

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).

11 AUG 24 PM 3:59
FILED
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CIVIL 4

MOTION TO DISMISS SECOND AMENDED COMPLAINT

Defendant/Counter-plaintiff, BRADLEY J. EDWARDS, moves this Honorable Court to dismiss the Second Amended Complaint against him for failure to state a cause of action and in support thereof would show:

1. the "Introduction" to the Second Amended Complaint is nothing more than conclusory surplusage apparently intended to defame Mr. Edwards under the protection of the litigation privilege;
2. Except for the filing of a federal complaint that did not name Epstein and was apparently never served on him,* the Amended Complaint fails to identify the "process" alleged to be abusive, on whom it is claimed to have been served, or when it is claimed to have been served;

*Paragraph 30(b) of the Second Amended Complaint references a federal civil action with which "Edwards was never served." Presumably, since the complaint is alleged to have been filed by Edwards, the allegation was meant to have referenced Epstein rather than Edwards.

Edwards adv. Epstein
Edwards' Motion to Dismiss Second Amended Complaint
Case No.: 502009CA040800XXXXMBAG

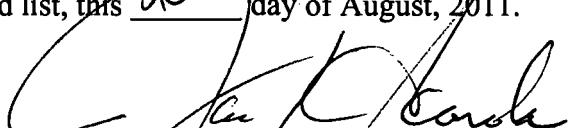
3. the Amended Complaint fails to articulate a cognizable theory of damages proximately caused by any wrongdoing on the part of Bradley J. Edwards;

4. the Amended Complaint fails to identify any conduct outside the protection of the litigation privilege which could give rise to any liability on the part of Bradley J. Edwards;

5. all legal arguments and authorities as contained in the Defendant's previously filed Motion for Summary Judgment and Motion to Assert Claim for Punitive Damages are incorporated herein by reference.

WHEREFORE, BRADLEY J. EDWARDS, demands dismissal of the Second Amended Complaint against him.

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 23rd day of August, 2011.


Jack Scarola
Florida Bar No.: 169440
Searcy Denney Scarola Barnhart & Shipley
2139 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33409
Phone: (561) 686-6300
Fax: (561) 383-9451
Attorneys for BRADLEY J. EDWARDS

Edwards adv. Epstein
Edwards' Motion to Dismiss Second Amended Complaint
Case No.: 502009CA040800XXXXMBAG

COUNSEL LIST

Martin Weinberg, Esquire
Martin Weinberg, P.C.
20 Park Plaza, Suite 1000
Suffolk, MA 02116
Phone: (617) 227-3700
Fax: (617) 338-9538

Jack A. Goldberger, Esquire
Atterbury, Goldberger & Weiss, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, FL 33401
Phone: (561) 659-8300
Fax: (561) 835-8691

Farmer, Jaffe, Weissing, Edwards, Fistros &
Lehrman, PL
425 N. Andrews Avenue, Suite 2
Fort Lauderdale, FL 33301
Phone: (954) 524-2820
Fax: (954) 524-2822

Marc S. Nurik, Esquire
Law Offices of Marc S. Nurik
Attorney For: Scott Rothstein
One E Broward Blvd., Suite 700
Fort Lauderdale, FL 33301
Phone: (954) 745-5849
Fax: (954) 745-3556

Joseph L. Ackerman, Jr., Esquire
Fowler White Burnett, P.A.
Attorney For: Jeffrey Epstein
901 Phillips Point West
777 S Flagler Drive
West Palm Beach, FL 33401-6170
Phone: (561) 802-9044
Fax: (561) 802-9976