

IN THE CIRCUIT COURT OF THE 15th JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CIVIL DIVISION
CASE NO. 502009CA040800XXXXMBAG
Judge David F. Crow

JEFFREY EPSTEIN,

Plaintiff,

v.

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

Defendants.

**PLAINTIFF'S MOTION FOR PROTECTIVE ORDER TO PREVENT VIDEO
DEPOSITION**

Plaintiff Jeffrey Epstein moves the Court for entry of a protective order, pursuant to Florida Rule of Civil Procedure 1.280, to prevent the taking on April 13, 2011 of Mr. Epstein's further deposition which Defendant Bradley J. Edwards ("Edwards") has noticed over the Plaintiff's objection. The grounds for this Motion are:

1. On or about March 30, 2011, counsel to Edwards noticed the video deposition of the Plaintiff for April 13, 2011 in West Palm Beach, Florida to retake the deposition of the Plaintiff, despite the fact that he was advised by Plaintiff's counsel that the Plaintiff was unavailable during this time and that there was no basis for the taking of a second deposition when the Plaintiff had already been deposed in 2010. A copy of the Notice is attached as Exhibit A.
2. The Plaintiff seeks a protective order to prevent his further deposition at this time because (a) he has already been deposed at length; (b) no meaningful grounds have been alleged to justify the taking of a second deposition other than the unsubstantiated assertion that the

Plaintiff has somehow waived his rights under the Fifth Amendment to the U.S. Constitution which he has not; and (c) the timing is in conflict with the Court's recent order requiring the filing of new pleadings by all parties which may determine the scope of inquiry. Moreover, the taking of a video deposition in light of the publicity surrounding these parties would be particularly prejudicial to the Plaintiff who is also seeking in a separate motion an order preventing Edwards's counsel from discussing this case with the media. A video deposition is truly fodder for internet gossip machines and can be of no benefit to any party.

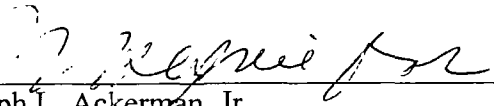
3. Rule 1.280(c) affords the Court discretion to grant protective orders for good cause shown and to protect a party from annoyance, embarrassment, oppression, or undue burden or expense. *See also Logitech Cargo v. JW Perry*, 817 So. 2d 1033 (Fla. 3d DCA 2002). Moreover, the Court may determine the time and place of a deposition. Fla. R. Civ. P. 1.280(c)(2). In this case, the Court should determine whether a further deposition of the Plaintiff is justified or necessary and whether video is a proper medium.

WHEREFORE, for the above stated reasons, Plaintiff Jeffrey Epstein moves for entry of a protective order to preventing the taking of his deposition again as noticed by Plaintiff on April 13, 2011 and for such other relief as the Court deems proper in the circumstances.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 8th day of April, 2011 to Gary M. Farmer, Jr., Esq., Farmer, Jaffee, Weissing, Edwards, Fistos, et al, 425 N. Andrews Avenue, Suite 2, Fort Lauderdale, FL 33301; Jack Alan Goldberger, Esq., Atterbury, Goldberger & Weiss, P.A., 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401-5012; Marc S. Nurik, Esq., Law Offices of Marc S. Nurik, One East Broward Boulevard, Suite 700, Fort Lauderdale, FL 33301; and Jack Scarola, Esquire, Searcy Denney

Scarola et al., 2139 Palm Beach Lakes Boulevard, P.O. Drawer 3626, West Palm Beach, FL
33409.



Joseph L. Ackerman, Jr.
Fla. Bar No. 235954

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901 Phillips Point West
777 South Flagler Drive
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W:\80743\MTNPRO93-to prevent deposition of Plaintiff in April -JLA.docx

NOT A CERTIFIED COPY

#291874/mep

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

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

Defendant(s).

NOTICE OF TAKING VIDEO DEPOSITION

TO: All counsel on the attached Counsel List

PLEASE TAKE NOTICE that the undersigned attorneys will take deposition(s) of:

NAME AND ADDRESSDATE AND TIMELOCATION

Jeffrey Epstein

April 13, 2011
9:30 a.m.Searcy Denney, et al
2139 Palm Beach Lakes
Boulevard, WPB


VIDEOGRAPHER: To be arranged by Phipps Reporting

upon oral examination before Phipps Reporting, a Notary Public; or any other officer authorized by law to take depositions in the State of Florida. The oral examination is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the applicable Statutes or Rules.

Exhibit A

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Notice of Taking Video Deposition
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I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by
Fax and U.S. Mail to all Counsel on the attached list, this 30th day of March, 2011.


Jack Scarola
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Searcy Denney Scarola Barnhart & Shipley
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West Palm Beach, Florida 33409
Phone: (561) 686-6300
Fax: (561) 383-9451
Attorney for Bradley J. Edwards

cc: Phipps Reporting

E-TRANSCRIPT, ASCII, CD AND/OR DVD REQUESTED

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans With Disabilities Act, persons in need of a special accommodation to participate in this proceeding should contact the Human Resources Manager, Searcy Denney Scarola Barnhart & Shipley, P.A., no later than seven days prior to the proceeding. Please telephone (561) 686-6300.

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