

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 BRIEFING FOR IN CAMERA INSPECTION

THIS MATTER came before the Court upon Counter-Defendant Jeffrey Epstein's ("Epstein") request for an *in camera* inspection of 47 e-mails that Counter-Plaintiff Bradley J. Edwards ("Edwards") claims are privileged. The Court, hereby

ORDERS AND ADJUDGES as follows:

1. For the sole purpose of briefing a memorandum of law for the *in camera* proceedings, Epstein's counsel may unseal the envelope maintained in their offices of the following 47 e-mails Edwards alleges are privileged:

| Ex. No. | Bates No. | App. No. |
|---------|-------------|----------|
| 13-1 | 02645 | |
| 13-4 | 00149 | 35 |
| 13-5 | 01527 | 3 |
| 13-6 | 04493-04495 | |
| 13-7 | 00014 | 36 |
| 13-11 | 00090 | 37 |
| 13-13 | 00133 | 68 |
| 13-15 | 08006 | 31 |
| 13-17 | 00026 | 70 |
| 13-19 | 01004 | 71 |
| 13-25 | 12289 | 33 |

| Ex. No. | Bates No. | App. No. |
|---------|-------------|----------|
| 13-30 | 26481 | |
| 13-34 | 26480 | 60 |
| 13-35 | 26356 | |
| 13-36 | 26570 | |
| 13-44 | 03731-03732 | |
| 13-45 | 06406-06408 | |
| 13-46 | 01686 | 48 |
| 13-47 | 11123-11125 | 50 |
| 13-49 | 11126-11127 | 32 |
| 13-52 | 25925 | |
| 13-53 | 25874 | |
| 13-56 | 11145 | |
| 13-60 | 03191-03192 | 4 |
| 13-66 | 04398-04402 | 2, 34 |
| 13-67 | 04408-04412 | 1 |
| 13-86 | 26747 | 11 |
| 13-88 | 08042-08044 | 16 |
| 13-89 | 26741-26742 | 13, 15 |
| 13-90 | 08059-08061 | 17 |
| 13-93 | 26756-26758 | 9 |
| 13-94 | 08036-08038 | 19 |
| 13-97 | 26762 | 8 |
| 13-98 | 01117 | 21 |
| 13-100 | 08121-08123 | 20 |
| 13-101 | 26749-26752 | 23 |
| 13-102 | 08128-08130 | 24 |
| 13-103 | 08118-08120 | 22 |
| 13-104 | 08131-08133 | 25 |
| 13-105 | 08124-08126 | 26 |
| 13-106 | 08135-08138 | 10 |
| 13-107 | 27494 | 27 |
| 13-108 | 26760 | |
| 13-110 | 25997 | 28 |
| 13-111 | 25937 | 67 |
| 13-113 | 26604-26605 | 56 |
| 13-116 | 07019-07021 | |

2. These 47 e-mails may be viewed, over Edwards' objection, by Epstein's attorneys of record in this case only and may not be shared with Epstein or anyone else. The Court recognizes that Edwards is co-counsel and is the party asserting the privileges at issue. Restrictions on viewing the documents do not apply to him.

3. Edwards shall deliver copies of the 47 e-mails at issue to The Honorable Donald W. Hafele in a sealed envelope on or before November 9, 2018.

4. On or before November 9, 2018, Epstein shall file a generic Motion for the *in camera* inspection.

5. Separately, Epstein shall file under seal a detailed Memorandum of Law in which Epstein's counsel may specifically cite and refer to the 47 e-mails at issue. The Memorandum is for attorneys' eyes only and may not be shared with Epstein. Copies of Epstein's Memorandum of Law shall be delivered in a sealed envelope to The Honorable Donald W. Hafele and to Edwards' counsel. After preparation of the Memorandum, the Memorandum and the allegedly privileged documents shall both be sealed pending further order of the Court. Edwards' objections to further review of the allegedly privileged documents by anyone acting on behalf of Epstein and reference by Epstein's counsel to the contents of the documents prior to a ruling on the propriety of Epstein's possession of the documents and his late listing of the documents as trial exhibits are overruled to permit the preparation and filing of the sealed Memorandum of Law.

6. On or before November 16, 2018, Edwards shall file his Response Memorandum of Law under seal. The Memorandum is for attorneys' eyes only and shall not be shared with Epstein. Copies of the Response Memorandum shall be delivered in a sealed envelope to The Honorable Donald W. Hafele and Epstein's counsel.

7. The Court shall schedule a hearing on these issues either before or during the week of November 26, 2018.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida this 6 day of November, 2018.

THE HONORABLE DONALD W. HAFELE
CIRCUIT COURT JUDGE

SERVICE LIST

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