mr. Epstein's guilty
 25 pleas -- I understand it's combined, so I'm

1 not suggesting there were more than one
 2 combined plea -- would be relevant, that it
 3 would be relevant to the issue of probable
 4 cause, and it would be relevant,
 5 potentially, to the issue of malice.

6 And that, again -- with the Court
 7 looking at it from both sides and analyzing
 8 it from both sides, it could be used by
 9 Mr. Epstein. It could be used by
 10 Mr. Edwards. But it provides at least some
 11 relevancy, defined again as proving or
 12 tending to prove or disprove a material
 13 fact. The material fact is the element of
 14 probable cause and perhaps malice.

15 So again, I am going to rule that they
 16 would be admissible.

17 Next issue, please.

18 But again, we are going to completely
 19 and entirely stay away from any type of
 20 pejorative comments. I understand that
 21 sometimes things are said in the heat of
 22 deposition that would never be repeated at
 23 trial. Again, I'm certainly ordering that
 24 that not take place.

25 All right. We want to go back to some

1 of these -- in the time that we have left,
 2 let's go back to some of these exhibits and
 3 see if we can work through them.

4 MS. ROCKENBACH: Thank you, Your Honor.
 5 We had identified and have highlighted,
 6 starting with number three, photographs and
 7 information of Mr. Epstein's homes, planes
 8 automobiles. I'm not sure what relevance
 9 that would have as to why he filed a
 10 malicious prosecution action.

11 THE COURT: Let's take them one at a
 12 time.

13 Mr. Scarola, what's your position?

14 MR. SCAROLA: His homes and his
 15 automobiles are evidence with respect to his
 16 pecuniary circumstances, obviously a
 17 relevant matter when we are talking about a
 18 punitive damage claim.

19 THE COURT: Typically, though, net
 20 worth is what is considered, not
 21 necessarily -- unless it's impeachment,
 22 i.e., you'll have a picture of a home that
 23 he owns in the US Virgin Islands -- I think
 24 that he has some connection with one of
 25 those islands. And I'm not trying to

1 suggest anything as far as anything
 2 inappropriate. But I can conceive of this
 3 situation that if Mr. Epstein testifies that
 4 his net worth is X, comprised of A, B and C
 5 in large part, but you find an asset that he
 6 has not taken into account that's worth
 7 twice as much of his claimed net worth --

8 MR. SCAROLA: I know he has a minimum
 9 net worth of --

10 I don't mean to interrupt, Your Honor,
 11 but Mr. Epstein refuses to provide any
 12 evidence with regard to his net worth, so we
 13 are obliged to offer circumstantial evidence
 14 of his net worth, unless and until those
 15 objections based on Fifth Amendment grounds
 16 are overruled on the basis that they are
 17 non-testimonial.

18 THE COURT: I think that's a subject
 19 for another motion.

20 MS. ROCKENBACH: It is, Your Honor.

21 MR. SCAROLA: It is. But Your Honor
 22 should not be deciding this issue on the
 23 basis of the premise that we are going to
 24 get evidence from Mr. Epstein as to what
 25 Mr. Epstein's net worth is.

1 discussed, referenced, admitted. I think
 2 it's also a receipt from Amazon for the
 3 book, by the way. It's an order
 4 confirmation. If my memory serves correct,
 5 it's a receipt for the purchase of a book.
 6 It has nothing to do with malicious
 7 prosecution.

8 THE COURT: Mr. Scarola.

9 MR. SCAROLA: In fact, it does. I
 10 might explain to Your Honor that many of the
 11 items that are on this list that are being
 12 challenged, a vast majority of them, were
 13 part of an appendix to the motion for
 14 summary judgment that was not defended
 15 against by Mr. Epstein.

16 THE COURT: Let me ask you this. Was
 17 this particular exhibit located prior to the
 18 suit being filed by Mr. Epstein?

19 MR. SCAROLA: Yes, sir.

20 MS. ROCKENBACH: It's the receipt
 21 located by whom?

22 THE COURT: By anybody. For the
 23 purposes of this case.

24 MR. SCAROLA: These are items --

25 THE COURT: In other words, was it

1 THE COURT: Agreed.

2 MR. SCAROLA: All he has told us is
 3 he's willing to stipulate to a net worth in
 4 excess of \$100 million. Well, it makes a
 5 difference as to whether it's 100 million,
 6 200 million or a thousand million, that is,
 7 a billion dollars, or \$2 billion.

8 So even if we're left with a Fifth
 9 Amendment assertion, we are back to the same
 10 issue that was raised by the defense, and
 11 that is, there needs to be some evidence
 12 independent of the Fifth Amendment assertion
 13 that would allow the inference to be --

14 THE COURT: I'm going to cut you off.
 15 I'm going to defer on number three.

16 Number four is the Amazon receipt for
 17 the "SM 101: A Realistic Introduction,
 18 Slave Craft: Roadmap for Erotic
 19 Servitude-Principles, Skills and Tools" and
 20 "Training Miss Abernathy: A Workbook for
 21 Erotic Slaves and Their Owners."

22 MR. SCAROLA: I never read it.

23 Your Honor, if I might --

24 MS. ROCKENBACH: It has no relevance,
 25 Your Honor. Prejudicial. Should not be

1 discovered in a lawsuit that was filed prior
 2 to Mr. Epstein filing this suit?

3 MR. SCAROLA: No, sir. It was
 4 discovered when a search warrant was
 5 executed by law enforcement shortly after
 6 the criminal allegations were made against
 7 Mr. Epstein before any of the civil lawsuits
 8 were filed.

9 So law enforcement gets probable cause
 10 to execute a search warrant on Mr. Epstein's
 11 home. And one of the things that is
 12 found -- or many of the things that are
 13 described here are found during the course
 14 of the execution of that search warrant and
 15 formed probable cause for the criminal
 16 charges against Mr. Epstein.

17 Even more significantly, they formed
 18 the basis for the civil lawsuits that were
 19 filed on behalf of L.M., E.W. and Jane Doe,
 20 that is, this is all evidence taken into
 21 account in substantiating the validity of
 22 the claims of these three particular victims
 23 of Mr. Epstein.

24 And all of these things are delineated
 25 in the motion for summary judgment that

1 Mr. Epstein does not defend against and
2 voluntarily dismisses his case on the eve of
3 the hearing.

4 Your Honor is well aware of
5 procedurally he would have been obliged well
6 in advance of the hearing to file his
7 opposition to the motion for summary
8 judgment. He doesn't do that.

9 Why is that significant in the context
10 of this case? Because, as we have heard
11 from the defense, they are going to
12 challenge whether there is a bona fide
13 termination of the claim against Mr. Edwards
14 in favor of Mr. Edwards. Was the abuse of
15 process claim terminated under such
16 circumstances as to indicate a bona fide
17 termination?

18 How do we make that decision? Well,
19 the only way to make that decision is to
20 talk about the motion for summary judgment,
21 what supported the motion for summary
22 judgment, and the fact that the motion for
23 summary judgment was not opposed. A
24 voluntary dismissal was taken, and the
25 statute of limitations permitted to expire

1 without ever refiling those claims.

2 So as long as bona fide termination
3 remains an issue, the motion for summary
4 judgment is clearly relevant and material.
5 And this is all part of the motion for
6 summary judgment.

7 Many of these things, in addition to
8 that, forms the basis for the explanation of
9 Mr. Edwards' conduct when he was a member of
10 RRA, and demonstrate that he wasn't abusing
11 the process in any respect at all while he
12 was prosecuting these claims. He was
13 pursuing very relevant and material avenues
14 of discovery reasonably calculated to lead
15 to admissible evidence.

16 So that's my full response to this.

17 THE COURT: The objection is sustained
18 on two grounds: on relevancy and also 403
19 analysis.

20 I will entertain the introduction
21 outside the presence of the jury, if it
22 becomes necessary.

23 The other concern I have is that, at
24 best, it appears to sound like it may be
25 impeachment on a collateral matter,

1 collateral to the summary judgment -- the
2 summary judgment motion was made and then
3 not challenged. For those reasons, I'm
4 going to sustain the objection at this time,
5 again, subject to context for being able to
6 readdress it, if necessary.

7 MR. SCAROLA: Number four is sustained?

8 THE COURT: Yes, sir, for the reasons
9 stated in the record.

10 MR. SCAROLA: Understood.

11 THE COURT: The NPA, I have already
12 indicated that the inclination would be --
13 if properly predicated -- would be allowed.
14 The Jane Doe, one of two complainants -- I
15 don't see any -- what would be the grounds
16 for objecting to that?

17 MS. ROCKENBACH: I'm not sure what the
18 relevance is. I'm not the proponent of the
19 evidence, but I don't see what relevance
20 there would be of Jane Doe's complaint.

21 The relevance in this malicious
22 prosecution action might be the allegations
23 of this complaint, this action. But when we
24 start bringing in other complaints as
25 exhibits for a jury to read, I think that

1 goes far afield from --

2 THE COURT: This is the same Jane Doe
3 or a different Jane Doe?

4 MR. SCAROLA: Same Jane Doe.

5 THE COURT: Overruled.

6 Next issue.

7 MR. SCAROLA: Excuse me, Your Honor.
8 There are two Jane Does. This is Jane Doe
9 102.

10 Jane Doe 102 was a Bob Josefsberg
11 client.

12 And just so I orient Your Honor with
13 regard to this matter, under the terms of
14 the non-prosecution agreement, the federal
15 court appointed Bob Josefsberg as counsel on
16 behalf of all unrepresented victims to
17 protect the interest of unrepresented
18 victims turn the terms of the
19 non-prosecution agreement.

20 One of those multiple victims being
21 represented by Mr. Josefsberg was an
22 individual identified as Jane Doe 102. She
23 has since been publicly identified as
24 Virginia Roberts/Virginia Giuffre.

25 And the specific allegations in this

1 complaint include the transport of Jane Doe
 2 Number 2 on Mr. Epstein's private jets to
 3 various homes owned by Mr. Epstein in
 4 various locations inside and outside the
 5 United States.

6 THE COURT: She's expected to be a
 7 witness?

8 MR. SCAROLA: Yes, sir.

9 THE COURT: Live witness?

10 MR. SCAROLA: Live.

11 THE COURT: At this point I'm going to
 12 find that, if, in fact, she is a witness,
 13 that it would be cumulative, and hence I am
 14 going to sustain the objection on those
 15 grounds.

16 MR. SCAROLA: May I just finish my
 17 argument as to why this complaint was of
 18 significance? Because she does -- she does
 19 allege in the complaint that she was
 20 molested onboard the airplane, and that she
 21 was prostituted out to third parties onboard
 22 the airplane, which provided the basis for
 23 Mr. Edwards seeking airplane logs and the
 24 testimony of pilots and the testimony of
 25 others identified in the flight logs as

1 being present on the plane.

2 THE COURT: That's fine. I don't have
 3 a problem with Mr. Edwards testifying. If
 4 it becomes an issue in terms of credibility
 5 or whatever it might be, then I will take
 6 another look at it. But on the basis of the
 7 arguments that I have heard, the objection
 8 is sustained for the reasons that I
 9 provided.

10 MR. SCAROLA: Understood. Thank you,
 11 sir.

12 MS. ROCKENBACH: Your Honor, before we
 13 leave, based on Your Honor's ruling, I would
 14 make an ore tenus motion for leave to depose
 15 Virginia Roberts, because now it has become
 16 clear that she is going to be testifying,
 17 based on Mr. Scarola's statement and Your
 18 Honor's ruling.

19 THE COURT: Wasn't she scheduled to
 20 come to court from Australia? Wasn't that
 21 the lady?

22 MR. SCAROLA: That's where she's
 23 living. She was scheduled to come to court.
 24 She was available to be deposed previously.
 25 They chose not to take her deposition. She

1 has been listed as a witness for years in
 2 this matter.

3 THE COURT: You'll have to do a written
 4 motion. But I want to be consistent with
 5 what I said recently, and that is that it's
 6 not -- the continuance is not -- and I
 7 emphasize not -- designed to be a wholesale
 8 reopening of discovery; that the Court would
 9 take that up on an issue-by-issue basis,
 10 but, without pre-deciding anything, unless
 11 it can be demonstrated to the Court that
 12 there was unavailability, that there was a
 13 late filing, that there was some type of
 14 inability of a witness to testify, something
 15 along those lines.

16 These witnesses have been listed for a
 17 lengthy period of time. Again, this was not
 18 the purpose of the motion that was filed and
 19 it was not the import of the order of the
 20 Court.

21 Let's talk about number seven.

22 MS. ROCKENBACH: Messages taken from
 23 message pads found at Mr. Epstein's home.

24 THE COURT: What do the messages say?

25 MR. SCAROLA: They relate to arranging

1 sexual massages with minors. I can't tell
 2 you from memory -- but Mr. Edwards may be
 3 able to -- whether there are specific
 4 references to our three clients.

5 THE COURT: Not to be overly technical
 6 or hypertechnical here, is Mr. Edwards
 7 serving as co-counsel?

8 MR. SCAROLA: Yes, Your Honor. I think
 9 I've told Your Honor before, we don't
 10 anticipate him taking an active role in the
 11 trial, but he remains as co-counsel of
 12 record in this case.

13 THE COURT: Fair enough.

14 Mr. Edwards, would you like to comment
 15 on that?

16 MR. EDWARDS: Sure, Your Honor. The
 17 message pads include the names of many of
 18 the underaged females that visited and set
 19 up appointments at Mr. Epstein's home,
 20 including L.M., E.W. and Jane Doe.

21 THE COURT: Have they been
 22 authenticated by Mr. Epstein? Or did he
 23 take the Fifth on that?

24 MR. EDWARDS: He has taken the Fifth on
 25 questions related to that. They have been

1 authenticated in other depositions by
 2 Detective Vicari, although those were taken
 3 in other cases. But he's an available
 4 witness who could testify as to the chain of
 5 custody, where he found the message -- where
 6 he found the messages and how he gathered
 7 them during the search warrant.

8 THE COURT: The relevancy, Mr. Scarola?
 9 MR. SCAROLA: They clearly relate to
 10 the validity of the claims on behalf of
 11 these three victims of Mr. Epstein. They
 12 corroborate that these young women were
 13 there at his home on many occasions, and
 14 along with a large number of other underaged
 15 females who were being routinely molested by
 16 Mr. Epstein.

17 MS. ROCKENBACH: Your Honor, may I
 18 reply? This is inflammatory. These message
 19 pads may be relevant had Mr. Edwards not
 20 settled the three lawsuits in which he
 21 represented those three women. But they are
 22 not relevant in the malicious prosecution
 23 case whether my client had probable cause to
 24 file this action or not. Or malice.

25 We are definitely getting far afield in

1 evidence that would prove that he was a
 2 serial child molester, that there were
 3 dozens and dozens of victims of his
 4 molestations, which were occurring multiple
 5 times a day, day after day after day.

6 And the only way he could foresee at
 7 this point in escaping the criminal exposure
 8 that was clearly going to result in
 9 convictions, because of this mountain of
 10 evidence available, was to scare off the one
 11 person who was challenging that
 12 non-prosecution agreement through the Crime
 13 Victims' Rights Act case.

14 THE COURT: I'm going to defer on
 15 ruling on this. But it is not to be
 16 mentioned during opening statements. And it
 17 is going to be determined by the Court in
 18 the context in which I believe it would be
 19 necessary.

20 And I'm concerned about first -- as I
 21 mentioned earlier on in another exhibit --
 22 that this is collateral. That it would
 23 constitute impeachment on a collateral
 24 matter.

25 Again, I don't want to get back into

174 terms of the exhibits. And it looks like --
 2 and I understand why Mr. Edwards would want
 3 to try exhibits that were relevant to his
 4 clients' action because the exhibits that
 5 should be relevant in the malicious
 6 prosecution case are the facts and
 7 circumstance, or the lack of facts and
 8 circumstances on which my client relied in
 9 filing this lawsuit -- the civil action --
 10 the civil proceeding.

11 Message pads regarding these
 12 appointments are absolutely 90.403
 13 prejudicial and not -- which prejudicial
 14 effect clearly outweighs any remote
 15 probative value in this action.

16 MR. SCAROLA: It seems to me that we
 17 are going, unfortunately, around the same
 18 mulberry bush. The validity of the claims
 19 is an issue.

20 In addition to that, the viability of
 21 the claims against Mr. Epstein from a
 22 criminal perspective is part of why he was
 23 so concerned about this non-prosecution
 24 agreement being set aside.

25 He knew that there was a mountain of

1 serial child molestation. I believe words
 2 to that effect were just utilized, so that's
 3 the reason for the ruling.

4 I think that right now, based upon what
 5 I'm looking at, which is not the actual
 6 messages, but just the recitation of an
 7 exhibit would be that there -- that any
 8 probative value would be materially
 9 outweighed by the prejudice.

10 MS. ROCKENBACH: Thank you, Your Honor.
 11 We are working off of Mr. Edwards' exhibit
 12 list. And the next one is eight, documents
 13 related to Mr. Epstein produced by Alfredo
 14 Rodriguez.

15 THE COURT: Alfredo Rodriguez was the
 16 houseperson, if I'm understanding?

17 MS. ROCKENBACH: Yes, Your Honor.

18 THE COURT: I don't know what that
 19 means. What specifically are we talking
 20 about?

21 MR. SCAROLA: We're talking about a
 22 book that contains a list of Jeffrey
 23 Epstein's victims, their names and telephone
 24 numbers, as well as a number of other
 25 contacts that Jeffrey Epstein has, who,

1 through other evidence, were established to
2 be regular guests in his home.

3 These provided corroboration of the
4 testimony of L.M., E.W. and Jane Doe. They
5 provided evidence of the extent of
6 Mr. Epstein's molestation of children, which
7 obviously supports the magnitude of the
8 wrong in which he was engaged, which goes
9 directly to the punitive value of the claims
10 brought by L.M., E.W. and Jane Doe, that is,
11 a jury faced with the task of making a
12 determination as to the appropriate amount
13 of punitive damages, is instructed that they
14 shall take into consideration the magnitude
15 of the wrong, and that includes the total
16 number of victims involved in the offender's
17 wrongdoing.

18 THE COURT: I presume that by the time
19 the case was settled that I or a predecessor
20 judge in that division had found a valid
21 claim for punitive damages in terms of those
22 cases that we are dealing with here?

23 MR. SCAROLA: Yes. There were multiple
24 punitive damages claims pending.

25 THE COURT: I would have expected so.

1 and that is that I find that under 403 that
2 the probative value -- any probative value
3 is materially outweighed by the prejudice
4 involved.

5 MR. SCAROLA: May I ask a rhetorical
6 question, Your Honor?

7 THE COURT: Sure.

8 MR. SCAROLA: When Mr. Epstein alleges
9 that these cases were ginned up, when he
10 alleges that asking in the complaint for
11 \$50 million (sic) was totally out of line
12 and supportive of his conclusions that this
13 was a fabricated claim constructed solely
14 for the purposes of supporting -- knowingly
15 supporting a Ponzi scheme -- when he alleges
16 that these cases really had no significant
17 value, how can we not talk about what the
18 punitive damage value of the cases were and
19 why they had enormous punitive damage value
20 when they are claims relating to a vast
21 number of molestations by a billionaire?

22 THE COURT: Because we are dealing with
23 the three cases that Mr. Edwards represented
24 these three individuals. And to allow
25 records, information about anybody else at

1 I just didn't know the timing.

2 MR. SCAROLA: Yes.

3 MS. ROCKENBACH: Your Honor's question
4 got us directly to the point. This is
5 relevant evidence for punitive damages in
6 Mr. Edwards' clients' cases, not in this
7 case.

8 THE COURT: My concerns are, again,
9 that we are going too far afield. And
10 again, my best efforts are to try to keep
11 this as a level playing field when it comes
12 to focusing on the claims that are made in
13 this particular case, that being the
14 malicious prosecution case.

15 And while I know and I have already
16 indicated -- and I believe Epstein's counsel
17 has conceded -- that it cannot be sanitized,
18 and will not be sanitized, because it goes
19 to many of the issues that are involved
20 here -- and by way of Mr. Edwards'
21 recitations, through Mr. Scarola, the
22 motives that Mr. Epstein may have had to
23 file the action at bar.

24 But at the same time I am going to rule
25 in the same way as I did as to number seven,

1 this juncture would, in my view, be
2 collateral to the allegations made by
3 Epstein in his claim.

4 And there's no contention here that
5 Mr. Edwards, for whatever reason, went on
6 some type of organized witch hunt so as to
7 persecute or threaten Mr. Epstein with proof
8 of other cases, proof of other alleged
9 molestations, documents that are at issue or
10 anything of that nature.

11 MR. SCAROLA: That's exactly what was
12 alleged, sir. It was alleged that Bradley
13 Edwards was pursuing discovery with regard
14 to molestations of other children that took
15 place on an airline when none of Brad
16 Edwards' clients were ever molested on the
17 airplane, that he had no reasonable basis
18 for doing that.

19 THE COURT: Now, it seems to me we're
20 engaging in a negative, proving up a
21 negative.

22 MR. SCAROLA: You lost me.

23 THE COURT: You understand what I'm
24 trying to say?

25 MR. SCAROLA: No.

1 THE COURT: If none of Mr. Edwards'
 2 clients were molested on an airplane, then
 3 it seems to me to be conceding my point, and
 4 that is, then there's no reason for these
 5 other issues to be introduced, because
 6 there's nobody that Mr. Edwards represented
 7 that was molested on an airplane.

8 MR. SCAROLA: That's exactly my point,
 9 sir. That's the defense argument.

10 THE COURT: Show me where that's --

11 MR. SCAROLA: That's the defense
 12 argument that this was irrelevant discovery.

13 THE COURT: Show me where that's in the
 14 complaint about the other alleged victims.

15 MR. SCAROLA: We'll have that for you
 16 in just a moment, Your Honor.

17 THE COURT: Let me take a look at that
 18 and see how it may or may not be conjecture.

19 MR. SCAROLA: While we are finding
 20 that -- we will have that for you in just a
 21 moment -- Your Honor may recall that I
 22 referenced earlier -- and I have,
 23 unfortunately, misplaced the copy of the
 24 federal statute. I should have it -- I
 25 should have it in just a moment.

1 Paragraph 35 states, quote, For instance,
 2 the litigation team relentlessly and
 3 knowingly pursued flight data and passenger
 4 manifests regarding flights Epstein took
 5 with these famous individuals knowing full
 6 well that no underaged women were on board
 7 and no illicit activities took place.

8 Rothstein and the litigation team also
 9 inappropriately attempted to take the
 10 depositions of these celebrities in a
 11 calculated effort to bolster the marketing
 12 scam that was taking place, end quote.

13 Next paragraph?

14 MR. SCAROLA: Next paragraph.

15 THE COURT: Quote, One of the
 16 plaintiffs' counsel -- strike that.

17 One of plaintiff's counsel, Edwards,
 18 deposed three of Epstein's pilots and sought
 19 the deposition of a fourth pilot currently
 20 serving in Iraq.

21 The pilots were deposed by Edwards for
 22 over 12 hours, and Edwards never asked one
 23 question relating to or about L.M., E.W. and
 24 Jane Doe, RRA's clients, as it related to
 25 transportation on flights of RRA clients on

1 THE COURT: I mean, I'm looking at
 2 paragraphs 17 and 18, for example, where
 3 Mr. Epstein alleges, while relative to this
 4 action, Epstein is currently named as
 5 defendant in three civil actions alleging
 6 sexual assault and battery that were handled
 7 by RRA and his attorneys, including Edwards,
 8 prior to its implosion -- presuming he means
 9 RRA's and not Mr. Edwards' implosion -- one
 10 of which was filed in federal court -- and
 11 the two in state court that I have already
 12 identified. The civil actions were filed in
 13 August and September of 2008.

14 Paragraph 18 then says, quote, What is
 15 clear is a fraudulent and improper
 16 investment of a Ponzi scheme was, in fact,
 17 conducted and operated by RRA and certain of
 18 the named defendants, which scheme directly
 19 impacted Epstein as a named defendant in
 20 these civil actions -- referencing the three
 21 at issue.

22 MS. ROCKENBACH: Correct.

23 THE COURT: Where is --

24 MR. SCAROLA: Paragraphs 35 and 36.

25 THE COURT: Let's take a look at those.

1 any of Epstein's planes.

2 But Edwards asked many inflammatory,
 3 leading and irrelevant questions about the
 4 pilots' thoughts and beliefs, which will
 5 never be admissible at trial, which could
 6 only have been asked for the purpose of
 7 pumping the cases, and thus by using the
 8 deposition to sell the cases or a part of
 9 them to third parties. End quote.

10 Anything else?

11 MR. SCAROLA: Those are two obvious
 12 references in the complaint to conduct on
 13 the part of Brad Edwards alleged to have
 14 been improper and forming part of the basis
 15 for abuse of process claims.

16 THE COURT: The Court's ruling remains
 17 the same.

18 MR. SCAROLA: I never like to argue
 19 after the Court has already ruled, but there
 20 is one additional point that I want to make.

21 THE COURT: Sure.

22 MR. SCAROLA: Your Honor, I have cited
 23 in -- we have cited in submissions to the
 24 Court, specifically the motion in limine
 25 addressing the scope of admissible evidence

1 that we have filed. We have cited the
 2 provisions of Florida statute 90.404,
 3 subsection two, commonly known as the
 4 Williams Rule statute, which talks about
 5 evidence of other crimes.

6 We have also cited the Federal Rules of
 7 Evidence, rule 415. And that rule expressly
 8 permits the introduction in evidence of the
 9 molestation of other children in any federal
 10 action, criminal or civil, involving the
 11 molestation of a child.

12 Congress explained -- and quote, That
 13 in the submission to the Court -- the reform
 14 effected by these rules is critical to the
 15 protection of the public from rapists and
 16 child molesters. It's justified by the
 17 distinctive characteristics of the cases to
 18 which it applies.

19 In child molestation cases, a history
 20 of similar acts tends to be exceptionally
 21 probative, because it shows an unusual
 22 disposition of a defendant, a sexual or
 23 pseudosexual interest in children that
 24 simply does not exist in ordinary people.

25 Moreover, such cases require reliance

1 materially outweighed by the prejudice.

2 The Court's decision remains the same.
 3 I think it's bolstered by the fact that we
 4 are not trying the child molestation case.
 5 And the significance of the collateral cases
 6 is not, in my respectful view, necessarily a
 7 touchstone of this particular case and this
 8 particular analysis.

9 We are going to have to call it a day.
 10 I thank you very much, again, for your
 11 arguments and your input, written and oral.
 12 Thank you, again.

13 Again, thanks to our court reporter and
 14 our courtroom personnel also for their hard
 15 work and courtesies.

16 Have a good rest of the week. We will
 17 see you back, if not before, on
 18 December 5th.

19 MR. LINK: Thank you for your time.

20 THE COURT: We will take up the
 21 remaining issues of evidence first, and then
 22 we will go back to the schedule, which I
 23 very much appreciate you all providing. We
 24 will adhere to that schedule as we continue
 25 on with the motions.

1 on child victims, whose credibility can
 2 readily be intact in the absence of
 3 substantial corroboration.

4 In such cases, there is a compelling
 5 public interest in admitting all significant
 6 evidence that will shed some light on the
 7 credibility of the charge -- excuse me -- of
 8 the charge and any denial by the defense.

9 So --

10 THE COURT: And Mr. Scarola, if we were
 11 trying a sexual molestation case, there may
 12 be a stronger argument. But the very point
 13 that I'm making is that we're not trying a
 14 sexual molestation case, per.

15 Now, there may be elements and issues
 16 that may arise, depending upon the nature of
 17 Mr. Epstein's position relative to these
 18 matters. However, it does not change the
 19 Court's view that these messages taken from
 20 a message pad at Epstein's home relate to
 21 others and that the documents related to
 22 Epstein produced by his houseman,
 23 Mr. Rodriguez, that relate to others,
 24 remains irrelevant. And any probative
 25 value, if found to be relevant, would be

1 We will be in recess.

2 - - -

3 (The above proceedings were
 4 concluded at 3:55 p.m.)

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

Case No. 502009CA040800XXXXMB

JEFFREY EPSTEIN,

Plaintiff/Counter-Defendant,

vs.

SCOTT ROTHSTEIN, individually,
BRADLEY EDWARDS, individually,

Defendants/Counter-Plaintiff.

_____/ VOLUME I

TRANSCRIPT OF PROCEEDINGS

DATE TAKEN: Tuesday, December 5th, 2017
TIME: 10:02 a.m. - 4:35 p.m.
PLACE: 205 N. Dixie Highway, Room 10C
West Palm Beach, Florida
BEFORE: Donald Hafele, Presiding Judge

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

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

1 Court is thinking from that standpoint,
 2 perhaps ruling at this point, with the
 3 caveat that, consistent with motions in
 4 limine and the recognition by the appellate
 5 courts -- much to my delight -- that there
 6 are often situations where situations will
 7 change and context is introduced to cause
 8 the Court to, perhaps, vary its decision in
 9 some regard. But that is afforded to me
 10 once trial is underway.

11 MR. LINK: Your Honor, before we start,
 12 can I take you up on your three-minute break
 13 opportunity, please?

14 THE COURT: Sure. Not a problem. Take
 15 a few minutes. Come on back in about five
 16 minutes, please.

17 (A recess was had 11:16 a.m. - 11:24 a.m.)

18 MR. SCAROLA: May I make a procedural
 19 inquiry, Your Honor?

20 THE COURT: Yes.

21 MR. SCAROLA: I assume that we are
 22 starting on page 23 of Jeffrey Epstein's
 23 revised omnibus motion in limine. Is that
 24 correct?

25 THE COURT: That's what I am

1 we were reviewing.

2 THE COURT: I actually have it.
 3 Thanks.

4 MS. ROCKENBACH: You do. Okay.
 5 Our objections were filed November 15.
 6 That's obviously a separate document.

7 THE COURT: That, I will take.
 8 MR. LINK: Your Honor, they are listed
 9 in the motion starting on page three.

10 THE COURT: I thought those were just
 11 exemplars.

12 MR. LINK: In the omnibus motion in
 13 limine, it actually lists, I think, every
 14 single one of the exhibits. They are
 15 identified in here. So they are in two
 16 places.

17 THE COURT: Page three of the revised
 18 omnibus motion in limine?

19 MS. ROCKENBACH: Your Honor, it's the
 20 original omnibus --

21 THE COURT: Is that part of the --
 22 MR. SCAROLA: If we are working with
 23 the witness list -- I mean with the exhibit
 24 list, we will just work with the exhibit
 25 list.

1 understanding.

2 Ms. Rockenbach?

3 MR. SCAROLA: That's where we left off.

4 MS. ROCKENBACH: Yes. The exhibit
 5 section, which should be letter B.

6 MR. SCAROLA: Well, the specific
 7 exhibits that you are objecting to are
 8 identified in this motion, correct?

9 MS. ROCKENBACH: Actually, we
 10 stopped -- we left off at Mr. Edwards'
 11 exhibit list and we are on number nine.

12 The revised omnibus motion in limine
 13 identified examples of the objections that
 14 we had. And we have listed and filed our
 15 objections to the exhibit list.

16 THE COURT: Where is the list of
 17 exhibits?

18 MR. SCAROLA: If you have an extra
 19 copy, I need one also, please. I gave mine
 20 to Sonja at the end of the last hearing.
 21 And I was assuming we were going to be
 22 basing this discussion on the motion.

23 MS. ROCKENBACH: Your Honor, may I
 24 approach? I have a copy for Mr. Scarola.
 25 It is Mr. Edward's amended exhibit list that

1 THE COURT: Let's do that.

2 MR. LINK: That works for us, Your
 3 Honor.

4 THE COURT: Thanks.

5 MR. SCAROLA: So I assume we are going
 6 to take these one at a time?

7 THE COURT: Yeah.

8 MS. ROCKENBACH: Your Honor, the next
 9 one that we were on was number nine,
 10 Mr. Epstein's flight logs -- if I may
 11 approach, I would like to give Your Honor
 12 what was provided to my office from
 13 Mr. Scarola. And it is a sampling, because
 14 I think there were over 200 pages for this
 15 particular exhibit.

16 We've objected on the basis of
 17 relevance, of 90.403, judicial value. And
 18 these are flight logs of my client's planes.
 19 They have no relevance to what is being
 20 tried in this case, which is malicious
 21 prosecution.

22 Mr. Edwards testified that he knew that
 23 his clients were not on my client's plane,
 24 so the flight logs are completely
 25 irrelevant.

1 THE COURT: Okay, Mr. Scarola.
 2 MR. SCAROLA: Yes. Your Honor, one of
 3 the alleged bases for Jeffrey Epstein having
 4 concluded that Bradley Edwards was a knowing
 5 participant in the Rothstein Ponzi scheme is
 6 that the scope of the discovery that Bradley
 7 Edwards was seeking once he became a member
 8 of the Rothstein, Rosenfeldt, Adler firm
 9 expanded to include matters that he was not
 10 previously focusing on and which had no
 11 reasonable basis to lead to the discovery of
 12 admissible evidence.

13 So he alleged that the abusive
 14 discovery that Bradley Edwards engaged in
 15 gave him reason to believe that he was only
 16 doing these things because he was knowingly
 17 supporting the Ponzi scheme.

18 So Bradley Edwards obviously has an
 19 opportunity to explain what he did and why
 20 he did it. Yes, I was seeking discovery
 21 with regard to the airplane flight logs and
 22 who was on the airplane. And the reason why
 23 I did that was because, even though my own
 24 clients were not transported on the plane, I
 25 know that other young women were transported

1 is information than rebuts the assertion by
 2 Jeffrey Epstein that this was an abusive
 3 discovery effort that supported my
 4 conclusion that Bradley Edwards was a
 5 knowing participant in the Ponzi scheme.

6 That's what he alleges. In fact,
 7 portions of the deposition of Bradley
 8 Edwards have already been identified by the
 9 defense as they're intending to introduce
 10 this in evidence before the jury.

11 I have some of those excerpts, if you
 12 Your Honor needs to take a look at them.
 13 They are offering that evidence with regard to
 14 these matters as part of their support for
 15 the lack of Bradley Edwards' probable cause
 16 to conduct this discovery, the assertion
 17 that this was an abuse of discovery process.

18 Now, that's what they alleged in their
 19 complaint. Those specific allegations are
 20 included in the complaint. Those are false
 21 allegations.

22 THE COURT: Show me those allegations
 23 that you are suggesting.

24 MR. SCAROLA: From the complaint, Your
 25 Honor, or from the deposition testimony?

1 on the plane for purposes of prostitution
 2 and sexual abuse. And I can prove that
 3 through the flight logs that list the other
 4 occupants on the airplane, including
 5 children who were being transported by
 6 Jeffrey Epstein.

7 Part of what makes this is a viable
 8 federal claim is the intrastate and
 9 international transportation of children for
 10 purposes of prostitution.

11 The federal law, specifically Federal
 12 Rule 41.5 -- excuse me 415.5(g) -- and I
 13 referenced this in an earlier argument to
 14 the Court -- expressly allows the
 15 introduction into evidence in any case
 16 involving a sexual offense against a child,
 17 the commission of any other sexual offense
 18 against a child.

19 So, I was seeking evidence to prove a
 20 pattern of abuse of children including their
 21 transportation for purposes of prostitution.
 22 And I was doing that through flight logs
 23 that identified these children, flight logs
 24 that identified other witnesses, taking the
 25 depositions of pilots. And so all of this

1 THE COURT: Either way, or both.
 2 MR. SCAROLA: Let me do both, then.
 3 THE COURT: Thanks.
 4 MR. SCAROLA: It's a little bit
 5 difficult for Your Honor to see on these
 6 copies what the defense has designated, but
 7 on page 153 it starts at line two and
 8 continues through -- it looks like the
 9 bottom of that page. And then on 276, 277,
 10 278 and 279, it's most of all of those
 11 pages.

12 Then in the complaint, the allegation
 13 in paragraph 35 -- and I will pause, if Your
 14 Honor would like me to do that, while you
 15 are reading that.

16 THE COURT: If you will, take a moment
 17 please. Thanks.

18 I don't see much as far as what is set
 19 forth in the latter pages of the deposition
 20 of Mr. Edwards that even mentions the plane
 21 or its connection with the alleged underaged
 22 individuals on that plane.

23 Let me look at the complaint.

24 Paragraph?

25 MR. SCAROLA: Thirty-three, 34, 35, 36.

1 THE COURT: Okay. This is directed to
 2 primarily to Mr. Rothstein. It says "and
 3 others." But it says, quote -- paragraph
 4 34 -- Upon information and belief, Rothstein
 5 and others claimed their investigators
 6 discovered that there were high-profile
 7 individuals onboard Epstein's private jet
 8 where sexual assaults took place and showed
 9 D3 -- and possibly others -- copies of a
 10 flight log purportedly containing names of
 11 celebrities, dignitaries and international
 12 figures.

13 Remind me who is D3?

14 MS. ROCKENBACH: One of the investing
 15 companies that was being defrauded by
 16 Rothstein.

17 THE COURT: Okay. I have read those
 18 other ones. Are there any other --

19 MR. SCAROLA: Paragraph 35, Your Honor,
 20 then specifically references the litigation
 21 team. As you recall, the litigation team is
 22 defined as including Bradley Edwards.

23 THE COURT: Thirty-five. For instance,
 24 the litigation team relentlessly and
 25 knowingly pursued flight data and passenger

1 leading irrelevant questions about the
 2 pilots' thoughts and beliefs, which could
 3 only have been asked for the purposes of
 4 pumping -- that word is used in quotes --
 5 the cases and thus by using the depositions
 6 to sell the cases -- or a part of them -- to
 7 third parties, end quote.

8 42(k). Told investigators, as reported
 9 in an Associated Press article, that
 10 celebrities and other famous people had
 11 flown on Epstein's plane when assaults took
 12 place. Therefore, even though none of RRA's
 13 clients claim they flew on Epstein's planes,
 14 the litigation team sought pilot and flight
 15 logs. Why? Again, to prime the investment
 16 pump, enquote, with new money without any
 17 relevance to the existing claims made by RRA
 18 the clients, end quote.

19 MR. SCAROLA: Our position, obviously,
 20 is, Your Honor, that having made those
 21 specific allegations in the complaint,
 22 specifically allegations that no assaults
 23 took place on the plane, Mr. Epstein knew
 24 that that was untrue. He knew that children
 25 were being assaulted on the plane. He knew

1 manifests regarding flights Epstein took
 2 with famous individuals knowing full well
 3 that no underaged women were onboard and no
 4 illicit activities took place. Rothstein
 5 and the litigation team also inappropriately
 6 attempted to take the depositions of these
 7 celebrities in a calculated effort to
 8 bolster the marketing scam that was taking
 9 place. End quote.

10 There's a 40-something that was
 11 mentioned.

12 MR. SCAROLA: I don't know if Your
 13 Honor took a look at 36, but that's a
 14 specific reference to Mr. Edwards and his
 15 conduct of the discovery, and then 42(k).

16 THE COURT: Thirty-six. One of
 17 Plaintiffs' counsel, Edwards, deposed three
 18 of Epstein's pilots, and sought the
 19 deposition of a fourth pilot. The pilots
 20 were deposed by Edwards for over 12 hours,
 21 and Edwards never asked one question
 22 relating to or about E.W., L.M. and Jane Doe
 23 as it related to transportation on flights
 24 of RRA clients on any of Epstein's planes.
 25 But Edwards asked many inflammatory and

1 that there were high-profile individuals who
 2 were present on the plane. And Bradley
 3 Edwards had a reasonable basis to conduct
 4 this discovery pursuant to applicable
 5 Florida law and applicable federal law as
 6 well as, because it was reasonably
 7 calculated to lead to the discovery of
 8 admissible evidence.

9 So the flight logs are clearly relevant
 10 and material for that purpose, as is all of
 11 the evidence with regard to what Mr. Epstein
 12 knew was occurring on those airplanes. And
 13 that directly contradicts what is included
 14 in this complaint as a basis for his belief
 15 that Bradley Edwards was fabricating these
 16 claims.

17 THE COURT: Thanks, Mr. Scarola.

18 MS. ROCKENBACH: Your Honor, may I use
 19 the Elmo for a minute?

20 THE COURT: Sure.

21 MS. ROCKENBACH: I really appreciated
 22 Mr. Link's presentation this morning based
 23 on the law, because after the November 29th
 24 hearing, I went back and I spent a good part
 25 of the weekend looking at malicious

1 prosecution cases, because I thought I must
 2 have missed something. I must have missed
 3 something, because all I hear Mr. Scarola in
 4 court saying is he's going to prove that the
 5 allegations in the original proceeding that
 6 my client filed are false. And I never knew
 7 that to be a malicious prosecution action.

8 But my research yielded what Mr. Link
 9 indicated this morning, which is, the
 10 Debrincat case is the blueprint for this
 11 trial. The Debrincat case actually has the
 12 most guiding principle in it for this Court,
 13 which is going to, I think superimposes the
 14 entire exhibit list of Mr. Scarola's as it
 15 relates to a lot of these exhibits that go
 16 to one of the other lawsuits, whether it's
 17 Mr. Edwards' lawsuits on behalf of the three
 18 women who sued Mr. Epstein and was settled
 19 in 2010 -- that case is over -- or the
 20 exhibits go to one of the other lawsuits.

21 The statement in Debrincat that's so
 22 important is that Your Honor, Mr. Scarola
 23 and I, parties and witnesses, should be
 24 absolutely excepted from liability to an
 25 action for defamatory words published in the

1 He's not relying on those flight logs.
 2 That's a complete red herring for the Court.
 3 I see why it's a focus, though, because
 4 Mr. Scarola wants to try other cases. This
 5 is not a sexual abuse case. It is not a
 6 federal court action, a Crime Victims'
 7 Rights action. It's not even a defamation
 8 case, which Your Honor clearly stated this
 9 morning when denying the affirmative
 10 defenses related to defamation.

11 So to allow flight logs into this
 12 malicious prosecution case is completely
 13 irrelevant to the issue of whether the facts
 14 that my client relied on when he filed the
 15 original proceeding were in existence at the
 16 time that he filed it.

17 The facts are that there was a civil
 18 action for forfeiture proceeding against
 19 Rothstein filed with the U.S. Attorney's
 20 Office; that the Rothstein's firm was
 21 dissolving; that Mr. Edwards held himself
 22 out as a partner in that firm; that
 23 Mr. Edwards had the three lawsuits, which --
 24 he even concedes in his most recent
 25 deposition -- were used by Mr. Rothstein to

1 course of judicial proceedings.

2 So when Mr. Scarola pulls out my
 3 complaint, my client's original proceeding
 4 and wants to parse through independent
 5 allegations or paragraphs and say, I'm going
 6 to prove that that statement is false and
 7 you should never pled it, that's not what
 8 the malicious prosecution law says. That's
 9 not what we are here to do.

10 We here for Your Honor to decide as a
 11 threshold matter, whether the facts that my
 12 client reasonably relied on existed at the
 13 time he commenced the original proceeding.

14 And, in fact, that's the Liabos case
 15 that Your Honor discussed with us back on
 16 November 29th, where there's a mixed
 17 question of fact of law, Your Honor has to
 18 do that threshold determination of if
 19 there's any question or dispute of those
 20 facts that my client relied on were not in
 21 existence. If the facts existed, then you
 22 have to determine, as the Court, whether my
 23 client had sufficient probable cause.

24 So what are the facts that my client
 25 relied on? They are not the flight logs.

1 fabricate -- and that's the word that
 2 Mr. Edwards testified to under oath -- to
 3 fabricate -- and create a fantasy. That was
 4 another word Mr. Edwards used.

5 Those facts, did they exist? It sounds
 6 like we're in agreement. Those facts
 7 existed.

8 The Razorback lawsuit, brought by
 9 Mr. Bill Scherer, down in Fort Lauderdale,
 10 who was quoted in a newspaper article, my
 11 client read and relied on that said
 12 Mr. Rothstein was tricking investors. He
 13 used Epstein's cases as a showpiece and
 14 bait. Which Epstein cases? The one that
 15 Edwards had.

16 So the flight logs are irrelevant.
 17 They are far astray from what we are here to
 18 try. And they are an attempt to open up
 19 some other lawsuit, sexual --

20 By the way, the three clients of
 21 Mr. Edwards, Mr. Edwards concedes, were
 22 not -- you never heard Mr. Scarola deny
 23 that -- because Mr. Edwards conceded, they
 24 are not on my client's planes.

25 So this, like many of the other

1 exhibits, Your Honor, must be precluded,
 2 because they are wholly irrelevant. And if
 3 there was any remote probative value, they
 4 are prejudicial to talk about flight logs
 5 and celebrities who may have been on my
 6 client's planes.

7 THE COURT: I think that the issue
 8 itself -- meaning the tangential allegations
 9 that were made that mentioned flight logs or
 10 mentioned the good faith discovery aspects
 11 of Mr. Edwards' plight relating to his three
 12 clients -- has some relevancy.

13 However, the flight logs themselves
 14 would be subject to -- and the Court is
 15 sustaining at this juncture the relevancy
 16 objection, and also a 403 objection, and
 17 that is, that while mentioning the fact that
 18 Mr. Edwards in good faith -- whatever the
 19 case may have been -- sought these flight
 20 logs as part of his discovery process
 21 representing the three young women, at the
 22 same time the Court has expressly indicated
 23 its significant reservations. And in fact,
 24 it's condemnation of trying either those
 25 cases in this courtroom -- as far as the

1 about children being transported on the
 2 airplane?

3 THE COURT: The latter is the one that
 4 will have to be discussed further, again, as
 5 I pointed out earlier, when the context
 6 comes up and it's introduced or attempted to
 7 be introduced outside the presence of the
 8 jury.

9 To the, what I perceive to be three
 10 questions, the two former questions, the
 11 answer would be yes.

12 MR. SCAROLA: Will the Court take
 13 judicial notice of Florida Statute 90.404
 14 (2), which is commonly referred to as the
 15 Williams Rule, and Federal Rule 415(g),
 16 which expressly permits the introduction of
 17 evidence with regard to other sexual
 18 assaults against children, so that the jury
 19 is aware of the fact that Mr. Edwards, not
 20 only had a good faith basis to conduct this
 21 discovery, but quite arguably would have
 22 been grossly negligent to have failed to
 23 pursue it?

24 THE COURT: The only thing I would say
 25 to that, Mr. Scarola, is I don't want to mix

1 malicious prosecution case is concerned --
 2 or more importantly, that we are going to
 3 potentially constructively try other either
 4 underaged or over the age of consent --
 5 albeit potential sexual assault claims -- in
 6 this forum.

7 So again, while it may become relevant
 8 as to why Mr. Edwards went about his
 9 business in seeking out those flight logs in
 10 a matter of good faith discovery, the flight
 11 logs themselves, in this Court's respectful
 12 view based upon its ruling, are irrelevant.
 13 And if there's any probative value at all,
 14 they would be materially outweighed by the
 15 prejudice of 403.

16 MR. SCAROLA: May I raise a question,
 17 Your Honor?

18 THE COURT: Briefly.

19 MR. SCAROLA: Thank you.

20 Do I understand the Court's ruling to
 21 be that Mr. Edwards is going to be able to
 22 explain why he was seeking the discovery he
 23 was seeking, why he was seeking the flight
 24 logs, the fact that he did obtain flight
 25 logs that confirmed independent information

1 apples and oranges. And that is, I don't
 2 want to place the Court's incriminator on
 3 getting too far afield and turning this into
 4 a case about alleged sexual exploitation,
 5 particularly of others, outside of
 6 Mr. Edwards' representation. That would
 7 serve only to inflame the jury, and, again,
 8 would cause the playing field to become
 9 unleveled, because the defense to the
 10 malicious prosecution claim, i.e., Epstein
 11 and his attorneys, would have to be fighting
 12 claims that they may not even know about
 13 much, much less the ones that they do.

14 So again, I want to center on those
 15 three claims that were brought by
 16 Mr. Edwards on behalf of his clients, and
 17 center on those aspects that would be
 18 relevant to the malicious prosecution claim
 19 and the alleged ginning up of those claims,
 20 the alleged attempt to align himself with
 21 Rothstein, the alleged attempt to factor
 22 these cases, potentially Mr. Edwards'
 23 conduct as it related to those factoring
 24 matters.

25 MR. SCAROLA: I am -- I am sorry. I

1 didn't mean to interrupt.

2 THE COURT: What I'm trying to say is
 3 things like flight logs, the danger of
 4 unfair prejudice. And also, in -- to answer
 5 your question regarding the cases that talk
 6 about the prior similar acts or perhaps even
 7 subsequent similar acts, those cases are
 8 from the forum of which the actual criminal
 9 claim, or perhaps even a civil claim that
 10 stems from the alleged assault, is being
 11 heard.

12 Again, what I'm trying to emphasize is
 13 that I do not want to introduce tangential
 14 matters into this case which would either
 15 directly or indirectly, whether purposefully
 16 or not, inflame this jury.

17 So that is the ruling of the Court.

18 I want to move forward now on to the
 19 next issue that's being objected to, that is
 20 what is generically listed as Jeffrey
 21 Epstein's phone records.

22 MS. ROCKENBACH: May I approach, Your
 23 Honor? And I can swap with the court
 24 Exhibits 10 and 9, the phone records that
 25 were produced to my office by Mr. Scarola.

1 clear, and that is, that the relationship
 2 between the legitimacy of the three
 3 claims -- L.M., E.W. and Jane Doe -- are
 4 going to be permitted in a manner that
 5 befits the dignity of the courtroom, without
 6 pejorative commentary as to Mr. Epstein,
 7 nor, obviously, as to the three plaintiffs
 8 at issue.

9 And as conceded by Epstein in his
 10 papers, once Mr. Mr. Link and Ms. Rockenbach
 11 became involved to the matter, and that is,
 12 there's no conceivable way that those issues
 13 can be ignored, because of the nature of
 14 Mr. Epstein's announced defense as well as
 15 his deposition testimony to the extent that
 16 he testified. And that is, that these three
 17 cases were a part of some type of an
 18 elaborate scheme by Rothstein and others,
 19 including the litigation team -- which is
 20 defined as including Edwards -- to somehow
 21 inflate, gin up, overexaggerate, whatever
 22 the case may be, the value of those cases to
 23 these investors, whatever damage was caused
 24 to Epstein as a result thereof.

25 So that's the clear unadulterated

1 Your Honor, the objection is identical
 2 to the last in that they are not relevant.
 3 My client's phone records, if there was any
 4 remote relevance as to who my client may
 5 have called on any given day, I don't think
 6 that's going to be -- I think it's
 7 prejudicial. I think there's a danger of
 8 prejudicing this jury.

9 I am not quite sure what relevance
 10 Mr. Scarola thinks that phone records have
 11 to the malicious prosecution action, unless
 12 they think we may hear that there is going
 13 to be some attempt to prove the falsity of
 14 some individual allegation in the original
 15 proceeding, which is not what we should be
 16 doing here in this action.

17 THE COURT: Thank you.

18 MR. SCAROLA: I am -- I continue to be
 19 extremely puzzled by that statement, that we
 20 are not here to prove the falsity of claims
 21 in the original complaint.

22 I would like some guidance from the
 23 Court.

24 THE COURT: No need to be puzzled. I
 25 think I've already made myself abundantly

1 ruling of the Court as to that issue.

2 MR. SCAROLA: And I understand that,
 3 sir. My question to you is, if there is a
 4 specific allegation in the complaint --

5 THE COURT: That was brought by
 6 Mr. Epstein.

7 MR. SCAROLA: -- that was brought by
 8 Mr. Epstein against Mr. Edwards, does Your
 9 Honor's ruling contemplate that we get to
 10 prove that allegation is false? Without
 11 getting into what exhibit we are going to
 12 use to prove it's false, is there any issue
 13 about the fact that if he alleged it in the
 14 complaint and it's false, we get to prove
 15 it's false?

16 THE COURT: There's no issue as far as
 17 I am concerned.

18 MR. SCAROLA: Thank you, sir. I think
 19 that helps a great deal, because I have been
 20 hearing something entirely different
 21 repeatedly from the other side. I didn't
 22 understand how they can possibly be making
 23 that argument that we weren't permitted to
 24 prove the falsity of every false allegation
 25 in the complaint.

1 the three-filed cases were weak. Let's just
2 look at that statement.

3 They have the burden of proof and they
4 come forward -- and I guess Mr. Edwards gets
5 on the stand and he says, Jury, these cases
6 were strong. They paid \$5.2 million --

7 MR. SCAROLA: \$5.5 million.

8 MR. LINK: -- \$5.5 million to settle
9 them. I am now going to come forward and
10 put on an expert -- I am going to put
11 someone on to say that's a small number for
12 these cases. These cases are weak, because,
13 look, L.M. worked at a strip club. She an
14 admitted prostitute, call girl. All of
15 these things come into factoring.

16 What I'm asking, Judge, is if we are
17 trying a probable cause/malicious
18 prosecution case, then I would suggest to
19 you that none of the specific allegations
20 can lead to a conclusion of probable cause
21 or not.

22 The overall flavor of the case, the
23 overall complaint, when fairly read,
24 absolutely comes into consideration. It
25 does. Was there a reasonable basis to go

1 MR. SCAROLA: The same as my position
2 with regard to these other exhibits. I
3 don't know what Mr. Epstein is going to
4 attempt to demonstrate with regard to these
5 underlying claims.

6 If he is attempting to prove that they
7 were fabricated, if he is defending against
8 the assertion that these were well-founded,
9 valuable claims, then the phone records may
10 very well become relevant and material,
11 because they include the names and telephone
12 numbers of vast numbers of juveniles who
13 were being sexually abused on a daily basis
14 multiple times a day.

15 They include the names and telephone
16 numbers of other witnesses to that abuse,
17 which form the basis for Mr. Edwards seeking
18 to take their depositions, because
19 Mr. Epstein -- in the underlying cases, as
20 he has in this case, asserted the Fifth
21 Amendment privilege -- was not responding to
22 questions. And so we needed to rely upon
23 the testimony of third parties in order to
24 establish the claims. The telephone records
25 were part of the basis for identifying the

1 forward with this lawsuit? But
2 cherrypicking a sentence or two in the
3 complaint to prove it's falsity doesn't help
4 you or the jury determine probable cause.

5 THE COURT: Again, I don't know how we
6 found ourselves here. I just want to get
7 back to the evidence. Again, I can't be
8 making advisory opinions, orders, whatever
9 the case might be.

10 I want to get back to the individual
11 evidence provisions.

12 MR. LINK: Your Honor, I thank you for
13 allowing me to finish. I appreciate it.

14 THE COURT: We are back on the phone
15 records.

16 MS. ROCKENBACH: Your Honor, yes. I
17 think we are on number ten, my client's
18 phone records. I believe Your Honor has --

19 THE COURT: Yes. You gave those to me.

20 MS. ROCKENBACH: I did indicate that
21 they have nothing to do with what my client
22 knew, what information he relied upon when
23 he instituted the original proceeding.

24 THE COURT: Mr. Scarola, your position
25 on the phone records, please.

1 third parties who we sought to take
2 discovery from.

3 So again, I really think that -- I
4 haven't offered these. I don't know if I'm
5 going to offer them. I won't talk about
6 them unless and until I believe that a
7 reasonable basis exists for me to do that,
8 and then I will address that outside the
9 presence of the jury.

10 I don't know what else I can say with
11 regard to this and all these other matters.
12 We are going through this, and I'm going to
13 say the same thing over again.

14 So, for purposes of brevity, I will
15 tell Your Honor that for future reference, I
16 will simply say same argument. And now you
17 know what it is I am adopting as the same
18 argument.

19 THE COURT: I rarely see you
20 frustrated. I'm glad you're human like the
21 rest of us.

22 MR. SCAROLA: I clearly am, Your Honor.
23 And I'm sorry there's frustration coming
24 through in my voice, but there is
25 frustration in my heart and in my mind.

1 THE COURT: Not a problem.
 2 It is the same ruling. Again, if the
 3 issue is one of reasonable discovery and
 4 why -- and if Mr. Epstein is going to claim
 5 that somehow Mr. Edwards was off on a wild
 6 goose chase, then clearly the fact that he
 7 was seeking to discover these phone records
 8 and the purpose for the discovery would be
 9 appropriate.

10 However, at this juncture, as an
 11 exhibit that is the guts of the phone
 12 records, as a matter of relevancy, as a
 13 matter of privacy -- and I don't see
 14 anything in here with names -- they are just
 15 numbers.

16 MS. ROCKENBACH: Correct. That's
 17 correct.

18 THE COURT: So I'm going to make the
 19 same ruling as I did on number nine.

20 MS. ROCKENBACH: Thank you, Your Honor.
 21 The same argument for Sarah Kellen's phone
 22 records, which I can bring to the bench.
 23 They do not have names. They have numbers.

24 THE COURT: Mr. Scarola has indicated
 25 that would be the same objection. It would

1 ruling -- or at least discussed that code
 2 section in relation to the federal code,
 3 which isn't applicable.

4 This is not a molestation case. The
 5 probable cause affidavits that related to
 6 the criminal investigation are absolutely
 7 irrelevant to this malicious prosecution
 8 case. And if there was any remote relevant
 9 probative value to introducing them and
 10 parading them around the jury to tell the
 11 jury about what probable cause may have
 12 existed in these affidavits, it would
 13 absolutely prejudice my client and he would
 14 not receive a fair trial in this action.

15 THE COURT: Is there anything specific,
 16 Mr. Scarola, that you can think of that
 17 would be in the probation file that the
 18 Court needs to know about now?

19 MR. SCAROLA: Nothing Your Honor needs
 20 to know about now. Same argument.

21 THE COURT: Okay. Same argument. Same
 22 ruling. Again, this would be akin -- to
 23 draw an analogy -- to in a personal injury
 24 action listing the plaintiff's employment
 25 file. And that would carry with it the same

1 be the same ruling.

2 Jail visitation logs. Same arguments,
 3 same ruling.

4 Jeffrey Epstein's probation file.
 5 Let's speak about that.

6 MS. ROCKENBACH: Your Honor, this would
 7 also implicate -- a probation file would
 8 trigger part of the evidence code that
 9 Mr. Scarola referenced earlier, which was
 10 90.404(2). His probation file is akin to
 11 any visitation logs or any aspect of the
 12 criminal action, which we are not trying in
 13 this case. Similar fact evidence of other
 14 crimes, wrongs or acts are inadmissible when
 15 the evidence is solely to prove bad
 16 character and propensity. And that's
 17 90.404(2).

18 Mr. Scarola keeps referring to the
 19 second subsection of that evidence code,
 20 which is subsection B. And it says in a
 21 criminal case in which a defendant is
 22 charged with a crime involving child
 23 molestation, then this evidence becomes
 24 relevant.

25 Your Honor did actually already make a

1 general objection.

2 Now, if there were certain things in
 3 the employment file that would relevant, for
 4 example, there may be something in an
 5 employment file that shows a pre-existing
 6 injury of some sort, then that would be --
 7 that may well be relevant.

8 But simply stating probation file
 9 without any specifics would be the same
 10 ruling. I am sustaining the objection.

11 MS. ROCKENBACH: Thank you, Your Honor.
 12 Same argument for number 15, the
 13 victims' statements to the FBI.

14 THE COURT: We are actually on 14.

15 MS. ROCKENBACH: All probable cause
 16 affidavits. Yes, I indicated that that
 17 would be the same argument, because it
 18 relates to criminal investigation.

19 THE COURT: Same argument?

20 MR. SCAROLA: I would only point out,
 21 Your Honor, that clearly to the extent that
 22 Bradley Edwards had that sworn testimony
 23 when he initiated both his civil lawsuits --
 24 his civil lawsuits, and when he relied upon
 25 that in pursuing discovery, it's obviously

1 relevant and material, depending upon what
 2 Mr. Epstein attempts to say, so it is the
 3 same argument.

4 THE COURT: I am going to defer on
 5 number 14. I think that that is more
 6 specific. I think it is potentially
 7 critical to the analysis as it relates to
 8 the strength of the cases that are involved.

9 I understand Mr. Link's argument
 10 regarding his position. But I also
 11 understand Mr. Scarola's argument regarding
 12 the fact that somehow they have to prove
 13 their probable cause case. And it's just
 14 not going to be Mr. Epstein's objective
 15 position that needs to be heard.

16 All right. Next is number 15.
 17 "Victims' statements to the FBI related to
 18 the criminal investigation of Jeffrey
 19 Epstein."

20 MS. ROCKENBACH: Your Honor, I have a
 21 copy of these if the Court would like to
 22 review them. They were produced by
 23 Mr. Scarola. They are approximately six
 24 pages. But they are absolutely irrelevant,
 25 inflammatory, prejudicial for my client in

1 Mr. Scarola.

2 MR. SCAROLA: Yes. Your Honor, I just
 3 want to supplement my argument in this
 4 respect. We have been focusing on -- in
 5 those comments in particular -- on the
 6 proprietary or reasonableness of Bradley
 7 Edwards' conduct, and whether Jeffrey
 8 Epstein was in a position to consider what
 9 was happening as contributing to a
 10 conclusion that Mr. Edwards was a knowing
 11 participate in a Ponzi scheme and
 12 fabricating claims against him.

13 I think it's important that we
 14 articulate what the probable cause standard
 15 is. And I think that maybe I am in
 16 agreement with opposing counsel, but I want
 17 to be sure that I have stated it in what I
 18 consider to be an appropriate fashion.

19 The issue is, would an objectively
 20 reasonable and caution person -- that's the
 21 objective part of the formula -- knowing
 22 what Jeffrey Epstein knew -- that's the
 23 subjective portion of formula -- have
 24 probable cause to believe that Bradley
 25 Edwards fabricated the claims against

1 this action. Victims' statements. And they
 2 relate to the criminal case.

3 THE COURT: Off the record.

4 (A discussion was held off the record.)

5 MS. ROCKENBACH: Your Honor, I quickly
 6 looked at the names on those particular
 7 victims' statements, and they do not relate
 8 to E.W., L.M., Jane Doe, who were
 9 represented by Mr. Edwards. For that reason
 10 they were not relevant.

11 I know this Court has already said you
 12 were not going to allow or constructively
 13 try any of the sexual abuse/assault claims.
 14 And that is what this will be pointing to.

15 THE COURT: Okay. I have read them.
 16 It is the same argument, same ruling, that
 17 is, that if it comes to a point where there
 18 is a contention by Mr. Epstein that
 19 Mr. Edwards acted in manner that was rash,
 20 that was in a manner that was without
 21 forethought, that he did not properly
 22 discover those issues that are -- that would
 23 form the basis of the claims that were
 24 brought on behalf of the three young women,
 25 then again we will revisit.

1 Jeffrey Epstein and was a knowing
 2 participant in a massive Ponzi scheme.

3 So there is both an objective and a
 4 subjective component.

5 And when we talk about things like
 6 phone records and address book and
 7 appointment books and airplane logs, Jeffrey
 8 Epstein knew about the existence of those
 9 phone records. He knew about the address
 10 books. He knew about the appointment books
 11 and the airplane logs showing that children
 12 were being transported on those jet planes.
 13 He knew what was happening to those children
 14 on those jet planes. He knew some 40
 15 children had reported virtually identical
 16 crimes to law enforcement.

17 So those are all things that he knew.
 18 He knew that he was paying children a bounty
 19 to bring other children, too. He knew he
 20 paid the three victims that are named in
 21 Bradley Edwards' complaints not only \$200
 22 per sexual massage, but also paid them 2 or
 23 \$300 for each other child that they brought
 24 to him. And he specified what it was he
 25 wanted and what would gather a premium and

1 what wouldn't gather a premium.

2 So when we talk about things like, did
3 he know these were strong claims independent
4 of the parade of horribles that he lists
5 there about these young girls --
6 incidentally, the vast majority of which
7 things, if not all of them, occurred after
8 he abused these children.

9 As the sworn deposition of E.W.
10 indicates, she was -- and I think I have
11 already referenced this in prior argument to
12 the Court. She was a middle school student
13 doing well. She was doing well
14 academically. She was participating in
15 extracurricular activities.

16 While she has a difficult home life, it
17 had not impacted upon her personal conduct
18 in any way that brought her in contact the
19 criminal law or in any way whatsoever that
20 resulted in her engaging in the kind of
21 conduct, like stripping, or anything else
22 that she has alleged to have been involved
23 in, which all occurred after Jeffrey Epstein
24 had abused her.

25 So these are things that Epstein knew.

1 I appreciate the Court's concern to keep
2 this focused on the claims of E.W., L.M. and
3 Jane Doe. But that is focus of the claims
4 on L.M., E.W. and Jane Doe. That's what
5 Epstein knew about the strength of their
6 claims.

7 This is not a single, isolated
8 incident. This is not a single, isolated
9 victim. These are not three isolated
10 victims who were abused on a single
11 occasion. This was part of an extraordinary
12 pattern of abuse.

13 And that's why I am suggesting too,
14 Your Honor, that I simply need to adopt the
15 same argument. I'm not going to offer any
16 of this evidence unless and until I satisfy
17 the Court that it's relevant and material.
18 And that's all I can say.

19 THE COURT: In this particular victim
20 statement dated 5/30/2008, it's from a Shana
21 L.R., who I don't believe has anything to do
22 with this particular case -- these three
23 cases, that I'm aware of.

24 And the point I'm trying to make as it
25 relates to these exhibits that are listed

1 from seven down now to where we are -- and
2 that's number 15 -- is that while it is
3 absolutely conceivable that this
4 information -- some of this information may
5 be relevant, what I'm trying to deal with
6 here and distinguish is a discussion about
7 what Mr. Epstein may or may not have known
8 and the actual introduction of the records,
9 which I don't believe have any real
10 probative value themselves. That's a
11 distinction.

12 I don't want a jury getting bound up in
13 trying to locate six phone numbers that may
14 be similar, or six times an individual phone
15 entry is listed, and automatically assume
16 that it may have something to do in
17 particular with one of these three young
18 ladies that Mr. Edwards represented.

19 The same thing with the probation file
20 or the visitation logs. All of those
21 things, while they may have something to do
22 with the competing claims of knowledge,
23 strength or weaknesses of the cases -- all
24 of which, again, despite my disagreement, at
25 least in some regard with Mr. Link -- and

1 those things being relevant to discuss as
2 far as what Mr. Edwards had to sustain his
3 claims, the actual documents themselves,
4 unless there's an issue as to they don't
5 exist, or there never were any phone
6 records, or there never was a flight log,
7 that's a different story.

8 MR. SCAROLA: I take issue with none of
9 what Your Honor said. I am in absolute
10 agreement. I am not even going to offer
11 them unless they fit that pattern.

12 They have been listed here because we
13 are obliged to list them, all exhibits that
14 may reasonably become relevant and material.

15 THE COURT: Fair enough. And I think
16 that's the value of the discussion that we
17 are having here today, that we can narrow
18 some of issues -- narrow the intent of what
19 these documents are sought for reasons --
20 for the reasons why they're sought to be
21 potentially introduced.

22 Again, I don't think it's -- I think
23 it's a good exercise. So let's go ahead and
24 proceed further.

25 MS. ROCKENBACH: Your Honor, number 16

1 is the video of the search warrant of my
 2 client's home -- while being executed, the
 3 search. I don't have the video, but I
 4 presume by that -- it wasn't produced, but I
 5 presume by that description, it is the same
 6 ruling.

7 THE COURT: The same ruling as in 17,
 8 the application for the search warrant is
 9 sustained.

10 MR. SCAROLA: Let me just point out to
 11 Your Honor that the reason why that's listed
 12 is because the victims, including these
 13 three, give detailed descriptions of where
 14 they were in the house and what the interior
 15 looked like. And all of that is
 16 corroborated by the search warrant video.

17 THE COURT: Again, it's with the
 18 proviso and caveat that I will re-examine
 19 each of these exhibits, if need be, when the
 20 context is pointed out. But for now, the
 21 same ruling is being issued.

22 MS. ROCKENBACH: Number 18 -- actually,
 23 17. It's identified on the exhibit list by
 24 Mr. Edwards as the application for a search
 25 warrant of my client's home. And it's

1 possible that by mistake Mr. Scarola's
 2 office produced a different document,
 3 because what was produced in this context
 4 was an order sealing affidavit and
 5 application for search warrant and related
 6 search warrant and inventory in return. And
 7 attached to that were the subpoenas to the
 8 custodian of records for BellSouth, T-Mobile
 9 and Cingular. So it looks like phone
 10 records.

11 MR. SCAROLA: Sounds like the wrong
 12 exhibit.

13 MS. ROCKENBACH: Sounds like the wrong
 14 exhibit, but we would object to -- on the
 15 same basis that the application for the
 16 search warrant of Mr. Epstein's home would
 17 not be relevant, would be prejudicial --

18 THE COURT: I have already indicated
 19 the same as to number 17.

20 MS. ROCKENBACH: Eighteen, Your Honor,
 21 is the complaint.

22 THE COURT: That, again, is typically a
 23 matter of judicial notice, so we will deal
 24 with it, if we need to, at a later time.

25 "All records of homes, properties, bank

1 accounts and any/all records related to
 2 Jeffrey Epstein's assets."

3 MS. ROCKENBACH: That was not produced,
 4 along with this passport. Nineteen and 20
 5 have not been produced. But I presume that
 6 this somehow relates to the punitive
 7 damages.

8 MR. SCAROLA: It does.

9 MS. ROCKENBACH: And there was a
 10 stipulation by my client in discovery -- I
 11 think it was discovery answers -- about net
 12 worth that was in excess --

13 THE COURT: We talked about that.
 14 Mr. Scarola -- and understandably so -- is
 15 not going to accept that stipulation.

16 So eventually, there is going to have
 17 to be further discussion. I presume that's
 18 part of the motion to compel on Thursday.

19 MS. ROCKENBACH: Yes, Your Honor.

20 MR. SCAROLA: It arises in the context
 21 of the Fifth Amendment assertion to requests
 22 for admission and our being able to draw
 23 adverse inferences from those requests.

24 It has to do with responses to
 25 questions during the course of deposition.

1 And, yes, there's a motion to compel,
 2 because we believe that the Fifth Amendment
 3 assertion with regard to some aspects of
 4 what have been requested -- for example,
 5 disclosures to banks -- would not be covered
 6 by the Fifth Amendment. That would be a
 7 waiver with regard to anything that was
 8 disclosed to third parties.

9 Tax returns, same thing. Waiver.

10 THE COURT: Deeds.

11 MR. SCAROLA: Deeds, airplane
 12 registrations.

13 THE COURT: That's fine. We will take
 14 them up, if it's necessary, at the
 15 appropriate time.

16 Twenty is Mr. Epstein's passport.
 17 Again, I think that has to do somewhat with
 18 the issues we discussed as to the flight
 19 logs.

20 Driver's license. I don't know what
 21 that might be relevant to.

22 MR. SCAROLA: Same argument.

23 THE COURT: Same ruling. I will
 24 sustain the objection at this time.

25 List of corporations owned by

1 Mr. Epstein. I presume that has to do with
2 number 19 and the punitive damage claim.

3 MR. SCAROLA: It does, Your Honor.

4 THE COURT: We will deal with that at a
5 later time.

6 MS. ROCKENBACH: Twenty-three through
7 26 have not been produced. And I presume --
8 well, 23 says it's the yearbooks of Jane
9 Doe. But I presume that these other
10 yearbooks would implicate -- I don't know
11 who they would implicate, actually. Quite
12 honestly, they are vague. And I can't see
13 what relevance these vague yearbooks are
14 going to have in the malicious prosecution
15 action.

16 THE COURT: Same argument.

17 MR. SCAROLA: These reflect the
18 appearance of the victims at the time that
19 Mr. Epstein was abusing them, Your Honor, to
20 the extent there might be any argument that
21 he was unaware. And that obviously is not a
22 defense as a matter of law, but it might be
23 argued in litigation if he were to try to
24 contend -- he may try to contend that his
25 abuses of minors were inadvertent and

1 therefore less culpable. And we would show
2 pictures of these victims from which the
3 jury could draw their own conclusion as to
4 whether this was inadvertent.

5 It is not a defense as a matter of law.
6 They were either of age or not of age. And
7 he was either specifically requesting
8 children or not specifically requesting
9 children. But at any rate, they could
10 clearly have relevance in that regard. And
11 again, I'm not offering them at this point.
12 But they are there in the event this becomes
13 an issue.

14 THE COURT: I feel comfortable
15 deferring on 23 through 26. Twenty-seven is
16 the same.

17 MS. ROCKENBACH: As earlier -- as 14,
18 and 15.

19 THE COURT: The same as actually --

20 MS. ROCKENBACH: Seventeen.

21 THE COURT: So the same ruling.

22 MS. ROCKENBACH: Same ruling for 27,
23 which is sustained?

24 THE COURT: Yes.

25 MS. ROCKENBACH: And 23 through 26, you

1 are deferring, Your Honor, until you hear
2 testimony. And it sounds like the door
3 would be that my client didn't know the age
4 of the three clients of Mr. Edwards.

5 THE COURT: At this point, yes.

6 MS. ROCKENBACH: Thank you, Your Honor.

7 Number 28 is similar to what you ruled
8 upon the last hearing, which was number 7,
9 messages taken from Mr. Epstein's home.
10 This is notepads found in Mr. Epstein's home
11 and/or doing trash pulls outside of his home
12 during the criminal investigation.

13 We are not in the criminal
14 investigation. We are not trying that case.
15 And notepads or trash pulled outside my
16 client's home is irrelevant, prejudicial and
17 should not be introduced.

18 THE COURT: Do you have any of those?
19 Have you received copies?

20 MS. ROCKENBACH: I did. Yes, 28, I
21 have a sampling. I think it was a very
22 large exhibit, so -- and you will see
23 that --

24 May I approach, Your Honor?

25 THE COURT: Sure. Okay, again, I have

1 reviewed these materials. I am going to
2 make the same finding I made earlier, the
3 impact upon the issues as to preparedness,
4 knowledge -- as far as Mr. Edwards is
5 concerned -- his diligence as to discovery,
6 if those are called into question, then
7 these may be discussed. The fact that he
8 had these materials probably will be able to
9 be discussed.

10 The actual documentation themselves,
11 though, again, I think would be excessive
12 and would be getting into other matters that
13 would not be germane to the three young
14 women who were involved here.

15 So in essence, it's sustained in part,
16 overruled in part.

17 MS. ROCKENBACH: Number 29 is the Palm
18 Beach State Attorney's Criminal file. It's
19 over 2,000 pages. I have a sampling for
20 Your Honor to look at if you're interested.

21 THE COURT: No. Same ruling. And that
22 is, if it gets to the issue like we
23 discussed -- I'm going to repeat myself --
24 then the fact that's it's a 2,000-page
25 criminal investigation file that Mr. Edwards

1 had some access to formulate his position as
 2 to the legitimacy of these three claims, if
 3 those are called into question -- because
 4 there are that busy equivocation regarding
 5 the legitimacy of those claims -- then
 6 again, it may come into play.

7 The fact that there was a criminal file
 8 prepared -- no surprise to anyone -- won't
 9 be a surprise to the jury. But the
 10 individual pages therein would have to be
 11 further discussed at a later time.

12 Mr. Scarola.

13 MR. SCAROLA: Your Honor, this is one
 14 of the circumstances where the distinction
 15 that I referenced before probably becomes
 16 very clear. That is, during the course of a
 17 criminal prosecution, these criminal files
 18 probably would not have been available to
 19 Bradley Edwards. He may have had the same
 20 information from other sources. But they
 21 obviously were entirely available to Jeffrey
 22 Epstein.

23 So these would have a significant
 24 impact on what Mr. Epstein knew in order to
 25 make a determination as to what a reasonably

1 THE COURT: Again, we will have to
 2 figure that out as we go along.

3 But again, the global ruling is the
 4 individual entries, unless there's something
 5 that is brought to my attention, would not
 6 be subject to admission. But the likelihood
 7 that the significance, if you will, of the
 8 file, the volume of a file would be
 9 particularly important as to Mr. Epstein's
 10 knowledge prior to filing the suit.

11 MR. SCAROLA: Your Honor, I'm sure
 12 Ms. Rockenbach wouldn't intentionally
 13 misrepresent any fact to the Court, but
 14 could we know the basis for her claiming
 15 that Mr. Epstein did not have discovery in
 16 the criminal case?

17 MS. ROCKENBACH: I don't think that my
 18 client would have access -- I could be
 19 wrong, but I cannot imagine my client would
 20 have access to the Palm Beach County State
 21 Attorney's criminal file. I'm not sure how
 22 my client would get his hands on the State
 23 Attorney's file.

24 MR. SCAROLA: Well, I'm sure it's a
 25 reflection of Ms. Rockenbach not doing

1 objective person could or could not rely
 2 upon in forming probable cause.

3 THE COURT: Again, I'm more concerned
 4 with the sanitizing -- it goes more to
 5 attempting to sanitize, to the best of our
 6 ability, and to carve out and distinguish
 7 between the three claims that are brought in
 8 the global investigation that was done. And
 9 I think that it is pertinent to the analysis
 10 here.

11 So again, the compilation of the file
 12 and if Mr. Edwards had knowledge and the
 13 extent of the file -- even if he didn't have
 14 access to it, which would be likely -- then
 15 that would be relevant, as I said, to
 16 Mr. Edwards.

17 Also, I agree with Mr. Scarola that
 18 certainly the sheer amount of the file would
 19 have been known to Mr. Epstein, at least
 20 should have been known by Mr. Epstein. And
 21 that may be something you may or may not ask
 22 him. But that should have been known to him
 23 at time he filed the lawsuit.

24 MS. ROCKENBACH: It was not, Your
 25 Honor. I have been informed it was not.

1 criminal practice. But those of us who have
 2 engaged in criminal practice know that all
 3 evidence in the hands of the State Attorney
 4 is required to be turned over to the defense
 5 in the context of a criminal prosecution.

6 So if it's simply a matter of
 7 Ms. Rockenbach not being familiar with that
 8 procedure, I understand that. But I want
 9 the record reflect there's no basis in the
 10 record to suggest that Jeffrey Epstein did
 11 not have all of the discovery to which he
 12 was entitled in the criminal case.

13 THE COURT: I think it's more a matter
 14 of timing that I am concerned with. And
 15 that is, at the time he filed the suit
 16 versus whenever that information may have
 17 been turned over could be very distinct.

18 MR. SCAROLA: He was well into the
 19 defense of his criminal prosecution at the
 20 time.

21 THE COURT: By December of 2009?

22 MR. SCAROLA: Yes.

23 MS. ROCKENBACH: I do believe, Your
 24 Honor, though, that we are getting very far
 25 astray from probable cause -- which I

1 appreciate Mr. Scarola's assistance with the
 2 knowledge of the criminal -- because I have
 3 not practiced -- I did do some appellate
 4 criminal work when I clerked at the Fourth
 5 District Court of Appeals, but that was a
 6 lifetime ago.

7 But the probable cause issue is not
 8 whether or not my client knew about the
 9 State Attorney's file or the 2,000
 10 documents. It is whether my client had
 11 probable cause to institute the original
 12 proceeding based on a reasonable belief that
 13 Mr. Edwards participated or had connection
 14 to Mr. Rothstein's Ponzi scam. And that's
 15 the defamation by way of the jury
 16 instruction for probable cause, which is
 17 406.4.

18 So I'm not going anywhere outside of
 19 the Florida Supreme Court jury instruction
 20 definition and the case law.

21 But all of these exhibits that we
 22 are -- and the Court is incredibly patient
 23 with us going through -- relate to the
 24 criminal action and the criminal -- we are
 25 now on the Palm Beach County State

1 it. It is in the record.

2 MS. ROCKENBACH: Next are the documents
 3 related to Mr. Epstein's conviction. They
 4 weren't produced. I don't know what precise
 5 documents they were, but I really don't
 6 think it matters, because it relates to the
 7 criminal conviction and his plea colloquy
 8 that was heard before -- I believe it was
 9 Judge Debbie Pucillo on June 30, 2008.

10 This is not irrelevant under 401, it's
 11 prejudicial under 403, and it also
 12 implicates the conviction of certain crimes
 13 of impeachment under 90.610.

14 We discussed this with Your Honor at a
 15 prior hearing on November 29th about a
 16 procedure to do that. You can ask a witness
 17 on the stand. Have you ever been convicted
 18 of a felony or a crime involving dishonesty.
 19 If they say no, then you can absolutely use
 20 documents to impeach their lying under oath.

21 THE COURT: Remember we had that
 22 discussion between credibility and a factual
 23 issue, that being relevancy, whether or not
 24 something tends to prove or disprove a
 25 material fact. That's how we distinguished

1 Attorney's criminal file. So I guess
 2 whether my client had it or not is really
 3 irrelevant. It is an issue of what are we
 4 trying in this case, and we are not trying
 5 he criminal action.

6 THE COURT: I understand. But it gets
 7 back to his knowledge, his accountability,
 8 his constructive knowledge of the
 9 ramifications or potential ramifications
 10 that could arise when he filed this lawsuit
 11 in the first place. And those are all
 12 relevant as far as this Court is concerned,
 13 unless I am shown something otherwise by way
 14 of the case law.

15 So let's move on. I would rather go
 16 forward -- just to give you my thoughts on
 17 the subject.

18 Again, I am always inviting anyone to
 19 bring cases to my attention that may serve
 20 to change my mind, or at least influence the
 21 decisions that I am going to make.

22 MS. ROCKENBACH: Thank you, Your Honor.

23 It seemed Your Honor was sustaining, but I
 24 want to make sure I understand.

25 THE COURT: I have already explained

1 it the last time.

2 Mr. Scarola.

3 MR. SCAROLA: I only wanted to point
 4 out to Your Honor that a comment was made by
 5 Mr. Goldberger earlier today that's relevant
 6 to this discussion, and that is, he said
 7 that Jeffrey Epstein did not plead guilty to
 8 crimes involving these three victims. I
 9 don't believe that that is supported by the
 10 record.

11 I think what the record reflects -- and
 12 Your Honor has a copy of the conviction, so
 13 you might be able to correct me if I'm
 14 wrong, because it's been a while since I saw
 15 them. But I don't think that there is a
 16 victim named, strangely, in those pleas.

17 In fact, when Mr. Epstein was asked who
 18 did he plead guilty to prostituting or
 19 soliciting for prostitution, his response
 20 was, I don't remember. I don't know who it
 21 was that I pled guilty to soliciting for
 22 prostitution.

23 THE COURT: For reasons that may have
 24 to do with the minority status of the
 25 victims, it states -- has Mr. Epstein's

1 name, guilty plea checked off by way of an
 2 X, two case numbers. Charge: felony
 3 solicitation of prostitution count one,
 4 third degree felony; procuring person under
 5 18 for prostitution, second degree felony.

6 It goes on by indicating the
 7 presentence investigation. PSI was not
 8 required or waived. The sentencing; credit
 9 for time served; other comments or
 10 conditions, including the registration and
 11 designation as a sexual offender;
 12 presentation of DNA sample, as is required
 13 in these types of pleas. And no
 14 unsupervised contact with minors, et cetera.

15 MR. SCAROLA: My recollection is --

16 THE COURT: To my knowledge, leafing
 17 through this, there is no specific
 18 designation of the victim by name or
 19 initials.

20 Go ahead.

21 MR. SCAROLA: That is my understanding
 22 as well. And the criminal complaints that
 23 resulted in those guilty pleas had to do, I
 24 believe, with a long list of individuals.

25 So when Mr. Epstein pleads guilty and

1 is unable to identify who it is that he pled
 2 guilty to molesting, I suggest to Your Honor
 3 that that is clearly a probative fact that
 4 the jury can take into consideration in
 5 adjudging the strength of these three cases,
 6 because he didn't say it wasn't one of these
 7 three individuals. What he said was, I
 8 don't remember who it was. And that clearly
 9 is a statement from which the jury could
 10 conclude, particularly in light of all the
 11 Fifth Amendment assertions from which
 12 adverse implication can be drawn when he
 13 refuses to acknowledge he even knew any of
 14 these three girls.

15 Those circumstances taken together
 16 clearly are relevant and material in making
 17 a determination as to the viability of these
 18 three claims.

19 MR. LINK: Your Honor, if I may.

20 Mr. Scarola is dead wrong. He did not plead
 21 guilty to child molestation. You have just
 22 seen the plea.

23 I know you have asked us not to do
 24 rhetoric. That is pure rhetoric. That is
 25 not the plea.

1 Second, in the colloquy, it identifies
 2 the minor victim. It's AD. It is not one
 3 of Mr. Edwards' clients.

4 During Judge Pucillo's colloquy, AD is
 5 the minor that relates to that one count.
 6 But there is nothing in the record there
 7 that suggests child molestation or any plea
 8 to child molestation.

9 THE COURT: It depends how you look at
 10 it. When someone is pleading guilty and is
 11 convicted of procuring a person under 18 for
 12 prostitution, I am not certain that's not a
 13 form of child molestation. But again, I am
 14 not here to parse words.

15 The bottom line is that if it was a
 16 civil action directly related to the
 17 criminal prosecution -- again, my global
 18 understanding is that the plea -- a
 19 certified copy of the plea would be
 20 introduced into evidence.

21 Here, because of the uncertainty, I'm
 22 going to defer ruling on this particular
 23 issue until really further information is
 24 developed in order to make a cogent decision
 25 and a knowledgeable one, for that matter.

1 Same thing with the plea column. If it
 2 doesn't have anything to do with any of the
 3 three individuals that Mr. Edwards
 4 represented, the likelihood is I am going to
 5 sustain the objection.

6 MR. SCAROLA: For whatever assistance
 7 it may be to the Court, I believe that AD is
 8 the child who introduced E.W. to Jeffrey
 9 Epstein and was paid for bringing her to
 10 Jeffrey Epstein the first time.

11 THE COURT: Again, that may have
 12 everything to do with the case that was
 13 tried as to E.W.'s case. Again, those
 14 tangential issues were something that were
 15 of extreme concern for the Court when it
 16 comes to this malicious prosecution claim,
 17 and the continue concern about undue
 18 information, and part of the reason why I am
 19 going to defer, but also keeping that very
 20 much in the forefront of my consideration,
 21 that being undue inflammatory information
 22 being imparted to the trier of fact.

23 Number 32 is, "List of properties and
 24 vehicles in Larry Visoski's, V-I-S-O-S-K-I,
 25 name.

1 He's one of the pilots.
 2 MR. LINK: Yes, sir.
 3 THE COURT: Relevancy?
 4 MR. SCAROLA: Has to do with the
 5 transfer of assets out of Jeffrey Epstein's
 6 name, Your Honor.

7 And again, I don't know that that's
 8 going to become a matter that we need to
 9 deal with. It's listed. My argument is
 10 what my argument was.

11 THE COURT: Thank you. Again, that
 12 would be deferred until it needs to be --

13 MR. LINK: Your Honor, may I interrupt
 14 for one second? Do you mind?

15 THE COURT: Pardon me?

16 MR. LINK: Do you mind if I interrupt
 17 for one second?

18 I know we are getting passed where you
 19 told us we could be, but I thought it might
 20 be helpful if I clarify -- I heard you say
 21 that we have been equivocating -- I don't
 22 think you mean our team, but I think over
 23 the years equivocating, and I would like to
 24 put that to rest if I can. It might help us
 25 going forward if you give me two minutes. I

1 agreement, essentially, to challenge
 2 liability.

3 So there is nothing that we're saying
 4 that took place between the filing in 2008
 5 and when he joins Mr. Rothstein's firm that
 6 we are calling into question as being
 7 fabricated.

8 That doesn't mean that Mr. Epstein
 9 agreed with every single thing these folks
 10 said, or that he thought the amount they
 11 were seeking was reasonable.

12 But I want it to be clear that we are
 13 not intending to introduce evidence that,
 14 from when he was a sole practitioner, that
 15 the three cases were fabricated or made up,
 16 or that the values were fabricated or used
 17 as part of a Ponzi scheme.

18 All of the conduct that we have focused
 19 on takes place between April 9, '09, when
 20 Mr. Edwards joins the Rothstein firm and
 21 when he leaves.

22 And one of the things this Court has
 23 said that I think is really important -- and
 24 I understand your ruling -- you and I have a
 25 little disagreement about the way we think

1 know we are wrapping up now anyway.

2 THE COURT: Sure.

3 MR. LINK: If you don't mind.

4 THE COURT: Not at all.

5 MR. LINK: So there is no equivocation
 6 about this. And I want to say these words
 7 as carefully as I can, Your Honor. I can
 8 never speak in final draft like Mr. Scarola
 9 does, but I would try to get to at least a
 10 rough draft.

11 Here is what I mean. The lawsuits
 12 filed by Mr. Edwards were initiated in 2008
 13 when he was a sole practitioner.

14 During that time period when he filed
 15 them is when Mr. Epstein was serving time in
 16 jail and is subject to the non-prosecution
 17 agreement. We have never taken -- we are
 18 not taking the position -- we are not taking
 19 the position for this trial that the filing
 20 of those three lawsuits were a fabrication.

21 During that time frame, pursuant to the
 22 NPA, Mr. Epstein was not permitted to defend
 23 the merits -- he was allowed to challenge
 24 the amount of damages they were seeking, but
 25 he was not allowed under the non-prosecution

1 it should go, but that happens to be almost
 2 every day in the courtroom. But you have
 3 made it really clear that we have to stand
 4 behind the allegations of the complaint.

5 And I'm taking Your Honor as saying
 6 that literally, that the plaintiff, too,
 7 doesn't get to come in and say words that
 8 aren't in the complaint, that they have to
 9 point to words where it says there was a
 10 fabrication and who made that fabrication.

11 The word that you pointed to was the
 12 word weak. And we're going to have a trial
 13 over whether the cases were weak or not weak
 14 to somebody's subjective level.

15 But I want to be sure that it's really
 16 clear, because all the things we've been
 17 talking about -- the criminal activity, the
 18 arrest records, the flight logs -- all of
 19 that relates to, in my view, none of the
 20 activity that is from April 9th, '09
 21 backwards -- April 9, '09 backwards -- I may
 22 have misspoken. I will clarify that in a
 23 second.

24 And what I mean by that is this. The
 25 cases that were filed by Mr. Edwards, he had

1 probable cause to file them. We are not
 2 saying that he didn't. We are not
 3 challenging his bringing those cases, and we
 4 are not going to complain about those cases.
 5 So information that led up to an arrest
 6 for phone records wouldn't only come in if
 7 we were saying those three cases in 2008
 8 were fabricated. We're not saying that.
 9 We're not saying that at all.

10 What I'm hearing we are going to be
 11 doing in this trial is trying three
 12 molestation cases. These three victims --
 13 these three plaintiffs are going to get on
 14 the stand and we are going to try the
 15 molestation case. Were they touched? Where
 16 were they touched? When were they touched?
 17 How many times were they touched? What did
 18 they look like? What's their emotional
 19 reaction to it? Have they suffered damages?
 20 Have they become strippers as a result of
 21 the touching? That's what we're talking
 22 about trying in this malicious prosecution
 23 action.

24 THE COURT: I am not sure we have been
 25 in the same courtroom. That's fine if you

1 THE COURT: I think that's what
 2 Mr. Link has offered.

3 MR. SCAROLA: I thought that that's
 4 what it was, but I want that -- that's an
 5 important stipulation. There ought not to
 6 be any ambiguity.

7 THE COURT: Mr. Link, are you willing
 8 to stipulate that the actions brought by
 9 Mr. Edwards on behalf of the three
 10 individuals that we have listed by way of
 11 either initials or Jane Doe that have been
 12 at center of this controversy, were brought
 13 in good faith, and that the allegations were
 14 well-founded?

15 MR. LINK: There's a distinction, and
 16 that's this. Yes, they were brought in good
 17 faith. Can I say all of the allegations are
 18 true? I can't say that, Your Honor. We
 19 never put them to the test because we
 20 couldn't.

21 I didn't represent Mr. Epstein at that
 22 time, so I think -- when you ask me would I
 23 say everything that was pled was true, I
 24 can't say that.

25 THE COURT: But you are saying you're

1 are under that impression.

2 Again, I am not here to answer
 3 questions or to give advisory opinions or
 4 make advisory statements. All I'm trying to
 5 do here today is trying to slog through as
 6 much as this evidence as I can to determine
 7 whether or not, at least on their faces, it
 8 would be admissible, it would be deferred;
 9 admissible and granted in part; is the
 10 objection sustained in part, denied in part,
 11 overruled in part; whatever the case might
 12 be.

13 But I would like to get back to that
 14 and use the few more minutes to --

15 MR. LINK: Do you mind if I just see
 16 what I just misstated so I can fix it on the
 17 record if I need to? It will take me 10
 18 seconds.

19 MR. SCAROLA: If Mr. Link is offering a
 20 stipulation that allegations in the
 21 complaints on behalf of E.W., L.M. and Jane
 22 Doe as filed by Bradley Edwards were
 23 well-founded allegations, I will accept that
 24 stipulation, and that may help to abbreviate
 25 some of the issues that we have been facing.

1 willing to stipulate that they were all made
 2 in good faith?

3 MR. LINK: Yes, sir, absolutely.

4 THE COURT: So stipulated. Thank you.
 5 That can be typed up and brought to the
 6 Court's attention, if necessary, during the
 7 pendency of litigation.

8 MR. LINK: Thank you, Your Honor. I
 9 hope my stipulation helped.

10 THE COURT: All right, we are up to
 11 number 40?

12 MS. ROCKENBACH: I think we were at 33.
 13 I wish we were at 40.

14 THE COURT: We did 32.

15 MS. ROCKENBACH: We did 32.

16 THE COURT: I indicated that 35 is the
 17 next highlighted one.

18 That again, is a matter judicial
 19 notice, and depending upon whatever
 20 evidentiary value it may have, those are
 21 just answers in affirmative defenses in the
 22 civil cases against him.

23 MS. ROCKENBACH: Your Honor, I'm sorry.
 24 I think we also objected to 33.

25 THE COURT: I don't have it

1 highlighted.

2 MR. SCAROLA: I don't have it
3 highlighted on mine either.

4 THE COURT: Responses to requests for
5 production, requests for admission, answers
6 to interrogatories in this matter. And then
7 there's a list of about 10 or so cases.

8 MS. ROCKENBACH: Those were not this
9 case before you in division AG. And this
10 case number, you can --

11 THE COURT: You're talking about AB?

12 MS. ROCKENBACH: Yes. These are all
13 '08 cases, '09 cases. I presume they are --

14 Your Honor, perhaps Mr. Scarola can
15 tell us the relevance, but they would not be
16 relevant to this action.

17 Bringing in discovery from other
18 lawsuits seems to be creating mini-trials
19 again within this suit.

20 THE COURT: Well, depending upon the
21 nature of the discovery, and obviously
22 depending upon its relevance to the lawsuit
23 that we are dealing with here, things like
24 requests for admissions may be, pursuant to
25 the law, transferable to a similar case.

1 He had the assistance of the University
2 of Utah law professor Paul Cassell. So his
3 motive was to escape or reduce his liability
4 in a large number of pending civil actions
5 and to escape liability for an even larger
6 number of potential criminal prosecutions.

7 While the limitation that Your Honor
8 has described applies to the probable cause
9 issue for the reasons that Your Honor has
10 stated, those reasons have no applicability
11 when it comes to talking about motive and
12 malice.

13 When it comes to talking about motive
14 and malice, I respectfully suggest the jury
15 needs to understand why it is that somebody
16 would take the risk of filing a malicious
17 lawsuit, what did he have to gain by doing
18 that.

19 And what he had to gain was not simply
20 to influence Bradley Edwards' prosecutorial
21 decisions with regard to three cases, but to
22 influence Bradley Edwards' decisions with
23 regard to a large number of other pending
24 civil lawsuits, and even more significantly,
25 a claim that could expose Jeffrey Epstein to

1 Answers to interrogatories, the same thing.
2 Those things that are stated under oath have
3 a more concrete type of affect than those
4 that are not stated under oath.

5 So what's your position, Mr. Scarola?

6 MR. SCAROLA: Let me just state
7 broadly, Your Honor, that as has been
8 acknowledged in earlier argument before the
9 Court, there is clearly an issue with regard
10 to motive and intent on Jeffrey Epstein's
11 part. And it is our theory of the case that
12 Jeffrey Epstein singled out Bradley Edwards
13 because he was leading a joint prosecution
14 effort that included a number of other
15 lawyers prosecuting multiple other cases,
16 and that Brad was singled out, not only
17 because of his leadership role, but because
18 he faced a particular vulnerability.

19 And what Mr. Epstein was attempting to
20 do was to extort Bradley Edwards into either
21 abandoning or compromising the interest of
22 his clients and backing off on the
23 prosecution of the Crime Victims' Rights Act
24 case, which Mr. Edwards was prosecuting on a
25 pro bono basis almost independently.

1 spend the rest of his life in jail.

2 So that's the relevance and materiality
3 that we have not directly addressed yet that
4 does arise when we start talking about why
5 are we going to be talking about all of
6 these other claims.

7 Your Honor is right. There are
8 specific admissions included within those
9 other pleadings. But the mere existence of
10 those other cases that were being prosecuted
11 on a coordinated basis does make a very
12 significant difference in terms of motive.

13 Thank you, sir.

14 THE COURT: Okay. Thank you as well.

15 Again, I am going to have to take these
16 up on an issue-by-issue basis in order to
17 determine the relevancy.

18 Thirty-five, again, are the answers to
19 affirmative defenses in all civil cases
20 against him. Same ruling. I am going to
21 have to take those up on an issue-by-issue
22 basis.

23 Thirty-six. All complaints in which
24 Epstein was a defendant, same ruling. I
25 will have to take those up on an individual

1 basis. In other words, that means that I'm
2 going to defer.

3 The newspaper articles, online articles
4 or publications related to Jeffrey Epstein.

5 MS. ROCKENBACH: Number 40 was not
6 produced. Actually, Mr. Scarola and I can
7 get together and look at articles. There
8 might be some that I agree to.

9 MR. SCAROLA: They were produced in
10 connection with Mr. Jansen's report. You
11 have a copy of every one of them.

12 MS. ROCKENBACH: Okay, so Jansen's
13 report. So then this exhibit goes to
14 Mr. Jansen, which I have a motion to strike
15 and preclude that is in draft form that I
16 was working on last night. So I think then,
17 perhaps, the Court can take that up in the
18 context of Mr. Jansen's testimony and that
19 motion in that, Mr. Jansen is a damages
20 expert that has testified about defamatory
21 statements.

22 What I started to say is, I would agree
23 to some newspaper articles that my client
24 relied on in bringing the original
25 proceeding, because he has testified that he

1 that now, as well.

2 The video footage of the walk-through
3 site inspection of Epstein's home is
4 probably likely to closely resemble that of
5 punitive damages, although it may be also
6 this issue of whether or not there's going
7 to be an exception taken to -- strike
8 that -- to any of the individuals who are at
9 issue, and their memory as to whether or not
10 they recall what, if anything, maybe in or
11 not in Mr. Epstein's home, and could be an
12 issue of credibility and could be supported
13 by way of the video.

14 Again, I will take that up if that
15 becomes an issue later on.

16 The properties, cars, boats and planes
17 of Mr. Epstein, again could be taken up
18 later, if it becomes an issue.

19 Probable cause affidavits prepared
20 against Jeffrey Epstein and Sarah Kellen,
21 same ruling I made earlier regarding
22 probable cause. If the affidavit was
23 prepared against Epstein himself, then it's
24 relevant, unless it relates to any issues of
25 Mr. Edwards' knowledge and his diligence,

1 relied on these newspaper articles that
2 connected Mr. Edwards to Mr. Rothstein's
3 Ponzi scheme and that formed, in part, the
4 basis for his probable cause to originate
5 the proceeding.

6 But as to the mountain of newspaper
7 articles or periodicals or Internet hits
8 that Dr. Jansen reviewed -- and I guess are
9 attached to his report that I'm now hearing
10 are Exhibit 40 -- we would absolutely object
11 to, because they are not relevant in the
12 malicious prosecution action.

13 MR. SCAROLA: If we're going to take up
14 Mr. Jansen in response to a motion that we
15 haven't seen yet, may I suggest that we take
16 up Mr. Jansen in response to a motion --

17 THE COURT: At this point, to try to
18 marshal the number of articles, online
19 articles, newspaper articles and
20 publications related to Jeffrey Epstein is
21 close to impossible, so I'm not going to get
22 into that right now.

23 Report and analysis of Epstein's
24 assets, again, likely goes to the punitive
25 damages aspect. I'm not going to get into

1 and the like, relating to his preparation of
2 his cases.

3 Forty-five. Documents relating to or
4 evidencing Epstein's donation to law
5 enforcement.

6 MS. ROCKENBACH: Irrelevant and
7 prejudicial, because then it reflects
8 poorly. It's an insinuation that our system
9 can be purchased, and that's just
10 inappropriate. It's not appropriate for a
11 malicious prosecution action whatsoever.

12 THE COURT: Well, the likelihood,
13 again, I am going to sustain the objection,
14 unless I find that -- something that might
15 have something reasonably to do with this.
16 I understand the intent. But again, any
17 probative value would be materially
18 outweighed by the prejudice and the
19 relevance.

20 Forty-six. Victim notification letter
21 from the U.S. Attorney's Office to victim.
22 Again, I think that more closely aligns
23 itself with that victims' rights case that's
24 being brought.

25 Again, I will sustain until such time

1 as I find it may have something to do with
2 the issues I described earlier.

3 Mr. Dennison's -- Dr. L. Dennison
4 Reed's report of victim. That's an expert?
5 I don't know what that is.

6 MS. ROCKENBACH: Ask Mr. Scarola.
7 Psychological examination of [REDACTED] L.R.
8 This is something that was in the federal
9 court action.

10 THE COURT: That was the same lady I
11 tried to protect by not using her last name.

12 MS. ROCKENBACH: I apologize, Your
13 Honor, and agree to strike that.

14 THE COURT: It's stricken. It will
15 [REDACTED] R., middle initial L. It may have
16 been a two-part name. Just identify her as
17 [REDACTED] L.R. That would be the designation we
18 use.

19 MS. ROCKENBACH: I fail to see the
20 relevance of a psychological report.

21 THE COURT: Same ruling. Again, it
22 doesn't have anything to do with the three
23 ladies involved here.

24 Palm Beach Police Department incident
25 report. Does that have anything to do with

1 indicated. And that it would not be
2 necessarily the contents of the exhibit, but
3 the ability to speak generically about the
4 fact that he had those exhibits on hand when
5 he did what he did.

6 MR. SCAROLA: Thank you.

7 THE COURT: Thanks.

8 Same thing with 52, same ruling.

9 Who is Alberto Pinto? What does he
10 have to do with this?

11 MS. ROCKENBACH: This is a contractor
12 who my client hired to do a housing project.
13 There is no relevance. We read the letter.
14 We provided it to the Court.

15 THE COURT: Anything, Mr. Scarola, on
16 this?

17 MR. SCAROLA: Same position, Your
18 Honor.

19 THE COURT: Same ruling finding it to
20 be irrelevant, unless otherwise shown to the
21 Court to relate to issues pertaining to
22 those that the Court has indicated or others
23 that may come up later on down the line. I
24 am preliminarily going to sustain the
25 objection.

1 any of the three people here?

2 MR. SCAROLA: I'm sorry. Was that a
3 question, Your Honor?

4 THE COURT: Yes.

5 MR. SCAROLA: I believe it does.

6 Again, I don't intend to offer it until such
7 time as I have established its relevance.

8 THE COURT: Same argument. And at this
9 point -- thank you. That will be sustained,
10 unless otherwise necessary.

11 MS. ROCKENBACH: I don't have copies
12 of --

13 THE COURT: Same thing with 49. Same
14 thing with 50. Same ruling with regard to
15 51.

16 MR. SCAROLA: I would only point out --
17 when Your Honor is saying the same ruling,
18 I'm sorry but I'm really not --

19 THE COURT: Sustained, unless there's
20 some reason for it to be provided as it
21 relates to the three plaintiffs that
22 Mr. Edwards represented, or it has to do
23 with issues concerning his preparation, his
24 evaluation of the cases, and all of the rest
25 of those things that I have already

1 Bank statements, tax returns have to do
2 with the punitive aspects. I will defer on
3 those.

4 MC2 emails. MC2 is another person who
5 has sued Mr. Epstein?

6 MS. ROCKENBACH: I do not know that
7 exhibit. MC2 was the investing company that
8 was defrauded by Mr. Rothstein.

9 THE COURT: I can't keep track --

10 MS. ROCKENBACH: No. That's not right.
11 I got that wrong. I don't have these
12 emails. I don't.

13 THE COURT: Can anybody answer who MC2
14 may be?

15 MR. SCAROLA: No, sir.

16 THE COURT: We will have to take a look
17 at those at a different time. At this point
18 I will reserve.

19 DVD of plea and colloquy. We talked
20 about that earlier. Sustained, unless it
21 becomes an issue we need to deal with later
22 on. Preliminarily it's sustained.

23 Transcript of plea and colloquy taken
24 on 6/30/08. Same ruling.

25 Massage table. Again, unless it

1 becomes an issue as to one of these people
 2 indicating that -- strike that.
 3 Somebody that may indicate that a
 4 massage was done, someone denying the
 5 massage table ever existed, I don't think
 6 it's relevant.

7 Again, it may come up as to massages
 8 being done and that type of thing, but the
 9 actual table is a good exemplar of going
 10 beyond, over the top of what we need to do
 11 here, that is, to bring the actual table.
 12 It's not like those instances where a
 13 vehicle is actually brought into a
 14 courtroom, or part of a vehicle is brought
 15 in for the jury to use the vehicle outside
 16 the courthouse. The vehicle is the
 17 actual --

18 MR. SCAROLA: I don't anticipate
 19 bringing a massage table in, sir.

20 THE COURT: All right. That's good to
 21 know. Thank you.

22 No contact orders entered against
 23 Epstein, criminal score sheet regarding
 24 Epstein, documents evidencing Epstein's
 25 community control and probation, Epstein's

1 particular.

2 THE COURT: I will take a look at that
 3 when the time comes, if it comes at all.

4 Thank you.

5 Booking photographs. Again, same
 6 ruling as I made on the other matters
 7 regarding the criminal aspects of the case.

8 MR. SCAROLA: This would simply be a
 9 photograph, Your Honor.

10 THE COURT: What's its relevancy?

11 MR. SCAROLA: I'm not sure Mr. Epstein
 12 is going to be here.

13 THE COURT: Are you planning to
 14 subpoena him?

15 MR. SCAROLA: No, sir. No. If he
 16 chooses not to be here, I have videotaped
 17 deposition.

18 THE COURT: That's fine.

19 MR. SCAROLA: I want to be able to
 20 identify him as the person who got
 21 convicted.

22 THE COURT: It could be duplicative of
 23 a video.

24 MR. SCAROLA: It may be. Again, I just
 25 want to explain to Your Honor that's why

1 sex-offender registrations.

2 MR. SCAROLA: May we stop there?

3 THE COURT: Yes.

4 MS. ROCKENBACH: Before we stop, Your
 5 Honor, was about to rule on 60 through 62.

6 THE COURT: Sixty through 62 is
 7 sustained for the reasons that I've already
 8 earlier indicated on the record.

9 Sixty-three. Epstein's sex offender
 10 registrations.

11 MR. SCAROLA: Yes, as part of
 12 Mr. Epstein's sex offender registration,
 13 particularly in the state of New York -- I'm
 14 not sure the extent to which it applies
 15 elsewhere -- he was obliged to disclose his
 16 ownership interest in vehicles, airplanes
 17 and residences, that is, he had to list all
 18 of those things. And one of the ways that
 19 we have identified Jeffrey Epstein's assets
 20 is through those sex offender registration
 21 disclosures that he was obliged make and did
 22 make.

23 So it has to do with punitive damages
 24 in addition, perhaps, to something else.
 25 But it has to do with punitive damages in

1 it's listed.

2 THE COURT: I will defer.

3 CAD calls. C-A-D.

4 MR. SCAROLA: I can't tell you.

5 THE COURT: Sustained.

6 MS. ROCKENBACH: I have a copy of the
 7 exhibit that Mr. Scarola provided. They are
 8 Palm Beach Police Department --

9 THE COURT: I have already sustained
 10 the objection for reasons that were
 11 indicated earlier.

12 List of Epstein's house contacts. You
 13 have that one?

14 MS. ROCKENBACH: I do. May I approach,
 15 Your Honor?

16 THE COURT: Sure.

17 MS. ROCKENBACH: It's a document titled
 18 Vehicles, Mail Deliveries --

19 May I retrieve these?

20 THE COURT: This looks like his
 21 vehicles, grocery stores that he shops at,
 22 health and beauty, utilities, storage, mail
 23 and delivery services, maintenance, travel,
 24 banking, bicycles, bookstore, cleaning
 25 service. Entertainment: Breakers, comedy

1 corner, Mar-a-Lago. It goes to different
 2 servicing companies, such as extermination
 3 type of thing. It has a list of names and
 4 numbers.

5 Okay, again the same ruling that I made
 6 earlier, and that is, that it would not be
 7 relevant, except for issues that I have
 8 discussed earlier that may impact upon
 9 particularly Mr. Edwards' diligence, what he
 10 had, particularly at the time of his employ
 11 with the Rothstein firm, and those things I
 12 have already mentioned in the record.

13 Documents related to Epstein's
 14 investments would be a punitive damage issue
 15 that we will take up at a later time.

16 Letter from Chief Reiter from the Palm
 17 Beach Police Department to Barry Krischer,
 18 it should be, instead of Krischler, I
 19 presume.

20 MS. ROCKENBACH: That's correct. It's
 21 dated May 1st, 2006.

22 THE COURT: Let me take a look at it.

23 Sixty-nine is a list of planes owned by
 24 Epstein. That would be, again, reserved, if
 25 necessary, for the punitive damages

1 investigating office, through its chief, is
 2 challenging the way in which his cases are
 3 being treated is relevant and material with
 4 regard to his taking the highly unusual step
 5 of filing a baseless malicious claim against
 6 Bradley Edwards, that is, Mr. Epstein filing
 7 that claim against Bradley Edwards.

8 THE COURT: I'm sorry.

9 MR. SCAROLA: Mr. Epstein knows that he
 10 is facing very substantial jeopardy. And
 11 that letter is corroborative of that. It's
 12 part of what he knows when he files the
 13 claim.

14 THE COURT: The objection is sustained.

15 MS. ROCKENBACH: The next set of items
 16 70 through 74, they are all letters from
 17 Mr. Epstein's lawyer, Guy Fronstin, prior
 18 counsel, to the assistant State Attorney
 19 Lanna Belohiavek from the Office of the
 20 State Attorney. They are all different, but
 21 they all relate to -- for instance, Exhibit
 22 Number 70 is a disclosure of third-party
 23 attorney fee payment where my client had
 24 offered to pay for his house manager, who
 25 was going to be giving a statement to the

1 component of the case.

2 Did you see these letters?

3 MR. SCAROLA: It's been a long time.

4 THE COURT: I couldn't imagine what
 5 relevancy it would have to do with this.
 6 Unless you can provide me any additional
 7 information, it's sustained.

8 Fronstin. Was he one of Mr. Epstein's
 9 attorneys at one time?

10 MS. ROCKENBACH: Yes, Your Honor.

11 And these all are -- Exhibits 70, 71,
 12 72, 73, 74, are all letters from --

13 MR. SCAROLA: I'm sorry. I'm having
 14 difficulty doing two things at once. I'm
 15 reading this letter. I would like -- I
 16 would like to comment that the Palm Beach
 17 Police Department was the principle
 18 investigating agency with regard to these
 19 claims. And obviously, the chief's position
 20 with regard to these claims is reflective of
 21 the quality of the claims that was called
 22 into question in the complaint by
 23 Mr. Epstein.

24 So to the extent that Mr. Epstein is
 25 aware of the fact that the chief

1 assistant state attorney. And it was in
 2 compliance with ethical rules. It
 3 actually is -- but it has no relevance.
 4 That's the point. It actually is a good
 5 thing, but here it shouldn't come in,
 6 because we are just getting too far astray.

7 I have these documents and these
 8 folders if Your Honor would like to look at
 9 them.

10 MR. SCAROLA: Part of what all the
 11 attorneys prosecuting claims against Jeffrey
 12 Epstein were dealing with, including Brad
 13 Edwards, was the degree of control that
 14 Mr. Epstein was exercising over various
 15 witnesses. And those letters evidence the
 16 degree of control that Jeffrey Epstein was
 17 exercising over various witnesses who were
 18 part of the then ongoing criminal
 19 investigation. That is why such things as
 20 the depositions of pilots and the
 21 subpoenaing of flight logs and the necessity
 22 to try to find third parties who were not
 23 under Mr. Epstein's influence to give sworn
 24 testimony concerning what was going on on
 25 airplanes became necessary.

1 MS. ROCKENBACH: They may be relevant
 2 if we were trying Mr. Edwards' cases that
 3 were settled. They are not remotely
 4 relevant in this action.

5 THE COURT: I tend to agree. Again,
 6 for the same reasons that I ruled earlier, I
 7 sustain the objection to these letters from
 8 this attorneys -- Mr. Epstein's attorneys to
 9 the assistant State Attorney.

10 Mr. Goldberger's letters, 75.

11 MS. ROCKENBACH: May I approach, Your
 12 Honor? It is dated June 22nd.

13 THE COURT: Off the record.

14 (A discussion was held off the record.)

15 THE COURT: I made an error confusing
 16 Mr. Salnick with Mr. Krischer. I apologize
 17 to them both. So I will need to take a look
 18 at that letter from Chief Reiter again and
 19 see if it changes my thought process in that
 20 regard.

21 MS. ROCKENBACH: Your Honor, I have it,
 22 if you want to take another look. It
 23 encloses a probable cause affidavit and case
 24 filing, packages from the police
 25 department -- Palm Beach Police Department

1 have made earlier with regard to other
 2 matters concerning the criminal file.

3 MS. ROCKENBACH: Thank you.
 4 THE COURT: The documents related to
 5 the rental of vehicles for Vanessa Zalis.
 6 Who is she?

7 MS. ROCKENBACH: I don't know that -- I
 8 would have to have Mr. Scarola explain why
 9 rental -- and I don't even see rental
 10 agreements. I would expect to see a rental
 11 car: Alamo, Hertz or something. This
 12 document that was produced is FedEx labels,
 13 priority overnight FedEx labels to my client
 14 at his Palm Beach residence with a
 15 handwritten note and it says, "Contract up
 16 on February 2nd." Then it has a handwritten
 17 note Dollar Rent a Car. No relevance.

18 THE COURT: I don't know who this is.
 19 Do you have any idea who we are talking
 20 about here?

21 MR. SCAROLA: Same argument.
 22 THE COURT: Same ruling.
 23 Ted Shed.

24 MR. SCAROLA: Same argument.
 25 THE COURT: Same ruling.

1 from the chief of police.

2 THE COURT: Sure. Sorry about that.
 3 I'm going to take the same position as
 4 to number 68, so it's sustained for the
 5 reasons I have earlier indicated.

6 Number 75, the letter from
 7 Mr. Goldberger to Mr. Krischer.

8 Do you want to comment Mr. Scarola?

9 MR. SCAROLA: No, Your Honor. Same
 10 argument.

11 THE COURT: Same ruling. I'm going to
 12 sustain it. Also, it carries with it the
 13 potential of Mr. Goldberger having to be a
 14 witness. I just don't see it as necessarily
 15 even tangentially related to the three cases
 16 that we have.

17 I don't know if one of these young
 18 women were part of this. The one who is
 19 described here is not listed, even by
 20 initials, so I will take the same position I
 21 have taken earlier.

22 MS. ROCKENBACH: Your Honor, number 76,
 23 I'm not sure if you need the packet, but
 24 it's subpoenas that were issued.

25 THE COURT: No. It's the same ruling I

1 Documents related to the property
 2 searches of Jeffrey Epstein's property.

3 MR. SCAROLA: Same argument.

4 THE COURT: Same ruling.

5 Arrest warrant of Kellen?

6 MR. SCAROLA: Same argument.

7 THE COURT: Same ruling.

8 Police report regarding Alexandra Hall
 9 picking up money, dated 11/28/04.

10 MR. SCAROLA: Same argument.

11 THE COURT: Same ruling. These are all
 12 sustained, unless shown to the Court later
 13 that there's a particular relevance to any
 14 of these documents. That's the same ruling
 15 I have indicated.

16 Eighty-two. List of Trilateral
 17 Commission Members of 2003. Do you know
 18 what that is?

19 MS. ROCKENBACH: I still don't, even
 20 after looking at the document. But it is on
 21 a website Bible Believers.org, a nine-page
 22 document with individual names of people.

23 THE COURT: It's refreshing the Bible
 24 is being mentioned during all of this.

25 MR. SCAROLA: Same argument.

1 THE COURT: Same ruling.
 2 Alan Dershowitz's letter dated
 3 April 19th, '06, and statute 90.410. I
 4 guess this has to do with similar activity.
 5 Same argument?
 6 MR. SCAROLA: This is slightly
 7 different, Your Honor. This has to do with
 8 the allegation that there was a significant
 9 change in the approach to prosecution of
 10 these cases after Brad Edwards was employed
 11 at RRA. And one of the elements that is
 12 cited to is that he begins to take discovery
 13 with regard to other victims.
 14 In fact, there were multiple activities
 15 that occurred prior to Brad's employment
 16 with RRA that were directed at the discovery
 17 of matters relating to other victims. And
 18 the federal statute requires that a notice
 19 be given to the other side of the intent to
 20 rely upon evidence with regard to other
 21 victims.
 22 THE COURT: Did you take
 23 Mr. Dershowitz's deposition as it relates to
 24 this case?
 25 MR. SCAROLA: No, sir. But I have had

1 number 88 is Hyperion Air passenger
 2 manifest. Same ruling. Same thing with the
 3 flight information.
 4 Eighty-nine. Passenger list, 90, same
 5 ruling.
 6 Notepad/notes, Maria.
 7 MR. SCAROLA: Same argument.
 8 THE COURT: Same ruling.
 9 Pleadings of Jane Doe 1 and 2 vs. US
 10 case.
 11 MR. SCAROLA: That's the CVRA case,
 12 Your Honor.
 13 THE COURT: That will likely be
 14 discussed -- obviously, it will be
 15 discussed. How much of the pleadings that
 16 need to be addressed will be a matter of the
 17 Court's consideration later.
 18 Epstein Fifth Amendment speech.
 19 MR. SCAROLA: Those are just a
 20 reference to deposition excerpts.
 21 THE COURT: Reiter letter to Krischer.
 22 That's already been talked about. That's a
 23 duplication, unless he wrote another one.
 24 I think it's a duplication. You can
 25 check.

1 the pleasure of deposing Mr. Dershowitz.
 2 THE COURT: Not as it relates to this
 3 case?
 4 MR. SCAROLA: No.
 5 MS. ROCKENBACH: I do not have a copy
 6 of the letter, Your Honor. It was not in
 7 production.
 8 THE COURT: I will defer on that one.
 9 Fromstain letter. Again, goes with the
 10 same protections that I earlier indicated.
 11 I will sustain.
 12 Epstein's account information.
 13 MS. ROCKENBACH: I don't know what that
 14 means. It was not produced.
 15 THE COURT: It will have to be produced
 16 in the meantime.
 17 MR. SCAROLA: Yes. I hope it will be.
 18 It is listed, although it has not yet been
 19 produced by Mr. Epstein in anticipation of
 20 his being ordered to produce it.
 21 THE COURT: Eighty-six. Epstein's
 22 criminal close-out sheet will, again, be
 23 sustained for reasons earlier stated on the
 24 record.
 25 The JEGE passenger manifest --

1 MR. SCAROLA: Sixty-eight isn't dated.
 2 This one is dated. I don't know whether
 3 they're two different letters or the same
 4 one, Your Honor.
 5 MS. ROCKENBACH: Ninety-four. It was
 6 not produced to me.
 7 THE COURT: I'm going to assume that
 8 it's the same unless it's produced
 9 separately. And it will be ordered to be
 10 produced separately within 15 days, if not
 11 already done.
 12 Just like anything else, I'm ordering
 13 it be produced -- that I may have ordered in
 14 the past -- within a 15-day period.
 15 Ninety-six. [REDACTED] police
 16 report. Same ruling, same position taken by
 17 Mr. Edwards's counsel.
 18 Victim's -- individual -- says
 19 victim's -- not plural -- school records and
 20 transcripts. I don't know which victim
 21 you're talking about. Maybe it's the young
 22 lady who was the model student, as discussed
 23 earlier, allegedly prior to Mr. Epstein's
 24 involvement.
 25 MS. ROCKENBACH: [REDACTED]

1 THE COURT: She's not one of the people
2 involved here today.

3 MS. ROCKENBACH: That's correct.

4 THE COURT: I will sustain it.

5 MS. ROCKENBACH: Your Honor, if I may.
6 I think I have a sampling of this exhibit.
7 All the pages I have in front of me say
8 Shana R.

9 THE COURT: Ninety-seven would be the
10 same ruling.

11 Ninety-eight, the same ruling.

12 Ninety-nine, the same ruling.

13 One hundred. All surveillance
14 conducted by law enforcement on Epstein's
15 home. Same ruling.

16 One hundred one. Emails received by
17 Palm Beach Records related to Jeffrey
18 Epstein.

19 Who is Palm Beach records?

20 MS. ROCKENBACH: I don't know, and I
21 don't have the exhibit. It was not
22 produced.

23 THE COURT: Again, to be produced. At
24 this time sustained. Same ruling.

25 One hundred and two. All items listed

1 pleadings and attachments in the action
2 under the Crime Victims' Rights Act
3 prosecuted by Edwards on behalf of victims
4 of Epstein's criminal molestations.

5 As I have done earlier, to be
6 consistent, I sustain the objection because
7 of it's breadth, lack of specificity,
8 without prejudice, to specific documents
9 being provided within 15 days to the
10 attorneys for Epstein.

11 MR. SCAROLA: I'm sorry. We are
12 talking about 113?

13 THE COURT: Yes.

14 MR. SCAROLA: They have all of those,
15 Your Honor. Mr. Epstein entered an
16 appearance in the case. He was permitted to
17 intervene, so they have got all of those
18 pleadings. They're also --

19 THE COURT: That's fine. But I could
20 imagine that in -- I think somebody
21 mentioned eight or nine years' litigation --
22 Mr. Goldberger pointed out earlier, not
23 every one of those documents are going to be
24 relevant here. So whatever the plaintiff is
25 seeking to introduce as a result of that

1 on the Palm Beach Police Department property
2 report lists. Same ruling.

3 One hundred and three. All copies of
4 convictions related to Epstein. I have
5 already ruled on that, at least globally
6 that, until further inquiry is done and
7 further information is received regarding
8 the pleas and to whom they apply, I am not
9 in a position to make definitive ruling on
10 that.

11 One hundred and six -- strike that.

12 One hundred and four is Jeffrey
13 Epstein's criminal records. That mirrors
14 some of the things I've indicated. It would
15 be sustained pending further inquiry or
16 review based upon reasons stated already by
17 the Court.

18 One hundred and five. All documents
19 produced by Palm Beach Police Department
20 prior to the deposition of Detective
21 Recarey, R-E-C-A-R-E-Y.

22 Again, same ruling. I'm just going to
23 ignore 106. It's a catch-all I usually
24 don't rule on any way.

25 One hundred and thirteen. All

1 should be culled and should be provided to
2 the other side.

3 MR. SCAROLA: And my response to that
4 is, as I stand here right now, I don't know.
5 I am listing it because it is potentially
6 relevant. There's obviously been a lot of
7 discussion to the Crime Victims' Rights Act
8 case. And if Your Honor wants me to
9 duplicate everything that's been filed in
10 that case --

11 THE COURT: That's not what I'm
12 suggesting, Mr. Scarola. What I'm saying is
13 the problem that I have and how I usually
14 rule on these matters is that when a file is
15 identified as all pleadings and attachments,
16 particularly whereas here, your client is an
17 attorney who is the lead attorney in the
18 prosecution of the CVRA claims, then he
19 should be aware of what would be relevant as
20 it relates to his malicious prosecution
21 claim against Epstein. Not all of those
22 documents will be relevant.

23 I wouldn't expect a defendant in a
24 malicious prosecution claim, Epstein, to
25 have to review the -- attorneys in

1 particular -- having to review all the
 2 documents and guessing which ones may or may
 3 not be introduced or sought to be introduced
 4 or considered to be introduced. So that's
 5 the issue that I'm dealing with.

6 They must be culled and they must be
 7 provided to them -- 15 days maybe a little
 8 short in light of the holiday season, so I'm
 9 going to give you -- 1/13, 30 days.

10 MS. ROCKENBACH: Thank you, Your Honor.

11 MR. SCAROLA: May I simply state that
 12 at this stage in this litigation, not
 13 knowing what Mr. Epstein is going to attempt
 14 to say with regard to the defense, that
 15 every pleading in the Crime Victims' Rights
 16 Act case is potentially relevant? And every
 17 one of those pleadings is available on
 18 PACER. And he is a party to the litigation.
 19 So to comply with the Court's order -- I
 20 don't want to do something that Your Honor
 21 is telling me I ought not to do. But to
 22 comply with the order as you have described
 23 it, I would simply duplicate every pleading
 24 in that case that is on PACER so that I have
 25 the flexibility to introduce whatever I may

1 need to.

2 THE COURT: That's why my suggestion is
 3 it would be -- that the objection would be
 4 sustained as the exhibit is phrased.

5 It would be the same thing if you were
 6 to stand here today -- if we were in
 7 trial -- and say here are the 3,000 docket
 8 entries to the Crime Victims' Rights Act
 9 case, and I want the jury to review all
 10 3,000 docket entries, which comprise 7,000
 11 pages. I would say, No, it is not specific
 12 enough. No, the jury is not going to go
 13 through all of those without exactly knowing
 14 what they are looking for.

15 And so as phrased, the objection is
 16 sustained.

17 I have given you the opportunity to
 18 otherwise remedy the situation. But if
 19 that's the response that I'm getting -- and
 20 I respect that -- then that's the ruling of
 21 the Court.

22 One hundred fourteen --

23 MR. SCAROLA: I'm sorry. Again, I
 24 would, in light of Your Honor's comments --

25 THE COURT: It was actually a ruling.

1 MR. SCAROLA: Yes, sir. In light of
 2 the Court's ruling -- and I don't mean to be
 3 arguing after the ruling, I only want to
 4 understand it. What I would do is I would
 5 take 113, and I would have a separate
 6 listing of every pleading on PACER, and I
 7 would produce every pleading on PACER. And
 8 I don't want to do that if I'm doing
 9 something that Your Honor believes that I
 10 ought not to be doing.

11 THE COURT: The reason why I say that
 12 is, number one, we already have enough paper
 13 that's involved here. Number two, clearly
 14 in my view, whether we're dealing with a set
 15 of medical records, whether we're dealing
 16 with a set of psychiatric records,
 17 admissions to hospitals, admissions to
 18 psychiatric facilities, rehabilitation
 19 facilities -- I have seen thousands of
 20 documents. I've done in camera inspections
 21 of thousands of documents. I have culled
 22 from them -- probably often out of thousands
 23 of documents -- 30, 40, 50, 70 pages of what
 24 I believe to be relevant.

25 There are a number of documents that

1 deal with food that was eaten by a given
 2 individual per day that has no relevancy at
 3 all whatsoever with the treatment.

4 There are other things that I can't
 5 think of right off the top of any head. But
 6 while they have to be documented by the
 7 hospital, they have to be documented by the
 8 rehab facility, they are not necessarily
 9 relevant to the inquiry at issue and can be
 10 culled out.

11 What I'm saying is, with your client
 12 being the lead attorney on that case,
 13 despite Mr. Epstein being an intervener of
 14 some nature in that case, it's still
 15 incumbent upon the party offering the
 16 exhibits to present the most narrow
 17 compilation. And that is what I'm requiring
 18 you to do.

19 I gave you and your client 30 days to
 20 cull those documents that in good faith are
 21 going to be sought and be admitted, not the
 22 entirety, because the likelihood of me
 23 admitting all of the docket entries over an
 24 eight-year period or nine-year period --
 25 whatever it might -- is highly unlikely

1 because of jury confusion, because of time
 2 and consideration of the jury's time when it
 3 comes to that.

4 MR. SCAROLA: And I would never offer
 5 it all.

6 THE COURT: So that's exactly what I'm
 7 trying to say. The 30-day lead time that I
 8 am giving is in consideration of the amount
 9 of documentation that would have to be
 10 reviewed, and that since Mr. Edwards would
 11 likely be in the best position to be able to
 12 cull out those documents that would
 13 reasonably be calculated to be introduced
 14 into evidence.

15 So that's the order of the Court. If
 16 you take me up on it, that's fine. If you
 17 don't, then, again, I am sustaining the
 18 objection as phrased in number 113. So
 19 that's with the caveat that I have described
 20 and offered to you.

21 MR. VITALE: Your Honor, with regard to
 22 101, you had given us 15 days to produce.
 23 Would that also be extended to 30 days,
 24 given the holiday?

25 THE COURT: No, because, again,

1 THE COURT: Perhaps. If it's an issue
 2 of fact, then it will be overruled.

3 Mr. Scarola, you want to get heard?

4 MR. SCAROLA: That's exactly what I was
 5 going to say, Your Honor.

6 If they are contending that there's an
 7 issue of fact as to whether there was a bona
 8 fide termination, then the circumstance
 9 under which the voluntary dismissal was
 10 taken is obviously relevant and material.
 11 What it was that was Jeffrey Epstein
 12 declined to defend against is relevant and
 13 material.

14 THE COURT: It is overruled.
 15 One hundred and fifteen is time records
 16 and hourly billing documentation produced in
 17 discovery.

18 Is that Mr. Edwards' claim of lost time
 19 and that type of thing?

20 MR. SCAROLA: Yes, Your Honor.

21 THE COURT: Well, that may come in as
 22 far as damages to the malicious prosecution
 23 claim.

24 Have you received any of that yet?

25 MS. ROCKENBACH: I have a circle here,

1 everything, other than what I have just come
 2 up with, I think you already should have
 3 produced it. And if it hasn't been, then
 4 that should be 15 days.

5 The Crime Victims' aspect is much
 6 lengthier and comprises seven or eight years
 7 of litigation. The exhibit list was
 8 compiled and sent out on 9 November, which
 9 is about three or four days short --
 10 business days short of a month, so they
 11 already should have been produced, but have
 12 not. So those things that Ms. Rockenbach is
 13 suggesting haven't been that would be 15
 14 days, other than number 113.

15 Number 114. Edwards' Motion for
 16 Summary Judgment. The Court would like to
 17 take judicial notice.

18 MS. ROCKENBACH: I don't know that it's
 19 an exhibit for the jury to consider. This
 20 might go to -- I think -- I'm guessing -- it
 21 was going to go to a legal argument before
 22 Your Honor as to whether there was a bona
 23 fide termination when my client dismissed
 24 the original proceeding that he brought
 25 against Mr. Edwards.

1 meaning that it was not produced in the
 2 context and pursuant to the Court's order.

3 THE COURT: You might want to get with
 4 Mr. Vitale and see if you can --

5 MR. SCAROLA: It was produced prior to
 6 Mr. Epstein's deposition. In response to a
 7 request for production, all of those time
 8 records have been produced.

9 THE COURT: Again, as I said with
 10 regard to 113, the documents have to be
 11 culled to some degree so that it can be
 12 given to the other side as the exhibit
 13 that's being sought to be introduced at
 14 trial.

15 At this time it may still be going on,
 16 so it may not be completed up to the time of
 17 the trial. Just like medical records,
 18 sometimes if there's ongoing treatment, even
 19 though somebody is at maximum medical
 20 improvement but they are still treating,
 21 there could still be a continuing type of
 22 exhibit.

23 MR. SCAROLA: These are time records of
 24 Mr. Edwards' time devoted to the defense of
 25 the maliciously filed claim. Once that

1 claim was dismissed, he was no longer
2 devoting time to the defense of the claim.

3 Those records have all been produced.
4 They have been specifically identified. He
5 has segregated out time spent in defense of
6 the case from anything else, and they have
7 that exhibit.

8 But if they need it to be re-produced
9 to them again, and Your Honor directs that
10 we need to re-produce it again, we will
11 reproduce it again.

12 THE COURT: Again, I'm not directing
13 another reproduction. Perhaps, as I said,
14 Mr. Vitale can handle that issue with
15 Ms. Rockenbach and it can be taken care of
16 without further judicial intervention. I am
17 sure it can.

18 Next is all claims filed by Epstein in
19 the Rothstein bankruptcy proceeding. I
20 would have to see those when the time comes.

21 All submissions by Epstein in
22 connection with the Rothstein deposition.
23 Again, I will see those when the time comes,
24 if necessary. I will defer on those two.

25 All settlement agreements between

1 at a special-set hearing. So I would
2 suggest that we set something in the near
3 future for a half-hour hearing so that we
4 can deal with those issues independently. I
5 think it's worth some time to be taken.

6 Phone journal taken from Epstein's home
7 and produced to the FBI by Rodriguez.

8 That's the houseman. Same ruling as I made
9 earlier with regard to that.

10 Photograph depicting Roberts, Maxwell
11 and Prince Andrew.

12 MS. ROCKENBACH: No relevance to this
13 action. It's prejudicial.

14 THE COURT: Same argument, Mr. Scarola?

15 MR. SCAROLA: Yes, sir. Same argument.

16 THE COURT: Sustained, unless further
17 information develops to bring to the Court
18 otherwise.

19 All flight logs. We talked about those
20 before. Same ruling.

21 Evidence of contributions to the Palm
22 Beach Police Department. Sustained. Same
23 ruling.

24 MR. SCAROLA: Yes, sir. I did speak of
25 that, the source of information regarding

1 Epstein and victims of sexual molestations.
2 Again, I would have to see those when the
3 time comes. I am most interested in the
4 three individuals at issue.

5 MR. SCAROLA: Your Honor, there have
6 been objections that have been raised to the
7 production of those documents on the basis
8 of a contractual confidentiality provision.

9 If the allegation remains that these
10 cases -- the three at issue -- were somehow
11 ginned up, then the value of the claims in
12 general is at least discoverable with regard
13 to making a determination as to whether the
14 claims were ginned up.

15 And again, the degree of financial
16 exposure that Mr. Epstein was facing is
17 reflected by the settlements of all of the
18 claims that he ultimately settled after the
19 filing of this maliciously -- allegedly
20 maliciously prosecuted lawsuit.

21 So we will be asking the Court to
22 compel production of all of those settlement
23 agreements.

24 THE COURT: That's something that
25 probably will need to be dealt with probably

1 his assets.

2 THE COURT: And I think I deferred on
3 that. If I didn't, that's the way I'm going
4 to deal with it.

5 One hundred and thirty-two, New York
6 Post article: Billionaire Jeffrey Epstein:
7 I'm a sex offender, not a predator, February
8 25, 2011.

9 MR. SCAROLA: These are direct quotes
10 from Mr. Epstein. It's the article in which
11 he compares the abuse inflicted upon
12 children as the equivalent of stealing a
13 bagel.

14 THE COURT: Unsworn statement out of
15 court being used to prove the truth of the
16 matter asserted?

17 MR. SCAROLA: No, sir. Being used to
18 prove the fact that the statement was made,
19 being used to prove the state of the
20 speaker's mind, and being used for purposes
21 of the jury's assessment of punitive
22 damages.

23 We don't contend that molesting
24 children is the equivalent of stealing a
25 bagel.

1 If we were introducing this statement
 2 to prove the truth of the matter asserted,
 3 we would be advocating that molesting a
 4 child is the equivalent of stealing a bagel.

5 THE COURT: No. I'm not sure that's
 6 the way that the hearsay rule is
 7 implemented.

8 Ms. Rockenbach, your position?

9 MS. ROCKENBACH: Thank you. We did
 10 raise hearsay. We raised relevance. We
 11 raised probative value substantially
 12 outweighed by the danger or unfair
 13 prejudice, confusion, misleading the jury,
 14 as well as hearsay and authenticity.

15 This is a very good example of an
 16 inflammatory exhibit by Mr. Edwards, and it
 17 seeks to try to prove, I guess, that my
 18 client is a bad person or bad character
 19 evidence under 90.404. This is hearsay and
 20 it should not be admitted. It would be
 21 inflammatory and very prejudicial to my
 22 client.

23 THE COURT: Any request for admissions
 24 sent out in response to that article?

25 MR. SCAROLA: There may have been.

1 There certainly were deposition questions
 2 concerning whether Mr. Epstein made
 3 statements to any third party regarding any
 4 of his molestation claims, and he asserted
 5 the Fifth Amendment with regard to those.
 6 So we would have the benefit of an adverse
 7 inference in that regard.

8 And the statement of a party opponent
 9 is not a hearsay statement. I'm sorry.
 10 There's an exception to the hearsay rule for
 11 the statement of a party opponent. But it
 12 also goes to state of mind. And clearly the
 13 offender's attitude about the offense he
 14 committed is highly relevant in a punitive
 15 damages claim.

16 THE COURT: I recognize the party
 17 opponent issue. Again, its application is
 18 of concern to me in this particular context
 19 where the information comes from a
 20 newspaper.

21 So I would have to take a look at it.
 22 Maybe we can set that at the same time we
 23 are going to set that other issue about the
 24 other victims' information.

25 MR. SCAROLA: I can assure you that, if

1 Mr. Epstein does show up for trial, one of
 2 the very first questions I'm going to ask
 3 him is, Did you make this statement to the
 4 New York newspaper?

5 THE COURT: Like I said, we will take
 6 that up when time comes. We can further
 7 discuss the objections at the same time we
 8 are going to be discussing the -- all
 9 settlement agreements, 119. All right.

10 MS. ROCKENBACH: Thank you, Your Honor.

11 THE COURT: Thanks a lot to our court
 12 reporter for staying and working through
 13 this, as we have, today.

14 MR. SCAROLA: I assume that we are
 15 going to deal with Fifth Amendment issues as
 16 the first issue when we reconvene?

17 THE COURT: Well, I thought we talked
 18 about those already.

19 MR. SCAROLA: No, no. You remember
 20 that I identified every question and answer?

21 THE COURT: You are talking about the
 22 individual questions and answers. Yes, sir.
 23 Absolutely. And we will take those up
 24 first, and then we will go to the motions to
 25 compel and motion for protective order, if

1 we have the time, okay?

2 Remember on Thursday, we're pretty much
 3 going to limit us to the morning. So we are
 4 going to from 10 to 12, 12:30, then that
 5 will be it. Okay. So try and govern your
 6 arguments accordingly, if you would, please.

7 I am going to give you these materials
 8 back.

9 Mr. Scarola, as I said, I'm going to
 10 impose upon you to prepare the orders as I
 11 have already indicated. I'm not sure at
 12 this point, since we do have these actual
 13 questions, that we can really prepare an
 14 order until we get this done on Thursday as
 15 to the Fifth Amendment global rulings that
 16 the Court has already made. And it may
 17 become more focused and be more specific
 18 once I have had an opportunity to go through
 19 all of these. And I appreciate the fact
 20 that you have done that and gotten them to
 21 me.

22 In the meantime what I'm going to do is
 23 I'm going to keep some of this material.

24 MR. LINK: Judge, thank you for your
 25 time today. We appreciate your patience for

EXHIBIT C

NOT A CERTIFIED COPY

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.

**ORDER ON PLAINTIFF/COUNTER-DEFENDANT JEFFREY EPSTEIN'S
REVISED OMNIBUS MOTION IN LIMINE
SECTION B (EDWARDS' TRIAL EXHIBITS)**

THIS MATTER came before the Court for hearing on November 29, 2017, and December 5, 2017, upon Section B (Edwards' Trial Exhibit List¹) of the Revised Omnibus Motion in Limine filed by Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein") (D.E. 1070). The Court, having reviewed the Motion and the Response filed by Defendant/Counter-Plaintiff Bradley J. Edwards ("Edwards") (D.E. 1089), having heard argument of counsel, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that:

¹ Epstein's Revised Omnibus Motion in Limine was directed at Edwards' Amended Exhibit List dated November 9, 2017. (D.E. 1043.) On December 7, 2017, after two days of hearing and substantive Court rulings, Edwards filed a Second Amended Exhibit List (D.E. 1109) identifying 79 new items and modifying some of his earlier disclosed exhibits. This Order only addresses the exhibits identified on Edwards' November 9, 2017, Exhibit List. To the extent any exhibit numbers have been replaced with different items or new numbers have been added, those will be subject to a separate Order after the appropriate motion and hearing. The rulings set forth herein for all exhibits disclosed on Edwards' December 7, 2017, Second Amended Exhibit List that have not been modified will remain unchanged.

1. On or before December 20, 2017, Edwards shall produce to Epstein all trial exhibits that have not been previously produced in the form to be introduced at trial with the exception of Exhibit No. 113 which is addressed separately in paragraph 2 below. (12/5/17 Tr. 216, 219, 226, 228.)

2. On or before January 5, 2018, Edwards shall produce to Epstein the specific court filings to be used as trial exhibits from the Crime Victims' Rights Act proceeding (*Jane Does #1 and #2 v. United States of America*, U.S. District Court, Southern District of Florida, Case No. 08-80736-Civ-Marra/Johnson) designated as Edwards' Trial Exhibit No. 113. Edwards shall not produce each and every item identified on the Court's docket, but shall cull out the specific items he intends to use at trial. The Court hereby sustains Epstein's objection to Exhibit No. 113 as being overbroad. The Court will revisit this ruling if Edwards narrows the documents he intends to introduce at trial. (12/5/17 Tr. 218:25-226:14.)

3. As set forth in more detail below, the Court has sustained Epstein's objections to a number of Edwards' trial exhibits. Those objections will be sustained unless there is a showing at trial that the exhibits are relevant and material to the issues to be determined. For example, exhibits may be admissible if they relate to Edwards' three clients (L.M., E.W. and Jane Doe), if they relate to issues concerning Edwards' preparation and evaluation of his clients' cases, or for any other reason enunciated by the Court on the record at the November 29, 2017 and December 5, 2017 hearings. In those instances, Edwards will be allowed to speak generically about the facts surrounding those exhibits, but will not necessarily be allowed to introduce the exhibits at trial without further Order of the Court. The Court will make decisions on an item-by-item basis at the appropriate time. Any discussions relating to an exhibit to which an objection has been sustained shall be conducted outside the presence of the jury. (12/5/17 Tr. 153:16-160:24; 198:19-199:5.)

4. As set forth in more detail below, the Court defers rulings on Epstein's objections directed to Edwards' trial exhibits concerning Epstein's net worth and in support of Edwards' punitive damages claim. The Court will address these objections at the appropriate time. (12/5/17 Tr. 163:17-164:15.)

5. The Court makes the following specific findings:

LEGEND FOR EPSTEIN'S OBJECTIONS:

- 1 -- All Objections
- 2 -- All Objections except Authenticity
- 3 - Relevance
- 4 -- Probative value substantially outweighed by danger of unfair prejudice, confusion of issues, misleading the jury, or needless presentation of cumulative evidence
- 5 -- Privileged
- 6 - Opinion
- 7 -- Hearsay
- 8 -- Authenticity
- 9 -- Other (please identify basis of objection)
- 10 -- Completeness
- 11 -- Overbroad
- 12 -- Not provided to Counsel for Epstein Prior to Filing Pretrial Stipulation
- 13 -- Not a proper exhibit
- 14 -- Trade secrets/Confidential

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
1.	All applicable criminal statutes	3, 4, 7, 11, 12	Not addressed at hearing
2.	All applicable Florida Statutes	3, 4, 7, 11, 12	Not addressed at hearing
3.	Photos and information of Jeffrey Epstein's homes, airplanes and automobiles	3, 4, 7, 8, 10, 12	<u>11/29/17 Tr. 160:6-162:15</u> Deferred
4.	Order confirmation from <u>Amazon.com</u> for purchase of books "SM 101: A realistic Introduction," "Slave Craft: Roadmap for Erotic Servitude-Principles, Skills and Tools" and "Training Miss Abernathy: A Workbook for Erotic Slaves and Their Owners"	3, 4, 7, 8	<u>11/29/17 Tr. 162:16-167-9</u> Sustained
5.	Non-Prosecution Agreement	3, 4, 7, 8, 10	<u>11/29/17 Tr. 167:11-13</u> Overruled

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
6.	Jane Doe 102 Complaint	3, 4, 7, 13	<u>11/29/17 Tr. 167:14-170:9</u> Sustained
7.	Messages taken from message pads found at Epstein's home	3, 4, 7, 8, 11, 14	<u>11/29/17 Tr. 171:22-176:9</u> Deferred. Not to be mentioned during opening statements.
8.	Documents related to Jeffrey Epstein produced by Alfredo Rodriguez	3, 4, 7, 8, 11, 14	<u>11/29/17 Tr. 176:10-187:8</u> Deferred. Not to be mentioned during opening statements.
9.	Jeffrey Epstein flight logs	3, 4, 7, 8, 10, 11	<u>12/5/17 Tr. 64:8-81:17; 85:11-22</u> Sustained
10.	Jeffrey Epstein phone records	3, 4, 10, 11, 14	<u>12/5/17 Tr. 81:18-82:17; 146:14-149:19; 159:12-160:7</u> Sustained
11.	Sarah Kellen's phone records	3, 4, 8, 10, 11, 14	<u>12/5/17 Tr. 149:20-150:1; 159:12-160:7</u> Sustained
12.	Jail Visitation Logs	3, 4, 7, 8, 11	<u>12/5/17 Tr. 150:2-3; 159:12-160:7</u> Sustained
13.	Jeffrey Epstein's probation file	3, 4, 7, 8, 11	<u>12/5/17 Tr. 150:4-152:11; 159:12-160:7</u> Sustained
14.	All probable cause affidavits related to criminal investigation of Jeffrey Epstein	3, 4, 7, 8, 10	<u>12/5/17 Tr. 152:14-153:13</u> Deferred
15.	Victims' statements to the FBI related to criminal investigation of Jeffrey Epstein	3, 4, 7, 8	<u>12/5/17 Tr. 153:16-160:24</u> Sustained
16.	Video of Search Warrant of Jeffrey Epstein's home being executed ²	3, 4, 8	<u>12/5/17 Tr. 160:25-161:21</u> Sustained
17.	Application for Search Warrant of Jeffrey Epstein's home	3, 4, 7, 8, Cannot be read	<u>12/5/17 Tr. 160:25-162:19</u> Sustained
18.	Complaint Jane Doe v. Epstein and all subsequent Amended Complaints	3, 4, 7, 13, 12 (as to "subsequent Amended Complaints")	<u>12/5/17 Tr. 162:20-24</u> Deferred

² In his December 7, 2017, Second Amended Exhibit List, Edwards changed the description of this exhibit to: "Video of Epstein Property Inspection 01/18/10." This Order does not make any rulings on the new description and may be subject to a new Motion in Limine as Epstein deems appropriate.

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
19.	All records of homes, properties, bank accounts and any/ all records related to Jeffrey Epstein's assets	12	<u>12/5/17 Tr. 162:25-164:15</u> Deferred
20.	Jeffrey Epstein's passport (or copy)	12	<u>12/5/17 Tr. 163:4-5; 164:16-19</u> Sustained
21.	Jeffrey Epstein's driver's license (or copy)	Cannot be read, 3, 14	<u>12/5/17 Tr. 164:20-24</u> Sustained
22.	List of corporations owned by Jeffrey Epstein	3, 4, 7, 8, 12	<u>12/5/17 Tr. 164:25-165:5</u> Deferred
23.	Yearbooks of Jane Doe	3, 4, 7, 8, 12	<u>12/5/17 Tr. 165:6-166:16;</u> <u>166:25-167:6</u> Not produced Deferred
24.	2002 Royal Palm Beach High School Year Book	3, 4, 7, 8, 12	<u>12/5/17 Tr. 165:6-166:16</u> <u>166:25-167:6</u> Not produced Deferred
25.	2001 Royal Palm Beach High School Year Book	3, 4, 7, 8, 12	<u>12/5/17 Tr. 165:6-166:16</u> <u>166:25-167:6</u> Not produced Deferred
26.	2003 Palm Beach Gardens High School Year Book	3, 4, 7, 8, 12	<u>12/5/17 Tr. 165:6-166:16</u> <u>166:25-167:6</u> Not produced Deferred
27.	Affidavit and Application for Search Warrant on Jeffrey Epstein's home ³	3, 4, 7, 8, 10,	<u>12/5/17 Tr. 166:15-24</u> Sustained

³ In his December 7, 2017, Second Amended Exhibit List, Edwards modified this exhibit to include additional descriptive language: "(from Palm Beach State Attorney's File, Exhibit #29)." The Court finds that this language does not substantially change the exhibit and, thus, the Court's ruling holds.

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
28.	Notepads found in Jeffrey Epstein's home and/or during trash pulls outside of his home during criminal investigation	3, 4, 7, 8, 10, 11, 14	<u>12/5/17 Tr. 167:7-168:16</u> Sustained in part and overruled in part. The impact upon the issues as to preparedness, knowledge, as far as Mr. Edwards is concerned – his diligence as to discovery – if those are called into question, then this exhibit may be discussed. The actual documents themselves are excessive and would be getting into other matters that would not be germane to Edwards' three clients and, therefore, may not be used until discussed outside the presence of the jury
29.	The Palm Beach State Attorney's Criminal file against Jeffrey Epstein	3, 4, 6, 7, 8, 10, 11, 13	<u>12/5/17 Tr. 168:17-175:1</u> Sustained in part and overruled in part. If Edwards had access to formulate his positions as to the legitimacy of his three clients' claims, this file may come into play. The sheer amount of the criminal file would also be relevant to Mr. Epstein's state of mind at the time he filed the underlying Complaint. The individual pages are not subject to admission and would need to be discussed outside the presence of the jury.
30.	All documents related to Jeffrey Epstein's 6/30/08 conviction	3, 4, 7, 8, 12	<u>12/5/17 Tr. 175:2-179:25</u> Deferred
31.	Jeffrey Epstein's criminal plea colloquy	3, 4, 7, 8, 12	<u>12/5/17 Tr. 175:2-180:5</u> Deferred
32.	List of properties and vehicles in Larry Visoski's name	3, 4, 7, 8, 11, 13, The exhibit provided was an entire Motion (which was denied) not just the identified item.	<u>12/5/17 Tr. 180:23-181:12</u> Deferred

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
33.	All of Jeffrey Epstein's Responses to Requests for Production, Requests for Admission, Answers to Interrogatories in this matter, and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092	3, 4, 11, 12, 13	<u>12/5/17 Tr. 188:23-192:17</u> Deferred
34.	All discovery related responses of Jeffrey Epstein in this matter and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092	3, 4, 11, 12, 13	Not addressed at hearing
35.	Jeffrey Epstein's Answers and Affirmative Defenses in all civil cases against him	3, 4, 11, 12, 13	<u>12/5/17 Tr. 192:18-22</u> Deferred
36.	All Complaints in which Jeffrey Epstein is/was defendant	3, 4, 11, 12, 13. This also includes a motion which is not part of the stated exhibit.	<u>12/5/17 Tr. 192:23-193:2</u> Deferred
37.	Jeffrey Epstein's Deposition testimony and discovery responses in this case and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092	3, 4, 11, 12, 13	Not addressed at hearing
38.	Jeffrey Epstein's Deposition testimony and discovery responses in State Court cases LM v. Jeffrey Epstein, Case No. 502008CA028051XXXXIMB AB and E.W. v. Jeffrey Epstein, Case No. 502008CP003626XXXXMB	3, 4, 11, 12, 13	Not addressed at hearing
39.	Jeffrey Epstein Deposition Testimony and discovery responses in State Court case Jeffrey Epstein v. Scott Rothstein, et al. Case No 502009CA040800XXXXMBAG	3, 4, 11, 12, 13	Not addressed at hearing
40.	Any and all newspaper articles, online articles or publications related to Jeffrey Epstein	3, 4, 7, 8, 11, 12	<u>12/5/17 Tr. 193:3-194:22</u> Deferred
41.	Report and Analysis of Jeffrey Epstein's assets	3, 4, 7, 8, 14	<u>12/5/17 Tr. 194:23-195:1</u> Deferred
42.	Video footage (DVD) of walk through site inspection of Jeffrey Epstein's home.	3, 4, 7, 8, 12	<u>12/5/17 Tr. 195:2-195:15</u> Deferred
43.	Photos of all of Jeffrey Epstein's properties, cars, boats and planes	3, 4, 7, 8, 14, 12 (as to cars and boats)	<u>12/5/17 Tr. 195:16-18</u> Deferred
44.	Probable Cause Affidavits prepared against Jeffrey Epstein and Sarah Kellen	3, 4, 7, 8, 10	<u>12/5/17 Tr. 195:19-196:2</u> Deferred

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
45.	Documents related to or evidencing Jeffrey Epstein's donations to law enforcement	3, 4, 7, 8, 10	<u>12/5/17 Tr. 196:3-19</u> Sustained
46.	Victim Notification Letter from US Attorney's Office to Victims ⁴	3, 4, 7, 8, 14	<u>12/5/17 Tr. 196:20-197:2</u> Sustained
47.	Expert Dr. L. Dennison Reed's Report of Victim	3, 4, 6, 7, 8, 14	<u>12/5/17 Tr. 197:3-23</u> Sustained
48.	Palm Beach Police Department Incident Report dated 4/20/06	3, 4, 7, 8	<u>12/5/17 Tr. 197:24-198:10</u> Sustained
49.	All reports and documentation generated by Palm Beach Police Department related to Jeffrey Epstein	3, 4, 7, 8, 12	<u>12/5/17 Tr. 198:13-199:6</u> Sustained
50.	All Witness Statements generated by Palm Beach Police Department relating to Jeffrey Epstein	3, 4, 7, 8, 12	<u>12/5/17 Tr. 198:13-199:6</u> Sustained
51.	Passenger Manifests of Jeffrey Epstein's aircraft and private plane flight logs	3, 4, 7, 8, 10, 11, 12	<u>12/5/17 Tr. 198:13-199:6</u> Sustained
52.	Passenger lists for flights taken by Jeffrey Epstein	3, 4, 7, 8, 10, 11, 12	<u>12/5/17 Tr. 199:8</u> Sustained
53.	Letter from Jeffrey Epstein to Alberto Pinto regarding house island project	3, 4, 7, 8, 10	<u>12/5/17 Tr. 199:9-25</u> Sustained
54.	Jeffrey Epstein's bank statements	3, 4, 7, 8, 12, 14	<u>12/5/17 Tr. 200:1-3</u> Deferred
55.	Jeffrey Epstein's tax returns	3, 4, 7, 8, 12, 14	<u>12/5/17 Tr. 200:1-3</u> Deferred
56.	MC2 emails involving communications of Jeffrey Epstein, Jeff Fuller, Maritza Vasquez, Pappas Suat, Jean Luc Brunel and Amanda Grant	3, 4, 7, 8, 12	<u>12/5/17 Tr. 200:4-18</u> Not Produced Reserved ruling because documents not available
57.	DVD of plea and colloquy taken on 6-30-08	3, 4, 8, 12, 13	<u>12/5/17 Tr. 200:19-22</u> Sustained
58.	Transcript of plea and colloquy taken on 6-30-08	3, 4, 13	<u>12/5/17 Tr. 200:23-24</u> Sustained
59.	Massage Table ⁵	3, 4, 12 (document marked as No. 59 is not a massage table)	<u>12/5/17 Tr. 200:25-201:21</u> Sustained

⁴ In his December 7, 2017, Second Amended Exhibit List, Edwards modified this exhibit to include additional descriptive language: "(CW & SR) 07/09/2008." The Court finds that this language does not substantially change the exhibit and, thus, the Court's ruling holds.

⁵ In his December 7, 2017, Second Amended Exhibit List, Edwards changed the description of this exhibit to: "Palm Beach Police Department Incident Report dated 07/25/06 (unredacted)." This Order does not make any rulings on the new description and may be subject to a new Motion in Limine as Epstein deems appropriate.

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
60.	No Contact Orders entered against Jeffrey Epstein	3, 4, 13	<u>12/5/17 Tr. 201:22-202:8</u> Sustained
61.	Criminal Score Sheet regarding Jeffrey Epstein	3, 4, 7, 8, 12	<u>12/5/17 Tr. 201:22-202:8</u> Sustained
62.	Documents evidencing Jeffrey Epstein's Community Control and Probation	3, 4, 7, 8	<u>12/5/17 Tr. 201:22-202:8</u> Sustained
63.	Jeffrey Epstein's Sex Offender Registrations (from various states)	3, 4, 7, 8	<u>12/5/17 Tr. 202:9-203:4</u> Deferred
64.	Jeffrey Epstein's Booking photograph	3, 4, 7, 8, Document says cannot rely on this for legal action	<u>12/5/17 Tr. 203:5-204:2</u> Deferred
65.	CAD calls to 358 EL BRILLO WAY, PALM BEACH FL 33480	3, 4, 7, 8	<u>12/5/17 Tr. 204:3-11</u> Sustained
66.	List of Jeffrey Epstein's House contacts	3, 4, 7, 8, 12 (document provided is not reflective of description)	<u>12/5/17 Tr. 204:12-205:12</u> Sustained
67.	Documents related to Jeffrey Epstein's investments	3, 4, 7, 8, 12, 14	<u>12/5/17 Tr. 205:13-15</u> Deferred
68.	Letter from Chief Michael Reiter to Barry Krischler	3, 4, 7, 8	<u>12/5/17 Tr. 205:16-22; 206:2-207:14; 209:15-210:5</u> Sustained
69.	List of planes owned by Jeffrey Epstein ⁶	3, 4, 7, 8, 12 (document provided does not match description), 14	<u>12/5/17 Tr. 205:23-25</u> Deferred
70.	Letter from Guy Fronstin to Assistant State Attorney dated 1-11-06	3, 4, 7, 8, 10	<u>12/5/17 Tr. 207:15-209:9</u> Sustained
71.	Letter from Guy Fronstin to Assistant State Attorney dated 1-13-06	3, 4, 7, 8, 10	<u>12/5/17 Tr. 207:15-209:9</u> Sustained
72.	Letter from Guy Fronstin to Assistant State Attorney dated 2-17-06	3, 4, 7, 8, 10	<u>12/5/17 Tr. 207:15-209:9</u> Sustained
73.	Letter from Guy Fronstin to Assistant State Attorney dated 4-6-06	3, 4, 7, 8, 10	<u>12/5/17 Tr. 207:15-209:9</u> Sustained

⁶ In his December 7, 2017, Second Amended Exhibit List, Edwards changed the description of this exhibit to: "Palm Beach Police Department Incident Report dated 07/19/06 (unredacted)." This Order does not make any rulings on the new description and may be subject to a new Motion in Limine as Epstein deems appropriate.

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
74.	Letter from Guy Fronstin to Assistant State Attorney dated 4-10-06	3, 4, 7, 8, 10	<u>12/5/17 Tr. 207:15-209:9</u> Sustained
75.	Letter from Goldberger dated 6-22-06	3, 4, 7, 8	<u>12/5/17 Tr. 209:10-12; 210:6-21</u> Sustained
76.	All subpoenas issued to State Grand Jury	3, 4, 7, 8, 13	<u>12/5/17 Tr. 210:22-211:3</u> Sustained in part and overruled in part. If Edwards had access to formulate his positions as to the legitimacy of his three clients' claims, these documents may come into play. The sheer amount of the criminal file would also be relevant to Mr. Epstein's state of mind at the time he filed the underlying Complaint. The individual pages are not subject to admission and would need to be discussed outside the presence of the jury.
77.	Documents related to the rental of a vehicle for Vanessa Zalis	3, 4, 7, 8, document produced contains other items not identified on list	<u>12/5/17 Tr. 211:4-22</u> Sustained
78.	Ted's Sheds Documents	3, 4, 7, 8, document produced contains other items not identified on list	<u>12/5/17 Tr. 211:23-25</u> Sustained
79.	Documents related to property searches of Jeffrey Epstein's properties	3, 4, 7, 8, 14	<u>12/5/17 Tr. 212:1-4</u> Deferred
80.	Arrest Warrant of Sarah Kellen	3, 4, 7, 8	<u>12/5/17 Tr. 212:5-7</u> Sustained
81.	Police report regarding Alexandra Hall picking up money dated 11-28-04	3, 4, 7, 8, 10	<u>12/5/17 Tr. 212:8-15</u> Sustained
82.	List of Trilateral Commission Members of 2003	3, 4, 7, 8, 10	<u>12/5/17 Tr. 212:16-213:1</u> Sustained
83.	Alan Dershowitz Letter dated 4-19-06 and Statute 90.410	3, 4, 7, 8, 12	<u>12/5/17 Tr. 213:2-214:8</u> Not Produced Deferred
84.	Guy Fronstin letter dated 4-17-06	3, 4, 7, 8	<u>12/5/17 Tr. 214:9-11</u> Sustained
85.	Jeffrey Epstein Account Information	3, 4, 7, 8, 12, 14	<u>12/5/17 Tr. 214:12-20</u> Deferred

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
86.	Jeffrey Epstein Criminal Closeout Sheet	3, 4, 7, 8, 12	<u>12/5/17 Tr. 214:21-24</u> Sustained
87.	JEGE, Inc. Passenger Manifest	3, 4, 7, 8, 10, 11	<u>12/5/17 Tr. 214:25-215:3</u> Sustained
88.	Hyperion Air Passenger Manifest	3, 4, 7, 8, 10, 11	<u>12/5/17 Tr. 214:25-215:3</u> Sustained
89.	Flight information for Dana Burns	3, 4, 7, 8, 10, 11	<u>12/5/17 Tr. 215:4-5</u> Sustained
90.	Passenger List Palm Beach flights 2005	3, 4, 7, 8, 10, 11	<u>12/5/17 Tr. 215:4-5</u> Sustained
91.	Jeffrey Epstein notepad notes.re Maria	3, 4, 7, 8, 10, 12	<u>12/5/17 Tr. 215:6-8</u> Sustained
92.	Pleadings of Jane Doe 1 and 2 v. US case	3, 4, 12 (document provided is not what is identified on list), 13	<u>12/5/17 Tr. 215:9-17</u> Deferred
93.	Jeffrey Epstein 5 th Amendment Speech	3, 4, 12	<u>12/5/17 Tr. 215:18-20</u> Deferred. References to deposition excerpts not ruled upon fully; subject to specific line reference rulings which will be subject to a separate order
94.	Reiter letter to Krisher dated 5-1-06	3, 4, 7, 8, 12	<u>12/5/17 Tr. 215:21-216:14</u> Not produced Deferred
95.	Alexandra Hall Police Report dated 11-28-04	3, 4, 7, 8, 10	<u>12/5/17 Tr. 216:15-17</u> Sustained
96.	Victim's school records and transcripts	3, 4, 7, 8	<u>12/5/17 Tr. 216:18-217:8</u> Sustained
97.	Victim Notification letter ⁷	3, 4, 7, 8	<u>12/5/17 Tr. 217:9-10</u> Sustained
98.	Police report of Juan Alessi theft at Jeffrey Epstein's home	3, 4, 7, 8, 12	<u>12/5/17 Tr. 217:11</u> Sustained
99.	Victim's Medical Records from Dr. Randee Speciale	3, 4, 6, 7, 8	<u>12/5/17 Tr. 217:12</u> Sustained
100.	All surveillance conducted by law enforcement on Jeffrey Epstein's home	3, 4, 7, 8, 12	<u>12/5/17 Tr. 217:13-15</u> Sustained
101.	Emails received from Palm Beach Records related to Jeffrey Epstein	3, 4, 7, 8, 12	<u>12/5/17 Tr. 217:16-24</u> Sustained

⁷ In his December 7, 2017, Second Amended Exhibit List, Edwards modified this exhibit to include additional descriptive language: "to Virginia Roberts, 09/03/08." The Court finds that this language does not substantially change the exhibit and, thus, the Court's ruling holds.

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
102.	All items listed on the Palm Beach Police Property Report Lists ⁸	3, 4, 7, 8, 12 (items not provided)	<u>12/5/17 Tr. 217:25-218:2</u> Sustained
103.	All copies of convictions related to Jeffrey Epstein	3, 4, 7, 8, 12	<u>12/5/17 Tr. 218:3-10</u> Sustained
104.	Jeffrey Epstein criminal records	3, 4, 7, 8, 12	<u>12/5/17 Tr. 218:12-17</u> Sustained
105.	All documents produced by Palm Beach Police Department prior to the deposition of Detective Recarey	3, 4, 7, 8, 10, 11,	<u>12/5/17 Tr. 218:18-22</u> Sustained
106.	Statements, deposition transcripts, videotaped depositions and transcripts taken in connection with this and all related cases and exhibits thereto	3, 4, 7, 8, 12, 13	<u>12/5/17 Tr. 218:22-23</u> No ruling; catch all
107.	Any and all expert witness reports and/or records generated in preparation for this litigation by any party to this cause	3, 4, 7, 8, 12, 13	Not addressed at hearing; catch all
108.	Demonstrative aids and exhibits including, but not limited to, charts, diagrams and models, surveys, photographs and similar material including blow-ups of the listed items/exhibits	12	Not addressed at hearing; catch all
109.	Edwards reserves all objections to Epstein's Exhibits	Not an exhibit	Not an exhibit
110.	Edwards reserves the right to supplement and/or amend his Exhibit List	Not an exhibit	Not an exhibit
111.	By listing an Exhibit, Edwards is not waiving his right to object to same at trial and does not waive their right to amend same.	Not an exhibit	Not an exhibit
112.	All exhibits listed by Epstein subject to Edwards' objections.	Not an exhibit	Not addressed at hearing; catch all
113.	All pleadings and attachments in the action under the Crime Victims Rights Act prosecuted by Bradley Edwards on behalf of victims of Epstein's criminal molestations.	3, 4, 7, 8, 12, 13	<u>12/5/17 Tr. 218:25-226:14</u> Sustained because of breadth, lack of specificity, without prejudice to specific documents being produced as set forth above. Specific documents must be culled out; all documents on the docket may not be identified; Edwards must narrow scope
114.	Edwards' Motions for Summary Judgment, all attachments thereto, and all Undisputed Facts	3, 4, 7, 8, 12, 13	<u>12/5/17 Tr. 226:15-227:14</u> Overruled

⁸ In his December 7, 2017, Second Amended Exhibit List, Edwards modified this exhibit to include additional descriptive language: "and/or Property Receipts." The Court finds that this language does not substantially change the exhibit and, thus, the Court's ruling holds.

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
115.	All time records and hourly billing documentation produced in discovery.	3, 4, 7, 8, 12	<u>12/5/17 Tr. 227:15-229:17</u> Overruled. Edwards is ordered to produce/cull out within 15 days, if the documents have not already been produced
116.	All deposition testimony and discovery responses by Epstein submitted in this action.	3, 4, 7, 8, 12, 13	Not addressed at hearing; catch all
117.	All pleadings filed by Epstein in the Rothstein bankruptcy proceeding.	3, 4, 7, 8, 12, 13	<u>12/5/17 Tr. 229:18-20</u> Deferred
118.	All submissions by Epstein in connection with the Rothstein deposition.	3, 4, 7, 8, 12, 13	<u>12/5/17 Tr. 229:21-24</u> Deferred
119.	All Settlement Agreements between Epstein and victims of his sexual molestations.	3, 4, 7, 8, 12, 14	<u>12/5/17 Tr. 229:25-231:5</u> Deferred
120.	Phone Journal taken from Epstein's home and produced to the FBI by Alfredo Rodriguez	3, 4, 7, 8, 11, 14 (duplicative of Exhibit No. 8)	<u>12/5/17 Tr. 231:6-9</u> Deferred. Not to be mentioned during opening statement.
121.	Photo depicting Virginia Roberts, Ghislaine Maxwell and Prince Andrew	3, 4, 7, 8	<u>12/5/17 Tr. 231:10-18</u> Sustained
122.	All flight logs for any Epstein owned or controlled aircraft	3, 4, 7, 8, 10, 11, 12	<u>12/5/17 Tr. 231:19-20</u> Sustained
123.	All emails produced by Defendant and/or all emails produced by Plaintiff in this case	3, 4, 7, 8, 10, 12	Not addressed at hearing
124.	Evidence of contributions to the Palm Beach Police Dept.	3, 4, 7, 8, 10 duplicative of 45	<u>12/5/17 Tr. 231:21-232:4</u> Deferred
125.	Dr. Bernard J. Jansen Expert Report, Attachments and Back-up Documents, October 20, 2017	3, 4, 6, 7, 8, 10, 11, 13	Not addressed at hearing
126.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Complaint, December 7, 2009		Not addressed at hearing
127.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Fourth Amended Counterclaim, January 9, 2013	3, 4, 7, 13	Not addressed at hearing
128.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Plaintiff/Counter-Defendant Jeffrey Epstein's Answer and Affirmative Defenses to Defendant/Counter-Plaintiff Bradley Edwards's Fourth Amended Counterclaim, February 21, 2013	3, 4, 7, 13	Not addressed at hearing
129.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Notice of Voluntary Dismissal, August 16, 2012		Not addressed at hearing; no objections
130.	Brad Edward's [sic] Times Records and Billing Records related to this matter.	3, 4, 7, 8, 10, 12	Not specifically addressed at hearing but duplicative to Exhibit No. 115 and those rulings are incorporated herein

No.	Edwards' Exhibit Description	Epstein's Objections	Court's Ruling
131.	Jeffrey Epstein's NY State Online Sex Offender Registry Profile	3, 4, 7, 8	Not specifically addressed at hearing, but deferred with Exhibit 63
132.	New York Post article: Billionaire Jeffrey Epstein: I'm a sex offender, not a predator, February 25, 2011	3, 4, 7, 8	<u>12/5/17 Tr. 232:5-235:9</u> Deferred
133.	Any and all responses to Subpoenas Duces Tecum with or without deposition ⁹	3, 4, 6, 7, 8, 10, 11, 12, 13, 14	Not addressed at hearing; catch all
134.	All Interrogatories and Answers thereto, Requests to Produce and Responses, Requests for Admissions and Responses thereto.	3, 4, 7, 8, 12, 13	Not addressed at hearing; catch all
135.	Any and all documents produced in this action.	12	Not addressed at hearing; catch all
136.	Any and all depositions taken in this action.	12, 13	Not addressed at hearing; catch all
137.	Any documents or other exhibit attached to or used during any deposition in this action	12, 13	Not addressed at hearing; catch all
138.	Any and all exhibits, documents, etc. referred to in any deposition	12, 13	Not addressed at hearing; catch all
139.	Any and all documents and exhibits designated by all parties to this action.	12, 13	Not addressed at hearing; catch all
140.	Any and all exhibits needed for impeachment or rebuttal	12	Not addressed at hearing; catch all
141.	Any and all pleadings filed in this action	12, 13	Not addressed at hearing; catch all
142.	Any and all records produced or that will be produced by all records custodians relative to this action	12, 13	Not addressed at hearing; catch all

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida this 16 day of January, 2018.

THE HONORABLE DONALD W. HAFELE
CIRCUIT COURT JUDGE

⁹ In his December 7, 2017, Second Amended Exhibit List, Edwards has shifted Exhibit Nos. 133 through 142 to Exhibit Nos. 209 through 218. Edwards has also identified new exhibits at Exhibit Nos. 133 through 208. This Order does not make any rulings on the new exhibits which may be subject to a new Motion in Limine as Epstein deems appropriate.

Copies provided to:

SERVICE LIST

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<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>	<p>Scott J. Link Kara Berard Rockenbach Angela M. Many Link & Rockenbach, PA 1555 Palm Beach Lakes Boulevard, Suite 301 West Palm Beach, FL 33401 Scott@linkrocklaw.com Kara@linkrocklaw.com Angela@linkrocklaw.com Tina@linkrocklaw.com Troy@linkrocklaw.com Tanya@linkrocklaw.com Eservice@linkrocklaw.com <i>Trial Counsel for Plaintiff/Counter-Defendant</i> <i>Jeffrey Epstein</i></p>

EXHIBIT D

NOT A CERTIFIED COPY

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,

**COUNTER-PLAINTIFF'S, BRADLEY J. EDWARDS,
SECOND AMENDED EXHIBIT LIST**

COMES NOW the Counter-Plaintiff, BRADLEY J. EDWARDS, and hereby files his Amended Exhibit List as follows:

INDEX TO OBJECTIONS

O. No objection	5. Privileged
1. All objections	6. Opinion
2. All objections, except authenticity	7. Hearsay
3. Irrelevant or immaterial	8. Authenticity lacking
4. Probative value substantially outweighed by danger of unfair prejudice, confusion of issues, misleading the jury, or needless presentation of cumulative evidence	9. Other (please identify basis of objection)

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M.

Case No. 502009CA040800XXXXMBAG

Counter-Plaintiff's, Bradley J. Edwards, Second Amended Exhibit List

Counter-Plaintiff No.	Description of Exhibit	Objection	Marked in Evidence	Marked for Identification
1.	All applicable criminal statutes.			
2.	All applicable Florida Statutes.			
3.	Photos and information of Jeffrey Epstein's homes, airplanes and automobiles.			
4.	Order confirmation from <u>Amazon.com</u> for purchase of books SM 101: A Realistic Introduction," "Slave Craft: Roadmap for Erotic Servitude-Principles, Skills and Tools" and "Training Miss Abernathy: A Workbook for Erotic Slaves and Their Owners".			
5.	Non-Prosecution Agreement.			
6.	Jane Doe 102 Complaint.			
7.	Messages taken from message pads found at Epstein's home.			
8.	Documents related to Jeffrey Epstein produced by Alfredo Rodriguez.			
9.	Jeffrey Epstein's flight logs.			
10.	Jeffrey Epstein's phone records.			
11.	Sarah Kellen's phone records.			
12.	Jail Visitation Logs.			
13.	Jeffrey Epstein's probation file.			
14.	All probable cause affidavits related to criminal investigation of Jeffrey Epstein.			
15.	Victims' statements to the FBI related to criminal investigation of Jeffrey Epstein.			
16.	Video of Epstein Property Inspection, 01/18/10.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

17.	Application for Search Warrant of Jeffrey Epstein's home.			
18.	Complaint Jane Doe v. Epstein and all subsequent Amended Complaints.			
19.	All records of homes, properties, bank accounts and any/ all records related to Jeffrey Epstein's assets.			
20.	Jeffrey Epstein's passport (or copy).			
21.	Jeffrey Epstein's driver's license (or copy).			
22.	List of corporations owned by Jeffrey Epstein.			
23.	Yearbooks of Jane Doe.			
24.	2002 Royal Palm Beach High School Year Book.			
25.	2001 Royal Palm Beach High School Year Book.			
26.	2003 Palm Beach Gardens High School Year Book.			
27.	Affidavit and Application for Search Warrant on Jeffrey Epstein's home (<i>from Palm Beach State Attorney's File, Exhibit #29</i>).			
28.	Notepads found in Jeffrey Epstein's home and/or during trash pulls outside of his home during criminal investigation.			
29.	The Palm Beach State Attorney's Criminal file against Jeffrey Epstein.			
30.	All documents related to Jeffrey Epstein's 6/30/08 conviction.			
31.	Jeffrey Epstein's criminal plea colloquy.			
32.	List of properties and vehicles in Larry Visoski's name.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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 Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

33.	All of Jeffrey Epstein's Responses to Requests for Production, Requests for Admission, Answers to Interrogatories in this matter, and in cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092.			
34.	All discovery related responses of Jeffrey Epstein in this matter and in cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092.			
35.	Jeffrey Epstein's Answers and Affirmative Defenses in all civil cases against him.			
36.	All Complaints in which Jeffrey Epstein is/was a defendant.			
37.	Jeffrey Epstein's Deposition testimony and discovery responses in this case and in cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092.			
38.	Jeffrey Epstein's Deposition testimony and discovery responses in State Court cases LM v. Jeffrey Epstein, Case No. 502008CA028051XXXXMB AB and E.W. v. Jeffrey Epstein, Case No. 502008CP003626XXXXMB.			
39.	Jeffrey Epstein Deposition Testimony and discovery responses in State Court case Jeffrey Epstein v. Scott Rothstein, et al. Case No 502009CA040800XXXXMBAG.			
40.	Any and all newspaper articles, online articles or publications related to Jeffrey Epstein.			
41.	Report and Analysis of Jeffrey Epstein's assets.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

42.	Video footage (DVD) of walk through site inspection of Jeffrey Epstein's home.			
43.	Photos of all of Jeffrey Epstein's properties, cars, boats and planes.			
44.	Probable Cause Affidavits prepared against Jeffrey Epstein and Sarah Kellen.			
45.	Documents related to or evidencing Jeffrey Epstein's donations to law enforcement.			
46.	Victim Notification Letter from US Attorney's Office to Victims (CW & SR), 07/09/2008			
47.	Expert Dr. L. Dennison Reed's Report of Victim.			
48.	Palm Beach Police Department Incident Report dated 4/20/06.			
49.	All reports and documentation generated by Palm Beach Police Department related to Jeffrey Epstein.			
50.	All Witness Statements generated by Palm Beach Police Department relating to Jeffrey Epstein.			
51.	Passenger Manifests of Jeffrey Epstein's aircraft and private plane flight logs.			
52.	Passenger lists for flights taken by Jeffrey Epstein.			
53.	Letter from Jeffrey Epstein to Alberto Pinto regarding house island project.			
54.	Jeffrey Epstein's bank statements.			
55.	Jeffrey Epstein's tax returns.			
56.	MC2 emails involving communications of Jeffrey Epstein, Jeff Fuller, Maritza Vasquez,			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

	Pappas Suat, Jean Luc Brunel and Amanda Grant.			
57.	DVD of plea and colloquy taken on 6-30-08.			
58.	Transcript of plea and colloquy taken on 6-30-08.			
59.	Palm Beach Police Department Incident Report dated 07/25/06 (unredacted)			
60.	No Contact Orders entered against Jeffrey Epstein.			
61.	Criminal Score Sheet regarding Jeffrey Epstein.			
62.	Documents evidencing Jeffrey Epstein's Community Control and Probation.			
63.	Jeffrey Epstein's Sex Offender Registrations (from various states).			
64.	Jeffrey Epstein's Booking photograph.			
65.	CAD calls to 358 EL BRILLO WAY, PALM BEACH FL 33480.			
66.	List of Jeffrey Epstein's House contacts.			
67.	Documents related to Jeffrey Epstein's investments.			
68.	Letter from Chief Michael Reiter to Barry Krischler.			
69.	Palm Beach Police Department Incident Report dated 07/19/06 (redacted)D			
70.	Letter from Guy Fronstin to Assistant State Attorney, 01/11/06.			
71.	Letter from Guy Fronstin to Assistant State Attorney, 01/13/06.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

72.	Letter from Guy Fronstin to Assistant State Attorney, 02/17/06.			
73.	Letter from Guy Fronstin to Assistant State Attorney, 04/06/06.			
74.	Letter from Guy Fronstin to Assistant State Attorney, 04/10/06.			
75.	Letter from Goldberger, 06/22/06.			
76.	All subpoenas issued to State Grand Jury.			
77.	Documents related to the rental of a vehicle for Vanessa Zalis.			
78.	Ted's Sheds Documents.			
79.	Documents related to property searches of Jeffrey Epstein's properties.			
80.	Arrest Warrant of Sarah Kellen.			
81.	Police report regarding Alexandra Hall picking up money dated 11-28-04.			
82.	List of Trilateral Commission Members of 2003.			
83.	Alan Dershowitz Letter dated 04/19/06 and Statute 90.410.			
84.	Guy Fronstin letter dated 04/17/06.			
85.	Jeffrey Epstein Account Information.			
86.	Jeffrey Epstein Criminal Closeout Sheet.			
87.	JEGE, Inc. Passenger Manifest.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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 Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

88.	Hyperion Air Passenger Manifest.			
89.	Flight information for Dana Burns.			
90.	Passenger List Palm Beach flights 2005.			
91.	Jeffrey Epstein notepad notes, re: Maria.			
92.	Pleadings of Jane Doe 1 and 2 v. US case.			
93.	Jeffrey Epstein 5 th Amendment Speech.			
94.	Reiter letter to Krisher, 05/01/06.			
95.	Alexandra Hall Police Report, 11/28/04.			
96.	Victim's school records and transcripts.			
97.	Victim Notification letter to Virginia Roberts, 09/03/08			
98.	Police report of Juan Alessi theft at Jeffrey Epstein's home.			
99.	Victim's Medical Records from Dr. Randee Speciale.			
100.	All surveillance conducted by law enforcement on Jeffrey Epstein's home.			
101.	Emails received from Palm Beach Records related to Jeffrey Epstein.			
102.	All items listed on the Palm Beach Police Property Report Lists and/or Property Receipts.			
103.	All copies of convictions related to Jeffrey Epstein.			
104.	Jeffrey Epstein criminal records.			
105.	All documents produced by Palm Beach Police Department prior to the deposition of Detective Recarey.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

106.	Statements, deposition transcripts, videotaped depositions and transcripts taken in connection with this and all related cases and exhibits thereto.			
107.	Any and all expert witness reports and/or records generated in preparation for this litigation by any party to this cause.			
108.	Demonstrative aids and exhibits including, but not limited to, charts, diagrams and models, surveys, photographs and similar material including blow-ups of the listed items/exhibits.			
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114.	Edwards' Motions for Summary Judgment, all attachments thereto and all Undisputed Facts.			
115.	All time records and hourly billing documentation produced in discovery.			
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Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

117.	All pleadings filed by Epstein in the Rothstein bankruptcy proceeding.			
118.	All submissions by Epstein in connection with the Rothstein deposition.			
119.	All Settlement Agreements between Epstein and victims of his sexual molestations.			
120.	Phone Journal taken from Epstein's home and produced to the FBI by Alfredo Rodriguez.			
121.	Photo depicting Virginia Roberts, Ghislaine Maxwell and Prince Andrew.			
122.	All flight logs for any Jeffrey Epstein owned or controlled aircraft.			
123.	All emails produced by Defendant and/or all emails produced by Plaintiff in this case.			
124.	Evidence of contributions to the Palm Beach Police Dept.			
125.	Dr. Bernard J. Jansen Expert Report, Attachments and Back-up Documents, October 20, 2017.			
126.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Complaint, December 7, 2009.			
127.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M, Fourth Amended Counterclaim, January 9, 2013.			
128.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M, Plaintiff/Counter-Defendant Jeffrey Epstein's Answer and Affirmative Defenses to Defendant/Counter-Plaintiff Bradley Edwards's Fourth Amended Counterclaim, February 21, 2013.			

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 Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

129.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M, Notice of Voluntary Dismissal, August 16, 2012.			
130.	Brad Edward's Times Records and Billing Records related to this matter.			
131.	Jeffrey Epstein's NY State Online Sex Offender Registry Profile.			
132.	New York Post article: Billionaire Jeffrey Epstein: I'm a sex offender, not a predator, February 25, 2011.			
133.	Medical Records: New York Presbyterian Hospital re: Virginia Guiffre, 2001.			
134.	Hand Drawing of Bart Simpson (signed by Matt Groening).			
135.	Proposed Joint Letter to the Special Master.			
136.	Front and Back of Hard Copy Color Photo Virginia (Mar-A-Lago).			
137.	Color photo of Virginia Roberts on ferry "New York".			
138.	Scenic photo of Time Square.			
139.	Virginia Roberts photo on back of ship.			
140.	Picture of room in New York.			
141.	Color photo of man on horse (New Mexico Ranch).			
142.	Color photo of Virginia Roberts at Zorro Ranch standing in front of gate sign with "Z" (New Mexico Ranch).			
143.	Virginia Roberts photo on horse front of ranch.			
144.	Virginia Roberts photo standing against rocks (red coat).			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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 Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

145.	Virginia Roberts standing against rocks (red coat) (far) (with back photo white; back date).			
146.	Virginia Roberts photo riding horse blue jacket far.			
147.	Virginia Roberts photo on side of horse hand up.			
148.	Virginia Roberts photo on side of horse.			
149.	Virginia Roberts photo outside next to tables.			
150.	Virginia Roberts photo red coat leaning on rail.			
151.	Virginia Roberts photo standing outside next to fireplace.			
152.	Virginia Roberts photo standing in front of ranch.			
153.	Virginia Roberts photo with hand over head (black/white).			
154.	Virginia Roberts photo standing next to piano.			
155.	Virginia Roberts photo in front of fireplace (museum).			
156.	Virginia Roberts photo in front of wagon in museum.			
157.	Color photo of Virginia Roberts in front of museum exhibition (Santa Fe, New Mexico).			
158.	Photograph in Spain Jeffrey Epstein and Ghislaine Maxwell in front of building.			
159.	Virginia Roberts (Australia Storage): Photo Book 2.			
160.	Cover photo book 2.			
161.	Scenic photo (with back photo white).			
162.	Scenic photo (with back photo white).			
163.	Scenic photo (with back photo white).			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
 Case No.: 502009CA040800XXXXMBAG
 Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

164.	Scenic photo (with back photo white).			
165.	Virginia Roberts steps with trees overhead.			
166.	Scenic photo (with back photo white).			
167.	Scenic photo (with back photo white).			
168.	Scenic photo (with back photo white).			
169.	Scenic photo (with back photo white).			
170.	Scenic photo (with back photo white and black).			
171.	Scenic photo (with back photo white and black).			
172.	Scenic photo (with back photo white and black).			
173.	Virginia Roberts on steps with children (with back photo white and black).			
174.	Virginia Roberts on street white wall (far) (with back photo white and black).			
175.	Travel envelope.			
176.	Singapore Airlines Travel Cover with handwritten notes by Virginia Roberts.			
177.	Thailand Hotel Receipts.			
178.	Court Docket for Jane Doe No. 102 v. Epstein.			
179.	Typed List of Victims/ Co-Conspirators unique to the investigation of Jeffrey Epstein.			
180.	Ghislaine Maxwell deposition, 04/22/16			
181.	FBI Form 302 - Interview of Virginia Giuffre in Australia (Redacted) 03/17/11.			
182.	Mark Epstein Deposition.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

183.	March 19, 2008, email of Assistant U.S. Attorney Ann Marie Villafana (Summary of the Case) (Coonan File).			
184.	Color photos of Ghislaine Maxwell, one with Jeffrey Epstein.			
185.	Airport Codes (<i>Demonstrative</i>).			
186.	March 3, 2011 - New York Post: Uppity Tranny to Epstein: Pay Up!			
187.	DVD of Epstein PBPD 358 El Brillo Search Warrant Walk Through 05/11/09; DVD Audio from Cassettes, Part 1.			
188.	[Alex Hall] Redacted Transcript taken by Detective Joe Recarey and Detective Dawson (with Exhibits) 10/11/05.			
189.	Palm Beach Police Investigation: Palm Beach PD Records; Wachovia Bank Account.			
190.	Folder titled Sara Kellen Cell Phone Summary by Detective Recarey: Enclosing phone records. SAO FOIA Disc 7 (State Files).			
191.	Folder titled Sara Kellen Cell: Sara Kellen Cell Phone Usage 09/2005-10/2005.			
192.	Folder titled Sara Kellen: AT&T February 12, 2005 Statement.			
193.	Demand Deposit Account Statement History for Household Bank Account Jeffrey Epstein or Ghislaine Maxwell or Alfredo Rodriguez.			
194.	Santa Monica Police Report (May 12, 1997).			
195.	Folder titled PLANES: Information relating to Epstein's planes/aircrafts collected by the State Attorney's Office unique to the investigation of Jeffrey Epstein.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
Case No.: 502009CA040800XXXXMBAG
Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

196.	Palm Beach House/Information Sheet.			
197.	Sworn Statement of Juan Alessi taken by Palm Beach Police Department.			
198.	Juan Alessi Deposition (Vol. I) 09/08/09.			
199.	Juan Alessi Deposition (Vol II) 09/08/09.			
200.	Brochure for Boeing Super 727-100.			
201.	Passport application; issued January 12, 2001.			
202.	Sentencing Transcript, Alfredo Rodriguez.			
203.	Criminal Complaint – Alfredo Rodriguez.			
204.	Plea Agreement – Alfredo Rodriguez.			
205.	Photos of Jeffrey Epstein's properties and planes.			
206.	Photos of Jeffrey Epstein employees and former employees.			
207.	Jeffrey Epstein Guilty Plea documents.			
208.	Palm Beach County State Attorney's Response to Public Records Request (<i>including audio recordings</i>).			
209.	Any and all responses to Subpoenas Duces Tecum with or without deposition.			
210.	All Interrogatories and Answers thereto, Requests to Produce and Responses, Requests for Admissions and Responses thereto.			
211.	Any and all documents produced in this action.			
212.	Any and all depositions taken in this action.			
213.	Any documents or other exhibit attached to or used during any deposition in this action.			

Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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Counter-Plaintiff's, Bradley J Edwards, Second Amended Exhibit List

214.	Any and all exhibits, documents, etc. referred to in any deposition.			
215.	Any and all documents and exhibits designated by all parties to this action.			
216.	Any and all exhibits needed for impeachment or rebuttal.			
217.	Any and all pleadings filed in this action.			
218.	Any and all records produced or that will be produced by all records custodians relative to this action.			

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-Serve to all Counsel on the attached list, this 7th day of December, 2017.



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Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M..
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EXHIBIT E

NOT A CERTIFIED COPY

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'S OBJECTIONS TO DEFENDANT/
COUNTER-PLAINTIFF'S SECOND AMENDED EXHIBIT LIST**

Plaintiff/Counter-Defendant Jeffrey Epstein ("Epstein") hereby files his Objections to Defendant/Counter-Plaintiff, Bradley J. Edwards' ("Edwards") Second Amended Exhibit List dated December 7, 2017, and states:

PRELIMINARY STATEMENT

On November 9, 2017, Edwards filed his Amended Exhibit List identifying 142 exhibits. (D.E. 1043.) On November 15, 2017, Epstein filed his Objections to Edwards' exhibits. (D.E. 1058.) In addition, on November 17, 2017, Epstein filed his Revised Omnibus Motion in Limine which, in part, addressed those objections. (D.E. 1070.) The Court heard extensive arguments on Epstein's objections at special set hearings on November 29, 2017, and December 5, 2017, and made rulings on those objections. While, to date, an Order has not been entered memorializing those rulings, Epstein incorporates them herein.

On December 7, 2017, Edwards filed a Second Amended Exhibit List identifying 218 exhibits, which modified some of his earlier disclosed exhibits and identified 79 new items.¹ (D.E. 1109.) At no time during the special set hearings did Edwards' counsel advise the Court that he intended to amend the Exhibit List or that the parties and Court were working from an incorrect list.

Epstein will be filing a renewed Motion in Limine to address Edwards' newly disclosed exhibits. For ease of reference, Epstein has highlighted the changes and new items identified.

OBJECTIONS

LEGEND FOR OBJECTIONS:

- 1 – All Objections
- 2 – All Objections except Authenticity
- 3 - Relevance
- 4 – Probative value substantially outweighed by danger of unfair prejudice, confusion of issues, misleading the jury, or needless presentation of cumulative evidence
- 5 – Privileged
- 6 - Opinion
- 7 – Hearsay
- 8 – Authenticity
- 9 – Other (please identify basis of objection)
- 10 – Completeness
- 11 – Overbroad
- 12 – Not provided to Counsel for Epstein Prior to Filing Pretrial Stipulation
- 13 – Not a proper exhibit
- 14 – Trade secrets/Confidential

No.	Edwards' Exhibit Description	Epstein's Objections
1.	All applicable criminal statutes	3, 4, 7, 11, 12
2.	All applicable Florida Statutes	3, 4, 7, 11, 12
3.	Photos and information of Jeffrey Epstein's homes, airplanes and automobiles	3, 4, 7, 8, 10, 12

¹ While Edwards produced many of the new exhibits on November 9, 2017, he never identified them as trial exhibits on his Exhibit List and Epstein was not aware that he intended to rely on them at trial at the time of filing his Omnibus Motion in Limine.

No.	Edwards' Exhibit Description	Epstein's Objections
4.	Order confirmation from <u>Amazon.com</u> for purchase of books "SM 101: A realistic Introduction," "Slave Craft: Roadmap for Erotic Servitude-Principles, Skills and Tools" and "Training Miss Abernathy: A Workbook for Erotic Slaves and Their Owners"	3, 4, 7, 8
5.	Non-Prosecution Agreement	3, 4, 7, 8, 10
6.	Jane Doe 102 Complaint	3, 4, 7, 13
7.	Messages taken from message pads found at Epstein's home	3, 4, 7, 8, 11, 14
8.	Documents related to Jeffrey Epstein produced by Alfredo Rodriguez	3, 4, 7, 8, 11, 14
9.	Jeffrey Epstein flight logs	3, 4, 7, 8, 10, 11
10.	Jeffrey Epstein phone records	3, 4, 10, 11, 14
11.	Sarah Kellen's phone records	3, 4, 8, 10, 11 14
12.	Jail Visitation Logs	3, 4, 7, 8, 11
13.	Jeffrey Epstein's probation file	3, 4, 7, 8, 11
14.	All probable cause affidavits related to criminal investigation of Jeffrey Epstein	3, 4, 7, 8, 10
15.	Victims' statements to the FBI related to criminal investigation of Jeffrey Epstein	3, 4, 7, 8
16.	<u>Video of Epstein Property Inspection!</u> 01/18/10	3, 4, 8
17.	Application for Search Warrant of Jeffrey Epstein's home	3, 4, 7, 8, Cannot be read
18.	Complaint Jane Doe v. Epstein and all subsequent Amended Complaints	3, 4, 7, 13, 12 (as to "subsequent Amended Complaints")
19.	All records of homes, properties, bank accounts and any/all records related to Jeffrey Epstein's assets	12
20.	Jeffrey Epstein's passport (or copy)	12
21.	Jeffrey Epstein's driver's license (or copy)	Cannot be read, 3, 14
22.	List of corporations owned by Jeffrey Epstein	3, 4, 7, 8, 12
23.	Yearbooks of Jane Doe	3, 4, 7, 8, 12
24.	2002 Royal Palm Beach High School Year Book	3, 4, 7, 8, 12
25.	2001 Royal Palm Beach High School Year Book	3, 4, 7, 8, 12
26.	2003 Palm Beach Gardens High School Year Book	3, 4, 7, 8, 12

No.	Edwards' Exhibit Description	Epstein's Objections
27.	Affidavit and Application for Search Warrant on Jeffrey Epstein's home (from Palm Beach State Attorney's File, Exhibit #29)	3, 4, 7, 8, 10,
28.	Notepads found in Jeffrey Epstein's home and/or during trash pulls outside of his home during criminal investigation	3, 4, 7, 8, 10, 11, 14
29.	The Palm Beach State Attorney's Criminal file against Jeffrey Epstein	3, 4, 6, 7, 8, 10, 11, 13
30.	All documents related to Jeffrey Epstein's 6/30/08 conviction	3, 4, 7, 8, 12
31.	Jeffrey Epstein's criminal plea colloquy	3, 4, 7, 8, 12
32.	List of properties and vehicles in Larry Visoski's name	3, 4, 7, 8, 11, 13, The exhibit provided was an entire Motion (which was denied) not just the identified item.
33.	All of Jeffrey Epstein's Responses to Requests for Production, Requests for Admission, Answers to Interrogatories in this matter, and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092	3, 4, 11, 12, 13
34.	All discovery related responses of Jeffrey Epstein in this matter and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092	3, 4, 11, 12, 13
35.	Jeffrey Epstein's Answers and Affirmative Defenses in all civil cases against him	3, 4, 11, 12, 13
36.	All Complaints in which Jeffrey Epstein is/was defendant	3, 4, 11, 12, 13. This also includes a motion which is not part of the stated exhibit.
37.	Jeffrey Epstein's Deposition testimony and discovery responses in this case and cases 08-80119, 08-80232, 08-80380, 08-80381, 08-80994, 08-80811, 08-80893, 09-80469, 09-80591, 09-80656, 09-80802, 09-81092	3, 4, 11, 12, 13
38.	Jeffrey Epstein's Deposition testimony and discovery responses in State Court cases LM v. Jeffrey Epstein, Case No. 502008CA028051XXXXIMB AB and E.W. v. Jeffrey Epstein, Case No. 502008CP003626XXXXMB	3, 4, 11, 12, 13
39.	Jeffrey Epstein Deposition Testimony and discovery responses in State Court case Jeffrey Epstein v. Scott Rothstein, et al. Case No 502009CA040800XXXXMBAG	3, 4, 11, 12, 13

No.	Edwards' Exhibit Description	Epstein's Objections
40.	Any and all newspaper articles, online articles or publications related to Jeffrey Epstein	3, 4, 7, 8, 11, 12
41.	Report and Analysis of Jeffrey Epstein's assets	3, 4, 7, 8, 14
42.	Video footage (DVD) of walk through site inspection of Jeffrey Epstein's home.	3, 4, 7, 8, 12
43.	Photos of all of Jeffrey Epstein's properties, cars, boats and planes	3, 4, 7, 8, 14, 12 (as to cars and boats)
44.	Probable Cause Affidavits prepared against Jeffrey Epstein and Sarah Kellen	3, 4, 7, 8, 10
45.	Documents related to or evidencing Jeffrey Epstein's donations to law enforcement	3, 4, 7, 8, 10
46.	Victim Notification Letter from US Attorney's Office to Victims (CW & SR) 07/09/2008	3, 4, 7, 8, 14
47.	Expert Dr. L. Dennison Reed's Report of Victim	3, 4, 6, 7, 8, 14
48.	Palm Beach Police Department Incident Report dated 4/20/06	3, 4, 7, 8
49.	All reports and documentation generated by Palm Beach Police Department related to Jeffrey Epstein	3, 4, 7, 8, 12
50.	All Witness Statements generated by Palm Beach Police Department relating to Jeffrey Epstein	3, 4, 7, 8, 12
51.	Passenger Manifests of Jeffrey Epstein's aircraft and private plane flight logs	3, 4, 7, 8, 10, 11, 12
52.	Passenger lists for flights taken by Jeffrey Epstein	3, 4, 7, 8, 10, 11, 12
53.	Letter from Jeffrey Epstein to Alberto Pinto regarding house island project	3, 4, 7, 8, 10
54.	Jeffrey Epstein's bank statements	3, 4, 7, 8, 12, 14
55.	Jeffrey Epstein's tax returns	3, 4, 7, 8, 12, 14
56.	MC2 emails involving communications of Jeffrey Epstein, Jeff Fuller, Maritza Vasquez, Pappas Suat, Jean Luc Brunel and Amanda Grant	3, 4, 7, 8, 12
57.	DVD of plea and colloquy taken on 6-30-08	3, 4, 8, 12, 13
58.	Transcript of plea and colloquy taken on 6-30-08	3, 4, 13
59.	Palm Beach Police Department Incident Report dated 07/25/06 (unredacted)	3, 4, 7, 8
60.	No Contact Orders entered against Jeffrey Epstein	3, 4, 13
61.	Criminal Score Sheet regarding Jeffrey Epstein	3, 4, 7, 8, 12
62.	Documents evidencing Jeffrey Epstein's Community Control and Probation	3, 4, 7, 8

No.	Edwards' Exhibit Description	Epstein's Objections
63.	Jeffrey Epstein's Sex Offender Registrations (from various states)	3, 4, 7, 8
64.	Jeffrey Epstein's Booking photograph	3, 4, 7, 8, Document says cannot rely on this for legal action
65.	CAD calls to 358 EL BRILLO WAY, PALM BEACH FL 33480	3, 4, 7, 8
66.	List of Jeffrey Epstein's House contacts	3, 4, 7, 8, 12 (document provided is not reflective of description)
67.	Documents related to Jeffrey Epstein's investments	3, 4, 7, 8, 12, 14
68.	Letter from Chief Michael Reiter to Barry Krischler	3, 4, 7, 8
69.	Palm Beach Police Department Incident Report dated 07/19/06 (redacted)	3, 4, 7, 8
70.	Letter from Guy Fronstin to Assistant State Attorney dated 1-11-06	3, 4, 7, 8, 10
71.	Letter from Guy Fronstin to Assistant State Attorney dated 1-13-06	3, 4, 7, 8, 10
72.	Letter from Guy Fronstin to Assistant State Attorney dated 2-17-06	3, 4, 7, 8, 10
73.	Letter from Guy Fronstin to Assistant State Attorney dated 4-6-06	3, 4, 7, 8, 10
74.	Letter from Guy Fronstin to Assistant State Attorney dated 4-10-06	3, 4, 7, 8, 10
75.	Letter from Goldberger dated 6-22-06	3, 4, 7, 8
76.	All subpoenas issued to State Grand Jury	3, 4, 7, 8, 13
77.	Documents related to the rental of a vehicle for Vanessa Zalis	3, 4, 7, 8, document produced contains other items not identified on list
78.	Ted's Sheds Documents	3, 4, 7, 8, document produced contains other items not identified on list
79.	Documents related to property searches of Jeffrey Epstein's properties	3, 4, 7, 8, 14
80.	Arrest Warrant of Sarah Kellen	3, 4, 7, 8
81.	Police report regarding Alexandra Hall picking up money dated 11-28-04	3, 4, 7, 8, 10
82.	List of Trilateral Commission Members of 2003	3, 4, 7, 8, 10

No.	Edwards' Exhibit Description	Epstein's Objections
83.	Alan Dershowitz Letter dated 4-19-06 and Statute 90.410	3, 4, 7, 8, 12
84.	Guy Fronstin letter dated 4-17-06	3, 4, 7, 8
85.	Jeffrey Epstein Account Information	3, 4, 7, 8, 12, 14
86.	Jeffrey Epstein Criminal Closeout Sheet	3, 4, 7, 8, 12
87.	JEGE, Inc. Passenger Manifest	3, 4, 7, 8, 10, 11
88.	Hyperion Air Passenger Manifest	3, 4, 7, 8, 10, 11
89.	Flight information for Dana Burns	3, 4, 7, 8, 10, 11
90.	Passenger List Palm Beach flights 2005	3, 4, 7, 8, 10, 11
91.	Jeffrey Epstein notepad notes. <u>re</u> Maria	3, 4, 7, 8, 10, 12
92.	Pleadings of Jane Doe 1 and 2 v. US case	3, 4, 12 (document provided is not what is identified on list), 13
93.	Jeffrey Epstein 5 th Amendment Speech	3, 4, 12
94.	Reiter letter to Krisher dated 5-1-06	3, 4, 7, 8, 12
95.	Alexandra Hall Police Report dated 11-28-04	3, 4, 7, 8, 10
96.	Victim's school records and transcripts	3, 4, 7, 8
97.	Victim Notification letter to Virginia Roberts, 09/03/08	3, 4, 7, 8
98.	Police report of Juan Alessi theft at Jeffrey Epstein's home	3, 4, 7, 8, 12
99.	Victim's Medical Records from Dr. Randee Speciale	3, 4, 6, 7, 8
100.	All surveillance conducted by law enforcement on Jeffrey Epstein's home	3, 4, 7, 8, 12
101.	Emails received from Palm Beach Records related to Jeffrey Epstein	3, 4, 7, 8, 12
102.	All items listed on the Palm Beach Police Property Report Lists and/or Property Receipts	3, 4, 7, 8, 12 (items not provided)
103.	All copies of convictions related to Jeffrey Epstein	3, 4, 7, 8, 12
104.	Jeffrey Epstein criminal records	3, 4, 7, 8, 12
105.	All documents produced by Palm Beach Police Department prior to the deposition of Detective Recarey	3, 4, 7, 8, 10, 11,
106.	Statements, deposition transcripts, videotaped depositions and transcripts taken in connection with this and all related cases and exhibits thereto	3, 4, 7, 8, 12, 13
107.	Any and all expert witness reports and/or records generated in preparation for this litigation by any party to this cause	3, 4, 7, 8, 12, 13

No.	Edwards' Exhibit Description	Epstein's Objections
108.	Demonstrative aids and exhibits including, but not limited to, charts, diagrams and models, surveys, photographs and similar material including blow-ups of the listed items/exhibits	12
109.	Edwards reserves all objections to Epstein's Exhibits	Not an exhibit
110.	Edwards reserves the right to supplement and/or amend his Exhibit List	Not an exhibit
111.	By listing an Exhibit, Edwards is not waiving his right to object to same at trial and does not waive their right to amend same.	Not an exhibit
112.	All exhibits listed by Epstein subject to Edwards' objections.	Not an exhibit
113.	All pleadings and attachments in the action under the Crime Victims Rights Act prosecuted by Bradley Edwards on behalf of victims of Epstein's criminal molestations.	3, 4, 7, 8, 12, 13
114.	Edwards' Motions for Summary Judgment, all attachments thereto, and all Undisputed Facts	3, 4, 7, 8, 12, 13
115.	All time records and hourly billing documentation produced in discovery.	3, 4, 7, 8, 12
116.	All deposition testimony and discovery responses by Epstein submitted in this action.	3, 4, 7, 8, 12, 13
117.	All pleadings filed by Epstein in the Rothstein bankruptcy proceeding.	3, 4, 7, 8, 12, 13
118.	All submissions by Epstein in connection with the Rothstein deposition.	3, 4, 7, 8, 12, 13
119.	All Settlement Agreements between Epstein and victims of his sexual molestations.	3, 4, 7, 8, 12, 14
120.	Phone Journal taken from Epstein's home and produced to the FBI by Alfredo Rodriguez	3, 4, 7, 8, 11, 14 (duplicative of Exhibit No. 8)
121.	Photo depicting Virginia Roberts, Ghislaine Maxwell and Prince Andrew	3, 4, 7, 8
122.	All flight logs for any Epstein owned or controlled aircraft	3, 4, 7, 8, 10, 11, 12
123.	All emails produced by Defendant and/or all emails produced by Plaintiff in this case	3, 4, 7, 8, 10, 12
124.	Evidence of contributions to the Palm Beach Police Dept.	3, 4, 7, 8, 10 duplicative of 45
125.	Dr. Bernard J. Jansen Expert Report, Attachments and Back-up Documents, October 20, 2017	3, 4, 6, 7, 8, 10, 11, 13
126.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Complaint, December 7, 2009	
127.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Fourth Amended Counterclaim, January 9, 2013	3, 4, 7, 13

No.	Edwards' Exhibit Description	Epstein's Objections
128.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Plaintiff/Counter-Defendant Jeffrey Epstein's Answer and Affirmative Defenses to Defendant/Counter-Plaintiff Bradley Edwards's Fourth Amended Counterclaim, February 21, 2013	3, 4, 7, 13
129.	Jeffrey Epstein vs. Scott Rothstein, Bradley J. Edwards and L.M., Notice of Voluntary Dismissal, August 16, 2012	
130.	Brad Edward's [sic] Times Records and Billing Records related to this matter.	3, 4, 7, 8, 10, 12
131.	Jeffrey Epstein's NY State Online Sex Offender Registry Profile	3, 4, 7, 8
132.	New York Post article: Billionaire Jeffrey Epstein: I'm a sex offender, not a predator, February 25, 2011	3, 4, 7, 8
133.	Medical Records: New York Presbyterian Hospital re: Virginia Giuffre, 2001	3, 4, 6, 7, 8, 10
134.	Hand Drawing of Bart Simpson (signed by Matt Groening).	3, 4, 7, 8
135.	Proposed Joint Letter to the Special Master	3, 4, 6, 7, 8
136.	Front and Back of Hard Copy Color Photo Virginia (Mar-A-Lago).	3, 4, 7, 8
137.	Color photo of Virginia Roberts on ferry "New York"	3, 4, 7, 8
138.	Scenic photo of Time Square	3, 4, 7, 8
139.	Virginia Roberts photo on back of ship	3, 4, 7, 8
140.	Picture of room in New York	3, 4, 7, 8
141.	Color photo of man on horse (New Mexico Ranch)	3, 4, 7, 8
142.	Color photo of Virginia Roberts at Zorro Ranch standing in front of gate sign with "Z" (New Mexico Ranch)	3, 4, 7, 8
143.	Virginia Roberts photo on horse front of ranch	3, 4, 7, 8
144.	Virginia Roberts photo standing against rocks (red coat)	3, 4, 7, 8
145.	Virginia Roberts standing against rocks (red coat) (far) (with back photo white; back date).	3, 4, 7, 8
146.	Virginia Roberts photo riding horse blue jacket far	3, 4, 7, 8
147.	Virginia Roberts photo on side of horse hand up	3, 4, 7, 8
148.	Virginia Roberts photo on side of horse	3, 4, 7, 8
149.	Virginia Roberts photo outside next to tables	3, 4, 7, 8
150.	Virginia Roberts photo red coat leaning on rail	3, 4, 7, 8

No.	Edwards' Exhibit Description	Epstein's Objections
151.	<u>Virginia Roberts photo standing outside next to fireplace</u>	<u>3, 4, 7, 8</u>
152.	<u>Virginia Roberts photo standing in front of ranch</u>	<u>3, 4, 7, 8</u>
153.	<u>Virginia Roberts photo with hand over head(black/white)</u>	<u>3, 4, 7, 8</u>
154.	<u>Virginia Roberts photo standing next to piano</u>	<u>3, 4, 7, 8</u>
155.	<u>Virginia Roberts photo in front of fireplace(museum)</u>	<u>3, 4, 7, 8</u>
156.	<u>Virginia Roberts photo in front of wagon in museum</u>	<u>3, 4, 7, 8</u>
157.	<u>Color photo of Virginia Roberts in front of museum exhibition (Santa Fe, New Mexico)</u>	<u>3, 4, 7, 8</u>
158.	<u>Photograph in Spain Jeffrey Epstein and Ghislaine Maxwell in front of building!</u>	<u>3, 4, 7, 8</u>
159.	<u>Virginia Roberts (Australia Storage): Photo Book 2</u>	<u>3, 4, 7, 8</u>
160.	<u>Cover photo book 2</u>	<u>3, 4, 7, 8</u>
161.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
162.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
163.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
164.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
165.	<u>Virginia Roberts steps with trees overhead</u>	<u>3, 4, 7, 8</u>
166.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
167.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
168.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
169.	<u>Scenic photo (with back photo white)</u>	<u>3, 4, 7, 8</u>
170.	<u>Scenic photo (with back photo white and black)</u>	<u>3, 4, 7, 8</u>
171.	<u>Scenic photo (with back photo white and black)</u>	<u>3, 4, 7, 8</u>
172.	<u>Scenic photo (with back photo white and black)</u>	<u>3, 4, 7, 8</u>
173.	<u>Virginia Roberts on steps with children (with back photo white and black)</u>	<u>3, 4, 7, 8</u>
174.	<u>Virginia Roberts on street white wall (far) (with back photo white and black)</u>	<u>3, 4, 7, 8</u>
175.	<u>Travel envelope</u>	<u>3, 4, 7, 8</u>
176.	<u>Singapore Airlines Travel Cover with handwritten notes by Virginia Roberts</u>	<u>3, 4, 7, 8</u>

No.	Edwards' Exhibit Description	Epstein's Objections
177.	<u>Thailand Hotel Receipts</u>	<u>3, 4, 7, 8</u>
178.	<u>Court Docket for Jane Doe No. 102 v. Epstein</u>	<u>3, 4, 7, 8, 13</u>
179.	<u>Typed List of Victims/ Co-Conspirators unique to the investigation of Jeffrey Epstein</u>	<u>3, 4, 7, 8, 10</u>
180.	<u>Ghislaine Maxwell deposition, 04/22/16</u>	<u>3, 4, 7, 8, 14</u>
181.	<u>FBI Form 302 - Interview of Virginia Giuffre in Australia (Redacted) 03/17/11</u>	<u>3, 4, 7, 8, 10</u>
182.	<u>Mark Epstein Deposition</u>	<u>3, 4, 7, 8</u>
183.	<u>March 19, 2008, email of Assistant U.S. Attorney Ann Marie Villafana (Summary of the Case) (Coonan File)</u>	<u>3, 4, 7, 8, 10</u>
184.	<u>Color photos of Ghislaine Maxwell, one with Jeffrey Epstein</u>	<u>3, 4, 7, 8</u>
185.	<u>Airport Codes (Demonstrative)</u>	<u>3, 7, 8, 10</u>
186.	<u>March 3, 2011 - New York Post: Uppity Tranny to Epstein: Pay Up!</u>	<u>3, 4, 7, 8</u>
187.	<u>DVD of Epstein PBPD 358 El Brillo Search Warrant Walk Through 05/11/09; DVD Audio from Cassettes, Part 1</u>	<u>3, 4, 7, 8, 12 (only photo of DVDs provided)</u>
188.	<u>[Alex Hall] Redacted Transcript taken by Detective Joe Recarey and Detective Dawson (with Exhibits) 10/11/05</u>	<u>3, 4, 7, 8, 10</u>
189.	<u>Palm Beach Police Investigation; Palm Beach PD Records; Wachovia Bank Account</u>	<u>3, 4, 7, 8, 10, 11</u>
190.	<u>Folder titled Sara Kellen Cell Phone Summary by Detective Recarey: Enclosing phone records. SAO FOIA Disc 7 (State Files)</u>	<u>3, 4, 7, 8, 10, 11</u>
191.	<u>Folder titled Sara Kellen Cell: Sara Kellen Cell Phone Usage 09/2005-10/2005</u>	<u>3, 4, 7, 8, 10, 11</u>
192.	<u>Folder titled Sara Kellen: AT&T February 12, 2005 Statement</u>	<u>3, 4, 7, 8, 10, 11</u>
193.	<u>Demand Deposit Account Statement History for Household Bank Account Jeffrey Epstein or Ghislaine Maxwell or Alfredo Rodriguez</u>	<u>3, 4, 7, 8, 10, 14</u>
194.	<u>Santa Monica Police Report (May 12, 1997)</u>	<u>3, 4, 7, 8</u>
195.	<u>Folder titled PLANES: Information relating to Epstein's planes/aircrafts collected by the State Attorney's Office unique to the investigation of Jeffrey Epstein</u>	<u>3, 4, 7, 8</u>
196.	<u>Palm Beach House/Information Sheet</u>	<u>3, 4, 7, 8</u>
197.	<u>Sworn Statement of Juan Alessi taken by Palm Beach Police Department</u>	<u>3, 4, 7, 8</u>
198.	<u>Juan Alessi Deposition (Vol. I) 09/08/09</u>	<u>3, 4, 7, 8</u>

No.	Edwards' Exhibit Description	Epstein's Objections
199.	<u>Juan Alessi Deposition (Vol II) 09/08/09</u>	<u>3, 4, 7, 8</u>
200.	<u>Brochure for Boeing Super 727-100</u>	<u>3, 4</u>
201.	<u>Passport application; issued January 12, 2001</u>	<u>3, 4, 7, 8, 10</u>
202.	<u>Sentencing Transcript, Alfredo Rodriguez</u>	<u>3, 4, 6, 7</u>
203.	<u>Criminal Complaint — Alfredo Rodriguez</u>	<u>3, 4, 6, 7</u>
204.	<u>Plea Agreement — Alfredo Rodriguez</u>	<u>3, 4, 7, 8</u>
205.	<u>Photos of Jeffrey Epstein's properties and planes</u>	<u>3, 4, 7, 8, 10</u>
206.	<u>Photos of Jeffrey Epstein employees and former employees</u>	<u>3, 4, 7, 8, 10</u>
207.	<u>Jeffrey Epstein Guilty Plea documents</u>	<u>3, 4</u>
208.	<u>Palm Beach County State Attorney's Response to Public Records Request (including audio recordings)</u>	<u>3, 4, 6, 7, 8, 10, 11, 13</u>
209.	Any and all responses to Subpoenas Duces Tecum with or without deposition	3, 4, 6, 7, 8, 10, 11, 12, 13, 14
210.	All Interrogatories and Answers thereto, Requests to Produce and Responses, Requests for Admissions and Responses thereto.	3, 4, 7, 8, 12, 13
211.	Any and all documents produced in this action.	12
212.	Any and all depositions taken in this action.	12, 13
213.	Any documents or other exhibit attached to or used during any deposition in this action	12, 13
214.	Any and all exhibits, documents, etc. referred to in any deposition	12, 13
215.	Any and all documents and exhibits designated by all parties to this action.	12, 13
216.	Any and all exhibits needed for impeachment or rebuttal	12
217.	Any and all pleadings filed in this action	12, 13
218.	Any and all records produced or that will be produced by all records custodians relative to this action	12, 13

CERTIFICATE OF SERVICE

I certify that the foregoing document has been furnished to the attorneys listed on the Service List below on December 15, 2017, 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)
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Secondary: Troy@linkrocklaw.com
Secondary: Tanya@linkrocklaw.com
Secondary: Eservice@linkrocklaw.com

*Trial Counsel for Plaintiff/Counter-Defendant
Jeffrey Epstein*

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<p>Bradley J. Edwards Edwards Pottinger LLC 425 N. Andrews Avenue, Suite 2 Fort Lauderdale, FL 33301-3268 brad@epllcc.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 F

NOT A CERTIFIED COPY

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,

Defendant,

/

SEVENTH AMENDED AND SUPPLEMENTAL WITNESS LIST
OF COUNTER-PLAINTIFF BRADLEY J. EDWARDS

Counter-Plaintiff, BRADLEY J. EDWARDS, by and through his undersigned attorneys, hereby supplements his list of witnesses for trial as follows:

WITNESSES EXPECTED TO BE PRESENTED

1. Bradley J. Edwards
- 2.. Jeffrey Epstein
3. Sarah Vickers (formerly Kellen)
c/o John Stephenson
1201 W. Peachtree Street
Atlanta, Georgia 30339
4. Nadia Marcinkova
c/o Erica Dubno
767 Third Avenue, Suite 3600
New York, New York 10017
5. Virginia Roberts Guiffre
c/o Stan Pottinger
49 Twin Lakes Road, Suite 100
South Salem NY 10590

EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 2 of 22

6. Maria Farmer
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New York 10016
7. Annie Farmer
c/o Peter Guirguis, Esq.
Mintz & Gold LLP
600 Third Avenue, 25th Floor,
New York, 10016
8. Nadia BJORLIN
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Sherman Oaks, CA 91423-2449
9. Alexandra Hall
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Podhurst Orseck, PA
One S.E. 3rd Avenue, Suite 2700
Miami, FL 33131
10. Robert C. Josefsberg, Esquire
Podhurst Orseck, PA
One S.E. 3rd Avenue, Suite 2700
Miami, FL 33131
11. Detective Joseph Recarey
Palm Beach Police Department
345 South County Road
Palm Beach, FL 33480
12. Chief Michael Reiter
Palm Beach Police Department
345 South County Road
Palm Beach, FL 33480
13. John Connolly
c/o Simon & Schuster
1230 6th Avenue
New York, New York 10020

14. Charles Lichtman, Esquire
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300 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, FL 33301
15. Courtney Wild
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Horowitz Law
425 North Andrews Avenue, Suite 2
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16. Antonio Figueroa (Tony)
Palm Coast, Florida
17. Records Custodian of Palm Beach Police Department
345 South County Road
Palm Beach, FL 33480
18. Records Custodian of United States Attorney's Office
for the Southern District of Florida
19. Records Custodian of the Federal Bureau of Investigations
20. Spencer Kuvin, Esquire
1800 S. Australian Avenue, #400
West Palm Beach, Florida 33409
21. Theodore Leopold, Esquire
Cohen Milstein
2925 PGA Boulevard, Suite 200
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61. Saige Gonzales
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64. Shawna Rivera
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65. Tatum Miller
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Edwards Pottinger LLC
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66. Vanessa Zalis
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67. Virginia Alvarez
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70. Daynia Nida
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West Palm Beach, FL, 33401

EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 10 of 22

71. Igor Zinoview
Address Currently Unknown
72. Pralaya Cuomo
Address Currently Unknown
73. Svetlana Pozhidaeva
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74. Seth Lehrman
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75. Matt Weissing
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Fort Lauderdale, FL 33301
76. Maria Villafana
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77. Any additional individuals identified as victims by the United States Attorney's Office and whose identities were conveyed to Jeffrey Epstein as part of a list supplied as it related to the NPA.
78. Leslie Wexner
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Columbus, Ohio 43206
79. President Donald J. Trump
c/o Alan Garten, Esq.
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80. Larry Visoski
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Riviera Beach, FL 33401
81. Maritza Vasquez
1293 SW 21st Terrace
Miami, FL 33145

EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 11 of 22

82. Maximilia Cordero
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86. David Copperfield (David Seth Kokin)
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87. Haley Robson
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88. Michael Fisten
Weston, FL
89. Russell Adler
Delray Beach, FL
90. Marie Alessi
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91. Janusz Banasiak
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EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 12 of 22

92. Beata Banasiak
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93. Juan Alessi
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95. Jerry Goldsmith
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98. Dana Burns
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99. Cecelia Stein
Unknown, South Africa
100. Glenn Dubin
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101. Abigail Wexner
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345 South County Road

EDWARDS ADV. EPSTEIN

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Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 13 of 22

Palm Beach, FL 33480

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Palm Beach, FL 33480
104. Sgt. Sorge
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107. Stephan Kosslyn
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108. Cecile Dejongh
23 8 Estate Mafolie
St. Thomas VI 00802
109. Tommy Mottola
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110. Mike Sanka
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111. Cecilia Steen
S/A Witness #108
112. William "Bill" Riley
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Coral Springs, FL 33076

EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 14 of 22

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114. Robert Meister
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Palm Beach, FL 33480
115. Todd Meister
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Palm Beach, FL 33480
116. President William J. Clinton
117. William Hammond
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118. Robert Roxburgh
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119. Michele Pagan
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120. Michele Dawson
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Palm Beach, FL 33480
121. Amy Fortimer
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EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 15 of 22

123. Christina Venero
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124. Dara Gehringer (Dara Preece)
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West Palm Beach, Florida
125. Juliana Barbosa
9 Pinta Road
Miami, FL 33133-2607
126. Latasha Lowe
c/o Adam Horowitz.
Horowitz Law
425 North Andrews Avenue, Suite 2
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127. Melissa Hanes
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West Palm Beach, Florida
128. Zack Bryan
1150 Larch Way
Wellington, Florida
129. Zinta Braukis
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130. Larry Morrison
11148 Cobblefield Dr..
Wellington, FL 33449
131. Story Cowles
801 S Olive Ave., Unit 201S
West Palm Beach, FL 33401
132. Michael Dawson
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345 South County Road
Palm Beach, FL 33480

EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 16 of 22

133. Salaam Kahlid Monroe
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134. Jelitza Negrette
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Portland, ME 04101
135. Sergia Cordero
825 Brickell Bay Drive, #1141
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136. Cassandra Rivera
5011 El Claro Circle
West Palm Beach, FL 33415
137. Randee Speciale
Palm Beach Victim Services
205 North Dixie Highway, #5.1100
West Palm Beach, FL 33401
138. Nicole Hesse
Address Currently Unknown
139. Steven Hoffenberg
Address Currently Unknown
140. Michael Stroll
Address Currently Unknown
141. Douglas Shoettle
243 Riverside, Dr.
New York, NY 10025
142. Ghislaine Maxwell
Address Currently Unknown
143. Amazon Records Custodian
144. Yellow Cab Records Custodian

EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 17 of 22

145. Citrix Systems, Inc. Records Custodian
146. Federal Bureau of Investigation Records Custodian
147. Milton Girls Juvenile Facility Records Custodian
5770 East Milton Road
Milton, FL
148. School District of Palm Beach County Records Custodian
3344 Forest Hill Blvd., Suite C-124
West Palm Beach, FL 33406
149. St. Mary's Medical Center Records Custodian
901 45th Street
West Palm Beach, FL 33401
150. Wellington Reginal Hospital Records Custodian
10104 Forrest Hill Blvd.
Wellington, FL 33414
151. All witnesses that Defendants have listed on their Witness List not objected to by Plaintiff.
152. All rebuttal witnesses.
153. All People on Jeffrey Epstein's Inmate Visitor Log while he was in jail.

**WITNESS TESTIMONY EXPECTED TO BE PRESENTED
BY MEANS OF DEPOSITION**

154. Mark Epstein
30 Vandam Street
New York, NY 10013
155. Adriana Ross (Adriana Mucinska)
c/o Alan S. Ross, Esq.
156. Louella Rabuyo
358 El Brillo Way
Palm Beach, FL 33480
157. Alfredo Rodriguez

c/o Federal Public Defender or Bureau of Prisons
11349 SW 86TH Lane
Miami, FL

158. Scott Rothstein
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159. Jeffrey Epstein
160. Courtney Wild
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Horowitz Law
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Fort Lauderdale FL 33301

EXPERT WITNESSES

161. Bernard J. Jansen, Ph.D.
c/o Jack Scarola
Searcy Denney Scarola Barnhart & Shipley
2139 Palm Beach Lakes Blvd.
West Palm Beach, FL 33409

The following witnesses are attorneys that are not retained or specially employed to provide expert testimony, but may provide opinions relating to the propriety of Brad Edward's conduct of discovery in the prosecution of the Epstein claims.

162. Robert C. Josefsberg, Esquire
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EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 19 of 22

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168. Earleen Cote, Esquire
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169. William Berger, Esquire
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Plaintiff reserves the right to amend this list.

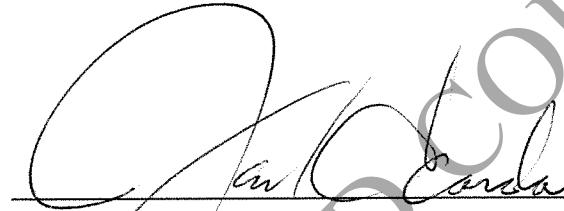
EDWARDS ADV. EPSTEIN

Case No.: 502009CA040800XXXXMBAG

Seventh Amended and Supplemental Witness List of Counter-Plaintiff Bradley J. Edwards

Page 20 of 22

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-Serve
to all Counsel on the attached list, this 9th day of November, 2017.



JACK SCAROLA

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