

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,

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**DEFENDANT/COUNTER-PLAINTIFF'S RESPONSE IN OPPOSITION TO  
PLAINTIFF/COUNTER-DEFENDANT'S MOTION FOR SUMMARY JUDGMENT ON  
DEFENDANT/COUNTER-PLAINTIFF'S FOURTH AMENDED COUNTERCLAIM**

Defendant/Counter-Plaintiff Bradley J. Edwards, by and through his undersigned counsel, hereby submits this Response in Opposition to Plaintiff/Counter-Defendant Jeffrey Epstein's Motion for Summary Judgment. Epstein seeks Summary Judgment on the claims of abuse of process and malicious prosecution set forth in Brad Edwards' Fourth Amended Counterclaim. Each of the grounds asserted in support of Epstein's Motion for Summary Judgment are without merit and must be denied.

In Epstein's Amended Complaint he carries forth the essence of all claims asserted in his original Complaint. In that pleading Epstein essentially alleges that Edwards joined Rothstein in the abusive prosecution of sexual assault cases against Epstein to "pump" the cases to Ponzi scheme investors. The purported "proof" of the allegations against Edwards, as referenced in the Second Amended Complaint and in Epstein's Motion for Summary Judgment, includes Edwards' alleged contacts with the media, his attempts to obtain discovery from high profile persons with whom Epstein socialized, press reports of Rothstein's known illegal activities, the use of "ridiculously inflammatory" language and arguments in court. But as the evidence submitted in opposition to Epstein's Motion for Summary Judgment reflects, Epstein filed his claims and continued to pursue claims despite his knowledge that his claims could never be successful because they were both false and unsupported by any reasonable belief of suspicion that

they were true. Epstein knew that he had in fact molested each of the minors represented by Brad Edwards. He also knew that each litigation decision by Brad Edwards was grounded in proper litigation judgment about the need to pursue effective discovery against Epstein, particularly in the face of Epstein's stonewalling tactics. Epstein also knew that he suffered no legally cognizable injury proximately caused by the falsely alleged wrongdoing on the part of Edwards. Moreover, Epstein had no intention of waiving his Fifth Amendment privilege against self-incrimination in order to avoid providing relevant and material discovery that Epstein would need in the course of prosecuting his claims and to which Edwards was entitled in defending those claims. Epstein knew that his prosecution of his claims would be barred by the sword-shield doctrine. Most significantly, the evidence submitted in the supporting papers would compel a fact finder to determine that Epstein had no basis in law or in fact to pursue his claims against Edwards and that Epstein was motivated by a single ulterior motive to attempt to intimidate Edwards and his clients and others into abandoning or settling their legitimate claims for less than their just and reasonable value. The evidence demonstrates that Epstein did not file these claims for the purpose of collecting money damages since he knew that he never suffered any damage as a consequence of any alleged wrongdoing by Edwards but filed the claim to require Edwards to expend time, energy and resources on his own defense, to embarrass Edwards and impugn his integrity and deter others with legitimate claims against Epstein from pursuing those claims. Indeed, the evidence demonstrates that Epstein continued to pursue his claims by filing the Second Amended Complaint alleging abuse of process against Edwards *even after* he had paid significant sums in settlement of the claims instituted by Mr. Edwards' clients against Mr. Epstein.<sup>1</sup>

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<sup>1</sup> The evidence marshalled in support of these assertions is set forth in the previously filed documents in this Court. Those documents include Exhibit "A" – Edwards' Statement of Undisputed Facts; Exhibit "B" – Edwards' Renewed Motion for Summary Judgment; Exhibit "C" – Edwards' October 19, 2012 Second Renewed Motion for Leave to Assert Claim for Punitive Damages; Exhibit "D" – Edwards' Notice of Filing of Transcript of Telephone Interview of Virginia Roberts in Support of Motion for Leave to Amended to Assert Punitive Damages; Exhibit "E" – Transcript of Deposition of Jeffrey Epstein dated January 25, 2012; Exhibit "F" – Deposition of Bradley Edwards dated March 23, 2010; Exhibit "G" – Deposition of Scott Rothstein dated June 14, 2012; Exhibit "H" – Order of

The record reflects that on the eve of the hearing of Edwards' Motion for Summary Judgment directed to the Second Amended Complaint and in light of the compelling evidence of the lack of any wrongdoing on the part of Mr. Edwards, the sole remaining abuse of process claim was dismissed by Epstein.

As discussed, *infra* each of the grounds asserted by Epstein in this Motion for Summary Judgment must be rejected. The litigation privilege does not serve as a bar to the prosecution of Edwards' claims against Epstein. Moreover, the evidence submitted by Edwards supports each of the elements of the claims asserted by Edwards against Epstein which are identified in Epstein's Motion.

**Response to Epstein's Statement of Undisputed Facts**

The evidence marshalled by Edwards in support of his claims against Epstein which are referenced in footnote 1 mandates the conclusion that, at a minimum, disputed facts exist with respect to the elements of each claim addressed by Epstein in his Motion. The facts presented in the various papers would allow the jury to make a determination that Epstein knew that Brad Edwards properly exercised his legitimate judgment regarding the need to pursue proper and effective discovery against him to support the claims which Epstein knew were legitimate. That evidence, referenced herein, further demonstrated that Epstein filed his claims without probable cause and further that there was a bonafide termination in favor of Edwards. That evidence further demonstrates that the elements of the claim of abusive process have been established.

The following additional comments are directed at some of the key purported "undisputed" material facts asserted by Epstein, especially those referenced in his Memorandum of Law. Also set forth are key evidentiary matters which undermine Epstein's contentions and which support the proposition that material issues of fact exist which compel the denial of the Motion for Summary Judgment.

None of the public materials identified by Epstein in his Motion make reference to any wrongdoing by Brad Edwards. Rather, Epstein seeks to pyramid one impermissible inference upon another from his citation to these materials to support his otherwise unsubstantiated and non-verifiable conclusion that he had sufficient evidence to proceed with claims of wrongdoing against Edwards. In truth, as reflected in Edwards' deposition and his supplemental affidavit, he has no involvement in any fraud perpetrated by Rothstein (Edwards' deposition of March 23, 2010 at 301-302; Edwards Affidavit attached to Statement of Undisputed Facts as Exhibit "N" at paragraphs 8-10, paragraph 20, paragraphs 22-23; Exhibit "H" – Deposition of Scott Rothstein at pp. 62-63, 114, and 121-124). Therefore, any allegations relating to Rothstein's activities simply have no bearing on the legitimacy of any of the claims against Edwards. Edwards could not have possibly "pumped" cases to investors when he never participated in any communications with investors. Rather, Edwards had a duty to his clients to zealously pursue discovery to achieve a maximum recovery against Epstein. Edwards cannot be liable for taking appropriate action that his ethical duties as an attorney required. The evidence also reflects that Edwards filed all three of his cases almost a year before he was hired by RRA or even knew Scott Rothstein (Edwards' Affidavit, Exhibit "N" attached to Statement of Undisputed Facts). The language set forth in his Complaints remain virtually unchanged from the first filing in 2008 and, as the evidence shows, the claims asserted against Epstein from the outset were true. The citation to public documents is a convenient ruse; Epstein was not only liable for the molestation of the clients of Brad Edwards, he was also a serial molester of minors – even as young as twelve years of age (Exhibit "A" – Edwards' Statement of Undisputed Material Facts paragraphs 1-43; Exhibit "D" – Statement of Virginia Roberts pp. 16-17). Epstein entered a plea of guilty to felony charges involving prostitution and the solicitation of a minor for the purposes of prostitution (Exhibit "E" – Deposition of Jeffrey Epstein, March 17, 2010, pp. 101-103). Epstein also entered into an agreement with the United States Attorney's Office acknowledging that approximately 34 other young girls could receive payments from him under the



Federal Statute providing for compensation to victims of child abuse.. (Exhibit "A" – Edwards' Statement of Undisputed Material Facts, paragraphs 41-43).

On July 6, 2010 Epstein ultimately paid to settle all three of the cases Edwards had filed against him (Exhibit "A" – Edwards' Statement of Undisputed Material Facts, paragraphs 84-85). At Epstein's request, the terms of the settlement were kept confidential. The sum that he paid to settle all these cases is therefore not filed with this pleading and will be provided to the court for in camera review. Epstein chose to make this payment as a result of a Federal Court ordered mediation process which he himself sought. Epstein entered into the settlements in July 2010 more than seven months after he filed his lawsuit against Edwards and before he filed his Second Amended Complaint alleging abuse of process on August 22, 2011.

Further, Epstein could not have been the victim of any scheme to pump the cases against him because he never paid to settle the cases until well after Edwards had left RRA and severed all connection with Rothstein in December 2009 (Edwards' Affidavit attached to Statement of Undisputed Facts as Exhibit "N," paragraph 20). Moreover, Epstein could not have suffered any damage as a result of the perpetration of the Ponzi scheme by Rothstein because he was not an investor in the scheme.

Perhaps the most significant evidence presented in opposition to Epstein's Motion for Summary Judgment is the telephone interview of Virginia Roberts submitted in Support of Edwards' Motion for Punitive Damages (Exhibit "D"). In addition to the specious claims against Edwards relating to his alleged involvement in a Ponzi scheme, Epstein, in asserting his claims, primarily relied upon the pursuit by Edwards of testimony from his close friends and associates (See Second Amended Complaint, paragraph 32, pp. 11-13). Reliance on these assertions is also threaded through Epstein's Motion for Summary Judgment in his citation to the public documents referencing the pursuit of such discovery. But as set forth in detail in Edwards' Motion for Final Summary Judgment (Exhibit "B") at pages 14-16, that discovery was entirely appropriate and Epstein knew it. Specifically, as reflected in the statement of

undisputed facts submitted by Mr. Edwards in support of his Motion for Summary Judgment, Edwards had a sound legal basis for believing that Donald Trump, Allen Dershowitz, Bill Clinton, Tommy Mattola, David Copperfield and Governor Bill Richardson had relevant and discoverable information (Exhibit "A" – Edwards' Statement of Undisputed Facts, paragraphs 69-81). That belief was reinforced by the testimony of Virginia Roberts (Exhibit "D" pp. 10-17, 21-23). Epstein's assertion of impropriety in the pursuit of this discovery clearly evidences his bad faith attempts to attribute wrongdoing to Edwards when he knew, in fact, that the pursuit of that discovery was entirely appropriate under the circumstances of this case.

Finally, any attempt by Epstein to rely upon what he claims are undisputed facts to support his Motion for Summary Judgment are undermined by his refusal to provide any testimony on the key issues and evidence which would demonstrate the validity and strength of each of the claims brought against him by Brad Edwards. Epstein's depositions of March 17, 2010 and January 25, 2012 were replete with refusals of Epstein to testify based upon his Fifth Amendment privilege. Questions that Epstein refused to answer in his depositions and the reasonable inferences that a fact finder would draw and which would otherwise bear on the arguments submitted by Epstein in support of his Motion for Summary Judgment are as follows:

- Question not answered: "I want to know whether you have any knowledge of evidence that Bradley Edwards personally ever participated in devising a plan through which were sold purported confidential assignments of a structured payout settlement?" Reasonable inference: No knowledge that Brad Edwards ever participated in the Ponzi scheme.
- Question not answered: "Specifically what are the allegations against you which you contend Mr. Edwards ginned up?" Reasonable inference: No allegations against Epstein were ginned up.
- Question not answered: "Well, which of Mr. Edwards' cases do you contend were fabricated?" Reasonable inference: No cases filed by Edwards against Epstein were fabricated.

- Question not answered: “Did sexual assaults ever take place on a private airplane on which you were a passenger?” Reasonable inference: Epstein was on a private airplane while sexual assaults were taking place.
- Question not answered: “How many minors have you procured for prostitution?” Reasonable inference: Epstein has procured multiple minors for prostitution.
- Question not answered: “Is there anything in L.M.’s Complaint that was filed against you in September of 2008 which you contend to be false?” Reasonable inference: Nothing in L.M.’s complaint filed in September of 2008 was false —i.e., as alleged in L.M.’s complaint, Epstein repeatedly sexually assaulted her while she was a minor and she was entitled to substantial compensatory and punitive damages as a result.
- Question not answered: “I would like to know whether you ever had any physical contact with the person referred to as Jane Doe in that [federal] complaint?” Reasonable inference: Epstein had physical contact with minor Jane Doe as alleged in her federal complaint.
- Question not answered: “Did you ever have any physical contact with E.W.?” Reasonable inference: Epstein had physical contact with minor E.W. as alleged in her complaint.
- Question not answered: “What is the actual value that you contend the claim of E.W. against you has?” Reasonable inference: E.W.’s claim against Epstein had substantial actual value.

(See Exhibit “A” – Edwards’ Statement of Undisputed Material Facts, paragraphs 93-120 for page references.)

A jury could conclude, therefore, from the adverse inferences drawn against Epstein that he was liable for the claims brought by Brad Edwards and that he had no basis for the pursuit of his efforts to intimidate and extort Edwards and his clients in the pursuit of those claims.

**The Litigation Privilege Does Not Bar the Claims of Abuse of Process and Malicious Prosecution**

Epstein contends he is entitled to absolute immunity pursuant to the litigation privilege as to both claims asserted by Edwards because all actions taken by him occurred during the litigation of his abuse of process claim against Edwards. For support, he relies primarily on the decision of *Wolfe v. Foreman*, 2013 WL 3724763 (Fla. 3d DCA July 17, 2013), wherein the Third District found that the litigation privilege barred both an abuse of process claim and a malicious prosecution cause of action. *Wolfe* is still

on rehearing and, thus, is not a final opinion. As a result, it is not binding, nor persuasive. Moreover, *Wolfe* undercuts the long-standing recognition of the viability of a claim for malicious prosecution in its own District and other Florida state and federal courts. See, *SCI Funeral Svs. of Fla., Inc. v. Henry*, 839 So. 2d 702, n.4 (Fla. 3d DCA 2002) (“As the *Levin* court cited *Wright v. Yurko*, 446 So. 2d 1162, 1165 (Fla. 5th DCA, 1984), with approval, presumably the cause of action for malicious prosecution continues to exist and would not be barred by the litigation privilege.”); *Boca Investors Group, Inc. v. Potash*, 835 So. 2d 273, 275 (Fla. 3d DCA 2002) (Cope, J., concurring) (litigation privilege would not be a bar to a malicious prosecution action); *North Star Capital Acquisitions, LLC v. Krig*, 611 Fed. Supp. 2d 1324 (M.D. Fla. 2009) (“However, not every event bearing any relation to litigation is protected by the privileged because,... “if the litigation privilege applied to all actions preliminary to or during judicial proceedings, an abuse of process claim would never exist, nor would a claim for malicious prosecution”); *Cruz v. Angelides*, 574 So. 2d 278 (Fla. 3d DCA 1991)(“the law is well settled that a witness in a judicial proceeding,... is absolutely immune from any civil liability, save perhaps malicious prosecution, for testimony or other sworn statements which he or she gives in the course of the subject proceeding.”); *Johnson v. Libow*, 2012 WL 4068409 (Fla. 15th Jud. Cir. March 1, 2012)(the purpose of the litigation privilege does not preclude the tort of malicious prosecution).

In *Wright v. Yurko supra*, the Fifth District Court of Appeal rejected the application of the litigation privilege to a malicious prosecution action brought by a physician against his patients and an expert after he successfully defended a malpractice claim. Also of significance is the Second District’s opinion in *Olson v. Johnson*, 961 So. 2d 351 (Fla. 2d DCA 2007). In that case, the court observed that the litigation (or judicial) privilege would not apply to bar a malicious prosecution action which arose as a result of a false accusation of criminal liability where the prosecution was based, in part, on the testimony of the defendants in the criminal case. The court ruled that the privilege (either absolute or qualified)

which might otherwise apply to a defamation claim for statements made during the course of a judicial proceeding did not bar a malicious prosecution claim.

In light of the implicit recognition by the Supreme Court in *Levin* that a claim of malicious prosecution is not barred by the litigation privilege – an implicit recognition acknowledged by the Third District itself – Epstein's reliance on *Wolfe* is misplaced. *Wolfe* is also factually distinguishable from Edwards' claims against Epstein. *Wolfe* involved a malicious prosecution action against attorneys. Separate policy considerations might serve to impose additional limitations on the assertion of malicious prosecution claims against attorneys – against whom alternative remedies exist such as bar disciplinary proceedings. See *Taylor v. McNichols*, 243 P.2d 642 (Idaho 2010). Moreover, in light of the decisions in *Wright v. Yurko*, *supra* and *Olson v. Johnson*, *supra*, the weight of authority supports the proposition that the litigation privilege would not apply to malicious prosecution claims.

Both the Third and Fourth Districts have applied the litigation privilege to abuse of process claims. However, *Wolfe* itself, and the decisions of the Third and Fourth Districts cited in *Wolfe*, involved the litigation privilege as applied to claims of abuse of process by attorneys. None of the cases involved the extraordinary actions of an individual party like Epstein who carried out a course of action against Plaintiff's counsel with a singular purpose unrelated to any legitimate judicial goal. Under the compelling facts of this case, where the actions of Epstein are coupled with the elements of malice and absence of probable cause arising from the unfounded filing of the claims against Edwards, the litigation privilege should not have any applicability to the abuse of process claim asserted by Edwards.

**There are Disputed Issues of Fact Precluding Summary Judgment on the Abuse of Process Claim**

An abuse of process claim requires pleading and proof of the following three elements: 1) that the defendant made an illegal, improper or perverted use of process; 2) that the defendant had ulterior motives or purposes in exercising such illegal, improper, or perverted use of process; and 3) that, as a result of such action on the part of the defendant, the plaintiff suffered damage." See *S&I Invs. v. Payless*

*Flea Mkt.*, 36 So. 3d 909, 917 (Fla. 4th DCA 2010)(citation omitted). The case law is clear that on an abuse of process claim a “plaintiff must prove that the process was used for an immediate purpose other than that for which it was designed.” *Id.* (citation omitted). Where the actions taken by a party in a particular lawsuit are designed to coerce another into taking some collateral action not properly involved in the proceeding a claim of abuse of process is stated. *Miami Herald Publishing Company v. Ferre*, 8636 F. Supp. 970 (S.D. Fla. 1985).

In a case for abuse of process, the question of whether the plaintiff’s case satisfies the requisite elements is largely a question for a jury. *See* Patrick John McGinley, 21 Fla. Prac., Elements of an Action § 50:1 (2013-2014 ed.)(citing *Gatto v. Publix Supermarket, Inc.*, 387 So. 2d 377 (Fla. 3d DCA 1980)).

The usual case of abuse of process involves some form of extortion. *Scozari v. Barone*, 546 So. 2d 750, 751(Fla. 3d DCA 1989) (citing *Bothmann v. Harrington*, 458 So. 2d 1163, 1169 (Fla. 3d DCA 1984)). That is *exactly* what has transpired here. Epstein employed the extraordinary financial resources at his disposal to intimidate his molestation victims and Edwards into abandoning their legitimate claims or resolving those claims for substantially less than their just and reasonable value. Consequently, since Epstein’s sole purpose and ulterior motive for filing the complaint without probable cause was in an effort to extort, to wit: to force his molestation victims and Edwards to settle for minimal amounts, that filing and everything subsequently done to pursue the claims constitutes an abuse of process. *See* Exhs. A at 18-27, C at 4-7. Because Edwards has conclusively demonstrated that Epstein’s actions in pursuing his claims were designed to coerce Edwards (and his client) to take some collateral action not properly involved in the proceedings and did so with an ulterior purpose, summary judgment directed at the abuse of process claim must fail. The damages suffered by Edwards include: (a) injury to his reputation; (b) mental anguish, embarrassment and anxiety; (c) fear physical injury to himself and members of his family; (d) the loss of the value of his time required to be diverted from his professional responsibility; and (e) the cost of defending against Epstein’s spurious and baseless claims. All the elements of the

claim for abuse of process have been satisfied. This case, then, falls within the parameters of the Third District's Decision in *Scozari v. Barone*, *supra* in which the court reversed the entry of summary judgment for the defendant on claims of malicious prosecution and abuse of process. With respect to the abuse of process claim, the court stated that "if there was no reasonable basis in law and fact to bring the action to impress a lien on property, and this was done without any reasonable justification under law and to force or compel the appellant to resolve some custody dispute, induce the appellant to pay money, or tie up the appellant's property, then there has been an abuse of process." *Id* at 752.

**There are Disputed Issues of Fact Precluding Summary Judgment on the Claim of Malicious Prosecution**

Here, Epstein's voluntary dismissal of his abuse of process claims against Edwards amounted to a bona fide termination of the proceedings. He knew his allegations were unsupported by evidence (See discussion above at pages 3-6). Knowing he lacked *any* verifiable evidence against Edwards, on the eve of the summary judgment hearing, Epstein effectively conceded that fact by voluntarily dismissing his claims. Hence, it is evident that Epstein took voluntary dismissal of his claims because he knew he did not have probable cause or an evidentiary basis to support the allegations. *See Cohen v. Corwin*, 980 So. 2d 1153 at 1156 (citing *Union Oil of California, Amsco Division v. Watson*, 468 So. 2d 349 at 354 (stating that "where a dismissal is taken because of insufficiency of the evidence, the requirement of a favorable termination is met"))). Accordingly, the manner of termination reflects on the merits of the case and there was a bona fide termination of Epstein's civil proceeding against Edwards (See Judge Crow's Order of March 29, 2012 denying Motion to Dismiss re: Issue of Bonafide Termination attached as Exhibit "H").

Epstein's only other issue with Edwards' counterclaim for malicious prosecution is that he did not lack probable cause in pursuing his claims against Edwards. As established by the record, Epstein did, in fact, lack probable cause to assert his claims against Edwards (See discussion above). Epstein's purported

reliance on public filings, including the Scherer Complaint against Rothstein is unavailing. As discussed above, the evidence warrants the finding that Epstein knew that Edwards was legitimately pursuing the claims on behalf of his clients which included the effort to secure testimony from Epstein's close confidants. Therefore, Epstein cannot rely upon the referenced public documents to support his claims against Edwards given that he knows that information to be untrue and he refuses to answer questions about the veracity of the information. *See* Exh. G at pgs. 53:6-24; 78:16-24; 87:20-88:14. Consequently, Epstein had no good faith basis to rely on such information.

**Epstein's Assertion of his Fifth Amendment Privilege Gives Rise to Adverse Inferences  
Pertinent to His Motion for Summary Judgment and Precludes His Reliance on Purported  
Undisputed Facts**

As discussed above, Epstein's multiple invocations of his Fifth Amendment Privilege results in adverse inferences which directly impact the issues advanced in his Motion for Summary Judgment. "It is well settled that the Fifth Amendment does not forbid adverse inferences against parties to civil actions when they refuse to testify in response to probative evidence offered against them." *Baxter v. Palmigiano*, 425 U.S. 308, 318 (1976); *Accord, Vasquez v. State*, 777 So. 2d 1200, 1203 (Fla. at 2001). The reason for this rule "is both logical and utilitarian. A party may not trample upon the rights of others and then escape the consequences by invoking a constitutional privilege – at least not in a civil setting." *Fraser v. Security and INV. Corp.*, 615 So. 2d. 841, 842 (Fla. 4<sup>th</sup> DCA 1993). The adverse inferences drawn from Epstein's assertion of the Fifth Amendment undercut his claim of justifiable reliance based upon the purported undisputed material facts to support his Motion for Summary Judgment.

Moreover, because Epstein elected to hide behind the shield of his right against self-incrimination to preclude his disclosing any relevant information about the criminal activity at the center of his claims, he was effectively barred from prosecuting his abuse of process claim against Edwards. Similarly, Epstein should be barred from utilizing the Fifth Amendment privilege to secure summary judgment based upon assertions of fundamental facts when Epstein refused to testify on essential issues pertinent to the



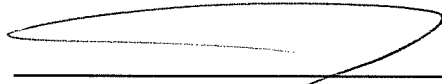
arguments advanced in support of his Motion for Summary Judgment. Under the well-established “sword and shield” doctrine, Epstein could not seek damages from Edwards while at the same time asserting a Fifth Amendment privilege to block relevant discovery. *See* Exhs. B at 14-21, C at 18-25, G at 53:6-24; 78:16-24; 87:20-88:14. The same policies which underlie the sword and shield doctrine as applied to the recovery of affirmative relief should also apply to attempts to advance positions with respect to a Motion for Summary Judgment which would have the effect of securing relief against certain claims.

“[T]he law is well settled that a plaintiff is not entitled to both his silence and his lawsuit.” *Boys & Girls Clubs of Marion County, Inc. v. J.A.*, 22 So. 3d 855, 856 (Fla. 5th DCA 2009)(Griffin, J., concurring specially). Thus, “a person may not seek affirmative relief in a civil action and then invoke the fifth amendment to avoid giving discovery, using the fifth amendment as both a ‘sword and a shield.’” *DePalma v. DePalma*, 538 So. 2d 1290, 1290 (Fla. 4th DCA 1989)(quoting *DeLisi v. Bankers Insurance Co.*, 436 So. 2d 1099 (Fla. 4th DCA 1983)). Put another way, “[a] civil litigant’s fifth amendment right to avoid self-incrimination may be used as a shield but not a sword. This means that a plaintiff seeking affirmative relief in a civil action may not invoke the fifth amendment and refuse to comply with the defendant’s discovery requests, thereby thwarting the defendant’s defenses.” *Rollins Burdick Hunter of New York, Inc. v. Euroclassic Limited, Inc.*, 502 So. 2d 959 (Fla. 3d DCA 1983).. For the same reasons, Epstein should be precluded from advancing arguments based on purported statements of undisputed fact which cannot be effectively challenged in light of his assertion of the Fifth Amendment. Epstein has done precisely what well-established law prohibits.

### **Conclusion**

Based upon the foregoing, the Defendant, Counter-Plaintiff, Bradley Edwards respectfully submits that Jeffrey Epstein’s Motion for Summary Judgment must be denied.

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 17<sup>th</sup> day of January, 2014.



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

Case No.:50 2009 CA 040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

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

Defendants,

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**STATEMENT OF UNDISPUTED FACTS**

Defendant Bradley J. Edwards, Esq., offers the following specific facts as the undisputed material facts in this case. Each of the following facts is numbered separately and individually to facilitate Epstein's required compliance with Fla. R. Civ. P. 1.510(c) ("The adverse party shall identify . . . any summary judgment evidence on which the adverse party relies."). All referenced exhibits and attachments have previously been filed with the Court and provided to Epstein.

**Sexual Abuse of Children By Epstein**

1. Defendant Epstein has a sexual preference for young children. Deposition of Jeffrey Epstein, Mar. 17, 2010, at 110 (hereinafter "Epstein Depo.") (Deposition Attachment #1).<sup>1</sup>

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<sup>1</sup> When questioned about this subject at his deposition, Epstein invoked his Fifth Amendment right to remain silent rather than make an incriminating admission. Accordingly, Edwards is entitled to the adverse inference against Epstein that, had Epstein answered, the answer would have been unfavorable to him. "[I]t is well-settled that the Fifth Amendment does not forbid adverse inferences against parties to

EXHIBIT

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2. Epstein repeatedly sexually assaulted more than forty (40) young girls on numerous occasions between 2002 and 2005 in his mansion in West Palm Beach, Florida. These sexual assaults included vaginal penetration. Epstein abused many of the girls dozens if not hundreds of times. Epstein Depo. at 109 (“Q: How many times have you engaged in oral sex with females under the age of 18?” A: [Invocation of the Fifth Amendment]); Deposition of Jane Doe, September 24, 2009 and continued March 11, 2010, at 527 (minor girl sexually abused at least 17 times by Epstein) (hereinafter “Jane Doe Depo”) (Deposition Attachment #2); *id.* 564-67 (vaginal penetration by Epstein with his finger), 568 (vaginal penetration by Epstein with a massager); Deposition of L.M., September 24, 2009, at 73 (hereinafter “L.M. Depo”) (Deposition Attachment #3) (describing the manner in which Epstein abused her beginning when LM was 13 years old, touching her vagina with his fingers and vibrator) at 74, line 12-13 (she was personally molested by Epstein more than 50 times), at 164, line 19-23 and 141, line 12-13 and 605, line 3-6 (describing that in addition to being personally molested by Epstein she was paid \$200 per underage girl she brought Epstein and she brought him more than seventy (70) underage girls - she told him that she did not want to bring him any more girls and he insisted that she continue to bring him underage girls); Deposition of E.W., May 6, 2010 (hereinafter “E.W. Depo”) (Deposition Attachment #4) at 115-116, 131 and 255 (describing Epstein's abuse of her beginning at age 14 when he paid her for touching her vagina, inserting his fingers and

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civil actions when they refuse to testify in response to probative evidence offered against them.” *Baxter v. Palmigiano*, 425 U.S. 308, 318 (1976); *accord Vasquez v. State*, 777 So.2d 1200, 1203 (Fla. App. 2001). The reason for this rule “is both logical and utilitarian. A party may not trample upon the rights of others and then escape the consequences by invoking a constitutional privilege – at least not in a civil setting.” *Fraser v. Security and Inv. Corp.*, 615 So.2d 841, 842 (Fla. App. 1993).

using a vibrator and he also paid her \$200 for each other underage female E.W. brought him to molest. She brought him between 20 and 30 underage females); Deposition of Jane Doe #4, date (hereinafter "Jane Doe #4 Depo") (Deposition Attachment #5) at 32-34, and 136 (she describes first being taken to Epstein at 15 years old, "Being fingered by him, having him use a vibrator on [me], grabbing my nipples, smelling my butt, jerking off in front of me, licking my clit, several times.").

3. At all relevant times Edwards has had a good faith basis to conclude and did conclude<sup>2</sup> that Epstein was able to access a large number of underage girls through a pyramid abuse scheme in which he paid underage victims \$200-\$300 cash for each other underage victim that she brought to him. See Palm Beach Police Incident Report at 87 (hereinafter "Incident Report") (Exhibit "A").<sup>3</sup> The Palm Beach Police Incident Report details Epstein's scheme for molesting underage females. Among other things, the Incident Report outlines some of the experiences of other Epstein victims. When S.G., a 14 year old minor at the time, was brought to Epstein's home, she was taken upstairs by a woman she believed to be Epstein's assistant. The woman started to fix up the room, putting covers on the massage table and bringing lotions out. The "assistant" then left the room and told S.G. that Epstein would be up in a second. Epstein walked over to S.G. and told her to take her clothes off in a stern voice. S.G. states in the report she did not know what to do, as she was the only one there. S.G. took off her shirt, leaving her bra on. Epstein, then in a towel told her to take off everything. S.G. removed her pants leaving

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<sup>2</sup> In support of all assertions concerning the actions Edwards took, what Edwards learned in the course of his representation of his clients, Edwards's good faith beliefs and the foundation for those beliefs, see Edwards Affidavit and specifically paragraphs 25 and 25 of that Affidavit.

<sup>3</sup> For clarity, depositions attached to this memorandum will be identified numerically as attachments #1, #2, #3, etc., while exhibits attached to this memorandum will be identified alphabetically as exhibits A, B, C, etc.

on her thong panties. Epstein then instructed S.G to give him a massage. As S.G gave Epstein a massage, Epstein turned around and masturbated. S.G. was so disgusted, she did not say anything; Epstein told her she “had a really hot body.” *Id.* at 14. In the report, S.G. admitted seeing Jeffrey Epstein’s penis and stated she thought Epstein was on steroids because he was a “really built guy and his wee wee was very tiny.” *Id.* at 15.

4. The exact number of minor girls who Epstein assaulted is known only to Epstein. However, Edwards had a good faith basis to believe and did in fact believe that Epstein’s victims were substantially more than forty (40) in number. In addition to the deposition excerpts from two of his many victims above about the number of underage girls brought to Epstein and the Palm Beach incident report, there is overwhelming proof that the number of underage girls molested by Epstein through his scheme was in the hundreds. *See* Complaint, Jane Doe 102 v. Epstein, (hereinafter Jane Doe 102 complaint) (Exhibit “B”); *see also* Deposition of Jeffrey Epstein, April 14, 2010, at 442, 443, and 444 (Epstein invoking the 5th on questions about his daily abuse and molestation of children) (Deposition Attachment #6).

5. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that Epstein and his attorneys knew of the seriousness of the criminal investigation against him and corresponded constantly with the United States Attorney’s Office in an attempt to avoid the filing of numerous federal felony offenses, which effort was successful. *See* Correspondence from U.S. Attorney’s Office to Epstein (hereinafter “U.S. Attorney’s Correspondence”) (Composite Exhibit “C) (provided in discovery during the Jane Doe v. Epstein case).

6. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that, more specifically, Epstein's attorneys knew of Epstein's scheme to recruit minors for sex and also knew that these minors had civil actions that they could bring against him. In fact, there was much communication between Epstein's attorneys and the United States Prosecutors in a joint attempt to minimize Epstein's civil exposure. For example, on October 3, 2007, Assistant U.S. Attorney Marie Villafañia sent an email (attached hereto as Exhibit "D") to Jay Lefkowitz, counsel for Epstein, with attached proposed letter to special master regarding handling numerous expected civil claims against Epstein. The letter reads in pertinent part,

"The undersigned, as counsel for the United States of America and Jeffrey Epstein, jointly write to you to provide information relevant to your service as a Special Master in the selection of an attorney to represent several young women who may have civil damages claims against Mr. Epstein. The U.S. Attorney's Office and the Federal Bureau of Investigation (jointly referred to as the "United States") have conducted an investigation of Jeffrey Epstein regarding his solicitation of minor females in Palm Beach County to engage in prostitution. Mr. Epstein, through his assistants, would recruit underage females to travel to his home in Palm Beach to engage in lewd conduct in exchange for money. Based upon the investigation, the United States has identified forty (40) young women who can be characterized as victims pursuant to 18 USC 2255. Some of those women went to Mr. Epstein's home only once, some went there as much as 100 times or more. Some of the women's conduct was limited to performing a topless or nude massage while Mr. Epstein masturbated himself. For other women, the conduct escalated to full sexual intercourse. As part of the resolution of the case, Epstein has agreed that he would not contest jurisdiction in the Southern District of Florida for any victim who chose to sue him for damages pursuant to 18 USC 2255. Mr. Epstein agreed to provide an attorney for victims who elected to proceed exclusively pursuant to that section, and agreed to waive any challenge to liability under that section up to an amount agreed to by the parties. The parties have agreed to submit the selection of an attorney to a Special Master...."

7. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that L.M. was, in fact, a victim of Epstein's criminal abuse because L.M. was one of the



minor females that the United States Attorney's Office recognized as a victim. L.M.'s sworn deposition testimony and the adverse inference drawn from Epstein's refusal to testify confirm that Epstein began sexually assaulting L.M. when she was 13 years old and continued to molest her on more than fifty (50) occasions over three (3) years. Epstein Depo., Attachment #1, at 17 ("Q: Did you . . . ever engage in any sexual conduct with L.M.?" A: [Invocation of the Fifth Amendment].); *see also* Epstein Depo., April 14, 2010, Attachment #6, at 456 ("Q: LM was an underage female that you first abused when she was 13 years old; is that correct?" A: [Invocation of Fifth Amendment].).

8. Epstein was also given ample opportunity to explain why he engaged in sexual activity with L.M. beginning when L.M. was 13 years old and why he has molested minors on an everyday basis for years, and he invoked his 5th amendment right rather than provide explanation. *See* Epstein Deposition, February 17, 2010, at 11-12, 30-31 (Deposition Attachment # 7).

9. Epstein also sexually assaulted E.W., beginning when she was 14 years old and did so on numerous occasions. *See* E.W. Depo., Attachment #4 at 215-216.

10. Another of the minor girls Epstein sexually assaulted was Jane Doe; the abuse began when Jane Doe was 14 years old. Rather than incriminate himself, Epstein invoked the 5th amendment to questions about him digitally penetrating Doe's vagina, using vibrators on her vagina and masturbating and ejaculating in her presence. Epstein Depo., April 14, 2010, Attachment #6, at 420, 464, 468.

11. When Edwards's clients L.M., E.W., and Jane Doe were 13 or 14 years old, each was brought to Epstein's home multiple times by another underage victim. Epstein engaged in

one or more of the following acts with each of the then-minor girls at his mansion: receiving a topless or completely nude massage; using a vibrator on her vagina; masturbating in her presence; ejaculating in her presence; touching her breast or buttocks or vagina or the clothes covering her sexual organs; and demanding that she bring him other underage girls. Epstein and his co-conspirators used the telephone to contact these girls to entice or induce them into going to his mansion for sexual abuse. Epstein also made E.W. perform oral sex on him and was to perform sex acts on Nadia Marcinkova (Epstein's live-in sex slave) in Epstein's presence. *See* Plaintiff Jane Doe's Notice Regarding Evidence of Similar Acts of Sexual Assault, filed in Jane Doe v. Epstein, No. 08-cv-80893 (S.D. Fla. 2010), as DE 197, (hereinafter "Rule 413 Notice") (Exhibit "E"); Jane Doe Depo., Attachment #2, at 379-380; L.M. Depo., Attachment #3, at 416; E.W. Depo, Attachment #4, at 205.

12. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that yet another of the minor girls Epstein sexually assaulted was C.L. When she was approximately 15 years old, C.L. was brought to Epstein's home by another underage victim. While a minor, she was at Epstein's home on multiple occasions. Epstein engaged in one or more of the following acts with her while she was a minor at his house - topless or completely nude massage on Epstein; Epstein used a vibrator on her vagina; Epstein masturbated in her presence; Epstein ejaculated in her presence; Epstein also demanded that she bring him other underage girls. *See* Rule 413 Notice, Exhibit "E"; Incident Report, Exhibit "A."

13. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that yet another girl Epstein sexually assault was A.H. When she was approximately 16 years old, she was brought to Epstein's home by another underage victim. While a minor, she

was at Epstein's home on multiple occasions. Epstein engaged in one or more of the following acts with her while she was a minor at his house - topless or completely nude massage on Epstein; Epstein used a vibrator on her vagina; Epstein masturbated in her presence; Epstein ejaculated in her presence; Epstein touched her breast or buttock or vagina or the clothes covering her sexual organs; was made to perform sex acts on Epstein; made to perform sex acts on Nadia Marcinkova in Epstein's presence. Epstein also forcibly raped this underage victim, as he held her head down against her will and pumped his penis inside her while she was screaming "No". See Rule 413 Notice, Exhibit "E"; Incident Report, Exhibit "A", at 41 (specifically discussing the rape):

"[A.H.] remembered that she climaxed and was removing herself from the massage table. [A.H.] asked for a sheet of paper and drew the massage table in the master bathroom and where Epstein, Marcinkova and she were. Epstein turned [A.H.] on to her stomach on the massage bed and inserted his penis into her vagina. [A.H.] stated Epstein began to pump his penis in her vagina. [A.H.] became upset over this. She said her head was being held against the bed forcibly, as he continued to pump inside her. She screamed no, and Epstein stopped ...."

"[A.H.] advised there were times that she was so sore when she left Epstein's house. [A.H.] advised she was ripped, torn, in her vagina area. [A.H.] advised she had difficulty walking to the car after leaving the house because she was so sore."

14. Without detailing each fact known about Epstein's abuse of the many underage girls, Edwards has had a good faith basis to believe and did in fact believe at all relevant times that Epstein also abused other victims in ways closely similar to those described in the preceding paragraphs. Epstein's additional victims include the following (among many other) young girls: S.G.; A.D.; V.A.; N.R.; J.S.; V.Z.; J.A.; F.E.; M.L.; M.D.; D.D.; and D.N. These girls were between the ages of 13 and 17 when Epstein abused them. See Rule 413 Notice, Exhibit E; Deposition of E.W., Deposition Attachment #4.

15. One of Mr. Epstein's household employees, Mr. Alfredo Rodriguez, saw numerous underage girls coming into Epstein's mansion for purported "massages." *See* Rodriguez Depo. at 242-44 (Deposition Attachment #8). Rodriguez was aware that "sex toys" and vibrators were found in Epstein's bedroom after the purported massages. *Id.* at 223-28. Rodriguez thought what Epstein was doing was wrong, given the extreme youth of the girls he saw. *Id.* at 230-31.

16. Alfredo Rodriguez took a journal from Epstein's computer that reflected many of the names of underage females Epstein abused across the country and the world, including locations such as Michigan, California, West Palm Beach, New York, New Mexico, and Paris, France. *See* Journal (hereinafter "The Journal" or "Holy Grail") (Exhibit "F") (identifying, among other Epstein acquaintances, females that Rodriguez believes were underage under the heading labeled "Massages").

17. Rodriguez was later charged in a criminal complaint with obstruction of justice in connection with trying to obtain \$50,000 from civil attorneys pursuing civil sexual assault cases against Epstein as payment for producing the book to the attorneys. *See* Criminal Complaint at 2, U.S. v. Rodriguez, No. 9:10-CR-80015-KAM (S.D. Fla. 2010) (Exhibit "G"). Rodriguez stated he needed money because the journal was his "property" and that he was afraid that Jeffrey Epstein would make him "disappear" unless he had an "insurance policy" (i.e., the journal). *Id.* at 3. Because of the importance of the information in the journal to the civil cases, Mr. Rodriguez called it "The Holy Grail."

18. In the "Holy Grail" or "The Journal," among the many names listed (along with the abused girls) are some of the people that Epstein alleges in his Complaint had "no connection

whatsoever” with the litigation in this case. *See, e.g.,* Journal, Exhibit F, at 85 (Donald Trump); at 9 (Bill Clinton phone numbers listed under “Doug Bands”).

*Federal Investigation and Plea Agreement With Epstein*

19. In approximately 2005, the FBI and the U.S. Attorney’s Office in the Southern District of Florida learned of Epstein’s repeated sexual abuse of minor girls. They began a criminal investigation into federal offenses related to his crimes. *See* U.S. Attorney’s Correspondence, Exhibit “C”.

20. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that to avoid the Government learning about his abuse of minor girls, Epstein threatened his employees and demanded that they not cooperate with the government. Epstein’s aggressive witness tampering was so severe that the United States Attorney’s Office prepared negotiated plea agreements containing these charges. For example, in a September 18, 2007, email from AUSA Villafañia to Lefkowitz (attached hereto as Exhibit “H”), she attached the proposed plea agreement describing Epstein’s witness tampering as follows:

**"UNITED STATES vs. JEFFREY EPSTEIN PLEA PROFFER"**

On August 21, 2007, FBI Special Agents E. Nesbitt Kuyrkendall and Jason Richards traveled to the home of Leslie Groff to serve her with a federal grand jury subpoena with an investigation pending in the Southern District of Florida. Ms. Groff works as the personal assistant of the defendant. Ms. Groff began speaking with the agents and then excused herself to go upstairs to check on her sleeping child. While upstairs, Ms. Groff telephoned the defendant, Jeffrey Epstein, and informed him that the FBI agents were at her home. Mr. Epstein instructed Ms. Groff not to speak with the agents and reprimanded her for allowing them into her home. Mr. Epstein applied pressure to keep Ms. Groff from complying with the grand jury subpoenas that the agents had served upon her. In particular, Mr. Epstein warned Ms. Groff against turning over documents and electronic evidence responsive to the subpoena and pressured her to delay her

appearance before the grand jury in the Southern District of Florida. This conversation occurred when Mr. Epstein was aboard his privately owned civilian aircraft in Miami in the Southern District of Florida. His pilot had filed a flight plan showing the parties were about to return to Teterboro, NJ. After the conversation with Ms. Groff, Mr. Epstein became concerned that the FBI would try to serve his traveling companion, Nadia Marcinkova, with a similar grand jury subpoena. In fact, the agents were preparing to serve Ms. Marcinkova with a target letter when the flight landed in Teterboro. Mr. Epstein then redirected his airplane, making the pilot file a new flight plan to travel to the US Virgin Islands instead of the New York City area, thereby keeping the Special Agents from serving the target letter on Nadia Marcinkova. During the flight, the defendant verbally harassed Ms. Marcinkova, harassing and pressuring her not to cooperate with the grand jury's investigation, thereby hindering and dissuading her from reporting the commission of a violation of federal law to a law enforcement officer, namely, Special Agents of the FBI. Epstein also threatened and harassed Sarah Kellen against cooperating against him as well.

21. Edwards learned that the Palm Beach police department investigation ultimately led to the execution of a search warrant at Epstein's mansion in October 2005. *See* Police Incident Report, Exhibit "A".

22. Edwards learned that at around the same time, the Palm Beach Police Department also began investigating Epstein's sexual abuse of minor girls. They also collected evidence of Epstein's involvement with minor girls and his obsession with training sex slaves, including pulling information from Epstein's trash. Their investigation showed that Epstein ordered from Amazon.com on about September 4, 2005, such books as: SM101: A Realistic Introduction, by Jay Wiseman; SlaveCraft: Roadmaps for Erotic Servitude - Principles, Skills, and Tools, by Guy Baldwin; and Training with Miss Abernathy: A Workbook for Erotic Slaves and Their Owners, by Christina Abernathy. *See* Receipt for Sex Slave Books (Exhibit "T").

23. The Palm Beach incident reports provided Edwards with the names of numerous witnesses that participated in Epstein's child molestation criminal enterprise and also provided

Edwards with some insight into how far-reaching Epstein's power was and how addicted Epstein was to sex with children. *See* Incident Report, Exhibit "A".

24. The Palm Beach Police Department also collected Epstein's message pads, which provided other names of people that also knew Epstein's scheme to molest children. *See* Message Pads (Exhibit "J") (note: the names of underage females have been redacted to protect the anonymity of the underage sex abuse victims). Those message pads show clear indication that Epstein's staff was frequently working to schedule multiple young girls between the ages of 12 and 16 years old literally every day, often two or three times per day. *Id.*

25. In light of all of the information of numerous crimes committed by Epstein, Edwards learned that the U.S. Attorney's Office began preparing the filing of federal criminal charges against Epstein. For example, in addition to the witness tampering and money laundering charges the U.S. Attorney's Office prepared an 82-page prosecution memo and a 53-page indictment of Epstein related to his sexual abuse of children. On September 19, 2007, at 12:14 PM, AUSA Villafañá wrote to Epstein's counsel, Jay Lefkowitz, "Jay - I hate to have to be firm about this, but we need to wrap this up by Monday. I will not miss my indictment date when this has dragged on for several weeks already and then, if things fall apart, be left in a less advantageous position than before the negotiations. I have had an 82-page pros memo and 53-page indictment sitting on the shelf since May to engage in these negotiations. There has to be an ending date, and that date is Monday." These and other communications are within the correspondence attached as Composite Exhibit "C."

26. Edwards learned that rather than face the filing of federal felony criminal charges, Epstein (through his attorneys) engaged in plea bargain discussions. As a result of those

discussions, on September 24, 2007, Epstein signed an agreement with the U.S. Attorney's Office for the Southern District of Florida. Under the agreement, Epstein agreed to plead guilty to an indictment pending against him in the 15<sup>th</sup> Judicial Circuit in and for Palm Beach County charging him with solicitation of prostitution and procurement of minors for prostitution. Epstein also agreed that he would receive a thirty month sentence, including 18 months of jail time and 12 months of community control. In exchange, the U.S. Attorney's Office agreed not to pursue any federal charges against Epstein. *See* Non-Prosecution Agreement (Exhibit "K").

27. Part of the Non-Prosecution Agreement that Epstein negotiated was a provision in which the federal government agreed not to prosecute Epstein's co-conspirators. The co-conspirators procured minor females to be molested by Epstein. One of the co-conspirators - Nadia Marcinkova - even participated in the sex acts with minors (including E.W.) and Epstein. *See* Incident Report, Exhibit "A", at 40-42, 49-51; Deposition of Nadia Marcinkova, April 13, 2010, (hereinafter "Marcinkova Depo.") at 11 (Deposition attachment #9).

28. Under the Non-Prosecution Agreement, Epstein was to use his "best efforts" to enter into his guilty pleas by October 26, 2007. However, Edwards learned that Epstein violated his agreement with the U.S. Attorney's Office to do so and delayed entry of his plea. *See* Letter from U.S. Attorney R. Alexander Acosta to Lilly Ann Sanchez, Dec. 19, 2007 (Exhibit "L").

29. On January 10, 2008 and again on May 30, 2008 E.W. and L.M. received letters from the FBI advising them that "[t]his case is currently under investigation. This can be a lengthy process and we request your continued patience while we conduct a thorough investigation." Letters attached at Composite Exhibit "M". This document is evidence that the FBI did not notify E.W. and L.M. that a plea agreement had already been reached that would



block federal prosecution of Epstein. Nor did the FBI notify E.W. and L.M. of any of the parts of the plea agreement. Nor did the FBI or other federal authorities confer with E.W. and L.M. about the plea. *See id.*

30. In 2008, Edwards believed in good faith that criminal prosecution of Epstein was extremely important to his clients E.W. and L.M. and that they desired to be consulted by the FBI and/or other representatives of the federal government about the prosecution of Epstein. The letters that they had received around January 10, 2008, suggested that a criminal investigation of Epstein was on-going and that they would be contacted before the federal government reached any final resolution of that investigation. *See id.*

*Edwards Agrees to Serve as Legal Counsel for Three Victims of Epstein's Sexual Assaults*

31. In about April 2008, Bradley J. Edwards, Esq., was a licensed attorney in Florida, practicing as a sole practitioner. As a former prosecutor, he was well versed in civil cases that involved criminal acts, including sexual assaults. Three of the many girls Epstein had abused – L.M., E.W., and Jane Doe – all requested that Edwards represent them civilly and secure appropriate monetary damages against Epstein for repeated acts of sexual abuse while they were minor girls. Two of the girls (L.M. and E.W.) also requested that Edwards represent them in connection with a concern that the Federal Bureau of Investigation (FBI) and U.S. Attorney's Office might be arranging a plea bargain for the criminal offenses committed by Epstein without providing them the legal rights to which they were entitled (including the right to be notified of plea discussions and the right to confer with prosecutors about any plea arrangement). *See*

Affidavit of Bradley J. Edwards, Esq. at ¶1 - 2, ¶4 (hereinafter "Edwards Affidavit") (Exhibit "N").

32. On June 13, 2008, attorney Edwards agreed to represent E.W.; on July 2, 2008, attorney Edwards agreed to represent Jane Doe; and, on July 7, 2008, attorney Edwards agreed to represent L.M. in connection with the sexual assaults committed by Epstein and to insure that their rights as victims of crimes were protected in the criminal process on-going against Epstein. Mr. Edwards and his three clients executed written retention agreements. *See id.* at ¶2.

33. In mid June of 2008, Edwards contacted AUSA Villafañá to inform her that he represented Jane Doe #1 and, later, Jane Doe #2. AUSA Villafañá did not advise that a plea agreement had already been negotiated with Epstein's attorneys that would block federal prosecution. To the contrary, AUSA Villafañá mentioned a possible indictment. AUSA Villafañá did indicate that federal investigators had concrete evidence and information that Epstein had sexually molested many underage minor females, including E.W., LM, and Jane Doe. *See id.* at ¶4.

34. Edwards also requested from the U.S. Attorney's Office the information that they had collected regarding Epstein's sexual abuse of his clients. However, the U.S. Attorney's Office, declined to provide any such information to Edwards. It similarly declined to provide any such information to the other attorneys who represented victims of Epstein's sexual assaults. At the very least, this includes the items that were confiscated in the search warrant of Epstein's home, including dildos, vibrators, massage table, oils, and additional message pads. *See* Property Receipt (Exhibit "O").

35. On Friday, June 27, 2008, at approximately 4:15 p.m., AUSA Villafañá received a copy of Epstein's proposed state plea agreement and learned that the plea was scheduled for 8:30 a.m., Monday, June 30, 2008. AUSA Villafañá called Edwards to provide notice to his clients regarding the hearing. AUSA Villafañá did not tell Attorney Edwards that the guilty pleas in state court would bring an end to the possibility of federal prosecution pursuant to the plea agreement. *See* Edwards Affidavit, Exhibit "N", at ¶6.

36. Under the Crime Victims' Rights Act (CVRA), 18 U.S.C. § 3771, victims of federal crimes – including E.W. and L.M. – are entitled to basic rights during any plea bargaining process; including the right to be treated with fairness, the right to confer with prosecutors regarding any plea, and the right to be heard regarding any plea. The process that was followed leading to the non-prosecution of Epstein violated these rights of E.W. and L.M. *See* Emergency Petn. for Victim's Enforcement of Crime Victim's Rights, No. 9:08-CV-80736-KAM (S.D. Fla. 2008) (Exhibit "P").

37. Because of the violation of the CVRA, on July 7, 2008, Edwards filed an action in the U.S. District Court for the Southern District of Florida, Case No. 9:08-CV-80736, seeking to enforce the rights of E.W. and L.M. That action alleged that the U.S. Attorney's Office had failed to provide E.W. and L.M. the rights to which they were entitled under the Act, including the right to be notified about a plea agreement and to confer with prosecutors regarding it. *See id.*

38. On July 11, 2008, Edwards took E.W. and L.M. with him to the hearing on the CVRA action. It was only at this hearing that both victims learned for the first time that the plea deal was already done with Epstein and that the criminal case against Epstein had been

effectively terminated by the U.S. Attorney's office. *See* Hearing Transcript, July 11, 2008 (Exhibit "Q").

39. Edwards learned that Jane Doe felt so strongly that the plea bargain was inappropriate that she made her own determination to appear on a television program and exercise her First Amendment rights to criticize the unduly lenient plea bargain Epstein received in a criminal case.

40. The CVRA action that Edwards filed was recently administratively closed and Edwards filed a Motion to reopen that proceeding. *See* No. 9:08-CV-80736 (S.D. Fla.).

*Epstein's Entry of Guilty Pleas to Sex Offenses*

41. Ultimately, on June 30, 2008, in the Fifteenth Judicial Circuit in Palm Beach County, Florida, defendant Epstein, entered pleas of "guilty" to various Florida state crimes involving the solicitation of minors for prostitution and the procurement of minors for the purposes of prostitution. *See* Plea Colloquy (Exhibit "R").

42. As a condition of that plea, and in exchange for the Federal Government not prosecuting the Defendant, Epstein additionally entered into an agreement with the Federal Government acknowledging that approximately thirty-four (34) other young girls could receive payments from him under the federal statute providing for compensation to victims of child sexual abuse, 18 U.S.C. § 2255. As had been agreed months before, the U.S. Attorney's Office did not prosecute Epstein federally for his sexual abuse of these minor girls. *See* Addendum to Non-Prosecution Agreement (Exhibit "S") (in redacted form to protect the identities of the minors involved).

43. Because Epstein became a convicted sex offender, he was not to have contact with any of his victims. During the course of his guilty pleas on June 30, 2008, Palm Beach Circuit Court Judge Deborah Dale Pucillo ordered Epstein “not to have any contact, direct or indirect” with any victims. She also expressly stated that her no-contact order applied to “all of the victims.” Similar orders were entered by the federal court handling some of the civil cases against Epstein. The federal court stated that it “finds it necessary to state clearly that Defendant is under this court’s order not to have direct *or indirect contact* with any plaintiffs . . . .” Order, Case No. 9:08-cv-80119 (S.D. Fla. 2008), [DE 238] at 4-5 (emphasis added); *see also* Order, Case No. 9:08-cv-80893, [DE 193] at 2 (emphasis added).

*Edwards Files Civil Suits Against Epstein*

44. Edwards had a good faith belief that his clients felt angry and betrayed by the criminal system and wished to prosecute and punish Epstein for his crimes against them in whatever avenue remained open to them. On August 12, 2008, at the request of his client Jane Doe, Brad Edwards filed a civil suit against Jeffrey Epstein to recover damages for his sexual assault of Jane Doe. *See* Edwards Affidavit, “N” at ¶7. Included in this complaint was a RICO count that explained how Epstein ran a criminal conspiracy to procure young girls for him to sexually abuse. *See* Complaint, Jane Doe v. Epstein (Exhibit “T”).

45. On September 11, 2008, at the request of his client E.W., Brad Edwards filed a civil suit against Jeffrey Epstein to recover damages for his sexual assault of E.W. *See* Complaint, E.W. v. Epstein (Exhibit “U”).

46. On September 11, 2008, at the request of his client L.M., Brad Edwards filed a civil suit against Jeffrey Epstein to recover damages for his sexual assault of L.M. *See* Complaint, L.M. v. Epstein, (Exhibit "V").

47. Jane Doe's federal complaint indicated that she sought damages of more than \$50,000,000. Listing the amount of damages sought in the complaint was in accord with other civil suits that were filed against Epstein (before any lawsuit filed by Edwards). *See* Complaint, Jane Doe #4 v. Epstein (Exhibit "W") (filed by Herman and Mermelstein, PA).

48. At about the same time as Edwards filed his three lawsuits against Epstein, other civil attorneys were filing similar lawsuits against Epstein. For example, on or about April 14, 2008 another law firm, Herman and Mermelstein, filed the first civil action against Epstein on behalf of one of its seven clients who were molested by Epstein. The complaints that attorney Herman filed on behalf of his seven clients were similar in tenor and tone to the complaint that Edwards filed on behalf of his three clients. *See id.*

49. Over the next year and a half, more than 20 other similar civil actions were filed by various attorneys against Epstein alleging sexual assault of minor girls. These complaints were also similar in tenor and tone to the complaint that Edwards filed on behalf of his clients. These complaints are all public record and have not been attached, but are available in this Court's files and the files of the U.S. District Court for the Southern District of Florida.

50. In addition to the complaints filed against Epstein in Florida, a female in New York, Ava Cordero, filed a lawsuit against Epstein in New York making similar allegations - that Epstein paid her for a massage then forced her to give him oral sex and molested her in other ways when she was only 16 years old. Cordero was born a male, and in her complaint she

alleges that Epstein told her during the “massage”, “I love how young you are. You have a tight butt like a baby”. *See* Jeff Epstein Sued for "Repeated Sexual Assaults" on Teen, New York Post, October 17, 2007, by Dareh Gregorian, link at: [http://www.nypost.com/p/news/regional/item\\_44zlWyLUFH7R1OUtKYGPbP;jsessionid=6CA3EBF1BEF68F5DE14BFB2CAA5C37E0](http://www.nypost.com/p/news/regional/item_44zlWyLUFH7R1OUtKYGPbP;jsessionid=6CA3EBF1BEF68F5DE14BFB2CAA5C37E0). *See* Article attached hereto as Exhibit “X”.

51. Edwards’s three complaints against Epstein contained less detail about sexual abuse than (as one example) a complaint filed by attorney Robert Josephsberg from the law firm of Podhurst Orseck. *See* Complaint, Jane Doe 102 v. Epstein (Exhibit “B”). As recounted in detail in this Complaint, Jane Doe 102 was 15 years old when Ghislaine Maxwell discovered her and lured her to Epstein’s house. Maxwell and Epstein forced her to have sex with both of them and within weeks Maxwell and Epstein were flying her all over the world. According to the Complaint, Jane Doe 102 was forced to live as one of Epstein’s underage sex slaves for years and was forced to have sex with not only Maxwell and Epstein but also other politicians, businessmen, royalty, academicians, etc. She was even made to watch Epstein have sex with three 12-year-old French girls that were sent to him for his birthday by a French citizen that is a friend of Epstein’s. Luckily, Jane Doe 102 escaped to Australia to get away from Epstein and Maxwell’s sexual abuse.

52. Edwards learned that in addition to civil suits that were filed in court against Epstein, at around the same time other attorneys engaged in pre-filing settlement discussions with Epstein. Rather than face filed civil suits in these cases, Epstein paid money settlements to more than 15 other women who had sexually abused while they were minors. *See* articles regarding settlements attached hereto as Composite Exhibit “Y.”

*Epstein's Obstruction of Normal Discovery and Attacks on His Victims*

53. Once Edwards filed his civil complaints for his three clients, he began the normal process of discovery for cases such as these. He sent standard discovery requests to Epstein about his sexual abuse of the minor girls, including requests for admissions, request for production, and interrogatories. *See* Edwards Affidavit, Exhibit "N", at ¶¶11-19 and 25.

Rather than answer any substantive questions about his sexual abuse and his conspiracy for procuring minor girls for him to abuse, Epstein invoked his 5th amendment right against self-incrimination. An example of Epstein's refusal to answer is attached as Composite Exhibit "Z" (original discovery propounded to Epstein and his responses invoking 5th amendment).

54. During the discovery phase of the civil cases filed against Epstein, Epstein's deposition was taken at least five times. During all of those depositions, Epstein refused to answer any substantive questions about his sexual abuse of minor girls. *See, e.g.*, Deposition Attachments 1, 6 and 7.

55. During these depositions, Epstein further attempted to obstruct legitimate questioning by inserting a variety of irrelevant information about his case. As one of innumerable examples, on March 8, 2010, Mr. Horowitz, representing seven victims, Jane Doe's 2-8, asked, "Q: In 2004, did you rub Jane Doe 3's vagina? A: Excuse me. I'd like to answer that question, as I would like to answer mostly every question you've asked me here today; however, upon advice of counsel, I cannot answer that question. They've advised me I must assert my Sixth Amendment, Fifth Amendment and Fourteenth Amendment Rights against self--excuse me, against--under the Constitution. And though your partner, Jeffrey Herman, was disbarred after filing this lawsuit [a statement that was untrue], Mr. Edwards' partner sits in jail for



fabricating cases of a sexual nature fleecing unsuspecting Florida investors and others out of millions of dollars for cases of a sexual nature with--I'd like to answer your questions; however if I--I'm told that if I do so, I risk losing my counsel's representation; therefore I must accept their advice." Epstein deposition, March 8, 2010, at 106 (Deposition attachment #10).

56. When Edwards had the opportunity to take Epstein's deposition, he only asked reasonable questions, all of which related to the merits of the cases against Epstein. All depositions of Epstein in which Mr. Edwards participated on behalf of his clients are attached to this motion. See Edwards Affidavit, Exhibit "N" at ¶11 and Deposition attachments #1, 6, 7, 10, 11, 12, and 13. Cf. with Deposition of Epstein taken by an attorney representing BB (one in which Edwards was not participating), <http://www.youtube.com/watch?v=V-dqoEyYXx4>; and <http://www.youtube.com/watch?v=YCNiYltW-r0>

57. Edwards's efforts to obtain information about Epstein's organization for procuring young girls was also blocked because Epstein's co-conspirators took the Fifth. Deposition of Sarah Kellen, March 24, 2010 (hereinafter "Kellen Depo.") (Deposition attachment #14); Deposition of Nadia Marcinkova, April 13, 2010, (Deposition attachment #9); Deposition of Adriana Mucinska Ross, March 15, 2010 (hereinafter "Ross Depo.") (Deposition attachment #15). Each of these co-conspirators invoked their respective rights against self-incrimination as to all relevant questions, and the depositions have been attached.

58. At all relevant times Edwards has had a good faith basis to believe and did in fact believe Sarah Kellen was an employee of Epstein's and had been identified as a defendant in at least one of the complaints against Epstein for her role in bringing girls to Epstein's mansion to be abused. At the deposition, she was represented by Bruce Reinhart. She invoked the Fifth on

all substantive questions regarding her role in arranging for minor girls to come to Epstein's mansion to be sexually abused. Reinhart had previously been an Assistant United States Attorney in the U.S. Attorney's Office for the Southern District of Florida when Epstein was being investigated criminally by Reinhart's office. Reinhart left the United States Attorney's Office and was immediately hired by Epstein to represent Epstein's pilots and certain co-conspirators during the civil cases against Epstein. *See* Edwards Affidavit, Exhibit "N" at ¶11.

59. Edwards also had other lines of legitimate discovery blocked through the efforts of Epstein and others. For example, Edwards learned through deposition that Ghislaine Maxwell was involved in managing Epstein's affairs and companies. *See* deposition of Epstein's house manager Janusz Banziak, February 16, 2010 at page 14, lines 20-23 (Deposition Attachment #16); *See* deposition of Epstein's housekeeper Louella Rabuyo, October 20, 2009, page 9, lines 17-25 (Deposition Attachment #17); *See* deposition of Epstein's pilot Larry Eugene Morrison, October 6, 2009, page 102-103 (Deposition Attachment #18); *See* deposition of Alfredo Rodriguez, August 7, 2009, page 302-306 and 348 (Deposition Attachment #8); *See* also Prince Andrew's Friend, Ghislaine Maxwell, Some Underage Girls and A Very Disturbing Story, September 23, 2007 by Wendy Leigh, link at [http://www.redicecreations.com/article.php?id=18950HANNA\\_SJOBERG](http://www.redicecreations.com/article.php?id=18950HANNA_SJOBERG). Exhibit "AA".

60. Alfredo Rodriguez testified that Maxwell took photos of girls without the girls' knowledge, kept the images on her computer, knew the names of the underage girls and their respective phone numbers and other underage victims were molested by Epstein and Maxwell together. *See* Deposition of Rodriguez, Deposition attachment # 8 at 64, 169-170 and 236.

61. In reasonable reliance on this and other information, Edwards served Maxwell for deposition in 2009. *See* Deposition Notice attached as Exhibit “BB.” Maxwell was represented by Brett Jaffe of the New York firm of Cohen and Gresser, and Edwards understood that her attorney was paid for (directly or indirectly) by Epstein. She was reluctant to give her deposition, and Edwards tried to work with her attorney to take her deposition on terms that would be acceptable to both sides. The result was the attached confidentiality agreement, under which Maxwell agreed to drop any objections to the deposition, attached hereto as Exhibit “CC.” Maxwell, however, contrived to avoid the deposition. On June 29, 2010, one day before Edwards was to fly to NY to take Maxwell’s deposition, her attorney informed Edwards that Maxwell’s mother was deathly ill and Maxwell was consequently flying to England with no intention of returning to the United States. Despite that assertion, Ghislaine Maxwell was in fact in the country on July 31, 2010, as she attended the wedding of Chelsea Clinton (former President Clinton’s daughter) and was captured in a photograph taken for OK magazine. Photos from Issue 809 of the publication *See* US Weekly dated August 16, 2010 are attached hereto as Exhibit “DD” and Edwards Affidavit, Exhibit “N” at ¶12.

62. Maxwell is not the only important witness to lie to avoid deposition by Edwards. Upon review of the message pads that were taken from Epstein’s home in the police trash pulls, *see* Exhibit “J” *supra*, many were from Jean Luc Brunel, a French citizen and one of Epstein’s closest pals. He left messages for Epstein. One dated 4/1/05 said, “He has a teacher for you to teach you how to speak Russian. She is 2x8 years old, not blonde. Lessons are free and you can have your 1<sup>st</sup> today if you call.” *See* Messages taken from Jean Luc Brunel are attached hereto as Exhibit “EE.” In light of these circumstances of the case, this message reasonably suggested to

Edwards that Brunel might have been procuring two eight-year-old girls for Epstein to sexually abuse. According to widely circulated press reports reviewed by Edwards, Brunel is in his sixties and has a reputation throughout the world (and especially in the modeling industry) as a cocaine addict that has for years molested children through modeling agencies while acting as their agent – conduct that has been the subject of critical reports, books, several news articles, and a 60 Minutes documentary on Brunel’s sexual exploitation of underage models. See <http://bradmillershero.blogspot.com/2010/08/women-are-objects.html>, attached hereto as Exhibit “FF.”

63. Edwards learned that Brunel is also someone that visited Epstein on approximately 67 occasions while Epstein was in jail. See Epstein's jail visitor log attached as Exhibit “GG.”

64. Edwards learned that Brunel currently runs the modeling agency MC2, a company for which Epstein provides financial support. See Message Pad's attached as Exhibit “J” *supra* and Sworn Statement of MC2 employee Maritza Vasquez, June 15, 2010, “Maritza Vasquez Sworn Statement” attached at Exhibit “HH” at 1-16.

65. Employees of MC2 told Edwards that Epstein’s numerous condos at 301 East 66 Street in New York were used to house young models. Edwards was told that MC2 modeling agency, affiliated with Epstein and Brunel brought underage girls from all over the world, promising them modeling contracts. Epstein and Brunel would then obtain a visa for these girls, then would charge the underage girls rent, presumably to live as underage prostitutes in the condos. See Maritza Vasquez Sworn Statement, Exhibit “HH” at 7-10, 12-15, 29-30, 39-41, 59-60 and 62-67.

66. In view of this information suggesting Brunel could provide significant evidence of Epstein's trafficking in young girls for sexual abuse, Edwards had Brunel served in New York for deposition. See Notice of Deposition of Jean Luc Brunel attached hereto as Exhibit "II." Before the deposition took place, Brunel's attorney (Tama Kudman of West Palm Beach) contacted Edwards to delay the deposition date. Eventually Kudman informed Edwards in January 2009 that Brunel had left the country and was back in France with no plans to return. This information was untrue; Brunel was actually staying with Epstein in West Palm Beach. See Banasiak deposition, deposition attachment #16 at 154-160 and 172-175; see also pages from Epstein's probation file evidencing Jean Luc Brunel (JLB) staying at his house during that relevant period of time attached Exhibit "JJ". As a result, Edwards filed a Motion for Contempt, attached hereto as Exhibit "KK" (Because Epstein settled this case, the motion was never ruled upon.)

67. Edwards was also informed that Epstein paid for not only Brunel's representation during the civil process but also paid for legal representation for Sarah Kellen (Epstein's executive assistant and procurer of girls for him to abuse), Larry Visoski (Epstein's personal pilot), Dave Rogers (Epstein's personal pilot), Larry Harrison (Epstein's personal pilot), Louella Rabuyo (Epstein's housekeeper), Nadia Marcinkova (Epstein's live-in sex slave), Ghislaine Maxwell (manager of Epstein's affairs and businesses), Mark Epstein (Epstein's brother), and Janusz Banasiak (Epstein's house manager) It was nearly impossible to take a deposition of someone that would have helpful information that was not represented by an attorney paid for by Epstein. See Edwards Affidavit, Exhibit "N" at ¶11.

68. While Epstein and others were preventing any legitimate discovery into his sexual abuse of minor girls, at the same time he was engaging (through his attorneys) in brutal questioning of the girls who had filed civil suits against him, questioning so savage that it made local headlines. See Jane Musgrave, *Victims Seeking Sex offender's Millions See Painful Pasts Used Against Them*, Palm Beach Post News, Jan. 23, 2010, available at <http://www.palmbeachpost.com/news/crime/victims-seeking-sex-offenders-millions-see-painful-pasts-192988.html> attached hereto as Exhibit "LL."

*Edwards Pursues Other Lines of Discovery*

69. Because of Epstein's thwarting of discovery and attacks on Edwards's clients, Edwards was forced to pursue other avenues of discovery. Edwards only pursued legitimate discovery designed to further the cases filed against Epstein. See Edwards Affidavit, Exhibit "N" at ¶11.

70. Edwards notified Epstein's attorneys of his intent to take Bill Clinton's deposition. Edwards possessed a legitimate basis for doing so: (a) Clinton was friends with Ghislaine Maxwell who was Epstein's longtime companion and helped to run Epstein's companies, kept images of naked underage children on her computer, helped to recruit underage children for Epstein, engaged in lesbian sex with underage females that she procured for Epstein, and photographed underage females in sexually explicit poses and kept child pornography on her computer; (b) it was national news when Clinton traveled with Epstein aboard Epstein's private plane to Africa and the news articles classified Clinton as Epstein's friend. (c) the complaint filed on behalf of Jane Doe No. 102 stated generally that she was required by Epstein to be sexually exploited by not only Epstein but also Epstein's "adult male peers, including royalty,

politicians, academicians, businessmen, and/or other professional and personal acquaintances” – categories Clinton and acquaintances of Clinton fall into. The flight logs showed Clinton traveling on Epstein’s plane on numerous occasions between 2002 and 2005. *See* Flight logs attached hereto as Exhibit “MM.” Clinton traveled on many of those flights with Ghislaine Maxwell, Sarah Kellen, and Adriana Mucinska, - all employees and/or co-conspirators of Epstein’s that were closely connected to Epstein’s child exploitation and sexual abuse. The documents clearly show that Clinton frequently flew with Epstein aboard his plane, then suddenly stopped - raising the suspicion that the friendship abruptly ended, perhaps because of events related to Epstein’s sexual abuse of children. Epstein’s personal phone directory from his computer contains e-mail addresses for Clinton along with 21 phone numbers for him, including those for his assistant (Doug Band), his schedulers, and what appear to be Clinton’s personal numbers. This information certainly leads one to believe that Clinton might well be a source of relevant information and efforts to obtain discovery from him were reasonably calculated to lead to admissible evidence. *See* Exhibits “B”, “F” “AA”, “DD”, and “MM” and Edwards Affidavit, Exhibit “N” at ¶15.

71. Bradley J. Edwards, Esq., provided notice that he intended to take the deposition of Donald Trump. Edwards possessed a legitimate basis for doing so: (a) The message pads confiscated from Epstein’s home indicated that Trump called Epstein’s West Palm Beach mansion on several occasions during the time period most relevant to my Edwards’s clients’ complaints; (b) Trump was quoted in a *Vanity Fair* article about Epstein as saying "I've known Jeff for fifteen years. Terrific guy," "He's a lot of fun to be with. It is even said that he likes beautiful women as much as I do, and many of them are on the younger side. No doubt about it --

Jeffrey enjoys his social life." Jeffrey Epstein: International Moneyman of Mystery; He's pals with a passel of Nobel Prize-winning scientists, CEOs like Leslie Wexner of the Limited, socialite Ghislaine Maxwell, even Donald Trump. But it wasn't until he flew Bill Clinton, Kevin Spacey, and Chris Tucker to Africa on his private Boeing 727 that the world began to wonder who he is. By Landon Thomas Jr. (See article attached hereto as Exhibit "NN") (c) Trump allegedly banned Epstein from his Maralago Club in West Palm Beach because Epstein sexually assaulted an underage girl at the club; (d) Jane Doe No. 102's complaint alleged that Jane Doe 102 was initially approached at Trump's Maralago by Ghislaine Maxwell and recruited to be Maxwell and Epstein's underage sex slave; (e) Mark Epstein (Jeffrey Epstein's brother) testified that Trump flew on Jeffrey Epstein's plane with him (the same plane that Jane Doe 102 alleged was used to have sex with underage girls); (f) Trump had been to Epstein's home in Palm Beach; (g) Epstein's phone directory from his computer contains 14 phone numbers for Donald Trump, including emergency numbers, car numbers, and numbers to Trump's security guard and houseman. Based on this information, Edwards reasonably believed that Trump might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition. See deposition of Mark Epstein, September 21, 2009, at 48-50 (Deposition Attachment #19); See Jane Doe 102 v. Epstein, Exhibit "B"; Exhibit "F"; "Exhibit"J"; "N" and See Edwards Affidavit, Exhibit "N" at ¶13.

72. Edwards provided notice that he intended to depose Alan Dershowitz. Edwards possessed a legitimate basis for doing so: (a) Dershowitz is believed to have been friends with Epstein for many years; (b) in one news article Dershowitz comments that, "I'm on my 20th book... The only person outside of my immediate family that I send drafts to is Jeffrey" The



Talented Mr. Epstein, By Vicky Ward on January, 2005 in Published Work, Vanity Fair (*See* article attached as Exhibit “OO”); (c) Epstein’s housekeeper Alfredo Rodriguez testified that Dershowitz stayed at Epstein’s house during the years when Epstein was assaulting minor females on a daily basis; (d) Rodriguez testified that Dershowitz was at Epstein’s house at times when underage females were there being molested by Epstein (*see* Alfredo Rodriguez deposition at 278-280, 385, 426-427); (e) Dershowitz reportedly assisted in attempting to persuade the Palm Beach State Attorney’s Office that because the underage females alleged to have been victims of Epstein’s abuse lacked credibility and could not be believed that they were at Epstein’s house, when Dershowitz himself was an eyewitness to their presence at the house; (f) Jane Doe No. 102 stated generally that Epstein forced her to be sexually exploited by not only Epstein but also Epstein’s “adult male peers, including royalty, politicians, academicians, businessmen, and/or other professional and personal acquaintances” – categories that Dershowitz and acquaintances of Dershowitz fall into; (g) during the years 2002-2005 Alan Dershowitz was on Epstein’s plane on several occasions according to the flight logs produced by Epstein’s pilot and information (described above) suggested that sexual assaults may have taken place on the plane; (h) Epstein donated \$30 Million one year to the university at which Dershowitz teaches. Based on this information, Edwards had a reasonable basis to believe that Dershowitz might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition. *See* Dershowitz letters to the State Attorney’s office attached as Exhibit “PP”; Deposition of Alfredo Rodriguez at 278-280; Flight Logs Exhibit “MM”; Exhibits “B” and “OO”; and Edwards Affidavit, Exhibit “N” at ¶14.

73. Epstein's complaint alleges that Edwards provided notice that he wished to take the deposition of Tommy Mattola. That assertion is untrue. Mr. Mattola's deposition was set by the law firm of Searcy Denny Scarola Barnhart and Shipley. *See* Edwards Affidavit, Exhibit "N" at ¶16.

74. Edwards gave notice that he intended to take David Copperfield's deposition. Edwards possessed a legitimate basis for doing so. Epstein's housekeeper and one of the only witnesses who did not appear for deposition with an Epstein bought attorney, Alfredo Rodriguez, testified that David Copperfield was a guest at Epstein's house on several occasions. His name also appears frequently in the message pads confiscated from Epstein's house. It has been publicly reported that Copperfield himself has had allegations of sexual misconduct made against him by women claiming he sexually abused them, and one of Epstein's sexual assault victims also alleged that Copperfield had touched her in an improper sexual way while she was at Epstein's house. Mr. Copperfield likely has relevant information and deposition was reasonably calculated to lead to the discovery of admissible evidence. *See* Edwards Affidavit, Exhibit "N" at ¶17.

75. Epstein also takes issue with Edwards identifying Bill Richardson as a possible witness. Richardson was properly identified as a possible witness because Epstein's personal pilot testified to Richardson joining Epstein at Epstein's New Mexico Ranch. There was information indicating that Epstein had young girls at his ranch which, given the circumstances of the case, raised the reasonable inference he was sexually abusing these girls as he had abused girls in West Palm Beach and elsewhere. Richardson had also returned campaign donations that were given to him by Epstein, indicating that he believed that there was something about Epstein

with which he did not want to be associated. Richardson was not called to testify nor was he ever subpoenaed to testify. *See* Edwards Affidavit, Exhibit “N” at ¶18.

76. Edwards learned of allegations that Epstein engaged in sexual abuse of minors on his private aircraft. *See* Jane Doe 102 Complaint, Exhibit “B.” Accordingly, Edwards pursued discovery to confirm these allegations.

77. Discovery of the pilot and flight logs was proper in the cases brought by Edwards against Epstein. Jane Doe filed a federal RICO claim against Epstein that was an active claim through much of the litigation. The RICO claim alleged that Epstein ran an expansive criminal enterprise that involved and depended upon his plane travel. Although Judge Marra dismissed the RICO claim at some point in the federal litigation, the legal team representing Edwards' clients intended to pursue an appeal of that dismissal. Moreover, all of the subjects mentioned in the RICO claim remained relevant to other aspects of Jane Doe's claims against Epstein, including in particular her claim for punitive damages. *See* Edwards Affidavit, Exhibit “N” at ¶19.

78. Discovery of the pilot and flight logs was also proper in the cases brought by Edwards against Epstein because of the need to obtain evidence of a federal nexus. Edwards's client Jane Doe was proceeding to trial on a federal claim under 18 U.S.C. § 2255. Section 2255 is a federal statute which (unlike relevant state statutes) established a minimum level of recovery for victims of the violation of its provisions. Proceeding under the statute, however, required a “federal nexus” to the sexual assaults. Jane Doe had two grounds on which to argue that such a nexus existed to her abuse by Epstein: first, his use of telephone to arrange for girls to be abused; and, second, his travel on planes in interstate commerce. During the course of the litigation,

Edwards anticipated that Epstein would argue that Jane Doe's proof of the federal nexus was inadequate. These fears were realized when Epstein filed a summary judgment motion raising this argument. In response, the other attorneys and Edwards representing Jane Doe used the flight log evidence to respond to Epstein's summary judgment motion, explaining that the flight logs demonstrated that Epstein had traveled in interstate commerce for the purpose of facilitating his sexual assaults. Because Epstein chose to settle the case before trial, Judge Marra did not rule on the summary judgment motion.

79. Edwards had further reason to believe and did in fact believe that the pilot and flight logs might contain relevant evidence for the cases against Epstein. Jane Doe No. 102's complaint outlined Epstein's daily sexual exploitation and abuse of underage minors as young as 12 years old and alleged that Epstein's plane was used to transport underage females to be sexually abused by him and his friends. The flight logs accordingly were a potential source of information about either additional girls who were victims of Epstein's abuse or friends of Epstein who may have witnessed or even participated in the abuse. Based on this information, Edwards reasonably pursued the flight logs in discovery.

80. In the fall of 2009, Epstein gave a recorded interview to George Rush, a reporter with the *New York Daily News* about pending legal proceedings. In that interview, Epstein demonstrated an utter lack of remorse for his crimes (but indirectly admitted his crimes) by stating:

- People do not like it when people make good and that was one reason he (Epstein) was being targeted by civil suits filed by young girls in Florida;
- He (Epstein) had done nothing wrong;

- He (Epstein) had gone to jail in Florida for soliciting prostitution for no reason;
- If the same thing (i.e., sexual abuse of minor girls) had happened in New York, he (Epstein) would have received only a \$200 fine;
- Bradley J. Edwards was the one causing all of Epstein's problems (i.e., the civil suits brought by Jane Doe and other girls);
- L.M. came to him as a prostitute and a drug user (i.e., came to Epstein for sex, rather than Epstein pursuing her);
- All the girls suing him are only trying to get a meal ticket;
- The only thing he might have done wrong was to maybe cross the line a little too closely;
- He (Epstein) was very upset that Edwards had subpoenaed Ghislaine Maxwell, that she was a good person that did nothing wrong (i.e., had done nothing wrong even though she helped procure young girls to satisfy Epstein's sexual desires);
- With regard to Jane Doe 102 v. Epstein, which involved an allegation that Epstein had repeatedly sexually abused a 15-year-old girl, forced her to have sex with his friends, and flew her on his private plane nationally and internationally for the purposes of sexually molesting and abusing her, he (Epstein) flippantly said that the case was dismissed, indicating that the allegations were ridiculous and untrue.

*See Affidavit of Michael J. Fisten attached hereto as Exhibit "QQ."*

81. The Rush interview also demonstrated perjury (a federal crime) on the part of Epstein. Epstein lied about not knowing George Rush. *See Epstein Deposition, February 17, 2010, taken in L.M. v. Jeffrey Epstein, case 50-2008-CA-028051, page 154, line 4 through 155 line 9, (Deposition attachment #7),* wherein Jeffrey Epstein clearly impresses that he does not recognize George Rush from the New York Daily News. This impression was given despite the fact that he gave a lengthy personal interview about details of the case that was tape recorded with George Rush.

Epstein's Harassment of Witnesses Against Him

82. At all relevant times Edwards has a good faith basis to believe and did in fact believe that Epstein engaged in threatening witnesses. See Incident Report, Exhibit "A" at p. 82, U.S. Attorney's Correspondence, Exhibit "C" - Indictments drafted by Federal Government against Epstein; and Edwards Affidavit, Exhibit "N" at ¶11.

83. Despite three no contact orders entered against Epstein (*see* Exhibit C, *supra*), Edwards learned that Epstein continued to harass his victims. For example, Jane Doe had a trial set for her civil case against him on July 19, 2010. As that trial date approached, defendant Epstein intimidated her in violation of the judicial no-contact orders. On July 1, 2010, he had a "private investigator" tail Jane Doe – following her every move, stopping when she stopped, driving when she drove, refusing to pass when she pulled over. When Jane Doe ultimately drove to her home, the "private investigator" then parked in his car approximately 25 feet from Jane Doe house and flashed his high beam lights intermittently into the home. Even more threateningly, at about 10:30 p.m., when Jane Doe fled her home in the company of a retired police officer employed by Jane Doe's counsel, the "private investigator" attempted to follow Jane Doe despite a request not to do so. The retired officer successfully took evasive action and placed Jane Doe in a secure, undisclosed location that night. Other harassing actions against Jane Doe also followed. See Motion for Contempt filed by Edwards in Jane Doe v. Epstein detailing the event, including Fisten Affidavit attached to Motion, Composite Exhibit "RR."

Epstein Settlement of Civil Claims Against Him for Sexual Abuse of Children

84. The civil cases Edwards filed against Epstein on behalf of L.M., E.W., and Jane Doe were reasonably perceived by Edwards to be very strong cases. Because Epstein had

sexually assaulted these girls, he had committed several serious torts against them and would be liable to them for appropriate damages. *See* Preceding Undisputed Facts. Because of the outrageousness of Epstein's sexual abuse of minor girls, Edwards reasonably expected that Epstein would also be liable for punitive damages to the girls. Because Edwards could show that Epstein had molested children for years and designed a complex premeditated scheme to procure different minors everyday to satisfy his addiction to sex with minors, the punitive damages would have to be sufficient to deter him from this illegal conduct that he had engaged in daily for years. Epstein was and is a billionaire. *See* Complaint, ¶49 (referring to "Palm Beach Billionaire"); *see also* Epstein Deposition, February 17, 2010, at 172-176 (Deposition Attachment #7) (taking the Fifth when asked whether he is a billionaire). Accordingly, Edwards reasonably believed the punitive damages that would have to be awarded against Epstein would have been substantial enough to punish him severely enough for his past conduct as well as deter him from repeating his offenses in the future. *See* Edwards Affidavit, Exhibit "N" at ¶19.

85. On July 6, 2010, rather than face trial for the civil suits that had been filed against him by L.M., E.W., and Jane Doe, defendant Epstein settled the cases against him. The terms of the settlement are confidential. The settlement amounts are highly probative in the instant action as Epstein bases his claims that Edwards was involved in the Ponzi scheme on Epstein's inability to settle the L.M., E.W., and Jane Doe cases for "minimal value". His continued inability to settle the claims for "minimal value" after the Ponzi scheme was uncovered would be highly probative in discrediting any causal relationship between the Ponzi scheme and Edwards's settlement negotiations. *See* Edwards Affidavit, Exhibit "N" at ¶21.

*Edwards Non-Involvement in Fraud by Scott Rothstein*

86. From in or about 2005, through in or about November 2009, Scott Rothstein appears to have run a giant Ponzi scheme at his law firm of Rothstein, Rosenfeldt and Adler P.A. ("RRA"). This Ponzi scheme involved Rothstein falsely informing investors that settlement agreements had been reached with putative defendants based upon claims of sexual harassment and/or whistle-blower actions. Rothstein falsely informed the investors that the potential settlement agreements were available for purchase. Plea Agreement at 2, *United States v. Scott W. Rothstein*, No. 9-60331-CR-COHN (S.D. Fla. Jan. 27, 2010) attached hereto as Exhibit "SS."

87. It has been alleged that among other cases that Rothstein used to lure investors into his Ponzi scheme were the cases against Epstein that were being handled by Bradley J. Edwards, Esq. Edwards had no knowledge of the fraud or any such use of the Epstein cases. *See* Edwards Affidavit, Exhibit "N" at ¶9.

88. Bradley J. Edwards, Esq., joined RRA in about April 2009 and left RRA in November 2009 – a period of less than one year. Edwards would not have joined RRA had he been aware that Scott Rothstein was running a giant Ponzi scheme at the firm. Edwards left RRA shortly after learning of Rothstein's fraudulent scheme. *Id.* at ¶8.

89. At no time prior to the public disclosure of Rothstein's Ponzi scheme did Edwards know or have reason to believe that Rothstein was using legitimate claims that Edwards was prosecuting against Epstein for any fraudulent or otherwise illegitimate purpose. *Id.* at ¶20.

90. Edwards never substantively discussed the merits of any of his three cases against Epstein with Rothstein. *See* Deposition of Bradley J. Edwards taken March 23, 2010, at 110-16. (hereinafter "Edwards Depo") (Deposition Attachment #22).



91. On July 20, 2010, Bradley Edwards received a letter from the U.S. Attorney's Office for the Southern District of Florida – the office responsible for prosecuting Rothstein's Ponzi scheme. The letter indicated that law enforcement agencies had determined that Edwards was "a victim (or potential victim)" of Scott Rothstein's federal crimes. The letter informed Edwards of his rights as a victim of Rothstein's fraud and promised to keep Edwards informed about subsequent developments in Rothstein's prosecution. *See* Letter attached hereto as Exhibit "TT."

92. Jeffrey Epstein filed a complaint with the Florida Bar against Bradley Edwards, Esq., raising allegations that Edwards and others were involved in the wrongdoing of Scott Rothstein. After investigating the claim, the Florida Bar dismissed this complaint. *See* Edwards Affidavit, Exhibit "N" at ¶23.

*Epstein Takes the Fifth When Asked Substantive Questions About His Claims Against Edwards*

93. On March 17, 2010, defendant Epstein was deposed about his lawsuit against Edwards. Rather than answer substantive questions about his lawsuit, Epstein repeatedly invoked his Fifth Amendment privilege. *See* Epstein Depo. taken 3/17/10, Deposition Attachment #1.

94. In his deposition, Epstein took the Fifth rather than answer the question: "Specifically what are the allegations against you which you contend Mr. Edwards ginned up?" *Id.* at 34.

95. In his deposition, Epstein took the Fifth rather than name people in California that Edwards had tried to depose to increase the settlement value of the civil suit he was handling. *Id.* at 37.

96. In his deposition, Epstein took the Fifth rather than answer the question: "Do you know former President Clinton personally." *Id.*

97. In his deposition, Epstein took the Fifth rather than answer the question: "Are you now telling us that there were claims against you that were fabricated by Mr. Edwards?" *Id.* at 39.

98. In his deposition, Epstein took the Fifth rather than answer the question, "Well, which of Mr. Edwards' cases do you contend were fabricated." *Id.*

99. In his deposition, Epstein took the Fifth rather than answer the question: "What is the actual value that you contend the claim of E.W. against you has?" *Id.* at 45.

100. In his deposition, Epstein took the Fifth rather than answer a question about the actual value of the claim of L.M. and Jane Doe against him. *Id.*

101. In his deposition, taken prior to the settlement of Edwards's clients claims against Epstein, Epstein took the Fifth rather than answer the question: "Is there any pending claim against you which you contend is fabricated?" *Id.* at 71.

102. In his deposition, Epstein took the Fifth rather than answer the question: "Did you ever have damaging evidence in your garbage?" *Id.* at 74.

103. In his deposition, Epstein took the Fifth rather than answer the question: "Did sexual assaults ever take place on a private airplane on which you were a passenger?" *Id.* at 88.

104. In his deposition, Epstein took the Fifth rather than answer the question: "Does a flight log kept for a private jet used by you contain the names of celebrities, dignitaries or international figures?" *Id.* at 89.

105. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Donald Trump in the presence of females under the age of 18?" *Id.* at 89.

106. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Alan Dershowitz in the presence of females under the age of 18." *Id.* at 90.

107. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Mr. Mottola in the presence of females under the age of 18?" *Id.* at 91-92.

108. In his deposition, Epstein took the Fifth rather than answer the question: "Did you ever socialize with David Copperfield in the presence of females under the age of 18?" *Id.* at

109. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Mr. Richardson [Governor of New Mexico and formerly U.S. Representative and Ambassador to the United Nations] in the presence of females under the age of 18." *Id.* at 94.

110. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever sexually abused children?" *Id.* at 95.

111. In his deposition, Epstein took the Fifth rather than answer the question: "Did you have staff members that assisted you in scheduling appointments with underage females; that is, females under the age of 18." *Id.* at 97-98.

112. In his deposition, Epstein took the Fifth rather than answer the question: "On how many occasions did you solicit prostitution." *Id.* at 102.

113. In his deposition, Epstein took the Fifth rather than answer the question: “How many minors have you procured for prostitution?” *Id.* at 104.

114. In his deposition, Epstein took the Fifth rather than answer the question: “Have you ever coerced, induced or enticed any minor to engage in any sexual act with you?” *Id.* at 107.

115. In his deposition, Epstein took the Fifth rather than answer the question: “How many times have you engaged in fondling underage females?” *Id.* at 108.

116. In his deposition, Epstein took the Fifth rather than answer the question: “How many times have you engaged in oral sex with females under the age of 18?” *Id.* at 110.

117. In his deposition, Epstein took the Fifth rather than answer the question: “Do you have a personal sexual preference for children?” *Id.* at 111-12.

118. In his deposition, Epstein took the Fifth rather than answer the question: “Your Complaint at page 27, paragraph 49, says that ‘RRA and the litigation team took an emotionally driven set of facts involving alleged innocent, unsuspecting, underage females and a Palm Beach billionaire, and sought to turn it into a goldmine,’ end of quote. Who is the Palm Beach billionaire referred to in that sentence?” *Id.* at 112-13.

119. In his deposition, Epstein took the Fifth rather than answer the question: “Who are the people who are authorized to make payment [to your lawyers] on your behalf?” *Id.* at 120.

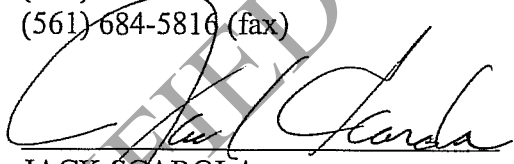
120. In his deposition, Epstein took the Fifth rather than answer the question: “Is there anything in L.M.’s Complaint that was filed against you in September of 2008 which you contend to be false?” *Id.* at 128.

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on November 4<sup>th</sup>, 2010 a copy of the foregoing has been served via Fax and U.S. Mail to all those on the attached service list.

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*DEFENDANT BRADLEY J. EDWARDS'S STATEMENT OF UNDISPUTED FACTS*  
*Epstein v. Edwards, et al.*  
*Case No.: 50 2009 CA 040800XXXXMBAG*

EXHIBIT N

NOT A CERTIFIED COPY

**AFFIDAVIT OF BRADLEY JAMES EDWARDS**

1. I am an attorney in good standing with the Florida Bar and admitted to practice in the Southern District of Florida. I am currently a partner in the law firm of Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, P.L.
2. In 2008, I was a sole practitioner running a personal injury law firm in Hollywood, FL. While a sole practitioner I was retained by three clients, L.M., E.W., and Jane Doe to pursue civil litigation against Jeffrey Epstein for sexually abusing them while they were minor girls. I agreed to represent these girls, along with attorney Jay Howell (an attorney in Jacksonville, Florida with Jay Howell & Associates) and Professor Paul Cassell (a law professor at the University of Utah College Of Law). I filed state court actions on behalf of L.M. and E.W. and a federal court action on behalf of Jane Doe. All of the cases were filed in the summer of 2008.
3. My clients received correspondence from the U.S. Department of Justice regarding their rights as victims of Epstein's federal sex offenses. (True and accurate copies of the letters are attached to Statement of Undisputed Facts as Exhibit "M")
4. In mid June 2008, I contacted Assistant United States Attorney Marie Villafaña to inform her that I represented Jane Doe #1(E.W.) and, later, Jane Doe #2(L.M.). I asked to meet to provide information regarding Epstein. AUSA Villafaña did not advise me that a plea agreement had already been negotiated with Epstein's attorneys that would block federal prosecution. AUSA Villafaña did indicate that federal investigators had concrete evidence and information that Epstein had sexually molested at least 40 underage minor females, including E.W., Jane Doe and L.M.
5. I also requested from the U.S. Attorney's Office the information and evidence that they had collected regarding Epstein's sexual abuse of his clients. However, the U.S. Attorney's Office declined to provide any such information to me. The U.S. Attorney's Office also declined to provide any such information to the other attorneys who represented victims of Epstein's sexual assaults.
6. I was informed that on Friday, June 27, 2008, at approximately 4:15 p.m., AUSA Villafaña received a copy of Epstein's proposed state plea agreement and learned that the plea was scheduled for 8:30 a.m., Monday, June 30, 2008. She called me to provide notice to my clients regarding the hearing. She did not tell me that the guilty pleas in state court would bring an end to the possibility of federal prosecution pursuant to the plea agreement. My clients did not learn and understand this fact until July 11, 2008, when the agreement was described during a hearing held before Judge Marra on the Crime Victims' Rights Act action that I had filed.
7. In the summer of 2008 I filed complaints against Jeffrey Epstein on behalf of L.M., E.W., and Jane Doe.



8. In the Spring of 2009 (approximately April), I joined the law firm of Rothstein, Rosenfeldt and Adler, P.A. ("RRA"). I brought my existing clients with me when I joined RRA, including L.M., E.W., and Jane Doe. When I joined the firm, I was not aware that Scott Rothstein was running a Ponzi scheme at RRA. Had I known such a Ponzi scheme was in place, I would never have joined RRA.
9. I am now aware that it has been alleged that Scott Rothstein made fraudulent presentations to investors about the lawsuits that I had filed on behalf of my clients against Epstein and that it has been alleged that these lawsuits were used to fraudulently lure investors into Rothstein's Ponzi scheme. I never met a single investor, had no part in any such presentations and had no knowledge any such fraud was occurring. If these allegations are true, I had no knowledge that any such fraudulent presentations were occurring and no knowledge of any such improper use of the case files.
10. Epstein's Complaint against me alleges that Rothstein made false statements about cases filed against Epstein, i.e., that RRA had 50 anonymous females who had filed suit against Epstein; that Rothstein sold an interest in personal injury lawsuits, reached agreements to share attorneys fees with non-lawyers, paid clients "up front" money; and that he used the judicial process to further his Ponzi scheme. If Rothstein did any of these things, I had no knowledge of his actions. Because I maintained close contact with my clients, EW, LM and Jane Doe, and Scott Rothstein never met any of them, I know for certain that none of my clients were paid "up front" money by anyone.
11. Epstein alleges that I attempted to take the depositions of his "high profile friends and acquaintances" for no legitimate litigation purpose. This is untrue, as all of my actions in representing L.M., E.W., and Jane Doe were aimed at providing them effective representation in their civil suits. With regard to Epstein's friends, through documents and information obtained in discovery and other means of investigation, I learned that Epstein was sexually molesting minor girls on a daily basis and had been for many years. I also learned the unsurprising fact that he was molesting the girls in the privacy of his mansion in West Palm Beach, meaning that locating witnesses to corroborate their testimony would be difficult to find. I also learned, from the course of the litigation, that Epstein and his lawyers were constantly attacking the credibility of the girls, that Epstein's employees were all represented by lawyers who apparently were paid for (directly or indirectly) by Epstein, that co-conspirators whose representation was also apparently paid for by Epstein were all taking the Fifth (like Epstein) rather than provide information in discovery. For example, I was given reason to believe that Sarah Kellen, Larry Visoski, Larry Harrison, David Rogers, Louella Rabuyo, Nadia Marcinkova, Ghislaine Maxwell, Mark Epstein, and Janusz Banasiak all had lawyers paid for by Epstein. Because Epstein and the co-conspirators in his child molestation criminal enterprise blocked normal discovery avenues, I needed to search for other ordinary approaches to strengthen the cases of my clients. Consistent with my training and experience, these other ordinary approaches included finding other witnesses who could corroborate allegations of sexual abuse of my clients or other girls. Some of these witnesses were friends of Epstein. Given his social status, it also turned out that some of his friends were high-profile individuals.

12. In light of information I received suggesting that British socialite Ghislaine Maxwell, former girlfriend and long-time friend of Epstein's, was involved in managing Epstein's affairs and companies I had her served for deposition for August 17, 2009. (Deposition Notice attached to Statement of Undisputed Facts as Exhibit BB). Maxwell was represented by Brett Jaffe of the New York firm of Cohen and Gresser, and I understood that her attorney was paid for (directly or indirectly) by Epstein. She was reluctant to give her deposition, and I tried to work with her attorney to take her deposition on terms that would be acceptable to both sides. Her attorney and I negotiated a confidentiality agreement, under which Maxwell agreed to drop any objections to the deposition. Maxwell, however, still avoided the deposition. On June 29, 2010, one day before I was to fly to NY to take Maxwell's deposition, her attorney informed me that Maxwell's mother was deathly ill and Maxwell was consequently flying to England with no intention of returning and certainly would not return to the United States before the conclusion of Jane Doe's trial period (August 6, 2010). Despite that assertion, I later learned that Ghislaine Maxwell was in fact in the country on approximately July 31, 2010, as she attended the wedding of Chelsea Clinton (former President Clinton's daughter) and was captured in a photograph taken for US Weekly magazine.
13. Epstein alleges that there was something improper in the fact that I notified him that I intended to take Donald Trump's deposition in the civil suits against him. Trump was properly noticed because: (a) after review of the message pads confiscated from Epstein's home, the legal and investigative team assisting my clients learned that Trump called Epstein's West Palm Beach mansion on several occasions during the time period most relevant to my clients' complaints; (b) Trump was quoted in a *Vanity Fair* article about Epstein as saying "I've known Jeff for fifteen years. Terrific guy." "He's a lot of fun to be with. It is even said that he likes beautiful women as much as I do, and many of them are on the younger side. No doubt about it -- Jeffrey enjoys his social life." Jeffrey Epstein: International Moneyman of Mystery; He's pals with a passel of Nobel Prize-winning scientists, CEOs like Leslie Wexner of the Limited, socialite Ghislaine Maxwell, even Donald Trump. But it wasn't until he flew Bill Clinton, Kevin Spacey, and Chris Tucker to Africa on his private Boeing 727 that the world began to wonder who he is. By Landon Thomas Jr.; (c) I learned through a source that Trump banned Epstein from his Maralago Club in West Palm Beach because Epstein sexually assaulted an underage girl at the club; (d) Jane Doe No. 102's complaint alleged that Jane Doe 102 was initially approached at Trump's Maralago by Ghislaine Maxwell and recruited to be Maxwell and Epstein's underage sex slave; (e) Mark Epstein (Jeffrey Epstein's brother) testified that Trump flew on Jeffrey Epstein's plane with him (the same plane that Jane Doe 102 alleged was used to have sex with underage girls) deposition of Mark Epstein, September 21, 2009 at 48-50; (f) Trump visited Epstein at his home in Palm Beach -- the same home where Epstein abused minor girls daily; (g) Epstein's phone directory from his computer contains 14 phone numbers for Donald Trump, including emergency numbers, car numbers, and numbers to Trump's security guard and houseman. Based on this information, I believed that

Trump might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition.

14. Epstein alleges that there was something improper in the fact that I notified him that I intended to take Alan Dershowitz's deposition in the civil suits against him. Dershowitz was properly noticed because: (a) Dershowitz has been friends with Epstein for many years; (b) in one news article Dershowitz comments that, "I'm on my 20th book... The only person outside of my immediate family that I send drafts to is Jeffrey" The Talented Mr. Epstein, By Vicky Ward on January, 2005 in Published Work, Vanity Fair; (c) Epstein's housekeeper Alfredo Rodriguez testified that Dershowitz stayed at Epstein's house during the years most relevant to my clients; (d) Rodriguez testified that Dershowitz was at Epstein's house at times when underage females where there being molested by Epstein (see Alfredo Rodriguez deposition at 278-280, 385, 426-427); (e) Dershowitz was reportedly involved in persuading the Palm Beach State Attorney's office not to file felony criminal charges against Epstein because the underage females lacked credibility and thus could not be believed that they were at Epstein's house, despite him being an eyewitness that the underage girls were actually there; (f) Jane Doe No. 102 stated generally that Epstein forced her to be sexually exploited by not only Epstein but also Epstein's "adult male peers, including royalty, politicians, academicians, businessmen, and/or other professional and personal acquaintances" - categories that Dershowitz and acquaintances of Dershowitz fall into; (g) during the years 2002-2005 Alan Dershowitz was on Epstein's plane on several occasions according to the flight logs produced by Epstein's pilot and information (described above) suggested that sexual assaults may have taken place on the plane; (h) Epstein donated Harvard \$30 Million dollars one year, and Harvard was one of the only institutions that did not return Epstein's donation after he was charged with sex offenses against children. Based on this information, I believed that Dershowitz might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition.
15. Epstein alleges that there was something improper in the fact that I notified him that I intended to take Bill Clinton's deposition. Clinton was properly noticed because: (a) it was well known that Clinton was friends with Ghislaine Maxwell, and several witnesses had provided information that Maxwell helped to run Epstein's companies, kept images of naked underage children on her computer, helped to recruit underage children for Epstein, engaged in lesbian sex with underage females that she procured for Epstein, and photographed underage females in sexually explicit poses and kept child pornography on her computer; (b) newspaper articles stated that Clinton had an affair with Ghislaine Maxwell, who was thought to be second in charge of Epstein's child molestation ring. The Cleveland Leader newspaper, April 10, 2009; (c) it was national news when Clinton traveled with Epstein (and Maxwell) aboard Epstein's private plane to Africa and the news articles classified Clinton as Epstein's friend; (d) the flight logs for the relevant years 2002 - 2005 showed Clinton traveling on Epstein's plane on more than 10 occasions and his assistant, Doug Band, traveled on many more occasions; (e) Jane Doe No. 102 stated generally that she was required by Epstein to be sexually

exploited by not only Epstein but also Epstein's "adult male peers, including royalty, politicians, academicians, businessmen, and/or other professional and personal acquaintances" – categories Clinton and acquaintances of Clinton fall into; (f) flight logs showed that Clinton took many flights with Epstein, Ghislaine Maxwell, Sarah Kellen, and Adriana Mucinska, -- all employees and/or co-conspirators of Epstein's that were closely connected to Epstein's child exploitation and sexual abuse; (g) Clinton frequently flew with Epstein aboard his plane, then suddenly stopped – raising the suspicion that the friendship abruptly ended, perhaps because of events related to Epstein's sexual abuse of children; (h) Epstein's personal phone directory from his computer contains e-mail addresses for Clinton along with 21 phone numbers for him, including those for his assistant (Doug Band), his schedulers, and what appear to be Clinton's personal numbers. Based on this information, I believed that Clinton might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition.

16. Epstein alleges that Tommy Mottola was improperly noticed with a deposition. I did not notice Mattola for deposition. He was noticed for deposition by a law firm representing another one of Epstein's victims – not by me.
17. Epstein alleges that there was something improper in the fact that I notified him that I intended to take the illusionist David Copperfield's deposition. Copperfield was properly noticed because: (a) Epstein's housekeeper Alfredo Rodriguez testified that David Copperfield was a guest on several occasions at Epstein's house; (b) according to the message pads confiscated from Epstein's house, Copperfield called Epstein quite frequently and left messages that indicated they socialized together; (c) Copperfield himself has had similar allegations made against him by women claiming he sexually abused them; (d) one of Epstein's sexual assault victims also alleged that Copperfield had touched her in an improper sexual way while she was at Epstein's house. Based on this information, I believed that Copperfield might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition.
18. Epstein alleges that there was something improper in the fact that I identified Bill Richardson as a possible witness against him in the civil cases. Richardson was properly identified as a possible witness because Epstein's personal pilot testified to Richardson joining Epstein at Epstein's New Mexico Ranch. See deposition of Larry Morrison, October 6, 2009, at 167-169. There was information indicating that Epstein had young girls at his ranch which, given the circumstances of the case, raised the reasonable inference he was sexually abusing these girls since he had regularly and frequently abused girls in West Palm Beach and elsewhere. Richardson had also returned campaign donations that were given to him by Epstein, indicating that he believed that there was something about Epstein that he did not want to be associated with. Richardson was not called to testify nor was he ever subpoenaed to testify.
19. Epstein alleges that discovery of plane and pilot logs was improper during discovery in the civil cases against him. Discovery of these subjects was clearly proper and

necessary because: (a) Jane Doe filed a federal RICO claim against Epstein that was an active claim through much of the litigation. The RICO claim alleged that Epstein ran an expansive criminal enterprise that involved and depended upon his plane travel. Although Judge Marra dismissed the RICO claim at some point in the federal litigation, the legal team representing my clients intended to pursue an appeal of that dismissal. Moreover, all of the subjects mentioned in the RICO claim remained relevant to other aspects of Jane Doe's claims against Epstein, including in particular her claim for punitive damages; (b) Jane Doe also filed and was proceeding to trial on a federal claim under 18 U.S.C. § 2255. Section 2255 is a federal statute which (unlike other state statutes) guaranteed a minimum level of recovery for Jane Doe. Proceeding under the statute, however, required a "federal nexus" to the sexual assaults. Jane Doe had two grounds on which to argue that such a nexus existed to her abuse by Epstein: first, his use of the telephone to arrange for girls to be abused; and, second, his travel on planes in interstate commerce. During the course of the litigation, I anticipated that Epstein would argue that Jane Doe's proof of the federal nexus was inadequate. These fears were realized when Epstein filed a summary judgment motion raising this argument. In response, the other attorneys and I representing Jane Doe used the flight log evidence to respond to Epstein's summary judgment motion, explaining that the flight logs demonstrated that Epstein had traveled in interstate commerce for the purpose of facilitating his sexual assaults. Because Epstein chose to settle the case before trial, Judge Marra did not rule on the summary judgment motion. (c) Jane Doe No. 102's complaint outlined Epstein's daily sexual exploitation and abuse of underage minors as young as 12 years old and alleged that he used his plane to transport underage females to be sexually abused by him and his friends. The flight logs accordingly might have information about either additional girls who were victims of Epstein's abuse or friends of Epstein who may have witnessed or even participated in the abuse. Based on this information, I believed that the flight logs and related information was relevant information to prove the cases against Jeffrey Epstein and accordingly I pursued them in discovery.

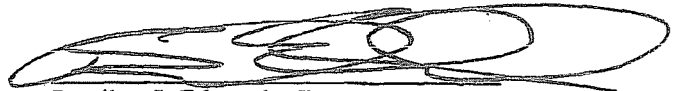
20. In approximately November 2009, the existence of Scott Rothstein's Ponzi scheme became public knowledge. It was at that time that I, along with many other reputable attorneys at RRA, first became aware of Rothstein criminal scheme. At that time, I left RRA with several other RRA attorneys to form the law firm of Farmer Jaffe Weissing Edwards Fistos and Lehrman ("Farmer Jaffe"). I was thus with RRA for less than one year.
21. In July 2010, along with other attorneys at Farmer Jaffe and Professor Cassell, I reached favorable settlement terms for my three clients L.M., E.W., and Jane Doe in their lawsuits against Epstein.
22. On July 20, 2010, I received a letter from the U.S. Attorney's Office for the Southern District of Florida – the office responsible for prosecuting Rothstein's Ponzi scheme. The letter indicated that law enforcement agencies had determined that I was "a victim (or potential victim)" of Scott Rothstein's federal crimes. The letter informed me of my rights as a victim of Rothstein's federal crimes and promised to keep me informed about

subsequent developments in his prosecution. A copy of this letter is attached to this Affidavit. (A copy of the letter is attached to Statement of Undisputed Facts as Exhibit UU)

23. Jeffrey Epstein also filed a complaint with the Florida Bar against me. His complaint alleged that I had been involved in Rothstein's scheme and had thereby violated various rules of professional responsibility. The Florida Bar investigated and dismissed the complaint.
24. I have reviewed the Statement of Undisputed Facts filed contemporaneously with this Affidavit. Each of the assertions concerning what I learned, what I did, and the good faith beliefs formed by me in the course of my prosecutions of claims against Jeffrey Epstein as contained in the Statement of Undisputed Facts is true, and the foundations set out as support for my beliefs are true and correct to the best of my knowledge.
25. All actions taken by me in the course of my prosecution of claims against Jeffrey Epstein were based upon a good faith belief that they were reasonable, necessary, and ethically proper to fulfill my obligation to zealously represent the interests of my clients.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 9/21, 2010



Bradley J. Edwards, Esq.

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

Case No.: 50 2009CA 040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

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

Defendants,

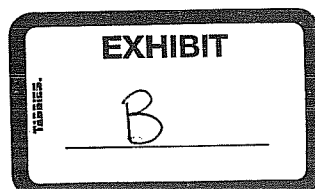
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**DEFENDANT BRADLEY J. EDWARDS'S**  
**RENEWED MOTION FOR FINAL SUMMARY JUDGMENT**

Defendant, Bradley J. Edwards, Esq., by and through his undersigned counsel and pursuant to Rule 1.510, Florida Rules of Civil Procedure, hereby moves for Final Summary Judgment and in support thereof states as follows:

**I. INTRODUCTION**

The pleadings and discovery taken to date show that there is no genuine issue as to any material facts and that Bradley J. Edwards, Esq. is entitled to summary judgment for all claims brought against him in Plaintiff Jeffrey Epstein's Second Amended Complaint. Not only is there an absence of competent evidence to demonstrate that Edwards participated in any fraud against Epstein, the evidence uncontrovertibly demonstrates the propriety of every aspect of Edwards' involvement in the prosecution of legitimate claims against Epstein. Epstein sexually abused three clients of Edwards – L.M., E.W., and Jane Doe – and Edwards properly and successfully



represented them in a civil action against Epstein. Nothing in Edwards's capable and competent representation of his clients can serve as the basis for a civil lawsuit against him. Allegations about Edwards's participation in or knowledge of the use of the civil actions against Epstein in a "Ponzi Scheme" are not supported by any competent evidence and could never be supported by competent evidence as they are entirely false.

#### **A. Epstein's Complaint**

Epstein's Second Amended Complaint essentially alleges that Epstein was damaged by Edwards, acting in concert with Scott Rothstein (President of the Rothstein Rosenfeldt Adler law firm ("RRA") where Edwards worked for a short period of time). Epstein appears to allege that Edwards joined Rothstein in the abusive prosecution of sexual assault cases against Epstein to "pump" the cases to Ponzi scheme investors. As described by Epstein, investor victims were told by Rothstein that three minor girls who were sexually assaulted by Epstein: L.M., E.W., and Jane Doe were to be paid up-front money to prevent those girls from settling their civil cases against Epstein. In Epstein's view, these child sexual assault cases had "minimal value" (Complaint ¶ 42(h)), and Edwards's refusal to force his clients to accept modest settlement offers is claimed to breach some duty that Edwards owed to Epstein. Interestingly, Epstein never states that he actually made any settlement offers.

The supposed "proof" of the Complaint's allegations against Edwards includes Edwards's alleged contacts with the media, his attempts to obtain discovery from high-profile persons with whom Epstein socialized, and use of "ridiculously inflammatory" language in arguments in court. Remarkably, Epstein has filed such allegations against Edwards despite the fact that Epstein had sexually abused each of Edwards's clients and others while they were



minors. Indeed, in discovery Epstein has asserted his Fifth Amendment privilege rather than answer questions about the extent of the sexual abuse of his many victims. Even more remarkably, since filing his suit against Edwards, Epstein has now settled the three cases Edwards handled for an amount that Epstein insisted be kept confidential. Without violating the strict confidentiality terms required by Epstein, the cases did not settle for the “minimal value” that Epstein suggested in his Complaint. Because Epstein relies upon the alleged discrepancy between the “minimal value” Epstein ascribed to the claims and the substantial value Edwards sought to recover for his clients, the settlement amounts Epstein voluntarily agreed to pay while these claims against Edwards were pending will be disclosed to the court in-camera.

#### **B. Summary of the Argument**

Bradley J. Edwards, Esq., is entitled to summary judgment on Epstein’s frivolous claim for at least three separate reasons.

First, because Epstein has elected to hide behind the shield of his right against self incrimination to preclude his disclosing any relevant information about the criminal activity at the center of his claims, he is barred from prosecuting this case against Edwards. Under the well-established “sword and shield” doctrine, Epstein cannot seek damages from Edwards while at the same time asserting a Fifth Amendment privilege to block relevant discovery. His case must therefore be dismissed.

Second, all of Edwards’ conduct in the prosecution of valid claims against Epstein is protected by the litigation privilege.

Third, and most fundamentally, Epstein’s lawsuit should be dismissed because it is not only unsupported by but is also directly contradicted by all of the record evidence. From the

beginning, Edwards diligently represented three victims of sexual assaults perpetrated by Epstein. As explained in detail below, each and every one of Edwards's litigation decisions was grounded in proper litigation judgment about the need to pursue effective discovery against Epstein, particularly in the face of Epstein's stonewalling tactics. Edwards's successful representation finally forced Epstein to settle and pay appropriate damages. Effective and proper representation of child victims who have been repeatedly sexually assaulted cannot form the basis of a separate, "satellite" lawsuit, and therefore Edwards is entitled to summary judgment on these grounds as well.

The truth is the record is entirely devoid of any evidence to support Epstein's claims and is completely and consistently corroborative of Edwards's sworn assertion of innocence. Put simply, Epstein has made allegations that have no basis in fact. To the contrary, his lawsuit was merely a desperate measure by a serial pedophile to prevent being held accountable for repeatedly sexually abusing minor females. Epstein's ulterior motives in filing and prosecuting this lawsuit are blatantly obvious. Epstein's behavior is another clear demonstration that he feels he lives above the law and that because of his wealth he can manipulate the system and pay for lawyers to do his dirty work - even to the extent of having them assert baseless claims against other members of the Florida Bar. Epstein's Second Amended Complaint against Edwards is nothing short of a far-fetched fictional fairy-tale with absolutely no evidence whatsoever to support his preposterous claims. It was his last ditch effort to escape the public disclosure by Edwards and his clients of the nature, extent, and sordid details of his life as a serial child molester. Edwards's Motion for Summary Judgment should be granted without equivocation.

## ARGUMENT

### **II. EDWARDS IS ENTITLED TO SUMMARY JUDGMENT ON EPSTEIN'S CLAIM BECAUSE THERE ARE NO MATERIAL DISPUTED FACTS AND THE UNDISPUTED FACTS ESTABLISH THAT EDWARDS'S CONDUCT COULD NOT POSSIBLY FORM THE BASIS OF ANY LIABILITY IN FAVOR OF EPSTEIN**

#### **A. The Summary Judgment Standard.**

Rule 1.510(c), Florida Rules of Civil Procedure, provides that a court may enter summary judgment when the pleadings, depositions and factual showings reveal that there is no genuine issue of material fact and that the moving party is entitled to judgment as a matter of law. *See Snyder v. Cheezem Development Corp.*, 373 So. 2d 719, 720 (Fla. 2d DCA 1979); Rule 1.510(c), Fla. R. Civ. P. Once the moving party conclusively establishes that the nonmoving party cannot prevail, it is incumbent on the nonmoving party to submit evidence to rebut the motion for summary judgment. *See Holl v. Talcott*, 191 So. 2d 40, 43 (Fla. 1966). It is not enough for the opposing party merely to assert that an issue of fact does exist. *Fisel v. Wynns*, 667 So.2d 761, 764 (Fla.1996); *Landers v. Milton*, 370 So.2d 368, 370 (Fla.1979) (same).

Moreover, it is well-recognized that the non-moving party faced with a summary judgment motion supported by appropriate proof may not rely on bare, conclusory assertions found in the pleadings to create an issue and thus avoid summary judgment. Instead, the party must produce counter-evidence establishing a genuine issue of material fact. *See Bryant v. Shands Teaching Hospital and Clinics, Inc.*, 479 So.2d 165, 168 (Fla. 1st Dist. Ct. App. 1985); *see also Lanzner v. City of North Miami Beach*, 141 So.2d 626 (Fla. 3d Dist Ct. App. 1962) (recognizing that mere contrary allegations of complaint were not sufficient to preclude summary judgment on basis of facts established without dispute). Where the nonmoving party fails to

present evidence rebutting the motion for summary judgment and there is no genuine issue of material fact, then entry of judgment is proper as a matter of law. *See Davis v. Hathaway*, 408 So. 2d 688, 689 (Fla. 2d Dist. Ct. App. 1982); *see also Holl*, 191 So. 2d at 43.

**B. Epstein's Claim Regarding Edwards Have Absolutely No Factual Basis.**

This is not a complicated case for granting summary judgment. To the contrary, this is a simple case for summary judgment because each and every one of Epstein's claim against Edwards lacks any merit whatsoever.<sup>1</sup>

1. **Epstein's allegations regarding Edwards' involvement in Rothstein's "Ponzi Scheme" are unsupported and unsupportable because he was simply not involved in any such scheme.**

**a. Edwards Had No Involvement in the Ponzi Scheme.**

The bulk of Epstein's claims against Edwards hinge on the premise that Edwards was involved in a Ponzi scheme run by Scott Rothstein. Broad allegations of wrongdoing on the part of Edwards are scattered willy-nilly throughout the complaint. None of the allegations provide any substance as to how Edwards actually assisted the Ponzi scheme, and allegations that he "knew or should have known" of its existence are based upon an impermissible pyramiding of inferences. In any event, these allegations all fail for one straightforward reason: Edwards was simply not involved in any Ponzi scheme. He has provided sworn testimony and an affidavit in support of that assertion, and there is not (and could never be) any contrary evidence.

Edwards has now been deposed at length in this case. As his deposition makes crystal clear, he had no knowledge of any fraudulent activity in which Scott Rothstein may have been

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<sup>1</sup> A decision by the Court to grant summary judgment on Epstein's claims against Edwards would not affect Epstein's claims against Scott Rothstein. Epstein has already chosen to dismiss all of his claims against L.M., the only other defendant named in the suit.

involved. *See, e.g.,* Edwards Depo. at 301-02 (Q: “. . . [W]ere you aware that Scott Rothstein was trying to market Epstein cases . . . ?” A: “No.”).

Edwards has supplemented his deposition answers with an Affidavit that declares in no uncertain terms his lack of involvement in any fraud perpetrated by Rothstein. *See, e.g.,* Edwards Affidavit attached to Statement of Undisputed Material Facts as Exhibit “N” at ¶¶8-10, ¶¶20, ¶¶22-23. Indeed, no reasonable juror could find that Edwards was involved in the scheme, as Edwards joined RRA well after Rothstein began his fraud and would have been already deeply in debt. In fact, the evidence of Epstein’s crimes is now clear, and Edwards’s actions in this case were entirely in keeping with his obligation to provide the highest possible quality of legal representation for his clients to obtain the best result possible.

In view of this clear evidence rebutting all allegations against him, Epstein must now “produce counter-evidence establishing a genuine issue of material fact.” *See Bryant v. Shands Teaching Hospital and Clinics, Inc.*, 479 So.2d 165, 168 (Fla. 1st Dist. Ct. App. 1985). Epstein cannot do this. Indeed, when asked at his deposition whether he had any evidence of Edwards’s involvement, Epstein declined to answer, purportedly on attorney-client privilege grounds:

Q. I want to know whether you have any knowledge of evidence that Bradley Edwards personally ever participated in devising a plan through which were sold purported confidential assignments of a structured payout settlement? . . .

A. I’d like to answer that question by saying that the newspapers have reported that his firm was engaged in fraudulent structured settlements in order to fleece unsuspecting Florida investors. With respect to my personal knowledge, I’m unfortunately going to, today, but I look forward to at some point being able to disclose it, today I’m going to have to assert the attorney/client privilege.

*See* Deposition of Jeffrey Epstein, Mar. 17, 2010 (hereinafter “Epstein Depo.”) at 67-68.

Therefore summary judgment should be granted for Edwards on all claims involving any Ponzi scheme by Rothstein.

b. **Epstein's Allegations of Negligence by Edwards are Unfounded and Not Actionable in Any Event.**

In his Second Amended Complaint Epstein recognizes at least the possibility that Edwards was not involved in any Rothstein Ponzi scheme. Therefore, seemingly as a fallback, Epstein alleges without explanation that Edwards "should have known" about the existence of this concealed Ponzi scheme. Among other problems, this fallback negligence position suffers the fatal flaw that it does not link at all to the intentional tort of abuse of process alleged in the complaint.

Epstein's negligence claim is also deficient because it simply fails to satisfy the requirements for a negligence cause of action:

"Four elements are necessary to sustain a negligence claim: 1. A duty, or obligation, recognized by the law, requiring the [defendant] to conform to a certain standard of conduct, for the protection of others against unreasonable risks. 2. A failure on the [defendant's] part to conform to the standard required: a breach of the duty . . . . 3. A reasonably close causal connection between the conduct and the resulting injury. This is what is commonly known as 'legal cause,' or 'proximate cause,' and which includes the notion of cause in fact. 4. Actual loss or damage.

*Curd v. Mosaic Fertilizer, LLC*, \_\_\_ So.2d \_\_\_, 2010 WL 2400384 at \*9 (Fla. 2010). Epstein does not allege a particular duty on the part of Edwards that has been breached. Nor does Epstein explain how any breach of the duty might have proximately caused him actual damages. Summary judgment is therefore appropriate for these reasons as well.

Finally, for the sake of completeness, it is worth noting briefly that no reasonable jury could find Edwards to have been negligent in failing to anticipate that a managing partner at his law firm would be involved in an unprecedented Ponzi scheme. Scott Rothstein deceived not

only Edwards but also more than 60 other reputable lawyers at a major law firm. *Cf. Sun Sentinel, Fort Lauderdale*, Dec. 11, 2009, 2009 WLNR 25074193 at \*1 (“Sure, some outlandish John Grisham murder plot[s] sound far-fetched. But if you asked me a few months ago if Scott Rothstein was fabricating federal court orders and forging a judge’s signature on documents to allegedly fleece his friends, as federal prosecutors allege, I would have said that was far-fetched, too.”). No reasonable lawyer could have expected that a fellow member of the bar would have been involved in such a plot. Nobody seemed to know of Rothstein’s Ponzi scheme, not even his best friends, or the people he did business with on a daily basis, or even his wife. Many of the attorneys at RRA had been there for years and knew nothing. Edwards was a lawyer at RRA for less than 8 months and had very few personal encounters with Rothstein during his time at the firm, yet Epstein claims that he should have known of Rothstein’s intricate Ponzi scheme. No doubt for this reason the U.S. Attorney’s Office has now listed Edwards as a “victim” of Rothstein’s crimes. *See* Statement of Undisputed Facts filed contemporaneously.

Epstein’s Complaint does not offer any specific reason why a jury would conclude that Edwards was negligent, and he chose not to offer any explanation of his claim at his deposition. Accordingly, Edwards is entitled to summary judgment to the extent the claim against him is somehow dependent upon his negligence in failing to discover Rothstein’s Ponzi scheme.

**2. Edwards is Entitled to Summary Judgment to the Extent the Claim Against Him is Dependent on Allegations Regarding “Pumping the Cases” Because He Was Properly Pursuing the Interests of His Three Clients Who Had Been Sexually Abused by Epstein.**

Epstein alleges that Edwards somehow improperly enhanced the value of the three civil cases he had filed against Epstein. Edwards represented three young women – L.M., E.W., and Jane Doe – by filing civil suits against Epstein for his sexual abuse of them while they were

minors. Epstein purports to find a cause of action for this by alleging that Edwards somehow was involved in “pumping” these three cases to investors.”

As just explained, to the extent that Epstein is alleging that Edwards somehow did something related to the Ponzi scheme, those allegations fail for the simple reason that Edwards was not involved in any such scheme. Edwards, for example, could not have possibly “pumped” the cases to investors when he never participated in any communication with investors.

Epstein’s “pumping” claims, however, fail for an even more basic reason: Edwards was entitled – indeed ethically obligated as an attorney – to secure the maximum recovery for his clients during the course of his legal representation. As is well known, “[a]s an advocate, a lawyer zealously asserts the client’s position under the rules of the adversary system.” Fla. Rules of Prof. Conduct, Preamble. Edwards therefore was required to pursue (unless otherwise instructed by his clients) a maximum recovery against Epstein. Edwards, therefore, cannot be liable for doing something that his ethical duties as an attorney required.<sup>2</sup>

Another reason that Epstein’s claims that Edwards was “pumping” cases for investors fails is that Edwards filed all three cases almost a year before he was hired by RRA or even knew of Scott Rothstein. Epstein makes allegations that the complaints contained sensational allegations for the purposes of luring investors; however, language in the complaints remained virtually unchanged from the first filing in 2008 and from the overwhelming evidence the Court can see for itself that all of the facts alleged by Edwards in the complaints were true.

Epstein ultimately paid to settle all three of the cases Edwards filed against him for more money than he paid to settle any of the other claims against him. At Epstein’s request, the terms

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<sup>2</sup> In a further effort to harass Edwards, Epstein also filed a bar complaint with the Florida Bar against Edwards. The Florida Bar has dismissed that complaint. *See* Statement of Undisputed Facts.



of the settlement were kept confidential. The sum that he paid to settle all these cases is therefore not filed with this pleading and will be provided to the court for in-camera review. Epstein chose to make this payment as the result of a federal court ordered mediation process, which he himself sought (over the objection of Jane Doe, Edwards' client in federal court) in an effort to resolve the case. *See* Defendant's Motion for Settlement Conference, or in the Alternative, Motion to Direct Parties back to Mediation, *Doe v. Epstein*, No. 9:08-CV-80893 (S.D. Fla. June 28, 2010) (Marra, J.) (doc. #168) attached hereto as Exhibit "A". Notably, Epstein sought this settlement conference – and ultimately made his payments as a result of that conference - in July 2010, more than seven months after he filed this lawsuit against Edwards. Accordingly, Epstein could not have been the victim of any scheme to "pump" the cases against him, because he never paid to settle the cases until well after Edwards had left RRA and had severed all connection with Scott Rothstein (December 2009).

In addition, if Epstein had thought that there was some improper coercion involved in, for example, Jane Doe's case, his remedy was to raise the matter before Federal District Court Judge Kenneth A. Marra who was presiding over the matter. Far from raising any such claim, Epstein simply chose to settle that case. He is therefore now barred by the doctrine of res judicata from somehow re-litigating what happened in (for example) the Jane Doe case. "The doctrine of res judicata makes a judgment on the merits conclusive 'not only as to every matter which was offered and received to sustain or defeat the claim, but as to every other matter which might with propriety have been litigated and determined in that action.'" *AMEC Civil, LLC v. State Dept. of Transp.*, \_\_\_ So.2d \_\_\_, 2010 WL 1542634 at \*2 (Fla. 1<sup>st</sup> Dist. Ct. App. 2010) (quoting *Kimbrell v. Paige*, 448 So.2d 1009, 1012 (Fla. 1984). Obviously, any question of improper "pumping" of a

particular case could have been resolved *in that very case* rather than now re-litigated in satellite litigation.

**3. Edwards is Entitled to Summary Judgment on the Claim of Abuse of Process Because He Acted Properly Within the Boundaries of the Law in Pursuit of the Legitimate Interests of his Clients.**

Epstein's Second Amended Complaint raises several claims of "abuse of process." An abuse of process claim requires proof of three elements: "(1) that the defendant made an illegal, improper, or perverted use of process; (2) that the defendant had ulterior motives or purposes in exercising such illegal, improper, or perverted use of process; and (3) that, as a result of such action on the part of the defendant, the plaintiff suffered damage." *S & I Investments v. Payless Flea Market, Inc.*, 36 So.3d 909, 917 (Fla. 4<sup>th</sup> Dist. Ct. App. 2010) (internal citation omitted). In fact, this Court is very familiar with this cause of action, as Edwards has correctly stated this cause in his counterclaim against Epstein. Edwards is entitled to summary judgment because Epstein cannot prove these elements.

The first element of an abuse of process claim is that a defendant made "an illegal, improper, or perverted use of process." On the surface, Epstein's Complaint appears to contain several allegations of such improper process. On examination, however, each of these allegations amounts to nothing other than a claim that Epstein was unhappy with some discovery proceeding, motion or argument made by Edwards. This is not the stuff of an abuse of process claim, particularly where Epstein fails to allege that he was required to do something as the result of Edwards' pursuit of the claims against him. *See Marty v. Gresh*, 501 So.2d 87, 90 (Fla. 1<sup>st</sup> Dist. Ct. App. 1987) (affirming summary judgment on an abuse of process claim where "appellant's lawsuit caused appellee to do nothing against her will").

In any event, none of the allegations of “improper” process can survive summary judgment scrutiny, because every action Edwards took was entirely proper and reasonably calculated to lead to the successful prosecution of the pending claims against Epstein as detailed in Edwards’ Affidavit.

Epstein also fails to meet the second element of an abuse of process claim: that Edwards had some sort of ulterior motive. The case law is clear that on an abuse of process claim a “plaintiff must prove that the process was used for an immediate purpose other than that for which it was designed.” *S&I Investments v. Payless Flea Market, Inc.*, 36 So.3d 909, 917 (Fla. 4<sup>th</sup> Dist. Ct. App. 2010) (citing *Biondo v. Powers*, 805 So.2d 67, 69 (Fla. 4<sup>th</sup> Dist. Ct. App. 2002)). As a consequence, “[w]here the process was used to accomplish the result for which it was intended, regardless of an incidental or concurrent motive of spite or ulterior purpose, there is no abuse of process.” *Id.* (internal quotation omitted). Here, Edwards has fully denied any improper motive, *See* Statement of Undisputed Facts, and Epstein has no evidence of any such motivation. Indeed, it is revealing that Epstein chose not to ask even a single question about this subject during the deposition of Edwards. In addition, all of the actions that Epstein complains about were in fact used for the immediate purpose of furthering the lawsuits filed by L.M., E.W., and Jane Doe. In other words, these actions all were both intended to accomplish and, in fact, successfully “accomplished the results for which they were intended” -- whether it was securing additional discovery or presenting a legal issue to the court handling the case or ultimately maximizing the recovery of damages from Epstein on behalf of his victims. Accordingly, Edwards is entitled to summary judgment on any claim that he abused process for this reason as well.

**4. Edwards is Entitled to Summary Judgment to the Extent His Claim is Based On Pursuit of Discovery Concerning Epstein's Friends Because All Such Efforts Were Reasonably Calculated to Lead to Relevant and Admissible Testimony About Epstein's Abuse of Minor Girls.**

Epstein has also alleged that Edwards improperly pursued discovery from some his close friends. Such discovery, Epstein claims, was improper because Edwards knew that these individuals lacked any discoverable information about the sexual assault cases against Epstein.

Here again, Edwards is entitled to summary judgment, as each of the friends of Epstein were reasonably believed to possess discoverable information. The undisputed facts show the following with regard to each of the persons raised in Epstein's complaint:

- With regard to Donald Trump, Edwards had sound legal basis for believing Mr. Trump had relevant and discoverable information. *See Statement of Undisputed Facts.*
- With regard to Alan Dershowitz (Harvard Law Professor), Edwards had sound legal basis for believing Mr. Dershowitz had relevant and discoverable information. *See Statement of Undisputed Facts.*
- With regard to former President Bill Clinton, Edwards had sound legal basis for believing former President Clinton had relevant and discoverable information. *See Statement of Undisputed Facts.*
- With regard to former Sony Record executive Tommy Mottola, Edwards was not the attorney that noticed Mr. Mottola's deposition. *See Statement of Undisputed Facts.*
- With regard to illusionist David Copperfield, Edwards had sound legal basis for believing Mr. Copperfield had relevant and discoverable information. *See Statement of Undisputed Facts.*
- With regard to former New Mexico Governor Bill Richardson, Edwards had sound legal basis for naming Former New Mexico Governor Bill Richardson on his witness list. *See Statement of Undisputed Facts.*

It is worth noting that the standard for discovery is a very liberal one. To notice someone for a deposition, of course, it is not required that the person deposed actually end up producing

admissible evidence. Otherwise, every deposition that turned out to be a false alarm would lead to an “abuse of process” claim. Moreover, the rules of discovery themselves provide that a deposition need only be “reasonably calculated to *lead to* the discovery of admissible evidence.” Fla. R. Civ. P. 1.280(b) (emphasis added).

Moreover, the discovery that Edwards pursued has to be considered against the backdrop of Epstein’s obstructionist tactics. As the Court is aware, in both this case and all other cases filed against him, Epstein has asserted his Fifth Amendment privilege rather than answer any substantive questions. Epstein has also helped secure attorneys for his other household staff who assisted in the process of recruiting the minor girls, who in turn also asserted their Fifth Amendment rights rather than explain what happened behind closed doors in Epstein’s mansion in West Palm Beach. *See* Statement of Undisputed Facts. It is against this backdrop that Edwards followed up on one of the only remaining lines of inquiry open to him: discovery aimed at Epstein’s friends who might have been in a position to corroborate the fact that Epstein was sexually abusing young girls.

In the context of the sexual assault cases that Edwards had filed against Epstein, any act of sexual abuse had undeniable relevance to the case – even acts of abuse Epstein committed against minor girls other than L.M., E.W., or Jane Doe. Both federal and state evidence rules make acts of child abuse against other girls admissible in the plaintiff’s case in chief as proof of “modus operandi” or “motive” or “common scheme or plan.” *See* Fed. R. Evid. 415 (evidence of other acts of sexual abuse automatically admissible in a civil case); Fla. Stat. Ann. 90.404(b) (evidence of common scheme admissible); *Williams v. State*, 110 So.2d 654 (Fla. 1959) (other acts of potential sexual misconduct admissible).

A second reason exists for making discovery of Epstein's acts of abuse of other minor girls admissible. Juries considering punitive damages issues are plainly entitled to consider "the existence and frequency of similar past conduct." *TXO Production Corp. v. Alliance Resources Corp.*, 509 U.S. 443, 462 n.28 (1993). This is because the Supreme Court recognizes "that a recidivist may be punished more severely than a first offender . . . [because] repeated misconduct is more reprehensible than an individual instance of malfeasance." *BMW of North America, Inc. v. Gore*, 517 U.S. 559, 577 (1996) (supporting citations omitted). In addition, juries can consider other similar acts evidence as part of the deterrence calculation in awarding punitive damages, because "evidence that a defendant has repeatedly engaged in prohibited conduct while knowing . . . that it was unlawful would provide relevant support for an argument that strong medicine is required to cure the defendant's disrespect for the law." *Id.* at 576-77. In the cases Edwards filed against Epstein, his clients were entitled to attempt to prove that Epstein "repeatedly engaged in prohibited conduct" – i.e., because he was a predatory pedophile, he sexually assaulted dozens and dozens of minor girls. The discovery of Epstein's friends who might have had direct or circumstantial evidence of other acts of sexual assault was accordingly entirely proper. Edwards is therefore entitled summary judgment to the extent his claim is based on efforts by Edwards to obtain discovery of Epstein's friends.

### **III. EPSTEIN'S LAWSUIT MUST BE DISMISSED BECAUSE OF HIS REFUSAL TO PARTICIPATE IN REASONABLE DISCOVERY.**

As is readily apparent from the facts of this case, Epstein has filed a lawsuit but then refused to allow any real discovery about the merits of his case. Instead, when asked hard questions about whether he has any legitimate claim at all, Epstein has hidden behind the Fifth

Amendment. As a result, under the “sword and shield doctrine” widely recognized in Florida caselaw, his suit must be dismissed.

“[T]he law is well settled that a plaintiff is not entitled to both his silence and his lawsuit.” *Boys & Girls Clubs of Marion County, Inc. v. J.A.*, 22 So.3d 855, 856 (Fla. 5th Dist. Ct. App. 2009) (Griffin, J., concurring specially). Thus, “a person may not seek affirmative relief in a civil action and then invoke the fifth amendment to avoid giving discovery, using the fifth amendment as both a ‘sword and a shield.’” *DePalma v. DePalma*, 538 So.2d 1290, 1290 (Fla. 4<sup>th</sup> Dist. Ct. App. 1989) (*quoting DeLisi v. Bankers Insurance Co.*, 436 So.2d 1099 (Fla. 4<sup>th</sup> Dist. Ct. App. 1983)). Put another way, “[a] civil litigant’s fifth amendment right to avoid self-incrimination may be used as a shield but not a sword. This means that a plaintiff seeking affirmative relief in a civil action may not invoke the fifth amendment and refuse to comply with the defendant’s discovery requests, thereby thwarting the defendant’s defenses.” *Rollins Burdick Hunter of New York, Inc. v. Euroclassic Limited, Inc.*, 502 So. 2d 959 (Fla. 3<sup>rd</sup> Dist. Court App. 1983).

Here, Epstein is trying to do precisely what the “well settled” law forbids. Specifically, he is trying to obtain “affirmative relief” – i.e., forcing Edwards to pay money damages – while simultaneously precluding Edwards from obtaining legitimate discovery at the heart of the allegations that form the basis for the relief Epstein is seeking. As recounted more fully in the statement of undisputed facts, Epstein has refused to answer such basic questions about his lawsuit as:

- “Specifically what are the allegations against you which you contend Mr. Edwards ginned up?”
- “Well, which of Mr. Edwards’ cases do you contend were fabricated?”

- “Is there anything in L.M.’s Complaint that was filed against you in September of 2008 which you contend to be false?”
- “I would like to know whether you ever had any physical contact with the person referred to as Jane Doe in that [federal] complaint?”
- “Did you ever have any physical contact with E.W.?”
- “What is the actual value that you contend the claim of E.W. against you has?”

The matters addressed in these questions are the central focus of Epstein’s claims against Edwards. Epstein’s refusal to answer these and literally every other substantive question put to him in discovery has deprived Edwards of even a basic understanding of the evidence alleged to support claims against him. Moreover, by not offering any explanation of his allegations, Epstein is depriving Edwards of any opportunity to conduct third party discovery and opportunity to challenge Epstein’s allegations.

It is the clear law that “the chief purpose of our discovery rules is to assist the truth-finding function of our justice system and to avoid trial by surprise or ambush,” *Scipio v. State*, 928 So.2d 1138 (Fla.2006), and “full and fair discovery is essential to these important goals,” *McFadden v. State*, 15 So.3d 755, 757 (Fla. 4<sup>th</sup> Dist. Ct. App. 2009). Accordingly, it is important for the Court to insure “not only compliance with the technical provisions of the discovery rules, but also adherence to the purpose and spirit of those rules in both the criminal and civil context.” *McFadden*, 15 So.3d at 757. Epstein has repeatedly blocked “full and fair discovery,” requiring dismissal of his claim against Edwards.



#### **IV. EDWARDS IS ENTITLED TO ADVERSE INFERENCES FROM EPSTEIN'S INVOCATION OF THE FIFTH AMENDMENT AND THEREFORE TO SUMMARY JUDGMENT ON EPSTEIN'S CLAIM.**

Edwards is entitled to summary judgment on the claim against him for a second and entirely independent reason: Epstein's repeated invocations of the Fifth Amendment raise adverse inferences against him that leave no possibility that a reasonable factfinder could reach a verdict in his favor. In ruling on a summary judgment motion, the court must fulfill a "gatekeeping function" and should ask whether "a *reasonable* trier of fact could possibly" reach a verdict in favor of the plaintiff. *Willingham v. City of Orlando*, 929 So.2d 43, 48 (Fla. 5<sup>th</sup> Dist. Ct. App. 2006) (emphasis added). Given all of the inferences that are to be drawn against Epstein, no reasonable finder of fact could conclude that Epstein was somehow the victim of improper civil lawsuits filed against him. Instead, a reasonable finder of fact could only find that Epstein was a serial molester of children who was being held accountable through legitimate suits brought by Edwards and others on behalf of the minor girls that Epstein victimized.

"[I]t is well-settled that the Fifth Amendment does not forbid adverse inferences against parties to civil actions when they refuse to testify in response to probative evidence offered against them." *Baxter v. Palmigiano*, 425 U.S. 308, 318 (1976); accord *Vasquez v. State*, 777 So.2d 1200, 1203 (Fla. App. 2001). The reason for this rule "is both logical and utilitarian. A party may not trample upon the rights of others and then escape the consequences by invoking a constitutional privilege – at least not in a civil setting." *Fraser v. Security and Inv. Corp.*, 615 So.2d 841, 842 (Fla. 4<sup>th</sup> Dist. Ct. App. 1993). And, in the proper circumstances, "Silence is often evidence of the most persuasive character." *Fraser v. Security and Inv. Corp.*, 615 So.2d

841, 842 (Fla. 4<sup>th</sup> Dist. Ct. App. 1993) (*quoting United States ex rel. Bilokumsky v. Tod*, 263 U.S. 149, 153-154 (1923) (Brandeis, J.)).

In the circumstances of this case, a reasonable finder of fact would have “evidence of the most persuasive character” from Epstein’s repeated refusal to answer questions propounded to him. To provide but a few examples, here are questions that Epstein refused to answer and the reasonable inference that a reasonable finder of fact would draw:

- Question not answered: “Specifically what are the allegations against you which you contend Mr. Edwards ginned up?” Reasonable inference: No allegations against Epstein were ginned up.
- Question not answered: “Well, which of Mr. Edwards’ cases do you contend were fabricated?” Reasonable inference: No cases filed by Edwards against Epstein were fabricated.
- Question not answered: “Did sexual assaults ever take place on a private airplane on which you were a passenger?” Reasonable inference: Epstein was on a private airplane while sexual assaults were taking place.
- Question not answered: “How many minors have you procured for prostitution?” Reasonable inference: Epstein has procured multiple minors for prostitution.
- Question not answered: “Is there anything in L.M.’s Complaint that was filed against you in September of 2008 which you contend to be false?” Reasonable inference: Nothing in L.M.’s complaint filed in September of 2008 was false – i.e., as alleged in L.M.’s complaint, Epstein repeatedly sexually assaulted her while she was a minor and she was entitled to substantial compensatory and punitive damages as a result.
- Question not answered: “I would like to know whether you ever had any physical contact with the person referred to as Jane Doe in that [federal] complaint?” Reasonable inference: Epstein had physical contact with minor Jane Doe as alleged in her federal complaint.
- Question not answered: “Did you ever have any physical contact with E.W.?” Reasonable inference: Epstein had physical contact with minor E.W. as alleged in her complaint.
- Question not answered: “What is the actual value that you contend the claim of

E.W. against you has?” Reasonable inference: E.W.’s claim against Epstein had substantial actual value.

Without repeating each and every invocation of the Fifth Amendment that Epstein has made and the reasonable inferences to be drawn from those invocations of privilege, the big picture is unmistakably clear: No reasonable finder of fact could rule in Epstein’s favor on his claims against Edwards. Accordingly, Edwards is entitled to summary judgment based on the Fifth Amendment inferences that the jury would draw.

The inferences against Epstein are not limited to those arising from his privilege assertions. Epstein’s guilt is also reasonably inferred from his harassment of, intimidation of, efforts to exercise control over, and limitation of access to witnesses who might testify against him.

Epstein’s efforts to intimidate his victims support the inference that Epstein knew that they were going to provide compelling testimony against him. The evidence that Epstein tampered with witnesses (later designated as his accomplices and co-conspirators) will be admissible to demonstrate his consciousness of guilt. “[I]t is precisely because of the egregious nature of such conduct that the law expressly permits the jury to make adverse inferences from a party’s efforts to intimidate witnesses . . . .” *Jost v. Ahmad*, 730 So.2d 708, 711 (Fla. 2<sup>nd</sup> Dist. Ct. App. 1998) (internal quotation omitted). To be clear, Epstein’s attempt to tamper with witnesses is “not simply admissible as impeachment evidence of the tampering party’s credibility. The opposing party is entitled to introduce facts regarding efforts to intimidate a witness as *substantive evidence*.” *Id.* at 711 (emphasis in original) (internal citation omitted). This substantive evidence of Epstein’s witness intimidation provides yet another reason why no reasonable jury could find in favor of his claims against Edwards.

**V. EDWARDS IS ENTITLED TO SUMMARY JUDGMENT ON THE BASIS OF HIS AFFIRMATIVE DEFENSE OF PRIVILEGE**

Absolute immunity must be afforded any act occurring during course of judicial proceeding, regardless of whether act involves defamatory statement or other tortious behavior, such as tortious interference with business relationship, so long as act has some relationship to proceeding. *See Levin, Middlebrooks, Mabie, Thomas, Mayes & Mitchell, P.A. v. U.S. Fire Ins. Co.*, 639 So. 2d 606 (Fla. 1994). The immunity afforded to statements made during the course of a judicial proceeding extends not only to the parties in a proceeding but to judges, witnesses, and counsel as well. *Id.* The litigation privilege applies in all causes of action, whether for common-law torts or statutory violations. *See Echevarria, McCalla, Raymer, Barrett & Frappier v. Cole*, 950 So. 2d 380 (Fla. 2007). Defamatory statements made by lawyer while interviewing a witness in preparation for and connected to pending litigation are covered by the absolute immunity conferred by the litigation privilege. *See DelMonico v. Traynor*, 50 So. 3d 4 (Fla. Dist. Ct. App. 4th Dist. 2010), review granted, 47 So. 3d 1287 (Fla. 2010). The privilege extends to statements in judicial proceedings or those “necessarily preliminary thereto. *See Stewart v. Sun Sentinel Co.*, 695 So.2d 360 (Fla. 4th DCA 1997)(an attorney's delivery of a copy of a notice of claim to a reporter, which notice was a required filing prior to instituting suit, was protected by absolute immunity).

**CONCLUSION**

For all the foregoing reasons, defendant, the Court should grant defendant Bradley J. Edwards, Esq., summary judgment in his favor on the only remaining claim filed against him by plaintiff Jeffrey Epstein, and any other relief that the Court deems just and proper.

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on November 3rd, 2011 a copy of the foregoing has been served via Fax and U.S. Mail to all those on the attached service list.

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

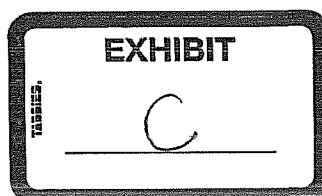
SCOTT ROTHSTEIN, individually,  
BRADLEY J. EDWARDS, individually, and  
L.M., individually,

Defendant(s).

**COUNTER-PLAINTIFF, EDWARDS' SECOND RENEWED MOTION FOR LEAVE TO  
ASSERT CLAIM FOR PUNITIVE DAMAGES**

Counter-plaintiff, BRADLEY J. EDWARDS, moves this Honorable Court for entry of an Order granting him leave to assert a claim for punitive damages against the Counter-defendant, JEFFREY EPSTEIN, and in support thereof would show that the evidence summarized herein satisfies the statutory prerequisites for the assertion of a punitive damage claim. Specifically, the evidence establishes that EPSTEIN's Complaint against EDWARDS;

1. was filed in the total absence of evidence to support any allegation of wrongdoing on the part of EDWARDS;
2. was filed in the total absence of evidence that EPSTEIN had sustained damage as a consequence of any misconduct other than his own well-established criminal enterprise;
3. was filed in the absence of any intention to meet his own obligation to provide relevant and material discovery;



4. was filed for the sole purpose of attempting to intimidate both EDWARDS and EDWARDS' clients and others into abandoning their legitimate claims against EPSTEIN.

#### APPLICABLE LAW

To plead a claim for punitive damages, the claimant must show a "reasonable basis" for the recovery of such damages. See Fla.R.Civ.P. 1.190(f); see also *Globe Newspaper Co. v. King*, 658 So.2d 518, 520 (Fla. 1995). The showing required to amend is minimal. As stated in *State of Wis. Inv. v. Plantation Square Assoc.*, 761 F. Supp. 1569, 1580 (S.D. Fla. 1991):

[T]he court believes it must ultimately be a lesser standard than that required for summary judgment. Though the burden is on [the plaintiff] to survive a §768.72 challenge of insufficiency, see *Will v. Systems Engineering Consultants*, 554 So.2d 591, 592 (Fla. 3<sup>rd</sup> DCA 1989), the standard of proof required to assert Plaintiff's punitive claim must be lower than that needed to survive a summary adjudication on its merits. As the Florida courts have noted, a §768.72 challenge more closely resembles a motion to dismiss that additionally requires an evidentiary proffer and places the burden of persuasion on the plaintiff. *Id.* In considering a motion to dismiss, factual adjudication is inappropriate as all facts asserted—or here, reasonably established—by the plaintiff are to be taken as true. *Conley v. Gibson*, 355 U.S. 41, at 45-46, 78 S. Ct. 99, at 101-102, 2 L.Ed. 2d 80, 1581 at 84. As such, the court has given recognition only to those assertions of the defendants which would show Plaintiff's factual bases to be patently false or irrelevant, and has paid no heed whatsoever to the defendants' alternative evidentiary proffers.

*State of Wis. Inv.*, 761 F. Supp. At 1580; see also *Dolphin Cove Assn. v. Square D. Co.*, 616 So. 2d 553 (Fla. 2d DCA 1993) ("Prejudging the evidence is not a proper vehicle for the court's denial of the motion to amend" to assert punitive damages claim).



Section 768.72 provides for the amendment of a complaint either through evidence in the record *or* “proffered by the claimant.” As the statute suggests, a proffer of evidence in support of a punitive damage claim is sufficient and a formal evidentiary hearing is not required. *See Strasser v. Yalmanchi*, 677 So.2d 22, 23 (Fla. 4th DCA 1996), *rev. dismissed*, 699 So.2d 1372 (Fla. 1997); *Solis v. Calvo*, 689 So.2d 366, 369, n.2 (Fla. 3d DCA 1997). In fact, a hearing is not even required provided the trial court identifies the filings of the parties and indicates that its decision to grant the motion is based upon a review of the file and the respective documents filed.

The United States District Court for the Middle District of Florida has spoken clearly on the nature of a proffer in support of a motion to amend to assert a claim for punitive damages in *Royal Marco Point I Condo. Ass’n, Inc. v. QBE Ins. Corp.*, 2010 WL 2609367 (M.D. Fla. June 30, 2010). As the Court stated:

It is important to emphasize, at the outset, the limited nature of the review a court may undertake in considering the sufficiency of an evidentiary proffer under Fla. Stat. §768.72. Courts reviewing such proffers have recognized that “a ‘proffer’ according to traditional notions of the term, connotes merely an ‘offer’ of evidence and neither the term standing alone nor the statute itself calls for an adjudication of the underlying veracity of that which is submitted, much less for countervailing evidentiary submissions.” *Estate of Despain v. Avante Group, Inc.*, 900 So.2d 637, 642 (Fla. 5th DCA 2005) (quoting *State of Wisconsin Investment Board v. Plantation Square Associates, Ltd.*, 761 F. Supp. 1569, 1581 n. 21 (S.D. Fla. 1991)).

Therefore, “an evidentiary hearing where witnesses testify and evidence is offered and scrutinized under the pertinent evidentiary rules, as in a trial, is neither contemplated nor mandated by the statute in order to determine whether a reasonable basis has been established to plead punitive damages.” *Id.* (collecting cases).

It is thus neither necessary nor appropriate for a court to make evidentiary rulings, weigh rebuttal evidence, or engage in credibility determinations in considering the sufficiency of the proffer.

“...a proffer should be evaluated by standards akin to those governing a motion to dismiss, where the truth of the plaintiff’s allegations are assumed, and not the more rigorous summary judgment standard, where the opposing party must show that there is sufficient admissible evidence in the record to support a reasonable jury finding in his favor.”

## I. INTRODUCTION

The pleadings and discovery taken to date as confirmed by Epstein’s voluntary dismissal of all claims brought by him against Bradley J. Edwards, show that there is an absence of competent evidence to demonstrate that Edwards participated in any fraud against Epstein, show the propriety of every aspect of Edwards’ involvement in the prosecution of legitimate claims against Epstein, and further support the conclusion that Epstein sued Edwards out of malice and for the purpose of intending to intimidate Edwards and Edwards’ clients into abandoning or compromising their legitimate claims against Epstein. Epstein sexually abused three clients of Edwards – L.M., E.W., and Jane Doe – and Edwards properly and successfully represented them in a civil action against Epstein. Nothing in Edwards’s capable and competent representation of his clients could serve as the basis for a civil lawsuit against him. Allegations about Edwards’s participation in or knowledge of the use of the civil actions against Epstein in a “Ponzi Scheme” were never supported by probable cause or any competent evidence and could never be supported by competent evidence as they are entirely false.

**A. Epstein's Complaint**

Epstein's Second Amended Complaint essentially alleged that Epstein was damaged by Edwards, acting in concert with Scott Rothstein (President of the Rothstein Rosenfeldt Adler law firm ("RRA") where Edwards worked for a short period of time). Epstein appeared to allege that Edwards joined Rothstein in the abusive prosecution of sexual assault cases against Epstein to "pump" the cases to Ponzi scheme investors. As described by Epstein, investor victims were told by Rothstein that three minor girls who were sexually assaulted by Epstein: L.M., E.W., and Jane Doe were to be paid up-front money to prevent those girls from settling their civil cases against Epstein. In Epstein's view, these child sexual assault cases had "minimal value" (Complaint ¶ 42(h)), and Edwards's refusal to force his clients to accept modest settlement offers was claimed to breach some duty that Edwards owed to Epstein. Interestingly, Epstein never states that he actually made any settlement offers.

The supposed "proof" of the Complaint's allegations against Edwards includes Edwards's alleged contacts with the media, his attempts to obtain discovery from high-profile persons with whom Epstein socialized, and use of "ridiculously inflammatory" language in arguments in court. Remarkably, Epstein has filed such allegations against Edwards despite the fact that Epstein had sexually abused each of Edwards's clients and others while they were minors. Indeed, in discovery Epstein has asserted his Fifth Amendment privilege rather than answer questions about the extent of the sexual abuse of his many victims. Even more remarkably, since filing his suit against Edwards, Epstein settled the three cases Edwards handled for an amount that Epstein insisted be kept confidential. Without violating the strict

confidentiality terms required by Epstein, the cases did not settle for the “minimal value” that Epstein suggested in his Complaint. Because Epstein relies upon the alleged discrepancy between the “minimal value” Epstein ascribed to the claims and the substantial value Edwards sought to recover for his clients, the settlement amounts Epstein voluntarily agreed to pay while these claims against Edwards were pending will be disclosed to the court in-camera.

### **B. Summary of the Argument**

The claims against Bradley J. Edwards, Esq., were frivolous for at least three separate reasons.

First, because Epstein elected to hide behind the shield of his right against self-incrimination to preclude his disclosing any relevant information about the criminal activity at the center of his claims, he was barred from prosecuting his case against Edwards. Under the well-established “sword and shield” doctrine, Epstein could not legitimately seek damages from Edwards while at the same time asserting a Fifth Amendment privilege to block relevant discovery. His case was therefore subject to summary judgment and on the eve of the hearing seeking that summary judgment Epstein effectively conceded that fact by voluntarily dismissing his claims.

Second, all of Edwards’ conduct in the prosecution of valid claims against Epstein was protected by the litigation privilege, a second absolute legal bar to Epstein’s claims effectively conceded by his voluntary dismissal.

Third, and most fundamentally, Epstein’s lawsuit was not only unsupported by both the applicable law, it was based on unsupported factual allegations directly contradicted by all of the

record evidence. From the beginning, Edwards diligently represented three victims of sexual assaults perpetrated by Epstein. As explained in detail below, each and every one of Edwards's litigation decisions was grounded in proper litigation judgment about the need to pursue effective discovery against Epstein, particularly in the face of Epstein's stonewalling tactics. Edwards's successful representation finally forced Epstein to settle and pay appropriate damages. Effective and proper representation of child victims who have been repeatedly sexually assaulted cannot form the basis of a separate, "satellite" lawsuit, and therefore Edwards is entitled to summary judgment on these grounds as well.

The truth is the record is entirely devoid of any evidence to support Epstein's claims and is completely and consistently corroborative of Edwards's sworn assertion of innocence. Put simply, Epstein made allegations that have no basis in fact. To the contrary, his lawsuit was merely a desperate measure by a serial pedophile to prevent being held accountable for repeatedly sexually abusing minor females. Epstein's ulterior motives in filing and prosecuting this lawsuit are blatantly obvious. Epstein's behavior is another clear demonstration that he feels he lives above the law and that because of his wealth he can manipulate the system and pay for lawyers to do his dirty work - even to the extent of having them assert baseless claims against other members of the Florida Bar. Every one of Epstein's Complaints against Edwards was nothing short of a far-fetched fictional fairy-tale with absolutely no evidence whatsoever to support his preposterous claims. It was his last ditch effort to escape the public disclosure by Edwards and his clients of the nature, extent, and sordid details of Epstein's life as a serial child molester.

ARGUMENT

**II. THE RECORD AND PROFFERED EVIDENCE ESTABLISHES THAT EDWARDS'S CONDUCT COULD NOT POSSIBLY FORM THE BASIS OF ANY LIABILITY IN FAVOR OF EPSTEIN**

**A. The Summary Judgment Standard.**

Rule 1.510(c), Florida Rules of Civil Procedure, provides that a court may enter summary judgment when the pleadings, depositions and factual showings reveal that there is no genuine issue of material fact and that the moving party is entitled to judgment as a matter of law. *See Snyder v. Cheezem Development Corp.*, 373 So. 2d 719, 720 (Fla. 2d DCA 1979); Rule 1.510(c), Fla. R. Civ. P. Once the moving party conclusively establishes that the nonmoving party cannot prevail, it is incumbent on the nonmoving party to submit evidence to rebut the motion for summary judgment. *See Holl v. Talcott*, 191 So. 2d 40, 43 (Fla. 1966). It is not enough for the opposing party merely to assert that an issue of fact does exist. *Fisel v. Wynns*, 667 So.2d 761, 764 (Fla.1996); *Landers v. Milton*, 370 So.2d 368, 370 (Fla.1979) (same).

Moreover, it is well-recognized that the non-moving party faced with a summary judgment motion supported by appropriate proof may not rely on bare, conclusory assertions found in the pleadings to create an issue and thus avoid summary judgment. Instead, the party must produce counter-evidence establishing a genuine issue of material fact. *See Bryant v. Shands Teaching Hospital and Clinics, Inc.*, 479 So.2d 165, 168 (Fla. 1st Dist. Ct. App. 1985); *see also Lanzner v. City of North Miami Beach*, 141 So.2d 626 (Fla. 3d Dist Ct. App. 1962) (recognizing that mere contrary allegations of complaint were not sufficient to preclude summary

judgment on basis of facts established without dispute). Where the nonmoving party fails to present evidence rebutting the motion for summary judgment and there is no genuine issue of material fact, then entry of judgment is proper as a matter of law. *See Davis v. Hathaway*, 408 So. 2d 688, 689 (Fla. 2d Dist. Ct. App. 1982); *see also Holl*, 191 So. 2d at 43. Faced with these well-established legal principles, Epstein voluntarily dismissed his claims against Edwards on the eve of the hearing on Edwards Motion for Summary Judgment.

**B. Epstein's Claim Regarding Edwards Had Absolutely No Factual Basis.**

This was not a complicated case for granting summary judgment. To the contrary, the uncontested record clearly established that each and every one of Epstein's claims against Edwards lacked any merit whatsoever.<sup>1</sup>

1. **Epstein's allegations regarding Edwards' involvement in Rothstein's "Ponzi Scheme" were unsupported and unsupportable because Edwards was simply not involved in any such scheme.**

**a. Edwards Had No Involvement in the Ponzi Scheme.**

The bulk of Epstein's claims against Edwards hinged on the premise that Edwards was involved in a Ponzi scheme run by Scott Rothstein. Broad allegations of wrongdoing on the part of Edwards were scattered willy-nilly throughout the complaint. None of the allegations provided any substance as to how Edwards actually assisted the Ponzi scheme, and allegations that he "knew or should have known" of its existence are based upon an impermissible pyramiding of inferences. In any event, these allegations all fail for one straightforward reason:

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<sup>1</sup> The dismissal of Epstein's claims against Edwards did not affect Epstein's claims against Scott Rothstein. Epstein had already chosen to dismiss all of his claims against L.M., the only other defendant named in the suit.

Edwards was simply not involved in any Ponzi scheme. He has provided sworn testimony and an affidavit in support of that assertion (attached), and there is not (and could never be) any contrary evidence.

Edwards was deposed at length in this case. As his deposition makes crystal clear, he had no knowledge of any fraudulent activity in which Scott Rothstein may have been involved. *See, e.g.,* Edwards Depo. at 301-02 (Q: “. . . [W]ere you aware that Scott Rothstein was trying to market Epstein cases . . . ?” A: “No.”).

Edwards supplemented his deposition answers with an Affidavit that declares in no uncertain terms his lack of involvement in any fraud perpetrated by Rothstein. *See, e.g.,*

Edwards Affidavit attached to Statement of Undisputed Material Facts as Exhibit “N” at ¶¶8-10, ¶¶20, ¶¶22-23. Rothstein has also given sworn testimony (attached) in which he has clearly and unequivocally sworn that Edwards had absolutely no knowledge of or participation in the Ponzi scheme. Indeed, no reasonable juror could find that Edwards was involved in the scheme, as Edwards joined RRA well after Rothstein began his fraud and would have been already deeply in debt. In fact, the evidence of Epstein’s crimes is now clear, and Edwards’s actions in this case were entirely in keeping with his obligation to provide the highest possible quality of legal representation for his clients to obtain the best result possible.

In view of this clear evidence rebutting all allegations against Edwards, Epstein was obliged to “produce counter-evidence establishing a genuine issue of material fact.” *See Bryant v. Shands Teaching Hospital and Clinics, Inc.*, 479 So.2d 165, 168 (Fla. 1st Dist. Ct. App. 1985) in order to avoid summary judgment. Epstein could not and did not even attempt to do this.



Indeed, when asked at his deposition whether he had any evidence of Edwards's involvement, Epstein declined to answer, purportedly on attorney-client privilege grounds:

Q. I want to know whether you have any knowledge of evidence that Bradley Edwards personally ever participated in devising a plan through which were sold purported confidential assignments of a structured payout settlement? . . .

A. I'd like to answer that question by saying that the newspapers have reported that his firm was engaged in fraudulent structured settlements in order to fleece unsuspecting Florida investors. With respect to my personal knowledge, I'm unfortunately going to, today, but I look forward to at some point being able to disclose it, today I'm going to have to assert the attorney/client privilege.

See Deposition of Jeffrey Epstein, Mar. 17, 2010 (hereinafter "Epstein Depo.") at 67-68.

Therefore summary judgment would clearly have been granted for Edwards on all claims involving any Ponzi scheme by Rothstein had the issue not been mooted by Epstein's dismissal of his claims.

**b. Epstein's Allegations of Negligence by Edwards Were Unfounded and Not Actionable in Any Event.**

In his Second Amended Complaint Epstein recognized at least the possibility that Edwards was not involved in any Rothstein Ponzi scheme. Therefore, seemingly as a fallback, Epstein alleged without explanation that Edwards "should have known" about the existence of this concealed Ponzi scheme. Among other problems, this fallback negligence position suffers the fatal flaw that it does not link at all to the intentional tort of abuse of process alleged in the complaint.

Epstein's negligence claim was also deficient because it simply fails to satisfy the requirements for a negligence cause of action:

“Four elements are necessary to sustain a negligence claim: 1. A duty, or obligation, recognized by the law, requiring the [defendant] to conform to a certain standard of conduct, for the protection of others against unreasonable risks. 2. A failure on the [defendant’s] part to conform to the standard required: a breach of the duty . . . . 3. A reasonably close causal connection between the conduct and the resulting injury. This is what is commonly known as ‘legal cause,’ or ‘proximate cause,’ and which includes the notion of cause in fact. 4. Actual loss or damage.

*Curd v. Mosaic Fertilizer, LLC*, \_\_\_ So.2d \_\_\_, 2010 WL 2400384 at \*9 (Fla. 2010). Epstein did not allege a particular duty on the part of Edwards that has been breached. Nor could Epstein explain how any breach of the duty might have proximately caused him actual damages. Summary judgment was therefore appropriate for these reasons as well.

Finally, for the sake of completeness, it is worth noting briefly that no reasonable jury could find Edwards to have been negligent in failing to anticipate that a managing partner at his law firm would be involved in an unprecedented Ponzi scheme. Scott Rothstein deceived not only Edwards but also more than 60 other reputable lawyers at a major law firm including multiple respected former judges. *Cf. Sun Sentinel, Fort Lauderdale*, Dec. 11, 2009, 2009 WLNR 25074193 at \*1 (“Sure, some outlandish John Grisham murder plot[s] sound far-fetched. But if you asked me a few months ago if Scott Rothstein was fabricating federal court orders and forging a judge’s signature on documents to allegedly fleece his friends, as federal prosecutors allege, I would have said that was far-fetched, too.”). No reasonable lawyer could have expected that a fellow member of the bar would have been involved in such a plot. Nobody seemed to know of Rothstein’s Ponzi scheme, not even his best friends, or the people he did business with on a daily basis, or even his wife. Many of the attorneys at RRA had been there for years and

knew nothing. Edwards was a lawyer at RRA for less than 8 months and had very few personal encounters with Rothstein during his time at the firm, yet Epstein claims that he should have known of Rothstein's intricate Ponzi scheme. No doubt for this reason the U.S. Attorney's Office has now listed Edwards as a "victim" of Rothstein's crimes. *See* Statement of Undisputed Facts filed contemporaneously.

Epstein's Complaint does not offer any specific reason why a jury would conclude that Edwards was negligent, and he chose not to offer any explanation of his claim at his deposition.

Accordingly, Edwards was entitled to summary judgment to the extent the claim against him was somehow dependent upon his negligence in failing to discover Rothstein's Ponzi scheme.

**2. Edwards Was Entitled to Summary Judgment to the Extent the Claim Against Him Was Dependent on Allegations Regarding "Pumping the Cases" Because He Was Properly Pursuing the Interests of His Three Clients Who Had Been Sexually Abused by Epstein.**

Epstein alleges that Edwards somehow improperly enhanced the value of the three civil cases he had filed against Epstein. Edwards represented three young women – L.M., E.W., and Jane Doe – by filing civil suits against Epstein for his sexual abuse of them while they were minors. Epstein purported to find a cause of action for this by alleging that Edwards somehow was involved in "pumping" these three cases to investors."

As just explained, to the extent that Epstein is alleging that Edwards somehow did something related to the Ponzi scheme, those allegations fail for the simple reason that Edwards was not involved in and was entirely ignorant of the existence of any such scheme. Edwards, for

example, could not have possibly “pumped” the cases to investors when he never knew there were any investors and he never participated in any communication with investors.

Epstein’s “pumping” claims, however, fail for an even more basic reason: Edwards was entitled – indeed ethically obligated as an attorney – to secure the maximum recovery for his clients during the course of his legal representation. As is well known, “[a]s an advocate, a lawyer zealously asserts the client’s position under the rules of the adversary system.” Fla. Rules of Prof. Conduct, Preamble. Edwards therefore was required to pursue (unless otherwise instructed by his clients) a maximum recovery against Epstein. Edwards, therefore, cannot be liable for doing something that his ethical duties as an attorney required.<sup>2</sup>

Another reason that Epstein’s claims that Edwards was “pumping” cases for investors fails is that Edwards filed all three cases almost a year before he was hired by RRA or even knew of Scott Rothstein. Epstein makes allegations that the complaints contained sensational allegations for the purposes of luring investors; however, language in the complaints remained virtually unchanged from the first filing in 2008 and from the overwhelming evidence the Court can see for itself that all of the facts alleged by Edwards in the complaints were true.

Epstein ultimately paid to settle all three of the cases Edwards filed against him for more money than he paid to settle any of the other claims against him. At Epstein’s request, the terms of the settlement were kept confidential. The sum that he paid to settle all these cases is therefore not filed with this pleading and will be provided to the court for in-camera review.

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<sup>2</sup> In a further effort to harass Edwards, Epstein also filed a bar complaint with the Florida Bar against Edwards. The Florida Bar has dismissed that complaint. See Statement of Undisputed Facts.

Epstein chose to make this payment as the result of a federal court ordered mediation process, which he himself sought (over the objection of Jane Doe, Edwards' client in federal court) in an effort to resolve the case. See Defendant's Motion for Settlement Conference, or in the Alternative, Motion to Direct Parties back to Mediation, *Doe v. Epstein*, No. 9:08-CV-80893 (S.D. Fla. June 28, 2010) (Marra, J.) (doc. #168) attached hereto as Exhibit "A". Notably, Epstein sought this settlement conference – and ultimately made his payments as a result of that conference - in July 2010, more than seven months after he filed this lawsuit against Edwards.

Accordingly, Epstein could not have been the victim of any scheme to "pump" the cases against him, because he never paid to settle the cases until well after the Ponzi scheme had been fully disclosed, and well after Edwards had left RRA and had severed all connection with Scott Rothstein (December 2009).

In addition, if Epstein had thought that there was some improper coercion involved in, for example, Jane Doe's case, his remedy was to raise the matter before Federal District Court Judge Kenneth A. Marra who was presiding over the matter. Far from raising any such claim, Epstein simply chose to settle that case. He was therefore barred by the doctrine of res judicata from somehow re-litigating what happened in (for example) the Jane Doe case. "The doctrine of res judicata makes a judgment on the merits conclusive 'not only as to every matter which was offered and received to sustain or defeat the claim, but as to every other matter which might with propriety have been litigated and determined in that action.'" *AMEC Civil, LLC v. State Dept. of Transp.*, \_\_\_ So.2d \_\_\_, 2010 WL 1542634 at \*2 (Fla. 1<sup>st</sup> Dist. Ct. App. 2010) (quoting *Kimbrell v. Paige*, 448 So.2d 1009, 1012 (Fla. 1984)). Obviously, any question of improper "pumping" of a

particular case could have been resolved *in that very case* rather than now re-litigated in satellite litigation.

**3. Edwards is Entitled to Summary Judgment on the Claim of Abuse of Process Because He Acted Properly Within the Boundaries of the Law in Pursuit of the Legitimate Interests of his Clients.**

Epstein's Second Amended Complaint raised several claims of "abuse of process." An abuse of process claim requires proof of three elements: "(1) that the defendant made an illegal, improper, or perverted use of process; (2) that the defendant had ulterior motives or purposes in exercising such illegal, improper, or perverted use of process; and (3) that, as a result of such action on the part of the defendant, the plaintiff suffered damage." *S & I Investments v. Payless Flea Market, Inc.*, 36 So.3d 909, 917 (Fla. 4<sup>th</sup> Dist. Ct. App. 2010) (internal citation omitted). In fact, this Court is very familiar with this cause of action, as Edwards has correctly stated this cause in his counterclaim against Epstein. Epstein could not prove these elements, a fact effectively conceded by his dismissal of the abuse of process claim on the eve of the Summary Judgment hearing challenging the propriety of that claim.

The first element of an abuse of process claim is that a defendant made "an illegal, improper, or perverted use of process." On the surface, Epstein's Complaint appeared to contain several allegations of such improper process. On examination, however, each of these allegations amounted to nothing other than a claim that Epstein was unhappy with some discovery proceeding, motion or argument made by Edwards. This is not the stuff of an abuse of process claim, particularly where Epstein fails to allege that he was required to do something as the result of Edwards' pursuit of the claims against him. *See Marty v. Gresh*, 501 So.2d 87, 90

(Fla. 1<sup>st</sup> Dist. Ct. App. 1987) (affirming summary judgment on an abuse of process claim where “appellant’s lawsuit caused appellee to do nothing against her will”).

In any event, none of the allegations of “improper” process can survive summary judgment scrutiny, because every action Edwards took was entirely proper and reasonably calculated to lead to the successful prosecution of the pending claims against Epstein as detailed in Edwards’ Affidavit.

Epstein also fails to meet the second element of an abuse of process claim: that Edwards had some sort of ulterior motive. The case law is clear that on an abuse of process claim a “plaintiff must prove that the process was used for an immediate purpose other than that for which it was designed.” *S&I Investments v. Payless Flea Market, Inc.*, 36 So.3d 909, 917 (Fla. 4<sup>th</sup> Dist. Ct. App. 2010) (citing *Biondo v. Powers*, 805 So.2d 67, 69 (Fla. 4<sup>th</sup> Dist. Ct. App. 2002)). As a consequence, “[w]here the process was used to accomplish the result for which it was intended, regardless of an incidental or concurrent motive of spite or ulterior purpose, there is no abuse of process.” *Id.* (internal quotation omitted). Here, Edwards has fully denied any improper motive. See Statement of Undisputed Facts, and Epstein has no evidence of any such motivation. Indeed, it is revealing that Epstein chose not to ask even a single question about this subject during the deposition of Edwards. In addition, all of the actions that Epstein complains about were in fact used for the immediate purpose of furthering the lawsuits filed on behalf of L.M., E.W., and Jane Doe. In other words, these actions all were both intended to accomplish and, in fact, successfully “accomplished the results for which they were intended” -- whether it was securing additional discovery or presenting a legal issue to the court handling the case or

ultimately maximizing the recovery of damages from Epstein on behalf of his victims. Accordingly, Edwards was entitled to summary judgment on any claim that he abused process for this reason as well—an argument which again was effectively conceded by Epstein’s voluntary dismissal.

**4. Edwards Was Entitled to Summary Judgment to the Extent Epstein’s Claim Was Based On Pursuit of Discovery Concerning Epstein’s Friends Because All Such Efforts Were Reasonably Calculated to Lead to Relevant and Admissible Testimony About Epstein’s Abuse of Minor Girls.**

Epstein alleged that Edwards improperly pursued discovery from some of Epstein’s close friends. Such discovery, Epstein claims, was improper because Edwards knew that these individuals lacked any discoverable information about the sexual assault cases against Epstein.

Here again, Edwards was entitled to summary judgment, as each of the friends of Epstein were reasonably believed to possess discoverable information. The undisputed facts show the following with regard to each of the persons raised in Epstein’s complaint:

- With regard to Donald Trump, Edwards had sound legal basis for believing Mr. Trump had relevant and discoverable information. *See Statement of Undisputed Facts.*
- With regard to Alan Dershowitz (Harvard Law Professor), Edwards had sound legal basis for believing Mr. Dershowitz had relevant and discoverable information. *See Statement of Undisputed Facts.*
- With regard to former President Bill Clinton, Edwards had sound legal basis for believing former President Clinton had relevant and discoverable information. *See Statement of Undisputed Facts.*
- With regard to former Sony Record executive Tommy Mottola, Edwards was not the attorney that noticed Mr. Mottola’s deposition. *See Statement of Undisputed Facts.*



- With regard to illusionist David Copperfield, Edwards had sound legal basis for believing Mr. Copperfield had relevant and discoverable information. *See* Statement of Undisputed Facts.
- With regard to former New Mexico Governor Bill Richardson, Edwards had sound legal basis for naming Former New Mexico Governor Bill Richardson on his witness list. *See* Statement of Undisputed Facts.

It is worth noting that the standard for discovery is a very liberal one. To notice someone for a deposition, of course, it is not required that the person deposed actually end up producing admissible evidence. Otherwise, every deposition that turned out to be a false alarm would lead to an “abuse of process” claim. Moreover, the rules of discovery themselves provide that a deposition need only be “reasonably calculated to lead to the discovery of admissible evidence.” Fla. R. Civ. P. 1.280(b) (emphasis added).

Moreover, the discovery that Edwards pursued has to be considered against the backdrop of Epstein’s obstructionist tactics. As the Court is aware, in both this case and all other cases filed against him, Epstein asserted his Fifth Amendment privilege rather than answer any substantive questions. Epstein also helped secure attorneys for his other household staff who assisted in the process of recruiting Epstein’s minor victims. Those staff members in turn also asserted their Fifth Amendment rights rather than explain what happened behind closed doors in Epstein’s mansion in West Palm Beach. *See* Statement of Undisputed Facts. It is against this backdrop that Edwards followed up on one of the only remaining lines of inquiry open to him: discovery aimed at Epstein’s friends who might have been in a position to corroborate the fact that Epstein was sexually abusing young girls.

In the context of the sexual assault cases that Edwards filed against Epstein, any act of sexual abuse had undeniable relevance to the case – even acts of abuse Epstein committed against minor girls other than L.M., E.W., or Jane Doe. Both federal and state evidence rules make acts of child abuse against other victims admissible in the plaintiff's case in chief as proof of "modus operandi" or "motive" or "common scheme or plan." *See* Fed. R. Evid. 415 (evidence of other acts of sexual abuse automatically admissible in a civil case); Fla. Stat. Ann. 90.404(b) (evidence of common scheme admissible); *Williams v. State*, 110 So.2d 654 (Fla. 1959) (other acts of potential sexual misconduct admissible).

A second reason existed to support the propriety of discovery of Epstein's acts of abuse of other minor victims. Juries considering punitive damages issues are plainly entitled to consider "the existence and frequency of similar past conduct." *TXO Production Corp. v. Alliance Resources Corp.*, 509 U.S. 443, 462 n.28 (1993). This is because the Supreme Court recognizes "that a recidivist may be punished more severely than a first offender . . . [because] repeated misconduct is more reprehensible than an individual instance of malfeasance." *BMW of North America, Inc. v. Gore*, 517 U.S. 559, 577 (1996) (supporting citations omitted). In addition, juries can consider other similar acts evidence as part of the deterrence calculation in awarding punitive damages, because "evidence that a defendant has repeatedly engaged in prohibited conduct while knowing . . . that it was unlawful would provide relevant support for an argument that strong medicine is required to cure the defendant's disrespect for the law." *Id.* at 576-77. In the cases Edwards filed against Epstein, his clients were entitled to attempt to prove that Epstein "repeatedly engaged in prohibited conduct" – i.e., because he was a predatory

pedophile, he sexually assaulted dozens and dozens of minor girls. The discovery of Epstein's friends who might have had direct or circumstantial evidence of other acts of sexual assault was accordingly entirely proper. Edwards was therefore entitled summary judgment to the extent Epstein's claim was based on efforts by Edwards to obtain discovery of Epstein's friends. This contention also went unchallenged when Epstein dismissed his claims against Edwards.

### **III. EPSTEIN'S LAWSUIT MUST BE DISMISSED BECAUSE OF HIS REFUSAL TO PARTICIPATE IN REASONABLE DISCOVERY.**

As is readily apparent from the facts of this case, Epstein filed a lawsuit but then refused to allow any real discovery about the merits of his case. Instead, when asked direct questions about whether he had any legitimate claim at all, Epstein hid behind the Fifth Amendment. As a result, under the "sword and shield doctrine" widely recognized in Florida case law, his suit could not have been legitimately prosecuted.

"[T]he law is well settled that a plaintiff is not entitled to both his silence and his lawsuit." *Boys & Girls Clubs of Marion County, Inc. v. J.A.*, 22 So.3d 855, 856 (Fla. 5th Dist. Ct. App. 2009) (Griffin, J., concurring specially). Thus, "a person may not seek affirmative relief in a civil action and then invoke the Fifth Amendment to avoid giving discovery, using the fifth amendment as both a 'sword and a shield.'" *DePalma v. DePalma*, 538 So.2d 1290, 1290 (Fla. 4<sup>th</sup> Dist. Ct. App. 1989) (*quoting DeLisi v. Bankers Insurance Co.*, 436 So.2d 1099 (Fla. 4<sup>th</sup> Dist. Ct. App. 1983)). Put another way, "[a] civil litigant's fifth amendment right to avoid self-incrimination may be used as a shield but not a sword. This means that a plaintiff seeking affirmative relief in a civil action may not invoke the Fifth Amendment and refuse to comply

with the defendant's discovery requests, thereby thwarting the defendant's defenses." *Rollins Burdick Hunter of New York, Inc. v. Euroclassic Limited, Inc.*, 502 So. 2d 959 (Fla. 3<sup>rd</sup> Dist. Court App. 1983).

Here, Epstein's suit against Edwards purported to do precisely what the "well settled" law forbids. Specifically, he ostensibly sought to obtain "affirmative relief" – i.e., forcing Edwards to pay money damages – while simultaneously precluding Edwards from obtaining legitimate discovery at the heart of the allegations that formed the basis for the relief Epstein claimed to be seeking. As recounted more fully in the statement of undisputed facts, Epstein refused to answer such basic questions about his lawsuit as:

- "Specifically what are the allegations against you which you contend Mr. Edwards ginned up?"
- "Well, which of Mr. Edwards' cases do you contend were fabricated?"
- "Is there anything in L.M.'s Complaint that was filed against you in September of 2008 which you contend to be false?"
- "I would like to know whether you ever had any physical contact with the person referred to as Jane Doe in that [federal] complaint?"
- "Did you ever have any physical contact with E.W.?"
- "What is the actual value that you contend the claim of E.W. against you has?"

The matters addressed in these questions were the central focus of Epstein's claims against Edwards. Epstein's refusal to answer these and literally every other substantive question put to him in discovery deprived Edwards of even a basic understanding of the evidence alleged to support claims against him. Moreover, by not offering any explanation of his allegations,

Epstein deprived Edwards of any opportunity to conduct third party discovery and opportunity to challenge Epstein's allegations.

It is the clear law that "the chief purpose of our discovery rules is to assist the truth-finding function of our justice system and to avoid trial by surprise or ambush," *Scipio v. State*, 928 So.2d 1138 (Fla.2006), and "full and fair discovery is essential to these important goals," *McFadden v. State*, 15 So.3d 755, 757 (Fla. 4<sup>th</sup> Dist. Ct. App. 2009). Accordingly, it is important for the Court to insure "not only compliance with the technical provisions of the discovery rules, but also adherence to the purpose and spirit of those rules in both the criminal and civil context." *McFadden*, 15 So.3d at 757. Epstein repeatedly blocked "full and fair discovery," and clearly never intended to provide the discovery that would have been essential to any intended legitimate, good faith prosecution of his claims.

#### **IV. EDWARDS IS ENTITLED TO ADVERSE INFERENCES FROM EPSTEIN'S INVOCATION OF THE FIFTH AMENDMENT**

Epstein's repeated invocations of the Fifth Amendment raise adverse inferences against him that leave no possibility that a reasonable fact finder could ever have reached a verdict in his favor. In ruling on a summary judgment motion, the court was obliged to fulfill a "gatekeeping function" and ask whether "a *reasonable* trier of fact could possibly" reach a verdict in favor of the plaintiff. *Willingham v. City of Orlando*, 929 So.2d 43, 48 (Fla. 5<sup>th</sup> Dist. Ct. App. 2006) (emphasis added). Given all of the inferences that are to be drawn against Epstein, no reasonable finder of fact could conclude that Epstein was somehow the victim of improper civil lawsuits

filed against him. Instead, a reasonable finder of fact could only find that Epstein was a serial molester of children who was being held accountable through legitimate suits brought by Edwards and others on behalf of the minor girls that Epstein victimized.

“[I]t is well-settled that the Fifth Amendment does not forbid adverse inferences against parties to civil actions when they refuse to testify in response to probative evidence offered against them.” *Baxter v. Palmigiano*, 425 U.S. 308, 318 (1976); accord *Vasquez v. State*, 777 So.2d 1200, 1203 (Fla. App. 2001). The reason for this rule “is both logical and utilitarian. A party may not trample upon the rights of others and then escape the consequences by invoking a constitutional privilege – at least not in a civil setting.” *Fraser v. Security and Inv. Corp.*, 615 So.2d 841, 842 (Fla. 4<sup>th</sup> Dist. Ct. App. 1993). And, in the proper circumstances, “Silence is often evidence of the most persuasive character.” *Fraser v. Security and Inv. Corp.*, 615 So.2d 841, 842 (Fla. 4<sup>th</sup> Dist. Ct. App. 1993) (quoting *United States ex rel. Bilokumsky v. Tod*, 263 U.S. 149, 153-154 (1923) (Brandeis, J.)).

In the circumstances of this case, a reasonable finder of fact would have “evidence of the most persuasive character” from Epstein’s repeated refusal to answer questions propounded to him. To provide but a few examples, here are questions that Epstein refused to answer and the reasonable inference that a reasonable finder of fact would draw:

- Question not answered: “Specifically what are the allegations against you which you contend Mr. Edwards ginned up?” Reasonable inference: No allegations against Epstein were ginned up.
- Question not answered: “Well, which of Mr. Edwards’ cases do you contend were fabricated?” Reasonable inference: No cases filed by Edwards against Epstein were fabricated.

- Question not answered: “Did sexual assaults ever take place on a private airplane on which you were a passenger?” Reasonable inference: Epstein was on a private airplane while sexual assaults were taking place.
- Question not answered: “How many minors have you procured for prostitution?” Reasonable inference: Epstein has procured multiple minors for prostitution.
- Question not answered: “Is there anything in L.M.’s Complaint that was filed against you in September of 2008 which you contend to be false?” Reasonable inference: Nothing in L.M.’s complaint filed in September of 2008 was false – i.e., as alleged in L.M.’s complaint, Epstein repeatedly sexually assaulted her while she was a minor and she was entitled to substantial compensatory and punitive damages as a result.
- Question not answered: “I would like to know whether you ever had any physical contact with the person referred to as Jane Doe in that [federal] complaint?” Reasonable inference: Epstein had physical contact with minor Jane Doe as alleged in her federal complaint.
- Question not answered: “Did you ever have any physical contact with E.W.?” Reasonable inference: Epstein had physical contact with minor E.W. as alleged in her complaint.
- Question not answered: “What is the actual value that you contend the claim of E.W. against you has?” Reasonable inference: E.W.’s claim against Epstein had substantial actual value.

Without repeating each and every invocation of the Fifth Amendment that Epstein has made and the reasonable inferences to be drawn from those invocations of privilege, the big picture is unmistakably clear: No reasonable finder of fact could rule in Epstein’s favor on his claims against Edwards. Accordingly, Edwards was entitled to summary judgment based on the Fifth Amendment inferences that the jury would draw because Epstein has effectively conceded through invocation of the Fifth Amendment and by his later voluntary dismissal that all allegations against him were both reasonably based and true.

The inferences against Epstein are not limited to those arising from his privilege assertions. Epstein's guilt is also reasonably inferred from his harassment of, intimidation of, efforts to exercise control over, and limitation of access to witnesses who might testify against him.

Epstein's efforts to intimidate his victims support the inference that Epstein knew that they were going to provide compelling testimony against him. The evidence that Epstein tampered with witnesses (later designated as his accomplices and co-conspirators) will be admissible to demonstrate his consciousness of guilt. "[I]t is precisely because of the egregious nature of such conduct that the law expressly permits the jury to make adverse inferences from a party's efforts to intimidate witnesses . . . ." *Jost v. Ahmad*, 730 So.2d 708, 711 (Fla. 2<sup>nd</sup> Dist. Ct. App. 1998) (internal quotation omitted). To be clear, Epstein's attempt to tamper with witnesses is "not simply admissible as impeachment evidence of the tampering party's credibility. The opposing party is entitled to introduce facts regarding efforts to intimidate a witness as *substantive evidence*." *Id.* at 711 (emphasis in original) (internal citation omitted). This substantive evidence of Epstein's witness intimidation provides yet another reason why no reasonable jury could find in favor of his claims against Edwards.

**V. EDWARDS WAS ENTITLED TO SUMMARY JUDGMENT ON THE BASIS OF HIS AFFIRMATIVE DEFENSE OF PRIVILEGE**

Absolute immunity must be afforded any act occurring during course of judicial proceeding, regardless of whether act involves defamatory statement or other tortious behavior, such as tortious interference with business relationship, so long as act has some relationship to



proceeding. *See Levin, Middlebrooks, Mabie, Thomas, Mayes & Mitchell, P.A. v. U.S. Fire Ins. Co.*, 639 So. 2d 606 (Fla. 1994). The immunity afforded to statements made during the course of a judicial proceeding extends not only to the parties in a proceeding but to judges, witnesses, and counsel as well. *Id.* The litigation privilege applies in all causes of action, whether for common-law torts or statutory violations. *See Echevarria, McCalla, Raymer, Barrett & Frappier v. Cole*, 950 So. 2d 380 (Fla. 2007). Defamatory statements made by lawyer while interviewing a witness in preparation for and connected to pending litigation are covered by the absolute immunity conferred by the litigation privilege. *See DelMonico v. Traynor*, 50 So. 3d 4 (Fla. Dist. Ct. App. 4th Dist. 2010), review granted, 47 So. 3d 1287 (Fla. 2010). The privilege extends to statements in judicial proceedings or those “necessarily preliminary thereto. *See Stewart v. Sun Sentinel Co.*, 695 So.2d 360 (Fla. 4th DCA 1997)(an attorney's delivery of a copy of a notice of claim to a reporter, which notice was a required filing prior to instituting suit, was protected by absolute immunity).

### CONCLUSION

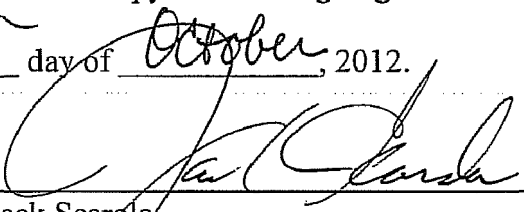
The evidence and law described herein provide not only a reasonable basis, but a compelling and un rebutted foundation supporting the conclusion that Epstein never had legitimate grounds to sue Bradley Edwards. Every one of his now dismissed claims was factually baseless and legally barred.

The lack of foundation and legal impediments were so clearly obvious from the time the claims against Edwards were initiated that there could never have been a good faith belief in their propriety.

Equally obvious from the surrounding circumstances is the improper motive behind the litigation. If Edwards and his client, L.M. could be intimidated by the need to defend themselves against the litigation assault of a billionaire opponent, Epstein stood the chance of avoiding or at least limiting his extremely embarrassing and enormously costly civil liability and protecting himself from further criminal prosecution threatened by Edwards' prosecution of an action in Federal Court under the Crime Victims' Rights Act. This calculated effort at extortion is clearly supportive of punitive damage exposure.

Bradley Edwards' Motion to Amend to Assert a Claim for Punitive Damages should be granted.

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 19<sup>th</sup> day of October, 2012.

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

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

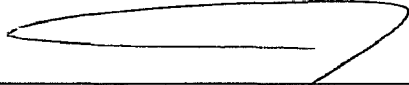
SCOTT ROTHSTEIN, individually,  
BRADLEY J. EDWARDS, individually,  
and L.M., individually,

Defendants.

NOTICE OF FILING

COMES NOW the Defendant/CounterClaimant, BRADLEY EDWARDS, by and through his undersigned counsel, and hereby files the attached transcript of the telephone interview of Virginia Roberts to supplement the proffer made in support of Counter-Claimant's Motion for Leave to Amend to Assert Punitive Damages.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all Counsel on the attached list on this 17<sup>th</sup> day of May 2011.

  
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Edwards adv. Epstein  
Case No.: 502009CA040800XXXXMBAG  
Notice of Filing Supplement

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**PRIVILEGED PURSUANT TO FS 766.205(4) and/or WORK PRODUCT**

**TELECON**

**PARTICIPANTS: JACK SCAROLA  
BRAD EDWARDS  
VIRGINIA ROBERTS**

**RE: Edwards adv. Epstein  
291874**

**DATE: April 07, 2011**

---

JS: Virginia, Jack Scarola and Brad Edwards

BE: Hi Virginia.

V: Hi Jack! Hi Brad! How you guys doing?

JS: We're doing fine, thank you. I'm sorry for all of the trouble and before we go any further, let me tell you, if I have your permission, I have started a tape recorder and I want to be able to tape this conversation from the very beginning. Is that alright with you?

V: Sure, that's fine, Jack. No problem

JS: Ok, good, thank you. I appreciate that. Let me start off by introducing myself. I know that Brad has spoken to you about me but I am Brad's lawyer, and I assume that you can confirm that you and I have never had any communication before. Is that right?

V: That's correct.

JS: Alright. I have, however, gotten some information from Brad about conversations that you have had with him, and that will enable me, hopefully, to make this a little bit more efficient and take up a minimum amount of your time while still getting the information that we think is going to be helpful to us and to any jury that might ultimately have to hear these facts.

So, let me begin by asking you first to tell us what your full name is.

V: Virginia Louise Roberts. That's my maiden name. My married name is Virginia Louise [REDACTED].\*



JS: Could you spell your last name for us? That is your married last name:

V: [REDACTED].\*

JS: Alright, thank you, and where are you living right now?

V: I live in Australia.

JS: And how long have you resided in Australia.

V: This is my 19<sup>th</sup> year.

JS: That is where you are right now, correct? We've reached you in Australia for this phone conversation?

V: That is correct, yes.

JS: And what time is it in Australia right now?

V: I think it's about 9:00 now.

JS: Ok. That's 9am, correct?

V: That's correct.

JS: Alright. Virginia, the reason for this conversation is because it is our understanding that you know a man by the name Jeffrey Epstein, and I want to begin by asking you please to tell us about the circumstances of your first meeting Mr. Epstein.

V: Ok. I was introduced to Mr. Epstein by Ghislaine Maxwell. I was working at Donald Trump's spa in Mar-a-Lago and I was prompted by Ghislaine to come to Jeffrey's mansion in Palm Beach that afternoon after work to make some extra money and to learn about massage. She met me at the spa, and I was reading a book about anatomy, so I was already interested in massage therapy as it was and not having any of the education or you know anything behind me, I thought this was a great opportunity to work for her and go. So, I went to Jeffrey's mansion about 5 or 6 in the afternoon. My dad drove me there. My dad worked at Mar-a-Lago with me, and he met Ghislaine and she seemed like a nice, proper English lady, and she knows, I mean, you know, one time then \_once before I left to travel overseas, she just seemed really nice and like she would like to help me out. So my dad left, and I had no problem getting home that night, one of her drivers would take me back after my trial. So she led me upstairs, and into Jeffrey's bedroom, and past that is Jeffrey's massage room, which has got his steam room and a shower and a massage table, and there is actually an extra room that has, that nobody knows about it, it's kinda like a secret room and it's got a whole bunch of decorative pictures of pornographic literature and sex toys and I can \_\_\_? \_\_\_ what happened in there.

JS: When you say that the room was hidden, Virginia, how was the room concealed?

V: It wasn't like a door that you would normally go into, like some kind of special opening, you open that and then a little door, so it looks like it's a little closet so-to-speak, but when you walk in there, it's obviously a lot bigger than just a closet. It wasn't too big, but it was bigger, you know. It wasn't a gigantic room, it was just like a small room, which you know, it probably could fit some shoes in there, \_it had racks of shoes, boxes, some sweatshirts neatly folded, and the ceiling to the floor was covered in pornographic pictures of the girls that he had met.

JS: When you say...

V: So anyways, that was getting there, and I was introduced to Jeffrey, he was laying naked on top of the massage table, and obviously for one, I'm a 15 year old girl and seeing him on the table was weird but, also learning about anatomy and massage, I thought this would be part of it. So obviously, I thought it was part of the massage program, so I said ok, this is fine. And, he then instructed me on how to touch the body, Jeffrey's body, how to massage him, and for the first hour, it was actually a real massage, maybe not an hour, maybe like 40 minutes or something, but of something like that \_and that's when he turned over on the other side and to expose himself fully. So then Ghislaine told me that she wanted me to undress and began to take off my shirt and skirt, my white uniform from Mar-A-Lago, she also took off her shirt and got undressed, and so I was there with just my undies on, and she was completely bare, and made some kind of little flake about the underwear that I was wearing because it wasn't my normal sexy girl underwear and just like, I don't know, had red hearts on it or something like that; just your normal, you know, real cute underwear. Anyways, so during all of this I'm kind of like what's going on, how do I act, what do I say, I was so afraid of, not afraid or fearful for my life but \_unsure of how all this started and wanting to obtain a profession\_ I was so afraid thinking about upsetting and disappointing them, I don't know, it's a weird situation by far and I was expected to \_Lick his nipples, instructed on how to do so by J.E\_ and give him oral sex while he wanted to fondle me, and then at the end, I was told by Ghislaine to get on top and straddle Jeffrey sexually, and when we were done, we went and had a shower in the room and Jeffrey told me to wash him up and down, you know with a bar of soap and make sure he was all cleaned up. And then he took me downstairs and took me to two of the guards and told John to bring me home. John was the butler at the time.

JS: Let me interrupt you for just a moment there if I could, Virginia. You mentioned as you were recounting those details that you were 15 years old at the time. What is your date of birth?

V: August 9<sup>th</sup>, 1983

JS: And can you tell us please, as best you're able to estimate it, what the date was when this first encounter occurred?

- V: I've got it written down. It's like - I'm not good with math - hold on - I thought I wrote it down but I didn't. I'm not too sure, I think it was 1998 off the top of my head and around June of 1998, I would say as I was turning 16 at the end of the summer.
- JS: Alright. You talked about the room where Jeffrey had the pornographic photographs. Did you actually see that room on the occasion of your first visit there?
- V: No, I got to see that room a few visits after but I was just trying to describe that room to you guys so you knew exactly what room I was talking about.
- JS: Another question for you, and I don't mean to be prying into your personal life, and if I ask you any questions at all that you're uncomfortable answering, then you just tell me that and we'll move on, because I appreciate your cooperation and the last I thing I want to do is impose upon that cooperation, but can you tell us please just generally what kind of sexual experience you had had prior to this confrontation with Jeffrey?
- V: Yeah, sure. A close family friend has sexually abused me, and I was on the streets at 13 years old. I was picked up by a 67 year old man named Ron Eppinger who did exactly what Jeffrey did with me abuse and violate my youthfulness & I was with him for 6 months. So, he was gone and then I had this boyfriend who was like my school friend from young days but we just kept in contact with each other and we were on and off constantly, and that was Tony Figeroua, and there was also another younger guy was near my age, Michael, I can't remember his last name, but yeah, there, I mean, there wasn't like a string of men or anything, but there was Ron, like I told you, and he was the first guy expecting me to do so-called disgusting affairs. Jeffrey actually knew Ron, which was quite weird when I told Jeffrey the story about Ron, and Jeffrey had actually met him, and yeah. Anyway, just another story, and yeah, there were a couple of men, but that gives you an idea.
- JS: Now when you described the photographs in the room as pornographic, tell me just a little bit about the photographs, if you would please? First, how many of them were there?
- V: At least 100, and like I said, they covered the room from the ceiling, not the ceiling but from the top of the edge of the wall to the bottom of the floor. I want to say at least a hundred, even more, there could have been more in the boxes Some of them were A4 photographs, like the large size, some of naked women posing, you know, positions, sexy positions. Others were, you know, some girls had bikinis on, and it wasn't so pornographic, but it was all women, and it was all in a sexual nature.
- JS: Were there photographs where more than one person appeared?
- V: Oh yeah, plenty of them. There were lots of naked photographs, I mean I was just trying to give you a visual range. There was anything from 5x6s to 4x8s to 8x4s. Some of them

had frames, some of them were out of frames, but they were all, like I said, they were all women, they were all sexual in nature.

JS: Was it your impression that there were a hundred photos of a hundred different people or were there multiple photos of the same woman or girl?

V: There was definitely a lot of different girls. I mean it wasn't easy to sit there and say, you weren't finding 5 girls out of some photos, no. Were there a hundred different ones? There could have been pictures of some girls, I really couldn't get close necessarily to actually recognize faces or anything like that. But if you, you know, the range of them were all different, majority of them were different, yeah.

JS: Did there ever come a point in time when you became aware that a photograph of you had been added to the collection?

V: Yes, there was. Ghislaine took several nude photographs of me for Jeffrey. So, yeah, there were pictures of me and there were pictures, he wasn't shy, that wasn't the only place in his house that he kept the photos. He liked photos all over his house. If you looked in his den or on his desk or in on the hall table, a giant hall table in his house, there were at least a hundred photos of girls in frames. Not all of them were naked, a lot of the ones that were all around his house were not naked girls posing pornographically, some were pictures of celebrities and politicians he had known or things like that or had pants on or whatever, but yeah, there was a lot of mixed photographs in the outside ones.

JS: Were there any photographs of girls or young women that you knew or that you subsequently came to know that you saw in the house?

V: Yeah, yeah, there was. There was pictures of Nadia Bjournik\_\_\_\_\_, pictures Sarah Keller, pictures Emmy, pictures of me, pictures of the regulars, but a lot of the girls, sometimes Jeffrey could have like 7 girls a day, and he would only see those girls once if he got bored. I don't know. These weren't my days. I heard he's gotten a lot sloppier since I left. So, I don't know anyways, but when I knew him, there was just a, it seemed, there was such an influx of girls coming in and out, so did I recognize a lot of them? Maybe, maybe not, but then they were all definitely beautiful, they were all ranging in age, some of them young, some of them older in their 20's, I mean it was just they were all beautiful.

JS: You've told us about the first visit. Was there any discussion on the occasion of that first visit about your returning?

V: Yes, they were very pleased with me and after the encounter was finished, the sexual encounter, he went and told me I did well and I have a lot of potential to become a massage therapist and if I'd like I could return tomorrow, you know, and do the same thing and get paid \$200/hr, so Jeffrey insisted that I come after work, and over the next few days, I guess the relationship grew into more, and within a couple of weeks, not even

a couple of weeks, maybe a week, I had quit Mar-a-Lago and I was working for Jeffrey full time.

JS: Ok, let's talk about your job at Mar-a-Lago, if we could. You said that your Dad was working there. What was his position at Mar-a-Lago?

V: He was a maintenance supervisor I think is what it was called? He like managed the tennis courts and air conditioners and things like that.

JS: What is your Dad's full name?

V: Sky William Roberts.

JS: And is he still living here in South Florida now?

V: No, he's not, he's in California.

JS: Ok. Is your Dad aware of what is currently going on with regard to your having made public statements about your relationship with Jeffrey?

V: Yes, he is well aware of it. I told my family even before all this stuff came out, because they were the first ones contacted by the journalists from Mail on Sunday. I know that they the Mail on Sunday printed that I had gone out and tried to, I mean I think one of the photos said that I was angry that I saw Jeffrey and the Prince walking together and that is why I came out and went public with everything. Not true. I mean, I am angry about how they are still up to their old ways together and that they're still hanging out but I didn't contact the Mail on Sunday and I didn't bring it out. I figured that everyone was going to bring it out anyway and I better bring it out the right way. He's known everything from the start, and my family is very supportive with everything going on.

JS: I'm kind of going to jump around a little bit and I apologize for that, but since the subject has come up, tell me first of all why you are providing this cooperation to us, and I am certainly very appreciative of it, but I want you to tell us why it is you've chosen to spend time with us on the telephone and provide this information that you're now providing.

V: I'm out to help the bigger picture, you know, I think all of us can make a big difference in a lot of other people's lives and I think that this has gone on long enough and it's a big slap in my face that he can get away with hurting me so bad let alone so many other girls and laugh about it. I guess I talked to you guys out because I want to see the right thing happen, not just to him, but I want people in the world to understand this is not the way of life, you know, it's not acceptable to go out procure young girls and make them think that, this is the way you should be living and that's all. Yeah, I guess my reason for doing it is to help the bigger picture, you know, I'm a big believer in karma and I believe that good things will come back to you, so I guess that's why I'm doing this.

- JS: Just for the record, neither Brad, nor I, nor anyone representing that they have anything to do with us has made any promises to you. Is that correct?
- V: That is correct. I'll tell you, since this is our first conversation, that nobody has made me feel like I've been bribed or bought or had to say anything. I've told you anything that I know from my own self, not some things somebody told me. If anything, Brad's been extra careful not to tell me anything and let me do all the talking, so it's quite opposite I think.
- JS: Alright. Let's get back then to the story of your relationship with Jeffrey, and we've talked about your first encounter with him and how it evolved from that into your full time employment with Jeffrey, but what were you doing at Mar-a-Lago before you quit Mar-a-Lago?
- V: I was just a locker room attendant and sometimes I did babysitting for the rich and famous. So, I wasn't anything big. I worked in the spa area. That's why I was studying anatomy, because I was really really interested in becoming a \_massage therapist\_, and at the locker room, I didn't do much. I mean I was making tea for a living, I would, you know, make sure the toilet paper had a little triangle in it after everybody went to the toilet, or wipe down the water from the basin, you know, it was a very easy peasy job.
- JS: Did you get that job through your Dad?
- V: Yes, my Dad got me the job.
- JS: Ok, and you were only 15 years old at the time, were they aware of how old you were at Mar-a-Lago?
- V: Of course, definitely. We had to go through extensive, you know, we even had to get drug tested and id test and so on and so forth. I mean, Mantas (?) is very strict on employment, yeah, everybody knew.
- JS: Ok. Was there ever any conversation with Ghislaine about how old you were before you were taken to Jeffrey's mansion?
- V: No. She didn't ask me how old I was from the start, but when I did get to Jeffrey's mansion, it was discussed how old I was.
- JS: With whom?
- V: During the entire hour of what I call the legitimate massage I was giving him, it was cat and mouse games getting information from me to find out who I am, am I a willing participant in these kind of things, and how would I react if they were about to take the next step. But they got information off of me, they got my age, they got my, a little bit of my history so they knew I was, you know, not very stable at home, and they knew that,

you know, I was actually interested in making my life better by studying so what they were offering me was a chance to become a legitimate masseuse but it was getting trained. They would have people show me how to work the body and be called a massage therapist and get me books on it, and you know, keep me interested, and every time, you know, I was with Jeffrey, literally was about massages, I don't mean just going in and have sex with him. I mean massage, because it would always start out with massage and then it would lead into sometimes other things.

JS: Alright, once this evolved into full time employment, what did full time employment mean?

V: That was entirely having to travel with Jeffrey in every city. When he was in Palm Beach, I stayed at my apartment, and he would call me to his house once or twice a day sometimes, and that's, you know, do things with him. Sometimes we'd go out shopping, sometimes we'd go out and watch a movie. You know, simple things like that, go to an expo or a fair, whatever it was. But when we were in other cities, I was at my apartment, I lived with him full time. What I mean by full time is even in the middle of the night, I could get a ring on my phone next to me and tell me to come in his room, you know, so it was literally full time.

JS: When you say that when you were in Palm Beach you were living in your apartment, were you living on your own or were you living with members of your family at that time?

V: No, after I quit Mar-a-Lago, Jeffrey offered to get me an apartment in Palm Beach somewhere, Royal Palm Beach, and it was a nice apartment. He furnished it for me, it was absolutely beautiful, but yeah, that's the only time I would spend time away from him really.

JS: This apartment was on Royal Palm Beach Boulevard or out in the Village of Royal Palm Beach?

V: I so honestly don't remember. I've been trying to rack my brain because the FBI was asking the same thing and were trying to find it, but yeah, I'm Not sur\_. I didn't get to spend as much time in it, I was only there about an entire week out of every month probably, but the majority of the time I was with Jeffrey anyways. It was somewhere in Royal Palm Beach. I don't know about Royal Palm Beach drive. I don't even remember the Royal Palm Beach drive anymore so I'm not too sure.

JS: Ok, let me see if I can draw the distinction for you and maybe that will help you to help us? Royal Palm Beach is a village that is...

V: No, no, no, I got Royal Palm Beach, I just didn't know the Royal Palm Beach Drive, like what street it's off of. Were you talking about a street?

JS: Yes, I was talking about a street. Royal Palm Drive is on the island of Palm Beach, and it's a street that is lined with large royal palm trees, and I'm wondering if this was an apartment on the island or was this an apartment out west of town...

V: No, it was actually in Royal Palm Beach, not on the island.

JS: Alright.

V: I would be driven, it was closer to my family than it was closer to him. I wanted to be close enough to everybody else so that when I was in town, I could just go see them quickly.

JS: Ok. So we're not talking about Royal Palm Boulevard. We're talking about the town of Royal Palm west of town. Jeffrey got you an apartment out there.

V: That's correct.

JS: When he was in Palm Beach, you were generally not staying at the mansion, you were staying at the apartment that he got for you out west of town.

V: That's correct.

JS: Ok.

V: I mean then there was times, I don't wanna say that every time I stayed at my apartment. There was times we'd fly back from some city maybe too late at night to really want to go back home, so you know, it's like 12:00 at night or 1:00 in the morning. I was just staying in the yellow room, or something like that; one of the guest rooms in Palm Beach. But majority of the time, I would definitely want to get back to my own apartment.

JS: Alright. What were the general hours of your full time employment when ...?

V: There was not set hours. It wasn't like logging, and you know, hitting the shift button, nothing like that. The way I would get paid would be, ok, if I was in Palm Beach, I would get \$200 an hour to massage Jeffrey or some of his friends and then go home. So it would be like that. If I was traveling with him, it would be per massage, so I would be getting paid per day. So I wouldn't be getting paid on an hourly rate. He wouldn't say ok, today you're going to work for me from 7:00 in the morning until 8:00 at night. It never like that. I was on call all the time.

JS: When you were here in Palm Beach, were you actually getting paid only for the time spent massaging Jeffrey or were you getting paid from your arrival at his house until you left the house?

V: From the time the massage started.



JS: From the time the massage started. Ok.

V: Sometimes we'd go there and I would wait for a while or talk with Ghislaine and Jeffrey about something or we'd meet somewhere and talk about something. A lot of times, I'd meet him upstairs in his room where he was ready for me. But then there was a lot of times where it didn't start right away, so he couldn't really pay me from the time I got there sometimes unless it was just paid from the time I massaged him til the time the massage was over.

JS: Alright. Did your duties for Jeffrey ever include anything other than providing him massages and sex in connection with the massages? Did he ever give you any other responsibilities to perform?

V: I was asked to do the same things that I did to Jeffrey to a few of his fellow colleagues as well. Those were my duties. He looked at it this way is that I was going to be a professional massage therapist, and maybe I needed some clientele, so he had me perform erotic massages on a few people.

JS: Did that start here in Palm Beach County?

V: It did. The first one did.

JS: Ok, and how long after you first met Jeffrey did he first ask you to provide services for one of his friends?

V: About 9 months, I think it was. It wasn't a full year, it wasn't 6 months, but between 6 months and a year, which is why I'm saying 9 months.

JS: And when you provided services to a friend of Jeffrey's, who paid you for those services?

V: Jeffrey would. I would get paid the next time I saw Jeffrey, so if I was invited to the Breakers Hotel to give a massage, I would give a massage, I would go home, and the next day when I saw Jeffrey, he would pay me for what I did. So, it was paid always by him, it was set up by him, so he always knew what to pay me. I did get tips and things like that, if you call it that, you know, like a hundred dollar tip or something from a few of them, you know, yeah.

JS: Was there ..

V: There was always payment from Jeffrey.

JS: Was there ever any discussion with Jeffrey about what was expected to happen when you provided massage services to one of Jeffrey's friends?

- V: In a roundabout way, yes. In so many ways, Jeffrey really really had to train me, and that was why Ghislaine said that she and Jeffrey enjoyed me so much was because they never really had to speak much to me to tell me what they wanted me to do. You know, I wasn't waiting for you know, their directions. Jeffrey would tell me to go give an erotic massage to friends. He wouldn't give me much detail about it, but he would say to treat them like you treat me.
- JS: Did he refer to it as an erotic massage or are those your words?
- V: Erotic massage is my words. That's exactly what it was, but he would tell me to treat them how he wanted it, so I'd do what he wanted without having to say to me words more. I mean, I complied with what he wanted because it was somewhat of a, I don't know, I don't know how to say it, it was just very mindboggling how I let him have so much control or power over me basically. The massages would be routine to what Jeffrey wanted with my so called new clientele, and with their own words would ask me to provide them with sexual pleasure after the massage.
- JS: Did you ever report back to Jeffrey about what happened when you provided massages to his friends?
- V: Of course, of course, and I knew that his friends were reporting back to him as well because there were times where he would instigate conversation by saying you know, so and so had a great time, you did wonderful, you know so and so gave me a call and told J.E how it went\_...
- JS: Did Jeffrey ever elicit details from you? "Tell me what happened, describe in detail what went on?"
- V: No, but he would have a laugh, he had a laugh with me a few times about some of their different mannerisms, I guess you would say, like some of them, one guy had a foot fetish and that was really weird and I mentioned it to Jeffrey, and we would have a laugh over it. He didn't want to know details. He wasn't asking me "so tell me what did you guys do exactly." No, he just basically gave me a slap on the back and said, you know, good job. And we had some kind of conversation about it. I can't recall any conversation off the top of my head. I really don't know one. It's been that long. But yeah, we did talk about it briefly.
- JS: Can you give me an estimate as to the number of friends for whom Jeffrey provided and paid for your services?
- V: There was about, you know, I don't know, 8 guys possibly.
- JS: And are you able to name those people for me?

V: No, not at this stage. I just, some of these people are really influential in power, and I don't want to start another shitstorm with a few of them. I'll tell you that there was some erotic massages given to, I'm just afraid to say it to you.

JS: Ok, Virginia.

V: It's like geez, I don't know if I want to, I'm really scared of where this is gonna go.

JS: Alright. I understand that, and as I told you from the beginning, if I ask you a question that you are uncomfortable answering, you just tell me that, and I will move on, and I understand that at least right now, you are uncomfortable answering, and I am certainly going to respect that.

V: Thank you so much, Jack.

JS: No, that's quite alright. I am very appreciate of the cooperation you are providing, and I don't want you at any time to feel that we are taking unfair advantage of that cooperation, so give me the information that you're comfortable giving me, and if we get to a point where you're uncomfortable, I will respect that and we'll move on from there.

V: Ok.

JS: I want to talk a little bit about the traveling that you did with Jeffrey. About how long into your relationship with him did that first start?

V: Immediately. I started traveling immediately. Not internationally until I think about, Gosh, I can't remember even, I think it was a year later that we started doing international travel. Maybe like 9 months to a year again. Not too sure to be honest.

JS: So that would have been approximately the summer of 1999? Somewhere around there?

V: Yes. Somewhere around there. Somewhere around a year, somewhere around there, I can't pinpoint it exactly. But like I said, we started doing domestic traveling immediately, so my first destination with him was New York and Santa Fe and the Carribean, California, I would take trips with him occasionally. Sometimes we would go to St. Louis or New Orleans or Santa Cruz. We were traveling just about everywhere I think.

JS: How did you travel?

V: Well, we took Jeffrey's private jet, and unless I was being sent somewhere by myself for what we were just talking about before, then I would travel on a what do you call, a public jet, whatever it is...

JS: commercial flight?

V: Yes. Just a normal flight, an e-ticket.

JS: Like the rest of us common folk.

V: But when I was traveling with Jeffrey, the majority of the time would be on the black jet.

JS: Now, when you say there would be times when you would travel by yourself because he was sending you somewhere, tell me about that. How did that come about?

V: So, one of his colleagues would be at the Carribean or Santa Fe or even New York, or wherever, and he would call me up on those days where I am not working with him or in Palm Beach with him, and he would ask me to get on the next plane to so and so and go meet so and so, and that's when I would take e-tickets. His secretary or special assistant, whatever, would organize it for me and give me the details and I would just walk up the line and they'd let me right through.

JS: Can you give me any ideas as to how many times it happened that Jeffrey would send you off to meet some friend of his at some location outside of Palm Beach?

V: How many times it happened? I'm not too sure. Probably about 10-15 times.

JS: Ok. And on those occasions, how much time would you spend with one of Jeffrey's friends when you were sent to a location that you would have to travel to?

V: Only a couple of days. Only 2 days, that's it.

JS: And how were you paid for those trips?

V: I would be paid in cash upon my arrival back with Jeffrey. So, whenever I was back with Jeffrey, he would count up how many days I've had, sometimes give me even more than what I deserved, not deserved, but what I earned and give me a little extra.

JS: Was there a daily rate for those trips or was that per massage also?

V: Per massage. With Jeffrey, I would be honest. I wouldn't tell him I did 15 massages if I didn't. He knew he could trust me. He could always come back to the other person that he sent me to give massages and ask them as well, so you know, it was always by per massage.

JS: Alright. When we've been talking about massages, tell me exactly what it is we're talking about when we speak about massages.

V: Same thing I would do to Jeffrey. Again, it would start out as a massage, which would start with them being naked, and me giving him a legitimate massage to begin with, so

I'd start with his feet, go up to his calves, up his legs, buttocks, back, his neck, his head, his arms, yada yada, and then it would be time to flip over, and some of the men would want me to continue on massaging the front side of them and they would instigate me to begin having sex with them or foreplay, whatever you want to call it.

JS: So routinely, these massages involved sexual activity. Is that accurate?

V: That is accurate.

JS: Ok. Let's talk about the travel that you were involved in when you were on Jeffrey's private plane. Generally speaking, who were the passengers on the plane when you traveled.

V: Well, Larry was the pilot, and then there was a short, small solid guy, I don't know his name, but he was a co-pilot, and then he changed and there was another guy brought in later on. Generally speaking, there was always Jeffrey, sometimes Ghislaine, sometimes Emmy, sometimes a whole bunch of other girls, sometimes famous people, sometimes some politicians or yeah, just about anybody could fly on his plane. There was never no any set routine who would come and who would go. It was an influx of people on Jeffrey's airplane.

JS: I want to deal with these things separately in order to respect some of the reservations that you have, so I'm going to ask you who the people were that you remember flying with Jeffrey on his plane when you were personally present without regard to whether there was any sexual activity that occurred on the plane or not. So I'm not asking you to implicate any of these famous people in improper conduct, but just tell me what the names of the people are that you remember that you consider to be famous people.

V: Ok, there was Naomi Campbell, Heidi Klum, there was Bill Clinton. There was Al (?) Gore, there was a whole bunch of models, I wouldn't really honestly be able to give their names. There was Matt Groning the producer of the Simpsons cartoon, Jack CCousteau's granddaughter a lot of interior designers, architects, politicians. I am just trying to think of as many names as possible for you. Off the top of my head, that's as good as I can get for now.

JS: Ok, alright, that's fine. And again, I am not implying by my questions, nor do I want your answers to be interpreted as your suggesting that any of those people that you have just identified were engaged in any improper activities on any particular flight, but I want to talk to you now about what went on on occasion on the airplane. Ok?

V: Ok. It was a lot of the same thing that went down on the ground. A lot of times, it would be just be me and Jeffrey, or me and Jeffrey and Ghislaine, or me and Jeffrey and some other girl, sometimes Emmy, Sarah, and Nadia Bjournik. There would be sexual conduct, there would be foreplay, there was a bed in there, so we could basically reenact exactly

what was happening in the house. It would start off with massaging or we would start off with foreplay, sometimes it would lead to, you know, orgies.

JS: Were there occasions when you were in Jeffrey's company, whether on the ground or in the air, where there were other girls present whom you knew to be under age 18?

V: Yes. There was a constant influx of girls coming in and going out. And we were all very young. On occasion, there was some older girls, and I don't mean older as in like in their 30s or anything, I mean like 28, 29, something like that, just very rarely. The majority of the girls that Jeffrey actually met or had on his plane or in his house were under age.

JS: Do you know how it is that Jeffrey established with any of these underage girls?

V: Yes, I do. He would send me personally or with other girls to clubs or shops, to pick up anywhere, I mean we were constantly on the look for other girls that might satisfy Jeffrey.

JS: What instructions were you given about what to look for?

V: Young, pretty, you know, a fun personality. They couldn't be black. If they were any other descent other than white, they had to be exotically beautiful. That was just about it.

JS: Who gave you those criteria?

V: They both gave us the instructions, and it wasn't just me, Jeffrey asked most girls to bring a friend and make extra money. They would use us young girls so that way it probably looked a lot more safer to a girl that we were procuring to younger girls that were already doing it. That was the way that Jeffrey had it.

JS: Were you given any instruction at all on how to approach these girls?

V: Yes. Jeffrey and Ghislaine both taught me to, depending on the circumstances, depending on the girl, you could offer them a job as a massage therapist or you could tell them you have a really rich friend with, you know, great contacts in the acting world or modeling world and he loves pretty girls, you should come back and meet him, make some money, you know, we had a whole bunch of ways to be able to procure girls.

JS: Can you give me any idea as to the total number of underage girls that you know engaged in sexual conduct with Jeffrey during the period of time you had your relationship with him?

V: I would have no way of estimating that whatsoever. I mean, there could be a hundred, there could be more, honestly I'm not too sure how many girls, really. I wish I did know. I mean like I said there were so many over the course of 4 years with Jeffrey.

- JS: Let me see if we can try to narrow it down a little bit. Is there any doubt in your mind that it was more than 10?
- V: Yes, there was definitely more than 10.
- JS: Ok, what I want you to do is to give me the highest number that you are comfortable in saying there were definitely more than X number of underage girls that I know Jeffrey Epstein engaged in sex with while I had a relationship with him. How would you fill in that blank? Definitely more than how many?
- V: I'd say definitely more than a hundred.
- JS: Alright. Did Jeffrey ever help to pick out your clothes?
- V: Oh yes. I mean he wasn't out to dress me like a porn star or anything. He would always dress me very classy, but we'd just go shopping all the time together.
- JS: Did he ever express any style preferences in terms of how he wanted you to dress? Besides dressing classy, I'm, you know, any other suggestion to you about how he wanted you dressed?
- V: He didn't, like I said, wasn't trying to dress me in any prostitute way or anything like that. It was nice, classy outfits I was wearing like Gucci, Dolce Gabbana, Chanel, things like that. He was buying me a lot of very, very nice clothing. It was provocative. I mean I was wearing miniskirts, and tight short shorts and little shirts that showed my belly and my cleavage and everything, but they were very expensive clothes.
- JS: Was there every any dress up role playing?
- V: Yes. There was. Lots of it. Jeffrey loved the latex outfits Ghislane had for us girls, he had bondage outfits, he had all different kinds of outfits, but his favorite was the schoolgirl.
- JS: Tell me about that.
- V: Well, you know, Ghislaine would take me to dress me up to surprise J.E or Jeffrey would ask me to get dressed up, that would include wearing a tiny little skirt with nothing underneath, a white collared shirt that you would be wearing to school with a tie in it, tied up in a bow, my hair in pigtails, stockings on up to my knees, and I would go in there and act like a kid and we'd do role playing sexing.
- JS: Did Jeffrey ever brag to you about the age of any of the girls with whom he had relationships?

- V: Yes, he did. He did all the time. The worst one that I heard from his own mouth was this pretty 12 year old girls he had flown in for his birthday. It was a surprise birthday gift from one of his friends and they were from France. I did see them, I did meet them. Jeffrey bragged afterwards after he met them that they were 12 year olds and flown over from France because they're really poor over there, and their parents needed the money or whatever the case is and they were absolutely free to stay and flew out. Those were the worst ones. He was constantly bragging about girls' ages or where he got them from or their past and how terrible their past was and good he is making it for them.
- JS: Where were the 12 year old girls flown to from France? Where did they come to?
- V: Palm Beach.
- JS: And were they flown in on Jeff's private plane or did they get transported?
- V: No. They were transported by somebody else.
- JS: Ok. Was the sexual activity that went on on the airplane conducted in such a way so that any of the crew was aware of what was going on?
- V: They were told to knock if they had to come out, if the crew had to come out. They were told, you know, to come out as little as possible, so they weren't out there hanging out watching everything, no, but it doesn't take an idiot to put two and two together to say well there's a whole bunch of half dressed teenagers on board with this old man who is constantly being massaged by them and he wants me to keep the door shut for what reason? I mean, only they could put that together, but yeah, they knew.
- JS: Did Mr. Epstein ever talk to you about people of power and influence owing him favors?
- V: He would laugh about it, you know, I never really knew what to take serious from Jeffrey because he was such a funny character at times. You never knew if what he was saying was true or not. Yeah, lots of people owed him favors from what he told me. He's got everybody in his pocket, and he would laugh about he helps people for the sole purpose in the end they owe him something. That's why I believe he does so many favors in the first place.
- JS: When and how did you first become aware that Mr. Epstein was in trouble with the law?
- V: I was first informed by, I think someone from the FBI called me first and started to ask me questions, and I started to answer the questions but then fear took over, and I just said look, I don't know what's going on, I've got a young family that I don't want to risk, you know, please don't bother me about this again, and it was real short simple conversation, and within a week or 2, I had gotten a call from Jeffrey's attorney, and then a week later, Jeffrey himself.



JS: Ok, well let's back up before we get to those conversations and tell me approximately when it was that you were contacted by the person who you believe was with the FBI.

V: Ok. It's hard for me to pinpoint, if I had to pinpoint it, it would be in 2007 sometime.

JS: Alright. And you were living in Australia at that time, correct?

V: Correct.

JS: You were contacted by telephone?

V: That's correct, by my cell phone.

JS: Ok and do you have any idea how your name came up leading to that contact.

V: No idea. No idea whatsoever. When I did ask, I was told that some girls had revealed my name, I guess, and that's how everybody, the FBI knew to contact me.

JS: OK.

V: But I don't know offhand or sorry, I just walked into the wrong room.

JS: Ok.

V: Sorry go on.

JS: Yes & I'll never tell her you said that. Virginia, how long was it after that phone call from the FBI person were you contacted by Mr. Epstein's lawyers.

V: Like a week. It was back to back to each other. I remember being so scared after talking to the FBI thinking what's happening, what's going on. It's been like 6 years, 7 years at that stage, how did they find me & what do I have to do with this? So yeah, I do remember that very well, and it was only about a week later I was called by his attorney.

JS: Who was it that contacted you, do you remember?

V: I want to say Bill Riley, but he might have been from the FBI. No, it was Bill Riley. Bill Riley. Not sure if that's his correct name, but that's what is coming to mind

JS: What do you remember about that conversation?

V: I remember a Mr. Goldberger as well, I remember, there might have been two of them.

JS: Alright.

- V: I can't remember which one it was. I want to say Bill Riley is the good one.
- JS: Alright, so either Bill Riley or a Mr. Goldberger or both of them contacted you, and what do you remember about that?
- V: I don't know if it was the same guy who contacted me that week later who put me in touch with Jeffrey. I think he was on the phone and he put speakerphone on with Jeffrey. So he connected me with Jeffrey. I don't know if it was the same guy or different, but I definitely know that Bill Riley was the first guy to contact me. I'm pretty sure about that.
- JS: Ok. Tell me about that conversation.
- V: He asked me what I knew about what's going on with Jeffrey and apparently, there was an investigation being held about some of the girls who had come out and said that Jeffrey had sexual contact with them under the age of a minor and that he was discrediting lot of these girls and making them out to be drug addicts and prostitutes and what have you so they wouldn't be looked upon as worthy in the court's eyes so to speak. And you know, he told me in the first five minutes that, you know, if I stay quiet, that "I'll be looked after". And that was the exact way it was said. It wasn't like you know, I'm gonna pay you a zillion dollars or anything if you be quiet, but if I stay quiet, I would "looked after". And I remember saying I don't want any part to do with this. You know, this is not something I want to be a part of, I've got a young family. I wish the best for everybody in this, you know, take care kind of thing. A week later, I was called after the hearing by one of Jeffrey's lawyers. I can't tell you exactly which one it was but he had Jeffrey on the other line and he connected Jeffrey and I, and Jeffrey tried to make some simple conversation, "How are you? How have things been?" You know what I mean, catching up.
- JS: Do you know if the lawyer, did the lawyer stay on the line while Jeffrey was speaking to you?
- V: I'm pretty sure he did. That's why I think Jeffrey was on speaker phone because it sounded a lot different, and I was never taken off the line to begin with or connected to another line, so I was pretty sure Jeffrey was on speaker phone and the lawyer was making the call. After the simple conversation, it led to what was going on again and you know, Jeffrey couldn't believe it. You know, he thought he helped all these girls out. He didn't think he was wrong in any circumstance here at all. A lot of these girls were drug addicts and just after drug money. You know, he was really putting down these women or these girls I should say, not giving them the credit they deserved, and then he exactly repeated what the lawyer said the week before is that he would look after me if I stayed quiet, and if I need any help, you know, his lawyers would represent me and he would get legal help for me, whatever I need, he would do, and I told him exactly, I said, "Jeffrey, I'm the mother of two children at that stage. I'm away from everything there, I don't want to be a part of it. I'm not going to speak to anybody and I don't want to speak to anybody, I don't want to be involved." That was the last time I heard from him. And the

next thing I knew, I was sent my victim's letter, my notification of being a victim through the US Attorney's Office and that's when I knew it was well out there enough not to have Jeffrey's lawyers come back on me and discredit me in the same way he had done to all the other girls. So, I called up Joseph Bird who was the recommended lawyers on my paperwork that they had given me and started going from there.

JS: So you contact Mr. Joseph Bergs' office and then you were dealing with his office from that point forward.

V: That's correct.

JS: Tell me about the ending of your relationship with Jeffrey. That is, at what point in time did your full time employment end and how did that happen?

V: Ok. So, it hadn't really ended. I walked away from it all. Jeffrey sent me to Thailand where I met my husband and escaped to Australia, never to return back to the states. About 6 months prior to that, he came up with a proposition that I thought was really disgustingly sick. And it really showed me for the first time in 4 years I had been with him that nothing was going to change and I was always just going to be used by him(?) which I did not like. He offered me a mansion and some of his money every month, I forget what he called it, a monthly income of what he made to bear one of his children. The proposition was that if anything ever happened between Jeffrey and I, that I would have to sign my child over to him basically and that the child would be his and Ghislaine's, and I would be looking after it as long as nothing happened between Jeffrey and I. So, I was kind of freaked out by all of that. I pushed Jeffrey more to please get me some more training, you know, and I was getting older and not of as much interest to Jeffrey anyways. I was 19 now, and he likes a female a lot younger. So he sent me to Thailand, in September 2002. I was first supposed to meet a girl there and bring her back with me, but I never met up with her. I proceeded get a short course in Thai massage so that was to shut me up about my training so I went there, and one of my friends from school invited me to watch a fight, like a muay thai fight, which is like a form kickboxing. So I went and watched it, and I saw this guy that was a really good fighter, and a girl's word, looked really hot, so I asked my friend who knew him to introduce me. We got introduced and fell in love immediately, 3 days later Rob proposed and 7 days later I was being married in a buddist temple. I called Jeffrey and told him I'm sorry, I'm never coming back. I've gotten married, I've fallen in love. I thought he'd wish the best for me but he was kind of rude and he just said "have a good life" and hung up the phone, and that was the last time I'd talked to him ever until all this started again.

JS: Ok. Virginia, is there anything else that you would like to add to what you have told us up to this point in time?

V: I'd like to know that this time around something's going to be done about it and that Jeffrey and a lot of his colleagues, no matter how rich they are, will know that there is

law and that there is people that still believe in it. So that's it. Thank you guys for listening to me, hearing me out and helping me. It's kind of hard to get through.

JS: Thank you very much. Yes, I'm sure it has been very difficult and I am very appreciative of the courage you have shown in doing what you have done, which really brings me to the last subject, and that is what was it that motivated you to go public with all of this?

V: Sharon Richard contacted me. I like her, I do, I like her a lot. I know she's a journalist, and journalists are normally bloodsucking leeches, but I like her for that, but she is an honest bloodsucking leech. She told me a lot about what was still going on, and she showed me a picture of Jeffrey with a little girl who looks like she could have been 12 years old. I mean it was disgusting. I agreed to talk with her, I never agreed to do anything until she showed me some pictures, and at that stage, being a mother of 3 children and having a daughter who I would do anything for to protect, I would put my neck on the line to make sure she never has to go through what I had to go through, and knowing all of this, and knowing that he's still out there doing the same exact thing with no regrets, no remorse, no worry about what he's doing to those girls, and all those girls feeling the same way that I did, so I, you know, I'm doing it because I believe in my heart of hearts it's the right thing to do. It's what I would want somebody to do for my daughter or my sister or my friend, and it saddens me to know that it's still going on right now. It's like the seashell story. I don't know if you're heard the story about the little kid who throws back a starfish, you know, the little brother tries to ask his sister, "why do you throw them in, they're all gonna die anyways, the little girl says "well, it's this one that I can help, and this one that I can help," and that's what I feel like I'm doing. I'm making a small dent in this big world we live in.

JS: I certainly appreciate that courage, and I have heard that story, and you're absolutely right, that one person may not be able to make a difference for everyone, but one person can make a difference for someone, and hopefully, you are making a difference for someone, and we're gonna do the best we can to make sure you are making a difference for as many people as possible.

V: Thanks Jack.

JS: Just a few other follow up things I want to ask you and again, if any of these questions are questions that you're uncomfortable in responding to, then don't hesitate to tell me that. Do you have any recollection of Jeffrey Epstein's specifically telling you that "Bill Clinton owes me favors"?

V: Yes. I do. It was a laugh though. He would laugh it off. You know, I remember asking Jeffrey what's Bill Clinton doing here kind of thing, and he laughed it off and said well he owes me a favor. He never told me what favors they were. I never knew. I didn't know if he was serious. It was just a joke.

JS: Where was here?

V: He told me a long time ago that everyone owes him favors. They're all in each other's pockets.

JS: When you say you asked him why is Bill Clinton here, where was here?

V: On the island.

JS: When you were present with Jeffrey Epstein and Bill Clinton on the island, who else was there?

V: Ghislaine, Emmy, and there was 2 young girls that I could identify. I never really knew them well anyways. It was just 2 girls from New York.

JS: And were all of you staying at Jeffrey's house on the island including Bill Clinton?

V: That's correct. He had about 4 or 5 different villas on his island separate from the main house, and we all stayed in the villas.

JS: Were sexual orgies a regular occurrence on the island at Jeffrey's house?

V: Yes.

JS: If we were to take sworn testimony from the people I am going to name, and if those people were to tell the truth about what they knew, do you believe that any of the following people would have relevant information about Jeffrey's taking advantage of underage girls? So I'll just name a name, and you tell me yes if they told the truth, I think they'd have relevant information or no, I don't think they would, or I don't know whether they would or not. Ok? You understand?

V: Yes.

JS: Ok. Les Wexner.

V: I think he has relevant information, but I don't think he'll tell you the truth.

JS: Ok. Alan Dershowitz.

V: Yes.

JS: David Copperfield.

V: Don't know.

JS: Tommy Matola.

V: Don't know.

JS: Prince Andrew.

V: Yes, he would know a lot of the truth. Again, I don't know how much he would be able to help you with, but seeing he's in a lot of trouble himself these days, I think he might, so I think he may be valuable. I'm not too sure of him.

JS: Ok. Virginia, I think that's all I have for you. Let me tell you what I would like to do. As I told you in the beginning of this conversation, we've been recording it, and hopefully, we've got a clear enough recording so that we've taken down everything accurately and when it's transcribed, it will be clear and accurate, but what I would like to do is transcribe it, send it to you, have you take a look at it, and if there's anything that we got wrong in the statement, you can write back and you can make changes in the transcript so that the transcript is accurate. Is that fair?

V: No worries. That is fair. No problem.

JS: Alright, great. I really do appreciate that and tell me what the best way is to send the transcript to you.

V: Email. If you just want to send it by email or if you want to send it by mail, either or.

JS: Ok. Give me your email address if you would please.

V: [REDACTED]\*

JS: Let me read that back to you: [REDACTED]\*

V: Yep that's it.

BE: Thank you Jenna, appreciate it.

V: No problem, Brad.

JS: Thank you very very much. Bye Bye now.

V: Take care Jack. Nice meeting you.

JS: You too.

IN THE CIRCUIT COURT OF THE 15TH 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).

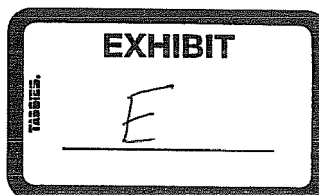
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VIDEOTAPED DEPOSITION OF JEFFREY EPSTEIN

January 25, 2012  
9:34 a.m. - 10:03 a.m.

SEARCY, DENNEY, SCAROLA, BARNHART & SHIPLEY, PA  
2139 Palm Beach Lakes Boulevard  
West Palm Beach Florida 33409

Stenographically Reported By:  
Tammy Nestor, RPR



## APPEARANCES:

## ON BEHALF OF PLAINTIFF:

JACK SCAROLA, ESQUIRE  
SEARCY, DENNEY, SCAROLA  
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## ON BEHALF OF DEFENDANT:

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New York, New York 10065

1 THE VIDEOGRAPHER: Today's date is  
2 January 25, 2012. The time is approximately  
3 9:34 a.m. This is the videotaped deposition of  
4 Jeffrey Epstein in the matter of Epstein versus  
5 Edwards.

6 This deposition is being conducted at 2139  
7 Palm Beach Lakes Boulevard, West Palm Beach,  
8 Florida.

9 The court reporter is Tammy Nestor of  
10 Phipps Reporting. The videographer is Chris  
11 Kennedy of Legal Video Services, Inc. in  
12 association with Phipps Reporting.

13 And will the counsel please announce  
14 appearances for the record.

15 MR. SCAROLA: My name is Jack Scarola.  
16 I'm counsel for Brad Edwards. Brad is also  
17 present.

18 MR. KNIGHT: Christopher Knight on behalf  
19 of Jeffrey Epstein.

20 MR. GOLDBERGER: Jack Goldberger on behalf  
21 of Jeffrey Epstein.

22 MR. INDYKE: Darren Indyke on behalf of  
23 Jeffrey Epstein.

24 MR. ACKERMAN: Joseph Ackerman on behalf  
25 of Jeffrey Epstein.

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## EXAMINATION:

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## EXHIBITS

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## JEFFREY EPSTEIN

2 Was called as a witness and after being duly sworn on oath was  
3 examined and testified as follows:

## EXAMINATION

4 BY MR. SCAROLA:

5 Q Would you please state your full name and  
6 your current residence address?

7 A I'm Jeffrey Edward Epstein. And my  
8 residence address is 6100 Red Hook Boulevard in  
9 Virgin Islands.

10 Q Do you maintain any other residences  
11 presently?

12 A I have vacation homes in New Mexico, Palm  
13 Beach, New York, and Paris.

14 Q Would you give us the address of each,  
15 please.

16 A Yes. New York is 9 East 71st Street. New  
17 Mexico is Zorro Ranch Road. Paris is 22 Avenue  
18 Foch, F-O-C-H. And where else? Palm Beach is 358  
19 El Brillo Way.

20 THE VIDEOGRAPHER: Pardon me, sir.

21 THE WITNESS: Yes.

22 THE VIDEOGRAPHER: Excuse me. Do you have  
23 your mike on? Thanks.  
24  
25



1 BY MR. SCAROLA:

2 Q Do you now or have you ever had a sexual  
3 addiction?

4 MR. KNIGHT: I'm going to instruct him not  
5 to answer the question. That's outside of the  
6 area of this abuse of process lawsuit.

7 And just to let you know, he's here to  
8 answer all the questions you want relative to  
9 the abuse of process. The judge has been pretty  
10 clear relative to the discovery regarding any of  
11 the prior sexual allegations, et cetera. And  
12 just so we don't waste your time or our time,  
13 I'll be consistent on that per what the judge  
14 has previously discussed regarding discovery.

15 MR. SCAROLA: Well, you and I have a very  
16 different understanding of what the court's  
17 prior rulings have been. But we'll let the  
18 court deal with that.

19 BY MR. SCAROLA:

20 Q Do you now or have you ever had a sexual  
21 preference for minors?

22 MR. KNIGHT: Same.

23 BY MR. SCAROLA:

24 Q Have you ever acted on a sexual preference  
25 for minors?

1 MR. KNIGHT: Same.

2 BY MR. SCAROLA:

3 Q Have you ever discussed with anyone  
4 undertaking an effort to change your public image  
5 following your arrest for and conviction of a  
6 sex-related crime?

7 MR. KNIGHT: Same.

8 BY MR. SCAROLA:

9 Q Have you ever been convicted of a crime?

10 A Yes.

11 Q What was the crime of which you were  
12 convicted?

13 A Two counts, one soliciting prostitution,  
14 and procuring a minor for prostitution.

15 Q Did you, in fact, commit those acts?

16 MR. GOLDBERGER: I can invoke the Fifth  
17 Amendment privilege for you or you can invoke  
18 it yourself. I prefer you invoke the  
19 privilege.

20 THE WITNESS: I'm going to invoke my Fifth  
21 Amendment right.

22 BY MR. SCAROLA:

23 Q How many times have you solicited for  
24 prostitution?

25 A I'm going to invoke my Fifth Amendment right.

1 MR. KNIGHT: Same.

2 BY MR. SCAROLA:

3 Q Have you ever informed anyone other than  
4 your legal counsel that you have a sexual preference  
5 for minors?

6 MR. KNIGHT: Same.

7 BY MR. SCAROLA:

8 Q Have you ever informed anyone other than  
9 your legal counsel that you have acted on a sexual  
10 preference for minors?

11 MR. KNIGHT: Same.

12 BY MR. SCAROLA:

13 Q Have you ever sought or received  
14 evaluation, counseling, or treatment for any form of  
15 sexual addiction?

16 MR. KNIGHT: Same.

17 BY MR. SCAROLA:

18 Q Have you ever sought or received  
19 evaluation, counseling, or treatment for any  
20 sex-related issue?

21 MR. KNIGHT: Same.

22 BY MR. SCAROLA:

23 Q Have you ever retained the services of a  
24 consultant to assist in changing your public image  
25 following your arrest on sex-related charges?

1 Q How many times have you solicited a minor  
2 for prostitution?

3 A Same answer.

4 Q How many times have you solicited for  
5 prostitution in the State of Florida?

6 A Same answer.

7 Q How many times have you solicited a minor  
8 for prostitution in the State of Florida?

9 A Same answer.

10 Q How many times have you solicited for  
11 prostitution in the Virgin Islands?

12 MR. KNIGHT: Can we stop it here just for  
13 a second? Can we go off the record for one  
14 minute?

15 THE VIDEOGRAPHER: The time is 9:39. We  
16 are going off the record.

17 (Thereupon, a discussion was held off the  
18 record.)

19 MR. SCAROLA: I would like you to take it  
20 down, please.

21 MR. KNIGHT: Fine.

22 MR. SCAROLA: And we'll go back on the  
23 record. Thank you.

24 THE VIDEOGRAPHER: Stand by.

25 MR. KNIGHT: I'm wondering if you have any

1 intention to ask any questions, and you may be,  
2 any questions outside of this clearly harassing  
3 area relative to issues that are outside of the  
4 four corners of the complaint or whether this  
5 is just going to be a continuance of questions  
6 of this witness that have no other means of  
7 advancing this lawsuit but only have means of  
8 doing other things of which I won't -- I don't  
9 care to list them here. Do you plan to go into  
10 other areas?

11 MR. SCAROLA: I am -- I am planning on  
12 taking a very thorough and comprehensive  
13 deposition of Mr. Epstein.

14 MR. KNIGHT: Are you asking -- planning to  
15 ask any questions that are not sexual or  
16 criminal in nature?

17 MR. SCAROLA: Oh, I'm sure there will be  
18 many that you would probably not consider  
19 sexual or criminal in nature, but I don't know.

20 MR. KNIGHT: Let's proceed for a little  
21 while, see what we can do, because certainly we  
22 have taken the time out to come up here,  
23 people's schedules have been made, et cetera,  
24 people have traveled long distances, but we may  
25 have to quit and go to the court.

1 for prostitution with respect to the claim on which  
2 you were convicted?

3 A Same answer.

4 Q Who is the minor that you solicited for  
5 prostitution with respect to the claim on which you  
6 pled guilty?

7 A Same answer.

8 Q Did you, in fact, plead guilty to  
9 soliciting for prostitution?

10 MR. KNIGHT: Asked and answered.

11 THE WITNESS: Yes, sir.

12 BY MR. SCAROLA:

13 Q Did you, in fact, plead guilty to  
14 soliciting a minor for prostitution?

15 A No.

16 Q Where was it that you solicited for  
17 prostitution in the manner -- in the matter in which  
18 you pled guilty?

19 A Same answer.

20 Q When was it that you solicited for  
21 prostitution in the matter in which you pled guilty?

22 A Same answer.

23 Q Have you ever discussed your sex-related  
24 arrest or conviction with any reporter or news media  
25 representative?

1 BY MR. SCAROLA:

2 Q Have you ever solicited for prostitution  
3 in the Virgin Islands?

4 A Same answer.

5 Q That is that the -- you are invoking your  
6 Fifth Amendment --

7 A Yes.

8 Q -- right?

9 A Yes, Mr. Scarola.

10 Q Have you ever solicited for prostitution  
11 in New York?

12 A Same answer.

13 Q Have you ever solicited for prostitution  
14 in New Mexico?

15 A Same answer.

16 Q Have you ever solicited for prostitution  
17 in Paris?

18 A Same answer.

19 Q Have you ever solicited for prostitution  
20 anywhere at any time?

21 A Same answer.

22 Q Have you ever solicited a minor for  
23 prostitution anywhere at any time?

24 A Same answer.

25 Q Who is the prostitute that you solicited

1 MR. KNIGHT: I'm going to instruct you not  
2 to answer the question.

3 MR. SCAROLA: And what is the basis of  
4 that instruction?

5 MR. KNIGHT: What is the basis?

6 MR. SCAROLA: Yes.

7 MR. KNIGHT: What does it have to do with  
8 this lawsuit? It's for no other reason other  
9 than to harass him. There are plenty of areas  
10 you can go into which are reasonable. We are  
11 here.

12 MR. SCAROLA: So the objection is  
13 relevancy, is that correct?

14 MR. KNIGHT: No, it goes beyond relevancy.

15 MR. SCAROLA: Well, what is it then?

16 MR. KNIGHT: Well, it is harassing. It is  
17 used -- it is being used to intimidate the  
18 witness. It is being used for various  
19 different reasons. And I believe it is  
20 improper.

21 BY MR. SCAROLA:

22 Q Have you ever discussed your sex-related  
23 activities with minors in the State of Florida with  
24 any reporter or news media representative?

25 MR. KNIGHT: Same instruction. We are

1 going to take a quick break if we can go off  
2 the record.

3 THE VIDEOGRAPHER: The time is 9:30 --  
4 9:40. We are going off the record.

5 (Thereupon, a recess was taken at  
6 9:43 a.m.)

7 THE VIDEOGRAPHER: The time is 9:50 a.m.  
8 We are back on the record.

9 MR. KNIGHT: As I mentioned earlier, we  
10 are here to answer questions relevant to the  
11 lawsuit that is at issue.

12 Relative to your question earlier and the  
13 instruction not to answer, I do believe it was  
14 appropriate, but I'm going to have  
15 Mr. Goldberger address what he believes the --  
16 is the -- our client is entitled to, but at the  
17 same time, there are other issues we want to put  
18 on the record.

19 I will allow you to ask more questions, but  
20 if it's going to stay on this line, we may have  
21 to adjourn.

22 MR. GOLDBERGER: Okay. This is Jack  
23 Goldberger. A couple issues. First, as to the  
24 questions that, Mr. Scarola, you asked  
25 concerning conversations that Mr. Epstein may

1 that your client has filed an action to set  
2 aside the non-prosecution agreement that  
3 Mr. Epstein is a party to.

4 MR. SCAROLA: Would you please mark this  
5 as Exhibit No. 1 to this deposition.

6 MR. KNIGHT: As soon as you get the  
7 sticker on it, I'll look at that one.

8 (Thereupon, Deposition Exhibit No. 1 was  
9 marked for identification.)

10 THE VIDEOGRAPHER: Is someone's phone by a  
11 microphone or in their pocket?

12 MR. GOLDBERGER: I am.

13 THE VIDEOGRAPHER: If you can put it to  
14 the side, please.

15 MR. GOLDBERGER: I'm all the way over  
16 here.

17 MR. KNIGHT: Mine is off.

18 MR. GOLDBERGER: I'll shut it off.

19 MR. KNIGHT: Okay. Thank you.

20 BY MR. SCAROLA:

21 Q You have been handed a copy of what's been  
22 marked as Exhibit No. 1 to this deposition. It is a  
23 copy of Plaintiff's Third Amended Complaint in a  
24 case styled LM versus Jeffrey Epstein.

25 Have you seen this document before?

1 or may not have had with, I believe you couched  
2 it as news reporters or news media, he would be  
3 invoking Fifth Amendment privileges as to those  
4 questions in addition to the objection raised  
5 by Mr. Knight.

6 MR. KNIGHT: I'm withdrawing the  
7 instruction.

8 MR. GOLDBERGER: Okay. All right. Anyhow  
9 he's invoking Fifth Amendment privileges as to  
10 that line of questioning.

11 As to the total line of questioning where  
12 you are asking Mr. Epstein about sex-related  
13 issues, as you know, your client, Mr. Edwards,  
14 has filed a lawsuit in federal court where he is  
15 seeking to overturn the non-prosecution  
16 agreement that Mr. Epstein is a party to.

17 I believe that you are asking these  
18 questions in an effort to further Mr. Edwards'  
19 attempts to set aside that non-prosecution  
20 agreement, and I think it serves no purpose  
21 other than to assist your client in that  
22 lawsuit. And I just think it's totally outside  
23 the realm of the discovery that is allowed in  
24 this case. And I'm simply not going to allow my  
25 client to answer those questions given the fact

1 A Not to the best of my recollection, no.

2 Q Do you recall having been sued by Bradley  
3 Edwards on behalf of an individual who was  
4 identified by the initials LM?

5 A Yes, sir.

6 Q And is this one of the cases that you  
7 contend was abusively prosecuted by Bradley Edwards?

8 A I'm not sure if this is the exact  
9 complaint.

10 Q Well, is this the case?

11 A I don't know.

12 Q Which case is it that you contend Bradley  
13 Edwards abusively prosecuted against you?

14 A It was the LM case. I don't know if this  
15 is the specific case.

16 Q Well, I want you to assume that there was  
17 only one LM case that was filed by Bradley Edwards  
18 against you.

19 A That's correct.

20 Q Do you have any recollection that is at  
21 odds with that assumption?

22 A Yes, I do.

23 Q You have a recollection that there was, in  
24 fact, a federal court case as well as a state court  
25 case, correct?

1 A Correct.  
 2 Q All right. Now, is it your --  
 3 A I believe that's --  
 4 Q Is it your contention --  
 5 MR. KNIGHT: Finish your answer. Did you  
 6 finish your answer?  
 7 THE WITNESS: That's all right.  
 8 BY MR. SCAROLA:  
 9 Q Is it your contention that Bradley --  
 10 MR. KNIGHT: And any time you want to  
 11 finish your answer, please do so.  
 12 THE WITNESS: Sure.  
 13 BY MR. SCAROLA:  
 14 Q Is it your contention that Bradley Edwards  
 15 abusively prosecuted the state court case on behalf  
 16 of LM?  
 17 A I don't know. Sorry.  
 18 Q Is it your contention that Bradley Edwards  
 19 abusively prosecuted the federal court case on  
 20 behalf of LM?  
 21 MR. KNIGHT: Objection, asks for legal  
 22 conclusions. Obviously there were lawsuits  
 23 that were raised in this case.  
 24 MR. SCAROLA: You don't need to make a  
 25 speaking objection --

1 MR. KNIGHT: Okay.  
 2 MR. SCAROLA: -- that's intended to coach  
 3 the witness, Mr. Knight.  
 4 MR. KNIGHT: I'm going to object.  
 5 MR. SCAROLA: So if you say you are  
 6 objecting on the basis that it calls for a  
 7 legal conclusion, that's fine. And now I would  
 8 like the witness's answer unless you are  
 9 instructing him not to answer.  
 10 MR. KNIGHT: I'm not instructing him not  
 11 to answer.  
 12 BY MR. SCAROLA:  
 13 Q Okay. Then would you please answer the  
 14 question?  
 15 A I'm sorry. Would you repeat it?  
 16 Q Yes, sir. Is it your contention that  
 17 Bradley Edwards abusively prosecuted the federal  
 18 court action on behalf of LM?  
 19 A Yes, sir.  
 20 Q How?  
 21 A Bradley Edwards filed a 234-count federal  
 22 complaint in conjunction with his partner Scott  
 23 Rothstein to enable his partners at RRA to defraud  
 24 south Florida investors of millions of dollars.  
 25 His partner Scott Rothstein and his partner

1 Mr. Adler have -- excuse me, Mr. Rothstein has now in  
 2 deposition admitted that they needed to file a complaint to  
 3 show investors that there was real action, in  
 4 Mr. Rothstein's words, going on in federal court. The  
 5 investors had not been able to find a filed complaint and  
 6 had complained to Mr. Rothstein that there was no filed  
 7 complaints two days, excuse me, before Mr. Edwards filed  
 8 the federal complaint for 234.  
 9 Q Were you ever served with that complaint?  
 10 A Not to the best of my recollection.  
 11 Q So one contention is that Mr. Edwards  
 12 abusively prosecuted a federal court action on  
 13 behalf of LM with which you were never served,  
 14 correct?  
 15 A I had -- I was notified that the case was,  
 16 in fact, filed.  
 17 Q But you were never served with the case,  
 18 correct?  
 19 A I was notified that the case was filed.  
 20 Q But you were never served with the case,  
 21 correct?  
 22 A Not to the best of my recollection.  
 23 Q Okay. What damage did you incur as a  
 24 consequence of the filing of a complaint with which  
 25 you were never served?

1 A I incurred many legal -- much legal fees,  
 2 many legal fees, in fact, to try to figure out  
 3 why -- what was going on and, in fact, getting  
 4 prepared to defend the case though I had not yet  
 5 been served.  
 6 Q Were the allegations in the federal  
 7 complaint on behalf of LM any different than the  
 8 allegations in the state court case on behalf of LM?  
 9 A I don't recall.  
 10 Q Did you, in fact, engage in any sexual  
 11 conduct with LM?  
 12 A I'm sorry, but I'm sure -- the jury is  
 13 going to recognize this is simply meant to harass  
 14 me, and I'll have to take the Fifth Amendment since  
 15 your client, Mr. Edwards, is trying to overturn my  
 16 prosecution agreement.  
 17 Q How many times did you engage in sexual  
 18 conduct with LM?  
 19 A I'm going to have to invoke my Fifth  
 20 Amendment right again, sir.  
 21 Q Do you know who LM is?  
 22 A Again I'm going to assert my right.  
 23 MR. KNIGHT: We are going to go off the  
 24 record and take another break.  
 25 THE VIDEOGRAPHER: The time is 9:58. We

1 are going off the record.  
 2 (Thereupon, a recess was taken at  
 3 9:58 a.m.)  
 4 THE VIDEOGRAPHER: The time is 10:00. We  
 5 are on the record.  
 6 MR. KNIGHT: Okay. We have asked on  
 7 several occasions that you ask questions that  
 8 are relevant to the lawsuit at bar. There have  
 9 been some questions that were getting to it.  
 10 You are back into the sexual stuff which we  
 11 feel is inappropriate, and also relative to the  
 12 issues that were raised by Mr. Goldberger.  
 13 As such, we are going to recess and ask  
 14 further direction from the court on what is  
 15 allowable and what is not allowable in this  
 16 deposition.  
 17 MR. SCAROLA: So you are terminating the  
 18 deposition at this time?  
 19 MR. KNIGHT: We are recessing the  
 20 deposition to get direction from the court.  
 21 MR. SCAROLA: Until when?  
 22 MR. KNIGHT: We will find out what the  
 23 court says.  
 24 MR. SCAROLA: When? Are you contacting  
 25 the judge right now?

1 MR. KNIGHT: I am not. We are going to  
 2 file an appropriate motion and we are going to  
 3 take it to the judge and see what he does.  
 4 Thank you.  
 5 MR. SCAROLA: So that the record is clear,  
 6 it is my intention to ask very specific  
 7 questions about every factual allegation  
 8 included in every claim brought by Mr. Edwards  
 9 on behalf of every victim in every case in  
 10 which it is alleged that Mr. Edwards has  
 11 abusively prosecuted that claim.  
 12 I want to know about the connection between  
 13 Mr. Epstein and each one of those alleged  
 14 victims. I want to know about every individual  
 15 who had information concerning the events that  
 16 are alleged in those complaints, every  
 17 individual who was in a position to have  
 18 possibly had information about the events  
 19 alleged in those complaints.  
 20 I want to ask this witness about every  
 21 person whose deposition was taken and scheduled  
 22 to be taken, the relationship of those persons  
 23 to Mr. Epstein, knowledge that those persons may  
 24 have with respect to Mr. Epstein's activities  
 25 with minors, other crimes committed by

1 Mr. Epstein as part of an ongoing and continuous  
 2 course of conduct supportive of claims for  
 3 punitive damages against Mr. Epstein and  
 4 supportive of RICO claims against him.  
 5 And had this deposition been permitted to  
 6 continue, we would have covered each of those  
 7 areas and substantially more.  
 8 MR. KNIGHT: Thank you.  
 9 THE VIDEOGRAPHER: The time is 10:03. We  
 10 are going off the record.  
 11 (Thereupon, the deposition was adjourned at  
 12 10:03 a.m.)  
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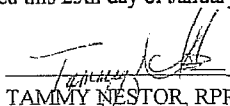
# CERTIFICATE OF REPORTER

STATE OF FLORIDA  
 COUNTY OF BROWARD

I, TAMMY NESTOR, Registered Professional Reporter, do hereby certify that I was authorized to and did stenographically report the foregoing deposition of JEFFREY EPSTEIN, that a review of the transcript was requested, and that the transcript is a true record of my stenographic notes

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 25th day of January 2012.

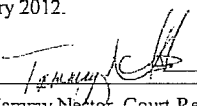
  
 TAMMY NESTOR, RPR

## CERTIFICATE OF OATH

STATE OF FLORIDA  
COUNTY OF BROWARD

I, the undersigned authority, certify that  
JEFFREY EPSTEIN personally appeared before me and was  
duly sworn.

Witness my hand and official seal this 25th  
day of January 2012.

  
Tammy Nestor, Court Reporter  
Notary Public, State of Florida  
Commission No.: EE 133933  
Commission Exp. Date: 10/23/2015



## ERRATA SHEET

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In Re: Epstein v Edwards

Case No. 502009CA040800XXXXMBAG

JEFFREY EPSTEIN

January 25, 2012

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Under penalties of perjury, I declare that I have read  
the foregoing document and that the facts stated in it  
are true.

DATE JEFFREY EPSTEIN

January 25, 2012  
FOWLER WHITE BURNETT, PA  
1395 Brickell Avenue, 14th Floor  
Miami, Florida 33131  
ATTN: CHRISTOPHER E. KNIGHT, ESQUIRE

Re: Epstein v Edwards  
Case No. 502009CA040800XXXXMBAG  
Please take notice that on the January 25, 2012, you  
gave your deposition in the above cause. At that time  
you did not waive your signature. The transcript is now  
available for your review.

Please call (888)811-3408 or email  
production@pippysreporting.com to schedule and  
appointment between the hours of 9:00 a.m. and 4:00  
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If you are a party in this action and your attorney has  
ordered a copy of this transcript, you may wish to read  
their copy of the transcript. In that event, please  
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If you do not read and sign the deposition within thirty  
(30) days, the original, which has already been  
forwarded to the ordering attorney, may be filed with  
the Clerk of the Court.

If you wish to waive your signature now, please sign  
your name in the blank at the bottom of this letter and  
return it to us.

Very truly yours,

TAMMY NESTOR, RPR  
Pippys Reporting, Inc.  
1615 Forum Place, Suite 500  
West Palm Beach, Florida 33401  
I do hereby waive my signature.

JEFFREY EPSTEIN

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL  
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA  
CASE NO. 50 2009CA040800XXXXMB AG  
Complex Litigation, Fla.R.Civ.Pro. 1201

JEFFREY EPSTEIN,  
Plaintiff,

-vs- VOLUME I OF II

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

Defendants.

VIDEOTAPED DEPOSITION OF BRADLEY J. EDWARDS, ESQUIRE

Tuesday, March 23, 20010  
10:00 - 5:07 p.m.

2139 Palm Beach Lakes, Boulevard  
West Palm Beach, Florida 33401

Reported By:  
Cynthia Hopkins, RPR, FPR  
Notary Public, State of Florida  
Prose Court Reporting  
Job No.: 1333

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BRADLEY J. EDWARDS, ESQUIRE

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|                   | FACSMILE           |      |

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Phone: 561.686.6300

## ALSO PRESENT:

Jeffrey Epstein  
Joseph Kozak, Videographer  
Prose Reporting Services

## PROCEEDINGS

Deposition taken before Cynthia Hopkins,  
Registered Professional Reporter and Florida  
Professional Reporter, and Notary Public in and for  
the State of Florida at Large, in the above cause.

THE VIDEOGRAPHER: We are now on video  
record. This is Media Number One in the  
videotaped deposition of Bradley Edwards in the  
matter of Jeffrey Epstein versus Scott  
Rothstein, Bradley J. Edwards, and L.M.

Today is Tuesday, March 23rd, 2010 at  
10:00 a.m. We're here in the law offices  
of Searcy, Denney, Scarola, Barnhart &  
Shipley, 2139 Palm Beach Lakes Boulevard,  
West Palm Beach, Florida.

My name is Joe Kozak. I am the  
videographer. The court reporter is Cindy  
Hopkins from Prose, Prose Court Reporting  
Agency.

Will counsel please introduce  
yourselves, and then the court reporter  
will swear in the witnesses.

MR. CRITTON: Bob Critton on behalf of the

EXHIBIT

F

1 Plaintiff, Jeffrey Epstein.

2 MR. GOLDBERG: Jack Goldberger on behalf  
3 of the Plaintiff, Jeffrey Epstein.

4 MR. DERSHOWITZ: Alan Dershowitz on behalf  
5 of the Plaintiff, Jeffrey Epstein, of counsel.

6 MR. SCAROLA: The record should reflect  
7 that Mr. Epstein is also personally present.

8 My name is Jack Scarola. I am counsel on  
9 behalf of the Defendant/Counter-Plaintiff, Brad  
10 Edwards.

11 Thereupon,

12 (BRADLEY J. EDWARDS, ESQUIRE)  
13 having been first duly sworn or affirmed, was  
14 examined and testified as follows:

15 THE WITNESS: Yes.

16 DIRECT EXAMINATION

17 BY MR. CRITTON:

18 Q. Would you please tell us your full name  
19 and home your home address.

20 A. Bradley James Edwards, 1109 Northeast Second  
21 Street, Hallandale Beach, Florida, 33009.

22 Q. Date of birth, please.

23 A. [REDACTED]

24 Q. Mr. Edwards, have you ever had your  
25 deposition taken before?

1 A. I don't understand the question.

2 Q. For whom do you work at the current time?  
3 Are you an employee?

4 A. I am a partner in the law firm of Farmer,  
5 Jaffe, Weissing, Edwards, Fistos & Lehrman.

6 Q. Is that a professional association?

7 A. Yes.

8 Q. And you said you're a partner. Do you  
9 have your own P.A. or is the only the Farmer -- what  
10 was the second name, Jaffe?

11 A. Correct.

12 Q. And I will refer to it as Farmer, Jaffe,  
13 if that's all right with you. Is Farmer, Jaffe  
14 itself a P.A.; that is, are you a partnership of  
15 P.A.'s?

16 A. Yes.

17 Q. Do you have your own professional  
18 association?

19 A. Yes.

20 Q. Okay. What's it called?

21 A. Law Office of Brad Edwards, LLC.

22 Q. You are the sole member of that LLC?

23 A. Yes.

24 Q. And then your LLC is a partner of the  
25 Farmer, Jaffe firm?

1 A. No.

2 Q. Okay. But you've counseled, you've  
3 obviously taken a number of depositions both as a  
4 Plaintiff and as a Defendant. You're familiar with  
5 all the rules?

6 A. I know the rules.

7 Q. All right. Again if I ask you a question  
8 you don't understand, if you would ask me or if you  
9 want me to rephrase it, I will be happy to do that.

10 A. Yes.

11 MR. SCAROLA: Mr. Edwards, Mr. Edwards,  
12 knows the rules. You can skip the  
13 preliminaries.

14 MR. CRITTON: Is that a form objection?

15 MR. SCAROLA: No.

16 MR. CRITTON: Just a talk.

17 MR. SCAROLA: It's a, it's a request that  
18 you not waste our time.

19 MR. CRITTON: I am not wasting your time.  
20 And if we hadn't gone through that, we would  
21 have been done with them, Jack.

22 BY MR. CRITTON:

23 Q. Mr. Edwards, are you currently employed?

24 A. Yes.

25 Q. And by whom are you currently employed?

1 A. Correct.

2 Q. And do you hold yourself out to the public  
3 as being a partner of that firm; that is you  
4 individually?

5 A. What do you mean by hold myself out to the  
6 public?

7 Q. If I got your letter would your letter  
8 say, if I received a letter from you would it say  
9 Brad Edwards, partner, or something to that effect?

10 A. I don't think so.

11 Q. Okay. What does your card say? Do you  
12 have a business card?

13 A. I do.

14 Q. Okay. What does your business card--

15 A. Attorney.

16 Q. -- reflect? And when you introduce  
17 yourself to clients or other attorneys for the first  
18 occasion, do you introduce yourself as a partner of  
19 that firm if asked?

20 A. If asked are you a partner; is that your  
21 question?

22 Q. Correct.

23 A. Would I say yes? The answer is yes.

24 Q. When did you start -- I want to strike  
25 that. Do you consider yourself an employee of the

1 partnership?

2 A. What do you mean by that?

3 Q. Do you understand what an employee is?

4 A. I work for the firm.

5 Q. You are certainly not --

6 A. I am employed there, so, yes.

7 Q. When did you start your association with  
8 the Farmer, Jaffe firm?

9 A. Sometime during the month of November, 2009.

10 Q. And is that when the firm was incorporated  
11 as a professional association?

12 A. I believe so.

13 Q. The attorneys who are in the current firm,  
14 are they all former Rothstein Rosenfeldt Adler  
15 attorneys; that is, the professional staff?

16 A. Yes.

17 Q. Is there anyone -- Let me strike that.

18 Do you have paralegals as well that  
19 work there?

20 A. Yes.

21 Q. Are any of the paralegals former, and if I  
22 refer to Rothstein Rosenfeldt Adler as RRA, or RRA,  
23 is that all right with you?

24 A. I understand what you mean.

25 Q. Are there any other, are any of the

1 Q. She's your current secretary/paralegal, or  
2 do you have a secretary as well?

3 A. I don't understand your question.

4 Q. Do you have -- is Beth Williamson your  
5 paralegal?

6 A. She's a paralegal at the law firm of Farmer,  
7 Jaffe, Weissing, Edwards, Fistos & Lehrman.

8 Q. Does she primarily work for you?

9 A. No.

10 Q. Do you have a secretary as well?

11 A. The law firm? Yes.

12 Q. The secretary who works primarily for  
13 you --

14 A. No.

15 Q. You just use whoever is available from a  
16 secretary standpoint?

17 A. No.

18 Q. Who do you primarily use for secretary  
19 services?

20 A. There is nobody who could fall into the  
21 category of who I primarily use.

22 Q. Ms. Williamson, who, by whom, who, who was  
23 the attorney at RRA with whom she primarily worked?

24 A. I believe it was several attorneys, and I  
25 can't tell you who the attorneys were that she worked

1 paralegals that are currently employed by Farmer,  
2 Jaffe in any capacity whether they are independent  
3 contractors -- well, let me strike that.

4 As employee's, I probably should ask  
5 this question: Does the firm, Farmer, Jaffe have  
6 employees --

7 A. Yes.

8 Q. -- separate and apart from the partners?

9 A. Yes.

10 Q. And they are actually employed by the  
11 P.A., correct?

12 A. Correct.

13 Q. Does the firm have any paralegals that  
14 came over from the RRA firm, RRA?

15 A. Yes.

16 Q. Who are they?

17 A. Maria and Beth.

18 Q. Does Maria have a last name?

19 A. Yes.

20 Q. What is it, please?

21 A. I believe it's pronounced Kelljian.

22 Q. Can you spell it?

23 A. I can give it my best shot, K-E-L-L-J-I-A-N.

24 Q. And Beth's last name is what, please?

25 A. Williamson.

1 for or with.

2 Q. Did she work with you at all at RRA?

3 A. In some limited capacity, maybe.

4 Q. Did she ever work on any of the -- you  
5 have three cases that you ever filed -- or let me  
6 strike that.

7 There are three cases that are in  
8 existence at the current time. One is Jane Doe  
9 versus Mr. Epstein which is, is a federal court case  
10 and the Plaintiff's name is Jane Doe. That is one  
11 of your cases, correct?

12 A. Correct.

13 Q. Or one of the firm's cases at the current  
14 time?

15 A. Correct.

16 Q. There is another case versus L.M. Versus  
17 Jeffrey Epstein and a third called E.W. versus  
18 Jeffrey Epstein, correct?

19 A. Yes.

20 Q. And as a result all three of those cases  
21 currently now are firm cases, the Farmer, Jaffe firm  
22 cases?

23 A. Yes.

24 Q. Did Mrs. Williamson work on any of those  
25 cases?

1 A. In what time period? What's your question?

2 Q. I'm sorry. During the time that you were  
3 associated with RRA, did Mrs. Williamson work on  
4 those cases?

5 A. Without you needing to ask 20 different  
6 questions to get to your answer, I will tell you her  
7 involvement was that after federal motions were drafted,  
8 she was the person to literally file the motion. That  
9 is her only involvement with the cases while at RRA

10 Q. She basically filed them through the Pacer  
11 system?

12 A. Exactly.

13 Q. Prior to you working at Farmer, Jaffe by  
14 whom were you employed? And by employed I mean in,  
15 in a broad sense. You could have been an  
16 independent contractor. You could have been a  
17 partner. You could have been an employee.

18 A. The law firm of Rothstein Rosenfeldt Adler.

19 Q. When did you start working for RRA?

20 A. I believe April of 2009.

21 Q. Beginning of April?

22 A. Yes.

23 Q. I saw a pleading that was filed yesterday  
24 and it was either E.M., I am sorry, L.M. or E.W.  
25 that looked like there was a change of -- I'm sorry,

1 substitution of counsel. Did you, were the  
2 substitution of counsel's filed the exact date that  
3 you started with RRA?

4 A. I don't remember.

5 Q. When did your association with RRA  
6 terminate or end?

7 A. The end of October 2009 or the beginning of  
8 November 2009.

9 Q. And how did it terminate? How did your  
10 relationship with RRA terminate?

11 A. The firm closed.

12 Q. Did you get, notification -- when you say  
13 closed, meaning what?

14 A. Meaning what everybody in this entire room  
15 knows is that the firm went from operating to no longer  
16 operating.

17 Q. And how did you receive notice; that is,  
18 did you receive some sort of notice that told you  
19 that RRA now is a defunct firm? Did you receive  
20 notification that was in bankruptcy? What, if  
21 anything, did you receive?

22 A. I didn't receive anything.

23 Q. And then how did your relationship with  
24 RRA end?

25 A. Came to work on a Monday morning, and there

1 notice of appearance or something by RRA. Would  
2 that, in any way, if I asked you to assume that  
3 that's correct, would that refresh your recollection  
4 that it may have been at the end of March?

5 A. I don't understand that question at all.

6 Q. I saw a pleading that was filed or --

7 A. Yesterday you said.

8 Q. -- a paper that was filed. I was looking  
9 at a pleading filed in either E.W. or L.M., and I  
10 saw a paper that was basically a notice of  
11 appearance on behalf of RRA. And it looked like it  
12 was dated around March 30 of 2009.

13 A. Okay.

14 Q. Is it possible that you started your  
15 association with RRA at an earlier date than April  
16 of '09?

17 A. Assuming that what you said is true, if that  
18 document says that, then it's possible that is an  
19 accurate reflection of when I began.

20 Q. Did you start working with RRA before you  
21 filed any documents representing that RRA or that  
22 you had now an affiliation with RRA?

23 A. No.

24 Q. Where the -- again, I don't remember,  
25 whether there was a notice of additional counsel or

1 was a meeting that was held informing all the employees  
2 including myself that the firm no longer was financially  
3 able to survive and therefore would be immediately  
4 closing down.

5 Q. Who was the spokesperson at the meeting,  
6 the main individual who advised those assembled in  
7 the room that that's what was going to occur?

8 A. I don't remember.

9 Q. Was it -- did Rosenfeldt speak at all at  
10 that meeting?

11 A. I, I can't remember.

12 Q. Do you remember the date of the meeting?

13 A. I remember that it was a Monday.

14 Q. Do you remember it being in October or  
15 November?

16 A. Either the very end of October or the very  
17 beginning of November.

18 Q. Did anyone -- well, let me strike that.  
19 Do you remember whether the person -- let me strike  
20 that.

21 At the meeting who was present, and I  
22 don't mean individual names. Who did it, by groups,  
23 who did it include?

24 A. The meeting was held in a cafeteria type room  
25 in the building where RRA maintained its offices. And

1 the room was completely full to capacity with as many  
2 employees of the Rothstein, Rosenfeldt Adler firm as  
3 were in attendance at work that day.

4 Q. And included lawyers, paralegals, support  
5 staff, investigators?

6 A. Literally --

7 Q. -- everyone, I mean everyone who obviously  
8 showed up at the meeting?

9 A. I don't know.

10 Q. Did you see other lawyers there?

11 A. Yes.

12 Q. Did you see staff there?

13 A. Yes.

14 Q. Did you see paralegals there?

15 A. Yes.

16 Q. Did you see investigators there?

17 A. I can't necessarily remember whether or not I  
18 saw investor -- investigators there.

19 Q. And did more than one person speak at the  
20 meeting?

21 A. I don't remember.

22 Q. Okay. What else were you advised at the  
23 meeting, if anything?

24 A. It was -- I stayed for very little of that  
25 meeting. I don't know what was advised to others, but

1 A. I don't believe so.

2 Q. Okay. Was anyone preventing you from  
3 taking anything?

4 A. No.

5 Q. Okay. Did you print out any documentation  
6 from your server or from the firm's server that day  
7 to take with you?

8 A. Not that I recall.

9 Q. Do you recall taking anything from  
10 RRA's office that day, that day being that same  
11 Monday?

12 A. No.

13 Q. Obviously Scott Rothstein was not there?

14 A. Correct.

15 Q. Have you ever spoken, excuse me, have you  
16 ever seen Mr. Rothstein since that Monday at the  
17 meeting?

18 A. What do you mean have I seen him?

19 Q. Seen him in person, I'm sorry.

20 A. No.

21 Q. Okay, have you spoken with him at any time  
22 since the Monday meeting at which time you were  
23 advised that the firm was shutting down?

24 A. No.

25 Q. Have you spoken on any, with anyone on his

1 what I heard was, firm is closing down. That's all I  
2 needed to hear and I left.

3 Q. Did you subsequent -- well, let me strike  
4 that. Did you, were you able to gain, gain access  
5 to the building that day? I am sorry, access to  
6 your, to the offices of the Rothstein firm that day?

7 A. Yes.

8 Q. And were you able to access any of your  
9 files or your e-mail at that time?

10 A. What time?

11 Q. That same day, that Monday that you were  
12 advised that the firm was shutting down.

13 A. Yes.

14 Q. And were you able to print documents?  
15 Well, let me strike that. Were you able to take  
16 documents relating to matters on which you worked  
17 from the firm?

18 A. What do you mean by was I able to?

19 Q. Were you able to access and take with you  
20 documents that related to files on which you were  
21 working the preceding Friday when you were at RRA?

22 A. I believe so.

23 Q. Did you take, did you actually remove  
24 documents, papers that were related to files that  
25 you had on which you were working from RRA that day?

1 behalf; that is, who purports to represent  
2 Mr. Rothstein since you left the firm that day?

3 A. No.

4 Q. Do you know Mr. Nurik?

5 A. Yes.

6 Q. Do you recog -- are you aware that he  
7 represents Mr. Rothstein?

8 A. Yes.

9 Q. Okay. Have you spoken with him since that  
10 Monday?

11 A. He called me on a morning before a hearing to  
12 ask me where Judge Crow's courtroom was. And I told  
13 him, and that was the extent of that conversation.  
14 Otherwise, I have had zero communication with Marc  
15 Nurik.

16 Q. With regard to the firm being advised that  
17 the firm was shutting down on that Monday, did you  
18 subsequently return to the firm's offices? Let me  
19 strike that. How long did you stay at the firm that  
20 day?

21 A. I don't remember.

22 Q. Did you stay all day?

23 A. I believe so.

24 Q. Were you able to work on your files?

25 A. I don't understand the question.



1 Q. Were you able to do legal work on the  
2 matters that wherein you represent individuals?

3 A. Was I able to? Yes, I was physically able to  
4 do that.

5 Q. Did you work on legal matters that day?

6 A. No.

7 Q. Did you subsequently, after that date, did  
8 you return to the RRA offices?

9 A. Yes.

10 Q. And where are those offices or where were  
11 those offices located?

12 A. Las Olas.

13 Q. The address, please?

14 A. I don't remember.

15 Q. With regard to the --

16 A. 401.

17 Q. Las Olas?

18 A. (Witness nods head.)

19 Q. Did you, did you after that Monday did you  
20 return to the offices at 401 Las Olas, the RRA  
21 offices?

22 A. Yes.

23 Q. And did you return every day thereafter  
24 for a period of time?

25 A. No.

1 entry to the office?

2 A. I don't know.

3 Q. Well, who would, who would monitor whether  
4 you came in or couldn't go into the office?

5 A. I don't know.

6 Q. Was there someone there?

7 A. Was there someone where?

8 Q. The impression I got is that there was  
9 some limitation on your ability to access the RRA  
10 offices after the Monday at which time you were  
11 advised that the firm was shutting down. Did I  
12 misunderstand you?

13 A. No, that's correct.

14 Q. Okay. Who then, if you know, or what, if  
15 it was an entity, placed any restrictions on your  
16 access to RRA offices?

17 A. I don't know.

18 Q. When you would go to the office -- well,  
19 let me strike that. After how many days -- well,  
20 let me strike that.

21 The very day, the same day that you  
22 were advised that the office was closing down, were  
23 there any individuals that were monitoring what, if  
24 anything, was to be removed or not removed from the  
25 office, like a security force, Broward County

1 Q. Was there a point in time that you were  
2 prevented from entering your office or the offices  
3 of RRA?

4 A. Yes.

5 Q. At what point in time were you prevented  
6 from going into the offices?

7 A. I don't remember.

8 Q. How many days were you able to access the  
9 offices before you were prevented?

10 A. I don't remember.

11 Q. You don't know whether it was a day or  
12 three days or five days that you were allowed to go  
13 into the office?

14 A. The period of time that I was able to go into  
15 the office encompasses all of those things that you just  
16 said, one day, three days, five days, yes. I can  
17 definitely say with certainty I was able to do that.

18 Q. During the month of October were you  
19 allowed to go into the office more than ten days?

20 A. Yes.

21 Q. Did they put -- well, let me strike that.  
22 Did someone put restrictions on what your access was  
23 to the office, the RRA office?

24 A. Yes.

25 Q. Okay. Who put the restrictions on the

1 Police, U.S. Marshals.

2 A. From my recollection there were at some point  
3 in time, there were people in the office monitoring  
4 activity in the office.

5 Q. Was that the first week after the Monday?

6 A. I don't recall.

7 Q. Did you ever, did you receive any  
8 guidelines either at the Monday meeting or  
9 thereafter as to what you could or could not remove  
10 from the file, from the, I'm sorry from the RRA  
11 offices?

12 A. I believe so.

13 Q. And who put those guidelines out, do you  
14 recall?

15 A. No.

16 Q. Were they in a written form?

17 A. No.

18 Q. Okay. Was given in what form, how did you  
19 learn what you could and could not take from the  
20 office?

21 A. More rumor than anything else is what I  
22 remember.

23 Q. Did you discuss that with other  
24 individuals or other attorneys who were working at  
25 RRA?

1 A. Possibly.

2 Q. Did you ever attempt to remove something  
3 from the office of the RRA offices and someone  
4 prevented you?

5 A. No.

6 Q. Did you ever -- and when I say remove I  
7 mean in the sense of physically remove; that is,  
8 take out boxes or take out files or something of  
9 that nature.

10 A. I understand the definition of remove.

11 Q. With regard to, there were also, I  
12 understand you had an e-mail server at the office?

13 A. Okay.

14 Q. Is that correct?

15 A. Yes.

16 Q. And I have seen something, there is  
17 something that's called Qtask. Are you familiar  
18 with Qtask?

19 A. Yes.

20 Q. And what do you understand Qtask or what  
21 did you understand that Qtask did; that is, as an  
22 electronic service?

23 A. A web based network to store files and other  
24 materials.

25 Q. In terms of electronic storage, or

1 management system; that is, did you utilize the  
2 software that was available?

3 A. Yes.

4 Q. And had you ever used a system like that  
5 before you came to the RRA firm, RRA?

6 A. I don't understand.

7 Q. Okay. Had you ever used an electronic  
8 case management software system before you came to  
9 RRA?

10 A. Yes.

11 Q. Was yours the system that you had used  
12 before was that were you able to integrate that with  
13 RRA, with the RRA file or system when you got there,  
14 or did your files have to be put on the new RRA  
15 system?

16 A. The latter.

17 Q. In addition, so we had the e-mail server,  
18 Qtask, and electronic case management system. Was  
19 there any other type of electronic storage or system  
20 that was available for communication or storage at  
21 RRA?

22 A. Not that I recall.

23 Q. With regard to the e-mail system, well,  
24 with regard to the e-mail system, Qtask, and  
25 electronic case management, did you require, was

1 electronic data at the RRA firm, in addition to,  
2 excuse me, the e-mail server was and Qtask, was  
3 there anything else from an electronic storage or  
4 communication means through RRA?

5 A. Yes.

6 Q. What else was there?

7 A. That stored electronic materials?

8 Q. Right, or that you could communicate with  
9 someone else either inside or out of the firm. You  
10 had the server, e-mail server. You had Qtask. What  
11 else did you have?

12 A. To communicate with others, e-mail and Qtask.

13 Q. And how about within the confines of the  
14 firm, was there another electronic mail system or  
15 electronic system either for storage or for  
16 communication?

17 A. To the best of my recollection, none for  
18 communication. Storage, yes. There were electronic  
19 paperless storage case management systems in place.

20 Q. And with regard to the electronic case  
21 management system, were your files, including the  
22 three cases involving Mr. Epstein, were those cases  
23 on the electronic case management system?

24 A. Yes.

25 Q. And could you access the electronic case

1 there a password required to use or access each one?

2 A. No.

3 Q. Was there a password required to use any  
4 of the three?

5 A. I don't believe so.

6 Q. As I saw in an order that with the Qtask  
7 system that there was some sort of access code that  
8 was required to get into Qtask.

9 A. I saw that too.

10 Q. Did you ever have, did you ever have such  
11 a code or a password with regard to Qtask?

12 A. I don't remember.

13 Q. Has the receiver and/or it's, Mr. Seton or  
14 his attorneys asked for you to provide any passwords  
15 or information to access any of your files?

16 A. I don't think so.

17 Q. Do you understand that you have a  
18 requirement or you're required to give the password  
19 if requested by Mr. Seton?

20 A. I don't know the password to give to anybody.  
21 I never knew there was a password.

22 Q. Did you --

23 A. I don't believe.

24 Q. Did you use Qtask?

25 A. I have used Qtask.

1 Q. With regard to your, the files  
2 specifically, specifically the -- well, let me  
3 strike that. During the time you were at RRA, of  
4 the three files, Jane Doe, L.M., and E.W. or in  
5 addition to those three files, did you represent any  
6 other individuals who were potential claimants  
7 against Mr. Epstein?

8 A. I don't believe so.

9 Q. All right. I received notification from  
10 you as to a Ms. N.R.?

11 A. N.R.

12 Q. N.R. and Ms. D.F. I believe is her name?

13 A. Correct.

14 Q. Were either of those individuals, had  
15 either of those individuals contacted you prior to  
16 leaving the RRA firm?

17 A. I don't believe so.

18 Q. Is it your testimony then that none,  
19 neither Ms. N.R. nor Ms. D.F. would have had a fee  
20 agreement or representation agreement with the RRA  
21 firm because they hadn't contacted you prior to your  
22 departure from that firm; is that correct?

23 A. I'm not sure.

24 Q. Is it possible that Ms., either Ms. N.R.  
25 or Ms. D.F. contacted you before you left the RRA

1 either just before or just after I do believe I spoke  
2 with one or maybe both of them on at least one occasion  
3 before the disbandment of RRA

4 And I know for a fact I signed each  
5 one of the clients up after the disbandment of RRA  
6 I can't tell you with any degree of certainty  
7 whether they signed a fee agreement with RRA prior  
8 to the disbandment.

9 Q. Have you been able to do any transfers of  
10 your, of -- let me strike that. With regard to the  
11 e-mail server at RRA, have you had occasion to  
12 access that since that Monday; that is, the Monday  
13 meeting that you referred to in either late October  
14 or early November of '09?

15 A. Yes.

16 Q. All right. And have you had full access,  
17 at some point did you get full access to all of your  
18 e-mail that, that existed at least, that you had not  
19 removed -- let me start again.

20 Under an e-mail server you, you have  
21 the ability, obviously, to delete what you, what you  
22 choose, correct?

23 A. As do you.

24 Q. As do I, right. And were you using like a  
25 Microsoft Outlook program?

1 firm but you just didn't sign them up before you  
2 left?

3 MR. SCAROLA: Objection, calls for  
4 speculation.

5 THE WITNESS: Yes.

6 BY MR. CRITTON:

7 Q. Is there a reason that you would not have  
8 signed them up during the time you were with -- or  
9 let me strike that. Prior to the implosion, prior,  
10 prior to that Monday when you were advised that the  
11 RRA firm was closing down, had you made any plans to  
12 leave that firm, that is the RRA firm?

13 A. No.

14 Q. Okay. Had you discussed with any other  
15 attorneys in RRA departing from RRA or the RRA firm  
16 prior to that Monday meeting at which time you were  
17 advised that the firm was shutting down?

18 A. No.

19 Q. You indicated it's possible that Ms. N.R.  
20 or Ms. D.F. may have contacted you prior to your  
21 departure or prior to that Monday meeting. What  
22 makes you believe that?

23 A. I don't remember exactly the timing of any  
24 communications between myself and Ms. D.F. or Ms. N.R.  
25 And it seems to me that it was around the time period

1 A. I don't remember.

2 Q. Okay.

3 A. I am now.

4 Q. Well, with the program that you did have,  
5 could you delete it and then you would have to go  
6 into the delete it and further delete it to clean it  
7 out?

8 A. I don't remember.

9 Q. You don't remember back to October or  
10 September of '09 at this point?

11 A. That's just not what I do. I mean, I don't  
12 just delete e-mails. So I don't know what you had to  
13 do. You take me for somebody more e-mail savvy than I  
14 am about that.

15 Q. Do you basically save all your e-mails or  
16 had you in the past when you were at RRA?

17 A. I don't intentionally save or delete. They  
18 are just there.

19 Q. And when you, when you, at some point  
20 after the Monday meeting, were you able to transfer  
21 whatever e-mails you had from RRA to your current  
22 program?

23 A. At Farmer, Jaffe, Weissing?

24 Q. Correct.

25 A. No.

1 Q. Were you at some point given access to all  
2 your e-mails so it could be downloaded either on a  
3 disk, hard disc, floppy disk, or some other storage  
4 medium so that you had access to all your prior  
5 e-mails when you were at RRA?

6 A. I don't know.

7 Q. Did you ever make that request to someone,  
8 either the receiver or anyone else associated with  
9 RRA?

10 A. I don't remember if I made that request.

11 Q. I thought you indicated earlier,  
12 Mr. Edwards, that you had access to some of your  
13 e-mails.

14 A. I had access to all of my e-mails on that  
15 Monday of the meeting, on the next day, on that Tuesday,  
16 right, the immediately following the meeting. 32:46 at  
17 some point in time it was cutoff and since that time,  
18 when it was cutoff, I don't believe I have ever had  
19 access back to my entire e-mail system.

20 Q. Okay. Have you had access to portions of  
21 your e-mail system?

22 A. Not that I remember.

23 Q. Have you attempted to obtain access or  
24 requested that you obtain access or information from  
25 your e-mail, from the RRA e-mail server?

1 paralegals, other staff at RRA?

2 A. Yes.

3 Q. And would you see, receive, if it was  
4 something from one of the other partners at RRA  
5 would you receive; that is, did you get firm-wide  
6 e-mails from time to time about specific topics?

7 A. Yes.

8 Q. All right. When you, during the time that  
9 you went back to RRA, did you printout, and up until  
10 the time you were denied access to the e-mail  
11 server, did you ever print, printout any e-mails or  
12 transfer any e-mails that you can recall?

13 A. Not that I can recall.

14 Q. All right. With regard to the Qtask  
15 system, have you been, since that Monday have you  
16 been able to use that system in any fashion?

17 A. What do you mean by that?

18 Q. Have you been able to access Qtask either  
19 to look to see what was there or in the alternative  
20 pull information from so that you could printout  
21 information from Qtask?

22 A. I don't know. Probably.

23 Q. Okay. Have you attempted since that  
24 Monday -- well, after that Monday meeting -- let me  
25 strike that.

1 A. I don't remember.

2 Q. You say you don't remember. Would there  
3 have been a reason that you either requested or  
4 didn't request access to your prior e-mail? When I  
5 say prior I mean at RRA

6 A. Usually you read all of your e-mails and there  
7 shouldn't be anything that I had not read. However,  
8 there are some e-mails that you would like to keep  
9 around. So there may have been reason for me to have  
10 requested. However, I don't believe I was ever granted  
11 access to those e-mails, and I can't specifically  
12 remember requesting the e-mails.

13 Q. Within, within the e-mails you would have  
14 corresponded with or communicated with people  
15 outside of the firm and as well as people within the  
16 firm, true?

17 A. Ever, yes.

18 Q. During the time you were RRA

19 A. Did I ever communicate with somebody outside?  
20 I communicated with you.

21 Q. Correct.

22 A. So you know that to be true. Yeah, of course.

23 Q. I know that to be true. And my question  
24 is as well within the server or e-mail system with  
25 RRA, did you ever also communicate with other

1 Since the meeting that occurred on  
2 that Monday at which time you were advised the firm  
3 was shutting down, have you accessed Qtask for any  
4 reason?

5 A. I don't believe so.

6 Q. What kind of -- you said, you described  
7 earlier that Qtask was a web based network of files  
8 for files and other materials. And in what fashion  
9 did you use Qtask during the time you were with RRA,  
10 RRA?

11 A. Qtask is a project centric web-based program.  
12 So projects could be created. The project would  
13 normally be a case, and that case discussed with lawyers  
14 the way that you may gather around a table and discuss  
15 it. And at times I was invited to projects on various  
16 cases and utilized that system.

17 Q. Is that the only fashion that you would  
18 have used Qtask during the time you were with RRA?

19 A. Yes.

20 Q. And when you say a project, as an example,  
21 Jane Doe versus Jeffrey Epstein, if that had been  
22 put, just this is hypothetically and then I will ask  
23 you later whether that was in the system but if you  
24 wanted or let me strike that.

25 Could Jane Doe versus Jeffrey Epstein

1 been put in the Qtask program for, for purposes of  
2 creating a project?

3 A. Repeat it again.

4 Q. Okay. Could a case like Jane Doe versus  
5 Jeffrey Epstein been put in the Qtask system as a  
6 project so that you and others could look at it?

7 A. You mean is, is, is the project capable of  
8 holding such a project?

9 Q. Yes, just generically.

10 A. Yes, yes.

11 Q. And in terms of the RRA system, did the  
12 RRA system ever have as, as a project Jane Doe  
13 versus Jeffrey Epstein?

14 A. I don't believe so.

15 Q. Did you ever look in the Qtask, Qtask  
16 system to determine whether you or anyone on your  
17 behalf or any other person in the firm had ever put  
18 Jane Doe versus Jeffrey Epstein into the Qtask  
19 system?

20 A. Yes.

21 Q. Okay. And what did you find or not find?

22 A. I, I don't remember if that was the name of  
23 any project in the system. It could have been, but it  
24 may not have been. I don't remember that as a specific  
25 project in the system.

1 Fortis system before you came to Rothstein --

2 A. Had I ever used Fortis before I came to RRA?

3 Q. Yes.

4 A. No.

5 Q. Now, back to Qtask. Did you, do you have  
6 a recollection -- let me strike that. Did you ever  
7 personally ever put any information into the Qtask  
8 system for a project --

9 A. Yes.

10 Q. -- on your cases?

11 A. Yes.

12 Q. Did you ever put, and I think you just  
13 testified as to the best of your recollection, Jane  
14 Doe versus Jeffrey Epstein was never put into the  
15 Qtask system, correct?

16 A. As the name of a project?

17 Q. Yes, sir.

18 A. No. I don't believe so.

19 Q. Well, was, when you say the name of a  
20 project, could, could information about Jane Doe  
21 versus Jeffrey Epstein have gotten into the system  
22 but not identified as a, quote, unquote, project?

23 MR. SCAROLA: Calls for speculation.

24 MR. CRITTON: Do you understand the  
25 question, sir?

1 Q. When you say a specific project, if I  
2 understand you correctly, Mr. Edwards, that would  
3 have been, as an example, it could be any case. It  
4 could be a real estate case, it could be a labor  
5 case, it could be Jane Doe versus Jeffrey Epstein,  
6 but someone could, someone whether it was you or  
7 someone else could put in facts and information  
8 about the case?

9 A. Similar to any case management system that's,  
10 it just happens to be web based, but you have the right  
11 concept.

12 Q. Is the concept the same concept for an  
13 electronic, for the third electronic system, you had  
14 the electronic case management system?

15 A. I suppose at full capacity it, it may. I just  
16 wasn't that adept at Qtask to know all of the  
17 capabilities of Qtask.

18 Q. With regard to the third item which I am  
19 going to come back to Qtask in just a minute, the  
20 electronic case management software, what was the  
21 name of that software?

22 A. I believe it's called Fortis.

23 Q. F-o-r-t-i-s?

24 A. I think so.

25 Q. I may have asked you, have you ever used a

1 THE WITNESS: I don't understand.

2 MR. SCAROLA: Are you asking whether that,  
3 that capability existed?

4 MR. CRITTON: Sure.

5 THE WITNESS: Did the capability exist?

6 MR. CRITTON: Right. Again Mr. Scarola  
7 didn't want to let me go through the  
8 explanation because he thought you understand  
9 it and I know you did, Brad. I know you  
10 understand.

11 THE WITNESS: I don't know that I  
12 understand that question. I want to make sure  
13 that I answer your question accurately.

14 MR. CRITTON: See, cut me off too early,  
15 earlier.

16 MR. SCAROLA: No, too late.

17 BY MR. CRITTON:

18 Q. Mr. Edwards, what I am trying to get is  
19 you described the Qtask as being project centric.  
20 And as I understood it, the project may be given a  
21 label or a title?

22 A. Correct.

23 Q. So, it could be Jane Doe versus Epstein;  
24 it could be Jane Doe; it could just be assault case;  
25 is that correct, whatever you wanted to call or

1 someone wanted to call the project?

2 A. You have the right idea.

3 Q. And if I understand it correctly is in  
4 terms of the project, is if it was, if it was as an  
5 example the Jane Doe case, you could, you or anyone  
6 else could put information in about Jane Doe, might  
7 not call it Jane Doe, but whatever amount of  
8 information you or anyone else wanted to put in,  
9 could put it into the Qtask so that other attorneys,  
10 staff, investigators, paralegals, anyone who could  
11 access the Qtask system, could see that project; is  
12 that correct?

13 A. So that the people that were invited to the  
14 project could see the project and those people only.

15 Q. And when you say invited to the project,  
16 is, would, would, assuming you're the person who  
17 created the project --

18 A. Okay.

19 Q. -- would you then set the parameters as  
20 to, or the guidelines as to who could come into the  
21 project?

22 A. Maybe.

23 Q. Okay. If, again, if it wasn't you, who  
24 else could have set the parameters; that is, who  
25 else can access the file?

1 Q. Would I only see pictures or would I see  
2 names as well?

3 A. I don't remember that.

4 Q. Would it be a correct statement that  
5 during the time you were at RRA, you did use Qtask?

6 A. Yes.

7 Q. And did you ever put projects; that is,  
8 did you ever as the lead create projects through the  
9 Qtask system?

10 A. Yes.

11 Q. Would someone else, would, assuming that  
12 you were the lead and you created the project, would  
13 only you be able to add information to Qtask?

14 A. No.

15 Q. Okay. Was, was any invitee or person  
16 allowed access, was he or she allowed to add to  
17 Qtask?

18 A. Correct.

19 Q. Okay. Would he or she also be able to  
20 delete from Qtask if they were an invitee?

21 A. I don't know that.

22 Q. Were you ever, did you ever -- in any -- I  
23 assume that you were not only the lead but from time  
24 to time you were invited into Qtask; is that  
25 correct?

1 A. Let's say I am the lead on a project: I  
2 believe that is what it was called the, I believe that  
3 was the title given to the person that initiates the  
4 project, if I want to then invite one or two or three or  
5 100 other attorneys to that project to help work on  
6 various aspects, I could do that.

7 And if I didn't choose to add  
8 somebody, and another attorney said make me a lead  
9 so that I can add somebody, that's another way that  
10 that other lead could have invited somebody else to  
11 the project.

12 And when you open up the interphase  
13 of Qtask, you're immediately shown a portfolio of or  
14 a photograph of the people that are invited to the  
15 specific project and those people can access it.

16 Q. So, if it was, as an example, if it was,  
17 if you were the lead person and you invited  
18 Mr. Adler and you invited Mr. Berger in and  
19 Mr. Rothstein in, there, when you punched up the  
20 Qtask on the screen, I would see Mr. Rothstein's  
21 picture. I would see yours. I would see  
22 Mr. Berger's and Mr. Adler's?

23 A. Correct.

24 Q. As an example.

25 A. Yes.

1 A. That's correct.

2 Q. And during the time that you did, you,  
3 when you were the lead, are you the one who chose  
4 what went into the file, to the Qtask file?

5 A. No.

6 Q. Who would have made that decision?

7 A. Everybody in the, anybody that's invited can  
8 add. I'm not the one that does it. Nobody has to come  
9 to me to insert anything in the Qtask. You can add if  
10 you're invited.

11 Q. Well, let's assume that you are, you're  
12 the lead but you don't invite anyone; that is, you  
13 create the 45:01 time project. You're the person  
14 doing the adding, not staffwise but you're the  
15 person that puts the information in.

16 A. I understood the question until you added the  
17 segment about maybe some staff member helps you add the  
18 Qtask. That just doesn't make sense with the program.

19 Q. Well, with Qtask, if you're the lead and  
20 you don't invite anyone in because you're creating  
21 the project itself, are you the person who chooses  
22 exactly what goes in?

23 A. I am the person who puts in what goes in.

24 Q. All right. Are you, are you responding to  
25 questions within Qtask where you put, you describe

1 the case. You describe the facts. You describe the  
2 witnesses, things of that nature, or are you  
3 actually, can you -- well, first of all can you do  
4 that?

5 A. Can you describe the case and describe the  
6 facts? Yes, you can.

7 Q. And is that, when you say project centric,  
8 is that what you're doing very much like the  
9 electronic, much like the Fortis program?

10 A. It's not very much like the Fortis program in  
11 my mind, but it's, it is what you are doing, you're  
12 inputting information about a specific project.

13 Q. Can you put in the facts about a case,  
14 again just generically, can you put in facts about a  
15 particular case and then ask someone in your  
16 invitees to comment on what they think, might think  
17 the value of the case is or is not and give  
18 suggestions as to discovery and things of that  
19 nature? Is that all true?

20 A. Yes.

21 Q. And with regard to -- and once those  
22 invitees show up and they're photographed, then each  
23 of those individuals can have access to the file and  
24 add their thoughts or opinions --

25 A. Repeat it.

1 Q. -- or suggestions. Let me strike that.

2 With regard to the Qtask, once,  
3 once -- assuming that you're the lead, you create  
4 the project and then you, you say, okay, now it's in  
5 a form that I want to get some invitees involved.  
6 Do you then send that project; that is, you then on  
7 Qtask you list the invitees and those people would  
8 be, get some sort of cue that they had been invited  
9 to the project up to the Qtask system?

10 A. I don't remember the exact process for  
11 inviting, but there is a way to invite. And to the best  
12 of my recollection, they do receive a notification that  
13 they have been invited so that they can accept.

14 Q. Okay. Can, can someone who has not been  
15 invited also access the system?

16 A. No.

17 Q. Okay. And how do you know that?

18 A. That's just not how the system works.

19 Q. Well, it may not be how the system works,  
20 but say if Mr. Rothstein wanted to access when he  
21 was the head person at the RRA firm, he wanted to  
22 access the Q, Qtask system, do you believe that he  
23 would have been able to access the system whether  
24 you invited him or not?

25 A. No.

1 Q. And why do you believe that to be true?

2 A. It's not how the system works.

3 Q. Well, at least as you understand the  
4 system?

5 A. Well, if you want to tell me that it works a  
6 different way, then maybe you can persuade me but that's  
7 how I understand the system.

8 Q. I am not, I'm not arguing with you.

9 MR. SCAROLA: Actually you are.

10 THE WITNESS: Assuming you had been on  
11 Qtask, it would help to get past all of these  
12 questions. If you had been on Qtask it would  
13 help to get past all of this and you would see  
14 exactly what I am trying to describe to you.

15 MR. CRITTON: I would like to get on  
16 Qtask.

17 THE WITNESS: Qtask.com.

18 BY MR. CRITTON:

19 Q. Okay. I'll remember that. With regard  
20 to, so as to whether or not Mr. Rothstein could have  
21 accessed it or Mr. Rosenfeldt or anyone else who was  
22 not an invitee at least from your knowledge, you  
23 believe they cannot access it?

24 A. Correct.

25 Q. Can you as well on Qtask, can you as well

1 post documents like an attachment?

2 A. I believe it has that capability. I think the  
3 answer is yes.

4 Q. Now, with regard to the three cases that  
5 you -- well, with regard to Jane Doe versus Jeffrey  
6 Epstein, I think you already told me you don't  
7 recall whether you put that in Qtask; is that  
8 correct?

9 A. I didn't tell you that.

10 Q. Okay. Let me ask you then: Did you ever  
11 use Qtask, you personally create a project as it  
12 related to Jane Doe's case against Mr. Epstein?

13 A. No.

14 Q. To your knowledge did you direct anyone --  
15 well, let me strike that. Did you direct anyone to  
16 create a project on Qtask for the Jane Doe case  
17 against Mr. Epstein?

18 A. No.

19 Q. Okay. Do you know have you ever have  
20 looked at the Qtask system -- let me strike that.

21 From what you were able to access of  
22 the Qtask system, did you ever go online on the  
23 Qtask system to determine whether anyone else had  
24 ever put the Jane Doe case against Mr. Epstein on  
25 Qtask?

1 A. No.

2 Q. And therefore as you sit here today, you  
3 don't know whether someone else, whether it was  
4 another attorney, whether it was an investigator or  
5 a staff person ever put the Jane Doe versus Epstein  
6 case on Qtask?

7 A. Or whether it was you, right.

8 Q. Right. As to L.M., did you ever put  
9 L.M.'s case or direct -- well, let me strike that.  
10 Did you ever create a project for L.M. on Qtask?

11 A. No.

12 Q. Did you ever direct that someone else  
13 create a project in Qtask for the L.M. case, L.M.  
14 versus Jeffrey Epstein case?

15 A. No.

16 Q. Do you have any knowledge as to whether --  
17 let me strike that. Did you ever go on Qtask or  
18 have you been able to determine whether anyone else  
19 within the RRA firm put the L.M. versus Jeffrey  
20 Epstein case or any aspects of it on Qtask? Have  
21 you looked or do you know?

22 A. I don't know.

23 Q. Has anyone told you that the L.M. case  
24 against Jeffrey Epstein was on Qtask?

25 A. No.

1 Q. Okay. And so it's your testimony as far  
2 as you know the L.M. versus Jeffrey Epstein case was  
3 not ever on the Qtask system; is that correct?

4 A. To the best of my recollection today.

5 Q. When I describe both the Jane Doe versus  
6 Jeffrey Epstein case and the L.M. versus Jeffrey  
7 Epstein case being on Qtask, I don't necessarily  
8 mean just the pleadings. I mean any aspect of it,  
9 not necessarily the pleadings or the fact that the  
10 case was there but the factual circumstances  
11 surrounding either case.

12 A. I am not going to get into what my  
13 work-product privilege, I am not going to allow you to  
14 pierce that privilege. I am not going to tell you what,  
15 regarding those cases, was or was not on Qtask.

16 Q. Well, let me ask a specific question. So  
17 if you want to claim some sort of privilege so the  
18 record is clear.

19 A. Sure.

20 Q. With regard to, and let me go first to  
21 the, finally to the E.W. case. With regard to the  
22 E.W. versus Jeffrey Epstein case or any aspect of  
23 it, did you ever put E.W. into the Qtask system?

24 MR. SCAROLA: Let us save you some time.  
25 Why don't you ask whether the answers with

1 regard to E.W. would be any different than the  
2 answers given with respect to the other two  
3 cases.

4 MR. CRITTON: I would have rather have it  
5 specific. Oftentimes judge want to see that.  
6 So I understand that if I want something broad  
7 later on, I would be glad to accept that, but  
8 thank you. Do you remember my question, sir.

9 THE WITNESS: No.

10 BY MR. CRITTON:

11 Q. Okay. With regard --

12 MR. SCAROLA: For the record let me  
13 observe I believe that your insistence upon  
14 asking the individual questions that you have  
15 now asked twice with regard to the other  
16 claims, and your refusal to ask the blanket  
17 question in the way in which I have suggested  
18 is an annoyance and embarrassment and a  
19 harassment of this witness which does nothing  
20 but unnecessarily consume his time.

21 BY MR. CRITTON:

22 Q. Mr. Edwards, with regard to E.W., did you  
23 ever put any aspects of that case; that is, not just  
24 the pleadings but any aspects of the E.W. versus  
25 Jeffrey Epstein case onto Qtask? Did you ever

1 create a project?

2 MR. SCAROLA: You may answer.

3 THE WITNESS: There was never a project  
4 entitled to my recollection E.W. versus Jeffrey  
5 Epstein, L.M. versus Jeffrey Epstein, Jane Doe  
6 versus Jeffrey Epstein. And you're asking was  
7 any information about those cases ever put onto  
8 Qtask?

9 MR. CRITTON: I didn't ask that question.

10 THE WITNESS: Okay.

11 MR. CRITTON: But I will in just a minute.

12 THE WITNESS: And my answer is no, those  
13 titles are not, I don't believe were ever on  
14 Qtask.

15 BY MR. CRITTON:

16 Q. Now, separate and apart from -- let me  
17 strike that. Let me just stay with E.W. with regard  
18 to E.W. Did anyone else at your direction put any  
19 information regarding E.W. into the Qtask system, an  
20 attorney, staff person, or secretary or another  
21 lawyer?

22 A. What do you mean by information?

23 Q. Any information about E.W. into the Qtask  
24 system?

25 A. I don't remember.



1 Q. Okay. So we don't -- you gave a broader  
2 response to a question or that is you rephrased the  
3 question. So, let me ask it in a broader sense.

4 Was any information about the, your  
5 three clients put into the Qtask, about your three  
6 clients, Jane Doe, E.W., and L.M. versus Jeffrey  
7 Epstein, or against Jeffrey Epstein, was any  
8 information ever put into the Qtask system? I don't  
9 want to know the information, just whether you put  
10 information into the Qtask system.

11 A. Yes.

12 Q. Did you do it yourself or did you do it in  
13 conjunction with someone else?

14 A. Explain to me what you mean by did I do it in  
15 conjunction with somebody else.

16 Q. Well, is, you may have typed in the  
17 information yourself.

18 A. I strike one key; somebody else strikes  
19 another?

20 Q. No, you may have input all the information  
21 you want, whatever information you want to put into  
22 Qtask, you may have made the decision to do that.  
23 All right. My question is someone else, a  
24 secretary, or a paralegal may have helped you, an  
25 investigator may have put some information in, at

1 by Mr. Edwards unless we expressly tell you  
2 otherwise.

3 MR. CRITTON: All right.

4 MR. SCAROLA: So, when I instruct him not  
5 to answer, he will follow that instruction.

6 MR. CRITTON: And you will do that,  
7 correct?

8 THE WITNESS: That's correct.

9 BY MR. CRITTON:

10 Q. With regard to the, the generic, and if I  
11 understood you correctly that there was generic or  
12 there was information put in on one, two, or three  
13 of your clients' claims against Mr. Epstein, did you  
14 have or identify individuals who were invitees to  
15 that Qtask file?

16 A. I'm sorry, what's your question?

17 Q. Did you designate individuals who could be  
18 invitees to that file?

19 A. Did I invite anybody into the project?

20 Q. Sure.

21 A. Yes.

22 Q. Okay. Who did you invite into the Qtask?  
23 And let me ask you this first, Mr. Edwards: With  
24 regard to the claims against Mr. Epstein, the only  
25 three -- well, and I probably need to step back.

1 least at your direction regarding these three  
2 individuals' claims against Mr. Epstein?

3 A. Information that I put into Qtask is  
4 information that was inputted into Qtask by me.

5 Q. Did you ever direct anyone else to put any  
6 additional information in with regard to those three  
7 claims against Mr. Epstein?

8 A. I don't believe so.

9 Q. And what type of information did you put  
10 into Qtask regarding the claims against Mr. Epstein?

11 MR. SCAROLA: Read that back, please.

12 (The requested portion of the record was  
13 read by the reporter.)

14 MR. SCAROLA: We're going to object and  
15 that I will instruct you not to answer on the  
16 basis of both attorney-client and work-product  
17 privileges.

18 MR. CRITTON: I assume if Mr. Scarola  
19 asserts an objection, you're adopting that and  
20 you would assert it. So, we don't have to do  
21 that as a repetitious project here?

22 MR. SCAROLA: Correct.

23 MR. CRITTON: And that's correct.

24 MR. SCAROLA: You can, you can assume that  
25 my instructions to Mr. Edwards will be followed

1 Would it, would it be a correct  
2 statement during the time that you with RRA that the  
3 only claims that you had against Mr. Epstein were  
4 Jane Doe, E.W., and L.M.?

5 A. The only clients I represented, yes.

6 Q. And not necessarily in a lawsuit but those  
7 are the only people that, that you and RRA  
8 represented in any, in any existing or potential  
9 claims against Mr. Epstein during the time you were  
10 with RRA?

11 A. I believe so.

12 Q. By the way, could, could an outside  
13 person, that is a person outside the firm access  
14 Qtask as well?

15 A. You can access it right now.

16 Q. Can -- did you ever allow someone who was  
17 not associated with RRA to access the Qtask file  
18 relating to Mr. Epstein?

19 A. No.

20 Q. Okay. Was there more than one file that  
21 was created associated with the claims against  
22 Mr. Epstein?

23 A. I don't remember.

24 Q. Did anyone to your knowledge -- well, let  
25 me strike that. Did anyone other than you create a

1 Qtask file relating to claims again Mr. Epstein?

2 A. To the best of my knowledge, no. I take that  
3 back. I don't know who created the project, but I am  
4 only aware of the project that I participated in related  
5 to Mr. Epstein and his molestation of many children,  
6 period.

7 Q. And what did you call the project; that is  
8 how it was identified on the Qtask system?

9 A. I don't remember.

10 Q. Do you recall when it was created?

11 A. No.

12 Q. Do you recall whether it was created  
13 within a month of your coming to RRA?

14 A. I don't remember.

15 Q. Do you recall whether it was, I think you  
16 said approximately the beginning of April of '09 you  
17 came to RRA, correct?

18 A. Correct.

19 Q. All right. And is it, just so the record  
20 is clear it's, your testimony is you don't recall  
21 whether you created the project in April, May, June,  
22 July, August, September or October relating to the  
23 claims against Mr. Epstein?

24 A. I don't remember if I created the project,  
25 period.

1 BY MR. CRITTON:

2 Q. During the time that you were at RRA, did  
3 a number of people have access to the Epstein files  
4 either, either in a paper form or in an electronic  
5 form?

6 A. Either/or, yes.

7 Q. And maybe I should get a definition of,  
8 with regard to the Epstein files, you had three  
9 cases, Jane Doe, E.W., and L.M., correct?

10 MR. SCAROLA: Excuse me. You used Epstein  
11 file as a defined term earlier. Are you now  
12 using it generically?

13 MR. CRITTON: I am going to use it  
14 genically and when I come back to Qtask, I am  
15 off Qtask for just a minute. So that I have an  
16 understanding of how your filing was kept. And  
17 I will come back to Qtask. So, right now I am  
18 using the Epstein files in a generic form. Not  
19 using Qtask. Okay.

20 MR. SCAROLA: Okay.

21 BY MR. CRITTON:

22 Q. With regard to the Epstein files or  
23 matters, I know you had -- we know you have three  
24 cases that were filed that we have already  
25 identified, Jane Doe?

1 Q. Separate and apart from whether -- well,  
2 let me strike that. If you didn't create the  
3 project, who would have?

4 A. I don't know.

5 Q. Well, do you remember -- let me strike  
6 that. Do you know whether with regard to the  
7 project, and for purposes of at least this question,  
8 let me just call it the Epstein project, are you  
9 okay with that designation?

10 A. Yes.

11 Q. Okay. With regard to the Epstein project  
12 that was created in the Qtask system, if I am  
13 understanding correctly, you don't remember whether  
14 you created it or someone else did, correct?

15 A. Correct.

16 Q. Who would have had access to your files  
17 that could have created the Epstein project other  
18 than you?

19 A. That question makes no sense.

20 Q. Okay.

21 MR. SCAROLA: And it also assumes facts  
22 not in evidence and does not have a prior  
23 proper predicate.

24 THE WITNESS: That's why it doesn't make  
25 sense.

1 A. That's good.

2 Q. E.W. and L.M., correct?

3 A. Correct.

4 Q. Were all materials relating to Jeffrey  
5 Epstein kept, kept under, at least for filing, for  
6 filing purposes at RRA, were they kept under the  
7 Epstein designation or, or some other designation?

8 A. Yes.

9 Q. Okay. And what was the designation?

10 A. I don't remember but it was either under  
11 Epstein or some other designation.

12 Q. And at RRA, were there both paper files or  
13 paper information as well as electronic information  
14 that was stored or kept regarding the Epstein files?

15 A. Correct.

16 Q. Was RRA supposed to be or at least  
17 designed to be a paperless office?

18 A. Yes.

19 Q. And would every document that came that  
20 was associated with the Epstein files, again in the  
21 generic sense, was that scanned in or put into the  
22 system in some fashion at RRA?

23 A. To the best of my knowledge.

24 MR. CRITTON: Just two minutes.  
25

1 BY MR. CRITTON:

2 Q. With regard to the scanned system; that  
3 is, to store the electronic records, was that put in  
4 through the, through the Fortis program?

5 A. Yes, I believe so.

6 Q. And did you as well -- let me strike that.  
7 Prior to coming to RRA had you ever worked in a  
8 paperless file or in a paperless office?

9 A. I don't understand.

10 Q. Had you ever been working in an office  
11 prior to coming to RRA that was designed to be  
12 paperless?

13 A. No, but as I mentioned earlier, I have worked  
14 with case management software that stores electronic  
15 versions of files, so therefore there is a paperless  
16 system.

17 Q. Did you as well when you came to RRA with  
18 regard to the Epstein related matters or the content  
19 of your Epstein investigation and files, had you  
20 placed any of that on a prior, a previous paperless  
21 system or did you have the paper itself or both?

22 A. Both.

23 Q. And during the time that you operated at  
24 RRA, did you operate both with a, you individually  
25 with regard to the Epstein files, did you operate

1 it electronically?

2 A. For the most part I would see it  
3 electronically, but I can't say that I have never seen a  
4 piece of paper come in.

5 MR. CRITTON: Okay. Let me take a few  
6 minute break.

7 MR. SCAROLA: Well, wait a second. Do you  
8 want to break at this point?

9 THE WITNESS: Not really.

10 MR. SCAROLA: Okay. We would like to keep  
11 going.

12 MR. CRITTON: Can I just go to the rest  
13 room for two minutes?

14 MR. SCAROLA: Yes.

15 THE VIDEOGRAPHER: We're now off video  
16 record. The time is 11:21 a.m.

17 (A brief recess was held.)

18 THE VIDEOGRAPHER: We're now on video  
19 record. The time is 11:28 a.m.

20 BY MR. CRITTON:

21 Q. Couple, few more questions in Qtask. Did  
22 you ever allow Mr. Rothstein, was he an invitee on  
23 the Epstein-related projects?

24 A. I don't believe so.

25 Q. With regard to the third electronic, the

1 both in a paper and a paperless manner?

2 A. No.

3 Q. Did you operate only in a -- well, in what  
4 way did you operate?

5 A. Paperless.

6 Q. Okay. So if, if as an example I sent you  
7 correspondence or answers to interrogatories or a  
8 response to a pleading and it came in the mail,  
9 would that document be scanned and then you would  
10 toss away the paper?

11 A. I don't know.

12 Q. So, you may well have had paper in  
13 addition to -- well, let me strike that. Do you  
14 even know whether the document was scanned?

15 A. If you're telling me you sent correspondence  
16 in the mail and I would later see that correspondence in  
17 my virtual mailbox, I make the logical assumption that  
18 it was scanned. I never observed anything being  
19 scanned.

20 Q. Okay. And do you, if something came to  
21 you by mail, whether it was some form of discovery  
22 or request, and I will be in the state cases, where,  
23 which is not a paperless system and you don't file  
24 through Pacer, would you ever see the paper that  
25 actually came to your office or would you only see

1 Fortis system where you, if I understand you  
2 correctly, you input various information into that  
3 Epstein regarding Epstein files; is that correct?

4 A. No.

5 Q. You never used those systems with regard  
6 to Epstein files?

7 A. I used the systems. I never input anything  
8 into the system. I think it gets scanned in.

9 Q. And could anyone in the firm access the  
10 Fortis system?

11 A. I don't know.

12 Q. Could you access other files that weren't  
13 necessarily yours within the Fortis system if you  
14 wanted to?

15 A. I don't know.

16 Q. Mr. Edwards, with regard to your  
17 employment with RRA, did you know any of the RRA  
18 partners prior to coming to that firm in  
19 approximately April of '09?

20 A. What do you mean by know them?

21 Q. Did you know them?

22 A. Yes.

23 Q. As either an acquaintance or a friend?

24 A. Yes.

25 Q. Did you have any friends at the RRA firm

1 before joining them?

2 A. People that I would consider to be my friend,  
3 yes.

4 Q. Who.

5 A. Russell Adler.

6 Q. And how did you know Mr. Adler?

7 A. We worked out at the same gym for about,  
8 approximately four or five years.

9 Q. What were you doing, prior to your  
10 association with RRA, what was your employment?

11 A. What?

12 Q. Were you working as a solo practitioner?  
13 Were you working with another firm prior to coming  
14 to RRA in April of 09?

15 A. Solo practitioner.

16 Q. How long had you been a solo practitioner?

17 A. Approximately two years.

18 Q. During the time you were a solo  
19 practitioner, did you ever have any associates  
20 working for you, solo imply that you're the only  
21 one, is that true, or did you have associates that  
22 actually worked for you?

23 A. Various times I had clerks, law school clerks,  
24 but that was it.

25 Q. But no other lawyers?

1 Q. How did it, how did it happen that you  
2 came to be employed by RRA?

3 A. I was offered a job.

4 Q. And how did that come, how did that come  
5 about?

6 A. Talking with Russell Adler.

7 Q. Had you ever had a case against Mr. Adler  
8 or with Mr. Adler, either you were on the same side  
9 or against?

10 A. Yes.

11 Q. On how many occasions?

12 A. I can't recall.

13 Q. Okay. Did Mr. Adler approach you or did  
14 you approach him?

15 A. We worked out at the same gym. It wasn't  
16 about approaching somebody.

17 Q. How did the topic come up?

18 A. He works at this law firm Rothstein Rosenfeldt  
19 Adler, and would talk about it in a positive way for  
20 years before I joined the firm.

21 Q. And how did it come up that you would be  
22 interested in possibly working there; that is did he  
23 say gee, Brad, you should come talk to me or did you  
24 say I am interested in working for the firm?

25 A. He would ask if I would be interested in

1 A. Right.

2 Q. Did you ever have an investigator work for  
3 you?

4 A. Yes.

5 Q. Okay. Do you know an individual by the  
6 name of Fisten, F-i-s-t-e-n?

7 A. I know an individual whose last name is  
8 Fisten.

9 Q. All right. What's his first name, the one  
10 you know?

11 A. Mike.

12 Q. Michael Fisten?

13 A. Yes.

14 Q. Mike Fisten ever do any work for you when  
15 you worked as a solo practitioner at any time prior  
16 to you joining RRA?

17 A. No.

18 Q. Did you know of Michael Fisten or Mike  
19 Fisten prior to joining RRA?

20 A. No.

21 Q. With regard to the investigators that you  
22 used prior to joining RRA, did you use, or were any  
23 of those individuals ever employed by RRA during the  
24 time you were there?

25 A. No.

1 joining the firm.

2 Q. Okay. And what happened then? What  
3 ultimately happened that you, that you went from  
4 just having an interest to actually contemplating or  
5 being offered a position?

6 A. I didn't say I had an interest.

7 Q. So, what happened? How did you then end  
8 up at RRA?

9 A. Numerous conversations with Russell Adler and  
10 him telling me about some of the other people there that  
11 I believed to be good lawyers, respected, ethical  
12 lawyers, and that this is a good place to work, great  
13 comradery, you have a team, I know you handle big cases;  
14 this will be something that will be good for you. And  
15 that was something I talked to him about seriously for  
16 four months maybe before joining RRA before finally  
17 agreeing to meet Scott Rothstein.

18 Q. All right. Had, did Mr. Adler ever  
19 discuss with you parameters or potential income or  
20 salary or whatever the compensation package would  
21 be --

22 A. Not specifically.

23 Q. -- before you first met with  
24 Mr. Rothstein?

25 A. Not specifically.

1 Q. How many times did you meet with Scott  
2 Rothstein prior to accepting a position with RRA?  
3 A. Once.  
4 Q. Where did the meeting take place?  
5 A. The restaurant BOVA.  
6 Q. Did you understand Mr. Rothstein had an  
7 interest in BOVA?  
8 A. At the time?  
9 Q. Yes, sir.  
10 A. No.  
11 Q. Did you learn that during the time that  
12 you worked for RRA  
13 A. Yes.  
14 Q. Okay. Who was present other than  
15 Mr. Rothstein when you met with him at BOVA?  
16 A. Nobody.  
17 Q. Who had set up the meeting?  
18 A. Russell.  
19 Q. And had anything been discussed at least  
20 as of that time with regard to what your opportunity  
21 was or in terms of compensation?  
22 A. Specifically, no.  
23 Q. How long did the meeting with  
24 Mr. Rothstein last?  
25 A. Ten minutes.

1 of the meeting if you had no interest in considering  
2 an opportunity with RRA?  
3 A. For the most part placate Russell Adler.  
4 Q. Did Mr. Adler know the type of cases you  
5 had?  
6 A. Of course.  
7 Q. And was he aware as of that date you had  
8 filed the three cases against Mr. Epstein?  
9 A. I don't believe so.  
10 Q. Had you -- is it your belief that the  
11 three cases against -- well, let me strike that. Do  
12 you recall when the first meeting was or the only  
13 meeting that you had with Mr. Rothstein prior to  
14 joining the firm?  
15 A. It was prior to joining the firm.  
16 Q. All right. When was that?  
17 A. I don't remember.  
18 Q. Was it within a month of your joining RRA,  
19 two months, three months, six months?  
20 A. Definitely within six months of joining the  
21 firm. Definitely within three months of joining the  
22 firm. Within that three month period, I don't recall.  
23 Q. So, sometime between January and April of  
24 '09, you would have met with Mr. Rothstein for ten  
25 minutes?

1 Q. Did you have lunch with him or you just  
2 sat down and talked with him at the table at the  
3 restaurant?  
4 A. Sat down and talked to him.  
5 Q. Had you submitted any kind of a resume to  
6 Mr. Adler as to what your experience was?  
7 A. No.  
8 Q. So, you, at that time you are a solo  
9 practitioner. Mr. Adler calls you and says, or you  
10 express an interest. Mr. Adler says we have an  
11 interest in talking to you, and you set up a meeting  
12 with Mr. Rothstein. Is that pretty much it?  
13 A. You're now making things up that is totally  
14 inaccurate, and doesn't reflect what I have been telling  
15 you at all. I didn't express any interests. I wasn't  
16 looking for a job. I wasn't seeking him out. In fact,  
17 that is the exact opposite of what I have just gone  
18 through explaining to you about conversations at the gym  
19 that ultimately lead to him convincing me this is a good  
20 place to come into and me agreeing to this meeting with  
21 Scott Rothstein.  
22 Q. Okay. When you went to meet with Mr!  
23 Rothstein did you have any interest or was this just  
24 a throw-away meeting. Maybe I misunderstood. What  
25 did you -- let me strike that. What was the purpose

1 A. I believe so.  
2 Q. Okay. What did you talk about; that is,  
3 what was the substance of the meeting?  
4 A. Russell says you would be an asset to the  
5 firm. I will treat you fairly. How, how much do you  
6 expect to make? Okay. I can't do that, but as soon as  
7 you show your worth here, your salary is exponentially  
8 increased because at this firm we operate under a system  
9 of fairness. That was the gist of the meeting.  
10 Q. Did he ask you how much you were making at  
11 that time or how much you had made the preceding  
12 year, '08?  
13 A. I believe so.  
14 Q. What did you tell him?  
15 MR. SCAROLA: Objection. Instruct you not  
16 to answer on the basis of economic privacy.  
17 BY MR. CRITTON:  
18 Q. Did you tell him what you had made, total  
19 compensation for the year 2008?  
20 A. I don't remember.  
21 Q. Well, if I, if I understood you correctly,  
22 I thought he said is I can't meet that salary or  
23 that level of compensation, so you must have told  
24 him something.  
25 A. Yeah. I answered his question, what did you

1 expect.

2 Q. What did you tell him that you expected?

3 MR. SCAROLA: Objection, economic privacy.  
4 BY MR. CRITTON:

5 Q. All I am interested now, not necessarily  
6 what you were earning but what you told him, i.e.,  
7 Mr. Rothstein that you wanted to get or expected to  
8 earn if you considered a job at RRA

9 MR. SCAROLA: Objection. Economic  
10 privacy, instruct you not to answer. It's  
11 neither relevant nor material nor reasonably  
12 likely to lead to relevant material information  
13 and invades the economic privacy of the  
14 witness.

15 MR. CRITTON: Is that form?

16 BY MR. CRITTON:

17 Q. Mr. Edwards, you gave him a number, is  
18 that correct? Him meaning Mr. Rothstein.

19 A. I believe so.

20 Q. And was the number that you gave him more  
21 than you had earned for the year 2008 or less?

22 MR. SCAROLA: Same objection.

23 MR. CRITTON: Or the same?

24 MR. SCAROLA: Same objection, same  
25 instruction.

1 A. Possibly.

2 Q. Do you recall what he said?

3 A. What do you mean by benefits?

4 Q. I mean would you get health insurance and  
5 those types of things as well?

6 A. I believe that was discussed. I'm not sure.  
7 I can't tell you I got them but I don't know.

8 Q. Did you discuss any of your cases that you  
9 had with him?

10 A. No.

11 Q. Okay. Did you sign an employment  
12 agreement at any time with RRA?

13 A. No.

14 Q. After the -- let me go back. Did you say  
15 you did or did not discuss any of your current cases  
16 with him?

17 A. Did not.

18 Q. Okay. Were you aware, had you discussed  
19 your cases -- I think you said you had discussed  
20 your cases or Russell Adler had an idea of the type  
21 of cases you had?

22 A. Over the years Russ and I are friends; we  
23 talked about cases.

24 Q. Did you say you had discussed the Epstein  
25 cases with him? Him, meaning Adler.

1 BY MR. CRITTON:

2 Q. Did you tell him that you -- did you tell  
3 him that you wanted to make more money than you had  
4 in the proceeding year?

5 MR. SCAROLA: Same objections and  
6 instructions.

7 BY MR. CRITTON:

8 Q. Did he tell you how much you would be paid  
9 if you came to work at RRA; that is, did he mention  
10 a number: This is what your salary would be if you  
11 come and work here?

12 A. I believe so.

13 Q. And what number did he say to you?

14 MR. SCAROLA: Objection and same  
15 instruction.

16 BY MR. CRITTON:

17 Q. Did he also tell you that you would get an  
18 economic incentive; that is, at the, at sometime  
19 during the course of the year based upon your  
20 production?

21 A. I would be compensated fairly.

22 Q. And that was it?

23 A. That was the gist.

24 Q. Okay. Did he talk about any benefits that  
25 you would receive?

1 A. I, I don't believe I discussed the Epstein  
2 cases with Russell Adler until after I was employed at  
3 RRA

4 Q. Did you mention Mr. Epstein at your  
5 meeting with Mr. Rothstein?

6 A. No.

7 Q. Did you mention any of your three clients  
8 who were suing Mr. Epstein at the meeting with  
9 Mr. Rothstein?

10 A. No.

11 Q. With regard to the, did you, did you  
12 discuss with him if you came to work with RRA that  
13 the cases -- well, let me strike that. Did he  
14 mention that if, if you came and worked for the firm  
15 that those cases would become the property of RRA?

16 A. No.

17 Q. Did you understand that to be true?

18 A. I mean, I suppose so.

19 Q. Okay. Did --

20 A. I understood that I was going to be an  
21 employee of the firm, of course.

22 Q. Well, did, did you, at the conclusion of  
23 the meeting did you say, yes, I would like to work  
24 here or how did you leave it?

25 A. Think about it.

1 Q. And how long did you think about it?  
 2 A. I don't remember.  
 3 Q. Did you, and who did you contact? Well,  
 4 let me strike that. At some point did you make a  
 5 decision --  
 6 A. Yes.  
 7 Q. -- to go work for RRA, correct?  
 8 A. Correct.  
 9 Q. Did Mr. Rothstein at the initial meeting  
 10 tell you whether you would be a partner?  
 11 A. No.  
 12 Q. Did he describe that you would be at least  
 13 to the public at large you would be described as a  
 14 partner?  
 15 A. No.  
 16 Q. Did you understand who the partners  
 17 were -- well, let me trick that. Is RRA, was RRA a  
 18 PA?  
 19 A. I don't know.  
 20 Q. Did you ever find out during, up through  
 21 today's date do you know whether RRA was a PA or an  
 22 LLC or an LLP?  
 23 A. No.  
 24 Q. Did you ever go online to look at who the  
 25 officers and directors were or had members if it was

1 an LLP?  
 2 A. During the initial, initial meeting with Scott  
 3 Rothstein, he told me there are only two equity partners  
 4 of this law firm, and it will always be that way; myself  
 5 and Stuart Rosenfeldt, period.  
 6 Q. And did he say that they each own  
 7 50 percent, or did he say, they were just partners?  
 8 A. Did not say.  
 9 Q. Prior to your -- let me strike that. I  
 10 think as you said at some point you made a decision  
 11 to join RRA?  
 12 A. Right.  
 13 Q. And who did you convey that to?  
 14 A. Russell.  
 15 Q. And what happened thereafter? That is,  
 16 how did you go from then being a solo practitioner  
 17 into RRA? How did you integrate yourself? What was  
 18 the timing and what did you do?  
 19 A. At some point in time I was no longer working  
 20 in my Hollywood office and was working at RRA on Las  
 21 Olas. So, physically I showed up to work at a different  
 22 location.  
 23 Q. And did someone -- well, let me strike  
 24 that. From the time that you announced that you  
 25 would go, you told Mr. Adler up until the time you

1 ended up at RRA, how much time passed?  
 2 A. I don't know.  
 3 Q. Prior to starting at RRA, did you have any  
 4 further conversations with Mr. Rothstein; that is,  
 5 up until the day that you showed up at that office?  
 6 A. No.  
 7 Q. And in terms of the cases; that is, the  
 8 cases with L.M., with L.M., Jane Doe and E.W. those  
 9 are cases that you had signed up when you were a  
 10 sole practitioner; is that correct?  
 11 A. Correct.  
 12 Q. And with each of those cases there was a,  
 13 there is also another lawyer that was involved --  
 14 well, let me strike that. In one or more of those  
 15 cases is Mr. Howell involved, or was he at the time  
 16 you were a solo practitioner?  
 17 A. What do you mean by involved?  
 18 Q. Involved, was he a referring lawyer?  
 19 A. Yes.  
 20 Q. Was he the referring lawyer on all three  
 21 of those cases?  
 22 A. He was at least the referring lawyer directly  
 23 on one.  
 24 Q. Which one? I'm sorry. I didn't mean to  
 25 interrupt you.

1 A. I'm finished.  
 2 Q. Which case was he the referring lawyer,  
 3 Mr. Howell?  
 4 A. E.W.  
 5 Q. And he may be the referring lawyer on Jane  
 6 Doe, and L.M., you just don't know as you sit here,  
 7 or he is?  
 8 A. He referred E.W.'s case.  
 9 Q. And the other two cases is he is shown as  
 10 the referring lawyer?  
 11 A. Yes.  
 12 Q. There is also a person named Cassell who I  
 13 think is an attorney from Utah?  
 14 A. Okay.  
 15 Q. Do you recognize the name?  
 16 A. Yes.  
 17 Q. Okay. And what's his first name?  
 18 A. Paul.  
 19 Q. All right. Is he in any way a referring  
 20 lawyer, considered a referring lawyer with regard to  
 21 any of the three cases against Mr. Epstein?  
 22 A. No.  
 23 Q. What's his role?  
 24 A. Handles certain appellate issues.  
 25 Q. Okay. Is he, is he involved in as part

1 of, as a potential recipient of any contingency fee  
2 or is he paid on an hourly basis, either when you  
3 were a sole practitioner during the RRA stages or at  
4 the current time?

5 A. Contingency.

6 Q. Does he get part, at least as it was set  
7 up as a sole practitioner was Mr. Cassell also on  
8 the contract with each of the three individuals?

9 A. I don't believe so.

10 Q. You don't -- he is not on any of the  
11 contracts, Mr. Cassell?

12 A. There is a contract that he is on but your  
13 question is when the cases were first signed up, was he  
14 on the initial contract. And I believe the answer to  
15 that is no.

16 Q. Prior to the time or during the time that  
17 you were in sole practice before you went to RRA was  
18 Mr. Cassell ever on any of the contracts with the  
19 three Plaintiffs?

20 A. Yes.

21 Q. Okay. When you moved to RRA, was a new  
22 fee agreement signed with each of the individuals,  
23 each of the three Plaintiffs?

24 A. No.

25 Q. Was there some form of an assignment?

1 or Mr. Howell, assuming there had been some  
2 resolution?

3 A. RRA would be standing in my shoes.

4 Q. And if I understand it correctly, there  
5 was never an assignment of your contracts; that is,  
6 as a solo practitioner to RRA; is that correct?

7 A. Correct.

8 Q. Okay. And it was your intent just  
9 whatever the contract said when you went from solo  
10 practitioner to RRA, if those cases had resolved  
11 during that time period, RRA, you would have paid  
12 RRA that portion to which you were been entitled and  
13 Howell and a Cassell would have gotten their  
14 percentage?

15 A. Correct.

16 Q. And with regard to, with the new firm, the  
17 Farmer, Jaffe firm, where those new fee agreements  
18 have been signed with your three clients?

19 A. Yes.

20 Q. And are Mr. Cassell and Mr. Howell still  
21 on those contracts?

22 A. Yes.

23 Q. Has the receiver made a claim against the  
24 proceeds of these three cases; that is, he filed,  
25 Mr. Seton on behalf of or as trustee, has he filed a

1 A. Well, not to my knowledge. I don't want to  
2 say no, but I don't know of any fee agreement that was  
3 signed with the client.

4 Q. As a -- from the time that the original --  
5 let me strike that. If I understood you correctly  
6 is as an example E.W. was your first case?

7 A. First client.

8 Q. First client, right. Mr. Howell would  
9 have referred the case, so he would have shown up as  
10 a referring order. And at some point Mr. Cassell  
11 also came on the contractor or a contract; is that  
12 correct?

13 A. A contract, yes.

14 Q. So, there was at least two contracts with  
15 regard to E.W.?

16 A. That I remember.

17 Q. And with regard to E.W., Jane Doe, and  
18 L.M., you don't recall any new contract being signed  
19 between those individuals and RRA; is that correct?

20 A. That is correct.

21 Q. And with regard to the, whatever the  
22 contingency fee was in each of those three  
23 contracts, was that to be split? When you went to  
24 RRA, how was it to be determined what RRA would  
25 receive versus what you would receive or Mr. Cassell

1 lien again those cases?

2 A. No.

3 Q. Has he sent you any correspondence  
4 indicating that he intends to assert a lien against,  
5 for attorney fees and/or costs that were incurred  
6 during the time those cases were at RRA?

7 A. Not specifically related to those cases, but  
8 in general, that concept is something that has been  
9 communicated by a receiver or a trustee to us at Farmer,  
10 Jaffe, Weissing.

11 Q. Have you at any time; that is, have you  
12 acknowledged, has anyone at Farmer, Jaffe  
13 acknowledged their responsibility to repay monies to  
14 RRA?

15 A. I don't understand the question.

16 Q. If the case is settled, does Farmer, Jaffe  
17 intend to repay the receiver a portion of the fees  
18 at costs?

19 A. That issue has not been resolved.

20 Q. With regard to, with regard to the  
21 third-party --

22 (Interruption at the door.)

23 BY MR. CRITTON:

24 Q. Other than the attorneys is there -- with  
25 regard to the, other than the attorneys, is there



1 anyone else other than, on any of these three cases;  
2 that is, potentially RRA, potentially your new firm,  
3 Mr. Cassell, Mr. Howell and the Plaintiff, does  
4 anyone else stand to benefit from a recovery in any  
5 of those cases?

6 A. No.

7 Q. Has anyone, has any interest in any of the  
8 three cases been assigned to a, to a third party  
9 other than a law firm or a lawyer or a law firm;  
10 that is, to an outside service?

11 A. No.

12 Q. Okay. Have any of the potential  
13 settlements -- I'm sorry. Have any of the potential  
14 proceeds from any settlement or verdict been  
15 assigned or sold to anyone to your knowledge?

16 A. No.

17 Q. Has E.W., Jane Doe, or L.M. sold,  
18 assigned, exchanged for consideration, money, or  
19 promises of money, any portion of their potential  
20 settlements?

21 A. No.

22 Q. Or recoveries?

23 A. No.

24 Q. If I understood you correctly,  
25 Mr. Edwards --

1 A. You understood me correctly.

2 Q. All right. And when did E.W. retain your  
3 services, please?

4 A. And by first case, just to clarify, she was my  
5 first client --

6 Q. I will rephrase it.

7 A. -- related to the matter that we're all  
8 familiar with that relates to things that happened to  
9 E.W. when she was young.

10 Q. Let me rephrase the question this way: If  
11 I understand your testimony is E.W., and I'm  
12 interested in Epstein cases; I am not interested in  
13 other portions of your practice. You understand  
14 that?

15 A. I do. And I think that you understand that  
16 this case, E.W.'s case and L.M. case did not begin as a  
17 case against Jeffrey Epstein. You know that and I know  
18 that, and that's why it's difficult for me to ask,  
19 answer these questions related to these clients because  
20 this began as a case against the United States  
21 Attorney's Office.

22 Q. All right. With regard to the, at least  
23 your first representation of any of your three  
24 clients that relate to Mr. Epstein in some fashion,  
25 your first client was E.W.; is that correct?

1 MR. SCAROLA: Let me interrupt for just a  
2 moment. I don't know whether the circumstance  
3 applies but I want to be sure, does the scope  
4 of your question include a letter of protection  
5 to a health care provider?

6 MR. CRITTON: No.

7 MR. SCAROLA: I don't know whether that  
8 has occurred in any of these cases, but I  
9 assume that's not what you're looking for?

10 MR. CRITTON: I wasn't, but no, I'm  
11 looking for -- I think it would not be applied  
12 to any of the three.

13 You understand I wasn't talking about  
14 health care providers. I am talking about  
15 some independent person or entity that may  
16 have purchased some interest or have been  
17 assigned some interest in any of those  
18 three lawsuits. Do you understand that?

19 THE WITNESS: I think I understood your  
20 question, and my answer was responsive and I  
21 was not thinking about letters of protection at  
22 the time that I gave my answer.

23 BY MR. CRITTON:

24 Q. With -- if I understood you correctly,  
25 E.W. was your first case?

1 A. That is correct.

2 Q. Do you recall when you first -- well, let  
3 me strike that. She was referred to you by  
4 Mr. Howell?

5 A. That is correct.

6 Q. Okay. And how did Mr. Howell know you?

7 A. I have known him for a long time.

8 Q. Law school?

9 A. No. I have known him since, I'm from  
10 Jacksonville Beach. He's from Jacksonville. I have  
11 known him when I was probably ten years old.

12 Q. Okay. Has Mr. Howell, prior to E.W., had  
13 he ever referred to you any other client?

14 A. Yes.

15 Q. Did it involve some sort of a sexual  
16 assault or battery?

17 A. Yes.

18 Q. How many clients prior to E.W. had  
19 Mr. Howell ever referred you?

20 A. I don't know.

21 Q. More than one?

22 A. Yes.

23 Q. When E.W. was referred to you, what was  
24 your understanding as to the nature of the  
25 representation, what would it be?

1 A. I don't understand.

2 Q. Why did E.W. come, why did she hire you in  
3 the first place? What was the purpose?

4 A. This is going to get into attorney-client  
5 privileged information as to why she hired me which  
6 would incorporate the things that she told me that  
7 related to my representation, therefore, I am invoking  
8 the privilege and not answering.

9 Q. With regard to E.W. you filed a case --  
10 well, let me ask you this: Do you know how E.W. came  
11 to contact Mr. Howell? Did he ever relate that to  
12 you?

13 MR. SCAROLA: If it's in information that  
14 you obtained from your client, I instruct you  
15 not to answer. If it's information that you  
16 obtained from Mr. Howell, I also instruct you  
17 not to answer. Both instructions are on the  
18 basis of attorney-client and work-product  
19 privileges.

20 THE WITNESS: Attorney-client and  
21 work-product privilege.

22 BY MR. CRITTON:

23 Q. Did you, did Mr. Howell -- and I don't  
24 want to know the information, at least right now --  
25 did Mr. Howell give you any information about E.W.

1 MR. SCAROLA: Objection, attorney-client  
2 privilege and work-product. Instruct you not  
3 to answer.

4 BY MR. CRITTON:

5 Q. Your second, your next client was whom  
6 relating to Mr. Epstein or to the United States  
7 Government?

8 A. I don't remember.

9 Q. You ultimately filed a case styled Jane  
10 Doe 1 and 2 were petitioners versus the United  
11 States of America in July of '08, correct?

12 A. That's correct.

13 Q. Okay. Who was Jane Doe 1?

14 A. E.W.

15 Q. Who was Jane Doe 2?

16 A. L.M.

17 Q. At the time that suit was filed, were you  
18 representing Jane Doe-L.M., I'm sorry, Jane Doe?

19 A. I believe so, but I'm not sure.

20 Q. In terms of the work that you did for,  
21 that you have done for all three of the individuals  
22 when you were a solo practitioner, did you keep  
23 track of the time; that is, did you keep time  
24 records?

25 A. What's your question?

1 prior to her coming to see you or your seeing her?

2 A. Yes.

3 Q. Okay. And did E.W. for the first, on the  
4 first occasion come to your office or did you talk  
5 to her by phone or did you go to her place?

6 A. First time I talked to E.W.

7 Q. Yes, sir.

8 A. Was over the telephone.

9 Q. All right. And how long, how much time  
10 transpired before E.W. retained your services; that  
11 is, how many conversations did you have with her  
12 before she ultimately retained your services?

13 A. One conversation over the telephone and then  
14 the next meeting was in person at my office. That  
15 meeting culminated with her retaining my services.

16 Q. And the initial conversation you had with  
17 her, what did she relate to you?

18 A. That's attorney-client privilege information  
19 that I am not going to divulge.

20 Q. During the time that you have been  
21 involved in this case on behalf of E.W., has  
22 Mr. Howell participated in the case; that is, has he  
23 done work on the case?

24 A. Yes.

25 Q. What kind of -- what has he done?

1 Q. During the time that you were a solo  
2 practitioner working on E.W., Jane Doe, whichever of  
3 the three cases that you had, did you keep time  
4 records?

5 A. Some.

6 Q. Do you keep time records on contingency  
7 cases generally, or did you during that time period?

8 A. It's my intent to.

9 Q. Okay. Same would be true with, when you  
10 were at RRA, did they have a time program?

11 A. They did have a time program.

12 Q. Did you input your time that you spent on  
13 the Epstein related cases?

14 A. That was a requirement of the firm.

15 Q. Okay. So, you would have been put down  
16 whatever time you spent, whether it was a  
17 contingency fee case or an hourly case; is that  
18 correct?

19 A. For the most part; that's correct.

20 Q. During the time that Mr. Howell has been  
21 associated with the case, does he provide you with  
22 time records as to the work or the amount of work  
23 that he has done on the case?

24 A. No.

25 Q. Okay. Does he keep track of his time that

1 he has spent on each of the cases?

2 A. I do not know.

3 Q. Did you -- has he prepared any pleadings  
4 or documents associated with the cases?

5 MR. SCAROLA: You can answer that  
6 question.

7 THE WITNESS: Define prepared.

8 BY MR. SCAROLA:

9 Q. All right. Prepared, prepared, start,  
10 first of all, started from scratch; that is, has he  
11 prepared any of the pleadings or papers that have  
12 been filed in any of the three cases starting from  
13 scratch that he would have been -- not because you  
14 said this but he started with the complaint and you  
15 may have changed it, but he started the preparation  
16 of the document?

17 A. Your question is has he started the  
18 preparation of a document now, right?

19 Q. Any document, any paper that's been filed  
20 in the cases or I would say passed back and forth  
21 between lawyers in any of the three cases?

22 A. Has he had edited revised, I mean what --

23 Q. Right now I am just asking did he start  
24 the document such as a complaint or a similar type  
25 document?

1 Q. Sure. I am okay with that. How often do  
2 you consult with Mr. Howell with regard to those  
3 three cases prior to the time that you started with  
4 your current Farmer, Jaffe association?

5 A. It is an impossible question for me to answer  
6 accurately with a percentage that I have spoken with  
7 Mr. Howell about any particular document or anything.

8 Q. As to pleadings, do you discuss, do you  
9 send it to him for his review, editing, before you  
10 file a pleading?

11 A. Typically no.

12 Q. How often do you consult or have you  
13 consulted with Mr. Howell during the time you were  
14 with RRA?

15 A. What type of an answer do you want in terms of  
16 how often have I?

17 Q. Do you do it once a day?

18 A. Have I ever? I have.

19 Q. Is it a pretty common practice that when  
20 you're going to file or do something that you would  
21 contact Mr. Howell?

22 A. Not at all.

23 Q. So, do you --

24 A. Not at all common I mean.

25 Q. So, during the course of the month, say

1 A. That was filed in the case?

2 Q. Correct.

3 A. No.

4 Q. Okay. Has he worked on documents, whether  
5 it's editing, adding, deleting from pleadings that  
6 you, pleadings or papers that you have prepared?

7 A. Yes. Bob, can you hand me that water?

8 Q. Yes.

9 A. Thanks. Appreciate it.

10 Q. You're welcome. Has he continued, did he  
11 continued to be involved not only when you were a  
12 solo practitioner but during the time that you were  
13 with RRA with regard to editing or working on the  
14 cases?

15 A. To an extent.

16 Q. Okay. Do you, how often on the cases have  
17 you consulted with Mr. Howell? By that I mean  
18 before a decision is made as to how you want to do  
19 discovery or proceed with the filing of the pleading  
20 or how you're going to respond, does Mr. Howell, do  
21 you consult with Mr. Howell during the time you were  
22 both solo practitioner and were at RRA?

23 A. Is your question asking for the answer to be  
24 in a percentage? How often do I consult? I am just not  
25 sure how to quantify.

1 during the time that you were at RRA, how often  
2 would you consult with Mr. Howell regarding the  
3 cases? And I recognize every day or every week  
4 might be different. Would you speak with him like  
5 once a month, or two or three times a month, or  
6 generally once every couple of months?

7 A. Depending on what was going on in the cases at  
8 the time, at sometimes more than others.

9 Q. How did L.M. come to be a client of yours?

10 A. She called me.

11 Q. And how did she get your name?

12 MR. SCAROLA: To the extent that your  
13 response to that question would require that  
14 you reveal either work-product or  
15 attorney-client privileged information, I  
16 instruct you not to answer.

17 THE WITNESS: I simply don't know.

18 BY MR. CRITTON:

19 Q. Did Ms. L.M. hire you in the or -- I'm  
20 going to strike that.

21 How many conversations did you have  
22 with and/or meetings did you have with Ms. L.M.  
23 before you hired her, or before she hired you. I'm  
24 sorry.

25 A. I don't remember.

1 Q. Did she ever come and meet you at your  
2 office?

3 A. From the beginning of time until today?

4 Q. No. Back at the time prior to retaining  
5 your services.

6 A. I don't remember.

7 Q. Did you ever meet her at her residence or  
8 place of work? Let me ask you this: Have you ever  
9 met her at her place of business or a place of  
10 business?

11 A. No.

12 Q. Have you ever met her at her home, whether  
13 it's an apartment or home, whatever?

14 A. Now, you're asking from the beginning of time  
15 until now?

16 Q. No. Up until the time she hired you, did  
17 you ever meet with her?

18 A. Okay.

19 Q. At her home or apartment.

20 A. To the best of my recollection, no.

21 Q. Did you -- did she sign, to the best of  
22 your recollection did she sign a fee agreement?  
23 Well, let me strike that. There is a, there is a  
24 written fee agreement between L.M. and you and  
25 then --

1 information.

2 BY MR. CRITTON:

3 Q. When you met Ms. L.M. at the park was  
4 anyone else present?

5 A. Yes.

6 Q. Who?

7 A. I don't know.

8 Q. Male or female?

9 A. I presume both. It's a park.

10 Q. No, no, no. In the meeting that you had  
11 with her -- my guess is there were probably a lot of  
12 people in the park?

13 A. Correct.

14 Q. In the meeting that you had with Ms.L.M.  
15 was anyone else present?

16 A. For the conversations between myself and  
17 Ms. L.M., no.

18 Q. When you first met with E.W. was anyone  
19 present for the conversations between that you and  
20 Ms. E.W.?

21 A. No.

22 Q. I think you told me at the time that the  
23 complaint was filed or at the time that the Jane Doe  
24 1 and 2 sued the United States Government which was  
25 in early July, it was July 8th of '08, you don't

1 A. Correct.

2 Q. -- her originally?

3 A. Correct.

4 Q. Did you ever meet her prior to her signing  
5 that fee agreement?

6 A. Yes.

7 Q. And do you remember where that meeting  
8 took place?

9 A. Generally, yes.

10 Q. Okay. Where?

11 A. A park.

12 Q. And what town?

13 A. I don't know.

14 Q. You don't know whether it was in Broward  
15 County or Palm Beach County?

16 A. I do know.

17 Q. Which county?

18 A. Palm Beach County.

19 Q. Was that arranged by her to meet her  
20 there?

21 A. Yes.

22 Q. And what, for what purpose did Ms. L.M.  
23 originally hire you?

24 MR. SCAROLA: I am going to object. That  
25 calls for attorney-client privilege

1 recall whether you were representing Jane Doe at  
2 that time?

3 A. I believe I was but I do not recall for sure.

4 Q. At the time do you know whether, at the  
5 time that you represented Jane Doe 1, do you know  
6 whether her name, whether she was considered a  
7 victim by the United States Attorney's Office?

8 A. Ask your question again.

9 Q. All right. At the time you began  
10 representing E.W. or at any time prior to the filing  
11 of the lawsuit against the United States Government  
12 in July of '08, did you learn whether she was listed  
13 as a, or deemed to be a victim by the United States  
14 Attorney's Office?

15 MR. SCAROLA: If that is information that  
16 you obtained in the course of the performance  
17 of your responsibilities in representation of  
18 any client, I would instruct you not to answer.

19 If that information was obtained  
20 through some public source independent of  
21 the work that you performed as counsel,  
22 then you may respond.

23 THE WITNESS: I cannot respond.

24 BY MR. CRITTON:

25 Q. With regard to the question, I am not

1 interested in what you learned from E.W. All right.  
2 Did you learn from either any correspondence or a  
3 telephone call with any third party that whether  
4 again prior to the -- let me start again.

5 Prior to the filing of the lawsuit  
6 against Jane Doe 1 and Jane Doe 2 against the United  
7 States Government, did you learn from any source,  
8 maybe a document, maybe a telephone call or a  
9 conversation that you had with a third party  
10 separate from your client, that E.W. was a victim or  
11 was deemed to be a victim by the United States  
12 Government or the United States Attorney's Office?

13 MR. SCAROLA: Same objection and  
14 instruction.

15 BY MR. CRITTON:

16 Q. Same question with regard to L.M. Miller.

17 MR. SCAROLA: Same objection and  
18 instruction.

19 BY MR. CRITTON:

20 Q. And same question with regard to Jane Doe.

21 MR. SCAROLA: Same objection and  
22 instruction.

23 BY MR. CRITTON:

24 Q. Prior to your filing the lawsuit with  
25 United States Government, did you ever any

1 litigation which is still pending today?

2 MR. SCAROLA: And I assume that question  
3 is qualified by inquiring as to whether such a  
4 conversation occurred with regard to any of the  
5 three individuals who he is representing claims  
6 against Mr. Epstein or the U.S. Attorney's  
7 Office, correct?

8 MR. CRITTON: Say that again?

9 MR. SCAROLA: Yes, sir. Are you asking  
10 whether such conversations occurred that were  
11 relevant to his prosecution of the claims on  
12 behalf of his three clients?

13 MR. CRITTON: Sure.

14 MR. SCAROLA: Then, then the instruction  
15 remains the same. The objection remains the  
16 same.

17 BY MR. SCAROLA:

18 Q. So, even if, do you -- even if you talked  
19 about it with Mrs. Villafana, even if your client  
20 Mr. Edwards spoke with Mrs. Villafana about a  
21 scheduling issue, it's your position that that is  
22 what, work-product?

23 MR. SCAROLA: That's correct. We are not  
24 going to discuss anything that Mr. Edwards did  
25 in the course of the prosecution of his claims

1 conversations with the United States Attorney's  
2 Office --

3 MR. SCAROLA: I assume --

4 BY MR. CRITTON:

5 Q. -- regarding, regarding, regarding the  
6 subject of the lawsuit or Jeffrey Epstein?

7 MR. SCAROLA: Same objection and  
8 instruction.

9 MR. CRITTON: These are third parties;  
10 where is the work product?

11 MR. SCAROLA: Work product has to do with  
12 anything that was done in connection with the  
13 representation of these three clients. If he  
14 had such conversations independent of his  
15 representation of those clients, then he can  
16 respond to the question.

17 BY MR. CRITTON:

18 Q. Well, let me ask you a broader question.  
19 After you filed the lawsuit against the United  
20 States of America, were you aware that Marie  
21 Villafana or the United States Attorney's Office  
22 represented the USA, correct?

23 A. Yes.

24 Q. All right. Did you ever speak with Marie  
25 Villafana during, during the pendency of that

1 on behalf of his clients.

2 MR. CRITTON: So, any question that I ask  
3 you with regard to conversations that  
4 Mr. Edwards had with the U.S.A.O.'S office,  
5 whether it was Mrs. Villafana or anyone else  
6 from the time, with regard to the Jane Doe 1  
7 and Jane Doe 2 versus U.S.A. case, you would  
8 instruct Mr. Edwards not to answer those  
9 questions?

10 MR. SCAROLA: That is correct.

11 MR. CRITTON: So if I --

12 MR. SCAROLA: Obviously pending --

13 MR. CRITTON: -- let me just finish.

14 MR. SCAROLA: Obviously pending, obviously  
15 pending some instructions or guidance from the  
16 court with regard to how the court will  
17 interpret the work-product privilege in this  
18 context. I might also add that it is our  
19 position that any such inquiry exerts a  
20 chilling effect upon the work that Mr. Edwards  
21 continues to do on behalf of his three clients.

22 It is intended as a means to obtain  
23 discovery that would not otherwise be  
24 available in those pending claims. It is  
25 intended to annoy, harass, and embarrass

1 Mr. Epstein in a lawsuit that has  
2 absolutely no foundation whatsoever, and  
3 was filed for purposes other than a  
4 legitimate claim against Mr. Edwards based  
5 upon any good faith belief that he engaged  
6 in any form of improper or tortious  
7 conduct and --

8 MR. CRITTON: Done?

9 MR. SCAROLA: -- those inquires are not  
10 reasonably calculated to lead to the discovery  
11 of admissible and relevant evidence. So, for  
12 all of those reasons, we object.

13 MR. CRITTON: And let me just put on the  
14 record very briefly so at least at this point  
15 in time this is all information that clearly is  
16 relevant to the complaint as it's alleged.

17 I have received a, my client and I  
18 have both received a letter from you  
19 asserting a motion for fees and costs and  
20 certain sanctions under 57.105, by not  
21 allowing us to ask what are clearly, I  
22 believe, relevant material, basic  
23 discoverable information are preventing  
24 our ability to get all of the facts here  
25 such that we can make a reasonable

1 Q. All right. And have any, have you had any  
2 discussions -- well, let me strike that. What's the  
3 status of that case?

4 A. It's still pending.

5 Q. Other than still pending is a, is there,  
6 are there any outstanding motions?

7 A. No.

8 Q. I want to ask, to get back to one question  
9 with regard to both the Qtask and with regard to the  
10 Fortis system -- well, let me strike that.

11 With regard to the hard copies of the  
12 files that you had that is any paper files that you  
13 had associated with the Epstein files, where would  
14 they have been kept at RRA?

15 A. In a filing cabinet.

16 Q. And were the filing cabinets in your  
17 office or were they out in the general hallways?

18 A. They were filing cabinets in my office and in  
19 other locations in the office.

20 Q. Okay. With regard to the Epstein related  
21 matters, where did you keep those if they were --  
22 and by that that is the hard copies, did you keep  
23 those solely in your office or would they have been  
24 both in your office and in other places throughout  
25 RRA?

1 decision as to whether or not the 57.105  
2 motion and letter which you sent to me was  
3 filed in good faith or has any basis in  
4 it. We're unable then to, we'll be in  
5 large part unable to evaluate our  
6 position.

7 MR. SCAROLA: And our position is that  
8 those are decisions that should well have been  
9 made, could have been made, and should have  
10 been made before you ever filed the claim.

11 MR. CRITTON: All right. Are we done?

12 MR. SCAROLA: Yes.

13 MR. CRITTON: All right.

14 MR. SCAROLA: At least for now.

15 MR. CRITTON: I'm shocked.

16 BY MR. CRITTON:

17 Q. With regard to, with regard to the claim  
18 Jane Doe 1 and Jane Doe 2 that is currently  
19 pending -- or let me strike that. Jane Doe 2 --  
20 Jane Doe 1 and Jane Doe 2 against the U.S.A. that  
21 was filed in July of '08, that case is still  
22 pending.

23 A. Okay.

24 Q. Is that correct?

25 A. That was a question, yes.

1 A. There were times when they were in my office  
2 and there were times when they were kept in filing  
3 cabinets elsewhere on one of the RRA floors. I believe  
4 there were five or six floors of RRA.

5 Q. Okay. Was there a central storage, say if  
6 there were a number of files in this instance  
7 relating to Mr. Epstein, could you send those to  
8 basically central storage and if you wanted someone  
9 could go down and pick them up and bring them up to  
10 you?

11 A. I don't know.

12 Q. Well, if you wanted to access something  
13 that was in an Epstein file, and it wasn't in your  
14 office, how did you access it; that is, a hard copy?

15 A. You're speaking specifically about  
16 Mr. Epstein's cases or hypothetically with any cases?

17 Q. No, Mr. Epstein's cases?

18 A. As I sit here right now, I can't say with  
19 absolute certainty that I ever had a piece of the hard  
20 copy file requested for it to be brought to me.

21 Q. Well, with regard to Mr. Epstein's files,  
22 though, if they were in a location, would it be a  
23 correct statement that those were not, wasn't a  
24 locked location or a secure location within the  
25 contents of within the confines of the firm?

1 A. I don't know that that's a correct statement.  
 2 Q. You don't know one way or the other?  
 3 A. The law firm was constantly expanding and  
 4 constantly under construction. For the most part in the  
 5 beginning the cases were kept in a, in a filing cabinet  
 6 in my office and later were kept in a filing cabinet, I  
 7 believe, in a locked storage location in another area of  
 8 the office.  
 9 Q. And did any attorney have access to that  
 10 storage area or do you know?  
 11 A. I believe any attorney could have had access.  
 12 Q. And if the attorney could have access, you  
 13 wouldn't necessarily know about it, true?  
 14 A. Correct.  
 15 Q. In the trustee's filing that they made in  
 16 response to my motion to preserve evidence, they  
 17 indicated that 13 boxes relating to Jeffrey Epstein  
 18 had been removed by the FBI or the government when  
 19 they came into the RRA offices. Do you remember  
 20 seeing that pleading?  
 21 A. No.  
 22 Q. Okay. Are you, were there, in fact, 13  
 23 boxes of material or at least 13 banker's boxes of  
 24 material that related to matters directed to,  
 25 whether, whatever the content related to Mr. Epstein

1 that you were aware of; that is, hard copies?  
 2 A. I don't know.  
 3 Q. Okay. Could have been more, could have  
 4 been less; you just don't know?  
 5 A. Correct.  
 6 Q. If I understood your testimony,  
 7 Mr. Rothstein, Mr. Rosenfeldt, any other attorney or  
 8 investigator could have accessed those files  
 9 depending or where they were within the firm, true?  
 10 A. I am not sure exactly who could have accessed  
 11 it. You asked me if the attorneys could and the  
 12 attorneys had swipe cards for various locked areas.  
 13 Each attorney I believe had access to any area where  
 14 those files were located. I believe so.  
 15 Q. Okay. Well, during the time you were  
 16 there did an individual by the name of Ken Jenne  
 17 work there?  
 18 A. Yes.  
 19 Q. Okay. Did an individual by the name of  
 20 Mike Fisten work for the firm --  
 21 A. Yes.  
 22 Q. -- for RRA? Were they employees of the  
 23 firm or were they independent contractors?  
 24 A. I don't know.  
 25 Q. Okay. During the time they were there,

1 did they also have swipe cards so that they could  
 2 access different areas in the firm?  
 3 A. I believe so.  
 4 Q. With regard to when you joined RRA, did  
 5 you ever have any further meetings with  
 6 Mr. Rothstein; that is, from the day you started at  
 7 RRA, did you ever meet Mr. Rothstein again?  
 8 A. By meet him again --  
 9 Q. Did you ever have a meeting with him again  
 10 regarding your position in the firm?  
 11 A. No.  
 12 Q. Okay. Did you ever meet with him and a  
 13 number of other individuals with regards to firm  
 14 business?  
 15 A. No.  
 16 Q. Firm cases?  
 17 A. I don't believe so.  
 18 Q. Was Mr. Rothstein ever present in any  
 19 meeting where any of your cases were discussed? Let  
 20 me strike that. Was Mr. Rothstein ever present  
 21 wherein at any meeting where any of the cases  
 22 against Jeffrey Epstein were discussed? Don't tell  
 23 me content; just was he ever present.  
 24 A. How would I know that? I don't know. He  
 25 could, he could be in a meeting right now where the case

1 could be discussed for all I know.  
 2 Q. I'm sorry. Obviously, where you, where  
 3 you were present. Where you ever present at a  
 4 meeting where Mr. Rothstein was also present where  
 5 the Epstein cases were discussed?  
 6 A. No.  
 7 Q. Did he ever call you to communicate with  
 8 you, call you either by phone, video conference, in  
 9 any fashion to discuss any act aspect of the cases  
 10 that you had against Jeffrey Epstein?  
 11 MR. SCAROLA: You can answer that.  
 12 THE WITNESS: He has communicated about  
 13 various, about legal issues related to the case  
 14 as well as commented about the case to me on  
 15 very few occasions but I would say less than  
 16 three times.  
 17 BY MR. CRITTON:  
 18 Q. During the time that you, from April of  
 19 '09 through late October of '09, correct?  
 20 A. In that time period, where, is that when  
 21 these --  
 22 Q. Correct.  
 23 A. -- things happened?  
 24 Q. Well, that's the time you were there;  
 25 that's what I am asking.

1 A. When I was there.  
 2 Q. And do you, can you remember the date, any  
 3 specific date that you spoke with him?  
 4 A. No.  
 5 Q. Do you remember any specific month that  
 6 you would have had one of the -- well, what did you  
 7 say something less than five conversations? I don't  
 8 want to misquote you.  
 9 A. I said less than three conversations.  
 10 Q. All right. So, something less than three  
 11 conversations you had with Mr. Rothstein regarding  
 12 Epstein cases, either legal issue or a comment, some  
 13 comment about the case to you, correct?  
 14 A. Yes.  
 15 Q. All right. The first time that he ever  
 16 spoke to you, did he call you or did you call him?  
 17 A. I, I never called Scott Rothstein about  
 18 anything. Oh, take that back. About anything related  
 19 to Jeffrey Epstein.  
 20 Q. The first conversation that you can recall  
 21 where either a legal issue or a comment was made  
 22 about Jeffrey Epstein by Mr. Rothstein to you, he  
 23 obviously initiated the call?  
 24 A. It wasn't a call.  
 25 Q. What was it?

1 A. A comment in passing. And I believe I was  
 2 sitting at a table in BOVA when he walked over to my  
 3 table and commented about Jeffrey Epstein.  
 4 Q. Okay. Who were you there with at the  
 5 time?  
 6 A. I don't remember.  
 7 Q. Were you with some friends? Were you with  
 8 other lawyers?  
 9 A. All right. I am jogging my memory. I, I have  
 10 no idea.  
 11 Q. What did he say?  
 12 MR. SCAROLA: To the extent that you can  
 13 answer that question without disclosing any  
 14 mental impressions with regard to the lawsuit  
 15 or any attorney-client privileged  
 16 communications, you can answer.  
 17 To the extent that it might invade  
 18 either the work-product or attorney-client  
 19 privilege, you should not respond.  
 20 THE WITNESS: Can I talk to you?  
 21 MR. SCAROLA: Sure.  
 22 (A brief recess was held.)  
 23 MR. SCAROLA: Are we on?  
 24 THE VIDEOGRAPHER: Yeah.  
 25 MR. SCAROLA: The record should reflect

1 that we have had an opportunity to consult and  
 2 I have advised Mr. Edwards that there is no  
 3 privilege protection for the particular  
 4 communications involved.  
 5 BY MR. CRITTON:  
 6 Q. What did he say?  
 7 A. He commented to me, I want you to get that  
 8 pedophile.  
 9 Q. And your response was what?  
 10 A. I didn't respond.  
 11 Q. All right. Second conversation that you  
 12 can remember, where were you?  
 13 A. I had just come out of the conference room on  
 14 the main floor after taking a deposition in another  
 15 case. And he walked by and said, did you get that F'ing  
 16 pedophile yet.  
 17 Q. And your response?  
 18 A. Again.  
 19 Q. No response.  
 20 A. Didn't respond.  
 21 Q. On the first occasion when he came over  
 22 and if I understand correctly, all he said was the  
 23 comment that you referenced and then he left. You  
 24 didn't respond and then he just made the comment and  
 25 then left?

1 A. Right. He was walking by in his normal, loud,  
 2 ostentatious kind of way, greeting everybody in the  
 3 restaurant. Came over to my table and he feels, at  
 4 least my impression was obliged to say something to  
 5 everyone. And that's the comment he said to me.  
 6 And if you've ever seen him, he is  
 7 basically always just skipping around and he hoped  
 8 on over somewhere else. So, yes, it was in,  
 9 literally in passing.  
 10 Q. Okay. How, how did he even know you  
 11 had cases involving Mr. Epstein?  
 12 A. I don't know.  
 13 Q. Because I think you testified earlier that  
 14 you had never discussed an Epstein case with  
 15 Mr. Rothstein one-on-one, correct?  
 16 A. Absolutely, true.  
 17 Q. You never discussed an Epstein case or  
 18 either of your three clients with Mr. Rothstein even  
 19 with a group of people around, correct?  
 20 A. Correct.  
 21 Q. All right. Do you remember a third  
 22 occasion that he spoke to you regarding Epstein  
 23 related occasion, cases?  
 24 A. Anything else that he ever spoke with me about  
 25 related to Epstein related issues is attorney-client and



1 work-product privileged information that I am not going  
2 to divulge.

3 Q. Okay. I am not -- I need to still ask the  
4 last question though. I thought you said earlier is  
5 that you never had any substantive conversations,  
6 maybe I misunderstood, with Mr. Rothstein about the  
7 Epstein cases. Did I misunderstand you?

8 A. I don't believe that that was -- I had  
9 conversations at a point about legal issues related to  
10 Jeffrey Epstein and that's, that's it.

11 Q. Was that a one conversation? Was that a  
12 number of conversations that you had where legal  
13 issues were discussed as to, separate and apart from  
14 the two comments he made about the case to you which  
15 you were, you waived any privilege, work-product or  
16 attorney-client privilege?

17 A. I, I can't tell you. If you and I this  
18 morning had a conversation and then we took a bathroom  
19 break, and we had the same continuing conversation, I  
20 don't know if that's one conversation or two. But I can  
21 tell you the, the only time I remember Scott Rothstein  
22 participating in any way, shape, or form in any  
23 conversation related to anything substantive dealing  
24 with, and not dealing with any specific client but a  
25 legal issue, was on a particular one-day event, one-day

1 conversation, if you want to call it.

2 Q. And that's at what time? At that time  
3 legal issues were discussed?

4 MR. SCAROLA: Legal issue was the  
5 testimony, a particular legal issue.

6 MR. CRITTON: Correct. A legal issue.  
7 BY MR. CRITTON:

8 Q. When did that occur, that is, this one-day  
9 discussion or a day discussion occur regarding a  
10 specific legal issue?

11 A. I don't know.

12 Q. Was he present, he Mr. Rothstein and you  
13 present at the same time?

14 A. Yes.

15 Q. Okay. Was anyone else there with you?

16 A. Yes.

17 Q. Who else was present?

18 A. Russ Adler, someone was on the telephone. I'm  
19 not remembering who that was. I can't remember. I will  
20 tell you if I do remember.

21 Q. Was Bill Berger there?

22 A. No.

23 Q. And, you don't. So, there was you. Well,  
24 let me strike that. Where did the conversation take  
25 place?

1 A. Scott Rothstein's office.

2 Q. Had you been called up to meet with  
3 Mr. Rothstein?

4 A. Yes.

5 Q. Okay. And who contacted you and told you  
6 that Mr. Rothstein wanted to see you?

7 A. His, his secretary or paralegal or something.

8 Q. And did you get a call saying Mr.  
9 Rothstein would like to see you right now, or was it  
10 something that was scheduled?

11 A. It was not scheduled.

12 Q. So, you got a call and somebody told you,  
13 come up, Scott, Scott wants to see you.

14 A. I don't remember exactly what was used, but it  
15 was I believe, Russell is discussing a legal issue with  
16 Scott Rothstein; come to his office.

17 Q. Okay. Was the legal issue, did it involve  
18 one of the Epstein cases or the Epstein cases?

19 A. It, it was a legal issue related to -- yes.

20 Q. Okay. How long, how much time did you  
21 spend -- well, let me strike that. So, when you  
22 went up to Mr. Rothstein's office, it's -- I  
23 understand you had to go through some security to  
24 get in?

25 A. You've seen the video?

1 Q. I actually haven't.

2 A. Oh, really. Okay. Yeah, it's --

3 Q. In order to get into Mr. Rothstein's --

4 A. It's like a compound.

5 Q. Kind of concern you that this guy running  
6 the firm had a compound?

7 A. I -- at the time, no. In retrospect, okay,  
8 now that we all know how this whole thing unfolded, but  
9 at the time, no.

10 Q. Had you ever worked in an office? And you  
11 had worked at some big offices. You worked at the  
12 State Attorney's office in Broward County?

13 A. True.

14 Q. You worked for, I think for Kubicki  
15 Draper?

16 A. Correct.

17 Q. Did Mr. Kubicki, Gene Kubicki ever have a  
18 compound around his office that you had to go  
19 through any type of security either people and/or  
20 locked doors or secured doors in order to access  
21 him?

22 A. No.

23 Q. Had you ever worked other than the Broward  
24 County Sheriff's, at the Broward County State  
25 Attorney's Office with, and with Kubicki Draper, had

1 you ever worked for a large firm?

2 A. No. You just named all the places I have  
3 worked.

4 Q. All right. Is this the first time then  
5 that you had been to Mr. Rothstein's office that he  
6 called you up there?

7 A. No.

8 Q. You had been in his office before?

9 A. One time.

10 Q. And what was that occasion?

11 A. I was having back surgery, and I went there to  
12 tell him I am having back surgery. As you know I had  
13 back surgery, and I was telling him I don't know how  
14 long I'm going to be off because, you know, the recovery  
15 time is different for everybody.

16 Q. Is that the only thing you talked about,  
17 the back surgery?

18 A. That's the only thing we talked about.

19 Q. Did the meeting you had with Scott, when  
20 you went up, when you were called up to his office  
21 that day, did that occur before your back surgery  
22 episode or meeting or after?

23 A. After.

24 Q. So, you would, you had back surgery. I  
25 think you were out two or three weeks and then you

1 Q. How many security, different security  
2 levels did you have to go through in order to get,  
3 to go have your meeting with Mr. Rothstein and  
4 Mr. Adler?

5 A. Two.

6 Q. And to your recollection you don't  
7 remember ever seeing a security person?

8 A. Right.

9 Q. Okay. Who was in the office?

10 A. Well --

11 Q. I'm sorry.

12 A. I do not remember seeing a security person  
13 manning the door or granting access to his office. I  
14 saw security people every day in the office of RRA

15 Q. All right. And when you got into the  
16 office, Mr. Rothstein was there?

17 A. Yes.

18 Q. Mr. Adler?

19 A. Yes.

20 Q. There was someone on the telephone who you  
21 don't recall?

22 A. Yes.

23 Q. Okay. Was there anyone else present?

24 A. Not that I remember.

25 Q. Okay. Was, were there any investigators,

1 returned to the office, and then that meeting would  
2 have occurred?

3 A. Yeah, that's correct.

4 Q. When you, in order to get into the office  
5 just as you have described it as a bunker, how many,  
6 did you have to go through any security people to  
7 get into --

8 MR. SCAROLA: No, I think the description  
9 was a compound.

10 MR. CRITTON: I will use compound. Are  
11 you more comfortable with compound or a bunker?  
12 I have seen it described both ways. I haven't  
13 seen the video, but I have seen it described  
14 both ways.

15 THE WITNESS: I will describe it for you.  
16 Well, first I will answer your question.  
17 Security people, I don't know if there was ever  
18 a time where one would have to go through  
19 security people to get to his office. But on  
20 the day or two days that I have been in his  
21 office, I did not encounter any security  
22 personnel.

23 BY MR. CRITTON:

24 Q. Did you have to be buzzed into the office?

25 A. It was more complicated than that.

1 was Mr. Jenne or Mr. Fisten present?

2 A. No.

3 Q. So, it was, you, Rothstein, Adler, and  
4 someone on the phone; that's it?

5 A. From what I remember.

6 Q. How long did the meeting last?

7 A. I don't know how long the meeting lasted.

8 Q. Five minutes or was it a substantially  
9 long meeting?

10 A. Do you want how long I was in the meeting, I  
11 can give you an answer. How long the meeting lasted, I  
12 have no idea.

13 Q. How long did the meeting last while you  
14 were present?

15 A. Less than five minutes.

16 Q. Was the value of any of the three cases  
17 discussed at all?

18 A. No.

19 Q. Did Mr. Rothstein, did Mr. Rothstein  
20 appear to be knowledgeable about your cases?

21 A. No.

22 Q. Mr. Adler, was Mr. Adler someone that you  
23 had discussed the cases with on a somewhat regular  
24 basis --

25 MR. SCAROLA: Objection, compound.

1 BY MR. CRITTON:

2 Q. -- not content. Was Mr. Adler someone  
3 that you had discussed these Epstein cases with  
4 prior to that meeting?

5 A. Yes.

6 Q. Was he familiar with the cases, generally?

7 A. He attended Jeffrey Epstein's deposition, so  
8 he heard the questions asked and heard the Fifth  
9 Amendment invocation and so the adverse inferences and  
10 was therefore informed --

11 MR. CRITTON: Move to strike as  
12 nonresponsive.

13 BY MR. CRITTON:

14 Q. My question is was he familiar generally  
15 with the subject matter of the litigation against  
16 Mr. Epstein?

17 A. In that he read the newspaper articles about  
18 molesting a bunch of children, yes, he was familiar with  
19 the subject matter.

20 Q. And he read -- did you provide him with  
21 copies of the pleadings in these cases when they  
22 came to RRA?

23 A. No.

24 Q. What was the topic? What was the legal  
25 issue that you discussed -- well, let me strike

1 issue.

2 If it was not an issue that was  
3 identified in the course of the  
4 proceedings to opposing counsel, I am  
5 going to object and instruct you not to  
6 answer on the basis of the work-product  
7 privilege.

8 THE WITNESS: Work-product privilege.

9 BY MR. CRITTON:

10 Q. Do you know an individual by the name of  
11 Fandry, F-a-n-d-r-y?

12 A. That name doesn't ring a bell right now.

13 Q. Do you know him to be -- does that name  
14 mean anything with regard to, as an investigator,  
15 Fandry?

16 A. That's a male?

17 Q. Pardon?

18 A. That's a first name or a last name?

19 Q. Last name, Richard Fandry.

20 A. I know an investigator named Rick that did  
21 work, was contracted out by RRA to do investigative  
22 work. I don't know his last name but --

23 Q. Did, did Rick ever do any work on any of  
24 the Epstein cases to your knowledge?

25 A. I believe so.

1 that. Who raised the legal issue, did  
2 Mr. Adler raise it or did Mr. Rothstein?

3 A. I don't know.

4 Q. Okay. Well, how did the, who started the,  
5 if you were there I think you said five minutes, who  
6 did the talking?

7 A. When I came in the, in the office, it was in  
8 the middle of a discussion.

9 Q. Was a question posed to you?

10 A. The question was on the table at least from my  
11 perspective coming into the room and was then directed  
12 at me, what's the answer to this particular legal issue.

13 Q. And what was the legal issue?

14 MR. SCAROLA: Let's talk for just a  
15 second.

16 THE VIDEOGRAPHER: Are we going off the  
17 record?

18 MR. SCAROLA: Actually, we don't even have  
19 to go off the record. Stay right here.

20 If this was an issue that was  
21 identified during the course of the legal  
22 proceedings to opposing counsel, then I am  
23 going to allow you to you identify the  
24 issue without getting into any of the  
25 substance of the discussion regarding that

1 Q. Do you know what the name of his business  
2 was?

3 A. No.

4 Q. Is Rick still being employed at the  
5 current time by your firm to do investigation?

6 A. No.

7 Q. Is Mr. -- I asked you earlier if you knew  
8 Ken Jenne and Michael Fisten and you said yes and  
9 you knew that they had an association with RRA; is  
10 that correct?

11 A. Yeah, that's correct.

12 Q. And do you know whether they were  
13 employees or whether they were independent  
14 contractors?

15 A. You asked me that and I still have no idea.

16 Q. Did they have offices within RRA,  
17 Mr. Jenne and Mr. Fisten?

18 A. They, Mr. Jenne definitely had an office  
19 within RRA Mr. Fisten was normally in the field and I  
20 assume he had a place to go in RRA I don't know if you  
21 call it an office.

22 Q. Did you ever go --

23 A. That's it.

24 Q. Did you ever go meet with him within RRA?

25 A. Yes.

1 Q. Where did you go -- did you go to an  
2 office to meet him?  
3 A. Well, I went to a particular area, a locked  
4 area that I could get in with my swipe card and there  
5 was a, a room like this. Is this an office?

6 Q. Sure.

7 A. Okay. Then yes.

8 Q. If you wanted to contact Mr. Fisten, did  
9 you, did you have a number; that is, an inside  
10 number?

11 A. I don't know.

12 Q. Did Mr. Fisten do work on the Epstein  
13 related cases?

14 A. Yes.

15 Q. Okay. What kind of work did he do?

16 A. Investigator.

17 Q. Meaning what?

18 A. Meaning investigative work.

19 Q. Okay. Has Mr. Fisten continued to do --  
20 let me strike that. When RRA imploded in early or  
21 in late '09, in October of '09, did Mr. Fisten come  
22 to work for your firm?

23 A. Yes.

24 Q. Farmer, Jaffe. Is he an employee of your  
25 firm?

1 A. Yes.

2 Q. Did he ever do any work, or did you ever  
3 direct him to do any work with regard to the Epstein  
4 cases?

5 A. No.

6 Q. Did he know about the Epstein cases?

7 A. Yes.

8 Q. Okay. And how did he know? How did you  
9 know he knew? Well, let me strike that. I think  
10 you said you never directed him to do any work?

11 A. Right.

12 Q. Okay. And how do you know he was  
13 knowledgeable about the Epstein cases?

14 A. I talked to him about it before.

15 Q. Did you discuss the facts and  
16 circumstances of the cases with him?

17 A. Of L.M., E.W., and Jane Doe's specific  
18 circumstances, no. In fact, I would say, I would  
19 highly, it's highly unlikely that he would even know  
20 their names.

21 Q. But you have discussed the Epstein cases  
22 with him generically?

23 A. Right.

24 Q. And did he approach you about discussing  
25 the Epstein cases or did you approach him?

1 A. Correct.

2 Q. How about Mr. Jenne, is he currently  
3 employed by your firm?

4 A. No.

5 Q. Do Mr. Jenne and Mr. Fisten, to your  
6 knowledge, have any association at the current time?

7 A. No.

8 Q. Have, has Mr. Fisten continued to do work  
9 on behalf of your firm; that is, investigative work  
10 relating to Mr. Epstein?

11 A. What do you mean has he continued to?

12 Q. Has he continued, has Mr. Fisten done,  
13 continued to do investigative work since he had been  
14 with Farmer Jaffe relating to the Epstein cases?

15 A. On, on many cases and Jeffrey Epstein's case  
16 being one of them, yes, he's done some work.

17 Q. Has he, has he as well -- well, let me  
18 strike that. Has Ken Jenne done any work for any  
19 outside agency, investigative agency or entity, done  
20 investigation work relating to Jeffrey Epstein here  
21 in the State of Florida?

22 A. I don't, I don't know. I don't talk to him.

23 Q. Have you had any contact -- well, let me  
24 strike that. Did you ever have any contact with  
25 Mr. Jenne during the time you were at RRA?

1 A. He would have approached me. I didn't know  
2 him.

3 Q. Do you recall why -- let me strike that.  
4 Do you recall how long you were at the firm, RRA  
5 before he approached you to talk about the Epstein  
6 cases?

7 A. My recollection is several months.

8 Q. Okay. On how many occasions did he  
9 approach you to talk about the Epstein cases?

10 A. I don't know.

11 Q. More than once?

12 A. Yes.

13 Q. More than twice?

14 A. Yes.

15 Q. More than five times?

16 A. Yes.

17 Q. More than ten times?

18 A. Possibly.

19 Q. Okay. And with regard to Mr. Jenne did  
20 you ever give him, was he ever an invite person on  
21 your Qtask?

22 A. I do not believe so.

23 Q. Did, did you ever ask Mr. Jenne why he was  
24 interested in your Epstein cases?

25 A. No.

1 Q. Okay. And on each occasion he approached  
2 you about talking about the Epstein cases?

3 A. On the first I occasion, definitely. I can't  
4 say on every occasion that we had a conversation.

5 Q. And if I understood you correctly, you  
6 never assigned Mr. Jenne any tasks, any task; is  
7 that correct?

8 A. That's correct.

9 Q. Did you find it odd or strange that he  
10 would want to talk to you about your Epstein cases?

11 A. No.

12 Q. Did you, did you -- Mr. Jenne reported to  
13 whom as you understood?

14 A. I didn't understand anything.

15 Q. Do you know what his position with the  
16 firm was?

17 A. No idea.

18 Q. Did he ever offer to help you with the  
19 Epstein cases?

20 A. In some respect, I guess so. Generally, you  
21 know, I, I can help. This is basically a criminal  
22 matter; I can help. You know, that kind of thing. I am  
23 not saying those are his exact words but paraphrasing  
24 the gist of it, that's what I remember.

25 Q. Okay. Mr. Edwards, did you ever contact

1 A. No.

2 Q. When Mr. Rush contacted you, do you know  
3 why he contacted you; that is, what -- well, let me  
4 strike that. When he contacted you, did you take  
5 his call right away or was his a call that you had  
6 to return?

7 A. I don't remember.

8 Q. Do you remember speaking with a person  
9 named John Canally?

10 A. Yes.

11 Q. Okay. What was Mr. Canally's association?

12 A. I don't know.

13 Q. Do you know who he was with at the time?

14 A. No.

15 Q. What did your discussion with Mr. Canally;  
16 that is, what was Mr. Canally interested in and what  
17 did you tell him?

18 MR. SCAROLA: Objection, compound.

19 THE WITNESS: I, I listened to him more  
20 than told him anything.

21 BY MR. CRITTON:

22 Q. Did you provide him any information?

23 A. In the back and forth of the conversation, I,  
24 you know, maybe general information that one could read  
25 from the newspapers I talked to him about.

1 the media or the press when, that's located in New  
2 York City, the State of New York, about any of the  
3 Epstein cases?

4 A. I may have returned telephone calls that were  
5 initiated by press to me.

6 Q. My, my question to you was, did you  
7 initiate any telephone calls; that is, without  
8 returning a call to the, to any member of the media  
9 or press in New York regarding the Epstein cases?

10 A. Meaning the first conversation --

11 Q. Right.

12 A. -- between -- yeah. No, I did not.

13 Q. Who contacted you from New York with  
14 regard to any Epstein related matter?

15 A. The press.

16 Q. Who?

17 A. I don't remember anybody's name.

18 Q. Give me anybody's name that you can  
19 recall.

20 A. George Rush.

21 Q. What media, what did you understand his  
22 association?

23 A. I believe New York Daily News.

24 Q. Do you remember when Mr. Rush contacted  
25 you?

1 Q. Did you speak with, other than -- on how  
2 many occasions did you speak with Mr. Canally?

3 A. I don't know.

4 Q. On how many occasion's have spoken with  
5 Mr. Rush?

6 A. I don't know.

7 Q. More than once with Mr. Rush?

8 A. I would say so, yes.

9 Q. More than five times with Mr. Rush?

10 A. That's approximate, that's approximately  
11 correct.

12 Q. Okay. Mr. Canally, did you speak with him  
13 on more than one occasion?

14 A. Yes.

15 Q. On how many occasion's have you spoken  
16 with him?

17 A. I don't know.

18 Q. Five, two, three, your best estimate?

19 A. More than five.

20 Q. When was the last time you spoke with  
21 Mr. Canally?

22 A. 2009.

23 Q. Have you had any contacts with the media  
24 or the press during the year 2010, January,  
25 February, March, and we're almost, well, we're

1 almost at the end of March. In the last three  
2 months, starting in January 1st of 2010, have you  
3 had any contact with the press?

4 A. Not that I recall.

5 Q. Has the press contacted you, but you have  
6 not returned their calls?

7 A. On hundreds and hundreds of occasions.

8 Q. Well, my question is since the beginning  
9 of, since January 1st of 2010 has the press  
10 attempted to contact you?

11 A. Yes.

12 Q. And if I understand your testimony, you  
13 have not returned any of those calls?

14 A. To the best of my recollection I, I do not  
15 remember speaking with anybody from the press during  
16 this year, 2010.

17 Q. In 2010, do you have a recollection of  
18 having spoken with people but saying you can't quote  
19 me, i.e., I have no comment or I will tell you off  
20 the record?

21 A. I don't even remember having those  
22 conversations with anybody in 2010. If you know of  
23 something and can refresh my recollection, I, you may be  
24 able to remind me, but I don't think in 2010 I have had  
25 any of those conversations.

1 I believe, November.

2 Q. And the first time that Mr. Rush called  
3 you, what was the subject?

4 A. Jeffrey Epstein.

5 Q. Okay. I assume you never talked with  
6 Mr. Rush about any topic other than Mr. Epstein,  
7 correct?

8 A. That's a safe assumption.

9 Q. When he first contacted you, can you  
10 differentiate what he said on the first occasion  
11 versus a later occasion?

12 A. I, I, no, in chronological order I can't right  
13 now. I haven't gone back and thought about this like  
14 this before.

15 Q. Did you ever correspond with Mr. Rush or  
16 Mr. Canally by e-mail?

17 A. Mr. Rush, I believe that answer is no. With  
18 Mr. Canally, yes.

19 Q. And so do you have copies of the e-mails  
20 that you and Mr. Canally exchanged?

21 A. No.

22 Q. Okay. Would they have been while you were  
23 at RRA, RRA?

24 A. Correct.

25 Q. With regard to Mr. Rush, if you did

1 Q. The conversations you had with George  
2 Rush, when you returned his call, what did Mr. Rush  
3 ask you? What was he inquiring about?

4 A. My response to Jeffrey Epstein's comments.

5 Q. Which comments?

6 A. A telephone conversation initiated by Jeffrey  
7 Epstein to George Rush related to the various cases and  
8 claims against Mr. Epstein.

9 Q. Did Mr. Rush call you -- I'm sorry, I will  
10 improve it. If I understand correctly when Mr. Rush  
11 called you, that's the first time you knew who he  
12 was?

13 A. I didn't know who he was before he called me,  
14 correct.

15 Q. What did Mr. Rush tell you what Jeffrey  
16 Epstein had said to him?

17 A. And I'm not sure that that was the first  
18 conversation I had with, with George Rush. Like I said  
19 I think I've talked to him three or four, five times.

20 Q. Okay. Well, let me see if I can place,  
21 can you give me a point in time when you first spoke  
22 to Mr. Rush and when you last spoke with him the  
23 approximately five times that you related?

24 A. Each of those times were in 2009 between,  
25 earliest possible, June, I think, yeah, latest possible,

1 communicate with him by e-mail, would it be during  
2 the time you were with RRA?

3 A. That's correct.

4 Q. Did you communicate with any other member  
5 of the press during the time, we'll come back to  
6 Mr. Epstein. During the time when you were at RRA,  
7 did you communicate with anybody else by, by either,  
8 first of all, by e-mail?

9 A. What is your question again? I'm sorry.

10 Q. Okay. Did you -- other than Mr. Rush who  
11 you're not sure you communicated by e-mail,  
12 Mr. Canally who you are sure you communicated by  
13 e-mail during the time you were at RRA, was there  
14 any member of the press, TV, written news media,  
15 television that you communicated with --

16 A. I'm sure.

17 Q. -- by e-mail?

18 A. I am sure there is.

19 Q. Okay. Do you remember any of their names  
20 other than Mr. Rush and Mr. Canally as you sit here  
21 today?

22 A. Not as I sit here today, I do not.

23 Q. Did you ever communicate with Jose  
24 Lambiet?

25 A. I don't know who that is.

1 Q. He does a Page 2 or something with the,  
2 Page 1, Page 2 of the Palm Beach Post?

3 A. No. I'm not, no.

4 Q. Okay. Have you ever spoken with Jane  
5 Muskrat (phonetic)?

6 A. Again, I don't know who that is.

7 Q. Have you ever -- did you ever give or  
8 allow one of your clients to give an interview to  
9 one of the local TV stations?

10 MR. SCAROLA: Objection, compound.

11 THE WITNESS: One of my clients gave an  
12 interview to one of the local television  
13 stations.

14 BY MR. CRITTON:

15 Q. Which of your clients gave the interview?

16 A. Jane Doe.

17 Q. And did you organize that?

18 A. I assisted.

19 Q. Which, which TV station was it?

20 A. I don't remember.

21 Q. Do you remember who the person was from  
22 the TV station that contacted you? Let me strike  
23 that. How did it come about that Jane Doe gave an  
24 interview to the TV station?

25 A. Various television stations have been

1 BY MR. CRITTON:

2 Q. Jane Doe, though, did give an interview,  
3 correct --

4 A. That is correct.

5 Q. -- on TV and they blocked out her face?

6 A. That is correct.

7 Q. Were you there, were you present when she  
8 gave the interview?

9 A. Yes.

10 Q. Okay. Did you see the interview on TV?

11 A. No.

12 Q. Did they give you a copy of the tape of  
13 the interview?

14 A. I believe a copy of the tape was sent to me.

15 Q. Okay. Do you still have that in your  
16 possession?

17 A. No.

18 Q. Who has it?

19 A. I believe it was destroyed.

20 Q. Who destroyed it?

21 A. Nobody destroyed it.

22 Q. Okay. You said, I think you said you  
23 believe it's destroyed. How did it come to be  
24 destroyed?

25 A. It was sent to me and it was kept in my house

1 interested over the course of these cases in having the  
2 clients talk. I was adamant that that was not going to  
3 happen and Jane Doe wanted that to happen.

4 Q. How did Jane Doe even know that that  
5 opportunity existed? If you didn't want it to  
6 happen when the news, when the news people, when the  
7 TV stations called you why didn't you just say my  
8 clients are not available for interview?

9 A. What's your question?

10 Q. The question is, is, with regard to the  
11 T.V. station, you said multiple TV stations wanted  
12 to do interviews with your clients. Did I  
13 understand you correctly?

14 A. You did.

15 Q. And you said you didn't want any of your  
16 clients to do interviews, correct?

17 A. Right.

18 Q. Okay. So, why didn't you just say, no, I  
19 am not making any of my clients available?

20 MR. SCAROLA: I am going to object to the  
21 extent that that calls for either mental  
22 impressions or attorney-client privileged  
23 communications and instruct you not to answer.

24 THE WITNESS: I'm not going to answer  
25 based on the privilege.

1 as I didn't believe it was any portion of the file and  
2 my house flooded and the tape was destroyed.

3 Q. And did you try to play the tape?

4 A. I have never watched the tape.

5 Q. You still have it. You just think it's  
6 destroyed?

7 A. No, I don't even have it.

8 Q. You threw it away?

9 A. It wasn't a matter of throwing anything away.  
10 My entire house was full with water, every square inch  
11 for 12 inches up the wall, and everything was just in  
12 mud and got thrown in these huge bins and trashed so --

13 Q. All right. Have you ever spoken with  
14 Michelle Daryan?

15 A. Yes.

16 Q. On how many occasions have you spoken with  
17 her?

18 A. Several.

19 Q. Have you e-mailed, exchanged e-mails with  
20 her?

21 A. Yes.

22 Q. During the time you, only during the time  
23 you were with RRA?

24 A. I believe so. There, there could have been,  
25 there could have been an e-mail. Oh I only think at RRA

1 I believe that's right.

2 Q. As a result of Jane Doe speaking with the  
3 press, did she receive any compensation?

4 A. No.

5 Q. Have any interviews been given separate  
6 and apart from the TV interview that Jane Doe gave?  
7 Did any of the other, did either of your other two  
8 clients, E.W. or L.M., ever give an interview to,  
9 written to, to the written media, not TV?

10 A. No.

11 Q. With regard to, back to George Rush, you  
12 said that Mr. Rush, Mr. Rush contacted you. You  
13 recontacted him, correct?

14 A. That's correct.

15 Q. Okay. And what was the subject matter?  
16 What was Mr. Rush interested in talking with you  
17 about?

18 A. Jeffrey Epstein.

19 Q. Okay. And what, what specifically about  
20 Mr. Epstein? How did he even know you existed, did  
21 he say?

22 A. I don't know. Or, or if I knew, I don't  
23 remember how he knew that.

24 Q. Okay. Did you, did you talk to him?

25 A. Yes, I did talk to him.

1 was something he was conveying to me.

2 Q. Okay. Did he tell you that he had any  
3 information that Mr. Epstein had been involved with  
4 any other individuals in any other states, females?

5 A. I don't remember.

6 Q. Did you tell him or did you disclose to  
7 him that you were aware of Mr. Epstein having been,  
8 having assaulted underage females in other states?

9 A. I don't remember.

10 MR. CRITTON: Need to take -- why don't  
11 we, why don't you change the tape now?

12 THE VIDEOGRAPHER: We're now off the video  
13 record. It's 1:02 p.m.

14 (A luncheon recess was held.)

15 \* \* \* \* \*

1 Q. Approximately, how many, how long have  
2 your conversations been?

3 A. Short.

4 Q. And with regard to George Rush, what, you  
5 said he was interested in talking about Jeffrey  
6 Epstein. What was he interested in?

7 A. I don't remember specifically the issue, but  
8 it seemed to me that he came to me with an issue each  
9 time, something related to the case.

10 Q. Okay. The case being Mr. Epstein's case  
11 or your three cases?

12 A. I think that it was typically in general  
13 related to the various criminal acts committed by  
14 Jeffrey Epstein against the large number of girls in  
15 each of the states that Jeffrey Epstein has lived in. I  
16 think that was like the gist of his communication to me.

17 Q. Well, did he?

18 A. Or why he was interested.

19 Q. Did he indicate to you that someone had  
20 told him that, that certain acts had occurred in  
21 other states or locations other than the State of  
22 Florida?

23 A. I can't say with any degree of specificity  
24 what was said, but that certainly is the impression that  
25 I have right now thinking back. So, I believe that that



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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL  
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA  
CASE NO. 50 2009CA040800XXXXMB AG  
Complex Litigation, Fla.R.Civ.Pro. 1201

JEFFREY EPSTEIN,  
Plaintiff,

-vs- VOLUME II OF II

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

Defendants.

VIDEOTAPED DEPOSITION OF BRADLEY J. EDWARDS, ESQUIRE

Tuesday, March 23, 20010  
10:00 - 5:07 p.m.

2139 Palm Beach Lakes, Boulevard  
West Palm Beach, Florida 33401

Reported By:  
Cynthia Hopkins, RPR, FPR  
Notary Public, State of Florida  
Prose Court Reporting  
Job No.: 1333

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CONTINUED EXAMINATION OF  
BRADLEY J. EDWARDS, ESQUIRE

BY MR. CRITTON 151

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| FACSMILE           |                   |      |

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## ALSO PRESENT:

Jeffrey Epstein  
Joseph Kozak, Videographer  
Prose Reporting Services

## PROCEEDINGS

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THE VIDEOGRAPHER: We're now on the record  
at 1:54 p.m. Volume 2.

## CONTINUED DIRECT EXAMINATION

BY MR. CRITTON:

Q. Mr. Edwards, when we broke, we were  
talking a little bit about, we were talking about  
George Rush and different, many people that you had  
spoken with and you said you had spoken with  
Mr. Rush approximately five times, correct?

A. Correct.

Q. With regard to Mr. Rush, did you ever  
provide him with any documents?

A. I don't believe so.

Q. Did you tell Mr. Rush, did you EVER advise  
or did Mr. Rush ever ask you who your clients were,  
I mean not by name but as to how your clients  
factored into any of the conversations that you were  
having?

A. I don't remember that.

Q. Do you recall discussing with Mr. Rush  
Ghislain Maxwell? Or in fact, let me ask it this  
way: Did you talk with Mr. Rush about Ghislaine  
Maxwell in any way?

1 A. I'm not sure.

2 Q. Why would you -- did any of your clients  
3 claim or have any of your clients claimed to have  
4 any contact with Ghislaine Maxwell at all?

5 A. That is something that certainly calls for  
6 attorney-client privilege and not something that I am  
7 going to be answering today.

8 Q. With regard to at least you have attended  
9 the deposition of both Jane Doe and of L.M., correct?

10 A. Yes.

11 Q. Okay. And have you heard them reference  
12 Ghislaine Maxwell during the course of those  
13 depositions?

14 A. No.

15 Q. Would it be a correct statement that none  
16 of the three of your clients -- let's take a look at  
17 the two that have testified. Both of the two that  
18 have testified, Jane Doe and L.M. have testified  
19 that they did not ever take, travel with or were  
20 transported in any way by Mr. Epstein, correct?

21 A. No, that is incorrect.

22 Q. Okay. Did, who, which?

23 A. I believe.

24 Q. I am sorry?

25 A. I guess the transcript will speak for itself.

1 A. I don't remember that subject coming up in the  
2 conversations with Mr. Rush. Had he asked -- I, I don't  
3 remember that conversation.

4 Q. You're not denying it. You are just  
5 saying you don't remember it or are you --

6 A. Correct.

7 Q. -- saying it didn't happen?

8 A. No. I am saying I just don't remember.

9 Q. Did you, did you tell Mr. Rush that  
10 Mr. Epstein had transported females on his plane for  
11 the purposes of having sex with other individuals?

12 A. I don't know.

13 Q. Well, why --

14 A. I just don't remember.

15 Q. If Mr. Rush would testify that you told  
16 him that other females had traveled on Mr. Epstein's  
17 plane and had had sex during the time they were on  
18 the planes, why would you have had that discussion  
19 with him?

20 A. You're asking a hypothetical if I said that,  
21 why would have I have said that?

22 Q. Well, let me rephrase it this way: With  
23 Mr. Rush, if I asked you to assume that he would  
24 testify that you, you told him about the  
25 transportation, that Mr. Epstein transported other

1 I don't remember their specific --

2 Q. Is it your belief that Jane Doe ever  
3 traveled with Mr. Epstein on his plane?

4 MR. SCAROLA: Excuse me, is the question  
5 limited to the testimony --

6 MR. CRITTON: Correct.

7 MR. SCAROLA: -- that has been given?

8 MR. CRITTON: Correct.

9 THE WITNESS: No. I do not believe she  
10 testified that she traveled with Mr. Epstein on  
11 his plane.

12 BY MR. CRITTON:

13 Q. All right. And same would be true with  
14 L.M., she did not testify that she traveled with Mr.  
15 Epstein on his plane, true?

16 A. I believe that's true as well.

17 Q. Okay. Are you aware of any other  
18 information from any other source that either Jane  
19 Doe or L.M. traveled on Mr. Epstein's plane?

20 A. No.

21 Q. Did you, did you indicate to -- well, let  
22 me strike that. Did you tell Mr. Rush that none of  
23 your clients had ever traveled with Mr. Epstein on  
24 his plane or any, on his plane or with him in any  
25 fashion, in any other manner?

1 women on the plane to have sex with them, what  
2 information did you have that was the basis for that  
3 claim at that time?

4 MR. SCAROLA: I am going to object to the  
5 form of the question. It assumes facts not in  
6 evidence. It has no proper predicate.

7 BY MR. CRITTON:

8 Q. Mr. Edwards, did you have Ghislaine  
9 Maxwell served in this case with a subpoena?

10 A. Yes.

11 Q. For what purpose? I mean, obviously to  
12 take her deposition.

13 A. Exactly, to take her deposition.

14 Q. All right. Do you, is she neither, would  
15 you agree that neither Jane Doe nor L.M. have  
16 testified to any, that they had any connection  
17 whatsoever with Ghislaine Maxwell?

18 A. Yes, I would agree.

19 Q. And what, what was, what is the purpose;  
20 that is, with regard to your three clients and only  
21 your three clients is they -- what connection if  
22 any, did Ghislaine Maxwell have to those  
23 individuals?

24 MR. SCAROLA: Objection, work-product.  
25 Instruct you to not answer.

1 BY MR. CRITTON:

2 Q. When you originally started working with  
3 the Rothstein firm, did you have any discussions  
4 with Mr. Rothstein regarding how your cases would be  
5 funded; that is, your personal, your personal injury  
6 cases and specifically the cases relating to  
7 Mr. Epstein?

8 A. No.

9 Q. Okay. With regard to, prior to taking  
10 your cases to, prior to starting at RRA, you were  
11 responsible for the funding of your personal injury  
12 cases or any contingency fee case, correct?

13 A. Right.

14 Q. And I assume you had either your own  
15 personal funds or you had a line of credit or both?

16 A. Right.

17 Q. And when you came to RRA and you brought  
18 the cases with you; that is, the personal injury  
19 cases and as well, the Epstein cases, were you  
20 reimbursed for the costs that you had already  
21 expended thus far on those cases?

22 A. No.

23 Q. Did you request that you be reimbursed?

24 A. Yes.

25 Q. And with, to whom was the request made?

1 A. I didn't do that.

2 Q. You didn't. Did you choose not to do  
3 that?

4 A. No. I, I, the statement was made to me by  
5 Scott Rothstein that the costs would be reimbursed. And  
6 I anticipated that the costs would be reimbursed. I was  
7 there for a fairly short period of time and I didn't  
8 know Scott Rothstein personally. So, I didn't go to him  
9 additionally to tell him something that we already had a  
10 meeting of the minds about.

11 Q. Well, how much in costs did you have  
12 outstanding at the time from your cases, including  
13 the Epstein cases when you went to the firm, RRA, in  
14 April of '09?

15 A. I don't know the total.

16 Q. Was it \$1,000? Was it \$50,000? Was it  
17 \$100,000?

18 A. More than 100.

19 Q. And did you have that both from, was it,  
20 the debt, was that comprised of both your own money  
21 and as well as LOC, line of credit money through a  
22 bank?

23 A. Correct.

24 Q. Was it more than 150?

25 A. I'm not sure.

1 A. Directly to Scott Rothstein.

2 Q. Was that at the ten minute meeting that  
3 you had?

4 A. Yes.

5 Q. At BOVA?

6 A. Yes.

7 Q. And what did he say?

8 A. No problem.

9 Q. He said he would reimburse you?

10 A. Correct.

11 Q. And did that, in fact, take place?

12 A. No.

13 Q. And how did you attempt to get reimbursed  
14 for the costs that you had thus far incurred on your  
15 personal injury cases including Mr. Epstein's case  
16 when you went, when you started at RRA?

17 A. What do you mean?

18 Q. Well, you said that Mr. Rothstein agreed  
19 in the ten minute conversation that RRA would  
20 reimburse those costs?

21 A. Correct.

22 Q. You go to RRA in April of '09, and I  
23 assume you had to ask someone and say, look, I had a  
24 conversation with Scott Rothstein. He said he would  
25 reimburse my costs.

1 Q. Was it someplace between 100 and \$200,000  
2 your best estimate?

3 A. That is my best estimate.

4 Q. Did you find that to be a significant  
5 amount of money?

6 A. Of course.

7 Q. Okay. And you said you were at RRA for  
8 only a short period of time. In fact, you were  
9 there April, May, June, July, August, September,  
10 October. You were there seven months, true?

11 A. Yes.

12 Q. Okay. And at no time, even though  
13 Mr. Rothstein said he would reimburse those funds or  
14 the firm would reimburse those funds to you, at no  
15 time during those seven months which you have  
16 described as a short period of time, did you ever  
17 make a request that you be reimbursed; is that  
18 correct?

19 A. I never made a, well, I don't know the process  
20 for getting reimbursed, but I never made a formal  
21 request. I said it to, at least to Russell Adler on  
22 several occasions. And it was always told to me, don't  
23 worry about it; the firm is growing; there is a lot of  
24 things to deal with right now; he operates under the  
25 system of fairness; you will get reimbursed.

1 And obviously nobody expected the ending  
2 to the law firm that ultimately occurred.

3 Q. With regard to the case, I assume you  
4 settled a couple of personal injury cases during the  
5 seven months you were there, yes?

6 A. Yes, you assume that.

7 Q. That's correct? Let me ask the question.  
8 Did you settle any contingency fee cases during the  
9 seven months that you were at the RRA firm?

10 A. Yes.

11 Q. And when you settled those cases did you,  
12 and they closed, they were settled through, did you  
13 have any control of the trust account?

14 A. No.

15 Q. Okay. Settlement monies come in on a  
16 personal injury case. What did you do with the  
17 money once the, once the client had endorsed the  
18 check?

19 A. I, I didn't personally do anything with the  
20 money. It was not handled by me.

21 Q. Okay. Were you there --

22 A. That's why I'm confused. Did I settle the  
23 case? I mean, Rothstein Rosenfeldt Adler firm settled  
24 personal injury cases while I was there. There were no  
25 cases that were solely my cases. They were firm cases.

1 A. Well, you've thrown a lot of things in there.  
2 Travel expenses come back with your receipts, hand them  
3 over to, I would hand them over to my secretary. And  
4 she would get them to the appropriate place in the  
5 machine known as Rothstein Rosenfeldt Adler. And in my  
6 next -- and I would get a check, I believe.

7 Q. All right. How about depositions, I mean  
8 during the time that we, we took depositions from  
9 the time you were at RRA, transcripts were ordered  
10 of depositions. They were expedited of various  
11 hearings. You took trips. You took a trip to New  
12 York to take the deposition of Mark Epstein,  
13 correct; all those things occurred?

14 A. Yes, all of those things occurred.

15 Q. So, when you would get a bill in for the  
16 trip for to go up and see Mark Epstein, or to take  
17 Mark Epstein's deposition, you had travel costs  
18 associated with that and you had plane fare,  
19 taxicab, hotel, whatever else you had, correct?

20 A. I had costs associated with that.

21 Q. All right. And when you met with Mr.  
22 Rothstein initially, what was your understanding or  
23 did you have an understanding as to how costs would  
24 be handled; that is, how they would be paid on cases  
25 that you brought to the firm?

1 Q. Let me rephrase the question. You  
2 brought, you brought cases to the firm, correct?

3 A. That is correct.

4 Q. Of any of the cases that you brought, did  
5 you settle those cases?

6 A. No.

7 Q. Okay. So, you never had an instance -- so  
8 there was never a set of circumstances where you  
9 would have been reimbursed for costs as a result of  
10 a settlement?

11 A. That's correct.

12 Q. All right. And, and so during the seven  
13 months that you were there, you were never  
14 reimbursed a nickel of the one to \$200,000 that you  
15 had outstanding in costs?

16 A. That is correct.

17 Q. All right. With regard to the costs that  
18 were to be incurred for prosecuting the cases,  
19 specifically the Epstein cases, what was your  
20 understanding -- was that ever discussed with  
21 Mr. Rothstein at the ten-minute meeting?

22 A. Repeat that. I'm sorry.

23 Q. Sure. How were, how were costs  
24 investigation costs, deposition costs, travel  
25 expenses to be reimbursed?

1 A. It was unspoken but I had some understanding  
2 just based on logic.

3 Q. Separate and apart from logic, did anybody  
4 tell you that you had; that is, that RRA would pay  
5 all of the costs associated with prosecution of the  
6 Epstein cases?

7 A. Did anybody tell me? No.

8 Q. Okay. Were you ever required to draw  
9 against either your personal funds or your personal  
10 LOC after you started with RRA to fund the Epstein  
11 cases?

12 A. I don't know how to answer your question,  
13 Mr. Critton, because if I were to go out of town and  
14 purchase a plane ticket, yeah, I would purchase that  
15 personally and then I would be reimbursed. If I ordered  
16 a deposition transcript, which is a totally different  
17 category, that gets billed to the firm. I never see the  
18 bill or anything else. So, you're just throwing a bunch  
19 of things together that don't necessarily go together.  
20 I am trying my best for you.

21 Q. No, that's fine. Commonly in a personal  
22 injury closing, you would see the recover, you would  
23 see a list of the costs. The costs would include  
24 court reporters, investigation fees, subpoenas,  
25 things of that nature, correct?

1 A. I have seen them before, yes, sir.

2 Q. Okay. And as well there would be  
3 reimbursable expenses such as when you went to New  
4 York and took Mark Epstein's deposition. You, you  
5 paid for the expense up front but, in fact, it was  
6 then reimbursed by the firm, correct?

7 A. Now we're specifically, specifically talking  
8 about Mark Epstein's deposition, yes, that, what you  
9 just said is correct.

10 Q. Okay. Not only was the, and if I  
11 understand your testimony is the deposition was paid  
12 for directly by the firm. With regard to your  
13 travel, any hotel, other expenses that you had, you  
14 put in a request for reimbursement and the firm  
15 would reimburse you?

16 A. Correct.

17 Q. All right. And with regard to those  
18 costs, you said you and Mr. Rothstein never had a  
19 discussion about that; is that correct?

20 A. Correct.

21 Q. All right. But you did speak with  
22 Mr. Adler about how costs would be handled on your  
23 cases including Mr. Epstein's case after you started  
24 with RRA?

25 A. Correct.

1 responsibility to pay those bills.

2 Q. And is that what Russell Adler told you?

3 A. Yes.

4 Q. Did you ever discuss that with anyone else  
5 in the firm or just Russell Adler?

6 A. Just Russell Adler.

7 Q. So, if the bill came in for one of those  
8 types of costs, you would give to your secretary or  
9 would she handle it automatically?

10 A. I never would see the bill. Why would it come  
11 into my name? It just didn't do -- that never happened.  
12 It was billed to Rothstein Rosenfeldt Adler.

13 Q. So, you would never see the bill that came  
14 in?

15 A. Correct.

16 Q. -- even if it was a RRA attention Brad  
17 Edwards, you wouldn't see that?

18 A. Presuming that happened, attention, Brad  
19 Edwards, I still never saw it. No, I never saw a bill  
20 to my recollection right now the whole time I was at  
21 Rothstein Rosenfeldt Adler.

22 Q. Did Mr. Rothstein ever discuss with you  
23 whether there would be a budget associated with how  
24 much money you could spend on a particular case?

25 A. No.

1 Q. Okay. And is he the only one who  
2 explained what the procedure was?

3 A. Yes.

4 Q. And what did he tell you? Well, let me  
5 ask you this: Did he tell you what, that is, that  
6 the firm would pay for all of the reimbursements  
7 either costs and/or reimbursements for costs that  
8 were incurred in prosecuting the Epstein files and  
9 any other files that you had?

10 A. Can you split this question up so that we're  
11 not talking about reimbursement and costs and things  
12 like that.

13 Q. Sure. With regard to costs such as  
14 depositions --

15 A. Okay.

16 Q. -- court reporters, court reporter fees,  
17 video depositions, transcripts of hearing, whether  
18 they were expedited or whether they were asked on a  
19 routine basis?

20 A. Right.

21 Q. Where would the -- who was responsible for  
22 paying those bills?

23 A. The bills would, to my to the best of my  
24 knowledge would be billed to the law firm of Rothstein  
25 Rosenfeldt Adler, and it would be their financial

1 Q. Okay. Did anyone at the firm ever talk to  
2 you about whether or not there would be a budget  
3 associated with how much you could spend on an  
4 Epstein case or any personal injury case?

5 A. No.

6 Q. In terms of authorization, if you wanted  
7 to order a deposition expedited or if you wanted to  
8 pay for a specific expense, whether it was an  
9 outside investigator or to send an investigator to a  
10 location, whose decision was that? Is that you and  
11 you alone to incur that cost?

12 A. Which question do you want me to -- you asked  
13 a bunch of things there that some of them may have been  
14 my decision. Other parts of that would obviously be  
15 somebody else's. But you're throwing five or six items  
16 in there and you want me to give you an answer.

17 Q. Let me break it them down. With regard to  
18 any costs that you wanted to incur, incur relating  
19 to a Jeffrey Epstein matter, was there an  
20 authorization process; that is, did you have to get  
21 someone's okay before you could spend X amount of  
22 dollars?

23 A. No.

24 Q. Okay. It was, and who told you that you  
25 never had to get an approval for any expense

1 associated with the Jeffrey Epstein case?

2 A. I didn't say that anybody did. So, no,  
3 nobody, nobody.

4 Q. You could just spend whatever money you  
5 wanted to in prosecuting your cases; is that  
6 correct?

7 A. No, I didn't say that either.

8 Q. What was the procedure then?

9 A. That if I was at a deposition and there was a  
10 need in my judgment for the transcript to be expedited  
11 then I would order it expedited and nobody ever told me  
12 that they had a problem with my judgment as to those  
13 things. And not as to those things. As to that thing  
14 which we were talking about which right now is  
15 expediting deposition transcripts.

16 Q. With regard to -- so any, how about an  
17 expense associated with hiring, with either  
18 directing -- well, let me strike that. With regard  
19 to Epstein, did, were you ever required or did you  
20 ever hire outside investigators to do work  
21 associated with the Epstein case?

22 By outside I mean someone who was not an  
23 employee of RRA and now I mean dealing with the time  
24 that you were at RRA

25 A. Right. And your question is did I ever hire

1 Q. Did you meet, did you know Mr. Fisten  
2 before you started working at RRA?

3 A. Same answer, no.

4 Q. No. All right. And Mr. Fisten, did you  
5 direct Mr. Fisten to do investigations in Martha's  
6 Vineyard?

7 A. No.

8 Q. Did you direct Mr. Fisten to do  
9 investigations in California?

10 A. I directed Mr. Fisten to interview people and  
11 ultimately it was learned that they lived in California.

12 Q. And did Mr. Fisten go to California to  
13 interview those individuals?

14 A. To the best of my knowledge he did.

15 Q. Okay. And who did he go and interview?

16 MR. SCAROLA: That is work-product and I  
17 instruct you not to answer.

18 BY MR. CRITTON:

19 Q. Did Mr. Fisten interview a person by the  
20 name of Michael Sanka (phonetic)?

21 MR. SCAROLA: That is work-product and I  
22 instruct you not to answer.

23 MR. CRITTON: Did Mr. Fisten interview a  
24 individual by the name of Michael Friedman  
25 (phonetic)?

1 an outside investigator to perform work on Jeffrey  
2 Epstein's case?

3 Q. Correct?

4 A. The answer is no.

5 Q. Were, were all the investigations that  
6 were done during the time that you were employed by  
7 RRA, were they done by in-house investigators?

8 A. I don't know.

9 Q. Well, if you wanted investigation done on  
10 Mr. Epstein, how would you go about authorizing that  
11 or directing that that be done?

12 A. I would ask one of the investigators to do it.

13 Q. So, you would direct the specific  
14 investigator?

15 A. Yeah. There were plenty of times where I  
16 directed the specific investigator. I want you to talk  
17 to this witness or so-and-so, yes, just like you would  
18 in any case.

19 Q. In this particular instance associated  
20 with Mr. Epstein, what investigators worked on  
21 Mr. Epstein's case during the time you were at RRA?

22 A. If you want an exclusive list, I don't know.

23 Q. I want to know?

24 A. I can tell you Michael Fisten did because I  
25 communicated with him directly.

1 MR. SCAROLA: That is work-product and I  
2 instruct you not to answer --

3 MR. CRITTON: Mr. Fisten --

4 MR. SCAROLA: -- except to the extent as  
5 may have already been disclosed to the defense  
6 in any of the three cases that are currently  
7 pending. Any and all questions about  
8 investigative work will meet with the same  
9 objection and same instruction.

10 BY MR. CRITTON:

11 Q. Did you direct Mr. Fisten that he could  
12 represent that he was an agent of the FBI in  
13 interviewing individuals in California?

14 A. Of course not.

15 Q. Did you -- and if in fact Mr. Fisten  
16 represented he was an agent of the FBI, you would  
17 find that reprehensible, true?

18 A. This is some hypothetical question that I do  
19 not believe exists.

20 Q. I'm asking you to assume that Mr. Fisten  
21 represented that he was an agent of the FBI. You  
22 would find that type of conduct by the investigator  
23 to be inappropriate, correct?

24 A. I'm not going to render an opinion on a  
25 hypothetical that doesn't exist.

1 Q. So, you're refusing to answer that  
2 question?

3 A. You're asking me about my definition of  
4 reprehensible as it pertains to a specific hypothetical  
5 that you've just created.

6 Q. Let me ask you --

7 A. Now, you want me to try to analyze that  
8 particular hypothetical and tell you whether it meets  
9 the definition of reprehensible?

10 Q. I will let you -- if Mr. Fisten, if I ask  
11 you to assume that Mr. Fisten represented to a  
12 witness out in California that he was an agent or  
13 working for the FBI, would you find that conduct  
14 appropriate by Mr. Fisten?

15 MR. SCAROLA: And I will tell you that you  
16 are not obliged to answer hypothetical  
17 questions.

18 THE WITNESS: And therefore I am not going  
19 to answer that question.

20 BY MR. CRITTON:

21 Q. If Mr. Fisten represented that he was  
22 associated with the Miami-Dade Police Department,  
23 Miami-Dade County Police Department, would you find  
24 that conduct inappropriate?

25 MR. SCAROLA: Same instruction and I would

1 Q. Could he -- is it your --

2 A. How would I know associate, he may have been?

3 Q. Let me ask you this, was he employed by  
4 the Miami-Dade Police Department in addition to RRA  
5 during the time he worked there?

6 A. To the best of my knowledge, no.

7 Q. Did -- with regard to Mr. Epstein's cases  
8 was there any type of cost account set up for, for  
9 them?

10 A. I don't know.

11 Q. Could you access any of the financial  
12 files within the RRA firm?

13 A. No.

14 Q. Could you access any files that were  
15 associated with your specific, excuse me, clients or  
16 your specific case such as if you wanted to know how  
17 much in costs had been incurred by Mr. Epstein -- on  
18 Jane Doe's case while at the RRA firm, could you  
19 request that, could you access that information?

20 A. I don't know.

21 Q. Did you ever try to access that  
22 information?

23 A. No.

24 Q. At any time did you request that anybody  
25 provide you copies of what the costs were associated

1 also observe with regard to each of the  
2 hypothetical questions that you are asked that  
3 they are incomplete. And without knowing all  
4 of the surrounding circumstances, it would be  
5 impossible for any witness to pass judgment  
6 upon what may have occurred.

7 BY MR. CRITTON:

8 Q. So, Mr.-- would it be a correct statement  
9 at least as you understood it, Mr. Edwards, that  
10 Mr. Fisten was not an agent, was not an FBI agent  
11 during the time that he worked for RRA?

12 A. You're asking me was he an FBI agent or did he  
13 work for RRA. He worked for RRA.

14 Q. Correct. He was not an FBI agent, true,  
15 to the best of your knowledge during the time he  
16 worked for RRA.

17 A. Okay.

18 Q. I am not talking about any other time  
19 period right now.

20 A. Okay. Then the answer is he was not an FBI  
21 agent at the time he was working for RRA.

22 Q. During the time he worked for RRA he as  
23 well was not associated with Miami-Dade Police  
24 Department, correct?

25 A. Oh, I don't know that.

1 with Mr. Epstein's cases?

2 A. No.

3 Q. Since you left the firm have you requested  
4 any type of detailed billing or cost analysis such  
5 as to the cost of any of the costs that were  
6 incurred on any of Mr. Epstein's cases?

7 A. Of course.

8 Q. Okay. And did you receive those costs?  
9 Did you receive that information?

10 A. Yes.

11 Q. And what costs have been incurred in the  
12 cases, in the Epstein cases associated up -- let me  
13 strike that. What costs, what is the total amount  
14 of costs that were incurred in the Epstein cases  
15 during the time that those files existed in the RRA  
16 firm?

17 MR. SCAROLA: If you're able to answer  
18 that question with regard only as to amount  
19 without specifying any of the specific cost  
20 expenditures, then I think we can answer that  
21 question only as to amount.

22 THE WITNESS: And the question as to the  
23 aggregate in the three cases?

24 MR. CRITTON: Correct.

25 THE WITNESS: Because I can't delineate



1 for you.

2 MR. CRITTON: Your best estimate.

3 THE WITNESS: Okay. I believe more than  
4 \$300,000.

5 BY MR. CRITTON:

6 Q. With regard to, if investigation was done  
7 on, on a Epstein case, was the investigator charged,  
8 that is for his time, as an example Mr. Fisten, if  
9 he did work in California would his time, I'm not  
10 talking about his expenses, would that be billed as  
11 a cost to the file?

12 A. I don't know.

13 Q. On the cost that you received, well, let  
14 me strike that. If I understood it, up to 300,000  
15 approximately \$300,000 that's been spent on the  
16 Epstein file, were you able to look --

17 A. It would be more than that. I am just saying  
18 it's at least \$300,000.

19 Q. Something between three and \$400,000,  
20 could it --

21 A. Something that I would say is definitely  
22 between 300 and \$500,000, but I'm not sure. It could be  
23 301. It could be 450. I really don't know.

24 Q. When was the last time that you looked at  
25 that ledger or the printout associated with the

1 firm had you, you had spent some of your own money  
2 and/or LLC money on the files; is that correct?

3 A. That's correct.

4 Q. Approximately how much is that amount?

5 A. I'm, I'm not sure. I think as you're aware  
6 most of the depositions and costly work that was done on  
7 the files happened to have been done during that time  
8 period for all of the respective cases or claims against  
9 Mr. Epstein during that time period of last summer of  
10 2009.

11 Q. All right. But in terms of your costs  
12 prior to coming to RRA, what's your best estimate of  
13 the costs that you have paid either out of pocket or  
14 are responsible to a bank to repay?

15 A. I don't know.

16 Q. More than 25,000, less than 25,000?

17 A. I'm not sure.

18 Q. More than 100,000?

19 A. No.

20 Q. More than 50,000?

21 A. I don't know.

22 Q. That's a record obviously you could pull  
23 up, correct?

24 A. Correct.

25 Q. All right. Now, with regard to, prior to

1 Epstein files?

2 A. I have never looked at the printout.

3 Q. Okay. How, how do you know what is amount  
4 is then? That is how do you have the estimate of it  
5 being between 350, I'm sorry between 300 and  
6 \$500,000, the cost associated with Epstein?

7 A. I asked a paralegal within my current firm for  
8 the total amount of costs on these three cases that is  
9 being claimed by Rothstein Rosenfeldt Adler. And I  
10 remember the cost number in the aggregate being given to  
11 me reflecting an amount what I just told you.

12 Q. Have you requested a copy of the -- let me  
13 strike that. Did she say she had, that is did  
14 she -- did you actually receive a document that  
15 reflects the breakdown of the costs from the  
16 trustee?

17 A. I personally have not seen that.

18 Q. Okay. Has your firm received it?

19 A. I don't know.

20 Q. I assume -- would it be a correct  
21 statement that the three to \$500,000 is, includes  
22 only the time between April of '09 and October of  
23 '09 when you were with the firm?

24 A. It's a good question. I, I believe so.

25 Q. And approximately, prior to joining the

1 your coming to RRA, had there been any investigation  
2 work that you had done on the Epstein files -- and  
3 let me strike that. Had you hired or retained an  
4 investigator to do any work for you on the Epstein  
5 files prior to coming to RRA?

6 A. I don't think so.

7 Q. All right.

8 A. It would have been around that time. I don't  
9 remember whether the initial investigator was hired by  
10 me from my previous, from my solo firm or was hired by  
11 Rothstein Rosenfeldt Adler. I can't say.

12 Q. Who was the first investigator that you  
13 believe was involved in investigating the Epstein  
14 cases? Just a name not topic?

15 MR. SCAROLA: Work-product, instruct you  
16 not to answer.

17 BY MR. CRITTON:

18 Q. Was the first person that was retained as  
19 an investigator someone who ultimately became  
20 employed by RRA?

21 MR. SCAROLA: You can answer that.

22 THE WITNESS: No.

23 BY MR. CRITTON:

24 Q. The, the person who you hired to -- and by  
25 investigation I mean something other than looking up

1 an address to serve a subpoena or, or doing some  
2 minimal background.

3 A. I am glad you clarified because I am using  
4 that same definition.

5 Q. All right. So, it's, it's your best  
6 recollection that you did or did not hire an  
7 investigator to do real investigative work with,  
8 associated with Mr. Epstein prior to joining RRA?

9 A. I believe I did, but it was after a time when  
10 I had, I was contemplating or at least to myself had  
11 committed to going to RRA. So, it was within that time  
12 period I believe that I hired that person prior to RRA

13 Q. When you then went to -- now you had  
14 committed to go to RRA or at least mentally  
15 committed to go to RRA. As soon as you started with  
16 RRA, did you terminate the services of that  
17 investigator?

18 A. No.

19 Q. Did that investigator continue to do work?

20 A. Yes.

21 Q. Okay. Has, does he or she or it continue  
22 to do work today for you?

23 A. No. On Mr. Epstein's case you're asking,  
24 right?

25 Q. Yes, sir.

1 MR. CRITTON: You are claiming  
2 work-product?

3 MR. SCAROLA: Yes.

4 BY MR. CRITTON:

5 Q. The investigators, did you understand them  
6 to be salaried employees of RRA?

7 A. I really have no idea.

8 Q. Did you ever ask them?

9 A. No.

10 Q. Do you know whether the, do you have any  
11 knowledge as to whether the investigators kept time  
12 records?

13 A. I do not have that knowledge.

14 Q. In terms of when an investigator would  
15 come back -- well, do you know how the investigators  
16 were paid?

17 A. With money.

18 Q. From RRA?

19 A. I would presume. Totally speculation.

20 Q. Would the RRA -- were the investigators  
21 for RRA bonused?

22 A. I have no idea.

23 Q. Did you ever discuss with Mr. Fisten what  
24 his financial compensation was associated with RRA?

25 A. No.

1 A. No.

2 Q. Okay. For how long a time period did that  
3 person continue to do the work before it got  
4 transferred to Mr. Fisten or other investigators?

5 A. Question doesn't make sense.

6 Q. Okay. How long did the investigator that  
7 you may have hired prior to joining RRA work on the  
8 Epstein files before you ceased that work after you  
9 started working for Epstein in April of '09? I'm  
10 sorry, for RRA in '09.

11 A. The person was hired in either March or April  
12 of 2009, which is why I can't say with absolute  
13 certainty whether I was at RRA or not. And that person  
14 continued to do investigative work in some capacity  
15 probably throughout the entire time that I was at RRA

16 Q. Were all of the bills for that  
17 investigator paid by RRA?

18 A. Yes.

19 Q. With regard to the payments for the  
20 investigators -- well, let me strike that. Who  
21 other than Mr. Fisten from an investigator, from an  
22 internal investigator at RRA employee worked on  
23 doing investigation on the Epstein files?

24 MR. SCAROLA: Same objection, same  
25 instruction.

1 Q. Did, did you ever promise either  
2 Mr. Fisten or any other investigator that when the  
3 case settled, they would get a bonus from an Epstein  
4 case?

5 A. No.

6 Q. Okay. Did Mr. Fisten ever inquire of you  
7 as to whether he would get a bonus if, in fact, the  
8 cases on which he worked including the Epstein cases  
9 settled for a favorable verdict or result came in?

10 A. No.

11 Q. Did you have any understanding from either  
12 your conversations from Mr. Rothstein whether  
13 investigators were bonused based upon the work that  
14 they did?

15 A. Excuse me?

16 Q. Did you ever have an understanding from  
17 Mr. Rothstein that, that investigators would be  
18 bonused from cases on which they worked based upon  
19 their work product or their contribution?

20 A. No. I had no understanding.

21 Q. Did you, from -- I assume you've read a  
22 number of the news reports associated with  
23 Mr. Rothstein and the implosion of the firm?

24 A. Okay.

25 Q. I assume you have seen a number of them?

1 A. What do you mean by a number?  
 2 Q. More than one.  
 3 A. Yes, I have seen more than one.  
 4 Q. Have you seen articles were it's alleged  
 5 that investigators that were employed by Rothstein,  
 6 by RRA would go through the garbage of prospective  
 7 Defendants to search for incriminating or favorable,  
 8 incriminating evidence against the Defendant or  
 9 favorable evidence for a Plaintiff who might be  
 10 working or who might be a client of the firm?  
 11 A. I have not seen an article saying that. I  
 12 think I have heard your client say that before.  
 13 Q. Separate and apart --  
 14 A. Right.  
 15 Q. You don't have to rely on anything my  
 16 client has said before, the testimony --  
 17 MR. SCAROLA: I am sure we won't.  
 18 MR. CRITTON: I am confident of that.  
 19 BY MR. CRITTON:  
 20 Q. In terms of, were you aware from the  
 21 articles, did you see in the article -- let me  
 22 strike that. Did you ever direct your investigators  
 23 to go through Mr. Epstein's trash?  
 24 MR. SCAROLA: I am going to object,  
 25 work-product, attorney-client privilege.

1 representing Mr. Epstein including myself?  
 2 MR. SCAROLA: Same objection, same  
 3 instruction.  
 4 BY MR. CRITTON:  
 5 Q. Did you ever?  
 6 MR. SCAROLA: Mr. Edwards will not answer  
 7 any questions regarding what he did or didn't  
 8 do.  
 9 MR. CRITTON: I understand. I just want  
 10 to make it certain it's for the court on some  
 11 of these issues.  
 12 MR. SCAROLA: Well, for the court I am  
 13 telling you he is not going to answer any of  
 14 those questions. And continuing to ask them in  
 15 light of the fact that we have told you and  
 16 made it clear the scope of our assertion of  
 17 privilege serves no useful purpose.  
 18 BY MR. CRITTON:  
 19 Q. Mr. Edwards, at any time, did you -- well,  
 20 let me strike that. Did you ever direct the  
 21 investigators to, during the time you were at RRA,  
 22 to conduct a surveillance on Mr. Epstein's property?  
 23 MR. SCAROLA: Same objection, same  
 24 instruction.  
 25

1 BY MR. CRITTON:  
 2 Q. Have you directed, did you ever direct --  
 3 this is the investigators during the time you were  
 4 at RRA and that's the question you're claiming the  
 5 privilege over, correct?  
 6 MR. SCAROLA: I am claiming the privilege  
 7 with respect to any action that was taken by  
 8 Mr. Edwards or at Mr. Edward's direction in --  
 9 MR. CRITTON: Tell you what, I will  
 10 withdraw the last question.  
 11 MR. SCAROLA: -- in connection with the  
 12 investigation in prosecution of the claims  
 13 against Mr. Epstein.  
 14 BY MR. CRITTON:  
 15 Q. Let me make my question clear,  
 16 Mr. Edwards. With regard to your investigators, you  
 17 gave direction with regarding the Epstein cases,  
 18 during the time you were with RRA did you ever tell  
 19 them or direct them to go through Mr. Epstein's  
 20 trash?  
 21 MR. SCAROLA: Same objection, same  
 22 instruction.  
 23 BY MR. CRITTON:  
 24 Q. Did you ever direct the investigators to  
 25 go through the trash of the lawyers who were

1 BY MR. CRITTON:  
 2 Q. Since the time you have left RRA in your  
 3 current firm, have you conducted surveillance on Mr.  
 4 Epstein's property?  
 5 MR. SCAROLA: Same objection, same  
 6 instruction.  
 7 BY MR. CRITTON:  
 8 Q. Have you instructed anyone, either of the  
 9 in-house investigators to conduct surveillance of  
 10 Mr. Epstein's property?  
 11 MR. SCAROLA: Same objection, same  
 12 instruction.  
 13 BY MR. CRITTON:  
 14 Q. Have you authorized investigators employed  
 15 by RRA, either employees of the firm or an outside  
 16 investigation firm, to walk around the perimeter of  
 17 Mr. Epstein's home on or about March 17th of 2010?  
 18 MR. SCAROLA: Same objection, same  
 19 instruction.  
 20 THE WITNESS: What's the date?  
 21 MR. CRITTON: March 17th 2010.  
 22 MR. SCAROLA: St. Patrick's Day. Did you  
 23 employ any leprechauns?  
 24 THE WITNESS: Actually --  
 25

1 BY MR. CRITTON:

2 Q. With regard to the, with regard to the  
3 investigators, with regard to the investigation  
4 bills that would come in from outside investigators,  
5 specifically the one that you -- well, let me strike  
6 that.

7 The investigator that you hired before you  
8 went to RRA, I think you testified that bill was  
9 paid by RRA, correct?

10 A. Yes.

11 Q. All right. And in terms of the  
12 investigators who were employed by RRA for whatever  
13 investigation you directed them to do, those  
14 individuals were also paid from funds from RRA,  
15 correct?

16 A. During the time period when I was at RRA  
17 you're asking about specifically, correct?

18 Q. Correct.

19 A. Then the answer is, yes.

20 Q. Was there any specific cost account that  
21 was set up for Mr. Epstein's cases?

22 A. I don't know.

23 Q. Did you ever speak with the --

24 A. Again we're talking about the time period at  
25 RRA?

1 Q. Okay. Well, if you could authorize any  
2 expenditure that you wanted and nobody ever told you  
3 not to, that you couldn't spend the particular  
4 money, what controls, if any, existed with regard to  
5 monies spent on the Epstein cases?

6 A. The presupposition that you just created is  
7 incorrect, so I cannot answer that question. You began  
8 with I have no limit to how I can spend money and that  
9 there is no regulation. I mean, that's just not true,  
10 so I don't understand what to tell you.

11 Q. What limits if any did you have in  
12 spending money in prosecuting Mr. Epstein's case?

13 A. We went through expediting transcripts and I  
14 used my own judgment.

15 Q. I understand that.

16 A. If we have another specific example, I will  
17 address it and I will tell you whether I had that  
18 authority or somebody else may have had that authority.  
19 But specifically related to expediting transcripts and  
20 things involving depositions, ordering depositions, I  
21 used my judgment and it was never questioned.

22 Q. Separate and apart from transcripts, if,  
23 if -- you've testified that the expenditures for  
24 costs that the firm or the trustee is seeking back,  
25 at RRA is seeking back, is seeking relating to any

1 Q. At RRA

2 A. Okay.

3 Q. During the time you were at RRA did you  
4 ever speak with the accounting department or the  
5 accounting department ever call you to talk about  
6 the amount of costs, assuming they were something  
7 between 300 and \$500,000 that were being expended on  
8 Mr. Epstein files?

9 A. No.

10 Q. Did, did anyone at the firm ever call you  
11 to discuss the issue of the amount of costs between  
12 300 and \$500,000 that were being incurred to  
13 prosecute Mr. Epstein's cases?

14 A. No.

15 Q. Okay. Who had checked -- did you have any  
16 check-signing authority at RRA?

17 A. No.

18 Q. Who did sign the checks?

19 A. I don't know. I was --

20 Q. In terms of the, the work that was being  
21 done or the, the work that was, that is the costs  
22 that were being incurred including reimbursable  
23 costs, did you understand that you had a, basically  
24 an unlimited budget to prosecute those cases?

25 A. No.

1 recovery in any Epstein cases is between three and  
2 \$500,000, correct?

3 A. Correct.

4 Q. All right. So, separate and apart from  
5 expedited transcripts or video depositions or  
6 serving subpoenas, that, there has to be, you know,  
7 hundreds of thousands of dollars in additional  
8 expenses that were associated with prosecuting  
9 Mr. Epstein's cases, correct?

10 A. Correct.

11 Q. And with regard to those types of  
12 expenditures that are in the hundreds of thousands  
13 of dollars, who authorized those types of  
14 expenditures?

15 A. I don't know.

16 Q. Well, you said that you used judgment  
17 certainly with regard to transcripts. So, who, if,  
18 if spending an extra two, three, \$400,000 separate  
19 and apart from transcripts, serving subpoenas is not  
20 a limitless budget, how would you describe it; that  
21 is, what controls if any did you have in prosecuting  
22 the Epstein cases?

23 A. First, I haven't seen the delineation of that  
24 amount and I don't know that we agree with Rothstein  
25 Rosenfeldt Adler as to their costs, but that is what

1 they're claiming. I never juxtaposed that with what I  
2 believe should be the proper amount. But beginning with  
3 the fact that I do recognize that as the amount that  
4 they are claiming, I was not aware that the costs were  
5 that high.

6 The cases were firm cases, paid for by the  
7 firm. I was simply an employee and I made judgment  
8 calls. If somebody had told me at any given time,  
9 we shouldn't serve these subpoenas, or we shouldn't  
10 take this deposition, I wouldn't have done it.

11 Q. In fact, with regard to -- well, let me  
12 ask you this: Were any informants, did you  
13 authorize your investigators to hire informant,  
14 informants?

15 MR. SCAROLA: Same objection, same  
16 instruction.

17 BY MR. CRITTON:

18 Q. Did you authorize your investigators to do  
19 electronic eve's dropping?

20 MR. SCAROLA: Same objection, same  
21 instruction.

22 BY MR. CRITTON:

23 Q. You indicated that you were just an  
24 employee, correct?

25 A. Yes.

1 suggests that those terms are mutually  
2 exclusive.

3 THE WITNESS: That was a part of my answer  
4 is that, I don't know --

5 MR. CRITTON: I am shocked to hear that.

6 THE WITNESS: I don't know that being an  
7 employee means that you can't also be a  
8 partner. There are equity partners and  
9 non-equity partners to nearly every single  
10 large firm, so I was a non-equity partner  
11 otherwise known as a salaried employee. That's  
12 just the way it was.

13 BY MR. CRITTON:

14 Q. But your card just reflected partner as  
15 did your --

16 A. Rather than that whole script I just told you.

17 Q. Right. Rather than the qualifying  
18 provisions.

19 A. Yes, you're right. The qualifying positions  
20 didn't make the card.

21 Q. With regard to the monies that was, that  
22 were being paid by, by Rothstein, I'm sorry, by the  
23 RRA firm for the costs -- let me strike that.  
24 During the time that you were at the RRA firm, the  
25 seven months that you were there from April through

1 Q. Okay. In fact, you, on various documents  
2 reflected that you were a partner of the firm,  
3 correct?

4 A. Yes, document, documents do reflect that  
5 title, of course, yeah.

6 Q. And if I had asked for a card during the  
7 time that you started at RRA up until the time of  
8 the implosion of the firm in late October of '09,  
9 would your card have also reflected that you were a  
10 partner of the firm?

11 A. I think you did request a card. I think I  
12 gave it to you and I believe that it did say partner on  
13 it.

14 Q. And you would agree that at least up until  
15 the time of the implosion of RRA you held yourself  
16 out to the public, and including other lawyers, as  
17 being a partner of RRA, true?

18 A. What do you mean by held myself out to the  
19 public?

20 Q. You called yourself a partner. You didn't  
21 say I'm an employee; I'm not a partner, correct?  
22 You held yourself out to the public as being a  
23 partner?

24 MR. SCAROLA: I'm going to object to the  
25 form of the question to the extent that it

1 the end of October, do you recall any significant  
2 settlements that were coming into the firm; that is,  
3 that were publicized?

4 A. Do I recall significant settlements --

5 Q. Correct.

6 A. -- coming into the firm that were publicized?

7 Q. Correct?

8 A. I believe, I can't say with any degree of  
9 specificity whether I remember anything that falls into  
10 all of those categories.

11 Q. Now, I forgot my question for a minute.  
12 If I understand your answer, and assuming I remember  
13 my question, Mr. Edwards, you don't recall any  
14 significant settlements coming into the firm that  
15 were, that were publicized either internally within  
16 the firm or within the newspapers; is that a fair  
17 statement?

18 A. Fair statement.

19 Q. Where did you think all of the money that  
20 was coming from -- let me strike that. At that time  
21 how many lawyers were there in the Fort Lauderdale  
22 office; that is, during the time you were there?

23 A. I don't know.

24 Q. Best estimate?

25 A. Seventy.

1 Q. Okay. And the support, how many floors  
2 did RRA occupy in the Fort Lauderdale --  
3 A. I believe six.  
4 Q. And approximately how many square feet on  
5 each floor?  
6 A. I don't know. A lot.  
7 Q. More than 10,000 square feet on each  
8 floor?  
9 A. I don't know.  
10 Q. And what was the support staff at the time  
11 that you were there approximately?  
12 A. In quantity or quality?  
13 Q. Quantity, the number of people.  
14 A. I don't know. A lot of people.  
15 Q. Did you do any hourly billing yourself at  
16 all or were you strictly a contingency fee person?  
17 A. 90 percent contingency.  
18 Q. And with regard to the monies that were --  
19 separate and apart from the Epstein, Epstein cases  
20 where at least you now know that they cost between  
21 three and \$500,000, you were, I assume, incurring  
22 other expenses on other cases, true?  
23 A. True.  
24 Q. All right. And where did you, where did  
25 you think that the money was coming from; that is,

1 BY MR. CRITTON:  
2 Q. Where did you think the law firm -- let me  
3 strike that. Did you ever discuss with anyone  
4 whether it was from current cash that was being used  
5 or whether they had a line of credit or both?  
6 A. Didn't know.  
7 Q. Mr. Edwards, did you come to learn that  
8 investigators had, that investigators had gone to  
9 Mr. Epstein's property on March 17th, 2010?  
10 A. No.  
11 Q. Did you ever authorize any investigators  
12 to enter Mr. property (sic), Mr. Epstein's property  
13 on March 17th, 2010?  
14 MR. SCAROLA: Objection. Instruct you not  
15 to answer on the basis of work-product  
16 privilege.  
17 BY MR. CRITTON:  
18 Q. Let me just be clear. Are, are you aware  
19 of any investigators who entered Mr. Epstein's  
20 property on March 17th, 2010?  
21 MR. SCAROLA: Same objection as well as  
22 attorney-client privilege and instruct you not  
23 to answer.  
24 BY MR. CRITTON:  
25 Q. Mr. Edwards, did you authorize any

1 the source of the money to pay the extensive bills  
2 that were being incurred on Epstein and other cases?  
3 MR. SCAROLA: I am going to object to the  
4 extent the question calls -- excuse me, I'm  
5 going to object because there is no proper  
6 predicate to the question, and that is that it  
7 was a matter that was ever given a thought by  
8 Mr. Edwards.  
9 MR. CRITTON: Is that form? Form is  
10 adequate so you don't have to instruct him.  
11 MR. SCAROLA: Thank you.  
12 THE WITNESS: What's the question?  
13 BY MR. CRITTON:  
14 Q. What did you consider, what did you  
15 believe was the cost; that is, the source of the  
16 money that was used to be paying these extensive  
17 costs that were being incurred in Epstein and other  
18 cases?  
19 MR. SCAROLA: Objection.  
20 MR. CRITTON: Just of yours and yours  
21 alone?  
22 MR. SCAROLA: Objection, form and  
23 compound.  
24 THE WITNESS: The law firm.  
25

1 investigators to trespass on Mr. Epstein's property  
2 on March 17th of 2010?  
3 MR. SCAROLA: Same objection and  
4 instruction.  
5 BY MR. CRITTON:  
6 Q. Mr. Edwards, did you authorize  
7 investigators to hide in the bushes at Mr. Epstein's  
8 house in order to take photographs of either  
9 Mr. Epstein or any associated objects on his  
10 property?  
11 MR. SCAROLA: Same objection and  
12 instruction.  
13 BY MR. CRITTON:  
14 Q. Mr. Epstein -- Mr. Epstein. Mr. Edwards,  
15 do you know a lady name Christina Kitterman?  
16 A. Yes.  
17 Q. Okay. And who -- how do you know her?  
18 A. She was a lawyer at Rothstein Rosenfeldt Adler  
19 when I was a lawyer at Rothstein Rosenfeldt Adler.  
20 Q. Did you have any dealings with her on any  
21 of your cases?  
22 A. None.  
23 Q. What did you understand her area of  
24 practice?  
25 A. Never knew.

1 Q. Did you know an individual by the name of  
2 Patrick Roberts?

3 A. Yes.

4 Q. Okay. And who is Mr. Roberts during; that  
5 is, what did Mr. Roberts do for RRA?

6 A. He was an investigator.

7 Q. Did he ever perform investigation work on  
8 any of the Epstein files?

9 MR. SCAROLA: Same objection, same  
10 instruction.

11 BY MR. CRITTON:

12 Q. Did you ever authorize Mr. Roberts to  
13 perform investigation on the Epstein files?

14 MR. SCAROLA: Same objection and  
15 instruction.

16 BY MR. CRITTON:

17 Q. All right. I asked you earlier about  
18 Richard Fandrey, F-a-n-d-r-e-y. I think you said  
19 you don't know who that -- you knew someone named  
20 Rick; is that correct?

21 A. I know an investigator named Rick.

22 Q. Did Rick, did Rick perform any  
23 investigation on the Epstein, did you authorize Rick  
24 to perform any investigation on the Epstein files?

25 MR. SCAROLA: Same objection and

1 instruction.

2 MR. CRITTON: Says he doesn't know them.  
3 How can that be an instruction?

4 MR. SCAROLA: Well, because I am not going  
5 to tell you, we're not going to permit  
6 Mr. Edwards to answer any questions about  
7 either what he did or what he didn't do that  
8 are part of the work product involved in his  
9 representation of the Plaintiffs with claims  
10 against Mr. Epstein whom Mr. Edwards is  
11 representing.

12 MR. CRITTON: Did you ever --

13 MR. SCAROLA: So, in light of that and  
14 what I have attempted to make very clear with  
15 regard to the scope of our objections, if you  
16 continue to ask questions which it is clear  
17 fall within the scope of my instructions to  
18 Mr. Edwards and my announced intention with  
19 regard to the scope of those instructions, then  
20 we will terminate this deposition so that I can  
21 seek a protective order.

22 My suggestion is that you move onto other  
23 areas that are outside the scope of that  
24 instruction, if you have any other questions  
25 outside the scope.

1 instruction.

2 BY MR. CRITTON:

3 Q. And I believe we talked a little bit  
4 about, we certainly talked about Mr. Jenne, did you  
5 ever authorize or direct Mr. Jenne to perform any  
6 investigation on the Epstein files?

7 MR. SCAROLA: Same objection and  
8 instruction.

9 BY MR. CRITTON:

10 Q. Are you familiar with the company called  
11 Blue Line Research and Development?

12 A. No.

13 Q. Are you, are you aware at the current time  
14 that there is an entity called Blue Line Research  
15 and Development which is composed of Mr. Roberts,  
16 Mr. Richard Fandrey, Mr. Michael Fisten and Ken  
17 Jenne?

18 A. No.

19 Q. If you're unaware of the existence of the  
20 entity called Blue Line Research and Development,  
21 LLC, would it be a correct statement that you have  
22 never authorized anyone from Blue Line Research and  
23 Development, LLC, to conduct any investigation of  
24 Jeffrey Epstein?

25 MR. SCAROLA: Same objection, same

1 MR. CRITTON: Oh, I have a lot of other  
2 questions.

3 MR. SCAROLA: Okay.

4 MR. CRITTON: Let me be clear with you  
5 with regard to any, for purposes of following,  
6 asking any follow-up questions should the court  
7 determine that I am entitled to this  
8 information, you would agree that should the  
9 court determine I am entitled to ask the name  
10 of these individuals and possibly other  
11 questions is, is that by not asking questions I  
12 am in no way waiving my right to ask as many  
13 questions as the court ultimately determines as  
14 appropriate, proper, and as the court allows,  
15 correct?

16 MR. SCAROLA: I absolutely agree.

17 MR. CRITTON: All right.

18 BY MR. CRITTON:

19 Q. Mr. Edwards, are you familiar with a  
20 person named Alfredo Rodriguez?

21 A. Yes.

22 Q. And how do you know Mr. Rodriguez?

23 A. Who do I know him to be? How do I know him?  
24 I met him the same -- well, I met him after you did,  
25 after you and your investigators pre-deposed him on three

1 various occasions for a total of about 15 hours before  
2 we took this deposition. I met him for the first time  
3 during that deposition.

4 MR. CRITTON: Let me move to strike as  
5 nonresponsive.

6 BY MR. CRITTON:

7 Q. My question to you is when did you first  
8 meet Mr. Rodriguez?

9 MR. SCAROLA: And you have an answer to  
10 that question.

11 THE WITNESS: It's a very complete answer.  
12 I, the day of his deposition.

13 BY MR. CRITTON:

14 Q. Had you ever spoken with Mr. Rodriguez  
15 before that time?

16 A. No.

17 Q. Okay. Had anyone on your behalf spoken  
18 with Mr. Rodriguez?

19 A. No.

20 Q. Mr. Rodriguez's deposition occurred over a  
21 two-day period; is that correct? Two separate days.

22 A. I believe that's right.

23 Q. And you were present for both of those  
24 depositions; is that correct?

25 A. Yes.

1 July 29th and August 7th?

2 A. And if I did or if I didn't, either way that's  
3 going to be protected by the work-product privilege and  
4 I'm not going to give you that information because  
5 you're not entitled to it.

6 Q. I disagree even in a simple  
7 attorney-client privilege you also, you identify the  
8 date, you don't identify the subject, but you  
9 identify the date, who may have been present.

10 MR. SCAROLA: We understand your position  
11 and it's not necessary to articulate it on the  
12 record.

13 MR. CRITTON: I just want to be clear.  
14 And your position is the same is you're not  
15 talking.

16 MR. SCAROLA: Work-product.

17 MR. CRITTON: Work-product, correct?

18 MR. SCAROLA: That's correct.

19 BY MR. CRITTON:

20 Q. Mr. Rodriguez was requested to bring  
21 documents to his second deposition that he had  
22 referenced that he might have. Do you recall that  
23 from the first deposition, Mr. Edwards?

24 A. I do.

25 Q. And in fact when he came to the second

1 Q. And the first one I believe at least in  
2 looking at the transcript the first one occurred on  
3 January 29th of '09?

4 A. I'm assuming.

5 Q. And the second, the follow-up was on  
6 August 7th, 2009, correct?

7 A. When was the first, January you said?

8 Q. Excuse me. I'm sorry. July 29th, 2009.

9 A. Okay.

10 Q. With the follow-up July, I'm sorry  
11 August 7th, 2009.

12 A. If you say so. I'm not quarreling with that.

13 Q. And I will just represent that is what I  
14 read off the transcripts. Between those two dates,  
15 that is July 29th and August 7th of '09, did you  
16 speak with Mr. Rodriguez at all?

17 MR. SCAROLA: Same objection, same  
18 instruction to the extent that any such  
19 conversation may have occurred in connection  
20 with your representation of the Plaintiffs and  
21 claims against Mr. Epstein.

22 BY MR. CRITTON:

23 Q. All I am asking right now, not the  
24 substance but just so the record is clear I am just  
25 asking, did you speak with Mr. Rodriguez between

1 deposition, he didn't bring any documents with him,  
2 did he?

3 A. I don't remember.

4 Q. Well, do you remember him producing any  
5 documents at the second, at his completion of his  
6 deposition?

7 A. I don't remember.

8 Q. Do you recall him saying that he might  
9 have some sort of book or some sort of list of names  
10 and addresses and/or names, excuse me, of females  
11 who may have come to Mr. Epstein's house along with  
12 phone numbers?

13 A. I don't remember if he said that or it says  
14 that in the police report, but I remember that  
15 information at some point in time.

16 Q. All right. And subsequent, at the  
17 conclusion -- well, let me strike that.

18 Do you recall receiving any documents from  
19 Mr. Rodriguez that were produced at his deposition  
20 that had the names and addresses and/or phone  
21 numbers of any other females?

22 A. I don't know. Do you? We were there together  
23 I don't remember specifically. I think the answer is  
24 no.

25 Q. And I think you're right.



1 A. Okay.

2 Q. We agree on that.

3 A. Okay.

4 Q. Subsequent to the deposition; that is,  
5 after Mr. Rodriguez's deposition, did Mr. Rodriguez  
6 contact you?

7 MR. SCAROLA: Objection, instruct you not  
8 to answer.

9 MR. CRITTON: Well, this is -- okay. This  
10 is a third party contacting Mr. Edwards. All  
11 right.

12 MR. SCAROLA: It is not --

13 MR. CRITTON: It's just a yes or no I'm  
14 looking for.

15 MR. SCAROLA: It is a witness in these  
16 proceedings.

17 MR. CRITTON: So.

18 MR. SCAROLA: So, anything that  
19 Mr. Edwards has done or may have done in  
20 connection with his investigation and  
21 prosecution of the claims against Mr. Rothstein  
22 it is our position is not the appropriate  
23 subject matter of inquiry in the context of  
24 this lawsuit, and is an attempt to invade the  
25 attorney-client and work-product privileges. I

1 instruction.

2 BY MR. CRITTON:

3 Q. Did Mr. Mr. Rodriguez ever make a request  
4 of you at any time for any type of monies for  
5 testimony, documents, or any other information  
6 associated with any existing or potential claimants  
7 directed to Mr. Epstein?

8 MR. SCAROLA: Same objection and  
9 instruction.

10 BY MR. CRITTON:

11 Q. Subsequent, after Mr. Rodriguez or from  
12 the time that Mr. Rodriguez completed his deposition  
13 on August 7th of 2009, did you have an occasion to  
14 speak with either the FBI, well, with the FBI  
15 regarding Alfredo Rodriguez?

16 MR. SCAROLA: Same objection and  
17 instruction.

18 BY MR. CRITTON:

19 Q. Did you after Mr. Rodriguez's completion  
20 of his deposition on August 7th, 2009, did you have  
21 an occasion to speak with any representative, a  
22 professional attorney, professional slash attorney  
23 for the U.S. Attorney's Office?

24 MR. SCAROLA: Same objection and  
25 instruction.

1 am instructing him not to answer.

2 If the court, if the court determines that  
3 the scope of the privilege permits a response  
4 to these questions, we would be happy to  
5 respond to them.

6 But we have an obligation to, to  
7 Mr. Edward's clients to protect their rights to  
8 a fair trial and their rights to  
9 confidentiality, and for that reason we are  
10 obliged to interpret those privileges in their  
11 broadest sense unless and until the court  
12 decides that a more restrictive interpretation  
13 should be applied.

14 BY MR. CRITTON:

15 Q. Between the first and second deposition of  
16 Mr. Rodriguez, I think you, I think you indicated  
17 that you did not speak with him; is that correct?

18 A. You're asking me if I indicated to you  
19 previously during this deposition whether --

20 Q. Right.

21 A. -- I spoke to him or not? I, I don't  
22 remember.

23 Q. Did you speak with Mr. Rodriguez between  
24 his first and second.

25 MR. SCAROLA: Same objection, same

1 BY MR. CRITTON:

2 Q. Mr. Edwards, are you familiar with the,  
3 the criminal complaint that was filed relating to  
4 Alfredo Rodriguez?

5 MR. CRITTON: Let me show you what I will  
6 mark as Exhibit 1 to the deposition.

7 (Plaintiff's Exhibit No. 1 was marked for  
8 identification.)

9 MR. SCAROLA: By that question, does that  
10 mean has he seen it before?

11 MR. CRITTON: First, let me show you  
12 Exhibit 1. Do you -- it's a criminal  
13 complaint, the United States of America versus  
14 Alfredo Rodriguez.

15 MR. SCAROLA: Is your question has he seen  
16 it before?

17 MR. CRITTON: Yes.

18 MR. SCAROLA: I'm not sure what "are you  
19 familiar with it" means.

20 BY MR. CRITTON:

21 Q. Have you seen this criminal complaint  
22 before today?

23 A. Yes.

24 Q. When did you first see this document?

25 A. I -- I don't know.

1 Q. Did you, did you see Exhibit 1, the  
2 criminal complaint, prior to the time that it was  
3 filed in the United States District Court?

4 A. Did I see it prior to it being filed?

5 Q. Yes, sir.

6 A. No, no.

7 Q. Okay. Did you provide an affidavit to any  
8 individual at the FBI or the U.S. Attorney's Office  
9 in support of, although not attached to this, to  
10 Exhibit 1, the criminal complaint?

11 A. Repeat.

12 Q. Did you sign any affidavit or give, give  
13 any sworn testimony associated with the criminal  
14 complaint that was filed by the United States of  
15 America versus Mr. Rodriguez?

16 A. It's obvious to me that you're trying to  
17 circumvent the privileges that have been placed on the  
18 record. I will answer that question that, no, I did  
19 not, but I am not here to divulge anything that may  
20 waive my attorney-client or work-product privilege or  
21 otherwise jeopardize the claims that my three clients  
22 are pursuing against Jeffrey Epstein for their being  
23 sexually molested by him when they were underage minor  
24 females.

25 Q. Mr. Edwards, are you the cooperating

1 during your years that you had worked as a State  
2 Attorney?

3 A. No.

4 Q. Okay. Did you meet her only as a result  
5 of Epstein related matters?

6 A. Yes, in its broadest sense I suppose.

7 Q. Did you, did you have, before you began  
8 representing E.W., did you know who Marie Villafana  
9 was?

10 A. I don't know.

11 Q. What, what was your first association or  
12 what contact was, what was your first contact with  
13 Marie Villafana ever?

14 A. I don't remember.

15 Q. But if I understand correctly you only  
16 know her through the context of the Jeffrey Epstein  
17 matter; is that correct?

18 A. Her involvement with, yes.

19 Q. And that you only knew of her involvement  
20 in the Jeffrey Epstein matter after you began  
21 representing E.W.?

22 A. I don't believe that to be accurate.

23 Q. What involvement could you possibly, what  
24 involvement would you have had with Mrs. Villafana  
25 before you became involved in representing someone

1 witness who was referenced in the criminal  
2 complaint, Exhibit 1?

3 MR. SCAROLA: Could you explain to us for  
4 the record, please, how that line of inquiry is  
5 reasonably calculated to lead to admissible  
6 evidence in this case?

7 MR. CRITTON: I am not prepared to do that  
8 right now.

9 MR. SCAROLA: Then I am not prepared to  
10 allow Mr. Edwards to answer that question  
11 outside the presence of an Assistant United  
12 States Attorney who can make a judgment as to  
13 whether that is information that ought to be  
14 disclosed.

15 BY MR. CRITTON:

16 Q. Mr. Edwards, you knew or you first Marie  
17 Villafana through the complaint you filed on behalf  
18 of Jane Doe 1 and Jane Doe 2 in July of 2008,  
19 correct?

20 A. No.

21 Q. Had you spoken with her before that period  
22 of time; that is, before the complaint was ever  
23 filed?

24 A. Yes.

25 Q. And I am now -- did you know Ms. Villafana

1 associated with the Epstein matter?

2 A. I believe that I had read her name in the  
3 newspaper related to some involvement with Jeffrey  
4 Epstein's criminal investigation and/or case. I think  
5 that's the first time I saw her name, I believe.

6 Q. Before, before you filed a lawsuit against  
7 the United States of America, and I may have asked  
8 you this earlier, so I apologize, did you ever speak  
9 with Mrs. Villafana?

10 A. I believe that any communications that I would  
11 have had with respect to Mrs. Villafana would have only  
12 been in the interest of pursuing claims on behalf of the  
13 clients that I represented. And therefore I am going to  
14 claim a work-product privilege as to those  
15 communications.

16 Q. Okay. My, my question was is only did you  
17 speak with her prior to filing that complaint? Just  
18 a yes or a no, and I am looking, that question is  
19 not asking for the substance. I am just asking for  
20 a yes or no.

21 MR. SCAROLA: Same objection, same  
22 instruction.

23 BY MR. CRITTON:

24 Q. During the course of the litigation with  
25 the United States Attorney's Office, I assume you

1 had conversations with Mrs. Villafana from time to  
2 time?

3 A. Okay.

4 Q. Is that true?

5 A. Is your assumption true?

6 Q. Correct.

7 A. I have spoken with Ms. Villafana.

8 Q. And when you spoke with Ms. Villafana --  
9 let me strike that. Have the only conversations  
10 that you have had with Mr. Marie Villafana or  
11 Villafana, have they only been in the context of  
12 Jane Doe 1 and 2 versus United States of America,  
13 only in the context of that case?

14 MR. SCAROLA: Same objection.

15 MR. CRITTON: And I will separate out to  
16 the extent that you were at the June 12th,  
17 2009, hearing in front of Judge Marra where she  
18 was present.

19 MR. SCAROLA: Same objection, same  
20 instruction.

21 BY MR. CRITTON:

22 Q. Has Ms.-- have you spoken, have you had an  
23 occasion to speak with Ms. Villafana with regard to  
24 the criminal complaint, Exhibit No. 1, involving  
25 Alfredo Rodriguez, Mr. Rodriguez?

1 BY MR. CRITTON:

2 Q. Did you speak with Agent Nesbitt at that  
3 time?

4 A. Yes.

5 Q. Okay. And what did, what did, did she  
6 initiate the conversation or did you?

7 A. The court initiated the conversation.

8 Q. Did the court say go outside and talk?

9 A. Right.

10 Q. The court being Judge Marra?

11 A. Correct.

12 Q. And who else was present for that  
13 conversation?

14 A. I don't remember. Marie Villafana.

15 Q. Okay. What was the discussion about that  
16 the court ordered?

17 A. The failure of the U.S. Attorney's Office to  
18 meaningfully confer with the numerous victims of Jeffrey  
19 Epstein's sexual abuse prior to negotiating a plea in  
20 his criminal matter.

21 Q. How long did the conversation last?

22 A. Less than ten minutes.

23 Q. Was Agent Jason Richards there as well?

24 A. There was a male agent there. I don't know  
25 his name, but there was another FBI agent.

1 MR. SCAROLA: Same objection, same  
2 instruction.

3 BY MR. CRITTON:

4 Q. Mr. Edwards, have you ever been  
5 interviewed by the FBI or the U.S. Attorney's office  
6 with regard to any of your clients?

7 MR. SCAROLA: Any of the three clients who  
8 have claims against Mr. Epstein?

9 MR. CRITTON: Correct.

10 MR. SCAROLA: Same objection, same  
11 instruction.

12 BY MR. CRITTON:

13 Q. Do you know Agent Nesbitt, sir?

14 A. Yes.

15 Q. And how do you know Agent Nesbitt from the  
16 FBI?

17 A. I can answer if you want.

18 MR. SCAROLA: Okay. That's fine.

19 MR. CRITTON: Nesbitt Kirkendahl.

20 THE WITNESS: I don't know her last name  
21 but I do know the first name is, the first name  
22 is obviously an unusual name, so I do know who  
23 that is. I met her outside of the courtroom  
24 related to the Jane Doe 1 and 2 versus United  
25 States of America case.

1 Q. Did Agent Nesbitt Kirkendahl, did she say  
2 anything? Did she participate in the conversation?

3 A. No.

4 Q. Okay. Was it just Mrs. Villafana?

5 A. There was another U.S. Attorney there.

6 Q. A U.S.A.O. there?

7 A. Yes.

8 Q. Do you remember a he or a she?

9 A. He.

10 Q. Do you remember his name?

11 A. Lee.

12 Q. Lee?

13 A. I think that's his last name. Dexter Lee.

14 Q. Did Mr. -- did Dexter Lee, is he the one  
15 who conducted the conversation with you?

16 A. Yes.

17 Q. What was his response to your statement?

18 A. That this conversation is more complicated  
19 than the time constraints that we have right now will  
20 allow. We are not going to come to a resolution at this  
21 point on any issues that you or your clients believe are  
22 pertinent to the case you filed.

23 Q. That was the end of the conversation?

24 A. I mean, I am not quoting verbatim, but, yes  
25 that was the summary.

1 Q. And did you go back in front of Judge  
2 Marra that same day?

3 A. I can't remember.

4 Q. Did he issue an order based upon that  
5 hearing?

6 A. The, the record in the case will speak for  
7 itself. I really, I don't remember right now.

8 Q. Have you had any other conversations with  
9 Nesbitt Kirkendahl other than that? Well, I mean any  
10 other face-to-face conversations with her other than  
11 that one day back in July of, July or August of  
12 2008?

13 A. No.

14 Q. Have you seen Nesbitt, Agent Nesbitt  
15 Kirkendahl since July, July or August of 2008 during  
16 that short conference as physically seen her  
17 someplace?

18 A. Unless she was at the hearing we all attended  
19 on your motion to stay that day when there were a lot of  
20 people in the courtroom, the answer is no.

21 Q. Okay. Have you seen Agent Jason, assuming  
22 the male agent's name was Jason Richards or Richard,  
23 have you seen him since that day in July or August  
24 of 2008?

25 A. I do not believe I have.

1 Rothstein.

2 Q. So, it would be a correct, and I am going  
3 to expand it, would it be a correct statement that  
4 no representative of the federal government and by  
5 that I mean the Department of Justice, FBI, any  
6 other law enforcement agency nor any state  
7 governmental agency has ever asked you or quizzed  
8 you or questioned you about your association with  
9 Rothstein, Rosenfeldt, and Adler during the seven,  
10 approximately seven months you were there; is that  
11 correct?

12 A. That's correct.

13 Q. Mr. Edwards, has, has anyone from the  
14 United States Attorney's Office discussed the  
15 topic -- well, let me strike that. Have you been  
16 granted immunity with regard to any aspect of your  
17 work associated with either the Epstein files or the  
18 Rothstein prosecution?

19 A. I don't understand your question.

20 Q. Okay. You're aware that Mr. --

21 A. I can answer, no. I haven't been granted  
22 immunity to anything, so it doesn't matter what your  
23 question is.

24 Q. Okay. Have you ever had any conversations  
25 with any of the probation officers in Palm Beach

1 Q. Have you spoken with either Nesbitt  
2 Kirkendahl or Jason Richard relating to any Epstein  
3 related matter since July or August of 2008?

4 MR. SCAROLA: I am going to instruct you  
5 not to answer on the basis of the privilege as  
6 previously described.

7 BY MR. CRITTON:

8 Q. Mr. Edwards, have you spoken with any rep,  
9 has any representative of the FBI attempted to speak  
10 with you regarding your association with the RRA  
11 firm?

12 A. No.

13 Q. Has any member of the U.S. Attorney's  
14 Office discussed with you any aspect of your tenure  
15 or employment at the RRA firm?

16 A. No.

17 Q. In any conversations that you, that you  
18 had that you've had with the United States  
19 Attorney's Office at any time, has anyone ever asked  
20 you any questions about Scott Rothstein?

21 A. You're presupposing that I had conversations,  
22 but I will answer the question whether I have or have  
23 not had conversations. Nobody has asked me any  
24 questions from the State Attorney's Office, U.S.  
25 Attorney Office, FBI, or other agency related to Scott

1 County regarding Mr. Epstein?

2 A. No.

3 Q. Have you directed that anyone have any  
4 discussions with the probation officers in Palm  
5 Beach County regarding Mr. Epstein?

6 A. That is clearly calling for work-product  
7 privilege information. I'm not going to answer the  
8 question.

9 Q. Have you had any discussion with any of  
10 the other lawyers who represent clients in the  
11 Epstein, in Epstein related matters regarding  
12 Mr. Epstein's probation?

13 MR. SCAROLA: Same objection, same  
14 instructions, and I would add to those  
15 objections the objection based upon a joint  
16 prosecution interest.

17 BY MR. CRITTON:

18 Q. Mr. Edwards, among the Plaintiffs'  
19 lawyers, is there any type of joint prosecution  
20 agreement related to Mr. Epstein?

21 MR. SCAROLA: Same objection, same  
22 instruction.

23 BY MR. CRITTON:

24 Q. Did you have -- did you engage in weekly  
25 or monthly meetings among the Plaintiffs' lawyer to

1 share investigative material regarding, that you had  
2 obtained regarding Mr. Epstein?

3 MR. SCAROLA: Same objections and  
4 instructions.

5 BY MR. CRITTON:

6 Q. Did you provide any of the investigative  
7 materials that had been acquired by you to any other  
8 person outside of the RRA firm and the Farmer, Jaffe  
9 firm up through the current date?

10 MR. SCAROLA: Would you read that question  
11 back?

12 BY MR. CRITTON:

13 Q. Let me ask it. During the time that you  
14 were with RRA, excuse me, and had investigation done  
15 on Mr. Epstein, was any of your investigation that  
16 you had performed turned over to any person outside  
17 of RRA or your clients?

18 MR. SCAROLA: Same objection, same  
19 instruction to the extent that that would  
20 encompass other attorneys with a shared  
21 interest in the prosecution of Mr. Epstein.

22 If any of those materials were turned over  
23 to persons who did not have a direct interest  
24 to lawyers who did not have a direct interest  
25 in the prosecution of the claims against

1 instruction.

2 BY MR. CRITTON:

3 Q. Mr. Edwards, do any of the  
4 investigators -- let me strike that. Did any of the  
5 investigators who worked for RRA refer any Epstein  
6 client to you?

7 A. What is an Epstein client?

8 Q. I am sorry. Did any of the investigators  
9 who worked for RRA refer a perspective claimant  
10 against Mr. Epstein to you?

11 A. No.

12 Q. Did any of your, did any of the RRA  
13 investigators ever meet with your three clients?

14 MR. SCAROLA: Same objection. Same  
15 instruction.

16 MR. CRITTON: Okay. And I'm looking for  
17 is a yes/no.

18 MR. SCAROLA: Correct. Same objection,  
19 same instruction.

20 BY MR. CRITTON:

21 Q. Mr. Edwards, during the time that you were  
22 with RRA, did you, your e-mail, was your only e-mail  
23 address bedwards@rra-law.com?

24 A. I only had one e-mail address.

25 Q. All right. Did you ever receive any

1 Mr. Epstein or to clients who did not have, to  
2 persons who did not have a direct interest in  
3 the pursuit of their claims against  
4 Mr. Epstein, then you can answer to that  
5 extent.

6 THE WITNESS: Privileged.

7 BY MR. CRITTON:

8 Q. And I just want to be clear is, is there  
9 any written agreement and I know you, I want to make  
10 certain that the objection is there, is as we both  
11 know there are a number of claims. There are a  
12 number of claims that are outstanding against  
13 Mr. Epstein brought by a number of different  
14 lawyers.

15 MR. SCAROLA: The objection extends to  
16 both written agreements and oral agreements.

17 THE WITNESS: Yes. We both know that  
18 there are a lot of claims against Mr. Epstein  
19 for basically the same conduct.

20 BY MR. CRITTON:

21 Q. And my question to you is is, is there any  
22 written agreement between the Plaintiff lawyers who  
23 have filed claims against Mr. Epstein regarding the  
24 sharing of information?

25 MR. SCAROLA: Same objection, same

1 information regarding your cases at your home  
2 e-mail?

3 A. I don't remember.

4 Q. Okay. What is your home e-mail address,  
5 please.

6 THE WITNESS: Do I give this?

7 MR. SCAROLA: (Mr. Scarola nods his head.)

8 THE WITNESS: B-r-a-d-d-6-9@hotmail.com.

9 BY MR. CRITTON:

10 Q. Did you have a separate fax number at RRA  
11 when you were there; that is, just so a fax would  
12 come directly to either yours or an area where you  
13 were located?

14 A. No.

15 Q. In any of the directions that you ever  
16 gave to the investigators, did you ever put that in  
17 the form of a memo; that is, would you give them  
18 written directions?

19 MR. SCAROLA: Same objection, same  
20 instruction.

21 BY MR. CRITTON:

22 Q. To your knowledge did any of the  
23 investigations that were done regarding Mr. Epstein,  
24 were they provided to any other person at RRA?

25 A. Excuse me?

1 Q. You have testified that investigations  
2 were done during the time, on Mr., relating to  
3 Mr. Epstein during the time that you were at RRA

4 A. Right.

5 Q. My question to you is, did you -- first of  
6 all did you receive written reports in addition to  
7 oral reports?

8 A. From the investigators?

9 Q. Yes, sir.

10 THE WITNESS: Answer?

11 MR. SCAROLA: Yeah.

12 THE WITNESS: The reports were -- yes, I  
13 did.

14 BY MR. CRITTON:

15 Q. And were the reports provided by e-mail or  
16 were they provided by, in the form of a memo that  
17 would be sent from the investigator to you or both?

18 A. I, I do not remember there being any in the  
19 form of an e-mail. Does not mean that there was not. I  
20 did communicate by e-mail with other members of the firm  
21 and other members of the investigative team on all cases  
22 as has been my practice all along practicing law. There  
23 were memos, though, that were given to me that were not  
24 e-mail form that were the standard memos that I would  
25 incorporate into a witness memo file.

1 and I'm using just as an example, is that he came in  
2 or Scott Rothstein came in and looked at a  
3 particular file of yours, whether it related to  
4 Mr. Epstein or not, you don't know?

5 A. I can't answer that question accurately.

6 Q. Okay. Did you ever send investigative  
7 reports to other lawyers regarding Mr. Epstein; that  
8 is, if you got an investigative report from  
9 Mr. Fisten or Mr. Jenne or whomever, would you send  
10 those on to certain lawyers on a regular basis?

11 MR. SCAROLA: You can answer that  
12 question.

13 THE WITNESS: No.

14 BY MR. CRITTON:

15 Q. What lawyers, other than yourself, were  
16 involved in the Epstein cases during the time you  
17 were associated with RRA?

18 A. What do you mean by "were involved?" I guess  
19 all.

20 Q. What, what lawyers actually worked on the  
21 file? I know Mr. Berger worked on the Epstein  
22 cases, correct?

23 A. In some limited capacity, correct.

24 Q. Okay. Mr. Adler I know attended  
25 Mr. Epstein's deposition, correct?

1 Q. And again that would just be in your,  
2 would that be in your electronic storage as well as  
3 in the hard copies?

4 A. The version I saw was the electronic.

5 Q. So, that would be stored in the Fortis  
6 program?

7 A. That's correct.

8 Q. All right. And again other individuals in  
9 the firm, other lawyers in the firm might be able to  
10 access that program, you just don't know?

11 A. Right. Well, the program, obviously that's  
12 the program that the firm used. Now, whether they could  
13 access, if you could go across cases that weren't cases  
14 you worked on, I really just don't know.

15 Q. As an example could Mr. Fisten, on the, on  
16 the Fortis, could he access your, your file on an  
17 Epstein case?

18 A. I don't know.

19 Q. If someone accessed your file, accessed  
20 your electronic file, would you necessarily know  
21 that?

22 A. No.

23 Q. All right. So --

24 A. I don't believe so.

25 Q. It wouldn't show up that Michael Fisten,

1 A. Correct.

2 Q. Did, did any other lawyers other than  
3 Mr. Adler or Mr. Berger attend any depositions?

4 A. Your memory is going to be as good as mine  
5 there. I'm thinking. Mark Epstein's deposition was  
6 attend by Russell Adler.

7 Q. He went with you to New York?

8 A. No. He didn't go with me to New York. He  
9 attended the deposition, and I also attended the  
10 deposition.

11 Q. Both in person?

12 A. Right.

13 Q. Was he there for another file or did he  
14 meet you there to specifically attend Mark Epstein's  
15 deposition?

16 A. Coincidence that he was in New York during the  
17 time when his deposition was being taken.

18 Q. Any other lawyer that you can recall being  
19 at a deposition other than Adler, Berger and  
20 yourself?

21 A. Not right now. If you remind me, I, I may  
22 remember. I don't remember right now.

23 Q. Did other lawyers in the firm at RRA  
24 perform services on the files; that is, and by that  
25 I mean did they, were they involved in drafting

1 motions, research, appeals, pleadings, papers that  
2 were filed?

3 MR. SCAROLA: You can, you can answer  
4 whether they were, there were other lawyers  
5 involved in drafting tasks without identifying  
6 what those may have been.

7 THE WITNESS: Other lawyers contributed to  
8 some extent to the prosecution of those cases.

9 BY MR. CRITTON:

10 Q. Who? Names. I'm not asking for tasks.

11 MR. SCAROLA: You can answer.

12 MR. CRITTON: I am asking for names.

13 THE WITNESS: Bill Berger, Judge Stone,  
14 Russell Adler, Rob Buschel.

15 BY MR. CRITTON:

16 Q. B-o-u-c-h-e-l?

17 A. I don't know how to spell it. B-u, I don't  
18 know how, B-u-s-c-h-e-l, I believe.

19 Q. All right. Is he currently with you now?

20 A. No.

21 Q. Any other lawyers?

22 A. And you're asking for no matter how minimal,  
23 just anything done by any lawyers?

24 Q. Correct.

25 A. Michael, I think his name is Michael. It was

1 Epstein case?

2 A. When I was giving you that list of names, I  
3 was picturing one of the couple meetings related to  
4 Jeffrey Epstein's case. Could there have been other  
5 lawyers in the room, yes, but I think that is the  
6 exclusive list.

7 Q. Did Mr., did anyone ever attend by phone  
8 meetings associated --

9 A. I understand.

10 Q. -- that involved Mr. Epstein?

11 A. I understand. No.

12 Q. Did Scott Rothstein ever attend any  
13 meetings wherein strategy was discussed regarding  
14 the Epstein cases?

15 A. No.

16 Q. The one meeting that you had in Mr.,  
17 Mr. Rothstein's office with Russell Adler and some  
18 unknown person on the phone, were you given any  
19 direction at that time that certain discovery should  
20 be done or certain tactics should be used with  
21 regard to prosecuting the Epstein cases?

22 MR. SCAROLA: Same objection, same  
23 instructions.

24 BY MR. CRITTON:

25 Q. Did you ever receive any e-mail

1 another lawyer. That's, that's -- those are the ones  
2 that I can remember right now.

3 Q. Were there ever meetings that occurred,  
4 well, not -- were there ever specific meetings that  
5 were attended by various lawyers to discuss  
6 Epstein's cases?

7 MR. SCAROLA: You can answer whether there  
8 were meetings.

9 THE WITNESS: There were meetings to  
10 discuss every case including Jeffrey Epstein's  
11 cases.

12 BY MR. CRITTON:

13 Q. And when you say there were meetings to  
14 discuss every case, were there routine meetings that  
15 were held to discuss your cases or cases in general?

16 A. It's how the firm worked. If you wanted to  
17 discuss cases, or the case was a case that was thought  
18 to need more than one or more than two attorneys, then a  
19 meeting could easily be assembled within RRA to sit  
20 around the table and discuss issues related to any case.  
21 And yes, that happened with respect to cases filed  
22 against Jeffrey Epstein.

23 Q. And so there could have been additional  
24 lawyers in addition to Adler, Stone, Berger, and Rob  
25 Buschel and yourself that would have commented on an

1 correspondence from Scott Rothstein that detailed or  
2 that set forth discovery that would be, that should  
3 be undertaken with regard to the Epstein cases?

4 MR. SCAROLA: You can answer that with a  
5 yes or no.

6 THE WITNESS: No.

7 BY MR. CRITTON:

8 Q. Did you ever have, did you ever receive  
9 any correspondence directly, Mr., Mr. Rothstein to  
10 you, during the time that you were at RRA?

11 A. Yes.

12 Q. Did any of the correspondence ever involve  
13 Epstein or communication ever involve Epstein?

14 MR. SCAROLA: You can answer that.

15 THE WITNESS: To some extent, yes.

16 BY MR. CRITTON:

17 Q. Okay. And what did, what did, what  
18 information did Mr. Rothstein send you that involved  
19 Mr. Epstein?

20 MR. SCAROLA: Same objection, same  
21 instruction.

22 BY MR. CRITTON:

23 Q. Is the information that you received or  
24 the communication you received from Mr. Rothstein  
25 regarding, that involved Mr. Epstein, was that by

way of e-mail?

A. Yes.

Q. Did you ever receive any memorandum from him; that is, a typewritten memo that was then sent to you through office mail that was not electronic involving Mr. Epstein?

A. No.

Q. At the meetings that you, at the meetings that occurred where these various lawyers, Berger, Adler, Stone, Rob Buschel were present and Epstein was discussed, was the discovery that, discovery and/or investigation regarding Mr. Epstein was that ever discussed?

MR. SCAROLA: Same objection, same instruction.

BY MR. CRITTON:

Q. Mr. Edwards, are you aware as a former state prosecutor that there are laws against conducting certain financial transactions in money that's derived from a crime?

A. I don't understand your question.

Q. Okay. Well, you were a former state prosecutor; is that correct?

A. Right. Yes.

Q. Right. Are you aware that there are

RICO claims.

Q. But you certain have brought RICO claims against Mr. Epstein?

A. I know about one now.

Q. Okay. At the time that you were at the State Attorney's Office, what kind of -- how long were you there?

A. Three years.

Q. And what kind of crimes did you prosecute?

A. Beginning with DUI's through attempted murders and everything in between. No -- well, not no, very few economic crimes, some insurance fraud cases but very few, otherwise drugs, guns, robberies, burglaries attempted murder, aggravated batteries, those types of crimes, false imprisonment.

Q. Well, were you ever, do you know what money laundering means in a criminal context?

A. In some basic sense I do know what money laundering means.

Q. What do you understand that to be?

A. That you, that the criminal takes money and through some illegal means attempts to make bad money legitimate.

MR. CRITTON: Let me show you what I will mark as Exhibit 2 which is the complaint that

certain laws both state and federal that, that are, that preclude conducting certain financial transaction, transactions in money that is derived from a crime?

A. Still don't understand your question. But first before I try to answer your question, are you taking me back to a time when I was a State Attorney and asking back then did I know and then your question?

Q. Yes.

A. Back when I was a State Attorney did I know that there are crimes related to money transactions?

Q. No.

MR. SCAROLA: Could I help you? Do you want to ask him whether he was aware of the existence of a state RICO statute?

MR. CRITTON: No.

MR. SCAROLA: Okay.

MR. CRITTON: I am okay with that first, but I am still going to ask my question.

BY MR. CRITTON:

Q. I assume you're aware of the existence of a state RICO statute, correct?

A. I don't know that I was aware of that back then. I just can't remember whether I knew about RICO back at the State Attorney's Office. I never prosecuted

was filed against Mr. Rothstein, yourself, and L.M.

(Plaintiff's Exhibit No. 2 was marked for identification.)

BY MR. CRITTON:

Q. You're familiar with this complaint, sir?

A. Unfortunately I have read this frivolous complaint.

MR. CRITTON: Move to strike as nonresponsive. You've seen -- all I want is a yes or no.

Are you familiar with this document?

MR. SCAROLA: I am going to object to the form of the question. It is vague and ambiguous. I don't know what familiarity means. He has seen it before.

BY MR. CRITTON:

Q. Mr. Edwards, you have seen and read the entire complaint along with the attachments, Exhibit 2?

A. I've read the complaint. I have never read in the entirety Exhibit 2.

Q. Are you familiar, do you know what an information is?

A. Yes.



1 Q. And that's Exhibit 1 attached to the  
2 complaint, correct?  
3 A. Correct.  
4 Q. And you're aware that, and this is the  
5 information that was brought by the United States of  
6 America, U.S.A. versus Scott Rothstein, correct?

7 A. Yes.

8 Q. And you're aware that within the -- well  
9 let me strike that. Are you aware that  
10 Mr. Rothstein has pled guilty to, excuse me, the  
11 information that was brought against him by the  
12 U.S.A.?

13 A. I am aware that he pled guilty to something.

14 Q. With regard to the complaint brought by  
15 the U.S.A., I am sorry, the information brought by  
16 U.S.A. against Mr. Rothstein, I assume you have read  
17 the allegations associated with the racketeering  
18 conspiracy, the pattern of racketeering activity,  
19 correct?

20 A. I haven't.

21 Q. Okay. If you turn to Page 3, Paragraph 4,  
22 were you aware, were you aware prior to coming in  
23 here today that Mr. Rothstein was, that the charges  
24 that were brought against him were for under, under  
25 RICO but with regard to mail fraud, wire fraud,

1 asserted that the firm was a racketeering  
2 enterprise, correct?

3 A. Not necessarily -- no.

4 Q. Well, if you look in Paragraph 2, see  
5 where the firm is identified as the enterprise of  
6 the racketeering conspiracy?

7 A. Law firm. Paragraph 2 of the information says  
8 Rothstein Rosenfeldt Adler, P.A., was a law firm with  
9 offices located at 401 East Las Olas Boulevard, Fort  
10 Lauderdale, Florida, and elsewhere. The law firm  
11 employed approximately 70 attorneys and engaged in the  
12 practice of law involving a wide range of specialties  
13 including labor and employment law.

14 Q. Are you in Paragraph 2?

15 A. Of the information, yes.

16 Q. I'm sorry. I am looking at -- my  
17 apologies. On Paragraph 2 under Count I, my error.

18 A. Okay.

19 Q. See where the law firm is identified as  
20 the racketeering enterprise?

21 A. I'm sorry. Your question is am I, do I  
22 recognize that the law firm is categorized as an  
23 enterprise. Yes, in that paragraph I see that.

24 Q. Have you had an occasion to discuss with  
25 any, with either Mr. Adler or Mr. Rosenfeldt any of

1 laundering of monetary instruments, engaging in  
2 monetary transactions, and conspiracy to launder  
3 monetary instruments and engage in monetary  
4 transactions?

5 A. I, I have read that in the newspapers. I have  
6 been told that by numerous people. So, yes, I was aware  
7 of that.

8 Q. And within the complaint at Paragraph 6 it  
9 says the Defendant --

10 A. The information or the complaint?

11 Q. I'm sorry. Within the information,  
12 Exhibit 1 to the complaint, in Paragraph 6 where it  
13 speaks in terms of the Defendant and his  
14 co-conspirators, conspirators agreed, agreed to  
15 engage in a pattern of racketeering activity through  
16 its base of operation at the offices of RRA. Do you  
17 see that?

18 A. Yes.

19 Q. Okay. Do you know who the, do you know  
20 any of the co-conspirators in addition who are  
21 associated with Mr. Rothstein?

22 A. Assuming that they are former employees of  
23 RRA, which I would presume several of them are, I am  
24 sure that I probably know them.

25 Q. And you're aware that the government has

1 the allegations directed to Mr. Rothstein --

2 A. No.

3 Q. -- in the criminal complaint?

4 A. No.

5 Q. Since the implosion at the firm have you  
6 had an occasion to talk about or speak or discuss  
7 any firm business regarding Mr. Rothstein and the  
8 ponzi scheme that he was running at RRA?

9 A. Have I had an occasion where I could have  
10 talked --

11 Q. No, I'm sorry. Have you had an occasion  
12 to discuss with Mr. Adler since you left the firm or  
13 since the implosion any aspects of the, of the ponzi  
14 scheme that Mr. Rothstein and his co-conspirators  
15 were running through the firm?

16 MR. SCAROLA: Are you asking whether he  
17 did have such a discussion or whether he had an  
18 occasion to have such a discussion?

19 BY MR. CRITTON:

20 Q. Did you have such a discussion?

21 A. No.

22 Q. Okay. Have you discussed that or have you  
23 seen Mr. Adler at all other than hi, hello, since --

24 A. Yes. So, the occasion existed. We just  
25 didn't have that discussion.

1 Q. Have you, and if I understand correctly  
2 you haven't discussed any firm business with  
3 Mr. Adler since the implosion; is that correct?

4 A. Firm business?

5 Q. Any firm RRA business?

6 A. Right, no.

7 Q. How about with Mr. Rosenfeldt, have you  
8 had any discussions with him --

9 A. None.

10 Q. -- since the implosion of the firm in late  
11 October of '09?

12 A. No.

13 Q. If you wanted, if you had any, other than  
14 your existing partners have you had an occasion to  
15 speak with any other partners or former partners of  
16 the firm regarding the implosion -- well, let me  
17 strike that -- regarding the ponzi scheme that was  
18 being run by Mr. Rothstein through the firm?

19 A. I have spoken to my current partners about it.

20 Q. Are your current partners, are you aware  
21 of any of your current partners being a target of an  
22 investigation as a potential co-conspirator with  
23 Mr. Rothstein?

24 A. No, way.

25 Q. You're not aware of or no one has told you

1 THE VIDEOGRAPHER: We are now off video  
2 record --

3 MR. SCAROLA: That will be a refreshing  
4 change.

5 THE VIDEOGRAPHER: We are now off video  
6 record at 3:44 p.m.

7 (A brief recess was held.).

8 MR. CRITTON: Mr. Edwards --

9 THE VIDEOGRAPHER: We're back on video  
10 record. It is 3:59 p.m.

11 BY MR. CRITTON:

12 Q. Mr. Edwards, when you joined RRA, if I  
13 understood your earlier testimony, with regard to  
14 the Epstein cases and your other cases when you came  
15 there as far as you were concerned is you had the  
16 ability to spend whatever money was necessary to  
17 prosecute the Epstein cases, fair statement?

18 A. I don't know that that's true or it's not true  
19 I mean.

20 Q. Well --

21 A. My judgment was never questioned.

22 Q. Correct. And therefore whatever monies  
23 you spent either in investigation, in doing  
24 discovery, that was your decision and your decision  
25 alone, true?

1 that, correct?

2 A. I am not aware of that and nobody has told me  
3 that.

4 Q. Mr. Rothstein founded what was, what  
5 ultimately became RRA in approximately 2002. Were  
6 you aware of that fact?

7 A. No.

8 Q. How long did you think Mr. Rothstein had  
9 been -- well, let me strike that. How long did you  
10 think RRA had been in existence prior to your  
11 joining the firm? What were you told?

12 A. I don't know what I was ever told. I think  
13 that I learned that information when the implosion, as  
14 you call it, occurred.

15 Q. And were you, in terms of what the  
16 revenues of the firm were, were you ever advised  
17 what the revenues of the firm were?

18 A. No.

19 Q. Okay. Were you, were you familiar with  
20 what the expenses were associated with operating the  
21 RRA firm?

22 A. No.

23 Q. Were you in anyway -- well, let me strike  
24 that. With regard to -- let me take a five minute  
25 break and let me collect my thoughts.

1 A. Whatever money that I spent was my decision --

2 Q. No. Whatever money you spent on  
3 investigators, on doing depositions, on requesting  
4 transcripts, on doing what was necessary to  
5 prosecute the Epstein cases, that was your decision?

6 A. No. The actions were my decisions in terms of  
7 how to prosecute the case. The amount of money to spend  
8 per exercise was not my decision nor was I privy to that  
9 information.

10 Q. Well, but, you were the one who directed  
11 that the particular task be taken, correct?

12 MR. SCAROLA: This is, this is  
13 repetitious.

14 MR. CRITTON: I am setting a stage.

15 MR. SCAROLA: This is repetitious of areas  
16 of examination that were covered thoroughly in  
17 the earlier portions of this deposition.

18 THE WITNESS: If I wanted a witness  
19 interviewed, I could ask an investigator to  
20 interview. The investigator, how they were  
21 paid, how much they were paid, whether they  
22 were paid is not something that I had any  
23 knowledge of at all.

24 BY MR. CRITTON:

25 Q. Okay. When you ran your own firm you

1 obviously knew what, whether hiring an investigator  
2 or what a particular cost was because you had to pay  
3 it, correct?

4 A. Yes.

5 Q. Okay. And I think as you described  
6 earlier is that there had been very little discovery  
7 up until the time you started working for RRA in  
8 your three cases, true?

9 A. Not very little discovery. Obviously we had  
10 gone through interrogatories, responses, request for  
11 production, responses or lack of responses, however, the  
12 majority of the depositions that were taken, the cases  
13 just happened to be right last summer for most of those  
14 depositions to take place, and that's what happened.

15 Q. Not only depositions but as well the  
16 investigation as you have described, your  
17 investigator that you hired as an outside person  
18 didn't really start until late March or early April  
19 in conjunction with the other investigation that you  
20 did during the time you were with RRA, correct?

21 A. Fair statement.

22 Q. All right. And when you were at RRA you  
23 described earlier, and I won't belabor it, but you  
24 described the compound I think is the word that you  
25 used that Mr. Rothstein kept himself in when he was

1 Q. Okay. Were they all on the, were they,  
2 were they --

3 A. Some were B.S.O as well. Some were Broward  
4 Sheriff's Office. Some were from Fort Lauderdale. It  
5 was both.

6 Q. With, with regard to the police officers  
7 and the Sheriff's Deputy's that were present, where  
8 they on every floor of RRA?

9 A. It seemed that way.

10 Q. And had you ever been in a, in a law firm  
11 either as a visitor or as an employee or partner  
12 where you had seen armed guards from either a  
13 Sheriff's Office or a police department roaming the  
14 halls?

15 A. No.

16 Q. Had you ever been to the RRA offices  
17 before you accepted the job?

18 A. No.

19 Q. When you got there and you saw the armed  
20 guards patrolling the floors, did you ever have a  
21 conversation with Russell Adler or anyone else as  
22 like what in heaven's name is going on here?

23 A. I didn't see them when I first got there.

24 Q. How much time passed before you saw the  
25 guards?

1 at the firm, correct?

2 A. Correct.

3 Q. Right. And he was not accessible to  
4 everyone else, true?

5 A. Right.

6 Q. And was he on your floor or was he on a  
7 completely separate floor?

8 MR. SCAROLA: As opposed to a partly  
9 separate floor.

10 THE WITNESS: For the most part he was on  
11 a separate floor.

12 BY MR. CRITTON:

13 Q. Okay. And were there guards during the  
14 time that you were at, at the RRA firm, RRA, were  
15 there ever guards that patrolled the hallways?

16 A. Yes.

17 Q. And was that from the day you started?

18 A. I believe so.

19 Q. And had you ever been in a firm where --  
20 bless you. Had you ever been in a firm where  
21 there -- well, let me strike that. The guards were  
22 what, Broward County Sheriff's Officers?

23 A. I don't remember the agency but they were  
24 armed uniformed police officers. I believe Fort  
25 Lauderdale.

1 A. When I first started I believe that the people  
2 patrolling, I'm not sure that they initially were  
3 Broward Sheriff's or Fort Lauderdale police. I think  
4 that may have been a month after I began. From what I  
5 remember seeing, and I can envision the people in my  
6 head, they were private security people. At least that  
7 was the appearance or the interpretation that I had.  
8 And I didn't question it at the time who they were.

9 Q. Within --

10 A. I don't think.

11 Q. Within a short period of time though you  
12 recognized that they were either Sheriff's Deputies  
13 or police officers?

14 A. At the point in time where I recognized that  
15 they were armed uniformed police officers in the firm,  
16 yes, I questioned it not only to Russell Adler but to  
17 anybody else, anybody else, because all of the lawyers  
18 in the firm thought it was strange.

19 Q. Okay. And what did Adler tell you?

20 A. That Scott Rothstein has a lot of money, prior  
21 to you being here, a female attorney was murdered and he  
22 wants to make sure that his friends and family are as  
23 secured as possible, that while he has this extra money  
24 to spend on security, he is going to do that for all of  
25 our safety.

1 Q. Did you understand as well that he had,  
2 that the firm was paying for armed guards to guard  
3 his house 24 hours a day?

4 A. No.

5 Q. When did you learn that fact?

6 A. After the disbandment of RRA

7 Q. Did Mr. Adler tell you that Mr. Rothstein  
8 had amazing or substantial wealth?

9 A. I don't know in those words, but I, I  
10 definitely understood that.

11 Q. Okay. In meeting Mr. Rothstein initially,  
12 initially for the ten minutes as you were  
13 contemplating taking a job and on the two other  
14 occasions or the one other occasion when you saw him  
15 out in the restaurant, I think you described him as  
16 flamboyant?

17 A. I'm not sure I used that word but probably one  
18 synonymous, and, yes, I would describe him as such.

19 Q. Was he someone that at least -- well, let  
20 me strike that. Were you aware that he had a, a  
21 watch collection of hundreds of watches?

22 A. No.

23 Q. Did you see him wear expensive jewelry  
24 when you saw him; that is, the few occasions that  
25 you saw him?

1 A. I went there one time.

2 Q. For what occasion?

3 A. I don't remember the occasion, but it was a  
4 gathering that he had at his house and he asked, during  
5 the course of me working there were ten occasions where  
6 everybody was invited to go to his house for various  
7 events and on one occasion, I went.

8 Q. Oh, all right. And from being in his  
9 house did you recognize immediately that this was a  
10 multi-million dollar house?

11 A. Yes.

12 Q. Okay. Was it on the water?

13 A. Yes.

14 Q. And could you tell from the interior  
15 design or the decorations that existed that this was  
16 at least a man, a man that had significant wealth?

17 A. Yes.

18 Q. All right. And could you, did you have an  
19 opportunity to see his collection of automobiles?

20 A. No.

21 Q. During the time that you were in the  
22 house, did you have an opportunity, did, did you  
23 walk around the house?

24 A. No.

25 Q. How many people were there, best estimate?

1 A. Never. I didn't take notice of that.

2 Q. Okay. When you saw him, was he dressed in  
3 a suit or was he dressed in business, or in casual,  
4 more casual clothes?

5 A. Always a suit.

6 Q. And looking like a million bucks?

7 A. Looking ridiculous.

8 Q. But something that looked very expense,  
9 flashy, showy?

10 A. I couldn't tell how expensive it was, but  
11 flashy and showy, yes. It may be a pink shirt with a  
12 purple tie and a blue suit, something that you would  
13 never expect a lawyer to be wearing, yes.

14 Q. And in terms of the, in terms of the, of  
15 his personal wealth or his, his personal assets,  
16 were you aware of where he lived?

17 A. Was I aware when?

18 Q. During the time you worked for RRA

19 A. Yes.

20 Q. Okay. And were you aware that he was  
21 living in a multi-million dollar house?

22 A. When, when I went to the house I, I recognized  
23 it as such.

24 Q. You said you went to the house. Did you  
25 go to Mr. Rothstein's house?

1 Are we talking like ten or 12?

2 A. No, no, no. 250.

3 Q. Did you talk to Mr. Rothstein at all?

4 A. Not even for a second.

5 Q. Could you walk anywhere in the house that  
6 you wanted?

7 A. The party, at least to the extent that I  
8 participated in it, was outside. So I, I don't know if  
9 I could have walked around the house, but I did not walk  
10 around the house nor did I really walk inside the house  
11 other than to go in the front door, straight out back,  
12 and then leave the exact same pathway that I entered.

13 Q. What his property located on Castillo  
14 Island?

15 A. I don't know.

16 Q. Were you aware or did you become aware  
17 that Mr., during the time that you were there that  
18 Mr. Rothstein had investments in multiple real  
19 properties?

20 A. No.

21 Q. Were you aware at the time that you met  
22 him first at the BOVA restaurant that he had an  
23 interest in BOVA restaurant?

24 A. When I met him, no.

25 Q. Did he have an interest in BOVA restaurant

1 at that time?

2 A. I heard that sometime after I began working  
3 there. He certainly acted like he did.

4 Q. Did you learn that he had investments in  
5 other business entities, whether they were other  
6 restaurants or other business entities --

7 A. Through --

8 Q. -- during the time that you worked at RRA?

9 A. Through rumors.

10 Q. And rumor was he had his fingers in many  
11 different businesses?

12 A. It sounded like hundreds.

13 Q. And did you understand that he had a  
14 substantial collection of automobiles?

15 A. What do you mean by substantial selection or  
16 collection?

17 Q. Well, were you, during the time that you  
18 were at RRA were you aware that he had Ferraris?

19 A. No.

20 Q. Multiple Ferraris?

21 A. No.

22 Q. Were you aware that he had a Bentley?

23 A. Yes.

24 Q. Were you aware that he had a Bugatti?

25 A. I heard that.

1 A. No.

2 Q. Were you aware that he had multiple jet  
3 skis?

4 A. No.

5 Q. Were you aware that he had a 55-foot Sea  
6 Ray?

7 A. No.

8 Q. Were you aware that he owned a  
9 Lamborghini?

10 A. No.

11 Q. Again during the time that you were at  
12 RRA?

13 A. I understand that. The answer is no.

14 Q. In addition to the, to the business of  
15 owning BOVA what other business ventures did you  
16 understand he had? I think you said you thought he  
17 was in hundreds of businesses.

18 A. Through a rumor.

19 Q. Right.

20 A. I understood that he owned a Vodka. I  
21 understood generically that he owned or purchased  
22 various patents. I understood -- I didn't know what the  
23 patents were. I understood that he owned other  
24 restaurants. I understood that he owned or was partial  
25 owner of Cafe Iguana.

1 Q. Were you aware that he had a Rolls Royce?

2 A. No.

3 Q. Were you aware that he had multiple  
4 Corvettes?

5 A. No.

6 Q. Either a Corvette or multiple Corvettes?

7 A. No.

8 Q. Were you aware that he had multiple  
9 Mercedes Benz?

10 A. No.

11 Q. Were you aware that he owned a yacht?

12 A. Yes.

13 Q. Okay. And was that parked behind his  
14 house?

15 A. Yes.

16 Q. Were you aware that he also -- and did it,  
17 if I was to say it was approximately an 85 to  
18 90-foot yacht or, in fact, an 87-foot yacht?

19 A. I wouldn't quarrel with that.

20 Q. Did it also appear that he had a  
21 substantial sport fisherman that was parked out  
22 there as well?

23 A. I didn't see that.

24 Q. Were you aware that he had 33-foot Aqua,  
25 Aquaviva?

1 At some point in time I learned that he  
2 was owner or partial owner of the Versace mansion.  
3 And I think in general it was always explained to me  
4 or I overheard he had, he has his hands in all of  
5 these, this assortment of businesses and those  
6 business ventures have done very well, and that is  
7 the source of his apparent extreme amount of wealth.

8 Q. Who told you that?

9 A. I don't, I don't know. More, more than one  
10 person. I mean, that was just kind of the word around  
11 the campfire so to speak.

12 Q. Did you inquire as to -- let me strike  
13 that. Did you ever see any documents that reflected  
14 or documents or read any information about  
15 Mr. Rothstein that preexisted 2002 which was kind of  
16 the start of the RRA firm?

17 A. I don't understand.

18 Q. Okay. Well, I think we established  
19 earlier that your understanding was that RRA kind of  
20 started as a firm in the 2002 time frame.

21 A. Well, you told me that and I have been told  
22 that after the implosion that that was the time period  
23 that RRA started. I didn't know anything about Scott  
24 Rothstein until the year 2009 at all.

25 Q. Did you do any research with regard to

1 Mr. Rothstein prior to going to the firm and by  
2 research I mean people Google. Did you Google him?

3 A. No.

4 Q. Did you, did the firm have a brochure?

5 A. I don't know.

6 Q. Did you ever see brochures in the waiting  
7 room or the reception rooms that described the firm  
8 when it was founded, background of the firm, et  
9 cetera?

10 A. No.

11 Q. Was it on your web site?

12 A. Was what on my web site?

13 Q. The history or the background of the firm.  
14 Let me strike that. RRA had a website?

15 A. RRA had a website.

16 Q. That's no longer in existence, true?

17 A. True.

18 Q. And --

19 A. To my knowledge.

20 Q. Did you ever go on the website and  
21 checkout the web site for the history or the  
22 background of RRA and Mr. Rothstein?

23 A. I went on the website. I don't know that the  
24 website even had a history. If it did, I don't remember  
25 ever looking at it.

1 matters with regard --

2 MR. CRITTON: Form?

3 MR. SCAROLA: -- to these cases?

4 MR. CRITTON: Form?

5 MR. SCAROLA: No, no. It's a, it's a  
6 speaking inquiry.

7 BY MR. CRITTON:

8 Q. Mr. Edwards, did you ever have any  
9 dealings with Deborah Villegas?

10 A. No.

11 Q. Am I saying it right?

12 A. I don't know.

13 Q. V-i-l-l-e-g-a-s?

14 A. I've seen the name.

15 Q. Did you know who she was?

16 A. In what way?

17 Q. As it related --

18 A. I knew that she worked for the firm.

19 Q. What did you understand her position was?

20 A. Rothstein's Sarah Kellen.

21 Q. Did you understand her to be the COO of  
22 the company, of the firm?

23 A. Right. I don't know if COO or whatever, but  
24 his right-hand man; that's the person who gets him what  
25 he wants. That's at least in a broad term what I

1 Q. Did it, did, at least from what you saw  
2 and observed of Mr. Rothstein, did it appear to you  
3 that the, his wealth far exceeded the type of  
4 business that it appeared to you that the firm was  
5 doing?

6 A. I have no understanding whatsoever. No,  
7 that's not something that ever crossed my mind.

8 Q. Well, under these circumstances is, is  
9 when you went to the firm, you had the ability to  
10 your discretion to spend whatever monies you wanted  
11 in prosecuting your personal injury and Epstein  
12 cases. You, no one ever turned down a request  
13 either for a reimbursement or told you not to expend  
14 any money, true?

15 MR. SCAROLA: Objection, compound and  
16 repetitious.

17 THE WITNESS: I don't understand the  
18 question.

19 BY MR. CRITTON:

20 Q. No one, as to any expenditure that you  
21 ever made on an Epstein case --

22 MR. SCAROLA: Isn't this about the fourth  
23 time that you're eliciting exactly the same  
24 testimony? Isn't it very clear the extent to  
25 which Mr. Edwards had control over financial

1 understood her position to be.

2 Q. Did you understand she was a financial  
3 person?

4 A. No.

5 Q. Or an administrative person?

6 A. My understanding was administrative.

7 Q. With regard to Mr. Rothstein's; that is,  
8 his real property, his vehicles, his boats, his  
9 business interests, would it be a correct statement,  
10 sir, that you weren't concerned about the source of  
11 his wealth?

12 A. You went through a list of the things that I  
13 knew or did not know him to have in terms of assets.  
14 And I told you for the most part I didn't even know that  
15 he had those things. In fact, while you were out of the  
16 room, I just educated myself by reading the information  
17 on some of the things he had and I didn't know until  
18 right now that he had those things. But certainly while  
19 I was working at RRA I didn't know that he had those  
20 things.

21 Q. Then let me be specific. With regard to  
22 the, with regard to the house that you knew he had,  
23 with regard to the yacht that you knew he had, with  
24 regard to the vehicles that you knew he had, with  
25 regard to the business interests, at least BOVA and

1 at least what was rumored to be his business  
2 interest, did you believe that the source of his, of  
3 his apparent wealth was as a result of the law firm?

4 A. I believe that the source of his wealth was  
5 the law firm as well as the, what I have described as an  
6 assortment of businesses that he had his hands in of  
7 which only a fraction I was aware.

8 Q. Well, what did you understand to be the  
9 source of the funding of the, of the Epstein cases  
10 and the other lawsuits that you had?

11 A. The checks I believe were written by the law  
12 firm.

13 Q. Okay. And what did you believe was the  
14 source of the monies that the law firm got to expend  
15 some, just on the three cases that you had with Mr.  
16 Epstein, some three to \$500,000, I mean separate and  
17 apart from all of the, your other personal injury  
18 cases and separate and apart from all of the other  
19 69 lawyers who were in the law firm who also had  
20 cases?

21 A. I didn't have a belief at all as to the source  
22 of any of the monies that were used for any of the case.

23 Q. Was it your position it really wasn't your  
24 concern; that is, wherever the money came from, it  
25 didn't bother you; all you knew is that the firm was

1 things of that nature.

2 Q. And that's my question to you: Did you  
3 hear these names before or during the time that you  
4 were at RRA as distinct from now?

5 A. Of that list you just read until right this  
6 second, Michael Szafranski is the only one that I have  
7 ever heard of and that was after implosion of RRA

8 Q. And again this question is specific to the  
9 time frame --

10 A. Sure.

11 Q. -- that you were there? Dominic  
12 Ponatchio, P-o-n-a-t-c-h-i-o.

13 A. No.

14 Q. Moto, M-o-t-o, Ban, B-a-n, Adon, A-d-o-n?

15 A. No.

16 Q. Ever heard of Benozon (phonetic) Varon,  
17 V-a-r-o-n?

18 A. No.

19 Q. Onyx Capital?

20 A. No.

21 Q. Onyx Options Consultants?

22 A. No.

23 Q. BWS Investments?

24 A. No.

25 Q. Pirulin, P-i-r-u-l-i-n, Group?

1 funding your cases?

2 MR. SCAROLA: Objection, argumentative.

3 THE WITNESS: Yeah. At the time I believe  
4 that I am working at a well recognized law firm  
5 with good people and that is a successful law  
6 firm and this is the way that law firms at that  
7 level operate, and right, I didn't --

8 BY MR. CRITTON:

9 Q. Didn't care?

10 A. Right, I didn't care. I didn't question it.

11 Q. With, with regard to, let me ask you some  
12 names and see if you recognize the names. Do you  
13 know a person by the name of Barry Bekkadan,  
14 B-e-k-k-a-d-a-n?

15 A. Never heard the name until right now.

16 Q. A.J. Discala?

17 A. Again same answer.

18 Q. Clockwork Capital Advisers?

19 A. No, never heard of them.

20 Q. Razorback Funding?

21 A. Nerve heard of it.

22 Q. Michael Szafranski, S-z-a-f-r-a-n-s-k-i?

23 A. Heard that name --

24 Q. And --

25 A. -- only after implosion and through papers and

1 A. No.

2 Q. Shimone (phonetic) Levy, L-e-v-y?

3 A. No.

4 Q. Obidia Levy, O-b-i-d-e, I'm sorry, d-i-a?

5 A. No.

6 Q. Daniel Minkowitz, M-i-n-k-o-w-i-t-z?

7 A. No.

8 Q. Fortress, an entity know as Fortress  
9 Investments or Fortress Capital?

10 A. No.

11 Q. Drawbridge?

12 A. No.

13 Q. Capital or funding?

14 A. No.

15 Q. Do you know an individual by the name of,  
16 have you ever heard of, heard during that time  
17 period, did you hear of or know a person named  
18 George Levin, L-e-v-i-n?

19 A. No.

20 Q. Banyan Investment Fund?

21 A. No.

22 Q. Did you know or hear of the name Frank  
23 Preve, P-r-e-v-e?

24 A. No.

25 Q. Okay. Mr. Preve is purportedly, was

1 purported to have an office within RRA's offices.  
 2 Have you seen that?  
 3 A. Have I seen what?  
 4 Q. Have you seen that in any of the news  
 5 media, that Mr. Preve had an office within RRA?  
 6 A. That name doesn't sound familiar at all. So,  
 7 no, the answer to your question is no, I haven't seen  
 8 that.  
 9 Q. Bill Brock?  
 10 A. Yes.  
 11 Q. Okay. Who is Mr. Brock?  
 12 A. In the law firm he went by the name Uncle  
 13 Bill.  
 14 Q. Okay. All right. Who is Uncle Bill?  
 15 A. Who do I understand him to be? I don't know  
 16 who he really was. At this point in time looking back,  
 17 there is no telling what anyone, what anyone or anything  
 18 was. But at the time I believe that he was a relative  
 19 of Scott Rothstein's.  
 20 Q. What did he do? What did, what did Uncle  
 21 Bill do --  
 22 A. Some --  
 23 Q. -- at the firm?  
 24 A. Something with money.  
 25 Q. Did he have an office at the firm?

1 A. No.  
 2 Q. Ed Morse?  
 3 A. No.  
 4 Q. Richard Pearson, P-e-a-r-s-o-n?  
 5 A. No.  
 6 Q. Steven Levin, L-e-v-i-n?  
 7 A. No.  
 8 Q. Ira Sochet? S-h or Sochet, S-o-c-h-e-t?  
 9 A. No.  
 10 Q. Mark Melvin?  
 11 A. No.  
 12 Q. Jack Samoney (phonetic)?  
 13 A. No.  
 14 Q. Lawrence King?  
 15 A. No.  
 16 Q. Steve Jackel?  
 17 A. No.  
 18 Q. Have you ever heard an attorney name  
 19 Michael Legamaro?  
 20 A. No.  
 21 Q. Kevin Draher, D-r-a-h-e-r?  
 22 A. No.  
 23 Q. David Boden, do you know David Boden?  
 24 A. Yes.  
 25 Q. Okay. Who is Mr. Boden, an associate --

1 A. I think the trustees are still trying to  
 2 figure out what he exactly did do.  
 3 Q. Did you have any dealings with him?  
 4 A. Dealings, no, I didn't have dealings.  
 5 Q. Dealings of any kind?  
 6 A. I talked to him.  
 7 Q. Did you ever discuss any of your cases?  
 8 Was he -- he wasn't a lawyer?  
 9 A. Far from it.  
 10 Q. All right. Did you ever discuss any of  
 11 your cases with him?  
 12 A. No.  
 13 Q. Just a hi, hello?  
 14 A. Hi, hello, and I was one of the lawyers who  
 15 would come in often and work on weekends and he would be  
 16 there. That's when I would see him, and he would kind  
 17 of, hey, how are you doing on a weekend.  
 18 Q. And do you know a Dean Kretchmar,  
 19 K-r-e-t-c-h-m-a-r?  
 20 A. No.  
 21 Q. Same question again, do, these names  
 22 during the time period, Doug Van Allman,  
 23 A-l-l-m-a-n?  
 24 A. No.  
 25 Q. Ted Morse?

1 A. Are you asking me what I know now or what I  
 2 thought then?  
 3 Q. Who did you understand Mr. Boden, David  
 4 Boden to be when you became employed or associated  
 5 with RRA in April of '09?  
 6 A. In April of '09 I had not heard the name but  
 7 let's just skip to it. Sometime in let's say June or  
 8 July, I am guessing, sometime during the summer, I  
 9 understood him to be a lawyer at the firm.  
 10 Q. Did you understand, did you understand he  
 11 was a Florida lawyer or you just understood he was a  
 12 lawyer?  
 13 A. I understood he was a lawyer. I made the  
 14 presumption or assumption at that time that since he was  
 15 a lawyer for RRA that he was a Florida lawyer. I have  
 16 subsequently learned otherwise.  
 17 Q. Did you know, did you ever have any  
 18 business dealings with Mr. Boden?  
 19 A. Never spoke a word to the guy.  
 20 Q. What did you understand that he actually  
 21 did at the firm?  
 22 A. Had no idea.  
 23 Q. How about Andrew Barnett?  
 24 A. Don't know who that is.  
 25 Q. There was an individual, he is described



1 as the director of Corporate Development for RRA

2 A. I don't know even know what that means.

3 Q. Have you ever heard of the Centurion  
4 Credit Fund or the Platinum Management Fund?

5 A. No.

6 Q. Alan Sakowitz?

7 A. No. Wait. Alan Sakowitz. I have heard that  
8 name recently. I don't know why. I believe I actually  
9 heard that name in a response. Never mind. In some  
10 nonresponsive answer that your client gave, I heard that  
11 name.

12 MR. SCAROLA: Keep going.

13 BY MR. CRITTON:

14 Q. Mr. Edwards, with regard to your phone,  
15 did you have a direct line at RRA?

16 A. Yes.

17 Q. What was that phone number?

18 A. I don't remember.

19 Q. And is your cellphone today the same as it  
20 was back then?

21 A. Yes.

22 Q. And what's that number, please?

23 MR. SCAROLA: Cellphone number?

24 THE WITNESS: 954-294-9544.  
25

1 Fistos is my partner now. Marc Nurik is the lawyer who  
2 represents Scott Rothstein now. I don't know which it  
3 was, but it was one of the two.

4 Q. Okay. Were you ever present at a meeting  
5 where someone who you didn't know was present when  
6 the Epstein case was discussed?

7 A. No.

8 Q. Were you ever asked to get on a phone call  
9 where the Epstein cases were discussed that you  
10 didn't, that you couldn't confirm who, you may have  
11 someone who may have said this is Joe Smith on the  
12 other line, but where you discussed the Epstein case  
13 over the phone with another lawyer from your firm?

14 A. I don't understand that question.

15 Q. Did you ever make a phone call or did you  
16 ever receive a phone call where you discussed the  
17 Epstein case with another lawyer in your firm; that  
18 is, that person --

19 A. Yes.

20 Q. -- outside of the office?

21 A. What?

22 Q. Okay. Obviously you would get calls  
23 within --

24 A. Even you.

25 Q. -- the confines of your office. Right. I

1 BY MR. CRITTON:

2 Q. Did you ever have a firm cellphone or just  
3 your own personal cellphone?

4 A. No. Just my own personal cellphone.

5 Q. During the time that you were at the firm,  
6 were you ever involved in making any type of a  
7 presentation to anyone regarding the Epstein cases?

8 A. Including other lawyers within the firm?

9 Q. Let me rephrase it. I am going to  
10 rephrase. You already told us that you have talked  
11 about the Epstein cases with other lawyers, correct?

12 A. Right.

13 Q. Were you ever present in a meeting where  
14 there was a person whom you did not know wherein the  
15 Epstein, where the Epstein cases were discussed?

16 A. No.

17 Q. At the, when you met with Mr. Rothstein  
18 in his office when Mr. Adler or whoever asked you to  
19 come up that one time and there was Adler, Rothstein  
20 and yourself, you said there was an individual on  
21 the phone?

22 A. Right. It was another lawyer with the firm.

23 Q. And how do you know it was another lawyer  
24 with the firm?

25 A. It was either Marc Nurik or Mark Fistos, Mark

1 understand that.

2 A. You fall in that category. I am having a hard  
3 time.

4 Q. The question is did you ever have, were  
5 you ever conferenced in on a call that was supposed  
6 to be among RRA lawyers regarding an Epstein case?

7 A. No.

8 Q. Did anyone ever request that you prepare a  
9 summary of any of your Epstein cases that you in  
10 turn sent by either e-mail or memo to anyone else?

11 A. I don't believe so.

12 Q. After you joined the RRA firm in April of  
13 '09, did there come a point in time when you  
14 requested that, that you requested the depositions  
15 be taken out of state of a number of witness? Well,  
16 let me ask you this question.

17 MR. CRITTON: Let me, let make it easy.

18 Let me show what I will mark as Exhibit 3.

19 (Plaintiff's Exhibit No. 3 was marked for  
20 identification.)

21 BY MR. CRITTON:

22 Q. Before I get to that, Mr. Edwards, were  
23 you aware of any cases that Mr. Rothstein himself  
24 settled for over \$5 million while you were employed  
25 at the firm?

1 A. I was never aware of any cases that Rothstein  
2 even handled much less settled.

3 Q. Were you aware of whether, did anyone ever  
4 tell you whether Mr. Rothstein even did legal work  
5 at the firm or whether he was just a rainmaker?

6 A. I -- no, no one ever told me one way or the  
7 other.

8 Q. Would it be a correct statement that you  
9 never saw him perform any legal work during the time  
10 you were at the firm?

11 A. That's a correct statement.

12 Q. Would it be a correct statement as far as  
13 you knew he was kind of a gadfly going to his  
14 various business ventures and then he would hole  
15 himself up in the office.

16 A. He was the guy on the billboards and at the  
17 Triple A arena and everything else marketing the firm  
18 and bringing business in, and that's at least what I  
19 believe he did. If it's true or not, I don't know to  
20 this day.

21 Q. With regard to Exhibit 3, do you recognize  
22 this e-mail?

23 A. I, I don't recognize the e-mail.

24 Q. Do you recognize, and I will represent to  
25 you that I received the e-mail. It was sent to me

1 Q. Do you recall sending or directing that  
2 this facsimile be sent. Or let me strike that. Who  
3 was your secretary at that time? Who is, well, BJE  
4 is you. Who is the MGL?

5 A. Who is the MGL? Let's see.

6 Q. On Page 2. There are your initials,  
7 Bradley J. Edwards, BJE, and then MGL. Do you  
8 recognize that?

9 A. No. I mean, as you are very aware problems  
10 with secretaries during that period of time, I, I had  
11 more than my share and that could have been a time  
12 period where I did not have a legal assistant at all.  
13 And I do not recognize the initials MGL to identify  
14 anybody that I know.

15 Q. With regard to the individuals who were  
16 listed in Exhibit 3, specifically Donald Trump,  
17 Leslie Wexner, Bill Clinton, with those individuals,  
18 you sent out this facsimile or at least your office  
19 sent out the fax, Exhibit 3, requesting dates for  
20 these individuals to be deposed, correct?

21 A. Yes.

22 Q. All right. Prior to your joining RRA you  
23 had never requested either that the deposition of  
24 Mr. Trump be taken, Mr. Wexner, nor Bill Clinton,  
25 correct?

1 as well although I am not shown as a recipient, I  
2 received e-mail.

3 THE WITNESS: Are you talking about the  
4 fax?

5 MR. CRITTON: I am sorry, the fax.

6 MR. SCAROLA: Exhibit, Exhibit 3.

7 MR. CRITTON: Exhibit 3. Let me start  
8 again. Exhibit 3 is a fax.

9 THE WITNESS: Correct.

10 MR. CRITTON: Dated July 22nd, 2009.

11 THE WITNESS: I recognize that.

12 BY MR. CRITTON:

13 Q. And do you recognize on Page 2, it says  
14 very truly yours, Rothstein, Rosenfeldt, Alder and  
15 then there is a, what appears to be a signature and  
16 under that it says Bradley J. Edwards, Esquire,  
17 partner fort (sic) the firm. Do you see that?

18 A. Yes, I see that.

19 Q. Do you recognize the signature?

20 A. No.

21 Q. Is that how you sign your name?

22 A. No.

23 Q. Do you know whose signature that is or  
24 purports to be?

25 A. I have absolutely no idea.

1 A. I never requested a deposition to be taken  
2 including any deposition of those three individuals.

3 Q. I understand but all right.

4 A. The answer to your question is, yes.

5 Q. All right. Thank you. Paula Heil, do you  
6 know who that person is?

7 A. Do I know who it is? I know that it's  
8 somebody who was involved with Bear Sterns at some point  
9 in time.

10 Q. You also requested dates, and in fact  
11 served a subpoena on Alan Dershowitz, the Harvard  
12 law professor, correct?

13 A. Correct.

14 Q. And Mr. Dershowitz you were aware was one  
15 of Mr. Epstein's criminal defense lawyers, correct?

16 A. At some point in time, I knew that in the past  
17 he had been an attorney of Mr. Epstein.

18 Q. Well, you had, you had certain records  
19 from the State Attorney's Office, didn't you, or  
20 from the police report?

21 A. And that's what I'm saying, yes, involved in  
22 the civil cases with us, no, I didn't know that he had  
23 involvement. But, yes, I did know he was a former --

24 Q. I'm sorry, go ahead --

25 A. I did know that he was a former attorney of

1 Jeff Epstein.

2 Q. Well, you also understood Mr. Epstein has  
3 had ongoing criminal law issues even during the time  
4 of the civil case, correct?

5 A. No.

6 Q. Sure. Well, you were aware that  
7 Mr. Epstein was operating under the nonprosecution  
8 agreement, that he was bound by the, a  
9 nonprosecution agreement, correct?

10 A. I'm aware of the existence of a nonprosecution  
11 agreement.

12 Q. Well, and in fact you came into possession  
13 of the nonprosecution agreement sometime in 2008  
14 because Judge Marra ordered that, ordered the United  
15 States Government to turn over to all of the  
16 attorneys and the clients who were listed as alleged  
17 victims, correct?

18 A. Yes.

19 Q. So, you had possession of the N.P.A. as of  
20 sometime in the year 2008, correct?

21 A. Right.

22 Q. All right. And so you, and you were aware  
23 that under the nonprosecution agreement Mr. Epstein  
24 was required to meet certain requirements, that  
25 Mr. Epstein had a requirement to meet certain

1 Tommy Mottola was listed. Do you know who  
2 Mr. Mottola is?

3 A. Generally I think I know who that is.

4 Q. Who did you understand Mr. Mottola was?

5 A. Something to do with the music industry.

6 Q. All right. And the name David Copperfield  
7 was also referenced as a potential witness in the  
8 case, correct?

9 A. That is correct.

10 Q. All right. And did you -- and you, in  
11 fact, attempted to coordinate a deposition for  
12 Mr. Copperfield; is that correct?

13 MR. SCAROLA: Are you asking about whether  
14 communications occurred with you --

15 MR. CRITTON: Sure.

16 MR. SCAROLA: -- regarding such a  
17 deposition.

18 BY MR. CRITTON:

19 Q. Let me rephrase it. With regard to the  
20 lawyers in the case, including myself, you attempted  
21 to coordinate a time for completing or taking the  
22 deposition of Mr. Copperfield, Mr. Mottola, who I  
23 will represent is the former president of Sony  
24 Records, former president Bill Clinton, Alan  
25 Dershowitz, Donald Trump, and Leslie Wexner, true?

1 standards or certain provisions of the agreement  
2 otherwise the U.S.A. could potentially declare there  
3 was a breach of the agreement, true?

4 A. I suppose.

5 Q. Well, you're a former prosecutors too, so  
6 you knew what a nonprosecution agreement was, true?

7 A. No, I had never seen a nonprosecution  
8 agreement in my life before this one.

9 Q. When you got the nonprosecution agreement,  
10 you reviewed it?

11 A. Yes, I did.

12 Q. So, you were familiar with?

13 A. Right.

14 Q. And you understood from at least looking  
15 at the police report that you had access to, that  
16 Mr. Dershowitz had represented Mr. Epstein with  
17 regard to negotiating his plea that ultimately was  
18 reached in negotiations with the federal government,  
19 true?

20 A. I knew he played a role.

21 Q. Now, with regard to Mr., with regard to  
22 the depositions of -- well, let me strike that.  
23 Also listed both on your, on Jane Doe's and L.W.'s  
24 and E.W.'s updated interrogatory answers which were  
25 provided during the year 2009, an individual named

1 A. False.

2 Q. Which of those, as to which one of those  
3 is that false?

4 A. Tommy Mottola.

5 Q. So, but you did attempt to coordinate the  
6 depositions of Donald Trump, Mr. Dershowitz former  
7 president Clinton, David Copperfield, and Leslie  
8 Wexner, correct?

9 A. I believe so.

10 Q. And with regard to Mr., well, let me  
11 strike that. In setting these depositions; that is,  
12 in requesting these deposition be taken sometime in  
13 June and July of 2009 or requesting dates for them,  
14 did you have discussions with other attorneys in  
15 your firm as to the benefits that would exist in  
16 your case, your three cases against Mr. Epstein by  
17 taking these individuals' depositions?

18 MR. SCAROLA: Objection. Same as grounds  
19 previously stated; instruct you not to answer.

20 BY MR. CRITTON:

21 Q. Mr. Edwards, were you involved in the  
22 discussions regarding the deposing of any of the  
23 people of these individuals, Mr. Trump; that is, in  
24 discussions with any other lawyers in your firm  
25 including Scott Rothstein?

1 MR. SCAROLA: Same objection, same  
2 instruction.  
3 BY MR. CRITTON:  
4 Q. Same question with regard to  
5 Mr. Dershowitz, former president Clinton, Tommy  
6 Mottola, David Copperfield, and Leslie Wexner.  
7 THE WITNESS: No.  
8 MR. SCAROLA: Same objection, same  
9 instruction?  
10 THE WITNESS: And with respect to Tommy  
11 Mottola, I, that was not my firm that was a  
12 separate law firm that intended to take his  
13 deposition.  
14 BY MR. CRITTON:  
15 Q. Who was it that you understood was taking  
16 Mr. Mottola's deposition?  
17 A. Searcy, Denney.  
18 Q. Did you ever discuss with Mr. Rothstein or  
19 anyone on his behalf the value of taking the  
20 depositions of Trump, Dershowitz, former president  
21 Clinton, David Copperfield, and Leslie Wexner as an  
22 inducement to get Mr. Epstein to settle his  
23 lawsuits?  
24 MR. SCAROLA: You have already inquired of  
25 Mr. Edwards about the communications that he

1 BY MR. CRITTON:  
2 Q. First, my question in the broad sense.  
3 Were you involved in the decision to pursue flight  
4 data associated with any planes purportedly own by  
5 Mr. Epstein?  
6 MR. SCAROLA: My objection --  
7 MR. CRITTON: In terms of the discussions  
8 within your firm.  
9 MR. SCAROLA: My objection and my  
10 instruction stands.  
11 BY MR. CRITTON:  
12 Q. Did you have discussions within your firm  
13 with regard to taking the depositions of celebrities  
14 or famous people who were on, purportedly on  
15 Mr. Epstein's planes so that they could be deposed  
16 such that that would be an inducement to Mr. Epstein  
17 to settle his lawsuit?  
18 MR. SCAROLA: Same objection, same  
19 instruction.  
20 BY MR. CRITTON:  
21 Q. Isn't it true, Mr. Edwards, that in taking  
22 the deposition or in attempting to take the  
23 deposition of Donald Trump, you had no information  
24 that Mr. Trump had any knowledge of any female  
25 having; that is, underage female ever having been on

1 had with Mr. Epstein. He has responded to  
2 those questions previously. So, any further  
3 questioning along those lines is entirely  
4 repetitious.  
5 BY MR. CRITTON:  
6 Q. Can you answer that question, sir? Would  
7 you like it read back?  
8 MR. SCAROLA: Beyond what he has already  
9 responded, we would object on the basis of  
10 work-product and attorney-client privilege and  
11 I instruct you not to answer.  
12 THE WITNESS: Okay.  
13 BY MR. CRITTON:  
14 Q. Were you involved in any of the decision  
15 to pursue obtaining flight data from Mr. Epstein?  
16 Well, let me strike that. Were you involved in the  
17 decision to pursue flight data associated with any  
18 planes that were purportedly owned by Mr. Epstein?  
19 MR. SCAROLA: I will allow Mr. Edwards to  
20 acknowledge whether he did or did not  
21 communicate about such matters with opposing  
22 counsel. But beyond that I would assert  
23 attorney-client and work-product privileges and  
24 instruct you not to answer.  
25

1 Mr. Epstein's plane and been, and having been  
2 assaulted by him?  
3 MR. SCAROLA: What Mr. Edwards knew or  
4 didn't know in connection with this prosecution  
5 of pending claims is protected by a privilege.  
6 I instruct him not to answer.  
7 BY MR. CRITTON:  
8 Q. Mr. Edwards, did you know Officer Recarey?  
9 I mean, I know you have meet him now because you  
10 have seen him at his deposition, correct?  
11 A. Correct.  
12 Q. Did you ever meet with, did you ever meet  
13 Mr. or Officer Recarey at any time prior to his  
14 deposition in person?  
15 A. No.  
16 Q. Have you ever spoken with Officer Recarey  
17 at any time prior to his deposition, by phone or  
18 otherwise?  
19 A. Yes.  
20 Q. Okay. And what context were you speaking  
21 with Officer Recarey?  
22 THE WITNESS: Answer?  
23 BY MR. CRITTON:  
24 Q. Well, first of all, let me withdraw that  
25 question. Excuse me. On how many occasions have

1 you spoken with Officer Recarey prior to his  
2 deposition?

3 A. One time.

4 Q. And when was that?

5 A. 2008.

6 Q. What was the purpose of the -- let me  
7 strike that. Did you initiate the conversation or  
8 did he?

9 THE WITNESS: Answer?

10 MR. SCAROLA: You can answer that.

11 THE WITNESS: I did.

12 BY MR. CRITTON:

13 Q. Okay. What was the purpose of your  
14 conversation?

15 MR. SCAROLA: To the extent that the  
16 purpose of your conversation was unrelated to  
17 any pending legal matter, including in  
18 particular the claims against Mr. Epstein, you  
19 may answer. To the extent that it had anything  
20 at all to do with Mr. Epstein, you should not  
21 respond on the basis of privilege.

22 THE WITNESS: Privilege.

23 BY MR. CRITTON:

24 Q. Did you ever speak with Chief Reiter at  
25 any time -- well, let me strike that. You were not

1 proceeding relating to any matter during the year  
2 2008 or 2009?

3 MR. SCAROLA: You may answer.

4 THE WITNESS: No.

5 BY MR. CRITTON:

6 Q. Did Jane Doe ever come -- let me strike  
7 that. Did Jane Doe ever come to your firm, the RRA  
8 firm for any reason?

9 A. Yes.

10 Q. On how many occasions did she come to your  
11 firm, to RRA?

12 A. I believe one time.

13 Q. In addition to, I assume you met with her  
14 on that occasion?

15 A. Right.

16 Q. Was anyone else present?

17 A. I don't believe so.

18 Q. Did L.M. ever come to your firm at RRA?

19 A. No.

20 Q. Did E.W. ever come to your firm at RRA?

21 A. Yes.

22 Q. On how many occasions?

23 A. One time.

24 Q. Did anyone meet with her other than  
25 yourself?

1 at his deposition, were you?

2 A. No.

3 Q. Okay. Have you ever spoken with Chief  
4 Reiter at any time for any purpose as it relates to  
5 Mr. Epstein?

6 THE WITNESS: Answer?

7 MR. SCAROLA: Only to the extent that --  
8 well, you asked specifically whether the  
9 conversation related to Epstein?

10 THE WITNESS: Did the conversation occur  
11 is the question.

12 MR. SCAROLA: Relating to Epstein. Read  
13 the question back if you would, please.

14 MR. CRITTON: Let me rephrase it.

15 MR. SCAROLA: Okay.

16 BY MR. CRITTON:

17 Q. With regard to Chief Reiter, have you ever  
18 spoken with Chief Reiter or now former Chief Reiter  
19 from the Palm Beach Police Department for any  
20 reason?

21 MR. SCAROLA: You can answer the "for any  
22 reason" part.

23 THE WITNESS: No.

24 BY MR. CRITTON:

25 Q. Have you ever testified in a grand jury

1 A. Yes.

2 Q. Who was present?

3 A. Bill Berger.

4 Q. Did any RRA lawyer ever have an occasion  
5 to meet with Jane Doe at, at a location other than  
6 your office; that is, did you ever request that some  
7 other lawyer meet with her, Jane Doe, for a specific  
8 reason? Don't want to know the reason just whether  
9 another lawyer met with her.

10 A. No.

11 Q. Did any other RRA lawyer meet with L.M.  
12 separate, at any time?

13 A. No.

14 Q. Did any other lawyer ever meet with E.W.  
15 separate and apart from the one meeting that you had  
16 with Bill Berger and yourself in 2000 -- I'm sorry  
17 did --

18 A. We're talking always about the time period at  
19 RRA I understand that.

20 Q. Correct. Did any lawyer from RRA ever  
21 meet with E.W. separate from the single occasion  
22 that you and Mr. Berger met with her at RRA's  
23 office?

24 A. No.

25 Q. Did, did you ever have any type of

1 communication, and by that I mean either a  
2 conversation or any writing with Mr. Scott Rothstein  
3 about the value of the J -- of the Jeffrey Epstein  
4 cases?

5 MR. SCAROLA: You can answer yes or no.

6 THE WITNESS: No.

7 BY MR. CRITTON:

8 Q. Did you ever have a conversation or  
9 communication where Scott Rothstein was present and  
10 the value of the Epstein cases was discussed?

11 A. No.

12 Q. Did you ever have a conversation with  
13 other attorneys at RRA regarding the value of the J,  
14 of the Epstein cases that you had?

15 A. Yes.

16 Q. Okay. With whom?

17 A. Russell Adler, Bill Berger. I believe that's  
18 it.

19 Q. From, from your observations when you were  
20 at RRA, did it appear that certain individuals had  
21 access to Mr. Rothstein; that is, other lawyers in  
22 the firm had access to him?

23 A. It appeared to me like nobody had access to  
24 him.

25 Q. In the particular instance that you got

1 not, just did you just not have an und erstanding?

2 A. I had an understanding.

3 Q. Okay. What was your understanding and  
4 what was it based on?

5 A. Based on numerous conversations with Russell  
6 Adler that even he had a very difficu lt time gaining  
7 access to Scott Rothstein for any reason.

8 Q. Did Mr. Adler, did you ever ask Mr. Adler  
9 to pass on information to Mr. Rothstein about the  
10 Epstein cases?

11 A. No.

12 Q. Other than Mr. Jenne who would make, I  
13 think you indicated earlier, on eight to ten  
14 occasions ask you about the Rothstein, I am sorry,  
15 asked you about the Epstein cases, did any other  
16 person inquire on a somewhat regular basis or even  
17 an irregular basis as to the status of the Epstein  
18 cases?

19 A. Yes.

20 Q. Who?

21 MR. SCAROLA: Again I assume you're  
22 talking about persons within the firm?

23 MR. CRITTON: Correct. I'm back to only  
24 within RRA You understood that, didn't you,  
25 Mr. Edwards?

1 called up to his office, Mr. Adler was present along  
2 with Mr. Rothstein and either Mr. Nurik or somebody  
3 else who was on the phone, correct? We already  
4 established that?

5 A. Correct.

6 Q. From your observations and/or your  
7 conversations with Mr. Adler, did you get the  
8 impression that Mr. Adler could have or would have  
9 access to Mr. Rothstein?

10 MR. SCAROLA: By that I assume you mean  
11 unfettered access?

12 MR. CRITTON: No, just easy access.  
13 Unfettered suggests someone can walk in and out  
14 of the office and you already told me it was a  
15 compound. Let me reask my question.

16 BY MR. CRITTON:

17 Q. From what Mr. Adler told you, if you had a  
18 conversation with Mr. Adler about a particular,  
19 whether it was an Epstein case or another case, was  
20 it your understanding that Mr. Adler had regular,  
21 some form of regular communication with  
22 Mr. Rothstein?

23 A. No.

24 Q. Okay. Did you understand that he didn't  
25 have any communication with Mr. Rothstein or did you

1 THE WITNESS: No, I didn't. I thought you  
2 meant anybody.

3 BY MR. CRITTON:

4 Q. Okay. Then I am back within RRA because I  
5 had asked you about Mr. Jenne.

6 A. Got it.

7 Q. So, I wouldn't go out. I want to stay  
8 within the firm. Did anyone ask you or inquire of  
9 you about the status of the RRA cases; it was either  
10 a lawyer or an investigator within the firm?

11 A. Maybe but, but none that I can really picture  
12 as somebody who would do it regularly. If I was talking  
13 in some lawyer's office about any case or any issue,  
14 there were times where I remember generally how is this  
15 specific case going or that specific case, and at times  
16 it was Jeffrey Epstein case.

17 Q. With regard to Mr. Jenne, what did you  
18 understand with regard to what his position was in  
19 the firm?

20 A. Something to do with the investigative  
21 department.

22 Q. Okay. What did you understand about  
23 Mr. Jenne's background. Let me strike that. Were  
24 you a State Attorney's when Mr. Jenne was a Broward  
25 County Sheriff?

1 A. I believe so.  
 2 Q. Were you still a State Attorney when  
 3 Mr. Jenne was indicted and then eventually ended up  
 4 in jail?  
 5 A. No.  
 6 Q. Were you in private practice at that  
 7 point?  
 8 A. Correct.  
 9 Q. But you lived then in Broward County, so  
 10 you followed the developments of Mr. Jenne's  
 11 downfall in becoming a convicted felon?  
 12 A. I was aware.  
 13 Q. All right. Was Mr. Jenne, would it be a  
 14 correct statement that Mr. Jenne and Mr. Fisten and  
 15 Mr. Roberts were all at the RRA firm when you  
 16 started in April of '09?  
 17 A. I don't believe so.  
 18 Q. Which one was there when you started?  
 19 When I say "there," was already employed by RRA when  
 20 you started?  
 21 A. I am not sure if any of the three were there  
 22 but perhaps all of them were there.  
 23 Q. All you know is at some point you came to  
 24 be involved with them as investigators?  
 25 A. Correct.

1 Q. All right. With regard to Mr. Jenne, was  
 2 his office on the same floor as yours?  
 3 A. No.  
 4 Q. Where, was his office in any way near  
 5 Mr. Rothstein's?  
 6 MR. SCAROLA: What does any way near Mr.  
 7 Rothstein's mean?  
 8 MR. CRITTON: Same floor.  
 9 THE WITNESS: No.  
 10 BY MR. CRITTON:  
 11 Q. Did it appear to you that -- well, let me  
 12 strike that. You said that Mr. Jenne had something  
 13 to do with investigation, correct?  
 14 A. Correct.  
 15 Q. Okay. Did he ever describe for you what  
 16 he did for the firm?  
 17 A. No.  
 18 Q. And I think you said, did you say what his  
 19 title was?  
 20 A. I didn't know his title. I don't know what  
 21 his title is now.  
 22 Q. Did you ever ask Mr. Jenne why he was  
 23 asking you questions about the Epstein case or  
 24 engaging you in a dialogue regarding the Epstein  
 25 cases?

1 A. No.  
 2 Q. Did you ever find it strange that  
 3 Mr. Jenne was asking you questions about the Epstein  
 4 cases?  
 5 A. No.  
 6 Q. Did you ever ask Russell Adler as to why  
 7 Mr. Jenne would be asking you questions about the  
 8 Epstein cases?  
 9 A. No.  
 10 Q. And I think you told me earlier, but I may  
 11 be wrong so I want to clear this up. I don't want  
 12 to be repetitious here. Did Mr. --  
 13 MR. SCAROLA: When did you change your  
 14 mind about that?  
 15 MR. CRITTON: Earlier.  
 16 BY MR. CRITTON:  
 17 Q. Did Mr. Jenne, did you ever direct  
 18 Mr. Jenne to do any investigation on the Epstein  
 19 cases?  
 20 MR. SCAROLA: Objection, work-product.  
 21 BY MR. CRITTON:  
 22 Q. Did Mr. Jenne ever do any investigation on  
 23 the Epstein files?  
 24 MR. SCAROLA: Objection, work-product.  
 25

1 BY MR. CRITTON:  
 2 Q. Did Mr., were you aware that Mr. Jenne was  
 3 attempting to shop the Epstein cases to investors  
 4 during the time you were at the RRA firm?  
 5 MR. SCAROLA: Objection, assumes facts.  
 6 THE WITNESS: No.  
 7 MR. SCAROLA: That's all right.  
 8 BY MR. CRITTON:  
 9 Q. Do you know Bill Scherer, Attorney Bill  
 10 Scherer?  
 11 A. No, I know of him.  
 12 Q. You are aware that he has a pending  
 13 lawsuit against various individuals including TD  
 14 Bank and other Defendants on behalf of various  
 15 investors; is that a fair statement?  
 16 A. I remember when that first came out. I have  
 17 not followed it. I don't know if it's active, if it's  
 18 still pending, or what the status is at all. But I do  
 19 remember a lawsuit being filed on behalf of somebody  
 20 against Scott Rothstein and others.  
 21 Q. All right. And do you remember, it's  
 22 within Paragraph 20 of the complaint it's a --  
 23 A. Of?  
 24 Q. Of, I'm sorry, of Exhibit No. 2. And it  
 25 states Fort Lauderdale attorney William Scherer

1 represents multiple Rothstein related investors. He  
2 indicated in an article that RRA, slash, Rothstein  
3 had used the Epstein ploy as a showpiece, as a  
4 showpiece, as bait. That's, and the quote is,  
5 Epstein ploy, as a showpiece, as bait. That's the  
6 way he raised all the money.

7 He would use cases as bait for luring  
8 investors into fictional cases. All the cases he  
9 allegedly structured were fictional. I don't  
10 believe there was a real one there.

11 Okay. If I asked you to assume that that  
12 quote is accurate from Mr. Scherer, would it be a  
13 correct, would it be a correct statement -- well,  
14 let me strike that.

15 Were you aware that Rothstein and other  
16 individuals were using the Epstein ploy; that is,  
17 the Epstein cases in order to, as bait in order to  
18 raise money for, for the firm and Mr. Rothstein?

19 MR. SCAROLA: I am going to object to the  
20 form of the question, but you can certainly  
21 answer it.

22 THE WITNESS: Okay. I am going to answer  
23 it to the extent that I understand it. No, I  
24 was not aware that the Epstein cases were being  
25 used as a showpiece, as bait. But you are also

1 A. No.

2 Q. Okay. Were you aware that Scott Rothstein  
3 had represented to other individuals that he had  
4 multiple other cases, multiple other Jane Doe's  
5 which he was trying to market to investors?

6 A. No.

7 Q. Were you aware that -- do you have any  
8 knowledge that Ken -- let me strike that.

9 Were you aware that Ken Jenne was  
10 attempting to market or shop non-existent Epstein  
11 cases to investors?

12 A. I wasn't aware then nor am I aware of that  
13 now, so, no.

14 Q. Do you have any knowledge that Mr. Fisten  
15 and/or Mr. Jenne would cart boxes of Epstein related  
16 materials; that is, existing Epstein related  
17 materials relating to Jane Doe and show those to  
18 other investors?

19 A. Do I have knowledge that somebody carted?

20 Q. Yeah, are you aware that Mr. Fisten or do  
21 you have any knowledge that Mr. Fisten brought boxes  
22 of Epstein-related materials to show perspective  
23 investors?

24 A. No.

25 MR. SCAROLA: Objection, assumes, Assumes

1 asked me to assume that the statement that you  
2 have injected as Paragraph 20 of the complaint  
3 is true and it begins with, or ends with I  
4 don't believe there was a real one in there,  
5 talks, speaking as to all the cases. And you  
6 know and I know that that statement is  
7 absolutely false in that you know each and  
8 every one of the claims that have been asserted  
9 against Mr. Epstein related to his molestation  
10 of children, they are all true including the  
11 three that I have against Mr. Epstein.

12 So, if you're asking me to assume that  
13 this is it true, no, I did not know that they  
14 were being used for anything.

15 BY MR. CRITTON:

16 Q. Okay. Well, as to whether Mr. Scherer was  
17 aware as to whether there were three pending cases  
18 or he assumed that they were all just made-up cases,  
19 neither you nor I know what he was thinking,  
20 correct?

21 A. Yeah, I don't know.

22 Q. All right. With regard to the Epstein  
23 ploy, with regard to Epstein cases, were you aware  
24 that Scott Rothstein was trying to market Epstein  
25 cases; that is, three, three cases that existed?

1 facts not in evidence, no proper predicate.

2 BY MR. CRITTON:

3 Q. Do you have any knowledge that Mr. Jenne  
4 either directly or directed someone else to bring  
5 boxes of Epstein-related materials to show  
6 investors?

7 MR. SCAROLA: Objection, assumes facts not  
8 in evidence, no proper predicate.

9 THE WITNESS: No.

10 BY MR. CRITTON:

11 Q. If, based on your earlier testimony, if  
12 there were boxes of Epstein materials on existing  
13 cases, Jane Doe, L.M. and E.W., again if I  
14 understood your testimony, that information would  
15 have been available someplace in the firm and  
16 someone who had access to the room could have  
17 grabbed those files or taken those files and done  
18 whatever they wanted to them, with them, and then  
19 brought them back for storage, correct, and you  
20 wouldn't know?

21 A. As is the case with every case in every law  
22 firm in America, yes.

23 Q. With regard to the three cases that you  
24 have now, does any law firm other than your current  
25 firm, which is Farmer, Jaffe?



1 A. Weissing.  
 2 Q. Or RRA, Mr. Howell, or Mr. Cassell have  
 3 any interest in those cases?  
 4 A. No.  
 5 Q. At any time -- let me strike that. You  
 6 are aware that Mr. Alfredo Garcia has pled guilty to  
 7 an obstruction of justice charge based on the news?  
 8 A. I don't know Alfredo Garcia at all.  
 9 Q. Sorry about that. The head of Alfredo  
 10 Garcia. With regard Mr. Rodriguez, Alfredo  
 11 Rodriguez, are you aware through news reports that  
 12 he pled guilty to obstruction of justice?  
 13 A. Yes.  
 14 Q. At any time have you been given access to  
 15 the pamphlet book and/or any of the yellow pages  
 16 that have been referenced in the criminal  
 17 indictment?  
 18 MR. SCAROLA: I am going to instruct you  
 19 not answer that question on the basis of  
 20 attorney-client and work-product privilege.  
 21 BY MR. CRITTON:  
 22 Q. Has the, have you been, have you had any  
 23 contact with the criminal defense lawyer for  
 24 Mr. Rodriguez?  
 25 MR. SCAROLA: You can answer yes or no.

1 the information that is held by the FBI which would  
 2 include the pamphlet and the yellow, the pamphlet  
 3 and the yellow pages, true?  
 4 A. I have. Adam Horowitz has, and I may or may  
 5 not have piggybacked his motion. But as sitting here  
 6 right now, I, I don't remember drafting that motion.  
 7 Q. Are you sure he hasn't piggybacked your  
 8 motion?  
 9 A. I'm not sure. If you show me my motion, I can  
 10 tell you whether I drafted it or not.  
 11 Q. Have you --  
 12 A. That, that was certainly an idea.  
 13 Q. Have, have you also -- you have also  
 14 served a motion to obtain FBI files that relate to  
 15 Mr. Epstein; is that correct?  
 16 A. Correct.  
 17 Q. Okay. Have you spoken as a result of the  
 18 motion that you filed, has the government, have you  
 19 spoken with the United States Attorney's Office or  
 20 representatives for the FBI with regard to the  
 21 motion which you filed?  
 22 MR. SCAROLA: Objection, privilege and  
 23 instruct you not to answer.  
 24 BY MR. CRITTON:  
 25 Q. Have you received any type of response

1 THE WITNESS: No.  
 2 BY MR. CRITTON:  
 3 Q. Have you had any communication, not a  
 4 conversation but any communication with the criminal  
 5 defense lawyer about obtaining a copy of the  
 6 pamphlet and/or the pamphlet book or the yellow  
 7 pages that are referenced in the criminal indictment  
 8 that were at one time in the possession of Mr.  
 9 Rodriguez and that he apparently was trying to sell  
 10 to the cooperating witness?  
 11 MR. SCAROLA: I am going to instruct you  
 12 not to answer any question about anything that  
 13 you may have done in connection with the  
 14 fulfillment of your responsibilities as counsel  
 15 for the Plaintiffs in the three pending cases.  
 16 BY MR. CRITTON:  
 17 Q. Again, of course you're going to continue  
 18 to follow Mr. Scarola's direction?  
 19 A. On what I have done or what I have not done,  
 20 all of that is work-product.  
 21 Q. Well, you have filed a motion to obtain a  
 22 copy of the pamphlet book and the yellow pages of  
 23 Mr. Rodriguez, correct? I am sorry, either a  
 24 motion -- well, strike that. You have filed a  
 25 motion in federal court to obtain a copy of the, of

1 from the United States Attorney's Office or the FBI  
 2 with regard to the motion that you have filed?  
 3 MR. SCAROLA: You may answer that only  
 4 with respect to those matters that are matters  
 5 of public record; that is, if a response has  
 6 been filed with the court or provided to you in  
 7 the form of a pleading, you may respond.  
 8 THE WITNESS: I cannot respond to that  
 9 question.  
 10 MR. CRITTON: All right. We're going to  
 11 quit at 5. I don't want to go on.  
 12 MR. SCAROLA: You already, you already  
 13 missed that.  
 14 MR. CRITTON: All right. Well, let's,  
 15 I'll adjourn the deposition today, and I will  
 16 arrange with you for a time to finish.  
 17 MR. SCAROLA: Well, so that the record is  
 18 clear, it is our position that you have had  
 19 more than adequate time to conduct an  
 20 appropriate examination of Mr. Edwards, and we  
 21 will resist any further effort to depose him.  
 22 MR. CRITTON: I understand your position.  
 23 Disagree with it but understand it.  
 24 MR. SCAROLA: Thank you.  
 25 THE VIDEOGRAPHER: This concludes today's

1 videotape deposition of Scott Rothstein. The  
2 time is --

3 THE WITNESS: Whoa, whoa.

4 THE COURT REPORTER: Yes. Bradley  
5 Edwards.

6 THE WITNESS: Please don't lump me in with  
7 that guy, man.

8 MR. SCAROLA: This concludes the  
9 deposition of Mr. Bradley Edwards.

10 THE VIDEOGRAPHER: Oh, I'm sorry. This  
11 concludes the deposition of Mr. Bradley  
12 Edwards. The time is 5:07 p.m.

13 (A discussion was held off the record.)

14 THE COURT REPORTER: Did you want to order  
15 this?

16 MR. CRITTON: Ask me tomorrow.

17 MR. SCAROLA: I will take a copy of it.  
18 Let's stay on the record. We don't need to be  
19 on the video record but I want to make the  
20 statement that we would consider it entirely  
21 inappropriate for any portion of this  
22 deposition to be used for any reason whatsoever  
23 that is not directly connected with the  
24 prosecution of the pending claim against  
25 Mr. Edwards or the defense of the

1 CERTIFICATE OF OATH  
2 THE STATE OF FLORIDA  
3 COUNTY OF PALM BEACH  
4  
5

6 I, the undersigned authority, certify that  
7 BRADLEY J. EDWARDS, ESQUIRE personally appeared  
8 before me and was duly sworn on the 23rd day of  
9 March, 2010.

10 Dated this 5th day of April, 2010.  
11  
12  
13  
14  
15

16 Cynthia J. Hopkins

17 Cynthia Hopkins, RPR, FPR  
18 Notary Public - State of Florida  
19 My Commission Expires: February 25, 2011  
20 My Commission No.: DD 643788  
21  
22  
23  
24  
25

1 counterclaims. Thank you.

2 MR. CRITTON: Bye.

3 MR. SCAROLA: Bye.

4 (Witness excused.)

5 (Deposition was concluded.)  
6  
7  
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1 CERTIFICATE  
2 THE STATE OF FLORIDA  
3 COUNTY OF PALM BEACH  
4  
5

6 I, Cynthia Hopkins, Registered Professional  
7 Reporter, Florida Professional Reporter and Notary  
8 Public in and for the State of Florida at large, do  
9 hereby certify that I was authorized to and did  
10 report said deposition in stenotype; and that the  
11 foregoing pages are a true and correct transcription  
12 of my shorthand notes of said deposition.

13 I further certify that said deposition was  
14 taken at the time and place hereinabove set forth  
15 and that the taking of said deposition was commenced  
16 and completed as hereinabove set out.

17 I further certify that I am not attorney or  
18 counsel of any of the parties, nor am I a relative  
19 or employee of any attorney or counsel of party  
20 connected with the action, nor am I financially  
21 interested in the action.

22 The foregoing certification of this transcript  
23 does not apply to any reproduction of the same by  
24 any means unless under the direct control and/or  
25 direction of the certifying reporter.

Dated this 5th day of April, 2010.

22 Cynthia J. Hopkins  
23 Cynthia Hopkins, RPR, FPR  
24  
25

DATE: April 5th, 2010  
 TO: BRADLEY J. EDWARDS, ESQUIRE  
 c/o Jack Scarola, Esquire  
 SEARCY, DENNEY, SCAROLA,  
 BARNHART & SHIPLEY, P.A.  
 2139 Palm Beach Lakes Boulevard  
 West Palm Beach, Florida 33409

IN RE: Epstein vs. Rothstein

CASE NO.: 50 2009CA040800XXXXMB AG

Please take notice that on Tuesday, the 23rd of March, 2010, you gave your deposition in the above-referred matter. At that time, you did not waive signature. It is now necessary that you sign your deposition.

As previously agreed to, the transcript will be furnished to you through your counsel. Please read the following instructions carefully:

At the end of the transcript you will find an errata sheet. As you read your deposition, any changes or corrections that you wish to make should be noted on the errata sheet, citing page and line number of said change. DO NOT write on the transcript itself. Once you have read the transcript and noted any changes, be sure to sign and date the errata sheet and return these pages to me.

If you do not read and sign the deposition within a reasonable time, the original, which has already been forwarded to the ordering attorney, may be filed with the Clerk of the Court. If you wish to waive your signature, sign your name in the blank at the bottom of this letter and return it to us.

Very truly yours,

*Cynthia J. Hopkins*

Cynthia Hopkins, RPR, FPR

I do hereby waive my signature.

BRADLEY J. EDWARDS, ESQUIRE

# ERRATA SHEET

IN RE: EPSTEIN VS. ROTHSTEIN  
 CR: Cynthia Hopkins, RPR, FPR  
 DEPOSITION OF: BRADLEY J. EDWARDS, ESQUIRE  
 TAKEN: March 23, 2010  
 JOB NO.: 1333

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE  
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Please forward the original signed errata sheet to this office so that copies may be distributed to all parties.

Under penalty of perjury, I declare that I have read my deposition and that it is true and correct subject to any changes in form or substance entered here.

DATE: \_\_\_\_\_

SIGNATURE OF  
 DEPONENT: \_\_\_\_\_

# CERTIFICATE

THE STATE OF FLORIDA  
 COUNTY OF PALM BEACH

I hereby certify that I have read the foregoing deposition by me given, and that the statements contained herein are true and correct to the best of my knowledge and belief, with the exception of any corrections or notations made on the errata sheet, if one was executed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_,  
 2010.

BRADLEY J. EDWARDS, ESQUIRE  
 Job #1333

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

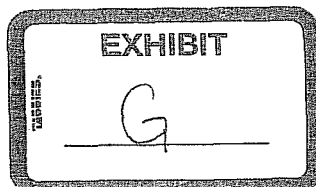
JEFFREY EPSTEIN,  
Plaintiff,

vs. No. 502009CA040800XXXXMBAG  
SCOTT ROTHSTEIN, individually,  
and BRADLEY J. EDWARDS,  
individually,  
Defendants.

500 East Broward Boulevard,  
Ft. Lauderdale, Florida  
Thursday, June 14, 2012  
9:14 a.m. - 12:37 p.m.

D E P O S I T I O N  
of  
SCOTT ROTHSTEIN  
(Via Video Conference)

Taken on behalf of the Trustee  
pursuant to a notice of taking deposition



1 APPEARANCES:

2 LAW OFFICES OF TONJA HADDAD, P.A. by  
3 Tonja Haddad, Esq.  
4 Attorney for the Plaintiff.

5 ATTERBURY, GOLDBERGER & WEISS, P.A., by  
6 Jack Goldberger, Esq.  
7 Attorney for the Plaintiff.

8 SEARCY DENNEY SCAROLA ET AL, by  
9 Jack Scarola, Esq.  
10 Attorney for the Defendant, Brad Edwards.

11 MARC NURIK, P.A., by  
12 Marc Nurik, Esq.  
13 Attorney for Scott Rothstein.  
14 (Appearing via Video Conference.)

15 U.S. ATTORNEY'S OFFICE, by  
16 Laurence LaVecchio, Esq.  
17 Attorney for the Department of Justice.

Page 2

1 Thereupon:

2 SCOTT ROTHSTEIN,

3 was called as a witness and, having been duly sworn,  
4 was examined and testified as follows:

5 THE WITNESS: I do.

6 MS. HADDAD: Good morning, Scott. How are  
7 you?

8 THE WITNESS: Good morning, Tonja. How are  
9 you?

10 MS. HADDAD: Fine, thank you. It's nice to  
11 see you.

12 THE WITNESS: Good to see you, too.

13 MR. SCAROLA: Mr. Rothstein, I don't know  
14 that you and I have met. I'm Jack Scarola, I'm  
15 representing Brad Edwards and I know you know Brad  
16 who's to my immediate left.

17 THE WITNESS: Hey, Brad, how are you?

18 Jack, good to see you.

19 MR. SCAROLA: Thank you.

20 MR. GOLDBERGER: Also present is another  
21 Jack, Jack Goldberger, and I also represent Jeffrey  
22 Epstein. To my right is Darryn Indyke --

23 THE WITNESS: Good morning, Jack.

24 MR. GOLDBERGER: How are you today?

25 And to my right is Darryn Indyke, who is

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1 INDEX

2 WITNESS DIRECT CROSS REDIRECT RECROSS

3 SCOTT ROTHSTEIN

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6 (By Mr. Scarola) 121

7 EXHIBITS

8 PLAINTIFFS FOR IDENTIFICATION

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11 2 69  
12 3 72

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1 Mr. Epstein's in-house counsel.

2 MR. INDYKE: Good morning.

3 THE WITNESS: Good morning, sir.

4 MR. NURIK: Good morning, everyone.

5 MR. GOLDBERGER: Hi, Marc, how are you?

6 MR. NURIK: Good. You'll be seeing my  
7 shoulder most of the day.

8 MR. GOLDBERGER: Okay.

9 DIRECT EXAMINATION

10 BY MS. HADDAD:

11 Q. Well, Scott, I know you've talked about this  
12 probably more than you even care to, but I'd like to  
13 start a little bit asking you about the scheme at your  
14 firm and how and when it started and things of that  
15 nature just very briefly because I know you've covered  
16 it many times.

17 MR. SCAROLA: It has been covered and  
18 protocol precludes asking questions that have already  
19 been answered and covering areas that have already  
20 been covered, so we do object.

21 MR. GOLDBERGER: Your objection is noted.  
22 BY MS. HADDAD:

23 Q. When did this first start?

24 A. It started back in '05, '06. The question  
25 is a little bit vague for me because it started in a

Page 5

2 (Pages 2 to 5)

1 different form than it ended because it started as  
2 bridge loans and things of that nature, and then  
3 morphed into the Ponzi scheme. But you are looking  
4 back into the 2005 time frame for the very beginning.

5 Q. The 2005 time frame, that's when the bridge  
6 loans started?

7 A. I can't be certain exactly what we were  
8 doing. I need to see all the documents to tell you  
9 what we were doing at what specific point in time.

10 Q. What made you decide to start doing this?

11 A. I started doing it out of greed and the need  
12 to support the law firm, which was having significant  
13 financial trouble at the time.

14 Q. And in 2005 had you moved over to 401 yet or  
15 were you still in the building where Colonial Bank  
16 was?

17 A. I don't remember.

18 Q. Do you recall approximately how many  
19 attorneys you had working for you when it started?

20 A. I do not. Between five and ten, Tonja.

21 Q. Was it before you started acquiring  
22 attorneys like you were acquiring cars and watches?

23 MR. SCAROLA: Object to the form of the  
24 question, vague.

25 THE WITNESS: Yes.

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1 growth started," do you mean both the scheme -- do you  
2 mean the scheme and the firm or either one or both?

3 A. Both.

4 Q. Do you recall approximately when you took  
5 the space in the 401 Building?

6 A. I do not.

7 Q. At the time everything imploded, how many  
8 partners did you have at the firm, do you recall?

9 A. Are you saying partners and shareholders?  
10 Because remember, we had both, two designations.

11 Q. I want to start with just attorneys that  
12 had -- not in your firm name but named as "partner" on  
13 the cards, for example.

14 A. I'd have to see a list of all the employees.  
15 We had a bunch.

16 Q. Do you recall about how many attorneys you  
17 had working there?

18 A. Approximately 70.

19 Q. In the year before, do you recall how many  
20 you had?

21 A. I do not.

22 Q. So how many equity partners did you have or  
23 shareholders? I'm not sure of the word that we are  
24 using.

25 A. Actual shareholders, equity shareholders

Page 8

1 BY MS. HADDAD:

2 Q. Well, who were you partners with when it  
3 first started?

4 A. Stu Rosenfeldt.

5 Q. Okay. Anyone else?

6 A. Susan Dolin, I believe. It was definitely  
7 Stu Rosenfeldt, Michael Pancier, and Susan Dolin may  
8 have been partners of ours at that time, I'm not  
9 certain.

10 Q. Because if memory serves me correctly, you  
11 went from being in the One Financial Plaza Building to  
12 the building across the street, it was Rothstein,  
13 Rosenfeldt, Dolin and Pancier; is that correct?

14 A. Yes.

15 Q. And it was some time later that you moved  
16 into the 401 Building, correct?

17 A. You are skipping one step. I went from One  
18 Financial Plaza to Phillips, Eisinger, Koss, Kusnick,  
19 Rothstein and Rosenfeldt. Then Stu Rosenfeldt and I  
20 broke off and formed Rothstein Rosenfeldt. And then  
21 Rothstein, Rosenfeldt, Dolin, Pancier over at the  
22 Colonial Bank Building. And then we took the space in  
23 the 401 Building and eventually moved over there and  
24 that's when the real growth started.

25 Q. And when you say, "that's when the real

Page 7

1 were two, me and Stu Rosenfeldt.

2 Q. And everyone else was just a partner for  
3 title purposes?

4 A. There were shareholders for title purposes  
5 and partners for title purposes.

6 Q. If someone was called a shareholder for  
7 title purposes then, did they get to receive any of  
8 the funds? Were they shareholders receiving money or  
9 they were not considered shareholders in that sense?

10 MR. SCAROLA: Objection to the form of the  
11 question.

12 THE WITNESS: What kind of funds are you  
13 talking about?

14 BY MS. HADDAD:

15 Q. In general from the firm. When you say  
16 equity shareholders, I understand that's you and Stu.  
17 What I'm saying is, if you had someone else that was  
18 named as a shareholder, why did you call them a  
19 shareholder as opposed to a partner?

20 A. It was a title of prestige and achievement.

21 Q. So it was basically an ego thing, it had  
22 nothing really to do with the finances or hierarchy of  
23 the firm?

24 A. They got paid more generally, but it did not  
25 have anything to do with distributions.

Page 9

3 (Pages 6 to 9)

1 Q. When you were hiring and bringing in all  
2 these new attorneys, did everyone come in as a  
3 partner?

4 A. No.

5 Q. How did you decide who came in as a partner  
6 and who came in as an associate?

7 A. Depended upon their level of expertise,  
8 practice, book of business. It was a decision Stuart  
9 and I made together on a case-by-case basis.

10 Q. So you and Stu where the -- were in charge  
11 of hiring?

12 A. Stuart and I tried to consult on every  
13 hiring decision, yes.

14 Q. Did you guys also decide salaries?

15 A. I generally decided the salary and then let  
16 Stu know what I was going to do. And he would say if  
17 he thought it was okay or if he thought it was too  
18 much or too little, but I generally had free reign in  
19 that regard.

20 Q. Did someone's book of business directly  
21 correlate to the salary that you would offer?

22 A. That is a very broad question because it  
23 depends upon what other needs we had for that  
24 individual.

25 Q. What do you mean by "what other needs"?

Page 10

1 A. Well, I'll give you a good example. My  
2 lawyer, Mr. Nurik, his salary was directly related to  
3 the fact that he was a great lawyer and had a solid  
4 book of business.

5 Q. Yes.

6 A. David Boden, on the other hand, was, as I  
7 previously testified, I don't know if you've had a  
8 chance to read the testimony, but David Boden was not  
9 only the general counsel to the law firm but he was  
10 also -- acted as my consigliere in a significant  
11 number of illegal operations and he was compensated  
12 significantly for that, if that helps you understand  
13 the difference.

14 Q. It does.

15 So, for example, when you were hiring former  
16 judges, let's use that as an example, Pedro and Julio,  
17 clearly they don't have a book of business coming in  
18 because they haven't had clients, but they may carry  
19 some sort of prestige or give some legitimacy, if you  
20 will, to the firm. How would you decide the salary  
21 for someone like that?

22 A. Stu and I would discuss it. It was more a  
23 market issue than anything else, how much are judges  
24 coming off the bench getting, how much business do we  
25 think they can generate.

Page 11

1 Q. Would you need to look at someone's book of  
2 business if they were coming in just solely to be a  
3 rainmaker for the firm prior to hiring them?

4 A. I discussed it with them. There were not  
5 many people that I recall that I actually looked at  
6 their numbers. Once David Boden was working for me I  
7 had him check people's numbers, but I rarely looked. I  
8 took most people's words for what they were  
9 generating.

10 Q. My recollection is, you were always looking  
11 to bring in more people, to hire more people, some of  
12 us were somehow able to resist you while others were  
13 not. How would you decide who you were looking at to  
14 bring into your firm?

15 A. We were trying to develop, on the legitimate  
16 side of the law firm, we were trying to develop real  
17 talent, real practice groups. I mean, Brad is a  
18 perfect example, great lawyer, got a great reputation.  
19 You know, it was our hope that, you know, he was going  
20 to be one of the people to actually in some ways  
21 rescue the firm because he had a practice group that  
22 could generate substantial income. You know, on the  
23 legitimate side that's what we were trying to do, we  
24 were trying to find the best and the brightest.

25 Q. Okay. With respect to bringing people that

Page 12

1 you thought could bring a book of business, you just  
2 said Brad, for example, that he had a legitimate  
3 practice group with a good book of business. How did  
4 you know that?

5 A. Everyone in the tort world that I had spoke  
6 to spoke extremely highly of Brad, not only people I  
7 already had working for me but other people that knew  
8 him. He was very -- came very highly recommended to  
9 us.

10 Q. Like who, for example?

11 A. We wanted him in there. We were trying to  
12 develop a significant tort group and we thought that  
13 he'd be a great part of it.

14 Q. Who besides Russ told you that about Brad?

15 A. It would have been other people in the tort  
16 group. I don't want to guess, Tonja, as to which  
17 other people told me, but it was -- well more than  
18 Russ.

19 Q. Was it people within --

20 A. Might have been people in politics that I  
21 talked to that knew him because we had significant  
22 input at the gubernatorial level with regard to tort  
23 reform and the like, and there were people there who  
24 knew who Brad was. It was more than one person that  
25 told us that.

Page 13

4 (Pages 10 to 13)

1 Q. Okay. When you were looking at people to  
2 bring in to the firm to legitimize, as you said. Your  
3 firm had a very unique area of practice and had a very  
4 unique environment to which to work. How did you know  
5 or how did you come to decide what people may or may  
6 not fit into that?

7 A. Okay. Hang on one second. I think you just  
8 accidentally misstated my testimony.

9 I was not bringing the people in to  
10 legitimize the law firm. I was bringing them in to  
11 the legitimate side of the law firm. The bulk of the  
12 law firm, despite the lack of financial success, was a  
13 large group of very honest, hard working lawyers  
14 trying to do their best in difficult economic  
15 conditions. There were some that were obviously not  
16 legitimate. And the way I decided to bring people in,  
17 again, it's really everything I just told you. Are  
18 you looking for how I brought people into the Ponzi  
19 scheme?

20 Q. No, right now I'm just asking about the firm  
21 because, as I said, it's a very unique way in which to  
22 practice and a very unique workplace environment with  
23 politics and restaurants and parties at your home and  
24 things of that nature. I'm asking, personality wise,  
25 other than the book of business, how did you decide on

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1 that time with Farmer and Fistos and Jaffe and  
2 Mr. Edwards.

3 Q. Do you know where Mr. Edwards was working  
4 when you first learned of him?

5 A. I don't recall whether he was working for  
6 someone or had his own practice, I don't recall.

7 Q. When did you first learn about Brad?

8 A. I don't remember the time frame.

9 Q. Do you recall when you first met with him  
10 regarding a job?

11 A. No. The easiest way to figure that out is  
12 to go look at his personnel file, it will have the  
13 notes saying when he met with me the first time.

14 Q. You don't have any recollection of your  
15 first meeting with him?

16 A. No. As you know, I was hiring people left  
17 and right and I was also unfortunately very busy doing  
18 things I shouldn't have been doing, so I don't have a  
19 specific recollection of when I hired him. I barely  
20 have a specific recollection of when I hired me.

21 Q. But you did, in fact, meet with him?

22 A. I'm certain I met with him before I hired  
23 him. I can't imagine -- although I did hire people  
24 without meeting them. I did hire people based on  
25 other people's word, if they were people within the

Page 16

1 people that would be a good fit?

2 A. I looked for people that were outgoing, that  
3 had the type of personality. On the legitimate side  
4 of the business, people that had charisma that were --  
5 that could go out and hustle and try to develop a book  
6 of business if they didn't have it. And as one of the  
7 50 percent of the shareholders of the firm I was  
8 trying to hire people I wanted to work with.

9 Q. Okay. When you would see people from whom  
10 you would offer jobs, for example, as you mentioned  
11 earlier with Brad and his practice, if somebody stated  
12 that people told you that he was a good lawyer, did  
13 you need to see him in action, so to speak, prior to  
14 your deciding to hire them or would you just take  
15 people at their word for it?

16 A. Some of people I saw in action; he wasn't  
17 one of them. Steve Osber is an excellent example of  
18 that. I hired Steve after he was beating the living  
19 daylights out of me on the other side of a case. And  
20 I certainly would ask around about the people. But  
21 the people that I trusted -- see, I can't remember. I  
22 think Gary Farmer was working for me before Brad, and  
23 if I'm not mistaken he would have been one of the  
24 people that I went to with regard to Brad because we  
25 were really developing that whole tort group around

Page 15

1 firm that I trusted. Because I always said, I had a  
2 very simple, you lie or die by what you are telling  
3 me. If you are telling me this guy is good and he's  
4 not good, that's on you, it's going to hurt your  
5 income. So I used to tell my partner, people that  
6 were recommending people to me, don't sell me a bill  
7 of goods just to get somebody in here because if you  
8 do that it's going to come back on you, it's going to  
9 affect your income and your ability to grow in the  
10 firm. So with that admonishment, I might have very  
11 well hired someone sight unseen based upon what  
12 someone else told me.

13 Q. But you did meet with Brad you say before he  
14 came in to work?

15 A. Now that I'm saying it out loud, I think I  
16 did but really I'm guessing. I don't have a specific  
17 recollection of meeting him.

18 Q. Do you recall if you knew that he had worked  
19 as an assistant state attorney for a few years prior  
20 to doing tort litigation?

21 A. I don't recall that one way or the other.

22 Q. So you wouldn't have asked Howard Scheinberg  
23 or anybody about him before he came to work there?

24 A. I can't say that I wouldn't have asked  
25 because, like I said, I might have asked. But

Page 17

5 (Pages 14 to 17)



1 unfortunately, you are taking a little tiny spot out  
2 of a very, very busy time period in my life and in the  
3 life of the firm, so I can't tell you one way or the  
4 other.

5 Q. I know you had a lot going on, I'm just  
6 trying to see if you remember anything specific about  
7 this.

8 Do you recall what salary you had offered  
9 Brad to come join the firm?

10 A. I do not. You have to just try to  
11 differentiate that what I knew then is a lot different  
12 than what I know now so ...

13 Q. Meaning?

14 A. Obviously meaning that at the point in time  
15 that I was hiring him or maybe a year after, I would  
16 be able to tell you what I was paying him, but now  
17 it's insignificant. I don't remember how much I was  
18 paying him.

19 Q. Did you learn about his book of business or  
20 know what kind of cases he was bringing in prior to  
21 hiring him?

22 A. I do know that he -- I discussed either with  
23 Russ, well, I know with Russ, and perhaps some other  
24 people, I knew about the Epstein case.

25 Q. What did you know about it?

Page 18

1 A. Epstein was a billionaire.

2 Q. Okay. Did you know anything about the  
3 legitimacy or illegitimacy of the claims prior to  
4 knowing he was a billionaire?

5 A. I knew what I was told. I didn't check it  
6 out myself, but I trusted the people that told me.

7 Q. And who told you?

8 A. The only person I remember discussing it  
9 with, as I sit here today, is Russ Adler. But if  
10 Farmer and Jaffe and those guys were with me at the  
11 time, I likely would have discussed it with them as  
12 well.

13 Q. So were you aware of this case before you  
14 made an offer to Brad to join the firm?

15 A. Yes.

16 Q. You said you didn't -- I don't want to  
17 misquote you. You said you heard about it from other  
18 people, but you didn't do anything to know that  
19 personally. Was that before you made the offer of  
20 employment?

21 A. I made the offer of employment based upon  
22 what other people had told me about Brad.

23 Q. About Brad and his book of business or just  
24 Brad and his legal skills?

25 A. Okay. When I say Brad, I mean Brad and his

Page 20

1 A. I knew that it was a significant case of  
2 potentially significant value against an extremely  
3 collectible pedophile, for lack of a better word.

4 Q. So was that case your primary motive in  
5 bringing Brad into the firm?

6 A. I doubt it. I mean, I can't tell you one  
7 way or the other, but I doubt that I would bring him  
8 in just for one case because what if the case fails,  
9 then I'm stuck with a lawyer who can't do anything,  
10 you know.

11 I'm not saying, Brad, that you couldn't do  
12 anything, I'm just saying that if I only relied on one  
13 case, then if I bring a lawyer in for one case and one  
14 case only, what do I do with him when the case is  
15 over.

16 Q. How did you know that this case would be a  
17 collectible case then?

18 MR. SCAROLA: I'm going to object to the  
19 form of the question because it misstated the prior  
20 testimony. The prior testimony was not that it was a  
21 collectible case but that it was a case against a  
22 "extremely collectible pedophile."

23 BY MS. HADDAD:

24 Q. What made you think that this case had any  
25 financial value?

Page 19

1 book of business and his legal skills.

2 Q. Okay.

3 A. And his ability to generate business in the  
4 future.

5 Q. You stated that you believed that you first  
6 heard about these cases from Russ and then perhaps  
7 from Brad. Once Brad was at the firm, did you keep up  
8 with these cases, these Epstein cases?

9 MR. SCAROLA: Excuse me, I'm going to  
10 object to the form of the question. It is an  
11 inaccurate reflection of the prior testimony. It has  
12 no predicate. There was no reference about having  
13 heard about these cases from Brad. The names  
14 mentioned were Adler, possibly Farmer, possibly  
15 Jaffe.

16 BY MS. HADDAD:

17 Q. Once Brad started working at the firm,  
18 you've already testified you already knew about these  
19 Epstein cases, correct?

20 A. Yes.

21 Q. How did you keep abreast of these cases?

22 A. I didn't.

23 Q. You didn't know anything about them?

24 A. I didn't say I didn't know anything. I said  
25 I didn't keep track of it.

Page 21

6 (Pages 18 to 21)

1 Q. You didn't keep track of it?  
2 A. I did not keep track of it. From time to  
3 time Russ and the other guys in the tort group would  
4 tell me what was going on in certain cases, but until  
5 I made a decision to utilize that file for an illegal  
6 purpose related to something illegal that I was doing  
7 along with my co-conspirators, I just assumed my  
8 lawyers were going to work the case and eventually it  
9 would hopefully work out well for the law firm.

10 Q. At your firm, when e-mails would go out to  
11 attorneys at RRA or all attorneys at RRA, were you  
12 part of that e-mail group?

13 A. You are talking about all staff?

14 Q. No, all it says is attorneys at RRA.

15 A. It's the e-mail group "attorneys"?

16 Q. Yes.

17 A. Yes, I'm a part of that e-mail group.

18 Q. And I appreciate that you were very busy and  
19 may not have read all of them, but you did receive  
20 those e-mails when they would go around?

21 A. Yes, and I tried my best to read them.

22 Q. Okay. At what point did you decide to use  
23 this case to further your Ponzi scheme?

24 A. I don't remember the date, but I can give  
25 you the circumstances, if you'd like.

Page 22

1 Q. Please do.  
2 A. The Ponzi scheme was running very low on  
3 capital. My co-conspirators and I needed to find a  
4 new feeder fund, new investment sources. We had a  
5 couple of very large, significantly wealthy potential  
6 investors out there. I was looking for something that  
7 would have been very attractive. We had had a lot of  
8 inquiry during the due diligence period with these  
9 people that were doing due diligence on the putative  
10 cases that we were selling. And when I thought about  
11 the Epstein case, realizing that it was a substantial  
12 actual file in the office, I came up with the idea  
13 that if I created a fake confidential settlement  
14 circling around -- based upon this actual case, they  
15 would be able to increase the level of due diligence  
16 that I was able to offer to my potential investors.

17 Q. How did you know this was a substantial file  
18 in your office at that time?

19 A. Again, through the people I spoke to in the  
20 office.

21 Q. Such as who?

22 A. Again, same people, Adler, Farmer, Jaffe,  
23 Fistos.

24 Q. You never spoke to Brad about this case?

25 A. I didn't say that, but I had a lot more

Page 23

1 interaction --

2 Sorry, Tonja, I didn't mean to speak over  
3 you.

4 If you talk to the people in the firm, if  
5 they are honest with you, they'll tell you my  
6 interaction was far more significant with Russ Adler,  
7 probably more so because he was a co-conspirator of  
8 mine. My interaction with Russ was far greater by  
9 many, many percents over my interaction with Brad, and  
10 then you go down the line. I had more interaction  
11 with Mr. Farmer than I did with Mr. Fistos, more  
12 interaction with Jaffe than I did with Mr. Edwards,  
13 and so on.

14 Q. Russ was the head of your tort group, right?

15 A. Yes.

16 Q. So these cases fell under the tort group; is  
17 that correct?

18 A. Yes, it fell under the -- fell under Russ'  
19 purview ultimately, yes.

20 Q. And Brad was a partner at your firm during  
21 the time these cases were there, correct?

22 A. I believe that was his title. He was either  
23 partner or shareholder. I don't think we had made him  
24 a shareholder yet.

25 Q. But he wasn't coming in as an associate,

Page 24

1 correct?

2 A. To the best of my recollection, no.

3 Q. So you stated that you learned this case  
4 was -- I don't want to misquote you and listen to a  
5 long speaking objection, but what did you call this  
6 case?

7 MR. SCAROLA: Who wants the quote?

8 THE WITNESS: It was a substantial case  
9 with a -- what I perceived to be a highly collectible  
10 pedophile as a defendant.

11 BY MS. HADDAD:

12 Q. Right. How did you know at the time when  
13 you said these investors wanted to investigate and you  
14 said you were going to create a fake settlement, how  
15 did you know that this case was the case that you  
16 could use?

17 A. From talking to all the people that I just  
18 said, Adler, Fistos, Jaffe, Farmer, Mr. Edwards, to  
19 the extent that I spoke to him about it.

20 Q. Did you speak with Mr. Edwards about the  
21 case?

22 A. I don't have a specific recollection one way  
23 or the other. I remember speaking to him at least  
24 briefly the day or the day of or the day before the  
25 actual investor's due diligence was going on as to

Page 25

7 (Pages 22 to 25)

1 what was going on. And I may have spoke to him, I  
2 know I spoke to Russ, but I may have spoke to him as  
3 well within a couple of days just prior to this due  
4 diligence because I was trying to at least get some  
5 information in my head that I could use when I was  
6 creating this story for the investors.

7 Q. Scott, what's Q-task?

8 A. Q-task is a web based software system that I  
9 had invested \$7 million in.

10 Q. And what was the purpose of this internet  
11 system?

12 A. To be able to communicate in a secure  
13 fashion and in a unique group fashion about specific  
14 files.

15 Q. So forgive me, we all know I'm not good with  
16 the computer. That was something that would be useful  
17 within a law firm, why?

18 A. Because it allowed you to create groups and  
19 have both general and private chats, organize data in  
20 a very unique fashion. That was, at least to our way  
21 of thinking, would have been very, very helpful in the  
22 law firm setting with multiple practice groups.

23 Q. Did you belong to any groups on Q-task?

24 A. I'm certain that I did. I don't remember  
25 which groups I belonged to. I never got into the full

Page 26

1 and with that, with the Q-task and the e-mails, did  
2 someone assist you with reviewing everything and  
3 letting you know what was going on within the groups?

4 MR. SCAROLA: Excuse me, I'm going to  
5 object to counsel's testimony. Object to the form of  
6 the question as leading.

7 THE WITNESS: I really don't even  
8 understand the question.

9 Can you try to rephrase it for me, Tonja?

10 BY MS. HADDAD:

11 Q. Of course, I would.

12 Did you keep abreast of everything that was  
13 going on in every practice group or was someone  
14 through Q-task and e-mails, for example, or was  
15 someone giving you information keeping you posted on  
16 what was going on within the practice?

17 A. Well, as part of the tort group I had a  
18 pretty good idea of what was going on there all the  
19 time just because of the significant amount of  
20 interaction, both legitimate and otherwise, that I had  
21 with Russ Adler, so I was probably more up-to-date on  
22 that group than any group other than the labor and  
23 employment group, again, because I had such  
24 significant interaction with Stu Rosenfeldt, both  
25 legitimately and illegitimately, so I knew what was

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1 use of it. I tried to, but again, I was very busy  
2 doing other things. But I know that Mr. Adler's group  
3 used it extensively.

4 Q. Because it was your firm and, as you said,  
5 you invested \$7 million in it, did you have the  
6 ability to access a group if you wanted to?

7 A. Yes. And if I couldn't, I could get Russ to  
8 give me access.

9 Q. So you didn't necessarily have to be invited  
10 into the Q-task group for you to be able to utilize or  
11 view the communications within it?

12 A. No, that's not true. I actually had to be  
13 invited, that's what I was telling Russ to do, is to  
14 have me invited.

15 Q. But I'm saying, the lawyers wouldn't have to  
16 personally invite you, you can get someone within your  
17 firm to give you access maybe without the lawyers  
18 knowing?

19 A. No, I think it might have had a, quote,  
20 unquote, confidential, super secret viewing  
21 capability, but I don't recall it having that, and I'd  
22 have no need to utilize that. Just invite me into the  
23 group and let me see what's going on.

24 Q. Okay. I know that you are or were a very  
25 hands-on person within certain of the practice groups

Page 27

1 going on in that group.

2 I tried, as best as I could, given my time  
3 constraints, to stay on top of what was going on, you  
4 know, throughout the firm. But I relied on other  
5 people like Debra Villegas and Irene Stay and David  
6 Boden, Les Stracker to the lesser extent, to monitor  
7 what was going on in the different practice groups and  
8 keep me up to speed.

9 Q. Was there audio and video surveillance  
10 throughout the entire firm or only within your office?

11 A. No, through the entire office, not in the  
12 individual offices.

13 Hang on. Not in the individual offices but  
14 throughout the general office space.

15 Q. So in 2009 how many floors did you have?

16 A. Three, I think.

17 Q. And do you recall approximately how many  
18 attorneys you had working there at that time?

19 A. Approximately 70.

20 Q. And when you say "not the individual offices  
21 but the other areas," do you mean -- would that  
22 include conference rooms?

23 A. I didn't have surveillance in the conference  
24 rooms.

25 Q. So can you please tell me exactly where you

Page 29

8 (Pages 26 to 29)

1 had audio and/or video surveillance? We'll start with  
2 audio.

3 A. I don't have a specific recollection of  
4 every place I had video and audio, but it was in -- I  
5 had it set up so that in all of the common areas,  
6 including our shareholder's lounge, we had -- I had  
7 audio and video capabilities.

8 Q. When you say "capabilities," does that mean  
9 you didn't always turn it on or you just turned it on  
10 when you felt like it?

11 A. I turned it on when I felt like it, when I  
12 felt like seeing what was going on. I sometimes left  
13 the screen up because I had four computer screens on  
14 my desk, I sometimes left the screen on with the video  
15 of the reception area and some other general areas.  
16 But unless I wanted to see what was going on or listen  
17 to what was going on, I didn't turn it on. It would  
18 have been too distracting.

19 Q. Did the attorneys know that this  
20 surveillance existed?

21 A. You can see it in the -- it wasn't hidden,  
22 you can see it. There were globes up in the ceiling  
23 all over the office.

24 Q. Did you have -- you said -- you didn't  
25 answer this, you said you didn't recall. Did you have

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1 any surveillance in the conference rooms?

2 A. No.

3 Q. Other than the common areas you just went  
4 over, in the hallways and the reception -- did you  
5 have it in the hallways, is that a common -- do you  
6 deem that a common area?

7 A. All the hallways pretty much with the  
8 exception of a few blind spots, I can see all the  
9 hallways.

10 Q. And this was on all three floors?

11 A. Yeah. For some reason I think we might  
12 have taken some space on a fourth floor, but I could  
13 be mistaken. But yes, on the three floors that we  
14 actively had a significant amount of space on, I tried  
15 to have surveillance on all the common areas of all  
16 that space.

17 Q. And what floor was Mr. Edwards' office on?

18 A. I don't recall.

19 Q. Did you have the tort group all together or  
20 was it divided up?

21 A. Except for Adler, Adler was on with -- near  
22 me, down the hall from me. The rest of the group was  
23 all together. I think they were on -- let's see.  
24 There were people up on 22. I was on 16. He must  
25 have been on the other floor that we were building

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1 out, because I remember building out space and I  
2 remember Jaffe and all those guys moving into that  
3 space.

4 Q. If you were building up that space, do you  
5 recall when you put the surveillance in there?

6 A. It would have been while they were building  
7 it out or shortly thereafter.

8 Q. During 2009 it seems that you hired lots of  
9 former law enforcement people to work at the firm.  
10 Why were they people you wanted to hire?

11 A. Severalfold. I had a significant amount of  
12 illegal activity going on with various law enforcement  
13 agencies throughout South Florida and hiring people  
14 from former law enforcement assisted me in engendering  
15 support and camaraderie with the law enforcement that  
16 I was actually utilizing in illegal activities.

17 Q. So you are saying --

18 A. Secondly, I wanted to have a very strong  
19 investigative team, ultimately, to do both legitimate  
20 and illegitimate things for the law firm, and hiring  
21 former law enforcement was the best way to do that. I  
22 was hoping to actually ultimately create a group. Ken  
23 Jenne and I had talked about that extensively.

24 Q. Why did you hire Ken Jenne?

25 A. Prior to Ken going to prison, he and I were

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1 very friendly and he was extremely friendly with  
2 someone that was very close to me, Grant Smith.  
3 During the time that he was down in FDC Miami, I went  
4 down to visit him. And after speaking to him and  
5 after speaking to Grant, I told him, because he was  
6 talking to me about how many people had turned on him  
7 and abandoned him. And I told him that when he got  
8 out of jail that he had no worries, that I would give  
9 him a job.

10 Q. And what --

11 A. And that was the primary reason -- that was  
12 my primary reason for hiring him.

13 Q. What was it you were hiring him to do  
14 exactly?

15 A. Ultimate the goal was to head up on  
16 investigative arm within RRA, within the RRA entities.

17 Q. Well, while he was there, since that didn't  
18 happen, what was his obligation to the firm  
19 day-to-day?

20 A. He handled firm security issues and he did  
21 handle overseeing certain investigative things. We  
22 had an alcohol and beverage group that was forming and  
23 he was overseeing that. He was helping me find new  
24 people to staff it, that kind of thing.

25 Q. Did you have a lot of interaction --

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1 A. He had had significant -- as you know, he  
2 also had significant political connections and  
3 everyone who is not living under a rock knows I was  
4 doing everything I could to garner significant  
5 political power.

6 Q. I think many people miss your parties.

7 But, with respect to Mr. Jenne and his  
8 political connections, were you hiring him to utilize  
9 him with respect to any of the police department  
10 investigations? You had stated earlier you had  
11 dealings with police departments. I don't want --  
12 again, I don't want to put words in your mouth. You  
13 said you had dealings going on with various police  
14 agencies?

15 A. I had -- I mean, we had a criminal defense  
16 section in the law firm, so we had legitimate dealings  
17 with law enforcement. But I also had significant  
18 illegitimate things with law enforcement that had  
19 nothing to do with Ken Jenne.

20 Q. And how about with respect to former FBI  
21 agents you were hiring?

22 A. They were all people that were operating in  
23 a legitimate fashion within the law firm.

24 Q. In what role was that?

25 A. The investigative roles and the alcohol

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1 beverage roles and anything else Ken or other staff  
2 could think of to have them do.

3 Q. Let's talk about the investigative roles for  
4 a minute.

5 What kind of investigations were these teams  
6 running?

7 A. I do not know. You have to speak to lawyers  
8 that were actually utilizing them. I put it out there  
9 and Ken put it out there, that they were available to  
10 lawyers in the firm for use like in-house  
11 investigators. And what people did with them  
12 ultimately was up to them.

13 Q. Were they on salary or were their costs and  
14 fees associated with utilizing them within a specific  
15 practice group?

16 A. They were all on salary with me. The  
17 ultimate goal was to have it as a separate entity that  
18 could bill the law firm and have the clients at least  
19 defray some of the cost. I don't recall whether or  
20 not we ever got to that level or not.

21 Q. With all that in-house police action, why  
22 did you have police security surrounding you all the  
23 time?

24 A. I guess the best answer was I was paranoid,  
25 but I mean -- that's the simple answer to it. You

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1 know, having -- there were mixed reasons. For  
2 example, I -- are you talking about my Fort Lauderdale  
3 police detail?

4 Q. Yes. You had it at the office and at your  
5 home, correct?

6 A. Yeah. There's a myriad of facts that  
7 motivated me to do that. One was that I really wanted  
8 the security for the office. Two was, I was paranoid  
9 and this is in no particular order. Three was the  
10 Melissa Lewis murder that shook the entire law firm  
11 and shook me terribly. I didn't want that to ever  
12 have to happen again. And four was, I wanted -- the  
13 more law enforcement you have around, the  
14 more legitimacy it adds to you and your appearance to  
15 the community. So there were a multitude of reasons.

16 I mean, I hired certain law enforcement to  
17 work for me that were just friends of mine that  
18 were -- that needed additional money, so I wanted to  
19 make sure that they had money, both guys that did the  
20 illegal stuff for me and guys that didn't do anything  
21 illegal for me.

22 Q. Let's go back to the Epstein case and when  
23 you decided to utilize it -- to use for the investors  
24 for your Ponzi scheme.

25 Do you recall approximately when it was that

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1 these investors were coming that you decided to use  
2 the files?

3 A. My best recollection it was in 2009,  
4 sometimes after April of 2009, but I don't have a  
5 specific recollection beyond that.

6 Q. What makes you think it was after April of  
7 2009?

8 A. Because, to the best of my recollection, the  
9 Clockwork Group came in towards the middle of 2009.  
10 When I say Clockwork, that's an umbrella term that I  
11 use to mean the Von Allmen, AJ Discala, and other  
12 investors that came in through that feeder fund.

13 Q. So that was around April 2009?

14 A. No, it was after, to the best of my  
15 recollection. I mean, you can tell because all you  
16 have to do is look and see when the first, very first  
17 Clockwork investment is. Actually, you can pinpoint  
18 it even closer. Look for the very first settlement  
19 deal that we did that was related to the Epstein case,  
20 within 60 days prior to that would have been when I  
21 was meeting with those due diligence people, 30 to  
22 60 days before that.

23 Q. So when you decided to use that case, take  
24 me through exactly what you did to familiarize  
25 yourself with that case.

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10 (Pages 34 to 37)

1 A. I talked to Russ Adler. I may have talked  
2 to some of the other lawyers. I flipped through  
3 certain boxes in the file.

4 Q. How did you get the boxes?

5 A. I asked someone to bring them to me.

6 Q. Do you know where those files were stored?

7 A. I do not.

8 Q. So you flipped -- sorry, please continue.  
9 Flipped through some files?

10 A. I flipped through some files. I had the  
11 files in my office. The day that the investor group  
12 came in, I actually had Ken Jenne and some others  
13 actually bring me some more of the boxes actually into  
14 my office while the investors were there. I already  
15 had some of the boxes with me.

16 Q. You say "Ken Jenne and others," who were the  
17 others to whom you are referencing?

18 A. I don't specifically recall who carried them  
19 in. I was very focused on my investors at that time.

20 Q. Were any of the lawyers present with you  
21 when you were meeting with these investors?

22 A. During the actual meeting with them, no. I  
23 recall that some of the lawyers may have met some of  
24 the investors, but I don't recall who.

25 Q. Do you recall approximately when that

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1 happened?

2 A. No, it's the same dates that I was giving  
3 you before.

4 Q. Okay. So you had, to further your Ponzi  
5 scheme, you had to familiarize yourself with this case  
6 so that you could speak intelligently with the  
7 investors; is that correct?

8 A. Well, sort of because most of what I told  
9 the investors was all things that I was creating as I  
10 went.

11 Q. About this particular case, the Epstein  
12 case?

13 A. Yes, from an investor -- you have to  
14 understand how the inner working of the Ponzi scheme  
15 were crafted but --

16 Q. Please tell me then.

17 A. I'm telling you -- hang on. From an  
18 investor's standpoint, the investor is simply looking  
19 for is the case believable. And once they get past  
20 that, is it of such case -- excuse me, is it of such a  
21 nature that it is possible to be generating a  
22 significant amount of settlement dollars. And then  
23 after that, their concern is simply on the due  
24 diligence side of making sure we actually have the  
25 money, that the documents pass -- the documents

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1 unrelated to this case, documents related to the  
2 settlements. Other than proving the existence of the  
3 case, there's very little an investor, at least from  
4 my end, investigates into the actual case. It was  
5 more after having the case exist and not caring about  
6 really what was going on in the case other than a lot  
7 of money was going to be collected.

8 Q. Well, with respect to showing them that the  
9 case existed and that there was a likelihood of a  
10 possibility of a payday at the end, how did you  
11 convince them of that? What did you use to convince  
12 them of that?

13 A. I did two main things. One, I put the boxes  
14 in my office while they were there. I told them to  
15 specifically look at a couple of sheets of a flight  
16 manifest that was in the file that Russ had shown me.  
17 And I told them that it would be a breach of  
18 attorney/client privilege for them to look at the  
19 file, but that I was going to step out for a while and  
20 leave them there with the boxes, wink, wink, and  
21 that's what I did. I stepped out. I let them look at  
22 whatever they wanted to look at. I came back in, they  
23 were satisfied that it was a real case and I was off  
24 and running.

25 Q. And these were the real legitimate files for

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1 this case; is that correct?

2 A. These were the legitimate files, yes.

3 Q. Nothing had been created at this time for  
4 them to look through?

5 A. I didn't add anything to the case files.  
6 The case files were significant enough by themselves.

7 Q. Do you know how long they were in your  
8 office; days, weeks?

9 A. The people or the boxes?

10 Q. The boxes.

11 A. The boxes were in there probably a little  
12 more than a week. I don't have a specific  
13 recollection.

14 Q. Okay. Did you ever go through them?

15 A. Yes, I flipped through them at some point in  
16 time.

17 Q. And what do you recall about what you saw in  
18 the cases? Do you remember anything?

19 A. I remember seeing the flight manifest. I  
20 don't recall seeing anything else. I'm sure I looked  
21 at other things, but again, for my purposes it was  
22 insignificant to me because the actual content of the  
23 boxes was not necessary in the sale of the fake  
24 settlements.

25 Q. Why was the flight manifest so interesting

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11 (Pages 38 to 41)

1 to you?  
2 A. Because of who was on it.  
3 Q. Who was on it?  
4 A. I don't recall, but I do recall saying to  
5 the investors -- I recall having a conversation prior  
6 to the investors coming in with Russ Adler and Russ  
7 had told me that Epstein had flown Bill Clinton on his  
8 plane, had flown Prince Andrew on his plane. And I  
9 don't remember whether that was on any of the flight  
10 manifests or not, but I left that to the investors'  
11 imagination as to what they were being told about  
12 Mr. Epstein and these other famous people that were  
13 cavorting with Mr. Epstein and let them look at the  
14 file.

15 You have to understand from an investor's  
16 perspective -- hang on. From an investor's  
17 perspective the only thing that matters to the  
18 investor is that it's a real case and that they can  
19 verify that real dollars are being paid. The fact  
20 that it was a real case was evident, I had a lot of  
21 boxes with real pleadings in it and a lot of other  
22 information in it. The fact that there was real money  
23 being paid was a fiction that was created by me and my  
24 co-conspirators, everyone from bankers, to computer  
25 people. So the actual role of the case, and I want to

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1 make sure you understand this, the actual role of the  
2 actual physical case in the Ponzi scheme is, from my  
3 perspective, minimal. It was just another vehicle for  
4 me.

5 Q. After that initial meeting with the  
6 investors where they looked at the file, what happened  
7 with respect to their desire or lack of desire to  
8 invest?

9 MR. SCAROLA: Excuse me, I'm going to  
10 object to the form of the question, it assumes facts  
11 not in evidence. There's been no testimony that the  
12 investors actually looked at the files, only that  
13 they were given the opportunity to look at the files.  
14 BY MS. HADDAD:

15 Q. Was your video surveillance on when you left  
16 the investors alone in your office?

17 A. No, no, I didn't have cameras in my office.  
18 I didn't let people look in my office when I was in  
19 there, that would have been bad.

20 Q. So you left them alone in there?

21 A. Yes.

22 Q. Do you recall for approximately how long?

23 A. No more than 20, 30 minutes. It was a short  
24 period of time.

25 Q. When you went back in what happened?

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1 A. I went back to selling the Ponzi deal.

2 Q. And did you sell it?

3 A. I believe I did. You'd have to look at the  
4 actual settlement documents to see if I put one  
5 together for that, but I'm pretty sure we did.

6 Q. Do you recall if the investors asked you for  
7 any additional information or any additional  
8 documentation?

9 A. I don't recall one way or the other.

10 Q. After this initial meeting with the  
11 investors, did you give any direction regarding this  
12 particular case?

13 A. To whom?

14 Q. To any of the attorneys working on the  
15 Epstein case.

16 A. No. I didn't interfere in how they were  
17 running their cases. They were far more experienced  
18 than I was in that type -- in handling that type of  
19 case. As a matter of fact, I was practicing very  
20 little real law at this point in time. I wouldn't  
21 have had time to tell them or to get involved.

22 Q. Did you ever keep up with this case after  
23 this initial meeting with the investors?

24 A. I'm certain that I talked to Russ Adler  
25 about it from time to time, but my main focus by this

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1 point in time in 2009 was the Ponzi scheme.

2 Q. Did you try to sell this particular  
3 settlement to any other investors?

4 A. I don't recall one way or the other.

5 Q. Okay. Did you ever have any conversations  
6 with any of your investors about this Epstein case?

7 A. I don't recall one way or the other.

8 Q. I notice there's been a privilege log  
9 produced with respect to e-mails. There seems to be  
10 quite a bit of communication between you and Ken Jenne  
11 with the topic being the Epstein case. Do you have  
12 any recollection what that would be about?

13 A. I don't. As I sit here today, I don't have  
14 a specific recollection of having significant e-mail  
15 contact with Ken Jenne about the case. But if you are  
16 telling me I did, I'll accept that, but I don't recall  
17 what it was.

18 Q. Earlier you had stated that when you were  
19 hiring good attorneys such as Mr. Edwards, looking at  
20 their book of business was -- I don't want to put  
21 words in your mouth -- it was the legitimacy of the  
22 practice, it would bring in legitimate money to the  
23 practice, is that what you were hoping to do?

24 A. Earlier when I testified I specifically  
25 testified that I personally did not look at most of

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12 (Pages 42 to 45)



1 their book of business. This being said, I was  
2 bringing in legitimate lawyers to form legitimate  
3 practice groups to practice legitimate law, having  
4 nothing to do with the Ponzi scheme.

5 Q. During the year 2009, were there any, to  
6 your knowledge, any big settlements of any cases at  
7 RRA?

8 A. To the best of my recollection, no. We had  
9 a dismal year.

10 Q. The year 2009 was just dismal across the  
11 board?

12 A. Some people did better than others, but yes,  
13 overall it was for a firm of 70 lawyers, it was  
14 dismal.

15 Q. So there were no big wins coming into the  
16 firm as far as a financial windfall other than from  
17 your other businesses?

18 A. The only significant capital coming into the  
19 firm was money my co-conspirators and I were stealing.

20 Q. Was there any particular practice group that  
21 you can remember that had a particularly non-dismal  
22 year in 2009?

23 A. Mr. Nurik had a good year.

24 Q. Do you recall what the gross revenue was  
25 from legitimate sources in 2009?

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1 A. It was somewhere between eight and  
2 \$10 million, probably right around the nine million  
3 mark.

4 Q. Do you know what your --

5 A. On its best day.

6 Q. What was your overhead for salaries in 2009,  
7 do you recall?

8 A. I don't have a clue.

9 Q. Was it more than you brought in  
10 legitimately?

11 A. With what I was paying in salaries, I'm -- I  
12 mean, I'd be guessing. If it wasn't more than, it was  
13 certainly close to it.

14 Q. That's just salary, that's not talking about  
15 anything else, rent, overhead, things of that nature?

16 A. That's correct.

17 Q. Who was paying for the investigations of the  
18 cases that were going on in 2009, the deposition  
19 costs, the filing of complaints, and things of that  
20 nature? Where did that money come from from your  
21 firm?

22 A. It varied from case to case.

23 Q. For the tort group?

24 A. It was fronted by the law firm for the most  
25 part.

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1 Q. For the most part.

2 What wasn't fronted by the law firm?

3 A. I recall there being a couple of agreements  
4 that various tort lawyers had with certain clients  
5 where they were going to assist in helping to pay the  
6 costs. All the other costs would have been paid by  
7 the law firm, both through legitimate and illegitimate  
8 means.

9 Q. So when you say by "illegitimate means,"  
10 where would the illegitimate means money come from?

11 A. It came from the Ponzi scheme, and all the  
12 tentacles of the Ponzi scheme, other illegal activity.

13 Q. Such as?

14 A. Things I was doing with law enforcement,  
15 things I was doing in politics, things that I was  
16 doing with organized crime, things I was doing with  
17 politicians, judges, other lawyers, bankers, business  
18 people, things of that nature, I'm sure there's more.

19 Q. Do you recall if any of these Epstein cases  
20 underwent significant investigation while the cases  
21 were at your firm?

22 A. I'd be guessing. I don't remember.

23 Q. There was a meeting in 2009, July of 2009,  
24 and it appears from the e-mail communications that it  
25 was for everyone in the firm to attend and it was

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1 regarding the Epstein case. In fact, there was an  
2 Epstein conference room that was reserved for it.  
3 Were you present at that meeting?

4 A. I may have been.

5 Q. Do you recall?

6 A. I don't recall one way or the other.

7 Q. You don't recall it.

8 Do you recall anything about the Epstein  
9 case in July of 2009?

10 A. I do not. Do you have something that might  
11 refresh my recollection?

12 MS. HADDAD: Can we just take a five-minute  
13 break right now?

14 THE WITNESS: Sure.

15 MR. GOLDBERGER: Thank you.

16 MS. HADDAD: Thanks.

17 [Short recess taken.]

18 BY MS. HADDAD:

19 Q. Scott, I was asking you before we took the  
20 break about a meeting with respect to the Epstein  
21 cases. There was a 159-page privilege log filed,  
22 which I'm sure you don't have and are not aware of.  
23 But in it there are many, many e-mails to both  
24 attorneys at RRA, yourself, and Mr. Nurik regarding  
25 the Epstein litigation. And all this resolved in July

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13 (Pages 46 to 49)



1 of 2009 about the Epstein meeting and some additional  
2 investigation into the Epstein case.

3 Does that refresh your investigation as to  
4 when you met with the investors in the  
5 Discala/Clockwork Group?

6 A. It does not. The best thing to refresh my  
7 recollection as to when I met with them would be to  
8 see the deal documents.

9 Q. Okay. I unfortunately don't have those.

10 Do you recall if you took Discala and his  
11 other investors to a football game in 2009?

12 A. Sure, I did.

13 Q. Okay. Would that be around the time you  
14 were trying to get them to invest in the case?

15 A. It would have been around the time I was  
16 trying to get them to invest in general. It's may  
17 have been around the time that I was showing them the  
18 Epstein file.

19 Q. Did you show them any files other than the  
20 Epstein file?

21 A. I may have. I don't have a specific  
22 recollection one way or the other.

23 Q. You testified earlier that you had over a  
24 dozen boxes brought to your office that were related  
25 to the Epstein case.

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1 A. I don't recall.

2 Q. Did you check?

3 A. I don't remember one way or the other. It  
4 was insignificant to me.

5 Q. Well, then explain to me. You testified  
6 earlier that what was important to the investors to  
7 see is that there was a real case, correct?

8 A. Yes.

9 Q. What did you look at or show them -- what  
10 did you look at, first of all, to see if it was, in  
11 fact, a real case?

12 A. I knew it was a real case.

13 Q. How did you know?

14 A. Because my lawyers told me it was a real  
15 case. I believed them.

16 Q. What lawyers told you that?

17 A. I already told you it was a mixture of Russ  
18 and Jaffe and Fistos and Farmer and Mr. Edwards. I  
19 mean, I knew it was a real case. We had all these  
20 boxes, we had people really working on the file --

21 Q. How do you know --

22 A. -- or they were pulling a hell of a scam on  
23 me. Not that I didn't deserve it but ...

24 Q. How did you know, you just said you knew  
25 people were working really hard on this case. Who do

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1 MR. SCAROLA: Excuse me, counsel. Counsel,  
2 there has been no such testimony.

3 BY MS. HADDAD:

4 Q. You said there were several boxes brought to  
5 your office by different people. You don't recall who  
6 that is; is that correct?

7 A. Yes, I had some boxes already in my office  
8 and I had Ken Jenne and some other people bring some  
9 others. I don't remember how many boxes.

10 Q. Was it more than three?

11 A. Sure, it was more than three boxes, yes.

12 Q. Was it more than 10?

13 A. I don't believe so, no.

14 Q. You stated that you looked -- I don't want  
15 to put words in your mouth. What did you look at  
16 specifically in that case?

17 A. Other than looking at the flight manifest  
18 that Russ Adler told me to look at, I have no specific  
19 recollection as to what I looked at in that file.

20 Q. Do you know if there was more than one case  
21 being prosecuted by your office against Mr. Epstein?

22 A. To the best of my recollection there were --  
23 it was multiple plaintiffs.

24 Q. Okay. Do you recall if those cases were  
25 pending in state or federal court?

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1 you know was working on the case?

2 A. The only people that I knew for certain were  
3 working on the case was Brad Edwards and Russ Adler  
4 was doing his supervisory schtick, whatever that was.  
5 But other than that, I don't know which other lawyers  
6 were assisting Mr. Edwards. I didn't get involved at  
7 that level.

8 As far as the Ponzi scheme goes, the only  
9 thing I cared about, Tonja, was being able to show the  
10 investors that this case that I was utilizing to steal  
11 a significant amount of money from them was a real  
12 case. That's all I cared about.

13 Q. That case came into your office through  
14 Mr. Edwards, correct? He brought it with him when he  
15 came to RRA?

16 A. Yes.

17 Q. He was lead counsel on the case, correct?

18 A. I assume he was lead counsel. I never  
19 checked to see if he listed himself as lead counsel.

20 Q. Do you know if any additional complaints  
21 were filed while the case was at RRA?

22 A. I have no idea one way or the other.

23 Q. Did you ever instruct, in furtherance of  
24 your Ponzi scheme, Mr. Edwards or anyone in that  
25 litigation group to file additional complaints?

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14 (Pages 50 to 53)

1 A. No.  
2 Q. Who is Cara Holmes?  
3 A. Who is who?  
4 Q. Cara or Cara, C-a-r-a, Holmes?  
5 A. To the best of my recollection, she was a  
6 former FBI agent or maybe IRS agent. I don't know.  
7 She was a former federal agent.  
8 Q. Did you hire her to work for you?  
9 A. It was either IRS or FBI.  
10 Q. Did you hire her to work for you?  
11 A. Yes, I hired her at the suggestion of Ken  
12 Jenne.  
13 Q. For what purpose?  
14 A. To work in the group that he was overseeing.  
15 Q. So what did she do for RRA while she was  
16 there?  
17 A. I don't remember.  
18 Q. Did you ever mention her to your potential  
19 investors from the Clockwork group?  
20 A. It's a possibility because, as I was  
21 building the Ponzi scheme, I frequently referred to  
22 the fact that we had former state and federal law  
23 enforcement working for us and on our investigative  
24 teams. It added legitimacy to the Ponzi scheme.  
25 Q. Didn't you tell investors that she could

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1 case or any communications --  
2 A. I may have.  
3 Q. Do you recall when that --  
4 A. I may have.  
5 Q. Do you recall when that may have happened?  
6 A. I do not.  
7 Q. Do you recall the first time you looked at  
8 the flight manifest to which you referenced earlier?  
9 A. Prior to the investors coming in. I don't  
10 remember the date.  
11 Q. Did you instruct anybody, to further your  
12 Ponzi scheme, to investigate or check into anyone  
13 whose name was listed on the flight manifest?  
14 A. I may have, but with this clarification. If  
15 I instructed someone to look into something, I did it  
16 without that person knowing that I was involved in a  
17 Ponzi scheme or that what they were doing was illegal  
18 and it was just to get me additional information to  
19 help with my sale of the fake settlements.  
20 Q. So it was to further your --  
21 A. So I may have asked someone -- I may have  
22 asked someone to get me some additional information,  
23 but as I sit here today, I don't recall ever asking  
24 anyone to do anything on the file that was for the  
25 purpose of furthering the Ponzi scheme, other than

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1 hack into a computer as part of her skills?  
2 A. I certainly may have. I told the investors  
3 a whole host of lies about what was going on about  
4 with case and what people could do and did do.  
5 Q. Did you ever personally utilize Cara Holmes'  
6 skills in any of your cases?  
7 A. I don't remember.  
8 Q. Were you handling any cases during the 2009?  
9 A. I was overseeing cases in 2009, but my  
10 involvement was mostly supervisory. I was handling  
11 very little that was legitimate at that point in time.  
12 Q. Were you legitimately, when I say  
13 "legitimately," were you invited into Q-task on any  
14 particular cases that you can recall?  
15 A. I'm certain I was. I don't recall one way  
16 or the other.  
17 Q. Do you recall if you were involved in  
18 Mr. Epstein's case on Q-task?  
19 A. I may very well have been, but I don't have  
20 a specific recollection one way or the other.  
21 Q. Do you know who invited you in?  
22 A. I have no idea if I was invited in. And if  
23 I was invited in, I have no idea who invited me.  
24 Q. Once you decided to use this case in your  
25 Ponzi scheme, did you go into Q-task to look at the

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1 perhaps getting me a piece of information that I  
2 needed.  
3 Q. I'm going to try to refresh your  
4 recollection as to whether or not you attended those  
5 meeting in July of 2009. And it appears that in  
6 between the dates of July 22nd, 2009 and July 24th,  
7 2009, there was a number of communications through  
8 e-mail by and between yourself, Mr. Adler, Brad  
9 Edwards and Ken Jenne regarding an Epstein meeting  
10 that was going to be taking place. Do you remember  
11 that at all?  
12 A. I think what you are referring to, and I'm  
13 not certain, but I think that what you are referring  
14 to is me making sure that the file was in the  
15 condition in which I wanted it at the time the  
16 investors were coming in. I don't think it had  
17 anything to do with the actual functioning of the  
18 Epstein case. I think it had to do with my  
19 illegitimate purpose. That's the best of my  
20 recollection, but if you have documents or something  
21 that you can show me, that would be helpful.  
22 Q. We are not privy to all of the e-mails  
23 because they've been alleged as privileged or work  
24 product, so I unfortunately can't show them to you.  
25 But according to the privilege log between

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15 (Pages 54 to 57)

1 July 22nd and 23rd there were numerous e-mails sent  
2 about the meeting. It was almost an all-hands-on-deck  
3 type meeting where everybody needed to attend. It was  
4 labelled the Epstein meeting with an Epstein  
5 conference room reserved.

6 A. Yes.

7 Okay. What's your question and I will tell  
8 you.

9 MR. SCAROLA: First I'm going to object to  
10 counsel's testimony, but let's hear the question.  
11 BY MS. HADDAD:

12 Q. The question is, does that refresh your  
13 recollection as to whether or not this meeting took  
14 place?

15 A. To the best of my recollection, I actually  
16 had introduced some of the investors to some of the  
17 people working on the Epstein case, and that is likely  
18 the meeting that you are referring to. But for the  
19 life of me, I don't have a specific recollection of  
20 it.

21 Q. But it could be the meeting where you  
22 introduced the Epstein litigation team to your Ponzi  
23 investors?

24 MR. SCAROLA: Excuse me, I'm going to  
25 object to the form of the question. It misstates the

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1 mentioned letting them look through the litigation  
2 boxes, you've mentioned the meeting. What other way  
3 would you have convinced them that it was a real case?

4 A. I mentioned letting them look at boxes, what  
5 they did when I was out of the office, that's -- I  
6 don't know because I couldn't see what they were  
7 doing. Number two, I may have introduced them to  
8 people in the office. Number three, I'm certain that  
9 when the people brought the boxes to my office I  
10 introduced them to whoever was carrying the boxes.  
11 And number four, the rest of it would have been all  
12 stuff I created in my imagination because, again, it  
13 was the sale of something that didn't exist. This was  
14 not settling. There was no real settlement money.  
15 There were no real settlement documents. I even  
16 manufactured, I think, the actual plaintiff, because I  
17 don't recall even knowing the plaintiff's real name or  
18 if I did it was of no significance to me.

19 Q. How would you have manufactured a  
20 plaintiff's name, would you have created additional  
21 documents to further your Ponzi scheme using  
22 Mr. Epstein as the defendant?

23 A. No.

24 Q. How would you --

25 A. The name just would have appeared on the

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1 prior testimony. It has no predicate.

2 BY MS. HADDAD:

3 Q. That could have been the meeting in which  
4 you introduced the Ponzi investors to people working  
5 on the Epstein case?

6 MR. SCAROLA: Excuse me, counsel. The  
7 testimony was that there may have been a meeting at  
8 which investors may have been introduced to some  
9 people working on the Epstein file. And your efforts  
10 continuously to mischaracterize the prior testimony  
11 are highly improper. I object.

12 BY MS. HADDAD:

13 Q. Scott, did you or did you not say that you  
14 introduced some of the investors to some of the  
15 lawyers on the Epstein case?

16 A. No, I actually said, Tonja, that I may have.  
17 I have a recollection that I may have based upon you  
18 just refreshing my recollection, but I just do not  
19 remember one way or the other. This was, in the  
20 scheme of what I was doing, insignificant. I was  
21 simply trying to establish to the investors that this  
22 was a real case, with real potential, with real  
23 lawyers working on it. Other than that, it was of no  
24 interest to me.

25 Q. How else would you convince them? You've

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1 confidential settlement agreement.

2 Q. Would they have already seen the documents  
3 at that point?

4 A. I can't tell you one way or the other what  
5 they had seen, because I don't know what they actually  
6 looked at.

7 Q. Forgive me, you've now confused me so I'm  
8 just going to ask you for some clarification.

9 You used a legitimate case and created fake  
10 settlement documents, correct, in the simplest sense?

11 A. If this culminated in an actual sale of a  
12 fake settlement, then the answer is yes.

13 Q. So it was a real case with a real plaintiff  
14 and real defendant, just a fake settlement document?

15 A. No. Let me see if I can clarify this for  
16 you. Over 90 percent of the settlements that I sold,  
17 the fake settlements, were completely fictitious?

18 Q. Right.

19 A. A very small percentage of them were based,  
20 at least in part, on some type of real litigation that  
21 either had occurred or was currently occurring. I  
22 utilized the Epstein case to bolster the visual for  
23 the investors that a real case existed. Because as  
24 these were being sold to more sophisticated investors,  
25 the questions kept coming up, was there -- how do we

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16 (Pages 58 to 61)

1 know this is a real case? So I was finally able to  
2 say this is how you know, here is a case file. I may  
3 have, I don't remember specifically one way or the  
4 other, but I may have utilized actual plaintiff names  
5 from the cases filed, but I may have made them up. I  
6 have no specific recollection one way or the other. I  
7 was totally geared toward simply getting the investor  
8 money into the Ponzi scheme.

9 Q. Were you aware that the day after this  
10 meeting took place on July 24th, 2009, a new federal  
11 complaint was filed against Epstein with one of the  
12 same plaintiffs that was already pending in state  
13 court?

14 A. I don't know that I was aware of that or  
15 not. If they were filing it, someone may have told  
16 me. I don't recall one way or the other.

17 Q. Did you ask anyone to file it to further  
18 your Ponzi scheme?

19 A. No, I don't remember doing that.

20 Q. Do you recall any situation where you --

21 A. You do realize -- Tonja, hang on. I just  
22 want to make sure this record is clear. Other than  
23 Russ Adler, the people that were involved in the  
24 Epstein case had absolutely nothing to do with the  
25 Ponzi scheme.

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1 A. Hold on one second.

2 Okay. What number am I looking at?

3 Q. It's a very large document. It's begins  
4 with Bates Stamp Number 081 and ends with 264.

5 A. It's in the computer, hold on a second.

6 I have that in front of me.

7 Q. Do you see the date on that complaint  
8 stamped?

9 A. I do.

10 Q. And there's -- give me one second, Scott,  
11 sorry.

12 What was the date that complaint was filed?

13 A. What's the last page of the complaint,  
14 what's the Bates number?

15 Q. The last page is 234. I'm sorry, 263 would  
16 be the last page of the complaint.

17 [The Complaint referred to was marked for  
18 identification as Defendant's Exhibit 1.]

19 MR. SCAROLA: You may want to call his  
20 attention to the filing stamp on the first page.

21 MS. HADDAD: I did. I guess he didn't hear  
22 me.

23 THE WITNESS: I'm sorry.

24 MS. HADDAD: It's stamped on the first  
25 page.

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1 Q. Directly?

2 A. Or indirectly. They had nothing to do with  
3 it.

4 Q. Yet the file was used for you to further  
5 your Ponzi scheme. I'm not saying that they gave it  
6 to you to use for the Ponzi scheme, I'm asking, you  
7 used their case. I'm not -- the question is you used  
8 the case?

9 A. I took advantage of some good, innocent  
10 people for my own and my co-conspirator's illegal  
11 purposes. Mr. Edwards is one of them, and for that I  
12 am sorry, Brad.

13 Q. Did you ask anyone involved in the Epstein  
14 case to file a federal complaint?

15 MR. SCAROLA: Objection, repetitious.

16 THE WITNESS: Without seeing a document,  
17 Tonja, I can't tell you one way or the other. I  
18 don't want to -- I do not want to guess. If you have  
19 an e-mail where I'm saying to someone, file a federal  
20 case, then obviously I did. But I have no specific  
21 recollection of that.

22 BY MS. HADDAD:

23 Q. You do have a document with you, it's marked  
24 for you, it's Bates stamped. It begins at EP 081 and  
25 goes through through 264.

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1 THE WITNESS: Hang on, the complaint is  
2 dated July 24th, 2009. It was entered onto the  
3 docket on July 27th, 2009.

4 MR. SCAROLA: Do you have another question?

5 MS. HADDAD: I thought he was still looking.  
6 Scott, are you done looking?

7 THE WITNESS: Yes, one second.

8 MS. HADDAD: That's what I thought.

9 THE WITNESS: No, hang on one second. It  
10 shows the stamp on the first page says July 24th,  
11 2009. The filing say electronically filed July 24th,  
12 2009. There's an entry onto the docket on July 27,  
13 2009, and the complaint is signed July 24th, 2009.  
14 That's all the dates I have.

15 BY MS. HADDAD:

16 Q. Okay. And back on Bates Stamp Page Number  
17 263, who's the attorney that filed this complaint?

18 A. I don't know if that's his signature, but  
19 the name is Brad Edwards.

20 Q. Okay. And does that e-mail --

21 A. With the squiggle on top of it.

22 Q. And does that e-mail address look like the  
23 correct e-mail address for RRA?

24 A. It is.

25 Q. So that is, in fact, a legitimate e-mail

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17 (Pages 62 to 65)

1 address from your firm; is that correct?  
2 A. Yes.  
3 Q. And were you filing any cases back in 2009  
4 in federal court? Do you remember how PACER works?  
5 MR. SCAROLA: Which question would like  
6 answered?  
7 THE WITNESS: I don't remember.  
8 MR. SCAROLA: Objection, compound.  
9 BY MS. HADDAD:  
10 Q. Do you remember how PACER worked when you  
11 were filing a case, Scott?  
12 A. I actually never actually did the actual  
13 electronic filing procedure. I had people that did  
14 that. I knew that we could file electronically.  
15 Q. Do you know the purpose of your using your  
16 e-mail address when you were filing electronically in  
17 federal court?  
18 A. I guess so you can get a receipt, but I have  
19 no idea.  
20 Q. Did you ever receive an e-mail from federal  
21 court in your e-mail address that showed that a  
22 document had been filed with the stamps that you see  
23 on the top of that one?  
24 MR. SCAROLA: Counsel, are you  
25 attempting --

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1 THE WITNESS: I don't know one way or the  
2 other.  
3 MR. SCAROLA: Are you attempting to  
4 establish that that complaint was filed in federal  
5 court by Brad Edwards?  
6 MS. HADDAD: I'm asking him if he recalls  
7 the way it's drafted and why.  
8 MR. SCAROLA: Just ask your question.  
9 MS. HADDAD: I'm asking a question. If you  
10 have any objection, please lay it on the record.  
11 MR. SCAROLA: No, what I want to do is try  
12 to save some time. If what you are trying to  
13 establish is that Brad filed the complaint in federal  
14 court on July 24th and used the PACER system, you  
15 don't need to ask any more questions about that, it  
16 happened.  
17 MR. GOLDBERGER: We appreciate that, but  
18 when we depose you we'll ask you that question. But  
19 we are deposing Rothstein right now so let her ask  
20 her questions. Don't do this speaking stuff, let her  
21 ask the questions, okay?  
22 MR. SCAROLA: Maybe.  
23 MR. GOLDBERGER: Okay. Go ahead, Tonja.  
24 BY MS. HADDAD:  
25 Q. Scott, did you ever get e-mails like that

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1 from federal court?  
2 A. I'm certain I did, Tonja. I don't have a  
3 specific recollection of getting the one pertaining to  
4 this. I don't even know if they sent it to me. I  
5 would imagine they'd send it back to Mr. Edwards.  
6 Q. The filing attorney?  
7 A. I suspect, unless the PACER system is  
8 registered on my name, then maybe it comes to me, but  
9 I am completely guessing.  
10 Q. But based upon the e-mail communications of  
11 July 22nd and the meeting occurring on July 23rd, this  
12 complaint was filed the day of this meeting; is that  
13 correct?  
14 A. Okay. But here is the problem with your  
15 question, I don't remember whether or not there  
16 actually was a meeting. I said there may have been,  
17 and I don't have an independent recollection of this  
18 being filed. I do not have an independent  
19 recollection of whether I told someone to file this.  
20 And for the life of me, this I am certain of, if I  
21 told Mr. Edwards to file a complaint in federal court,  
22 if there wasn't a legitimate reason for him to do it,  
23 he wouldn't have done it.  
24 Q. Do you recall if this federal case was filed  
25 when you decided to use the case for your Ponzi scheme

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1 and show it to your investors?  
2 A. It may have been filed around that time,  
3 because I haven't been able to establish the exact  
4 time. It also certainly may have been utilized by me  
5 to further the Ponzi scheme. Also, I don't have an  
6 independent recollection of that either. Without  
7 seeing e-mail traffic, I can't tell you one way or the  
8 other exactly what was going on at that time.  
9 Q. Well, then I'll point you to another e-mail  
10 which is marked as EP 001.  
11 MR. EDWARDS: Let me see it.  
12 MS. HADDAD: I sent a copy to your office.  
13 MR. SCAROLA: He would like to see a copy  
14 now. Thank you.  
15 [The E-mail referred to was marked for  
16 identification as Defendant's Exhibit 2.]  
17 BY MS. HADDAD:  
18 Q. Were you able to find it, Scott?  
19 A. Got it. Yes, I have it.  
20 Q. You have it, okay.  
21 You said Cara Holmes used to be an FBI  
22 agent, correct?  
23 MR. SCAROLA: No. What he said is --  
24 THE WITNESS: FBI or IRS.  
25

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18 (Pages 66 to 69)

1 BY MS. HADDAD:  
2 Q. Or IRS. We'll use the blanket term federal  
3 agent. Is that a fair assessment?  
4 A. Yes.  
5 Q. Thank you.  
6 Do you recall when you hired her to work for  
7 you?  
8 A. I do not.  
9 Q. Was it in 2009?  
10 A. I don't have a recollection one way or the  
11 other.  
12 Q. Okay. Have you ever seen this e-mail  
13 before?  
14 A. I saw it when I was reviewing your exhibits.  
15 Before that I have no independent recollection of  
16 having seen it. I'm not copied on it so ...  
17 Q. Did you ever have any communications with  
18 Ms. Holmes about people that were close to  
19 Mr. Epstein?  
20 A. I do not remember.  
21 Q. You stated earlier that you knew that  
22 Mr. Epstein was a wealthy man. Is that a fair  
23 statement? You called him "collectible," was that  
24 because he had money?  
25 MR. SCAROLA: He called him a billionaire

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1 Q. Never heard that name before?  
2 A. Alfredo Rodriguez?  
3 Q. Yes.  
4 A. It's not ringing any bells to me.  
5 Q. Do you remember hearing at your office with  
6 respect to Mr. Epstein's case that one of his former  
7 employees was willing to come forward with a big book  
8 of names?  
9 A. I don't remember that one way or the other.  
10 Q. You have no recollection of that.  
11 Do you recall anyone approaching to ask if  
12 the office can purchase this book?  
13 A. I don't recall that.  
14 Q. Do you recall instructing any of the  
15 attorneys in your office to get an opinion from  
16 Kendall Coffey whether or not they can legally and  
17 legitimately purchase this book?  
18 A. I don't recall that one way or the other.  
19 [The Complaint referred to was marked for  
20 identification as Defendant's Exhibit 3.]  
21 BY MS. HADDAD:  
22 Q. Okay. I'm going to direct your attention to  
23 what's now Bates stamped as EP 002, which I'm sure you  
24 haven't seen before since you just said you didn't  
25 know who he was, but I'll give you a minute to look

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1 too.  
2 MS. HADDAD: Billionaire.  
3 THE WITNESS: I knew he was a billionaire.  
4 BY MS. HADDAD:  
5 Q. Do you have any independent recollection in  
6 the month of July 2009 of this case being intensified  
7 in any way such as going after those close to  
8 Mr. Epstein?  
9 A. I don't remember that one way or the other.  
10 Q. If you knew that Mr. Epstein was a  
11 billionaire, do you have any recollection of asking  
12 someone to investigate those close to Mr. Epstein to  
13 further your Ponzi scheme?  
14 A. I don't have an independent recollection of  
15 that one way or the other.  
16 Q. Do you recall if you ever directed the  
17 depositions to be taken of the people who were listed  
18 on the flight manifest that you saw?  
19 A. I don't recall one way or the other. I may  
20 have told the investors that I was going to take the  
21 depositions without ever intending to take them, but I  
22 don't recall one way or the other.  
23 Q. Are you familiar with a gentleman by the  
24 name of Mr. Rodriguez, Alfredo Rodriguez?  
25 A. No.

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1 over it.  
2 A. This is rather long. Do you want to direct  
3 me to a specific portion of it?  
4 Q. Sure. If you look at the Page Bates Stamp  
5 EP 004, Paragraph 5 and 6.  
6 A. Okay. I read number five.  
7 Q. Would you please read number six as well?  
8 A. Okay.  
9 Q. Does this refresh your memory as to whether  
10 or not anyone ever asked you in your office about  
11 purchasing a book?  
12 A. It does not.  
13 Q. Do you know that the cooperating witness was  
14 an attorney who worked for you at your firm?  
15 A. I did not know that until you just said it  
16 right now.  
17 Q. According to Paragraph Number 5, "The  
18 deposition of this Mr. Rodriguez occurred on  
19 July 27th, 2009;" is that correct?  
20 MR. SCAROLA: Is it correct that that's  
21 what it says? I'm going to object to the form of the  
22 question, it's vague and ambiguous.  
23 BY MS. HADDAD:  
24 Q. That's what's listed in the federal  
25 complaint, correct?

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19 (Pages 70 to 73)

1 A. What does it say? Say it again.  
2 Q. It says, "The first deposition occurred on  
3 July 27th," correct?  
4 A. Yes.  
5 Q. Some three days after the federal complaint  
6 was filed, correct, that we referenced earlier?  
7 A. That's correct.  
8 Q. And Paragraph 6 clearly delineates that in  
9 August 2009 a phone call was received by the  
10 cooperating witness that explained that this  
11 Mr. Rodriguez had a list of other purported victims or  
12 contact information for people who Mr. Edwards could  
13 also potentially bring lawsuits for -- on behalf of;  
14 is that correct?  
15 A. I don't know one way or the other. You  
16 know, Tonja, just so this record is clear, you know,  
17 as I'm sitting here, I have a vague recollection of  
18 perhaps Ken Jenne coming, talking to me and telling me  
19 that someone in my office was going to cooperate with  
20 someone in this investigation. But for the life of  
21 me, I can't be certain of that. So much time has  
22 passed, but as I'm reading this, and it could be  
23 completely unrelated to this, I just want to make sure  
24 the record is a hundred percent clear, it's possible  
25 that Ken Jenne discussed that with me, but I don't

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1 know who it was.  
2 Q. You are testifying that you didn't know it  
3 had anything to do with the Epstein case, as you sit  
4 here now, you don't remember?  
5 A. No, no, I don't have a specific  
6 recollection, and I want to just make sure so I answer  
7 all your questions completely, is that as I'm sitting  
8 here my recollection was refreshed that I have a vague  
9 recollection of having a conversation with Ken Jenne  
10 about the fact that someone in our office was going to  
11 cooperate as a confidential informant for some law  
12 enforcement agency, I just can't remember if it was  
13 the Epstein case or not.  
14 Q. Do you recall what you said to Mr. Jenne  
15 about that?  
16 A. No. What I just related to you is all I  
17 remember. And I'm not even sure it had anything to do  
18 with this.  
19 Q. Who's Wayne Black?  
20 A. Who?  
21 Q. Wayne Black.  
22 A. Sounds like the name of someone I hired, but  
23 I could be mistaken. I don't recall.  
24 Q. Okay. You don't recall ever meeting  
25 Mr. Black?

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1 A. I may have. I don't recall one way or the  
2 other. You have something that might refresh my  
3 recollection?  
4 Q. Do you know what he does for a living?  
5 A. I do know the name. Sounds familiar to me,  
6 but I can't recall one way or the other who he was or  
7 what he did.  
8 Q. Did you instruct your office to begin  
9 investigating Mr. Epstein's pilot or his airplanes?  
10 A. I do not recall one way or the other.  
11 Q. You did testify that the flight manifest was  
12 the one document you recall for sure looking at in  
13 Mr. Epstein's case; is that correct?  
14 A. Yes.  
15 Q. And if it did, in fact, contain the names  
16 that you are purporting that it claimed or that you  
17 knew of, that would be something that would be juicy  
18 for the investors to further your Ponzi scheme that it  
19 was a collectible case; is that true?  
20 A. I'm sorry, you have to repeat the question,  
21 Tonja. I don't understand what you just asked me.  
22 Q. If these big names were on this list, as you  
23 seem to recall they were, that would be most helpful  
24 to you and your Ponzi scheme investors in convincing  
25 them it was a big case, right?

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1 A. If they were on there, or if I lied to them  
2 and told them they were on there, or if Adler told me  
3 they were on there and I repeated, all those things  
4 would have been helpful to the Ponzi scheme.  
5 Q. You stated earlier that you -- the only  
6 thing you looked at was the flight manifest because  
7 you were told to look at it. Is that still true?  
8 A. That's not what I testified to. I testified  
9 that I flipped through other parts of the file and  
10 that I didn't remember what I had flipped through. I  
11 remember looking at the flight manifest because  
12 Mr. Adler told me about it.  
13 Q. You said that you met these investors in  
14 your office, but there were no cameras in your office,  
15 correct?  
16 A. I didn't have cameras specifically in my  
17 office.  
18 Q. You had these investors in your office for  
19 this particular Epstein case?  
20 A. Yes.  
21 Q. Do you recall if it was during work hours or  
22 after work hours?  
23 A. I do not recall.  
24 Q. Typically when you were meeting with your  
25 potential Ponzi investors, did you meet them during

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20 (Pages 74 to 77)



1 work hours or after work hours?

2 A. Both.

3 Q. Did you always meet with them in your office  
4 or did you do it more socially down at Bova or  
5 elsewhere?

6 A. Both.

7 Q. But with this particular case, do you recall  
8 meeting them at least one time in your office where  
9 they could look through the files?

10 A. Actually, that group of investors were  
11 looking at a lot of different cases or at least  
12 multiple different cases that we were attempting to  
13 lure them into the Ponzi scheme utilizing, so I met  
14 with them on multiple occasions, both in my office and  
15 at restaurants.

16 Q. Who is Mike Fisten?

17 A. Mike Fisten was a law enforcement officer of  
18 some type that I hired.

19 Q. Why did you hire him?

20 A. He was a Ken Jenne suggestion.

21 Q. And were you hiring him to start up your  
22 company with Mr. Jenne, as you indicated earlier?

23 A. I don't recall what the purpose of hiring  
24 him was. It had nothing to do with what Ken Jenne was  
25 doing for us.

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1 Ponzi scheme investors?

2 A. Not really.

3 Q. Would it have given more legitimacy to your  
4 allegation that it was a good case in which they  
5 should invest?

6 A. In the way that I was selling the Ponzi  
7 settlements, it would have likely been overkill.

8 Q. So did you ever instruct them not to speak  
9 to the press about the case?

10 A. I don't recall that either one way or the  
11 other.

12 Q. If it had gotten out there that the cases  
13 had not, in fact, settled, as you were claiming when  
14 you were selling the settlement, would that have  
15 hindered your case, your Ponzi investor's case?

16 A. Not really because they would have no way of  
17 knowing if I had created a fake plaintiff's name. I  
18 mean, there could have been something in the news  
19 that -- and I don't know that there was -- there could  
20 have been something in the news that says none of this  
21 settled. And I just simply would have created a fake  
22 name with my co-conspirators, created a fake set of  
23 settlement documents and handle it that way.

24 Q. Did you know where Mr. Epstein lived?

25 A. I only knew that he was from Palm Beach,

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1 Q. So what did he do at RRA?

2 A. My best recollection is that he had been a  
3 former ADT officer and so it would reason that he  
4 would be working in our alcohol beverage practice that  
5 we were establishing.

6 Q. Do you know if he ever did any work for your  
7 firm as an investigator?

8 A. He may have. I don't have a specific  
9 recollection one way or the other.

10 Q. Did you ever speak to the press about the  
11 Epstein case?

12 A. I don't have a recollection one way or the  
13 other.

14 Q. Did you ever have Kip utilize the Epstein  
15 case to put any publicity or spin out there with  
16 respect to the case?

17 A. I don't have a specific recollection of that  
18 one way or the other.

19 Q. Did you ever instruct Brad or Russ to talk  
20 to the press about the case? We'll start with Brad  
21 then Russ.

22 A. I do not specifically recall getting  
23 involved at the publicity level of that case. I don't  
24 have a recollection one way or the other.

25 Q. Would that publicity have been good for your

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1 other than that, no.

2 Q. Okay. In 2009, did you ever have any firm  
3 meetings?

4 A. Of any type?

5 Q. Of any type, in general, firm meetings.

6 A. I'm certain I did.

7 Q. Do you recall about how many?

8 A. I do not recall.

9 Q. Did you ever have any partner meetings?

10 A. Yes.

11 Q. Do you recall how many?

12 A. I do not.

13 Q. Do you recall how many partners you had at  
14 the firm in 2009?

15 A. I do not.

16 Q. Do you recall how many fundraisers you had  
17 at your home in 2009?

18 A. I do not.

19 Q. More than 10?

20 A. I'd be guessing, Tonja.

21 Q. Okay.

22 A. It's easy enough to check, there's state and  
23 federal records of all that stuff.

24 Q. In 2009, did you still require the attorneys  
25 from your firm to attend the fundraisers you would

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21 (Pages 78 to 81)



1 have?  
 2 A. You said "still require," which would have  
 3 meant that I testified --  
 4 Q. Sorry.  
 5 A. -- previously that it was requiring them.  
 6 Q. Did you require attorneys at your firm to  
 7 attend your fundraisers?  
 8 A. I asked them to, I urged them to, I tried to  
 9 cajole them into coming, but it wasn't an absolute  
 10 requirement.  
 11 Q. Do you recall between April and July of 2009  
 12 how many fundraisers you would have had?  
 13 A. I do not.  
 14 Q. Did you have fundraisers anywhere besides  
 15 your home in 2009?  
 16 A. I probably did, but I don't recall without  
 17 seeing the documents. If you have the invitation or  
 18 the e-mails, that would help me.  
 19 Q. Did you hold fundraisers at your office in  
 20 2009?  
 21 A. I may have. That wouldn't have been  
 22 unusual, but I don't have a specific recollection.  
 23 Q. Did you ever meet any of the plaintiffs in  
 24 the Epstein case?  
 25 A. I don't have a specific recollection of

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1 that.  
 2 Q. Do you recall ever revving copies of e-mails  
 3 from Mr. Jenne with respect to the plaintiffs in the  
 4 case that the subject matter would say "information we  
 5 need to use"?  
 6 A. I don't recall that one way or the other.  
 7 It's certainly possible.  
 8 Q. Do you recall ever reviewing anything that  
 9 was titled "causes of action against Epstein"?  
 10 A. I do not have a specific recollection of  
 11 that one way or the other.  
 12 Q. Do you recall ever reviewing with Mr. Jenne  
 13 or any other investigator in your firm any information  
 14 regarding Mr. Epstein's house staff or airplane staff?  
 15 A. I do don't recall that one way or the other.  
 16 I may have, I may not have.  
 17 Q. Who is Bill Berger?  
 18 A. A former Palm Beach judge that we hired.  
 19 Q. Okay. What was his role at your firm?  
 20 A. He was a shareholder.  
 21 Q. What kind of practice?  
 22 A. Litigating cases.  
 23 Q. What kind of practice did he litigate? What  
 24 kind of cases did he litigate?  
 25 A. I don't recall specifically.

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1 Q. When did you hire him?  
 2 A. 2008 or 2009. I don't have a specific  
 3 recollection.  
 4 Q. If you hired lawyers who didn't have a book  
 5 of business, what kind of practice did they do at your  
 6 office?  
 7 A. It depended upon the lawyer. I would have  
 8 tried to get them to work with other lawyers in an  
 9 area that they either were proficient in or wanted to  
 10 become proficient in.  
 11 Q. Okay. You had a meeting at your office  
 12 during which you were asking about information  
 13 regarding referring attorneys, attorneys who had  
 14 referred business to the firm. Do you know what I'm  
 15 talking about? I believe it was back in December of  
 16 '08 or early 2009.  
 17 A. The way you are characterizing that meeting,  
 18 I had a lot of meetings like that.  
 19 Q. What was the purpose of those?  
 20 A. You are going to have to be more specific  
 21 for me, Tonja.  
 22 Q. Let's start generally then. What was -- you  
 23 said you had many meetings like that. Tell me what  
 24 these meetings were for?  
 25 A. Making sure that we were maximizing

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1 generation of business into the law form.  
 2 Q. What kind of business, legitimate business  
 3 or the other --  
 4 A. Legitimate business.  
 5 Q. Sorry, I couldn't hear you.  
 6 A. Legitimate business. The general meetings  
 7 that you are discussing, that was legitimate business.  
 8 Q. So there was a meeting for all attorneys to  
 9 attend regarding generating business, those meetings  
 10 were for the legitimate business?  
 11 A. If it was addressed to all attorneys, yes.  
 12 Q. Okay. And if an e-mail went out to all  
 13 attorneys, did paralegals and support staff get it as  
 14 well or was it just directed to the attorneys?  
 15 A. Certain support staff probably were on that  
 16 list, like my CFO and COO, and perhaps my IT people,  
 17 but it was general for the attorneys.  
 18 Q. With respect to your IT people, did you have  
 19 the capability to review e-mails and internet activity  
 20 of all of your employees?  
 21 A. I did.  
 22 Q. Including attorneys?  
 23 A. I did.  
 24 Q. Did you ever utilize that tool?  
 25 A. Very infrequently. It was a pain because I

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22 (Pages 82 to 85)

1 had to have Curtis Renie or Bill actually come into my  
2 office, set up a special icon to allow me to do that.  
3 It was a real pain, so it was rare.

4 Q. Who else attended the meetings that you had  
5 with the Clockwork group with respect to the investors  
6 in the Epstein case?

7 A. There were multiple meetings with what I'll  
8 call the Clockwork investors at various points in  
9 time. A variety of people came in and out of the  
10 meetings. Some of the meetings occurred down in Bova.  
11 Other people came up to the meetings. Some of the  
12 meetings involved Michael Szafranski, our fake  
13 independent verifier. Some of the meetings may have  
14 involved bankers and the like. I cannot tell you  
15 specifically who was at those meetings.

16 Q. The specific meetings that we are talking  
17 about with -- where you left the boxes at your office,  
18 do you recall who else was there with you at that  
19 meeting?

20 A. I only remember there being a handful of  
21 people from the investment group and myself. I don't  
22 recall -- and I remember the guys bringing the boxes  
23 the down, but they didn't stay for the meeting. There  
24 may have been other people there, I don't recall one  
25 way or the other who it was.

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1 where we owed 20, \$30 million in Ponzi payments out  
2 and she needed to write a check for even \$5,000, she  
3 probably would have checked with me on that. So  
4 substantial and whether or not she would have checked  
5 with me depended upon the circumstance at the time.

6 Q. You stated earlier, and I think I'll get  
7 this quote right, that 2009 was a dismal year; is that  
8 correct?

9 A. For the legitimate law firm business, it was  
10 a dismal year.

11 Q. So in the months immediately preceding the  
12 dissolution of RRA, July to October of 2009, what  
13 would you consider a substantial expense that had to  
14 be approved?

15 A. It would vary literally from day-to-day.

16 Q. Do you have any independent recollection of  
17 how you were doing in, say, July 2009?

18 A. The legitimate business was always doing  
19 poorly in 2009, as far as I was concerned.

20 Q. So would you have --

21 A. The Ponzi scheme had its moments of  
22 significant wealth and significant poverty, so it  
23 varied from time to time. It was a daily thing.  
24 Sometimes it was hourly. It just depended upon what  
25 was coming in and what needed to go out.

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1 Q. If the expenditures were being made on a  
2 case that were substantial, did you have to approve  
3 them or did you have a specific practice for them?

4 A. The head of a practice group could basically  
5 approve them but Irene, our CFO, would generally run  
6 them by me before she actually cut the check. If I  
7 wasn't around she'd run it by Stu.

8 Q. So as the equity partners you had the  
9 authority to make the determination what funds could  
10 and could not be expended?

11 A. As the shareholders, as the two 50 percent  
12 shareholders, we controlled the finances.

13 Q. And if Irene was coming to you to tell you  
14 what the funding was for, to get approval rather,  
15 would she tell you specifically what the funding was  
16 for or just tell you "we need \$100,000"?

17 A. No, if it was a substantial expense --

18 Q. Tell me what you deem as substantial.

19 A. That would have been -- substantial to me  
20 would have been based upon how much money we had in  
21 our coffers at the time. So, if it was one of those  
22 periods of time where we had 20 or \$30 million  
23 floating around the law firm, Irene probably would  
24 have just written a check without even letting me know  
25 we were writing it. If it was one of those times

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1 Q. So would you have to utilize the  
2 illegitimate funds to fund the legitimate cases at  
3 times?

4 A. Yes.

5 Q. And that varied daily you said?

6 A. Well, all the money was commingled together,  
7 so we used whatever funds were in there to fund both  
8 the legitimate and the illegitimate financial  
9 requirements of the firm, the Ponzi scheme and other  
10 legitimate and illegitimate things that were going on.

11 Q. If an outside agency or investigator was  
12 being utilized for a case and they needed a signed  
13 retainer agreement with your firm, would you have to  
14 approve that?

15 A. It would depend upon the significance of the  
16 expense. I didn't necessarily get involved in every  
17 retention of every expert in every case.

18 Q. Okay. So it would depend on the cost or the  
19 nature of the case?

20 A. Who the lawyer was, their level of  
21 expertise, all things of that nature.

22 Q. If it was this gentleman who you have no  
23 recollection of meeting, Mr. Black, and the attorney  
24 was Mr. Edwards, was that something you needed to look  
25 over?

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1 A. Did Wayne Black work for Ron Cacciatore?

2 Q. Are you asking me --

3 A. I'm asking anyone in the room who wants to  
4 talk to me.

5 Q. I love to talk to you, but I don't know the  
6 answer to that question. He might have. Brad might  
7 be able to tell you.

8 MR. EDWARDS: No.

9 THE WITNESS: When you said Wayne Black's  
10 name again and that I hired him to do something, I  
11 seem to think that he may have been associated in  
12 some way with Mr. Cacciatore, but I'm not sure one  
13 way or the other. I don't remember whether or not I  
14 met Mr. Black, it's possible I did, it's also  
15 possible I did not. And I don't have an independent  
16 recollection of retaining him to do anything or  
17 whether I was part and parcel of the decision if we  
18 did, in fact, retain him, whether I was part and  
19 parcel of the decision to retain him.

20 BY MS. HADDAD:

21 Q. Traveling out of state for depositions for  
22 the particular cases, did you have to approve that?

23 A. It would depend upon who the lawyers were,  
24 the significance of the expense. It would have been  
25 case by case. I certainly would not have been

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1 [Short recess taken.]

2 FURTHER DIRECT EXAMINATION  
3 BY MR. GOLDBERGER:

4 Q. All right. Mr. Rothstein, Jack Goldberger,  
5 I'm going to ask you some questions now. You  
6 testified that you knew Jeffrey Epstein was a  
7 billionaire. You did testify to that today, correct?

8 A. Yes.

9 Q. Okay. Tell me how you knew that. How did  
10 you know that Mr. Epstein was a billionaire?

11 A. Russ Adler told me. I looked him up on the  
12 internet.

13 Q. What did you look on the internet about  
14 Mr. Epstein?

15 A. I don't recall, but I remember looking up an  
16 seeing that he was very wealthy, that he was a  
17 billionaire.

18 Q. Okay. So as far as learning that  
19 Mr. Epstein was a billionaire, you learned via two  
20 ways, one was from Russ Adler, correct? Is that  
21 correct?

22 A. Yes, sir.

23 Q. And the other was through looking up  
24 Mr. Epstein on the internet, correct?

25 A. Yes.

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1 approving or disapproving Mr. Nurik's travel,  
2 Mr. Rosenfeldt's travel, Mr. Boden's travel,  
3 Mr. Lippman's travel. That was their own thing.

4 If a younger lawyer like a Shawn Birken came  
5 to me and said he need to travel out of state for  
6 something, if it was just for a deposition, I wouldn't  
7 have gotten involved in that unless he was telling my  
8 CFO, Ms. Stay, that he wanted to fly first class and  
9 stay in the Ritz Carlton, then I would have gotten  
10 involved. But other than that, no. The firm was too  
11 big for me to get involved on a daily basis with all  
12 that stuff.

13 Q. If Brad had to go out of state to take a  
14 deposition, you wouldn't be the person to approve or  
15 disapprove that?

16 A. Russ Adler would have handled that. And if  
17 there was an issue, Russ would have come to me. And I  
18 don't know what the relationship was specifically  
19 between Brad and Russ, but it's certainly possible  
20 that Brad just was going to go do what he needed to do  
21 to properly handle the case and I would have trusted  
22 him to do that.

23 MS. HADDAD: Can we just take a second. We  
24 are going to take a minute, okay?

25 THE WITNESS: Sure.

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1 Q. Okay. And you don't know what you reviewed  
2 on the internet in an effort to determine that  
3 Mr. Epstein was a billionaire; is that correct?

4 A. I do not recall.

5 Q. Do you know when you did that?

6 A. I do not.

7 Q. Was it prior to your needing to use the  
8 Epstein case to further your Ponzi scheme?

9 A. Yes.

10 Q. Okay. So prior to -- I think you indicated  
11 that you needed an influx of money at some point and  
12 that's when you decided to use the Epstein case in  
13 furtherance of the Ponzi scheme; is that correct?

14 A. Yes.

15 Q. So prior to that time though, prior to  
16 determining that you needed to use the Epstein case  
17 for the Ponzi scheme, you looked up Mr. Epstein and  
18 you spoke to Mr. Adler about his work; is that  
19 correct?

20 A. Yes.

21 Q. Why did you do that, Mr. Rothstein, if you  
22 weren't using the Epstein case at that point in your  
23 Ponzi scheme?

24 A. Because it was a legitimate case in the  
25 legitimate portion of RRA that I had reason to believe

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24 (Pages 90 to 93)

1 from speaking to Mr. Adler could bring in a  
2 significant amount of money to the firm.  
3 Q. At that time Mr. Adler was one of your  
4 co-conspirators in the Ponzi scheme; is that correct?  
5 A. By this time, yes, sir.  
6 Q. Okay. When did Mr. Adler become a  
7 co-conspirator in your Ponzi scheme?  
8 A. I don't recall the specific date.  
9 Q. Was it before or after Mr. Adler recommended  
10 that Brad Edwards be hired at your firm?  
11 A. Before.  
12 Q. So before Brad Edwards was hired at RRA,  
13 Russell Adler was a co-conspirator of yours in the  
14 illegal part of the RRA firm; is that correct?  
15 A. Yes.  
16 Q. Then after that time you hired --  
17 Mr. Edwards was hired after Adler was your  
18 co-conspirator? You are laughing, you are smiling,  
19 why is that, sir?  
20 A. Because when you say "RRA" that way, the  
21 speaker sounds, it sounds like you are roaring.  
22 Q. Okay. I'll just say Rothstein, how about  
23 that? You know what I'm talking about if I just say  
24 Rothstein.  
25 A. RRA is fine.

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1 Q. Okay. So Adler is your co-conspirator in  
2 the Ponzi scheme at the time that Brad Edwards is  
3 hired, correct?  
4 A. Yes.  
5 Q. Okay. Was it Adler who recommended to you  
6 that Brad Edwards be hired?  
7 A. Yes. He was one of the people.  
8 Q. Who else recommended that Edwards be hired?  
9 A. I don't have a specific recollection of who  
10 it was, but others did.  
11 Q. All right. But you have a recollection of  
12 Adler being one of the people, so let's talk about  
13 that, all right?  
14 What did Adler tell you about Brad Edwards  
15 when you hired him? Did he tell you that he had these  
16 Epstein cases or an Epstein case in the fold?  
17 A. Among other things, yes.  
18 Q. What else did he tell you?  
19 A. Told me he was a great lawyer and a great  
20 guy.  
21 Q. Did he tell you what his history was, what  
22 Edwards' history was prior to coming to the Rothstein  
23 firm?  
24 A. I'm certain that I asked him, but I don't  
25 have a specific recollection of that conversation.

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1 Q. What did Adler tell you about the Epstein  
2 case that Edwards had at the time you were  
3 contemplating hiring him to become a member of the  
4 Rothstein firm?  
5 A. He told me that it was a huge case involving  
6 a billionaire pedophile and that it was a winner.  
7 Q. Did you, when you heard that, did you think  
8 that that was a case that could become part of your  
9 Ponzi scheme?  
10 A. No, I actually thought of it as a way to  
11 earn legitimate money to help me out of the Ponzi  
12 scheme.  
13 Q. So at the time you hired Mr. Edwards and you  
14 were talking to Adler about Edwards, you were trying  
15 to get out from under the Ponzi scheme?  
16 A. In the bulk of 2009 I was praying for some  
17 sort of legitimate influx of money to get out of the  
18 Ponzi scheme.  
19 Q. Okay. So now Adler tells you about this  
20 Brad Edwards guy, did you know Brad Edwards before  
21 Adler talked to you about him? Had you run into him?  
22 A. I may have. I don't have a specific  
23 recollection one way or the other.  
24 Q. Okay. So now he tells you that you should  
25 consider hiring Brad Edwards, this is your

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1 co-conspirator talking to you, right? Is that  
2 correct?  
3 A. Yes.  
4 Q. And he says, by the way, he's got this great  
5 Epstein case involving this billionaire, correct?  
6 A. Yes.  
7 Q. Presumably then you had a meeting with Brad  
8 Edwards when you met him; is that correct?  
9 MR. SCAROLA: Presumably he had a meeting  
10 when he met him?  
11 MR. GOLDBERGER: I'm sorry, Mr. Scarola was  
12 cutting you off when you answered, so go ahead, answer  
13 again.  
14 MR. SCAROLA: I didn't understand the  
15 question.  
16 BY MR. GOLDBERGER:  
17 Q. Do you understand the question,  
18 Mr. Rothstein?  
19 A. I'm not sure I do because you asked me if I  
20 had a meeting when I met him and I think that meeting  
21 him is a meeting.  
22 Q. Well, there was a meeting, correct?  
23 A. I most likely met him before I hired him. I  
24 most likely talked to him before I hired him because  
25 that was my general way of doing business. It's all

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25 (Pages 94 to 97)

1 together possible that I gave Russ the okay to hire  
2 him before, I just don't have a specific recollection  
3 one way or the other.

4 Q. At some point, I take it, you learned,  
5 whether you sat in on a meeting when Mr. Edwards was  
6 hired or whether your co-conspirator hired him, at  
7 some point you learned that Mr. Edwards, in fact, had  
8 been hired by the firm; is that correct?

9 A. I'm certain that I gave the final okay to  
10 hire him.

11 Q. Okay. When you were giving the final okay  
12 to hire him, I assume there had to be discussion of  
13 the money that he was going to be paid, correct?

14 A. With somebody, yes.

15 Q. Certainly with Mr. Edwards, right? I assume  
16 he wanted to know how much he was getting paid.

17 A. Yes, but I don't have a specific  
18 recollection of whether I discussed that with him or  
19 whether I authorized Adler or maybe even Rosenfeldt to  
20 discuss it with him. I don't recall.

21 Q. Do you have the slightest idea how much  
22 money Mr. Edwards was paid when he first joined the  
23 firm, what his salary was?

24 A. I don't have an independent recollection.

25 Q. Generally someone like Mr. Edwards at his

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1 factor I considered.

2 Q. All right. Do you know whether he brought,  
3 in his book of business, do you know whether he  
4 brought any other cases to the firm other than the  
5 Epstein case?

6 A. I don't recall one way or the other.

7 Q. Okay. Do you know whether your -- well, bad  
8 question, I won't ask that.

9 Now, you've talked a lot about Ken Jenne  
10 here this morning. Was Ken Jenne part of your Ponzi  
11 scheme?

12 A. No, sir.

13 Q. Had nothing to do with it, right?

14 A. That's correct.

15 Q. Other than his having -- working for you as  
16 an investigator, he was not one of your  
17 co-conspirators, right?

18 A. He didn't work for me as an investigator, he  
19 worked for me heading up our investigative division,  
20 heading up our internal security, heading up my  
21 personal security, and acting as a political advisor  
22 to me.

23 Q. Okay. Did he serve any kind of  
24 investigative function at all, after all, he was a law  
25 enforcement officer at one point in his career?

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1 level of accomplishment and his age, you know what the  
2 general salary would have been at your firm?

3 A. It didn't work that way.

4 Q. I see. Tell me how it worked.

5 A. It's a case-by-case basis.

6 Q. Tell me how it worked.

7 A. Case-by-case basis.

8 Q. And how did you make that determination on a  
9 case-by-case basis?

10 A. Actual book of business, potential book of  
11 business, potentiality for growth, character, what he  
12 brought to the table, and obviously a function of how  
13 much money we had available at the time.

14 Q. Okay. And you don't have any recollection  
15 of the machinations that occurred in determining what  
16 Mr. Edwards salary would be, correct?

17 A. I do not.

18 Q. But certainly one of the things you would  
19 consider would be the book of business, i.e. the  
20 Epstein case, right?

21 A. I'm certain that I did consider the Epstein  
22 case.

23 Q. Do you know whether he brought any other  
24 book of business --

25 A. But I'm also certain it wasn't the only

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1 A. I note that he assisted the other people at  
2 the firm that were doing the investigative work. I  
3 don't know if he personally did investigative work.  
4 He may have.

5 Q. Do you know whether Mr. Jenne, in his role  
6 as your advisor or your political consultant, do you  
7 know if he was involved in any kind of illegality,  
8 illegal wire tapping or anything like that while he  
9 was at Rothstein?

10 MR. SCAROLA: Excuse me, I'm going to  
11 object to the form of the question, vague and  
12 ambiguous.

13 THE WITNESS: To my knowledge he was not.  
14 BY MR. GOLDBERGER:

15 Q. To your knowledge, no?

16 A. Correct.

17 Q. Okay. You talked about having a bunch of  
18 fundraisers, I know you had a bunch of fundraisers  
19 that was kind of a deal at Rothstein. This was kind  
20 of a rock star law firm, right? I mean, you had lots  
21 of fundraisers, lots of parties, right? Was that the  
22 image you were trying to present?

23 A. In reality that's the way we were.

24 Q. Okay.

25 A. A lot of young lawyers having a good time,

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26 (Pages 98 to 101)

1 trying to make money.

2 Q. And these young lawyers, would you consider  
3 Mr. Edwards to be a young lawyer or a middle-aged  
4 lawyer?

5 A. Young lawyer.

6 Q. Okay. Was he one of young lawyers that came  
7 to these fundraisers at your home?

8 A. I don't recall whether he was there or not.  
9 I recall him being at some, but I didn't know if he  
10 was at all of them.

11 Q. Okay. You do recall him coming to some of  
12 the fundraisers, though, correct?

13 A. I recall him being at my home. It may have  
14 been for firm parties or other parties, it may have  
15 been for fundraisers there.

16 Q. And that was during the time period that the  
17 Ponzi scheme was still going on, correct?

18 A. Yes.

19 Q. Did Adler ever tell you about any  
20 discussions he had with Brad Edwards about the illegal  
21 part of the operations at Rothstein?

22 A. Can you reask the question, please?

23 Q. Sure. Sure.

24 Did Russell Adler ever tell you -- Russell  
25 Adler is your co-conspirator, we've established that.

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1 Did Russell Adler in the furtherance of your  
2 conspiracy ever tell you he had discussed with Brad  
3 Edwards about the illegal activities at RRA?

4 A. No.

5 Q. Now, you testified when asked about whether  
6 the press -- if you were involved in asking the press  
7 to run with the Epstein story, you said something to  
8 the effect, "the way I was selling the Ponzi scheme it  
9 would be overkill."

10 I didn't understand your answer like you  
11 didn't understand some of my questions, so I'd like  
12 you to kind of tell me what you meant by that.

13 A. I was selling purportedly confidential  
14 settlements. Confidentiality was the hallmark of the  
15 Ponzi scheme, so too much publicity would have created  
16 a problem for me in the sale of what was supposed to  
17 be a completely confidential settlement.

18 Q. I think what you are telling me, and I don't  
19 want to misstate what I think you are telling me, but  
20 is it true that you felt some publicity would be okay  
21 but too much would be counter to the purposes of the  
22 conspiracy. Is that a fair statement?

23 A. The way I was thinking about it at the time  
24 this was going on was that some publicity would assist  
25 in establishing for the potential investors that there

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1 was a real case going on, but that within that I would  
2 have to create some sort of fictions in order to sell  
3 the fake product.

4 Q. Okay. At the time that you decided to use  
5 the Epstein case as part of your illicit Ponzi scheme  
6 theme, I think you testified earlier today, when you  
7 were in some dire straights, you needed an influx of  
8 money, right?

9 A. Yes.

10 Q. That's when you decided to use the Epstein  
11 matters, correct?

12 A. Yes.

13 Q. Okay. And you knew, I assume, being the  
14 Ponzi scheme mastermind here, that you needed to make  
15 sure that you had at least a working knowledge of the  
16 Epstein case so that you could answer questions to the  
17 investors. I recognize that you left the room and  
18 told them to look at it, but you had to some knowledge  
19 of the case, right?

20 MR. SCAROLA: Counsel, that's a  
21 misrepresentation of what the earlier testimony was.  
22 I object, no proper predicate.

23 MR. GOLDBERGER: Okay, let's go through the  
24 whole thing again.

25 MR. SCAROLA: No, you are not going to go

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1 through the whole thing again. Just because we have  
2 tolerated two lawyers asking questions, does not mean  
3 we are going to tolerate two lawyers asking the same  
4 questions.

5 MR. GOLDBERGER: Your objection is noted.  
6 BY MR. GOLDBERGER:

7 Q. Okay. So let's talk about your need to use  
8 the Epstein case to further your conspiracy. You  
9 needed an influx of money, did you not?

10 A. Yes.

11 Q. Okay. You decided to use the Epstein case  
12 for that purpose, right?

13 A. Yes.

14 Q. And in order to use the Epstein case, you  
15 were going to meet with the investors and pitch the  
16 Epstein case with the investors, correct?

17 A. Yes.

18 Q. And in an effort to pitch the case to the  
19 investors, you had to have some knowledge of the case,  
20 did you not?

21 A. Some level of knowledge, yes, sir.

22 Q. Okay. And in order to gain that knowledge,  
23 you spoke to your co-conspirator, Russell Adler; is  
24 that correct?

25 A. That's one of the things I did.

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27 (Pages 102 to 105)

1 Q. Okay. And do you remember what Adler told  
2 you specifically about the Epstein case that helped  
3 you have a basis of information to sell it to the  
4 investors?

5 A. Other than him telling me that it was a  
6 billionaire pedophile, other than him telling me about  
7 the flight manifest, I don't have a specific  
8 recollection of what else he told me.

9 Q. Did you actually look at the flight manifest  
10 at sometime, Mr. Rothstein?

11 A. Yes, sir.

12 Q. And what was it about those flight manifests  
13 that you felt would help you pitch the Epstein case to  
14 the investor?

15 A. I don't remember who specifically was on it,  
16 but I remember it looking juicy.

17 Q. You don't know who was on it?

18 A. I don't recall.

19 Q. Did you add any names to that manifest at  
20 any time?

21 A. I had -- you mean physically write names on  
22 there?

23 Q. Any way you want to interpret -- did you --  
24 not physically write any names on the manifest, but  
25 did you tell the investors that there were names on

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1 the manifest that were actually not on the manifest?

2 A. I told the investors that there were other  
3 people that appeared on manifests, I don't recall  
4 whether it was that manifest or other manifests, and I  
5 got the names of those people from Russ Adler.  
6 Whether or not they actually appeared on the manifest  
7 or another manifest, I do not know.

8 Q. What names did you get from Russ Adler?

9 A. Russ Adler told me that Bill Clinton flew on  
10 Mr. Epstein's plane and that Prince Andrew flew on  
11 Mr. Epstein's plane.

12 Q. And is it your testimony today that you  
13 never looked at the manifest to see whether Bill  
14 Clinton or Prince Andrew's name were really on the  
15 manifest that you were going to use to pitch the  
16 investors?

17 A. It was my understanding they didn't have all  
18 the manifests.

19 Q. Okay. Did you ever ask for the manifests  
20 that purportedly had the name of Bill Clinton or  
21 Prince Andrew on it?

22 A. I probably did, but I don't have a specific  
23 recollection one way or the other.

24 Q. When you say you didn't have all the  
25 manifests, were all the manifests in your office --

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1 were all the manifests within the law firm of RRA and  
2 you simply didn't have them in your office?

3 A. I have no idea one way or the other.

4 Q. Okay.

5 A. I did not have them.

6 Q. You were told by Russell Adler that you  
7 didn't have -- that you physically didn't have all the  
8 manifests, correct?

9 A. That's correct.

10 Q. But you don't know whether they were in the  
11 building somewhere, these other supposed manifests?

12 A. I have no idea one way or the other.

13 Q. You never asked for proof that Bill Clinton  
14 or Prince Andrew's name were on a manifest somewhere?

15 A. I didn't say that. I may very well have  
16 asked Adler or Ken Jenne to find the other manifests.

17 Q. Were you ever shown a manifest with the name  
18 Bill Clinton or the name Prince Andrew on them?

19 A. I do not recall one way or the other whether  
20 I saw that or not. I remember Adler telling me about  
21 it and then me repeating that information to the  
22 investors based upon Mr. Adler's representations to  
23 me.

24 Q. Now, you testified that you were told that  
25 the Epstein cases were "legitimate cases. Do you

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1 remember that testimony you gave this morning?

2 A. Yes.

3 Q. And you remember your testimony that you  
4 were told they were legitimate cases by both Russ  
5 Adler and Brad Edwards, do you remember that?

6 A. I never said that Mr. Edwards or Mr. Adler  
7 said, "Scott, these are legitimate cases." I didn't  
8 question them as to their legitimacy.

9 Q. You did testify that you talked to Brad  
10 Edwards about the Epstein cases; is that correct?

11 MR. SCAROLA: No, counsel, that is a  
12 misrepresentation of the earlier testimony.

13 MR. GOLDBERGER: No, it's not.

14 BY MR. GOLDBERGER:

15 Q. Did you talk to Brad Edwards about the  
16 Epstein cases?

17 A. I do not recall one way or the other. That  
18 was my prior testimony, that's still my testimony. I  
19 don't -- I do not recall.

20 Q. We'll let the record speak --

21 A. I know I spoke to Adler about it.

22 Q. We'll let the record speak for itself. Your  
23 testimony, as I am questioning you now, is that you do  
24 not recall whether you spoke to Brad Edwards about the  
25 Epstein cases; is that correct?

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28 (Pages 106 to 109)



1 A. If you are including within that me walking  
2 past Brad in the hall and saying, "Hey, Brad how are  
3 you? How is the Epstein stuff going?" Then it's very  
4 likely that I talked to him about it in that manner.  
5 But I have no specific recollection one way or the  
6 other as to having any lengthy conversations with  
7 Mr. Edwards about the case.

8 I had a co-conspirator who was deeply  
9 involved in the Ponzi scheme that I could go to to get  
10 any information I wanted, Mr. Adler. I didn't need to  
11 go to Mr. Edwards.

12 Q. So if you had a question of your  
13 co-conspirator, Russell Adler, about the Epstein case,  
14 you would go ask Adler and would Adler always have the  
15 answer for you or would he say he would get you the  
16 answer?

17 A. Both.

18 Q. When he didn't have the answer, do you know  
19 who he was getting the answer from?

20 MR. SCAROLA: Objection, predicate.

21 THE WITNESS: I don't know who he was  
22 getting it from and I may have contacted other people  
23 in the office who were working on the file to ask. I  
24 may have asked Mr. Jenne, I may have asked Ms.  
25 Holmes, I many have asked a whole myriad of people.

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1 A. She may have, I don't recall one way or the  
2 other.

3 Q. Did you ever ask Ms. Holmes to use any of  
4 her prior contacts in law enforcement to assist you in  
5 the Ponzi scheme to get information for you?

6 A. The question is kind of convoluted because  
7 the way you are asking it, it seems like you are  
8 intimating that Ms. Holmes knew. I may have asked  
9 Ms. Holmes to get me information that I was going to  
10 utilize with my co-conspirators in the Ponzi scheme,  
11 but Ms. Holmes did not know that there was a Ponzi  
12 scheme going on.

13 Q. All right. So you may have asked Ms. Holmes  
14 to try and get some information for you from her  
15 contacts in law enforcement, but it's your testimony,  
16 and I don't dispute it, it's your testimony that she  
17 knew nothing about the Ponzi scheme, correct?

18 A. I may have, I may not have. I do not  
19 remember and she absolutely knew nothing about the  
20 Ponzi scheme.

21 Q. Okay. Now, we talked about Brad Edwards  
22 getting paid and the multilevel ways in which you  
23 determined what a person's salary was. Do you know  
24 whether Brad Edwards got any bonuses along the way  
25 once the Epstein case was used as part of the Ponzi

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1 BY MR. GOLDBERGER:

2 Q. So Ms. Holmes was working on the Epstein  
3 cases?

4 A. It's my refreshed recollection from seeing  
5 one of those e-mails that she must have been.

6 Q. Okay. And Ms. Holmes you said was a former  
7 federal law enforcement officer, was that your  
8 testimony?

9 A. Yes.

10 Q. You don't know whether she was FBI or IRS,  
11 correct?

12 A. I don't remember.

13 Q. Okay. And upon reflection, do you know  
14 whether she was hired without your say-so based on  
15 what Mr. Jenne told you or did you meet with her?

16 A. No, I actually -- I remember meeting with  
17 Ms. Holmes.

18 Q. Okay. What do you remember about that  
19 meeting?

20 A. I remember talking about her relative who  
21 was a judge. I remember her telling me about her time  
22 in law enforcement. I just don't remember which  
23 agency.

24 Q. Did she tell you why she left law  
25 enforcement?

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1 scheme?

2 A. He did not.

3 Q. So he was --

4 A. If he got a bonus, it was something he  
5 earned.

6 Q. Did you make a determination as to what that  
7 bonus would be?

8 A. If he got a bonus, I would have been  
9 instrumental in determining it. You can determine if  
10 he got a bonus by looking at our financial records, I  
11 don't have an independent recollection one way or the  
12 other.

13 Q. So you don't know whether he got a bonus at  
14 all, correct?

15 A. That's correct.

16 Q. So I assume that if he got a bonus you  
17 wouldn't know whether it occurred before or after the  
18 Epstein case was used as part of the Ponzi scheme?

19 A. I don't know if he got a bonus, which means  
20 I wouldn't know the time frame.

21 Q. But we would learn -- you are instructing  
22 us, we would learn that by looking at when the Epstein  
23 case was brought into the Ponzi scheme and we learn  
24 that by looking at these -- what was the group that it  
25 was used to pitch to?

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29 (Pages 110 to 113)



1 A. Clockwork.  
2 Q. So we would look at when the Clockwork group  
3 was brought into this and the Epstein case was used  
4 then and then we would look at the payroll records to  
5 see whether Mr. Edwards got a bonus after the  
6 Clockwork group was brought into the Ponzi scheme,  
7 correct?

8 A. From a timing perspective, yes. But  
9 Mr. Edwards had nothing to do with the Ponzi scheme,  
10 nor was he rewarded even surreptitiously without his  
11 knowledge for helping me with the Ponzi scheme. If he  
12 was rewarded it was because he deserved, I felt he  
13 deserved a reward, having nothing to do with the Ponzi  
14 scheme. The bulk of this law firm had nothing to do  
15 with the Ponzi scheme.

16 Q. I think you testified already, though, that  
17 money was fundable in the firm, right? I mean, you  
18 know, illegal money was used for legitimate purposes,  
19 correct?

20 A. Yes.

21 Q. Okay. So, for example, investigations that  
22 were done with the Epstein case, it's very possible  
23 that legitimate Ponzi money was used to finance those  
24 investigations?

25 A. I'd be guessing. It's certainly possible

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1 about? By the way, you had a number of Epstein cases  
2 in-house, do you know which case you were talking  
3 about?

4 A. As I sit here today, no, sir, I don't  
5 remember.

6 Q. Was it a state case or a federal case?

7 A. I don't remember one way or the other.

8 Q. All right.

9 A. I utilized all those boxes all together. I  
10 don't remember which one I sold them.

11 Q. And the exhibits --

12 A. It's something completely fictitious that I  
13 made up that I told them.

14 Q. The exhibit that you were shown earlier,  
15 Exhibit Number 1, that's the long multi-page federal  
16 lawsuit. Do you know whether that was part of the  
17 information that you reviewed or shown to the  
18 investors when you were pitching to them?

19 A. I do not remember one way or the other.

20 Q. Okay. Now, did you make any effort to learn  
21 from your co-conspirator who the plaintiffs were in  
22 this case, what kind of women they were?

23 A. Only that they were underage.

24 Q. Did anyone tell you that these women had --  
25 some of these women had a history of prostitution?

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1 because all the money went into a whole series of  
2 pots, and if you look at, most of the pots were trust  
3 accounts. If you look back, you look to see what my  
4 CFO, who was also a co-conspirator was doing, she was  
5 pulling the money from wherever she needed to to fund  
6 whatever she needed to fund.

7 MR. LAVECCHIO: Off the record a second.  
8 [Discussion off the record.]

9 BY MR. GOLDBERGER:

10 Q. Let me circle back to what you needed to  
11 learn about the Epstein cases to help make your pitch  
12 to the investors.

13 You talked about the manifest already,  
14 correct, the flight manifest?

15 A. Yes.

16 Q. Okay. What else did you want to learn about  
17 the case or what else did you learn about the case so  
18 that you were conversant when you spoke to the  
19 investors about the Epstein case?

20 A. I recall asking someone what the causes of  
21 action were.

22 Q. Okay. Did you understand what they were?

23 A. I likely did at the time, I don't remember  
24 what they were now.

25 Q. Okay. Do you know which case we are talking

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1 A. They may have told me that, I wouldn't have  
2 cared one way or the other.

3 Q. Why would you not have cared about that,  
4 Mr. Rothstein?

5 A. It had nothing to do with the sale of the  
6 Ponzi scheme settlements.

7 Q. Okay. Were you told by anyone whether any  
8 of the women involved as plaintiffs in the case may  
9 have worked at adult clubs in the past? I mean strip  
10 clubs, let's call it what it is.

11 A. I may have been told that one way or the  
12 other. But again, it had nothing to do with the Ponzi  
13 scheme sale of fake settlements.

14 Q. As part of the information that you were  
15 told by you co-conspirator, Russell Adler, were you  
16 told that some of the plaintiffs that you had in-house  
17 had travelled on Mr. Epstein's airplane?

18 A. I believe Russ did tell me that.

19 Q. You know, in fact, that that was not true,  
20 correct?

21 A. I have no idea one way or the other, nor did  
22 I care.

23 Q. But your co-conspirator told you that,  
24 right?

25 A. Mr. Adler did, in fact, tell me that certain

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30 (Pages 114 to 117)

1 of the underage women had travelled on Mr. Epstein's  
2 plane.

3 Q. Did you ever meet any of the plaintiffs?

4 MR. SCAROLA: That's question that's been  
5 asked and answered.

6 THE WITNESS: I do not have a specific  
7 recollection of ever meeting them.

8 MR. SCAROLA: You are exhausting my  
9 indulgence.

10 MR. GOLDBERGER: Fair enough.

11 MR. SCAROLA: You've exhausted my  
12 indulgence.

13 BY MR. GOLDBERGER:

14 Q. Do you know whether any of your  
15 investigators at the firm had any kind of high tech  
16 surveillance equipment or, you know, wire tapping  
17 equipment?

18 A. I believe they did.

19 Q. Do you know whether this was legal stuff or  
20 illegal stuff?

21 A. I did not know, nor did I care.

22 Q. Do you know if any of that stuff was used to  
23 either wire tap or surveil Mr. Epstein?

24 A. I do not know one way or the other.

25 Q. What sort of equipment did you know that

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1 have any knowledge of your firm's attempt during the  
2 Ponzi scheme to depose Alan Dershowitz?

3 A. No, sir. I don't have a recollection of one  
4 way or the other.

5 Q. Okay. The name Kendall Coffey was brought  
6 up before. Do you know who Kendall Coffey is?

7 A. Yes.

8 Q. Who do you know him to be?

9 A. Former U.S. attorney, current criminal  
10 defense lawyer.

11 Q. Was he a friendship of the firm's?

12 A. Represented RRA when I fled the country.

13 Q. So he was a friend of the firm, or a friend  
14 of yours at least, right?

15 A. He wasn't a friend of mine.

16 Q. A friend of the firm?

17 A. No idea.

18 Q. He represented them when I fled the country.  
19 I remember him coming in and doing like a show and  
20 tell in my office on TV.

21 MR. GOLDBERGER: Patience gets rewarded.  
22 I'm done.

23 Thank you, Mr. Rothstein. That's all the  
24 questions that I have.

25 THE WITNESS: You are welcome.

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1 they had, meaning your investigators?

2 A. I had told Mr. Jenne and others involved in  
3 the investigation arm of RRA to get whatever equipment  
4 they thought they needed and to get the best stuff  
5 that they could get. What they actually did, I can't  
6 tell you.

7 Q. You know as part of the Epstein litigation,  
8 and I'm talking about now after your using it in the  
9 Ponzi scheme, do you know whether anyone at your firm  
10 attempted to depose ex-President Bill Clinton?

11 A. I don't recall that, sir.

12 Q. Okay. How about Donald Trump, same  
13 question?

14 A. I don't recall that. As a matter of fact,  
15 we had represented Trump in some things, we had some  
16 pretty close ties with him, so I can't imagine that  
17 they would have done that with my authority.

18 Q. Okay.

19 A. I don't recall that.

20 Q. Do you know whether Adler would have --  
21 would Adler have the authorize to do that without  
22 getting your permission?

23 A. The authority, no. Might he have tried,  
24 yes.

25 Q. Okay. How about Alan Dershowitz, do you

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### CROSS EXAMINATION

2 BY MR. SCAROLA:

3 Q. Mr. Rothstein, again, Jack Scarola on behalf  
4 of Brad Edwards. I want you to assume that Brad has  
5 testified under oath that you never had a substantive  
6 discussion with him regarding the Epstein case. Do  
7 you have any basis whatsoever to question the accuracy  
8 of that testimony?

9 A. I do not.

10 Q. I want you to assume that Brad has or will  
11 testify under oath that while you were copied on  
12 e-mails, you never attended a single legitimate  
13 meeting regarding the legitimate prosecution of the  
14 Epstein cases. Do you have any basis whatsoever to  
15 question the accuracy of that testimony?

16 A. No, sir.

17 Q. I want you to assume that Brad has or will  
18 testify under oath that you never directed the filing  
19 of any documents in the Epstein case, including the  
20 July federal complaint that's been marked as an  
21 exhibit to your deposition. Do you have any reason  
22 whatsoever to question the accuracy of that testimony?

23 A. No, sir.

24 Q. I want you to assume that Brad has or will  
25 testify under oath that you never directed the taking

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31 (Pages 118 to 121)

1 of a single deposition. or the propounding of any  
2 discovery in the Epstein cases. Do you have any  
3 reason to doubt the accuracy of that testimony?

4 A. No, sir.

5 Q. I want you to assume that Brad has or will  
6 testify that you did not provide any input whatsoever  
7 into the handling of the legitimate Epstein cases. Do  
8 you have any reason whatsoever to doubt the accuracy  
9 of that testimony?

10 A. No, sir.

11 Q. I want you to assume that Brad has or will  
12 testify that you never met any of the legitimate  
13 plaintiffs in the Epstein cases. Do you have any  
14 reason to doubt the accuracy of that testimony?

15 A. No, sir.

16 MS. HADDAD: I'm going to object to these  
17 same questions you keep asking, because Mr. Rothstein  
18 has testified at nauseam that he doesn't recall any  
19 of this and now you are asking him to bolster  
20 Mr. Edwards' either already given or purported  
21 testimony when he's testified he doesn't recall it.  
22 BY MR. SCAROLA:

23 Q. I want you to assume that Brad has or will  
24 testify under oath that you never asked him once to  
25 report back to you on any factual matters regarding

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1 the Epstein case. Do you have any reason to doubt the  
2 accuracy of that testimony?

3 A. No, sir.

4 Q. I want you to assume that Brad has testified  
5 repeatedly that he had absolutely no involvement in or  
6 knowledge of any illegal activity engaged in by you or  
7 any other RRA lawyer. Do you have any reason to doubt  
8 the accuracy of that testimony?

9 A. No, sir.

10 Q. I want to talk to you briefly about your  
11 personal perceptions of the significance of the  
12 testimony that you are giving today. If Brad Edwards  
13 had, in fact, been a participant in any of the illegal  
14 activities that you have been questioned about at any  
15 stage of this very lengthy deposition, and you  
16 knowingly concealed Brad Edwards' participation, what  
17 do you understand the personal consequences to be as a  
18 consequence of your having knowingly concealed Brad  
19 Edwards' participation?

20 A. I'll be violating my agreement with the  
21 United States government and I would run the risk of  
22 dying in prison.

23 Q. If Brad Edwards, contrary to what you have  
24 testified under oath and what Brad himself has  
25 repeatedly said, knew about anything having to do with

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1 illegal activities at the RRA firm and you concealed  
2 your knowledge of Brad Edwards' knowledge of that  
3 illegal activity. what do you understand the  
4 consequences of that false testimony to be?

5 A. I'll be violating my agreement with the  
6 United States government and I would run the risk of  
7 dying in prison.

8 MR. SCAROLA: Thank you. I don't have any  
9 further questions.

10 THE WITNESS: Thank you, sir.

11 MR. NURIK: Mark, I don't know what your  
12 time frame is on your litigation, but the ability to  
13 receive the transcript, review it and prepare an  
14 errata sheet within what is normally the time  
15 allotted under the court rules cannot be accomplished  
16 in this case.

17 MR. GOLDBERGER: How much time are you  
18 generally --

19 MR. NURIK: I don't know.

20 Actually, the first set of errata sheets  
21 have just been prepared and finalized for the first  
22 deposition in December. I'm not suggesting it will  
23 take that long this time, but if you can give me an  
24 idea of what your time responsibilities are with the  
25 court, what the time limits are --

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1 MR. GOLDBERGER: Do you think it will be  
2 less than a month, two months?

3 MR. NURIK: I don't think it will be less  
4 than a month. First of all, a lot depends on the  
5 ability to get the transcript to him to review.

6 MR. GOLDBERGER: Right.

7 MR. NURIK: And that's a whole procedure,  
8 it's not normal circumstances that we are dealing  
9 with.

10 MR. GOLDBERGER: If time becomes an issue,  
11 we'll approach you and ask you to expedite.

12 MR. SCAROLA: Mark, I will tell that from  
13 our perspective time is an issue.

14 MR. NURIK: Have at it then, Jack. Do what  
15 you need to do to get it done.

16 MR. SCAROLA: There is a long pending  
17 motion for summary judgment on Brad's behalf that has  
18 been delayed for purposes of taking this deposition.  
19 We are very anxious to be able to call that motion  
20 for summary judgment up for hearing, so whatever can  
21 be done reasonably to expedite the preparation of  
22 this portion of this transcript would be appreciated.  
23 We understand there are limitations beyond your  
24 control, but to the extent you can do it, that would  
25 be helpful. Thank you.

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1 MS. HADDAD: It's scheduled in a month,  
2 Mark.  
3 MR. NURIK: We'll cooperate.  
4 MR. SCAROLA: Thank you very much.  
5 [Thereupon, the taking of the deposition was  
6 concluded at 12:37 p.m.]  
7  
8  
9  
10

11 SCOTT ROTHSTEIN  
12 Sworn to and subscribed  
13 before me this day  
14 of , 2012.  
15 Notary Public, State  
16 of Florida at Large.  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page 126

1 FRIEDMAN, LOMBARDI & OLSON  
2 Suite 924, Biscayne Building  
3 19 West Flagler Street  
4 Miami, Florida 33130  
5 Telephone (305) 371-6677

June 21, 2012

IN RE: EPSTEIN VS. EDWARDS

6 SCOTT ROTHSTEIN C/O MARC NURIK  
7 One East Broward Boulevard, Seventh Floor  
8 Ft. Lauderdale, Florida 33301

Dear SCOTT ROTHSTEIN:

9 With reference to the deposition of  
10 yourself taken on June 14, 2012, in connection with  
11 the above-captioned case, please be advised that the  
12 transcript of the deposition has been completed and  
13 is awaiting signature.

14 Please arrange to stop by our office for  
15 the purpose of reading and signing the deposition.  
16 Our office hours are 9:00 a.m. to 4:00 p.m., Monday  
17 through Friday. Please telephone in advance.

18 You may, however, read a copy of the  
19 transcript, provided by any of the attorneys  
20 connected with the case, denoting any corrections by  
21 page and line number on a separate sheet of paper.  
22 This correction page must be signed by you and  
23 notarized and returned to us for filing with the  
24 original.

25 If this has not been taken care of,  
however, within the next 30 days, or by the time of  
trial, whichever comes first, I shall then conclude  
that the reading, subscribing and notice of filing  
have been waived and shall then proceed to deliver  
the original of the transcript to ordering attorney  
without further notice.

Pearlyck Martin

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1 CERTIFICATE  
2 STATE OF FLORIDA )  
3 COUNTY OF MIAMI-DADE )

4 I, Pearlyck Martin, a Notary Public in and  
5 for the State of Florida at Large, do hereby certify  
6 that, pursuant to a Notice of Taking Deposition in  
7 the above-entitled cause, SCOTT ROTHSTEIN was by me  
8 first duly cautioned and sworn to testify the whole  
9 truth, and upon being carefully examined testified as  
10 is hereinabove shown, and the testimony of said  
11 witness was reduced to typewriting under my personal  
12 supervision and that the said Video Conference  
13 deposition constitutes a true record of the testimony  
14 given by the witness.  
15  
16

17 I further certify that the said Video  
18 Conference deposition was taken at the time and place  
19 specified hereinabove and that I am neither of  
20 counsel nor solicitor to either of the parties in  
21 said suit nor interested in the event of the cause.  
22  
23

24 WITNESS my hand and official seal in the  
25 City of Miami, County of Dade, State of Florida, this  
day of June 19, 2012.

Pearlyck Martin

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33 (Pages 126 to 128)

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

CASE NO.: 502009CA040800 AG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, etc., et al.,

Defendant(s).

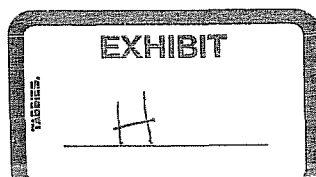
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ORDER ON PLAINTIFF'S  
MOTION TO DISMISS COUNTERCLAIM OF DEFENDANT EDWARDS

THIS CAUSE came before the Court upon the Plaintiff's Motion to Dismiss the Counterclaim of the Defendant, BRADLEY J. EDWARDS. The Court heard argument of counsel and has reviewed the authorities they have cited, and is otherwise fully advised in the premises.

First, as to Count I, the claim for abuse of process, the Court finds that there are sufficient allegations in the Complaint to establish an ulterior purpose or motive. Furthermore, the allegations are that each and every act in the prosecution of the case in chief have been for an ulterior purpose or motive. Such Counterclaims are no longer barred in Florida. See e.g., *Blue v. Weinstein*, 381 So.2d 308 (Fla. 3<sup>rd</sup> DCA 1980).

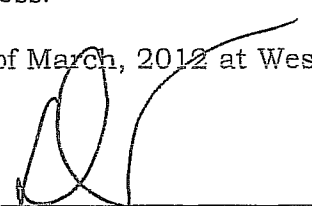
In regard to the malicious prosecution claim, this Court recognizes that, in general, a Counterclaim for malicious prosecution cannot arise out of the allegations contained in the Complaint. Therefore, in general, a claim for malicious prosecution arising out of dismissed counts of a Complaint is improper as long as the Complaint is still pending. However, the Court finds that the circumstances in the present matter are distinguishable from the cases cited by the Plaintiff. In this case, a voluntary dismissal of those claims was filed by the Plaintiff. Therefore, we are not faced with a situation where



there is non-final order of court because the claims are interrelated to a remaining claim. In this case, the Plaintiff voluntarily chose to dismiss those claims. Counsel has provided no authority for the proposition that a voluntary dismissal of a claim against a party is not a bona fide termination.

Nevertheless, this Court has serious concerns as to the claimed "damages" set forth in the Counterclaim. Therefore, further argument on the damages issues only is scheduled for **Wednesday, April 18, 2012 at 8:45 a.m. (UMC), Courtroom 9C, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida.** Counsel shall provide to the Court at that time authority for the damages allowable under the claim or malicious prosecution or abuse of process.

DONE AND ORDERED this 29<sup>th</sup> day of March, 2012 at West Palm Beach,  
Palm Beach County, Florida.

  
\_\_\_\_\_  
DAVID F. CROW  
CIRCUIT COURT JUDGE

Copy furnished:

JACK SCAROLA, ESQUIRE, 2139 Palm Beach Lakes Blvd., West Palm Beach, FL 33409  
JOSEPH L. ACKERMAN, JR., ESQUIRE, 777 S. Flagler Dr., 901 Phillips Point West, West Palm Beach, FL 33401  
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IN THE CIRCUIT COURT OF THE  
15TH JUDICIAL CIRCUIT, IN AND  
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 502009CA040800XXXXMBAG

\_\_\_\_\_  
JEFFREY EPSTEIN,

Plaintiff,

vs.

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

Defendants.  
\_\_\_\_\_ /

VIDEOTAPE DEPOSITION CONT'D OF BRADLEY EDWARDS

VOLUME II OF II

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October 10th, 2013

10:00 A.M. - 2:30 P.M.

401 East Las Olas Blvd., Suite 1400  
Fort Lauderdale, FL

Stenographically Reported By:  
WENDY ROBERTS, RPR  
Notary Public, State of Florida  
Empire Legal Support, Inc.  
Fort Lauderdale Office  
Phone: (954)241-1010

EXHIBIT

I

APPEARANCES:  
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ALSO PRESENT: JEFF EPSTEIN, PLAINTIFF (telephonically)  
 DEBRA FEIN, LAW CLERK

(Continued from Volume I dated May 15th, 2013.)  
 Videotape Deposition taken before Wendy Roberts,  
 Registered Professional Reporter and Notary Public in  
 and for the State of Florida at Large, in the above  
 cause.

---

THE VIDEOGRAPHER: We are now on the video  
 record. Today's date is October 10th, 2013. The  
 time is 10:15 A.M. Would counsel please state  
 their appearances for the record.

MR. KING: William King, Searcy Denney Scarola  
 Barnhart & Shipley for Mr. Edwards.

MR. GOLDBERGER: All right. Jack Goldberger,  
 Atterbury, Goldberger & Weiss, West Palm Beach, on  
 behalf of Jeffrey Epstein.

MR. INDYKE: Darren K. Indyke of Darren K.  
 Indyke, PLLC, on behalf of Jeffrey Epstein.

MR. HADDAD: I am Fred Haddad -- Fred Haddad  
 on behalf of Jeff Epstein.

MS. COLEMAN: Tonja Haddad Coleman, Tonja  
 Haddad, PA, on behalf of Jeffrey Epstein.

MS. FEIN: Debbie Fein of Tonja Haddad, PA, on  
 behalf of Jeffrey Epstein.

MR. HADDAD: This is a continuation of the  
 deposition of, I guess it was a couple months ago

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| EXHIBITS: Description                                                                                                 | Page |
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that we stopped.

Thereupon:

BRADLEY EDWARDS

having been previously duly sworn or affirmed, was  
 examined and testified as follows:

DIRECT EXAMINATION (Cont'd)

BY MR. HADDAD:

Q And Mr. Edwards, since the deposition of last  
 time, I guess some discovery has been provided, correct?

A Right.

Q All right. And those would be in response to  
 request for production No. 7, I guess, correspondence,  
 and I think that's what that means R4P, correspondence  
 between BJE and U.S. Government regarding Epstein, that  
 was in your possession, correct?

A Okay.

Q That's what this appears to be. I think that  
 came from Scarola, if I'm not mistaken. Under response  
 to request to produce, or Scarola, Searcy Denney, et al.

A Okay. It looks like correspondence between  
 myself and the United States --

Q All right.

A -- Attorney's Office.

Q All right. And that would comp -- comprise  
 all of the correspondence that was actually gauged



1 between yourself and either, what's his name, Dexter, or  
2 Miss Villfrans, Villafrana, Villafana, whatever you want  
3 to call her?

4 A That's my understanding.

5 Q All right. Well, this all came from your  
6 files and from your records, correct, e-mails, whatever  
7 you call those things where you store e-mail servers or  
8 whatever there?

9 A You sent a request, I did whatever searches  
10 that I could to come up with all of the documents  
11 between us and I turned them over to my attorney who  
12 turned them over to you.

13 Q All right. And I don't know if that request  
14 contained anything regarding any memorandums of  
15 conversations that you might have had, telephonic  
16 conversations or in-person conversations. Did any of  
17 those exist?

18 A Not to my recollection.

19 Q Okay. So --

20 A I think that's everything.

21 Q That's what I'm asking, everything that there  
22 is, correct?

23 A I believe so.

24 Q All right. And this would take -- some of  
25 it's not numeric -- not numerically -- not --

1 BY MR. HADDAD:

2 Q Now, the letter here that I'm looking at on  
3 March 15th from Wifredo Ferrer to Paul G. Cassell, and I  
4 guess it was turned over by you in this discovery, and  
5 that was on March 25th of 2011, I believe, correct?

6 A It's dated March 15th, 2011.

7 Q Oh, I'm sorry, my glass -- even with glasses,  
8 I can't see that well. All right.

9 So that was March 15, 2011. Paul Cassell, I  
10 take it, was your co-counsel who was some kind of law  
11 professor and judge and all that stuff?

12 A Right.

13 Q All right. And he was co-counsel with you on  
14 these cases?

15 A Right.

16 Q Does he still remain co-counsel with you on  
17 these cases?

18 A Well, the only case that is remaining is the  
19 Crime Victims Rights Act case --

20 Q Yeah.

21 A -- and yes.

22 Q But that's been -- that's in the 11th Circuit,  
23 right, now --

24 A Right.

25 Q -- in -- pending stayed or briefing, I don't

1 A Chronological?

2 Q Chronological, thanks for the word,  
3 chronologically presented. But I note the first thing I  
4 have is to Dexter Lee and it states something about  
5 October 9, 2008, regarding some potential false  
6 statements the Government made in a sworn declaration  
7 with the above-captioned case. That was you writing to  
8 them, correct?

9 A What I'm looking at right now appears to be on  
10 my letterhead from back then, so I would say yes.

11 Q All right. And whatever it says, it says --

12 A That's my signature.

13 Q Okay. And that would be the same with all of  
14 these? Let me -- let me just go through them. Let me  
15 see which ones I'm going to ask.

16 MR. KING: Take your time to look at them --

17 MR. HADDAD: Yeah.

18 MR. KING: -- if you think you need to.

19 MR. HADDAD: What do you think, I altered  
20 them?

21 MR. KING: No, no, no, no. Because I'll need  
22 to take a look at them if you have any questions  
23 about --

24 MR. HADDAD: I understand that.

1 know what, something is out there, correct?

2 A It has been fully briefed. I think oral  
3 argument is January, February, but yes.

4 Q All right. And he's still on that case with  
5 you, correct?

6 A Yes.

7 Q All right. Would this letter have been  
8 sent -- when this letter was sent to Mr. Cassell, would  
9 you have received a copy of it contemporaneously?

10 A I can't -- I don't know.

11 Q All right. But somehow it --

12 A I either got it from Paul --

13 Q Right.

14 A -- or I got it from them and I don't really  
15 remember. Am I copied on it?

16 Q I don't see a CC to you. No.

17 A Okay.

18 Q So you are familiar with this though, it was  
19 in your files?

20 A Right, I -- I was involved in the whole  
21 process, so, yeah, I'm familiar with it.

22 Q Yeah, I understand that but I --

23 A Yeah, I'm familiar with it.

24 Q -- I don't want to speculate though.

25 A No.

Q I want the answer from you.  
 All right. And then on September 29th, 2011 -- on September 29th, 2011, there is another letter to the United States Attorney, Mr. Ferrer, and it's a follow-up on Jeffrey Epstein by the same Mr. Cassell, correct?

A That's what it appears to be.

Q All right. There is a carbon copy to Dexter Lee and Maria Villafana, correct?

A Okay.

Q Okay doesn't answer. Yes or no? I need --

A That's what it appears to be.

Q Yeah, but -- yeah, I know. I am just asking you --

A I mean, I didn't send the letter. I'm looking at the same thing you are looking at.

Q I know.

A Paul signed it and then he copied Dexter Lee and Maria Villafana.

Q Do you know how you received a copy of this?

A I don't remember right now.

Q But it is in your records?

A Yes.

Q And would you have read it at the time it came in?

A Just tell me what your question is. I'm not sure that--

Q I said CR -- John Doe 1 and 2 your CRVA cases?

A Right.

Q All right. And then this is the --

A That's the case number for it.

Q Okay. And what I'm asking you is, this is a document sent by Farmer, Jaffe, Weissing, Edwards, Fistos, and then what, you emulate Searcy and Denney to have as many names as they do? I guess. Any rate, this is on your letterhead and it's sending the United States Attorney's Office a list of, I guess, discovery; is that correct?

A Well, no, I think that we were just complying with the 26(a) witness disclosures in that case. There has always been a -- a -- I don't want to say disagreement because I don't think anybody actually knows whether this case falls under the civil rules of procedure or criminal, but an abundance of caution, if it fell under the civil rules, we felt that those disclosures were necessary.

Q All right. But let me ask you this: Was this in response to a request to produce by the Government or was this a voluntary disclosure of what you thought you had as evidence? That is, I mean, was there a civil --

MR. HADDAD: Where is that thing of hers?

MR. GOLDBERGER: Chill. Chill.

MR. HADDAD: Chill, I always chill.

THE WITNESS: What is your question?

MR. HADDAD: I don't remember.

A I think -- I think it was whether or not I received it at the time that it was sent, and I don't -- I don't know exactly the timing of when I received this letter. But it would have been close in time to when it was sent. I don't know exactly.

BY MR. HADDAD:

Q So you could -- you all were working these together, correct?

A Yeah, right.

Q And whatever is in these documents speaks for themselves, correct?

A Exactly.

Q Would they have engendered by you any follow-up calls to the U.S. Attorney or to anyone in the U.S. Attorney's Office?

A No.

Q All right. Things such as -- at the same time, this -- Rule 26 disclosures, and Jane 1 -- and Jane Doe 1 and Jane Doe 2, those are your CRVA {SIC} cases, correct?

you know, I'm not that adept at the rules of civil procedure, but I understand that before you respond to something, there is usually a request to produce, request to disclose, interrogatories, something like that.

A Right.

Q But you can make a voluntary disclosure at times if you wish to -- to have litigation go forward faster, as it were. I don't know the proper term --

A Right.

Q -- they use in civil litigation.

A All right, I will tell you a couple things. One is, the only thing that -- that I'm a little uneasy about right now is that we are getting into work product not on this case, we are not on the underlying case, but on the Crime Victim's Rights Act case that is still actively being prosecuted. However, to the extent that I can answer this question, the purpose of this was solely because Judge Marra, I believe, was of the mind-set that this fell into a civil category rather than criminal, and therefore, Rule 26 disclosures would need to be made. And so in hopes that the Government would reciprocate, we provided our witnesses and expected for them to do the same.

Q All right, but I understand what you are

1 saying there. The simple thing -- my simple question is  
2 this. Were you in the litigation status that you needed  
3 to produce this or was this a voluntary production for  
4 purposes of hoping the Government would respond to you?

5 A We felt it was necessary.

6 Q That's not my question.

7 A I understand that.

8 Q Was this -- okay --

9 A I don't know the answer to your question,  
10 though.

11 Q You are an attorney, you are fairly bright and  
12 we went through that last time, I don't want to have to  
13 go through that again, how smart you are. This was --  
14 you're saying here, if you are correct that the civil  
15 rules apply, that's Dexter Lee, then both sides of the  
16 case are obligated to make voluntary initial disclosures  
17 under Rule 26(a). We are writing to make our initial  
18 disclosures and ask that you promptly do the same,  
19 correct?

20 A We felt it was our obligation.

21 Q I can read what it says here.

22 A Okay.

23 Q We are making our initial disclosures and ask  
24 you to do the same, voluntary initial disclosures, okay?

25 A Right.

1 Q I don't know how to open an e-mail, as you  
2 well know. I am asking you a simple question. Do  
3 you --

4 A I'm trying, Fred.

5 Q I understand you are trying, Brad, I  
6 appreciate that. We all try. A little harder at my age  
7 than yours but we all try. I had to get one age joke in  
8 there.

9 All right. Now, correspondence has been going  
10 on since 2008 -- 2008 regarding this CRVA, correct?

11 A That's correct.

12 Q My -- excuse me, I don't want to stutter.  
13 With everything you produced, I'm at a loss to find  
14 anything that was produced while you were with  
15 Rothstein; is that correct?

16 A That may be correct.

17 Q I would like you to look through that because  
18 I really want to know whether or not anything was  
19 produced while you were with -- and Rothstein would be  
20 Rothstein, Rothstein and Adler?

21 A Right.

22 Q No, Rothstein from --

23 MS. COLEMAN: Rosenfeldt.

24 BY MR. HADDAD:

25 Q Rosen -- Rosenfeldt and Adler, your former

1 Q You felt it was necessary, it wasn't required  
2 by rule, by anything, it was a voluntary thing you are  
3 doing, as you are say in your own words, correct?

4 A Correct.

5 Q Did you get a response from the Government?

6 A I don't remember.

7 Q Okay.

8 A This is something from March of 2011, I just  
9 don't remember.

10 Q You don't remember whether or not the  
11 Government provided you a list of their discovery, their  
12 evidence, their witnesses or anything, whatever there is  
13 in response to Rule 26 that they are required to comply  
14 with?

15 A I can tell you they've provided us very  
16 little, much less than we wanted. Have they provided us  
17 nothing? I don't know that that's true.

18 Q Well, they provided you a letter saying you  
19 have no business being in this thing, but besides that,  
20 have they done anything in here?

21 A I don't remember that.

22 Q Okay.

23 A The -- the dockets on PACER will speak for  
24 itself though, if they've made those disclosures, I  
25 think --

1 partnership.

2 A Was anything produced between --

3 Q Yeah, did you -- a CRVA --

4 A -- April and October 2009?

5 Q Yeah, when you --

6 A Right.

7 Q -- were with that firm, was there anything  
8 going on between you and the Feds while you were with --

9 A Well, what you are asking though is, was  
10 anything produced in the Crime Victims' Rights Act  
11 while -- between --

12 Q Okay. Let me put it this way, I mean in the  
13 way of pleadings, in the way of pleadings or any type of  
14 correspondence with the Federal Government. You were  
15 there five months?

16 A Five or six months.

17 Q During those six months, let's give it six  
18 months.

19 A Fine.

20 Q Okay. That you were with -- in this building?

21 A Correct.

22 Q The building that Scott built, the house that  
23 Scott built. Is that like The House That Ruth Built or  
24 something?

25 At any rate, at any time, were there any

1 correspondence between the Federal Government and  
2 Bradley Edwards' partner, Rothstein, Rothstein and  
3 Adler, as the way you signed off -- or Bradley  
4 Edwards -- anything?

5 A Come on, come on. You're going to have to go  
6 back in the bag and grab a question that I can actually  
7 answer.

8 Q Look through all of this and tell me if this  
9 is everything you have, if there is one thing during the  
10 period of time you were with Rothstein?

11 A In this?

12 Q In -- well, that's everything you own, you  
13 said, regarding the -- that -- that request to produce  
14 regarding the CRVA, as well as the correspondence.

15 A All right. Correspondence.

16 MR. GOLDBERGER: I think you are one letter  
17 away.

18 MR. HADDAD: Oh, what difference does it make,  
19 he knew what I was talking about. Crime Rights,  
20 Victims, Crime Victim Rights, okay. ASPCA, the  
21 same thing.

22 THE REPORTER: Counsel, do you want that on  
23 the record?

24 MR. HADDAD: You can type it, I don't care.

25 (Thereupon, a discussion was had off the

1 MR. INDYKE: To Fowler.

2 MR. HADDAD: To Fowler?

3 MR. INDYKE: Yes.

4 MR. HADDAD: Oh, how come we didn't -- okay.

5 A Right, this predates the last deposition.

6 BY MR. HADDAD:

7 Q All right. I -- well, did they ask you about  
8 these, I don't think they would have?

9 A They would only be you, and I don't know if  
10 you have or not.

11 Q I never saw them before. Well, I mean, you  
12 can object. I'm going to ask. I don't see -- I didn't  
13 see any questions or answers regarding any e-mails.

14 A I don't remember.

15 MR. KING: At the last deposition?

16 BY MR. HADDAD:

17 Q At the last deposition. In the first  
18 deposition, Mr. Scarola didn't last -- let anybody ask  
19 anything, so I'm not going to be long with these and  
20 rather than go through a whole hearing, I mean, if am  
21 out of order, okay, that is not unusual.

22 A What else is new, right?

23 Q That -- that -- yeah, I mean, this is just a  
24 simple discovery depo. All I want to do is these, is  
25 I've got a stack of Bates stamped things, I guess we

1 record.)

2 A I don't see anything.

3 BY MR. HADDAD:

4 Q All right. Thank you.

5 MR. GOLDBERGER: Wait, let --

6 MR. HADDAD: What?

7 MR. GOLDBERGER: I want to make sure the  
8 question is answered, Fred, before you jump on the  
9 next one.

10 THE WITNESS: I was going to say --

11 MR. HADDAD: I don't have a next one to jump  
12 onto yet. I just dug into a few things here this  
13 morning when I got up getting my kid ready for  
14 school. I just dog-eared a few things this morning  
15 when I woke up, get my kid ready for school.

16 A You were going to ask me how to do that? Oh.

17 BY MR. HADDAD:

18 Q I have been doing it for 40-something years.

19 I have here, I forget where they came from, a  
20 whole bunch of e-mails you turned over.

21 A Okay.

22 Q Since the last time we met, or since -- yeah,  
23 since after that deposition, correct? These are e-mails  
24 that were given over in discovery to Miss Coleman, I  
25 believe, or somebody, to Mr. Indyke, is that -- huh?

1 found or somebody found, I don't know, of --

2 A If you found them, I turned them over.

3 Q I -- I understand that. I just want --

4 A I just don't want the record to make it seem  
5 like they were floating around on the street.

6 Q Brad, no one is doubting your bona fides as  
7 far as discovery is concerned. When I -- if I did that,  
8 I would say it right out, I don't --

9 A I know.

10 Q -- I don't hint around, you know that. All  
11 right.

12 Look at -- but these would be dep -- these  
13 would be e-mails that were actually during the course of  
14 your time actually at --

15 MS. COLEMAN: Can I mark this as an exhibit?

16 BY MR. HADDAD:

17 Q -- Rothstein, Rosenfeldt and Adler, I believe.  
18 They are all in 2009, from June until -- actually, I  
19 think the last one is October 29th or 30th. Just look  
20 through these, just for purposes -- I am not going to  
21 sit here and ask you questions about everything or --  
22 and many of them, because, you know, they speak for  
23 themselves, but I just want to make sure we are accurate  
24 in what we have there, and those things would have been  
25 things that you would have produced.

1 MS. COLEMAN: While he is looking at that,  
2 just so the video is clear, the request to produce  
3 regarding the Government exhibits, I have attached  
4 as Exhibit 1 to the deposition that he just went  
5 over and those will be Exhibit 2.  
6 MR. HADDAD: Oh, okay. I don't know how to do  
7 that.  
8 MR. GOLDBERGER: Yes. Yes, that's what we  
9 want to do.  
10 MS. COLEMAN: I'm the token civil lawyer in  
11 the room. I thought I would just throw that out  
12 there.  
13 MR. HADDAD: Token woman in the room too.  
14 MR. KING: So the Rule 26 disclosures to the  
15 Government will be Exhibit 1; is that right?  
16 MR. GOLDBERGER: Yes.  
17 MS. COLEMAN: No, no --  
18 MR. GOLDBERGER: It will be part of it.  
19 MS. COLEMAN: -- those -- those were  
20 provided -- those -- the Exhibit 1 is responsive to  
21 Request No. 7 on the Schedule A, to which  
22 Mr. Edwards objected prior to the last deposition.  
23 So they were responsive.  
24 MR. KING: All I want to know is what is being  
25 marked as Exhibit 1.

1 MS. COLEMAN: It's all -- that's it.  
2 MR. KING: This document --  
3 MR. GOLDBERGER: Your resp -- Edwards'  
4 response.  
5 MR. KING: Got it.  
6 MS. COLEMAN: This is off the record.  
7 (Thereupon, a discussion was had off the  
8 record.)  
9 A You want me to read through these?  
10 BY MR. HADDAD:  
11 Q Just look at them and see -- you know, you  
12 don't have to read every word of -- word of them, I'm  
13 not going to -- if I have one I'm going to ask you  
14 something about, I will tell you. I am not here to try  
15 to trick you yet.  
16 (Thereupon, a discussion was had off the  
17 record.)  
18 THE VIDEOGRAPHER: The time is 10:36 A.M. We  
19 are now coming off the video record.  
20 (Thereupon, a discussion was had off the  
21 record.)  
22 THE VIDEOGRAPHER: The time is 10:40 A.M. We  
23 are now back on the video record.  
24 BY MR. HADDAD:  
25 Q All right. So did you have the ability in the

1 last couple of minutes to read through these e-mails,  
2 correct?  
3 A Yeah.  
4 Q Do you recognize them?  
5 A Some of them.  
6 Q And some of them you do not recognize?  
7 A Well, some of them, I'm on the e-mail --  
8 Q Right.  
9 A -- some of them I'm not, so I do not recognize  
10 the e-mail.  
11 Q All right. The ones that you are not on,  
12 obviously, you don't know if you've seen them before?  
13 A Correct.  
14 Q Okay. Do you know whether or not you saw them  
15 at the time they were produced?  
16 A Definitely not. I don't normally see them.  
17 Q Oh, excuse me, produced for discovery. Did  
18 you review these before they were produced in response  
19 to discovery demand by, who is it, Greenberg?  
20 MR. INDYKE: It was Fowler, I believe.  
21 A Fowler White maybe.  
22 MR. HADDAD: Oh, Fowler White.  
23 MR. INDYKE: On demand by Fowler, yes.  
24 MR. HADDAD: Yeah.  
25 A I re -- I reviewed what I think was 25,000

1 page -- pieces of paper, so I -- at some point in time,  
2 I think I have probably seen them.  
3 BY MR. HADDAD:  
4 Q Well, let -- let me just take one of these and  
5 obviously -- who's Bill -- William J. Berger?  
6 A He was an attorney at RRA, formerly a judge in  
7 Palm Beach County.  
8 Q All right. Who's Pat Carter?  
9 A I don't know who Pat Carter is.  
10 Q Who's Brad Edwards?  
11 A That's me.  
12 Q Who's Grace Torres?  
13 A I don't know.  
14 Q Who's Jackie Johnson?  
15 A She was a secretary at --  
16 Q For whom?  
17 A -- RRA.  
18 Q Any particular, a floater or whatever they  
19 call those?  
20 A She was mine for some period of time, a short  
21 period of time, and maybe somebody else's, I don't  
22 remember.  
23 Q All right. And this one I'm looking at,  
24 Berger, is Pat -- just checking, it looks like it should  
25 go to Brad Edwards -- oh, go to Brad Edwards. Brad, see

1 the attached check from Searcy, they should go into  
2 trust account, you should keep your own running account  
3 of checks in and out.

4 A It is an e-mail from Bill Berger to Pat  
5 Carter, who, by this, I would say the e-mail is at RRA,  
6 so it is probably his secretary.

7 Q All right.

8 A That is what I would assume.

9 Q Okay. But it's saying it would go to you,  
10 Brad Edwards is you, this and any other others like it  
11 should go to Brad Edwards. And then it says Brad. So  
12 see, it says to Brad Edwards --

13 A Right.

14 Q -- also. Brad, see attached check from  
15 Searcy.

16 A Right.

17 Q They should go into trust account.

18 A Right.

19 Q The trust account that they were going into --  
20 this is dated October 26, 2009. The trust account they  
21 are going into, I suppose, is RRA's trust account; would  
22 that be correct?

23 A I don't know.

24 Q Well, it's -- they are telling you to put  
25 stuff into a trust account. The only trust -- did you

1 checks all came to one place. Somebody took possession  
2 of those checks and made sure that it was, you know, all  
3 pulled together for this purpose.

4 Q Okay, let me just -- let me --

5 A It was not me though.

6 Q That's me. Okay. It says here, they -- these  
7 should go into a trust account. That's the direction to  
8 you.

9 A I know.

10 Q I'm just asking, you know, I'm just asking  
11 what it says, simple English, these should go into the  
12 trust account. Did you do anything in response to that  
13 ques -- that directive?

14 A No.

15 Q Was he some kind of superior to you, this guy,  
16 Berger?

17 A Not necessarily, I mean.

18 Q Well, was he in the litigation division you  
19 were in or was he helping run stuff? He is a judge, he  
20 probably can't do too much.

21 A He wasn't actually in this office. He worked  
22 out of the Boca office.

23 Q Oh, you guys have a Boca office too?

24 A I think it was only him in it.

25 Q Okay. All right. You should keep your own

1 have your own separate Brad Edwards PA trust account?

2 A No. No.

3 Q The only trust account you would have had was  
4 the RRA trust account, right?

5 A I didn't have an RRA trust account.

6 Q The trust account that was in existence for  
7 when you were with RRA would have been the RRA trust  
8 account, right?

9 A I don't know, I was never --

10 Q Well --

11 A -- part of any trust account.

12 Q Well, if you received a check and it was  
13 directed that you should put this into a trust account,  
14 where would you put it?

15 A I didn't do any of those things. Here's what  
16 happened. All of the law firms, it was myself, Bob  
17 Josefsberg, Jack Scarola, and Sid Garcia, Ted Leopold,  
18 I'm missing -- Adam Horowitz or Jeff Herman or somebody,  
19 everybody agreed or forensic accountants.

20 Q Okay.

21 A And sent checks to the firm. I never --

22 Q To your firm?

23 A -- asked for the firm. To RRA.

24 Q Yeah.

25 A I never actually saw any of the checks, so the

1 running account of all checks in and out, that's a  
2 directive to you from Berger. Did you keep a running  
3 account of all checks in and out?

4 A No, and I didn't take directions from Berger,  
5 so the fact that he is sending me one is totally  
6 meaningless to me.

7 Q Did you ever respond to why is this numbered  
8 different than the ones I have seen before and what does  
9 it mean, why is it there?

10 A I know the answer to that question, but this  
11 is --

12 Q Well, good, then tell me.

13 A -- but this is just him -- this is just  
14 evidence that he was kind of oblivious. What everybody  
15 agreed to was, let's say that I represented three people  
16 and Horowitz represented 10 and Bob Josefsberg  
17 represented 20, the amount that you paid for the  
18 forensic accountants would be pro rata based on the  
19 number of clients that you represent. So if Searcy  
20 Denney represented one or two, their amount would be  
21 smaller than somebody who represented 10 clients. And  
22 so that's what I'm -- that's why I know what Bill is  
23 talking about. Why he doesn't know the answer to that  
24 just means he is oblivious to how the formula was  
25 working with -- amongst the various plaintiff firms that

1 were prosecuting the case against Jeffrey Epstein.

2 Q And all of the money was being put into,  
3 without doubt, RRA?

4 A I don't know. I don't know if it was being  
5 put into RRA or anything. All of the money came in --

6 Q All right. Well, let me put it very simply.  
7 Let's say that you were working with all these guys,  
8 Josefsberg and the rest of these guys --

9 A That's true.

10 Q -- trying to come up with \$5,000 to pay the  
11 forensic accountant.

12 A Yeah.

13 Q It came out of your trust account, correct?

14 A I don't know.

15 Q You don't know? Who manned the trust account,  
16 who did all the -- who took all the monies out of that?

17 A I don't know.

18 Q You don't know anything about trust accounts?

19 A I am assuming now what everybody knows,  
20 including yourself, is that Scott Rothstein is the only  
21 person that ran a trust account.

22 Q All right.

23 MR. HADDAD: I'm so glad you can anticipate  
24 everything that I'm going to ask in a few minutes.

25 Sorry.

1 were you in civil litigation, you were trying to plan a  
2 depo, I guess, and have forensic account determine the  
3 net worth of Epstein?

4 A No, the idea was that it was the cumulative  
5 belief of the plaintiff attorneys that Mr. Epstein was,  
6 at that point in time, nearly dead in the water as it --  
7 in respect to liability, and that the damages was going  
8 to be extraordinary and that his only real defense  
9 remaining was probably to use his experience in finances  
10 to ship money offshore, hide money. And so the forensic  
11 accountants were going to try to determine where he was  
12 shipping money and hiding money.

13 Q Through what vehicle?

14 A I don't know. I'm not a --

15 Q Well, forensic accountants don't have any  
16 ability to get anything unless they are presented  
17 documentation and that be would the lawyer's job to  
18 present the documentation, what documentation and what  
19 method of production, as this was in October of 2009,  
20 when you are imploding, were you guys planning on using,  
21 do you know?

22 A No, they didn't tell me.

23 Q All right. Did --

24 A It was only an idea between myself, Jack  
25 Scarola and Bob Josefsberg, and here, let's hire

1 BY MR. HADDAD:

2 Q All right. Now, this is on October 26, 2009,  
3 this is probably the last days you had trust accounts,  
4 so you don't know what -- what was told to Berger to  
5 talk about these trust accounts, correct?

6 A Correct.

7 Q You don't know whether or not he was in  
8 contact with Rothstein and whether Rothstein, who was  
9 always looking for money was looking for money into the  
10 trust accounts?

11 A I have no idea.

12 Q All right. You don't know whether or not  
13 Josefsberg, Scarola or Searcy Denney or any of these  
14 other lawyers, Herman or any of them had money in the  
15 Scott Rothstein RRA trust account that was lost?

16 A I don't -- I don't know, but in -- in -- I do  
17 believe that they sent the checks. Now, what happened  
18 with the checks and who accumulated the checks and where  
19 the checks went to fund the forensic accounting project,  
20 to determine what to do from that aspect against Jeffrey  
21 Epstein, I really -- I have no idea.

22 Q So the forens --

23 A I didn't accept the checks, personally.

24 Q All right. The forensic accountants were  
25 going to be for what, because you were not in civ --

1 forensic account and see what they come up with.

2 Q Okay, wait, wait, let me see if I understand  
3 this. You are telling me that as you're planning all  
4 these things, Scarola was involved in the conversations  
5 on how to obtain these things?

6 A Of course.

7 Q Your lawyer? I'm just asking the question --

8 A All of the lawyers that were prosecuting cases  
9 against Jeffrey Epstein, we were all involved in all of  
10 these decisions, yes.

11 Q I understand, I just have to make it clear for  
12 the record. Josefsberg was involved?

13 A Yeah, of course.

14 Q All right. As -- as how you are going to do  
15 this, right?

16 A Of course.

17 Q And he was your co-counsel and -- with  
18 codefendants -- co-plaintiffs, Scarola, as well as  
19 Josefsberg and others, correct?

20 A Right.

21 Q And you were pooling your thoughts, your  
22 abilities and your monies?

23 A Right.

24 Q To go after these cases? Okay.

25 A Exactly.

Q All right. Now, Bradley Edward, from Bradley Edwards to Jackie Johnson, October 22nd, 2009, please look at the following schedules, see if you can book a conference room for many to attend as the following group of people for tomorrow, 10 days before, eight days -- well, not -- eight days before you guys fell apart. Please look at the following schedules and see if you can book a conference room for as many -- for as many as can attend from the following group of people for tomorrow: Jenne, Adler, Berger, Stone, Wheeler, Holmes, Bruschel (SIC), Fi -- Fiston and Jaffe. Do you know what that's about? Do you know why you were having a conference? Obviously, from the names, it had something to do with Epstein, I would imagine?

A Yeah, the subject is Epstein meeting.

Q Yeah. Do you know?

A We would -- we would frequently have meetings on cases, including this one, to brainstorm about what to do with the various issues that were going on in the case.

Q Well, you had no other -- did you have other cases while you were at RRA, besides these? I'm not saying that pejoratively, I mean did you have other cases?

A Yeah, of course I did.

What did -- well, do you recall if you ever met with -- I mean, Josefsberg is easy to remember, did you meet with him? Did you meet with him prior to going with Rothstein?

A Yes.

Q Okay. And it was about those cases?

A It was about those cases. I don't know if it was about the finances aspect.

Q All right. No, just about the cases, I am not going to ask you --

A Oh, yeah, we --

Q All right.

A -- we were meeting as a group once or twice a month from 2008 on.

Q All right.

A Through the end.

Q And excuse my ignorance, but in criminal law, when we do things like that we have what we call joint defense agreements, we share stuff, we share expenses, we make sure no one stabs each other in the back, which -- et cetera. It's not even worth the paper it's written on half the time. Did you have any sort of joint agreement with these lawyers, a shared responsibility agreement, a shared agreement, a written agreement of any kind, without going into anything that

Q All right.

A I brought with me many cases.

Q I didn't -- okay, I didn't know that. Nobody asked you anything about other cases pretty much, they only asked you about this case. You had other cases you were working on?

A Right.

Q Did you settle any while you were there?

A I don't remember.

Q Okay.

MR. HADDAD: Yes?

MR. GOLDBERGER: I just --

BY MR. HADDAD:

Q There was one I wanted to ask you about -- you know, there was one I really wanted to ask you about and, of course, I'm sure I lost it. Okay. Can I have one second since I haven't taken a second? I should have had it dog-eared but -- ~ ~ ~.

When was it that you first met with Josefsberg and -- and Scarola and all those about pooling your resources, was that before you went with RRA? I'm not getting into any conversations you had, I don't want to violate your --

A I don't remember the exact timing.

Q -- you are going to assert anyhow so.

it says, I don't want to invade any privilege here, did you have any written agreements with these lawyers?

MR. KING: Hold on one second. Let's take a break, discuss privilege.

MR. HADDAD: Five minutes, so I can look for what I'm trying to find.

MR. KING: Okay, that's fine.

MR. HADDAD: I've got the bomb question. Oh, no, I don't, but I'm trying to find one.

THE VIDEOGRAPHER: The time is 10:52 A.M. We are now coming off the video record.

(Thereupon, a discussion was had off the record.)

THE VIDEOGRAPHER: The time is 11:00 A.M. We are now back on the video record.

MR. HADDAD: All right.

MR. KING: Let me --

MR. HADDAD: Yeah.

MR. KING: -- assert an objection as to this line of questioning. If you are going off of it, great, but any further communications or conversations relating to communications that Mr. Edwards had with the other lawyers, there are motions that were pending and may have been granted, I don't know, by at least two lawyers to



preclude any disclosure of work product information that they would have a right to assert. And so we're -- in honor of that, of those motions or the order, if it was entered, and I apologize for not knowing that, we would -- we would object to any questions relating to communications that occurred that would fall within a work product doctrine that would be owned by those other lawyers.

MR. HADDAD: I -- I -- I don't think that's what I was doing. In fact, I thought I made it specifically clear I am not trying to invade any privilege. I just asked whether or not there was a written -- an agreement among the lawyers, and I don't think that would be privileged. Shared information among the lawyers would not be -- I mean, I'm not going to put you in bad position because not -- you're -- you're not the lawyer that should -- that, like I said, should have been here, but you are not the lawyer that is more familiar with this, so I don't want to put -- my usual expression would be something else, so I will just leave it there and we will take it up with the Judge, okay.

MR. KING: Very good.

MR. HADDAD: Because I just want to know if

the question is. I will respect your objection and I think it's a fair objection, particularly since you weren't, you know, the attorney handling all of this and we will take it up at another time.

If I can proceed?

A Go ahead.

BY MR. HADDAD:

Q Okay. Thank you. I got this in a list of e-mails and this is from Debra Villegas. I don't have her prison number right now, but it's to Scott Rothstein. At any rate, Ken Jenne advised that we need these documents for depo as early as next week, are you familiar with that e-mail?

A No.

Q Okay. And you have no idea why Beth would be looking for financial documents, police reports, arrest reports, call logs, all information of a -- a copy of Epstein's counsels' client list, all the rest of that stuff?

A You said Beth did what?

Q No, it's Debra Villegas to Scott Rothstein, forward inventory, Ken Jenne. Ken Jenne was the guy that was in your meeting that you called with all those guys that I showed you the -- the thing before, remember, Berger wanted to have you, Adler, I think one

there's a written -- like -- just like the lawyers have a -- a -- what do we call that, a joint defense agreement. Whether it's a plaintiff's agreement -- a sharing -- you can assert -- you objected, I will leave it at that. I don't want to -- as I said, I don't want to cause any --

MR. GOLDBERGER: Just identify the specific question you are asking that Mr. King is telling his client not to answer.

MR. HADDAD: Specifically, I already asked him, whether or not there was any specific agreement among the lawyers to share information and share expenses, because we already know they're sharing checks into a pooled account, which -- which already gave us the answer to that when there was a joint agreement about sharing information and work -- and workload and so forth, without ever discussing what -- what their work product was. I mean, the end result was to sue Epstein and get as much money as we can, we know that. But as to any other thing, I just want to know whether they had a formalized agreement saying that we will e-mail each other on some secret e-mail account, or what do you call that thing in the sky that Adler said he invented, Qtask, any of that stuff, that's what

of those~::~.

A We are going to mark this, right, so it's accurately --

Q Everything is going to be there, of course.

A All right. So there is an e-mail from Lee Caplan, I don't know who that is, to several other people that does not include me.

Q Umm-hmm, I am just asking you if you saw it before?

A I don't remember ever seeing this but it has a Bates stamp number, which means that we turned it over. So going through 26,000 pieces of paper, I must have seen it at some point in time during this case, well af -- you know, sometime in 2011, I would guess. I don't remember seeing it.

Q The date of the e-mail, I'm going to get to it in a minute, but that date of that e-mail is October 30th, the day before Scott got the G5 and left, correct?

MS. COLEMAN: You say it well.

A October 30th, 2009.

BY MR. HADDAD:

Q All right. All right, now this one I like, because this is something, like me, Brad Edwards to Ken Jenne, August 19th, 2009, the paperless world really

1 scares me in this case. This is about Edwards, isn't  
2 it?

3 A That's me.

4 Q There is so much pape -- not Edwards, I -- I'm  
5 confusing you guys now, Epstein. There is so much paper  
6 and so many motions and dates and times of everything,  
7 so important, so many motions, I think we need an  
8 organized paper file in this case. That's you talking  
9 about Epstein's case, correct?

10 A It sounds like it, yes.

11 Q Okay. And organized paper file would mean  
12 like a war room, I think, in fact, you have an e-mail  
13 where you asked for a war room.

14 A Right in there.

15 Q Is it in this one? It said war room there?  
16 Oh, yeah. I just thought I was -- great memory, sorry.  
17 Okay.

18 So on October 19th, Ken Jenne to Epstein.  
19 Subject: Epstein. To Ken from Bradley J. Edwards. I  
20 know you are aware of the urgency, and Russell and I  
21 have discussed the various necessary witnesses in the  
22 case and the urgent need to speak them. We have a  
23 discovery deadline coming up and four crucial witnesses  
24 are in California. And you are talking about Fiston  
25 going out there. That's in relation to what coming up,

1 A Local though, tri-county. I don't remember.

2 Q All right. And that was for purposes of  
3 potential witness in your cases if you went to trial,  
4 correct?

5 A Correct.

6 Q Okay. And would Edward -- but the rest of  
7 your partners were invited, your present partners were  
8 invited, do you know why they were invited?

9 A No.

10 Q Okay. Did they actually have work on~.~.~.

11 A Not at all.

12 Q Okay.

13 A I will finish the question first. Work on  
14 Epstein's case --

15 Q That's okay, we both know what we are talking  
16 about.

17 How come you turned over Scott's schedule for  
18 the July 26 call from Governor Barbour, lunch with David  
19 Shope, Alonzo Mourning charity breakfast?

20 A I didn't have access to my e-mails. These  
21 e-mails were turned over to me by the trustees.

22 Q Okay.

23 A When they were turned over to me, I turned  
24 them over to you.

25 Q And let me ask, Epstein conference 3:30, Brad

1 discovery deadline in the cases that you had before you  
2 settled them, if you --

3 A Uh, from memory --

4 Q Yeah, I'm not --

5 A -- the case was a -- the Jane Doe v. Epstein  
6 case was initially set for trial in November of 2009, so  
7 I think the discovery deadline was coming up and we had  
8 some more witnesses to talk to before that.

9 Q All right. Who's Pat Diaz?

10 A He's an investigator.

11 Q Okay. Let me -- let me -- yeah, this one,  
12 probably just because it intrigued me, is from Bill  
13 Berger to Edwards, Adler, Jaffe, Weissing, Farmer,  
14 May 19th, 2000. It was mostly your partners now. You  
15 are invited to attend our three P.M. conference room, 22  
16 floor conference room, interview of Amy Swan, a  
17 psychologist, who you are considering as a damage expert  
18 in Epstein cases. Even if you are not working on the  
19 case, if you can attend, I would appreciate your input.  
20 What -- what -- what was she, like a child psychologist  
21 or something?

22 A Right.

23 Q Is she here in Broward?

24 A I don't remember.

25 Q Okay.

1 Edwards, Steve Jaffe, Ken Jenne.

2 A Until these were turned over to me by the  
3 trustee, I had never seen them before.

4 Q Oh, so you don't know, okay.

5 A I have no idea.

6 Q I guess Scott's not on the charity board for  
7 Alonzo Mourning anymore?

8 A I would hope not.

9 Q Did you get to go to Mo's Dinner Event at The  
10 Palms Grill?

11 A Did not.

12 Q Do you know who Mo is?

13 A Do not.

14 Q The cigar guy, that gave all the cigars for  
15 all the charities?

16 A No.

17 Q Okay. Do you know who Micki Cummings is that  
18 he was interviewing for the second time?

19 A No.

20 Q The divorce lawyer who tried to become a  
21 judge?

22 A Michele Cummings?

23 Q You don't keep up with divorce lawyers?

24 A I try not to. I know you do.

25 Q That's for sure. Nice. Touché.

1 I assu -- is this one on your Web site or is  
2 this just here, "Florida Lawyer Ruffles Feathers in High  
3 Society With His Pesky Subpoenas," did you post that  
4 one?

5 A I don't think so.

6 Q You should, it's a pretty good article for  
7 you. Okay --

8 A Send it to me again and I will post it.

9 Q All right. I -- I think -- I don't know if I  
10 have any more of these on these e-mails, but -- but at  
11 some point or another, these all -- were either  
12 recognized by you, came -- or were produced by you,  
13 correct?

14 A They came to me by -- from the trustee,  
15 sometime --

16 Q Yeah.

17 A -- in 2011 and then I forwarded them on to you  
18 guys.

19 Q All right.

20 Were you deposed at all in any clawbacks or  
21 anything?

22 A No.

23 Q Okay.

24 A This is my third deposition in this case and  
25 that's it.

1 MR. HADDAD: Do want us to make a copy of the  
2 ones that we saved or -- okay, I didn't know if you  
3 needed extra.

4 MR. KING: I just want to have -- I assume  
5 that you are going to mark that entire package.

6 MR. GOLDBERGER: Composite exhibit.

7 MR. HADDAD: Is that what they call those?

8 BY MR. HADDAD:

9 Q All right. I guess in response to a recent --  
10 I think it's recent, after objections and all that other  
11 stuff, you produced your time records?

12 A Okay.

13 Q Could you say yes or no. Okay means okay, did  
14 I, I don't know, maybe somebody else produced them. I  
15 need a yes or no so I can -- and I am not trying to be a  
16 jerk.

17 A I produced them based on my attorney telling  
18 me to produce them.

19 Q Well, I understand that, but okay doesn't  
20 answer that. You can -- you get into court, you are a  
21 smart lawyer, okay means who came from, you know that.  
22 You were a prosecutor, you knew what to do.

23 Is this -- this what you produced?

24 What time is it, almost lunchtime?

25 (Thereupon, a discussion was had off the

1 Q Well, I understand that. I don't understand  
2 how you get to take more than one deposition because you  
3 don't in criminal, but we are doing it. Maybe I can  
4 invite you back again in a few months.

5 A I'm hoping for today to be the last time that  
6 we are meeting under this circumstance.

7 Q I'm enjoying it so much.

8 A I know.

9 Q Just so long as you're -- I have never taken a  
10 deposition this long in a first-degree murder. Of  
11 course, this is much more serious.

12 Let me ask you, this is a document --

13 MR. HADDAD: Yeah, you got to mark all of  
14 those, I guess. Do we have copies?

15 MR. GOLDBERGER: Do you want to sanitize this  
16 and make sure it's all good?

17 MR. HADDAD: Go ahead, you going to take my  
18 dog-ears off, I need them -- yeah, whatever.

19 MR. GOLDBERGER: That's Exhibit 2.

20 MS. COLEMAN: Quarter-million-dollar education  
21 and I am --

22 MR. HADDAD: Do you want -- did you want a  
23 copy, Bill, did you a copy right here?

24 MS. COLEMAN: No, this is 2 because 1 is  
25 the --

1 record.)

2 THE WITNESS: Do you know if these Bate stamps  
3 were put there by me or by you?

4 MS. COLEMAN: They are by you.

5 THE WITNESS: By me?

6 MR. HADDAD: How would I know, I don't know  
7 how -- I don't have a Bates stamp machine.

8 A Then, yes. Then, yes.

9 BY MR. HADDAD:

10 Q I don't think you need these. Thanks.

11 A These appear to be my time records from this  
12 case.

13 Q And when this Edwards versus Epstein, when  
14 these time records, just so at least I'm somewhat clear,  
15 is this the time for the Epstein loss, not -- not the  
16 claims that were occasioned by your --

17 A Right.

18 Q -- plaintiff's cases, this is solely involved  
19 in this litigation that we're presently taking your  
20 deposition for?

21 A Only for the defense of the lawsuit that  
22 Epstein filed against me and it should end at the time  
23 when that lawsuit was dismissed against me.

24 Q Which would have been August 20th, 2012?

25 A And I kept only those time records.

1 Q Okay.  
2 If -- do you remember approximately when you  
3 were served with the complaint?

4 A 2009.

5 Q I understand that. I see here channel --  
6 channel -- December 7th, rather prophetic, 2009, you  
7 were with hit with the initial complaint, correct?  
8 It -- it say here you -- initial complaint, review and  
9 research.

10 A Then that sounds accurate to me.

11 Q Okay. And did you retain -- did you -- you  
12 didn't know it was coming, obviously?

13 A Right.

14 Q You were only involved at that time in the  
15 Jane Doe, let me just call them Jane Doe, whatever you  
16 want to call them, EW, DW, ET, whatever you call them,  
17 civil suits and it's GVRA?

18 A CVRA.

19 Q CVRA stuff, correct?

20 A As it related to Jeff Epstein.

21 Q Right. So that when you -- when got sued,  
22 this was a blanket new civil litigation that you were  
23 getting involved in.

24 A That's correct.

25 Q And that's before the counterclaim and all

1 would a letter confirming regist -- representation  
2 that -- that -- that you're confirming that  
3 what's-his-name is going to represent you, Scarola, or  
4 you are sending him a letter, this is to confirm our  
5 conversation today that you will represent me?

6 A It was -- it was time for our discussion and  
7 then him sending me a letter confirming that he was  
8 going to represent me, so that means that I must have  
9 retained Scarola within three days, actually, of file --  
10 filing the complaint.

11 Q Okay. So a letter -- it just says letter  
12 confirming representation, 30 minutes?

13 A Well, that would have included the  
14 conversation as well --

15 Q I see, I am just asking. That's --

16 A -- that went into that letter.

17 Q I know that you guys know how to bill. Us  
18 poor guys have to work, we don't work by the hour so  
19 we --

20 A Just told me a story about billing \$75,000 for  
21 a traffic ticket.

22 Q That wasn't a bill, that was a retainer. I  
23 don't have -- I don't have that stuff. I would never do  
24 that hourly work. Eight hours -- okay, so did you ever  
25 add up with what the hours are in this thing

1 that, this was just a brand my new piece of civil  
2 litigation --

3 A Right.

4 Q -- where you got sued? Okay, and the first  
5 complaint for a number of comps.

6 A Right.

7 Q Correct?

8 All right. When was it that you -- what  
9 approximate date did you hire Mr. Scarola?

10 A I don't remember.

11 Q Approximately. The day you got served? I  
12 mean, you were already friends with him, I guess.

13 A Right. Um, I -- I can say with pretty good  
14 certainty that it was before the end of that year 2009.

15 Q Okay. Because I'm -- I am seeing here --

16 A Sometime in the month of December, I think.

17 Q All right. Because you got 12/7/2009, initial  
18 complaint, review and research, 8.1 hours. What did he  
19 send you, War and Peace?

20 A Basically.

21 Q Oh, okay. Exhibit 2, seven -- point sev --  
22 what's .7 hours translate to, I don't -- I don't --

23 A 42 minutes.

24 Q Okay. All right. 12/10, let -- letter  
25 confirming registration. What would that mean? What

1 approximately, I'm sure you must?

2 A Probably a thousand hours, I don't know. I  
3 mean, it was a ridiculous amount of time.

4 Q Yeah, letter to Mr. Akerman --

5 A And a lot of that time was a consequence of  
6 being dumped 26,000 e-mails on me, so, but, yes, I think  
7 that there is a total somewhere.

8 Q All right. I don't have it here.

9 A Okay.

10 MS. COLEMAN: It's on the last page at the  
11 bottom.

12 MR. HADDAD: It's on the last page?

13 MS. COLEMAN: Yeah.

14 MR. HADDAD: Oh, total time 1,351 hours .8?

15 THE WITNESS: I was pretty close.

16 MR. HADDAD: Anybody got a calculator? Just  
17 for my edification, can somebody divide that by 40.  
18 Do you have a -- I don't --

19 MR. GOLDBERGER: Yeah, I can do that for you,  
20 Fred.

21 MR. HADDAD: Thanks. Just out of curiosity.  
22 I'm not -- I was going to go through this page by  
23 page with you so we could spend some quality time  
24 together.

25 THE WITNESS: That would be so much fun, Fred.

MR. HADDAD: Huh?

THE WITNESS: That would be so much fun.

(Thereupon, a discussion was had off the record.)

MR. HADDAD: So a couple months a year.

MR. GOLDBERGER: No.

BY MR. HADDAD:

Q Letter from Nurik re depo of Rothstein. What would that have to do with this case? Just -- just -- I am just trying to figure out why that would have something to do with this case.

A What?

Q It says here, you know, 35 minutes, Marc Nurik couldn't write a letter that lasted 35 minutes. A letter from Nurik re depo of Rothstein. He was in my office. He is not able to write that well.

A So --

Q Well, how did you -- what does that have to do with this case? I mean just -- just looking through --

A Out of context, that's a tough question for me to answer. But I know that in your recent pleadings, you have discussed certain things that Scott Rothstein testified to in other cases that included me, and so I would have read those portions of that deposition and that's what I am presuming that that is.

Q All right. So we can assume then that everything on here is not necessarily accurate and to be taken as it's written here because you don't even know what this means?

A Out of context, I don't know what every single entry --

Q Well, I didn't -- I didn't write it, you are the one who put the context there, Brad, correct?

A From 2010?

Q Oh, okay. I'm just asking, I'm just asking.

A There are certain things you could give me to refresh my recollection, so I could give you an accurate accounting.

Q Edward -- Edward's motion 57.105, somebody screwed up and you want attorney's fees. I learned that one one time. 4/15/2010. For an hour and a half, an hour and something minutes to write a 457.101 motion? You have been a -- you have been a lawyer for 15 years, how did -- how did it take you that long?

A Well, I have to read what is the basis for the motion.

Q So we don't know? So we would have to get all of this correspondence to find out the accuracy of what you are saying?

A You would probably just have to give me the

Q Whoa, whoa, whoa, whoa. The pleadings that they -- you have not -- this is -- this is within a few months of the initial complaint and -- and -- and I don't want to be real argumentative with you, because there is no jury here, but it says here, 4/14/2010, letter from Nurik, re depo of Rothstein. The depo of Rothstein wasn't for another three months. Why would you bill Epstein -- what's four-tenths, is what, 25 minutes?

MS. COLEMAN: Umm-hmm.

BY MR. HADDAD:

Q 25 minutes to read a letter from Nurik. Dear Brad, I'm going to be taking the deposition of Rothstein, do you have any input, is about the most that Nurik could get out of a sentence.

A I don't -- I don't think that that's what that means though.

Q Okay, well what -- you are the one who wrote it.

A We would have to look at the docket of this particular --

Q Okay.

A -- case to see what was going on --

Q So -- so we --

A -- in this particular case.

docket so that I could tell you, based on what was going on in the case right now, what -- what exactly each entry had entailed.

Q Prep -- preparation of deposition of Michael Fiston. What -- what did Michael Fiston have to do with this case for a deposition in 2010?

A You are the one who set him for deposition. Not you, but it was one of Epstein's 20 attorneys, so you would have to tell me that.

Q He only had 13 at the time.

A I think it was attorney No. 12 served him for depo.

Q All right. So you are saying you prepped the depo. You had a lawyer though too, didn't you?

A What's your question?

Q Did you have a -- well, this deposition, you have 1.1 hours here and another .7 hours here --

A Right.

Q -- for the deposition of Michael Fiston at -- on Third Avenue.

MR. HADDAD: Could you guys stop talking, I can hear you, it's my only good ear, for one second.

BY MR. HADDAD:

Q Did you have Scarola represent you at the

1 time?

2 A Scarola did represent me at the time.

3 MR. GOLDBERGER: He did.

4 MR. HADDAD: Okay.

5 BY MR. HADDAD:

6 Q And Scarola attended this deposition?

7 A It was never taken, it was canceled.

8 Q Okay. Did you meet with Scarola for the  
9 deposition, no discussions you -- between you and  
10 Scarola, did you prepare him notes, did you do  
11 something, send them to him?

12 A I met with Mike Fiston.

13 Q Okay. So you prepared the witness for the  
14 deposition?

15 A I talked to the witness about the deposition,  
16 yes, prepared him for the deposition, yes.

17 Q For one point -- for almost two hours?

18 A No, for 1.1 hour.

19 Q 1.1 and .07?

20 A But that's a different deposition.

21 Q Oh, Fendi, I'm sorry, I can't read.

22 Okay. So you prepped two people for  
23 depositions that day?

24 A Right.

25 Q Okay. To be taken by one of Epstein's

1 A And then communicate with my attorney about  
2 whether or not I was attending that particular hearing.

3 Q What do you have a translator to take  
4 10 minutes to say, I'm not going to be attending? I'm  
5 just blowing smoke up your butt.

6 A Okay. No.

7 Q All right. I'm sorry for the sarcasm, it's  
8 just -- just sitting so close to you brings it out in  
9 me.

10 A You are like an insurance company going  
11 through the bills.

12 Q All right. And -- oh, this I could see taking  
13 10 minutes, notice of appearance, Goldberger for  
14 Epstein, probably took 10 minutes to understand the  
15 notice of appearance, Hi, I'm Jack Goldberger, I'm  
16 filing an appearance. Okay. Let me see if anything  
17 else stands out.

18 All right. But at any rate, this is pretty  
19 much continuing. When you have Internet, internal  
20 e-mail with attorneys on 2/15/11, there's four or five  
21 of them, what would that mean, but I don't want to get  
22 into what you talked about, who you talked about, but  
23 what would Internet e-mail --

24 A Let's say I e-mail my partners, they send an  
25 e-mail back, then we have an e-mail discussion as to

1 multiple lawyers and to be attended by your lawyer?

2 A Right.

3 Q Okay. So you are acting as an adjunct to the  
4 law firm but you won't tell me whether you already had a  
5 cooperation agreement with when they were prepping  
6 depositions --

7 MR. HADDAD: Well, change it now. You want to  
8 do that?

9 THE VIDEOGRAPHER: The time is 11:22 A.M. We  
10 are now coming off the video record. This is the  
11 end of Tape No. 1.

12 (Thereupon, a discussion was had off the  
13 record.)

14 THE VIDEOGRAPHER: So the time is 11:23 A.M.  
15 We now back on the video record. This is the start  
16 of Tape No. 2.

17 BY MR. HADDAD:

18 Q Could -- could you explain to me -- and I'm  
19 sorry, maybe it's your shorthand, 5/5/2010, not  
20 attending, notice of hearing, motion to enlarge time to  
21 respond to discovery. Two-tenths is what, 12 minutes?

22 A Right.

23 Q What does that mean, not attending, notice of  
24 hearing, you got to read the -- it took 12 minutes to  
25 read a notice of hearing?

1 some certain issue. That's basically what that is.

2 Q But we don't know what part of this case it  
3 might be related to, correct?

4 A Based on that, we don't.

5 Q All right. And correspondence with counsel  
6 would be letters -- eight letters to Scarola on two --

7 A Or e-mails.

8 Q Well, you have internal e-mail and  
9 correspondence. Correspondence would mean a regular  
10 e-mail --

11 A It could be.

12 Q -- as opposed to an internal e-mail?

13 A All right. I'm not that technical myself  
14 so~.~.~.

15 Q Okay. Review correspondence from Carney and  
16 letter to Mr. Akerman from J. Carney. Are you talking  
17 about Rob Carney?

18 A Right.

19 Q Okay. And -- oh, he was a general mast --  
20 appointed a master or something in this case?

21 A I don't really remember what his role was,  
22 but --

23 Q Okay.

24 A -- something along those lines.

25 Q 2/16/2011, hearing re privilege log at Jack

1 Scarola's office, West Palm Beach with Judge Carney,  
2 6.1 hours. Would that be your atten --

3 A Probably longer than that, but yes.

4 Q Okay. That would be your attendance there?

5 A Right.

6 Q Did you participate in that at all or --

7 A Yes.

8 Q -- did Carn -- did Scarola do it?

9 A We all did.

10 Q What do you mean, we all did, what did you do  
11 at that hearing, Scarola let you talk and argue?

12 A Yes.

13 Q Okay. All right.

14 A And I think everybody had some input as to  
15 what the process was going to be. It was a complicated  
16 process related to e-mails.

17 Q 2/17/2011, 4.1 hours, Edwards hearing on  
18 Edwards motion to compel Judge Crow, 4.1 hours.

19 A It takes three hours just to get back and  
20 forth, so yes, I mean --

21 Q Well, I'm just asking what this is. So you  
22 are charging for your time. Did you testify at it?

23 A I don't remember.

24 Q All right. Motion to compel are generally not  
25 testimony, it's usually a hearing, correct?

1 have to wait for it. I -- I like -- you are unable to  
2 give any of these details, but on 10/15/2011, the detail  
3 of your 9 hours spent reviewing transcripts is  
4 incredible. Was that for shock benefit or was that just  
5 something that you managed to completely --

6 A This was internally in my office so if it was  
7 for shock benefit, to benefit -- to shock myself? I  
8 mean, this is --

9 Q I don't know, you probably knew you were going  
10 to have to produce this some day.

11 A I didn't.

12 Q Brad.

13 A I thought that would have to produce hours  
14 but the details, I didn't.

15 Q All right, 9 hours to review transcripts for  
16 whom?

17 A For, it says, lies told by Epstein --

18 Q I know what it was for there. I am saying for  
19 whom, for whose benefit? If you have a lawyer, are you  
20 being deposed, is that what it was for, do you remember  
21 what it was for where you spent 9 hours looking at  
22 something?

23 A When was my first deposition? No, it was  
24 after that. It wasn't about my deposition.

25 Q Okay. Do you know what it was for?

1 A I don't remember what my role was at that  
2 particular hearing.

3 Q Well, you were co-counsel for all of this  
4 crap, right?

5 A Yeah. Yeah.

6 Q For all of this stuff?

7 A Yeah.

8 Q Okay. And you were billing for all of your  
9 time as well as the time, whether it was duplicated by  
10 Mr. Scarola or not, correct?

11 A I don't have Mr. Scarola's bills, so I was  
12 billing for all of my time.

13 Q Okay. Well, I mean, if Jack called you up and  
14 said, hey, Brad, what about this or that, it was  
15 discussing the case, you would bill for it?

16 A Right.

17 MR. HADDAD: What? Excuse me, yes.

18 MR. GOLDBERGER: Is this the good ear?

19 MR. HADDAD: Yes.

20 (Thereupon, a discussion was had off the  
21 record.)

22 BY MR. HADDAD:

23 Q Okay. I'm ending with this so we're going  
24 to -- you know, it's getting close to lunchtime. I  
25 don't know, if there is something more important, I will

1 A Yes. I mean, it --

2 Q I know what you did. I mean, I know what you  
3 said.

4 A Well, it seems like the amended counterclaim  
5 was the next day, so it was for whatever input --

6 Q Your -- your counterclaim --

7 A -- that related to that malicious prosecution.

8 Q -- your -- what was your ammend -- I'm sorry.

9 MR. KING: Hold on, hold on a second.

10 MR. HADDAD: I -- I apologize, Mr. King, we  
11 were cutting each other off.

12 Go ahead Mr. Scaro -- Edwards.

13 A A malicious counterclaim -- or the count that  
14 Epstein filed against me, I was reviewing all of those  
15 things in preparation for our amended counterclaim,  
16 which was a count for malicious prosecution.

17 BY MR. HADDAD:

18 Q All right. Let me ask you this. I understand  
19 that. And it was drafted by Mr. Scarola, correct, or  
20 did you do the drafting of the documents and he signed  
21 them?

22 A It's been different on different pleadings.

23 Q All right. I mean --

24 A For that one, I -- I don't really remember.

25 Q So would it be fair to say that you, at times,

1 would prepare pleadings, send them to Scarola and he  
2 would sign them?

3 A Fair.

4 Q Pardon?

5 A That's fair.

6 Q All right. Now, on 10/18, after you've  
7 already filed your -- or prepared your amended  
8 counterclaim, which took an hour, your motion for 57 0  
9 105 attorney fees, you should have those rote, don't you  
10 have those you send out with everything, they are all  
11 the same? I mean, you just have to hit a button and say  
12 print, no?

13 A Is that how it works in your office?

14 Q I don't -- we don't do civil. I only do them  
15 once -- every once in a great while. The last one I  
16 had, we just mediated out with Judge Crow.

17 Review depositions again, all pleadings, all  
18 offers and pending motions in preparation for conference  
19 with counsel regarding strategy for defense and also in  
20 preparation for prosecution of counterclaim, 11 hours,  
21 which is a little over a day.

22 You've been a -- well, let -- let -- let me  
23 just ask you. What all offers were you having that you  
24 had to review, what offers were there?

25 A It would have been all offers that Mr. Epstein

1 it was done with malice and with an intent to extort me.

2 Q But you remember -- you already -- you had  
3 already filed your amended counterclaim.

4 A Okay.

5 Q So that's post. So you filed a pleading then  
6 you look for the proof?

7 A I filed the pleading.

8 Q Yeah.

9 A And then it says: In preparation for a  
10 conference with counsel regarding strategy for defense.

11 Q Yeah. Oh, okay. Two days af -- one day after  
12 the counterclaim is filed. Okay.

13 A Is there a problem with that timing, I -- I  
14 just don't understand?

15 Q Well, we will find that out later.

16 Uh, what's page -- what's Scarola re Facebook,  
17 did you become friends and you are charging for that,  
18 hit the friend button?

19 A No, I think there was a -- a letter from  
20 Mr. Scarola about -- about social media.

21 Q Regarding Edwards or regarding you guys?

22 A I think that that would violate the  
23 attorney-client privilege.

24 Q Oh, okay. Well, not if it's social, if it's  
25 you and he becoming Facebook friends.

1 had ever made to the girls.

2 Q What did that have to do with your  
3 counterclaim?

4 A Okay.

5 Q Just educate me.

6 A I'm going to try --

7 Q -- because I have to get this case.

8 A I'm going to try.

9 Q Thanks a lot.

10 A So Mr. Epstein files a complaint against me  
11 alleging that I am a fraud and I am part of some RICO  
12 enterprise, and the basis for his claims were that I  
13 conducted discovery that could not have possibly been  
14 relevant to any legitimate claims I was prosecuting,  
15 such as, I took depositions of pilots, I included that  
16 one of the girls gave him oral sex when it was actually  
17 different underage girls that gave him oral sex, and so  
18 forth and so on.

19 Q Okay.

20 A So I reviewed those things to make sure that I  
21 have all of the, what I'll call lies, in order that  
22 would support the basis of my malicious prosecution  
23 claim and prove that since he drafted and -- and made  
24 allegations that he knew to be false, that is the proof  
25 that there was no good faith basis, and the proof that

1 A It's not that.

2 Q Are you Facebook friends with him?

3 A No.

4 Q Do you go on Facebook?

5 A No.

6 Q Okay. Are you getting hot?

7 A No.

8 Q I should say mad, that doesn't come out too  
9 good.

10 A I do have -- I do have a Facebook account but  
11 I don't go on Facebook.

12 Q All right. I could look through this all day.  
13 I had some others that stood out but I'm -- wait for  
14 later. All right. Let me just have a minute.

15 MR. HADDAD: Do you want to talk, do you got  
16 something? Go ahead.

17 MR. GOLDBERGER: Anything constructive?

18 MR. HADDAD: Yeah, I mean, let me see. I'm  
19 sorry, I have got to go to my mentor's now.  
20 What?

21 MS. COLEMAN: Well, I wanted to know why he  
22 talked about Epstein hiring me for an hour and a  
23 half, that's my favorite part of the time sheet.

24 (Whispering)

25 MR. HADDAD: Oh, I know that. Okay. I didn't



1 see if there was anything else there.  
 2 BY MR. HADDAD:  
 3 Q This all -- all of this preparation, this  
 4 document, why did you talk for an hour and a half about  
 5 hiring Tonja? Well, you did charge an hour and a half  
 6 for that.  
 7 A I probably talked longer than that about that  
 8 fact.  
 9 Q Oh, did that upset you?  
 10 A Yeah.  
 11 Q Okay.  
 12 A I told her that, she knows it upset me.  
 13 MS. COLEMAN: We worked it out. You had to  
 14 know.  
 15 MR. HADDAD: Huh?  
 16 BY MR. HADDAD:  
 17 Q All right. What did you use to prepare this?  
 18 I mean, do you have just a running computer table?  
 19 A No, I would just write it out --  
 20 Q Yeah, I know that.  
 21 A -- I would give it to the secretary, somebody  
 22 would type it in.  
 23 Q What do you, you bill like a lot of lawyers,  
 24 you look at the clock and say, okay? I don't have  
 25 billing sheets, I have never billed a time in my life so

1 Q Were you a policeman at one time, get rid of  
 2 the rough notes?  
 3 A No. I would have paper to the ceiling if I  
 4 kept all those notes.  
 5 Q All right. I think that's where we ended off  
 6 the last depo and I'm -- I don't even want to go into --  
 7 I'm not going to bother you with it. Um --  
 8 A Go ahead, bother me, I want this to be my last  
 9 time being bothered.  
 10 Q You're not -- I'm -- I'm not bringing you back  
 11 unless you get arrested, then you will have to hire me,  
 12 but I would have a conflict.  
 13 A You are going to admit a conflict, I doubt  
 14 that.  
 15 Q Me, never. If I get paid, there could be a  
 16 conflict.  
 17 A I understand that rule very well.  
 18 MR. HADDAD: That's criminal law rule No. 1.  
 19 Right, Jack?  
 20 MR. GOLDBERGER: Um-hmm.  
 21 BY MR. HADDAD:  
 22 Q Okay. Let me see if there is anything else.  
 23 Q Okay. We went -- anything change on your  
 24 damages? I -- where were we with damages, I just  
 25 remember, that just came to me because --

1 I don't know how you do it.  
 2 A I grab a piece of paper, I look at the clock  
 3 on the computer, finish doing what I'm doing with it,  
 4 write review correspondence point whatever that is  
 5 closest to a sixth and pass the piece of paper on.  
 6 Q Let me ask you this. To -- to -- and if you  
 7 delineated what you actually did during this time, I  
 8 suppose it would take as much time to write what you did  
 9 as it is to do what you did. So there must be -- do you  
 10 have any kind of like on a computer where you can hit on  
 11 a pro -- do you -- do you have a billing program? They  
 12 do make billing programs where you have certain codes  
 13 where can you hit like No. 1, talked to client, No. 4?  
 14 A We do.  
 15 Q Make up a couple hours?  
 16 A We -- we have one. We have a billing program.  
 17 Q All right. And --  
 18 A I can't say that the attorneys are all that  
 19 familiar with it. But, you know, the entries are done  
 20 by the staff.  
 21 Q You are.  
 22 A I write it on -- I write it by hand. I still  
 23 know how to do things.  
 24 Q Yeah, do you still have those notes?  
 25 A No. I write it, it gets entered --

1 A We discussed it.  
 2 Q Yeah, I know, we discussed it before --  
 3 A Has anything change --  
 4 Q -- total time lost, time --  
 5 A -- since the last time until now?  
 6 Q Yeah, I mean, have you gotten any more awards  
 7 or anything?  
 8 A Not that I remember.  
 9 Q You haven't been speaking at any more places?  
 10 You get asked to speak a lot now, don't you?  
 11 A Right. Yeah.  
 12 Q You are getting more and more famous all the  
 13 time. What?  
 14 A Is that a question?  
 15 Q No, I'm just asking, I mean, your practice is  
 16 growing, how many people you got in your office now?  
 17 A Seven attorneys.  
 18 Q Okay. How many support staff and everything?  
 19 A Around 10, maybe a little more.  
 20 Q Okay. You are updated still on Best Lawyers  
 21 and all that other stuff?  
 22 A I learned that from you.  
 23 Q Not from me.  
 24 A I think so.  
 25 Q You -- okay, you still getting all of those

1 other things that you don't have to pay for, they really  
2 think you are okay?

3 A I think so.

4 Q Okay. Let me ask you, how many cases do you  
5 carry?

6 A I usually try to stay around the 40-case mark.

7 Q Okay. And that's 40 intentional --

8 A All litigation.

9 Q -- 40 tort cases?

10 A Right.

11 Q You don't do anything else, right?

12 A That's it.

13 Q I don't mean that pejoratively, but you are  
14 tort lawyer.

15 A Basically. I mean, I do --

16 Q Okay.

17 A -- I do have some commercial cases but they  
18 usually involve some form of criminal act where I am  
19 representing somebody that I perceive to be a crime  
20 victim in the case.

21 Q Okay.

22 MR. HADDAD: Anybody got anything?

23 A Well, I know that you have a pending motion  
24 about certain objections to work product privilege that  
25 were stated in the first deposition --

1 forward with a hearing, we just see where it is,  
2 you can ask him in trial or see where we go from  
3 there. I'm --

4 MR. GOLDBERGER: No, no, I think we want to  
5 redepose on it but~.~.~.

6 MR. HADDAD: Well, I don't -- no, let's --

7 MR. KING: Hold -- hold on a second, hold on a  
8 second. That's -- that is not appropriate. He's  
9 here, this is his third time. He is prepared to  
10 answer questions --

11 MR. HADDAD: Fine, so take a -- let's take a  
12 lunch break and I'll come back after lunch and --

13 MR. KING: We'll get the documents.

14 MR. HADDAD: -- we'll go. See you at one  
15 o'clock, 1:30. Is that good?

16 MR. GOLDBERGER: Yeah, one -- how about 1:15,  
17 can we do 1:15? It's a quarter of 12.

18 MR. HADDAD: Well, I -- I would like to take  
19 my time.

20 MR. KING: Okay.

21 MR. HADDAD: Who took the first -- who took  
22 the last depo, Chritton? Who took the depo we  
23 invoked on, Chritton?

24 MS. COLEMAN: The first one, yeah.

25 MR. HADDAD: That was 200 pages -- well, there

1 BY MR. HADDAD:

2 Q Yeah.

3 A -- and since, those cases are no longer being  
4 litigated. And to the extent that I have injected  
5 certain things into this litigation to prove why I did  
6 certain things during discover, I'll answer whatever  
7 questions you have in that regard.

8 Q I didn't even look at it.

9 MS. COLEMAN: I didn't either.

10 A I just want to make sure this is the last time  
11 I'm coming back, so I saw your motion, I'm here until  
12 we're not here.

13 MS. COLEMAN: Can we go off the record for  
14 minute?

15 MR. HADDAD: No, leave it on the record. If  
16 he is going to withdraw his objection, I am not --  
17 I am not prepared to proceed on that anyhow.

18 MS. COLEMAN: Yeah, we don't have it with us.

19 MR. HADDAD: I don't even have -- I don't even  
20 have the prior deposition.

21 MR. GOLDBERGER: Well, let's get on the record  
22 that he is withdrawing them so that we don't have  
23 to --

24 MR. HADDAD: Well, yeah. I mean, if you are  
25 withdrawing everything, we don't even have to go

1 was only 12 questions asked. The rest of it was  
2 Scarola objecting to everything.

3 MS. COLEMAN: Can we go off the record?

4 MR. GOLDBERGER: Yeah, we are off the record.

5 MR. KING: Off the record.

6 THE VIDEOGRAPHER: The time is 11:40 A.M. We  
7 are now coming off the record.

8 (Thereupon, a discussion was had off the  
9 record.)

10 (Thereupon, a luncheon recess was taken from  
11 11:45 A.M. - 1:15 P.M.)

12 THE VIDEOGRAPHER: The time is 1:19 P.M. We  
13 are back on the video record.

14 MR. HADDAD: Is Epstein on the phone?

15 MR. EPSTEIN: Yes.

16 MR. HADDAD: Okay, good. I'm still reeling  
17 from lunch, excuse me.

18 BY MR. HADDAD:

19 Q At any rate, I just saw this and I just  
20 thought I would ask. Your lawyer and your law firm  
21 filed a amended expert witness list of Bradley J.  
22 Edwards, through his undersigned attorney hereby amends  
23 his witness list for trial as follows. Experts include  
24 all attorneys listed in the prosecution of civil claims  
25 against Jeffrey Epstein arising out of your usual crap

1 about serial abuse and stuff. Did you -- are you  
2 familiar with this document?

3 A No.

4 Q And it says here, you are listing all  
5 attorneys involved in the prosecution of civil claims,  
6 who would that be, who would the experts be that are  
7 involved in the civil claims, which attorneys do you  
8 know that to be?

9 A Which attorneys were involved in the civil  
10 claims?

11 Q Well, your experts --

12 MR. GOLDBERGER: Ask him what -- what he --  
13 what his lawyer means by that, those words?

14 MR. HADDAD: Jack.

15 MR. GOLDBERGER: I'm sorry.

16 MR. HADDAD: Thanks, I wouldn't figure that  
17 out on my own. Let me stumble through four or five  
18 questions.

19 BY MR. HADDAD:

20 Q Did you understand Goldberger's question?

21 A Between the two of you, I think there is a  
22 question in there somewhere.

23 Q This is going to be frick and frack trying the  
24 case in there.

25 All right, so you listed -- what it boils down

1 BY MR. HADDAD:

2 Q Here it is. You -- you've listed -- Scarola  
3 has listed all these people as attorneys -- as -- as --  
4 as witnesses now, so my preparatory question to you is:  
5 Are you aware that he did it?

6 A I am.

7 Q Okay. The second question is: If these are  
8 all listed witnesses, they must have some material  
9 knowledge to be expert witnesses, correct?

10 A Right.

11 Q Number 3, speaking of expert witnesses, did  
12 you happen to read Mr. Scarola's expert witness  
13 deposition to Bill Sheer in the Rothstein Ponzi scheme  
14 clawback thing?

15 A No.

16 Q Were you aware that Mr. Scarola was listed as  
17 an expert witness?

18 A In what?

19 Q In -- in the clawback scheme, he is an expert  
20 witness for Sheer on punitive damages.

21 A No.

22 Q Would you share Mr. Ep -- with Mr. Scarola's  
23 comments that he would never believe a single word that  
24 Scott Rothstein said?

25 A Would I do what?

1 to is every frickin' civil lawyer that had a claim,  
2 you're listing as an expert witness, which would be  
3 Josefsberg --

4 A Josefsberg.

5 Q Horo --

6 A Adam Horowitz.

7 Q Horowitz, all of them?

8 A Ted Leopold.

9 Q Yeah. So you are listing them all as expert  
10 witnesses, which would waive any claim of privilege  
11 right now, if they are going to be witnesses for you, if  
12 they are going to testify about your claims and about  
13 everything involved in the claims. So let's go back to  
14 my other question is, did you have a joint -- joint  
15 agreement with any of these guys?

16 MR. KING: Objection to the form.

17 MR. HADDAD: Okay.

18 MR. KING: Also reassert the same objection I  
19 had before.

20 MR. HADDAD: Okay. Form objections don't mean  
21 much, because you know the question.

22 MR. KING: It's only the -- only the preface  
23 to the question.

24 MR. HADDAD: Well, I understand that.

1 Q Would you adopt the statement of your lawyer,  
2 Mr. Scarola, in his deposition, that he would never  
3 believe a word Scott Rothstein said?

4 A Show me the statement and the context in which  
5 he said it and I will tell you whether or not I agree  
6 with it.

7 Q Well, would you believe a word, anything Scott  
8 Rothstein said?

9 A I listened to Scott's deposition in this case.

10 Q All right.

11 MR. GOLDBERGER: Did we have the dep of him?

12 MR. HADDAD: Huh? I don't have it here. I --  
13 I'll -- I'll save it for trial, that will be more  
14 funny anyhow.

15 BY MR. HADDAD:

16 Q All right. So now these experts are -- they  
17 will testify based upon their background, training,  
18 experience as civil litigants and their personal  
19 involvement that each adverse prosecuting claims against  
20 Jeffrey Epstein about the legal and ethical propriety of  
21 the actions taken by Bradley Edwards in fulfilling his  
22 obligations to the victims of Epstein's assaults.

23 A Okay.

24 Q You must have had helped him prepare that.

25 A I didn't prepare that one.

1 Q All right. So this is -- these persons, these  
2 lawyers are going to be testifying to everything they  
3 did in conjunction with you. My question comes back to  
4 what we asked before the luncheon break. Did you  
5 gentlemen have what would be considered in essence a  
6 joint agreement for purposes of prosecuting claims  
7 against Edwards?

8 MR. KING: The same objection.

9 A I am Edwards.

10 BY MR. HADDAD:

11 Q Huh?

12 A I am Edwards.

13 Q I mean against Epstein.

14 MR. KING: The same objection we had before.

15 MR. HADDAD: All right. And are you going to  
16 instruct him not to answer so I can get it there  
17 quicker?

18 MR. KING: Yes.

19 MR. HADDAD: All right. That makes it very  
20 simple. Okay.

21 MR. KING: And you under -- you understand  
22 there --

23 MR. HADDAD: I understand what --

24 MR. KING: -- are pending motions or motions  
25 that were resolved that were filed by those lawyers

1 MS. COLEMAN: Have it.

2 MR. HADDAD: See, I -- I can't -- you're like  
3 a little wife.

4 MS. COLEMAN: Because I look like my mother.

5 MR. HADDAD: I could always slap you. All  
6 right. The only one not laughing is Brad, why, we  
7 are all having a good time here, enjoy the show.

8 BY MR. HADDAD:

9 Q All right. The other thing is -- the other  
10 thing we're here on is Epstein's motion to overrule  
11 objection, all that stuff. You said that you are going  
12 to withdraw your objections to the questions that were  
13 asked that were set for a hearing on November.

14 MR. KING: Man -- many of those. Let me  
15 just --

16 MR. HADDAD: Well, yeah, we'll --

17 A Ask the question and I'll give you an answer.

18 BY MR. HADDAD:

19 Q Yeah, that's fine.

20 MR. KING: Right, because, just as -- for  
21 example, the financial questions, Judge has already  
22 ruled, so those would -- those would still be  
23 asserted. The other ones were in the list that  
24 you -- that you've put in here, a number of them  
25 were answered so~.~.~.

1 and so, you know, in an abundance of caution we --

2 MR. HADDAD: Bill, I have no problem, we will  
3 take care of it, I want to make sure I cover the  
4 record so that I can get it out at some point in  
5 time.

6 A I just can't waive their privilege, that's it.

7 BY MR. HADDAD:

8 Q I -- I am not asking for privilege, I'm asking  
9 you whether you had agreement. There is no privilege to  
10 an agreement.

11 MS. COLEMAN: Once they filed it, they waive.

12 MR. KING: No, no, if there was a filed  
13 agreement, I would agree, it -- it would be a  
14 public record, but most joint agreements --

15 MS. COLEMAN: What I am saying is, by placing  
16 them on the record as expert witnesses --

17 MR. HADDAD: I understand that.

18 MR. KING: I understand your position, I  
19 would --

20 MR. HADDAD: They waived it. We understand  
21 what waiver is.

22 MR. KING: They waived it.

23 MR. HADDAD: Why am I arguing with you, you  
24 are on my side?

25 MR. KING: That's right.

1 MR. GOLDBERGER: Why don't we just ask every  
2 question.

3 MR. HADDAD: Yeah, here's the simple thing.  
4 I'm easy, as you know, I don't get mad, I don't  
5 worry about -- just say you don't do -- you know,  
6 whatever.

7 THE WITNESS: Fire away.

8 BY MR. HADDAD:

9 Q In this particular instance associated with  
10 Mr. Epstein, what investigators worked on Epstein's  
11 cases during the time you were at RRA?

12 A I communicated directly with Mike Fiston.  
13 Other investigators that worked on the case were Pat  
14 Roberts.

15 Q Okay.

16 MR. GOLDBERGER: Wait for the answer.

17 A And I think Pat Diaz.

18 BY MR. HADDAD:

19 Q Would you consider Ken Jenne, our great  
20 illustrious lawyer sheriff to be an investigator?

21 A Yes.

22 Q I mean, he did some work on --

23 A In some general way.

24 Q Yeah. All right. So that answers the whole  
25 first set of questions, I think.

1 Did Fistein -- Fiston interview an individual  
 2 by the name of Michael Friedman?  
 3 A I think so.  
 4 Q And who's Michael Friedman?  
 5 A A former housekeeper of Jeffrey Epstein.  
 6 Q All right. Did you obtain a written statement  
 7 from him or written investigative file or anything that  
 8 you are aware of?  
 9 A No, I don't think so.  
 10 Q Okay. Who was the first investigator that you  
 11 believe involved -- who cares.  
 12 Who was the first investigator that you  
 13 believe was involved in this, who took this depo?  
 14 MS. COLEMAN: Not me, don't look at me.  
 15 MR. GOLDBERGER: Just ask the questions.  
 16 MR. HADDAD: I'm sitting here astounded.  
 17 BY MR. HADDAD:  
 18 Q Who was the first investigator to work on  
 19 these cases?  
 20 A That I had anything to do with?  
 21 Q Yeah. Work product, instruct you not to  
 22 answer, okay. Work product.  
 23 Who was it, Fiston?  
 24 A Wayne Black.  
 25 Q Okay. Wayne Black, and I saw some stuff.

1 it my way, I get the right answer.  
 2 Did you ever direct anyone to go to Epstein's  
 3 property and conduct surveillance?  
 4 A No.  
 5 Q Did you tell police to put up pole cams over  
 6 there?  
 7 A No.  
 8 Q Did you ask the police if they had pole cams  
 9 over there? This is my own question now.  
 10 A I don't think so.  
 11 Q Did you ever ask whether or not the City of  
 12 Palm Beach actually had cameras that they use for all  
 13 the streets that you could get surveillance from?  
 14 A Me, personally, no.  
 15 Q No, direct anyone else to do that.  
 16 A No.  
 17 Q Because civil lawyers aren't smart enough to  
 18 ask these questions.  
 19 A No.  
 20 Q Okay.  
 21 MR. HADDAD: No offense, Mr. King, you are.  
 22 BY MR. HADDAD:  
 23 Q Have you ever instructed -- no, that one's  
 24 same one.  
 25 Have you ever authorized employ --

1 That's the same Wayne Black that in the e-mails we  
 2 looked at earlier this morning --  
 3 A Right.  
 4 Q -- was referenced by Ken Jenne and stuff?  
 5 A That's right.  
 6 Q Okay. You already answered this pretty much.  
 7 MR. GOLDBERGER: You don't need to look to me  
 8 for approval, just ask the questions.  
 9 MR. HADDAD: Well, apparently you are telling  
 10 me I'm asking him wrong when I don't ask right.  
 11 BY MR. HADDAD:  
 12 Q Did -- did you ever direct investigators to go  
 13 through Epstein's trash?  
 14 A No.  
 15 Q Okay. Here, I -- I -- I have to ask it again  
 16 a second time, I guess these guys can't ask a question  
 17 15 different ways. With regard to your investigators,  
 18 you gave direction regarding the Epstein cases during  
 19 the time which you were at RRA, did you ever tell them  
 20 or direct them to go through Mr. Epstein's trash?  
 21 A No.  
 22 Q Did you conduct surveillance of Epstein's  
 23 property?  
 24 A No.  
 25 Q Did you direct anyone to conduct -- let me do

1 investigators, either employees from a firm, blah, blah,  
 2 blah, to walk around the perimeter of Mr. Scarola's --  
 3 Mr. Scarola -- Mr. Epstein's home on or the same time  
 4 that -- March 17 of 2010?  
 5 A No.  
 6 MR. HADDAD: What are you trying to show me?  
 7 MR. GOLDBERGER: I am just sending you a  
 8 message from your client.  
 9 MR. HADDAD: Oh.  
 10 BY MR. HADDAD:  
 11 Q Who paid for -- who paid for the  
 12 investigators, it just came out of RRA funds as part of  
 13 employment?  
 14 A Who paid for the investigators I just told you  
 15 about?  
 16 Q Yeah.  
 17 A Mike Fiston and all that?  
 18 Q Yeah.  
 19 A To my knowledge, they were employees of RRA.  
 20 Q Okay. But you don't know whether or not  
 21 Scarola and everybody else's money jointly went in to  
 22 pay for all these guys, because that would have been  
 23 done by the trust department, which you didn't know?  
 24 A Yeah, and it didn't. It didn't. I mean, they  
 25 were employees of RRA.

1 Q Okay.  
 2 MR. GOLDBERGER: You are okay.  
 3 BY MR. HADDAD:  
 4 Q All right. Let me ask you this: Did you  
 5 auth -- were any informants, comma, did you authorize  
 6 your investigator to hire informants?  
 7 A I don't even know what that means.  
 8 Q Neither do I, but I am just asking the  
 9 question.  
 10 A Like a mole inside Epstein's house?  
 11 Q I think so.  
 12 A How could I possibly mean that? No, I did  
 13 not. Regardless, the answer is no.  
 14 Q I don't know, maybe you went to the Sunrise  
 15 Police Department, it's in the news now, and got one of  
 16 their informants to go out and hire somebody.  
 17 A I didn't have that idea.  
 18 MR. GOLDBERGER: Does he -- does he know if  
 19 they went through the --  
 20 MR. HADDAD: Huh?  
 21 MR. GOLDBERGER: Does he -- does he know if  
 22 they went through the --  
 23 BY MR. HADDAD:  
 24 Q Does anybody -- did anybody go through the  
 25 trash?

1 A Other than St. Patrick's day, no idea.  
 2 Q Okay. Question: Did he, Mr. Roberts, ever  
 3 perform investigative work on any of the Epstein files?  
 4 A Yes.  
 5 Q Okay. And who's Roberts?  
 6 A Pat Roberts, he was --  
 7 Q He's an investigator.  
 8 A -- the other investigator that was working at  
 9 RRA.  
 10 Q Yeah. And Rick Fandy, Rich Fandy, Fandray  
 11 perform any work on the Epstein files, any  
 12 investigation?  
 13 A I'm not sure.  
 14 Q Okay.  
 15 A He wasn't an RRA employees but they contracted  
 16 extra work out to certain people and Rick was one of  
 17 those people.  
 18 Q Okay. Outside contractor?  
 19 A Right.  
 20 Q Were those the ones that protected Scott when  
 21 he took all the money to the airport to flee the  
 22 country?  
 23 A No. Those were the actual police.  
 24 Q Did you ever authorize or direct Ken Jenne to  
 25 perform any investigation on the Epstein files?

1 A The police went through his trash.  
 2 Q Well, I know the police did, I read that.  
 3 A Right, that's all I -- and that's why I know  
 4 it.  
 5 Q Okay. Did the police hand you some of the  
 6 stuff they found in his trash?  
 7 A I got it the same way everybody else did, it  
 8 was in the State Attorney's file, FOIA request,  
 9 et cetera, I got the stuff from his trash.  
 10 Q A four-year request?  
 11 A Freedom of Information --  
 12 Q Oh, FOIA.  
 13 MS. COLEMAN: FOIA, F-O-I-A.  
 14 BY MR. HADDAD:  
 15 Q I thought you said four-year request. My bad  
 16 ear.  
 17 A But, no.  
 18 Q Okay.  
 19 A Nobody that I know went through his trash.  
 20 Q Let me ask, did you authorize any  
 21 investigators to trespass on Epstein's property?  
 22 A No.  
 23 Q I guess March 17th must be a big day because  
 24 there is 15 questions regarding March 17th, what was  
 25 that day, besides St. Patrick day?

1 A No. This is what I understand --  
 2 MR. GOLDBERGER: Answer the question.  
 3 A This is what I understand Ken Jenne's role to  
 4 have been. I -- I communicated directly with Mike  
 5 Fiston. Ken Jenne had something to do with locating  
 6 forensic accountants to deal with the money aspect of --  
 7 related to Epstein. I didn't direct Ken Jenne, I don't  
 8 think, to do anything.  
 9 Q All right. Ken Jenne, of course, had been a  
 10 lawyer for many years, State attorney -- State attorney.  
 11 MR. GOLDBERGER: Sure.  
 12 MR. HADDAD: And then a sheriff.  
 13 THE WITNESS: I know that --  
 14 MR. HADDAD: He was a State attorney for  
 15 years.  
 16 BY MR. HADDAD:  
 17 Q Okay. He was -- he was actually the first  
 18 economic investigator, a State attorney prosecutor. Did  
 19 you know anything about that?  
 20 A No.  
 21 Q Okay. Were you advised of his abilities in  
 22 the economic field?  
 23 A No.  
 24 Q All right. Did you know whether or not he was  
 25 partners with, what's that guy's name we are talking

1 about, Sheer?

2 MS. COLEMAN: Bill Sheer.

3 BY MR. HADDAD:

4 Q Bill Sheer, did you know he was partners with  
5 Sheer before he went with Rothstein?

6 A I know that now. I did not know that then.

7 Q Do you know whether or not Sheer actually used  
8 Rothstein as an attorney?

9 A I think I have heard that since, but I didn't  
10 know that then.

11 Q Okay. What is the existence of an entity  
12 called BlueLine Research and Development, do you know  
13 what that is?

14 A No. I think that there is a similar title,  
15 BlueLine is a private investigation --

16 Q Okay.

17 A -- firm of some sort.

18 Q But did you ever use them, because that is  
19 probably what they are talking about?

20 A During the time I was at RRA, I am assuming?

21 Q Yeah.

22 A No.

23 Q I think all these questions were about when  
24 you were at RRA.

25 A Right, I just -- I just wanted to clarify

1 in which cases were handled while Edwards was a partner  
2 at RRA. The one meeting that you had in Mr. Rothstein's  
3 office with Russell Adler and some persons unknown --  
4 some unknown person on the phone, were you given any  
5 direction at that time that certain discovery should be  
6 done or tactics should be used with regard to  
7 prosecuting the Epstein cases?

8 A No.

9 Q Okay. At the meetings that you -- at the  
10 meetings that occurred with these various lawyers,  
11 Berger, Adler, Stone, Rob Buschel were present and  
12 Epstein was discussed, was the discovery that --  
13 discovery and/or investigation regarding Mr. Epstein  
14 ever discussed?

15 A I -- I would assume so.

16 Q Well, I --

17 A In meetings, that we were talking about, was  
18 Epstein discussed?

19 Q Yeah, I -- I -- I assume, based upon the --  
20 what we saw in the e-mails today, that is exactly the  
21 purpose of the meeting, correct?

22 A Exactly, that was the purpose of the meeting.

23 MR. INDYKE: Discovery I think was the purpose  
24 of the question.

25 MR. HADDAD: I'm sorry?

1 that.

2 Q Okay. Now, your -- your assoc -- the next  
3 subject of the matter is on the motion that -- that  
4 turned to Mr. Edwards interac -- reported interactions  
5 with anyone associated with the Epstein case and the  
6 first question is -- excuse me -- during the time that  
7 you were with RRA -- excuse me, somebody else's  
8 handwriting -- and had investigation done on  
9 Mr. Epstein, was any of your investigation that you  
10 performed turned over to any person outside of RRA or  
11 your clients?

12 A No.

13 Q You understood that?

14 A I think that you were asking, did I do  
15 investigation, get evidence and then turn it over to  
16 somebody outside of the firm.

17 Q That -- that's what the attempt of that  
18 question was. The answer is no?

19 A Right.

20 Q Okay. And any of the directions that you ever  
21 gave to the investigators, did you ever put that in the  
22 form of memo, that is, would you give them written  
23 directions?

24 A I would just talk to Mike.

25 Q The discussion turns to the matter -- manner

1 MR. INDYKE: I think the question related to  
2 discovery that you were doing at the time.

3 MR. KING: Actually, the way the question  
4 reads, it says, discovery and/or investigation.

5 MR. HADDAD: Yeah, didn't I read that?

6 MR. KING: Yes.

7 MR. HADDAD: Yeah, okay.

8 MR. KING: And I think he's answered.

9 BY MR. HADDAD:

10 Q Mr. Edwards, were you involved in discussions  
11 regarding the deposing of any of the people -- excuse  
12 me, I apologize for what I have to read because I am  
13 trying to make sense out of it. Mr. Edwards, were you  
14 involved in the discussions regarding the deposing of  
15 any of the people of these individuals, Mr. Trump, that  
16 is, in discussions with any of the other lawyers in your  
17 law firms including Scott Rothstein?

18 A If you can make sense out of that question,  
19 ask it your way, I'll try to answer it --

20 Q All right.

21 A -- I have to idea what it means.

22 Q But simple thing is, were you involved in the  
23 discussions of the desired -- deposed Trump, Clinton,  
24 all those people?

25 A Yeah.

1 Q And of course, Dershovitz, the other one is  
2 Amber Wexner, David Copperfield, all the rest of them,  
3 correct?

4 A Yes.

5 Q Okay. And there is no question about that,  
6 it's in all the rest of the discovery we got afterwards?

7 A I was involved in the decision to take  
8 anyone's deposition that was --

9 Q And -- and I think there is an e-mail that we  
10 saw yesterday, we better do this to put pressure, an  
11 e-mail or something, it seems like yesterday, I guess it  
12 was this morning.

13 Okay. Did you have any discussions within  
14 your firm regarding the taking of the depositions of  
15 several -- of celebrities or famous people who were  
16 purportedly on Mr. Epstein's plane, so that they could  
17 be deposed such that would be an inducement to  
18 Mr. Epstein to settle his lawsuit?

19 A Was I involved in a discussion?

20 Q Yeah, well, you know, what this question is  
21 asking, did you guys decide to take some depositions so  
22 you could induce him to settle the lawsuit, that is,  
23 almost like pressure. I guess inducement means  
24 pressure, doesn't it, lure, pressure?

25 A Do you want the short answer or the long

1 who were in his presence in places where we knew the  
2 criminal molestation of children had had happened.  
3 Those people, some of them were high-profile or  
4 celebrity-type people. So in addition, did we think  
5 that that could induce him to settle cases? Some people  
6 thought that. I don't think he personally cares about  
7 anybody, so I never adopted that, but that train of  
8 thought was discussed and we took -- and we elected that  
9 those were the next people in line whose deposition  
10 should be taken.

11 Q Well, without being argumentative, that is the  
12 way every civil case works.

13 A Yeah.

14 Q You try to pressure people in to sue. I mean,  
15 it is no different in this case than in any other case.  
16 You've got people who will settle the case rather than  
17 put up with a bunch of crap and you were hoping that  
18 this is what happened. Somebody was hoping that's what  
19 would happen in this case.

20 MR. KING: Objection to form, compound.

21 MR. HADDAD: Oh, okay. I can't even read it.  
22 Okay, I will do that in a little bit, okay. Can  
23 you just print it a little better so I can read it?

24 I don't -- I don't mean to be rude, but I --

25 MR. INDYKE: That's fine, Fred.

1 answer?

2 Q Probably the short answer first.

3 MR. KING: The right answer.

4 A The correct answer is this. What we knew at  
5 the time was that --

6 BY MR. HADDAD:

7 Q This is going to be the long answer.

8 A It is going to be. It is going to be, but to  
9 be complete, I have no other choice. What we knew at  
10 the time is that Jeffrey Epstein was molesting children  
11 literally every day. So we tried to take his deposition  
12 and he took the fifth. We tried to take his various  
13 co-conspirators' depositions and they took the fifth.  
14 We tried to take the next tier of people that we knew  
15 information about him molesting these children and they  
16 had lawyers who were paid for by Jeffrey Epstein or they  
17 had lawyers paid for by Jeffrey Epstein and said they  
18 were leaving the country forever. The next level of  
19 people that we were attempting to take the deposition --

20 Q Or his father?

21 A Right.

22 Q Okay.

23 A The next level of people that we were  
24 attempting to take the deposition of were people that we  
25 thought Epstein could not directly control, and people

1 MR. HADDAD: -- have a tough time reading it  
2 period.

3 MR. GOLDBERGER: Period?

4 MR. HADDAD: Huh?

5 MR. GOLDBERGER: Hard time reading, period?

6 MR. HADDAD: Period.

7 THE WITNESS: He intentionally reads the  
8 sentence.

9 MR. HADDAD: I mean, to quote -- to quote  
10 blazing saddles, that's -- that's like American  
11 gibberish. No offense, Darren.

12 MR. INDYKE: None taken.

13 BY MR. HADDAD:

14 Q Did Mr. Jenne, did you direct -- I don't know  
15 why it's back up again -- did you direct Mr. Jenne to do  
16 an investigation on his Ep -- on the Epstein cases?

17 A Other than what I have otherwise --

18 Q Yeah.

19 A -- described already, no.

20 Q Did Jenne do any investigate -- we've already  
21 asked and answered that, I am not going through that  
22 again.

23 Did you -- did you contact any persons who  
24 were listed in the book that was eventually produced by  
25 Mr. Rodriguez after he got arrested with the book and



1 the book was made public? A relevancy objection by  
2 Mr. King.

3 A Did I contact any people?

4 Q First good objection so far.

5 Does Scarola read these things?

6 A I don't think so.

7 Q Scarola doesn't read them or~.~.~.

8 A I don't think so.

9 Q Scarola doesn't read them?

10 A I don't even know what question is on the  
11 table right now.

12 MR. KING: I think you -- you directed that  
13 last question to me.

14 MR. HADDAD: Yeah, I know.

15 BY MR. HADDAD:

16 Q Did you -- did you have contact with any  
17 persons who were listed in the book that was eventually  
18 produced by Mr. Rodriguez after he got arrested and --

19 A I don't remember.

20 Q -- and the book was made public?

21 A I don't remember.

22 Q Were you the CI that turned over  
23 Mr. Rodriguez?

24 A Yes.

25 Q Okay. And that wasn't even here, but thanks.

1 concerned citizen. This is a polite trial.

2 BY MR. HADDAD:

3 Q Did you have any contact with Kendall Coffey  
4 regarding propriety or ask him for an opinion of the  
5 propriety of taking that book from Rodriguez?

6 MR. KING: We'll assert the attorney-client  
7 privilege.

8 MR. HADDAD: Okay.

9 MR. KING: Instruct him not to answer.

10 MR. HADDAD: That's fine. I got to -- yeah,  
11 that's got to be a motion anyhow.

12 BY MR. HADDAD:

13 Q All right. If you were asked each of these  
14 questions, transcript of deposition dated -- I'm not  
15 going to -- the same objection, I don't even know what  
16 that is. And then Mr. Goldberg objects.

17 MR. HADDAD: Jack, do you remember what you  
18 were objecting to?

19 MR. GOLDBERGER: No, I don't.

20 MR. HADDAD: Of course. Let me just kind of  
21 clean it up. Oh, and then add Coleman objects.  
22 Everybody objects.

23 MS. COLEMAN: I didn't object, I was laying a  
24 record and you don't have to ask all those  
25 questions, it was for the purpose of the motion for

1 Well, along the lines that were taken the last  
2 time with regard to whatever work product was involved,  
3 that didn't take Inspector Clouseau to figure that out,  
4 anyhow.

5 A I don't think I am telling anybody anything  
6 they don't already know.

7 Q Yeah, I -- I know. I didn't want it to seem  
8 like I was that smart but~.~.~.

9 Well, along the lines that were taken with  
10 regard to whatever work product was involved in the  
11 investigation in light of the current state of the case,  
12 you know, who asked these questions? Even --

13 A Is it a question?

14 Q Never mind, I'm am reading Mr. King's  
15 objection. That's not a question.

16 MR. KING: That's right.

17 MR. HADDAD: He didn't want to be a CI. He  
18 wanted the book. We will get to that later.

19 That's a good trial question.

20 MR. GOLDBERGER: Oh, I'm sorry.

21 MR. HADDAD: That's okay. We don't call them  
22 CIs, we call them cooperative concerned citizens.  
23 Right?

24 MS. COLEMAN: Or narc.

25 MR. HADDAD: No, there's no drugs involved. A

1 the Court to know it was asserted a second time,  
2 that's all.

3 MR. HADDAD: Oh, okay. Was that from my depo?

4 MS. COLEMAN: Umm-hmm. That was from your  
5 depo last time.

6 MR. HADDAD: All right. Let me see if I got  
7 anything on Edwards.

8 MS. COLEMAN: So we don't have to sit here for  
9 nine hours.

10 MR. HADDAD: See, they took the -- they took  
11 the conspiracy out, so I can't have Rothstein.

12 THE WITNESS: I know, I know.

13 MR. HADDAD: Oh, proper predicate, okay. Let  
14 me read what these are. Edwards compensation at  
15 RRA and the payment of expenses.

16 BY MR. HADDAD:

17 Q Did you do any hourly billing yourself or were  
18 you strictly a contingency fee person? I guess that  
19 would be contingency fee basis, I guess.

20 A While I was at RRA?

21 Q Yeah. Well, you answered it, 90 percent  
22 contingency, so why the hell am I asking the question  
23 with no objection?

24 Oh, here we go. Where did you -- where did  
25 you think that the expense money incurred in the Epstein

1 cases was coming from, the source of the money to pay  
2 the extensive bills that were being incurred on Epstein  
3 and other cases?

4 A The law firm.

5 Q Okay. And that was based --

6 MR. HADDAD: Jack, do you want -- do you want  
7 me to stop and take a break so you can tell me what  
8 to follow up with?

9 MR. GOLDBERGER: No.

10 MR. KING: Just so -- just so you know, he did  
11 answer that at the bottom but --

12 MR. HADDAD: Yeah.

13 MR. KING: -- in the last line.

14 MR. HADDAD: I saw it now. He said the law  
15 firm.

16 A Good.

17 BY MR. HADDAD:

18 Q And -- and let me just ask you this. In  
19 regards to the law firm at that time, and I know we have  
20 been through this before, there was no perception of the  
21 law firm being involved in anything other than legal  
22 activity?

23 A Of course not. And other than being involved  
24 in legal activity.

25 Q Legal activity, yeah, that was representing

1 BY MR. HADDAD:

2 Q Did Rothstein ask you how much you were making  
3 at the time or how much you had made in the preceding  
4 year, 2008? Answer: I believe so. Question: What did  
5 you tell him?

6 MR. KING: Well, I think these -- all these  
7 questions and answers would fall within the ambit  
8 of the Court's ruling of financial privacy --

9 MR. HADDAD: I don't remember what that was.

10 MR. KING: And --

11 MR. HADDAD: We don't need to -- if you don't  
12 want to, just tell me and we'll take it from here.

13 MR. KING: Well, the one thing, I don't want  
14 him to have to come back for another deposition  
15 so --

16 MR. GOLDBERGER: Let him answer it.

17 BY MR. KING:

18 Q You didn't make -- you made whatever you made.  
19 I mean, I --

20 A Yeah, I don't remember.

21 Q -- could get your tax returns.

22 MS. COLEMAN: No.

23 MR. HADDAD: Huh?

24 MS. COLEMAN: That's what we are not allowed  
25 to have.

1 Sheer, had --

2 A You were talking fast. It's -- I wanted to be  
3 sure there wasn't an issue.

4 Q I know, but I wasn't trying to sneak one in.  
5 I did that with the other thing. But any rate, Sheer,  
6 representing Sheer, it represented everybody in town, it  
7 was repres -- it was -- you were -- you were playing  
8 around with John McCain and all those right-wingers,  
9 tea-party people and all that other -- not -- not you,  
10 but you know what I mean, taking care of all of that,  
11 right? So it gave the appearance of a legitimate law  
12 firm?

13 A Yeah, it was a le -- it was, to everybody  
14 else, a legitimate law firm.

15 Q Except for nobody in town, just you guys at  
16 and the firm. But anyway --

17 A You should have shared that with Russ Adler  
18 before.

19 Q I knew that was coming.

20 Okay, hourly billing confirmed, financial  
21 privacy. Okay. These questions aren't too bad.

22 MR. HADDAD: Okay. Thanks, Darren.

23 THE WITNESS: You have another book over here.

24 MR. HADDAD: Oh, I know. I see there is  
25 another book over there.

1 MR. HADDAD: Why?

2 MS. COLEMAN: The Court said we can't have his  
3 private tax returns, but if what he was making was  
4 related to --

5 BY MR. HADDAD:

6 Q Is you wife -- are you still married?

7 MS. COLEMAN: -- a claim, we could have it.

8 MR. HADDAD: Maybe I could get you divorced  
9 and have it produced from her.

10 MR. GOLDBERGER: Just ask the question, how  
11 much he was making.

12 MR. HADDAD: I will.

13 BY MR. HADDAD:

14 Q How much were you making?

15 MS. COLEMAN: We are not precluded from the  
16 questions, just the documentation.

17 BY MR. GOLDBERGER:

18 Q You were -- you were -- you were a PI lawyer  
19 at that time before you went there, right?

20 A Right.

21 Q And you just -- didn't you just settle a big  
22 case with the church, just before you got pulled in  
23 there?

24 A I don't remember that.

25 Q Oh, I thought you -- somebody said that you

1 settled a big church case with one of those priests with  
2 the Archdiocese?

3 A No.

4 Q Okay. So how much were you making?

5 MR. KING: The same objection, based on the  
6 Court's rule.

7 MR. HADDAD: Okay. Then -- okay.

8 MR. KING: Let me -- let me just -- let me  
9 just touch base with him on one -- on one issue  
10 relating to that.

11 MR. HADDAD: Yeah.

12 MR. KING: Because again, we don't want to  
13 come back.

14 THE VIDEOGRAPHER: The time is 1:46 P.M. We  
15 are now coming off of the video record. This is  
16 the end of Tape No. 2.

17 (Thereupon, a discussion was had off the  
18 record.)

19 MR. KING: Let me just tell you our position  
20 on --

21 THE VIDEOGRAPHER: The time is 1:49 P.M. We  
22 are now back on the video record. This is the  
23 start of Tape No. 3.

24 MR. KING: Sorry.

25 THE VIDEOGRAPHER: No problem.

1 MR. KING: Let me tell you what our position  
2 is. These questions, to the extent I believe all  
3 of them are directed for him to say -- are asking,  
4 what did you tell Rothstein about what you were  
5 making and what did you tell Rothstein about what  
6 you expected to make, we will let him answer those  
7 questions.

8 MR. HADDAD: Okay.

9 MR. KING: I think those are the questions to  
10 which the objections were made and I don't think it  
11 goes beyond, and then -- but to the extent that  
12 there are any questions about how much did you  
13 make --

14 MR. GOLDBERGER: Right.

15 MR. KING: -- at any time, then it falls  
16 within the Court's order. So let's --

17 MR. HADDAD: No.

18 MR. KING: -- let's -- if you want to go  
19 that --

20 MR. HADDAD: Can you answer his question,  
21 because I don't want to -- let him answer the  
22 questions.

23 A I don't remember what I told him either. What  
24 I had previously made or what I expected, I don't  
25 remember that conv -- that part of that conversation

1 so-~.~.

2 BY MR. HADDAD:

3 Q Okay. Well, you would have been a contingency  
4 fee lawyer there anyhow?

5 A Right.

6 Q Let me ask you this: Did you have an  
7 agreement as to what percentage of the profits -- Well,  
8 let me put it this way.

9 Let's say it settled for a million bucks, you  
10 bring it into the firm, you are now a part of RRA, you  
11 were not a separate LLC or a separate P.A., how much of  
12 what you brought into the firm did you get to keep,  
13 as -- if the firm settled -- if you settled and the firm  
14 got 40 percent, I don't know if you get 40 percent  
15 anymore, 33-1/3. At 33-1/3, one million came in, how  
16 much of that would you keep to the firm, what would your  
17 cut be?

18 MR. KING: Well, I believe that the Court's  
19 order covers that.

20 MR. HADDAD: Oh, does that cover that? Okay,  
21 then I -- I -- I don't understand financial orders.

22 You know, in my business we deal in cash. Cash  
23 ain't income, so we don't have --

24 A Cash ain't income, that's a good one, for the  
25 record.

1 MR. HADDAD: I said -- I tell you that -- I  
2 said that one time when I was giving a -- asked to  
3 talk at a criminal law seminar. I said it as a  
4 joke, I was audited about two weeks later.

5 MR. GOLDBERGER: No kidding. I am shocked.

6 MR. HADDAD: Huh?

7 MR. GOLDBERGER: I'm shocked.

8 MR. HADDAD: All right. I'm not even going to  
9 get into the financial stuff. Let me get into some  
10 of these other questions so we can get out of here.

11 BY MR. HADDAD:

12 Q Did you hire Kendall Coffey in the Epstein  
13 cases, hire, not any questions? Well, I think silence  
14 would say yes, so-~.~.

15 MR. GOLDBERGER: Well, he is waiting to see  
16 whether his lawyer is --

17 MR. KING: No, I think the way -- I think the  
18 way the question is asked, you could answer that.

19 A No.

20 MR. HADDAD: Okay. It took that long to say  
21 no, I thought you were going to say yeah. I deal  
22 with them every day.

23 MR. KING: But privilege objection still  
24 stands.

25 MR. HADDAD: I know. I understand that.

1 MR. KING: Right.  
 2 BY MR. HADDAD:  
 3 Q Okay. I am just going to -- how much -- how  
 4 much --  
 5 A Do you read questions off your hand now?  
 6 Q That's how I do everything. Okay. Did  
 7 anybody else hire Kendall Coffey, that you know of, on  
 8 any cases? It's not you, so it can't be privileged.  
 9 MR. KING: Well, because -- because we have  
 10 asserted the privilege, I -- I believe it is --  
 11 it's appropriate to inquire about why that  
 12 privilege was asserted.  
 13 MS. COLEMAN: I'm sorry, did you say which  
 14 privilege it was?  
 15 MR. KING: The attorney-client privilege. We  
 16 asserted attorney-client privilege to a previous  
 17 question.  
 18 MR. HADDAD: Well, that was about all the  
 19 different lawyers that were involved.  
 20 MR. KING: No, no. You had asked him whether  
 21 or not -- one of the questions in here was, did you  
 22 consult with -- with Kendall Coffey about a  
 23 subject.  
 24 MR. HADDAD: Oh, that was about whether he  
 25 consulted Kendall Coffey about the guy that --

1 Rodriguez.  
 2 MR. KING: Right.  
 3 MR. HADDAD: The boy.  
 4 MR. KING: And we asserted the privilege --  
 5 MR. HADDAD: You asserted the privilege on  
 6 that, but this is just hiring without ever  
 7 consultation. Did any --  
 8 BY MR. HADDAD:  
 9 Q Well, let me just ask it and then you can just  
 10 say what you want to.  
 11 Did any of the lawyer -- other lawyers who are  
 12 now listed as your expert witnesses ever hire Kendall  
 13 Coffey, to your knowledge, not consult, what they did  
 14 with him?  
 15 A I don't know.  
 16 Q You don't know.  
 17 What was your involvement with Conchita  
 18 Sarnoff in the Rodriguez case?  
 19 A Nothing.  
 20 Q Okay. Did -- did RRA ever hire Kendall  
 21 Coffey, to your knowledge?  
 22 THE WITNESS: I can answer?  
 23 MR. KING: Umm-hmm.  
 24 A Yes.  
 25

1 BY MR. HADDAD:  
 2 Q Okay. And would that have been after the  
 3 implosion? Was Kendall Coffey called --  
 4 A I think that they did hire him after the  
 5 implosion, but that had nothing to do with what I was  
 6 thinking about.  
 7 Q All right. Well, what did you -- what were  
 8 you thinking about?  
 9 MR. KING: Well, be careful what you're  
 10 thinking about doesn't tread on -- on privilege.  
 11 A I understand. I think that -- all right. I  
 12 feel comfortable saying this. RRA hired Kendall Coffey  
 13 to answer one specific issue. RRA was the client.  
 14 Kendall Coffey --  
 15 MR. KING: Well, I think that is getting too  
 16 far into it. The bottom line is, RRA hired Coff --  
 17 Kendall Coffey and that was the basis for our  
 18 assertion of privilege earlier.  
 19 MR. HADDAD: Okay.  
 20 MR. KING: All right.  
 21 BY MR. HADDAD:  
 22 Q Nothing to do with Sarnoff?  
 23 A No.  
 24 Q In the Rodriguez's cases?  
 25 A No.

1 Q Did -- well, did they ever show you the  
 2 running expenses, by the way, of what your cost is?  
 3 A What they --  
 4 Q You know, whoever ran the books at RRA? I  
 5 mean Rothstein didn't know what was going, Adler was  
 6 just taking all the money.  
 7 A At the time when I was at RRA, no.  
 8 Q Okay.  
 9 A Subsequently, yes.  
 10 Q Subsequently?  
 11 A Way after.  
 12 Q But that would have been by the trustee and  
 13 bankruptcy or someone like that --  
 14 A Right. That's how --  
 15 Q -- corroborating whether or not the money was  
 16 valid, where it went, how it went and so forth?  
 17 A Correct. And the total costs on all of the  
 18 cases was \$203,000 for all the cases combined.  
 19 Q That's what you said before.  
 20 A I think that I said it was greater than that  
 21 before. But once we did the closeout sheets, the exact  
 22 number was \$203,000.  
 23 Q Let me ask you this, just for the hell of it.  
 24 How much did you spend before you went to RRA working up  
 25 these case, approximately?

1 A I don't know, but it was less than \$25,000,  
 2 you were right in the last motion, I don't know exactly  
 3 what it was though.  
 4 Q Okay. So at least not that they should, you  
 5 went with a big firm and they had the money to  
 6 produce -- the ability to prosecute these cases?  
 7 A Any cases, right.  
 8 Q Yeah, I mean, I understand, you didn't have  
 9 any other cases -- oh, yeah, you did.  
 10 A Right, I did.  
 11 Q Okay. Did you share info with Conchita  
 12 Sarnoff?  
 13 A I shared public information with her.  
 14 Q Is that that reporter from New York?  
 15 A Right.  
 16 Q Because they didn't put down who it was and  
 17 I'm asking questions.  
 18 A Right.  
 19 Q Okay.  
 20 MR. GOLDBERGER: Well done, way to figure it  
 21 out.  
 22 MR. HADDAD: Huh?  
 23 MR. GOLDBERGER: Way to figure it out.  
 24 MR. HADDAD: I never met somebody named  
 25 Conchita unless she was dancing down in a place in

1 you ask it. I know it's only supposed to be one  
 2 witness, but I can't --  
 3 MR. GOLDBERGER: I can't.  
 4 MR. HADDAD: I can't answer them, I don't want  
 5 to ask that question.  
 6 All right, anybody got anything else?  
 7 Give me one second, because we can't have you  
 8 back.  
 9 MR. GOLDBERGER: Let me -- would it make it  
 10 easier, guys, if -- if you could just step out for  
 11 one second. I think that's going to end the depo.  
 12 I just need to have a consultation.  
 13 THE WITNESS: Anything that is going to end  
 14 the depo I will do.  
 15 MR. GOLDBERGER: I hear you. I hear you.  
 16 MR. HADDAD: Are you going to read?  
 17 THE VIDEOGRAPHER: The time is 1:57 P.M. We  
 18 are now coming off the video record.  
 19 (Whereupon, a break was taken.)  
 20 THE VIDEOGRAPHER: The time is now 2:00 P.M.  
 21 We are back on the video record.  
 22 MR. HADDAD: It's two o'clock. Your Rolex  
 23 doesn't keep very good time, Bill.  
 24 MR. GOLDBERGER: It is now two o'clock, 2:01.  
 25 MR. HADDAD: Oh, it was a sweep secondhand, I

1 Mexico when I was down there drinking. Okay.  
 2 Wasn't that Conchita's Cafe in -- down in West  
 3 Texas, town of El Paso?  
 4 MS. COLEMAN: Yes.  
 5 MR. HADDAD: Marty Robbins -- beautiful --  
 6 yes. Okay.  
 7 BY MR. HADDAD:  
 8 Q While you were there with RRA living the high  
 9 life, as it were, did you make political contributions  
 10 at all?  
 11 A No.  
 12 Q Okay. Did they make contributions in your  
 13 name? Did you ever become aware whether or not Scott  
 14 was making contributions in your name, because he made a  
 15 contribution in tons of people's names and covered it  
 16 up?  
 17 A Not that I know of.  
 18 Q Okay.  
 19 A No one's ever told me that to this date.  
 20 Q Because you look like a Republican, I thought  
 21 maybe that they would have done that. Did you have  
 22 contact with the U.S. Government in this -- Epstein  
 23 civil cases?  
 24 A What?  
 25 MR. HADDAD: I don't understand the question,

1 didn't see it that well.  
 2 BY MR. HADDAD:  
 3 Q All right. You entered into settlement  
 4 agreements with various people that Epstein signed,  
 5 correct?  
 6 A Right.  
 7 Q Okay. Were any changes to the settlement  
 8 agreements ever made, as far as distributions after they  
 9 were signed, did the girls get what they said they were  
 10 going to get?  
 11 A Right.  
 12 Q The agreements were fulfilled?  
 13 A Yes.  
 14 Q In every single way?  
 15 A In every single way. I don't understand the  
 16 question, but yes.  
 17 Q I understand that.  
 18 A Settlement agreements, what was said in the  
 19 settlement agreement.  
 20 MR. KING: Is somebody calling in?  
 21 MR. INDYKE: Hit the green button.  
 22 MR. GOLDBERGER: I got it. I got it.  
 23 BY MR. HADDAD:  
 24 Q Go ahead.  
 25 MR. GOLDBERGER: We got you back now?

1 MR. EPSTEIN: Yes.  
 2 MR. GOLDBERGER: Okay.  
 3 BY MR. HADDAD:  
 4 Q Okay. So there were no changes to the  
 5 settlement agreements.  
 6 The other thing is, have you had any contact  
 7 with Maria Villafranca -- fianca lately in the last  
 8 year, say?  
 9 A Villafana. Yes.  
 10 Q And are you still maintaining contact with her  
 11 regarding the litigation?  
 12 A What litigation?  
 13 Q Well, the CVRA?  
 14 A We have no choice, but we are engaged in  
 15 litigation with the Government and she is one of the  
 16 people that participated.  
 17 Q All right. And so you maintain contact with  
 18 her regarding that litigation?  
 19 A Right.  
 20 Q All right. Are you meeting with her at all in  
 21 the possibility of prosecuting or re-prosecution and  
 22 discussing that with her, or just the --  
 23 A That has never been discussed.  
 24 Q Okay. Now, lastly --  
 25 MR. GOLDBERGER: Go ahead.

1 are you claiming?  
 2 MR. KING: You asked the same question last  
 3 time.  
 4 MR. HADDAD: I don't remember it. I thought  
 5 the last time we said you -- taking time away from  
 6 your family and that stuff for economical --  
 7 MR. KING: He went -- but he went into great  
 8 detail, as you might recall, where he talked about  
 9 the fact that, you know, he would go to the -- he  
 10 would go over to the Courthouse and lawyers would  
 11 look at him, and his reputation was -- was impacted  
 12 by that and what -- what he was able to do to  
 13 truncate that later on.  
 14 MR. HADDAD: You're right.  
 15 BY MR. HADDAD:  
 16 Q Do you still maintain that stuff?  
 17 A As I said then, have I done a good job at  
 18 resurrecting whatever damage was done? Yes, I did. Is  
 19 there -- is there --  
 20 Q What was the -- what was the impact to you  
 21 from supposed -- and I don't mean that pejoratively,  
 22 damage to your reputation by being sued for being with  
 23 Rothstein?  
 24 A Uh, what -- for being falsely accused of  
 25 committing crimes I didn't accuse by Epstein.

1 MR. HADDAD: Go ahead. No, tell me.  
 2 (conferring). Oh.  
 3 BY MR. HADDAD:  
 4 Q Have you discussed with her this case that you  
 5 are doing right now --  
 6 A No.  
 7 Q -- involved in this case?  
 8 A I don't believe so.  
 9 Q Do you know if she runs over to the Courthouse  
 10 to look at the docket, what do you call that, PACER?  
 11 That's Federal, whatever you call the docket.  
 12 A I have no idea.  
 13 Q All right. Let's go back to the last thing I  
 14 wanted to do and I had forgotten about it, was damages.  
 15 What are you -- what are you still claiming for damages,  
 16 other than the lost time, anything else?  
 17 A It hasn't changed since last time.  
 18 Q I don't remember what I asked you, I don't  
 19 remember what you said.  
 20 MR. KING: You got into a very detailed  
 21 reputation.  
 22 MR. HADDAD: Is he still -- he is not claiming  
 23 reputation anymore.  
 24 BY MR. HADDAD:  
 25 Q You have a reputation better than ever. What

1 Q You are not accused of committing a crime, you  
 2 were sued for -- in civil court.  
 3 A I was sued for fraud, I was sued for RICO.  
 4 Q Civil. That's civil. There's civil -- you  
 5 know what a civil RICO -- that's not a crime, it could  
 6 also be a civil --  
 7 A Civil RICO is based on criminal violations.  
 8 Q I'm not going to argue, of course it is.  
 9 MR. KING: Hold on, hold on, objection. It is  
 10 a nice colloquy to have with him, but he hasn't  
 11 answered your question yet.  
 12 MR. HADDAD: All right.  
 13 BY MR. HADDAD:  
 14 Q What's your damages? What damages are you  
 15 maintaining today if we go to trial next week, two  
 16 weeks?  
 17 MR. KING: Objection, he has answered it  
 18 extensively in the last deposition.  
 19 But go ahead.  
 20 BY MR. HADDAD:  
 21 Q Are you adopting -- let me put it this way,  
 22 we'll go from there.  
 23 Are you adopting the answers in your last  
 24 deposition as still being the damages that you maintain  
 25 today?

1 A Yes.

2 MR. HADDAD: Any -- all right.

3 MS. COLEMAN: You have any -- can I ask the  
4 question?

5 MR. HADDAD: Yeah.

6 MR. GOLDBERGER: It will get us out of here  
7 quicker if you let Tonya.

8 MS. COLEMAN: Okay.

9 CROSS-EXAMINATION

10 BY MS. COLEMAN:

11 Q Do you have any documentation that would  
12 support the claim of financial loss with respect to any  
13 injury to your reputation or your emotional distress,  
14 which you claimed previously?

15 A I never made a claim for financial loss in  
16 this case. And --

17 Q Do you have any --

18 A -- emotional distress is what I testified  
19 about last time, is that it is a matter of who it is  
20 that is suing me and the level of stress and anxiety  
21 that has gone along with that is certainly extreme. And  
22 I have been and remain to be in fear for my safety  
23 because of him. So will that -- is that still the same?  
24 Yes, it's the same now, was then, you know.

25 Q How do you plan to quantify that?

1 questions last time and I believe that the  
2 discovery was directed to that, but I could be  
3 wrong on that. So within that -- within those  
4 confines, if you want to restate the question, go  
5 ahead.

6 BY MS. COLEMAN:

7 Q We established last time that with respect to  
8 your emotional distress and any kind of mental anguish  
9 damages, you never sought any sort of counseling or  
10 mental health treatment, correct?

11 A It's still the same.

12 Q So in forms of any type of evidence, physical  
13 demonstrative evidence, other than testimony of other  
14 people, do you have anything upon which you are relying  
15 or asserting that claim of damages?

16 A Outside of testimony, are there any documents,  
17 no.

18 Q The same holds true with injury to reputation.  
19 You said last time that you listed people such as Russ  
20 Adler, Earleen Cote and I believe a former judge, I  
21 forget off the top of my head, as people who would  
22 testify as to the injury of your reputation; is that  
23 correct?

24 A Right, I don't -- I don't know what you --  
25 what you would mean by documentation to support that.

1 THE WITNESS: Should I answer this, I mean --

2 MR. KING: Hold on, hold on a second.

3 THE WITNESS: I can answer it with a question,  
4 maybe.

5 MR. KING: No, no.

6 THE WITNESS: Okay.

7 MR. KING: Ultimately, the quantification is  
8 up to a jury. But it's fair -- it would be fair to  
9 inquire. He can't put a number on it and it's  
10 unfair to ask witnesses to put a number on a matter  
11 that a jury is going to respond to and I would  
12 object if that's the intent of your question.

13 MS. COLEMAN: It is not.

14 MR. KING: If -- if there is a proper more  
15 precise question, I will let him answer. But that  
16 question calls for -- that's an inappropriate  
17 question, in that it call -- it asks for what he  
18 thinks the number might be or what a jury might  
19 evaluate it to be. At least, arguably, it could be  
20 construed that way.

21 MS. COLEMAN: I mean --

22 MR. KING: If you -- if the question is,  
23 are -- are there any documents that you are  
24 introducing, documentation to support a particular  
25 claim, I believe he has already answered those

1 If newspaper articles that were printed after the filing  
2 of the claim against me is something that would support  
3 that, then I guess to that extent, yes, but if you are  
4 asking about medical documents or anything like that,  
5 then the answer would be no. I'm not exactly sure what  
6 you are getting at but I --

7 Q Well, for example, you are claiming your  
8 reputation was injured.

9 A Right.

10 Q And based on the elements of proof required to  
11 prove injury to damage to reputation, there are certain  
12 factors that you must meet.

13 A Right.

14 Q I'm asking if you have any physical  
15 documentation or any -- you've objected to all your  
16 financial information, so I guess my question in plain  
17 English is: How are you going to prove that you have  
18 any kind of pecuniary -- pecuniary loss as a result of  
19 an injury to your reputation if we don't have any  
20 documents to back that up?

21 A I have not claimed an economic loss as a  
22 result of my reputation. I haven't. And the only thing  
23 that I can say to answer your question is, I know who  
24 has hired me. I will never know who would have hired me  
25 but elected not to because of what it was that they

1 read. So therefore, I have not had a phone call where  
2 somebody has said, hey, Brad, I was going to hire you  
3 but I read this and, so, therefore, I'm not, and I am  
4 hiring some other person, which is the only context in  
5 which that could ever arrive.

6 Q But have you always advertised Jeffrey Epstein  
7 on your firm Web site since you guys founded Farmer  
8 Jaffe?

9 MR. KING: All right. Look, I'm going to  
10 object. This is repetitious and now we are  
11 getting -- we are getting to other lawyers asking  
12 questions well beyond.

13 MR. HADDAD: All right, fine.

14 BY MR. HADDAD:

15 Q When was the last time you talked to Marie, by  
16 the way, Villafrankie {SIC}?

17 A I don't -- I don't remember.

18 Q Within the last month?

19 A No.

20 Q Okay. And I had one good question and it  
21 escapes me.

22 A It's on your hand.

23 Q No, that wasn't the one that was on my hand.  
24 Uh, It was on damages, I will worry about it later. One  
25 second.

1 Q Yeah.

2 A If you are making a claim that somebody during  
3 2009 was somehow conducting some bad discovery against  
4 you and that forms the basis of a lawsuit, then how --  
5 how in the world would performing the surveillance on  
6 that person in 2010 go to proving that case? It's only  
7 for the purposes of intimidation, that's it, period.

8 Q Well, if -- if they are going to intimidate  
9 you, they wouldn't be surveilling you surreptitiously so  
10 that you are not --

11 A I saw people.

12 Q Saw people, you don't know who it is. It  
13 might -- it might -- you know -- do you know it was from  
14 Epstein?

15 A Oh, yeah.

16 Q How?

17 A Well, I told my investigator, hey, this is who  
18 was following me. And within days, he was also followed  
19 and he learned the identity of the investigator and it  
20 was somebody that was used by Epstein.

21 Q Who was the investigator?

22 A Who was the investigator that I talked to?

23 Q No. Who was the first -- the investigator,  
24 probably somebody used by Epstein?

25 A I don't -- I don't remember.

1 MR. HADDAD: Huh?

2 MR. GOLDBERGER: The safety stuff, he says he  
3 got some --

4 MR. HADDAD: Oh, yeah, yeah, yeah.

5 BY MR. HADDAD:

6 Q How many bodyguards have you hired for your  
7 safety?

8 A I haven't hired bodyguards.

9 Q Have you changed -- have you changed your  
10 place of living, hiding in an apartment, in a  
11 safe-house, witness protection?

12 A Not in witness protection.

13 Q Has anybody made any threats to you,  
14 surveilled you, followed you?

15 A Yes.

16 Q Now, recently?

17 A Well, I don't know about recently whether they  
18 have or have not. I know that in the past, people did.

19 Q For purposes of -- you don't know what  
20 purposes for -- for preparing for litigation, like  
21 people do, you know, with those videotapes like the guys  
22 who said they got bad legs and they play golf when no  
23 one is looking?

24 A Right. There is a purpose behind that  
25 surveillance.

1 Q Well, I thought something might -- I might  
2 remember if somebody was following you. Was it a  
3 private investigator that was following you?

4 A Yeah.

5 Q Isn't that what private investigators do,  
6 follow people?

7 A At somebody else's direction, yes.

8 Q Okay. I mean, it wasn't like he sent two  
9 goons from East Mulberry Street down to follow you.

10 A I don't know --

11 Q You know where Mulberry Street is, don't you?

12 A No.

13 Q In little Italy.

14 A Okay.

15 Q Nobody from Little Italy -- I mean, you know,  
16 Guido and his buddies didn't come and follow you, it was  
17 just a private investigator? Yes?

18 A To the best of my knowledge.

19 Q Okay.

20 A I don't know.

21 Q I don't have anything else. Thank you.

22 MR. HADDAD: Anybody have anything? Can I  
23 finish?

24 MR. GOLDBERGER: Yes, you can wrap it up.

25 MR. HADDAD: Thank you.



1 MR. KING: Can we determine that this -- this  
 2 deposition is concluded?  
 3 MR. HADDAD: Yes.  
 4 MR. KING: All right. Thank you, sir.  
 5 THE VIDEOGRAPHER: The time is 12:00 P.M. We  
 6 are now coming off the video record. This is the  
 7 end of Tape No. 3.  
 8 (Thereupon, a discussion was had off the  
 9 record.)  
 10 THE REPORTER: Do you want to read this?  
 11 THE WITNESS: Oh, I can't wait.  
 12 MR. KING: Yeah, he will read. Do you want to  
 13 go back on the deposition. He will read.  
 14 THE REPORTER: And do you want one if this  
 15 ordered?  
 16 MR. HADDAD: I can't afford it.  
 17 MS. COLEMAN: I will take it.  
 18 THE REPORTER: Do you want a copy of the  
 19 transcript?  
 20 MR. KING: Yeah.  
 21 (Thereupon, a discussion was had off the  
 22 record.)  
 23 (Witness excused.)  
 24 (Thereupon, Plaintiff's Exhibit Nos. 1 and 2  
 25 were marked for identification.)

CERTIFICATE OF OATH

STATE OF FLORIDA  
 COUNTY OF BROWARD

I, the undersigned authority, certify that BRADLEY EDWARDS personally appeared before me and was duly sworn on the 10th day of October, 2013.

Witness my hand and official seal this 24th day of October, 2013.



Wendy Roberts  
 Registered Professional Reporter  
 Notary Public, State of Florida at Large  
 Commission No.: EE178268  
 My commission expires: March 29, 2016

(Deposition was adjourned at 2:30 P.M.)  
 AND FURTHER DEPONENT SAITH NOT

SIGNATURE OF WITNESS

STATE OF FLORIDA  
 BROWARD COUNTY

SUBSCRIBED AND SWORN to before me this  
 day of , 2013 at Broward County,  
 Florida.

Notary Public, State of Florida at Large

Commission No:  
 My Commission Expires:

CERTIFICATE

STATE OF FLORIDA, )  
 COUNTY OF BROWARD. )

I, WENDY ROBERTS, Registered Professional Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that the foregoing testimony was taken before me; that the witness was duly sworn by me; and that the foregoing pages constitute a true record of the testimony given by said witness.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, nor financially interested in the action.

Under penalties of perjury, I declare that I have read the foregoing certificate and that the facts stated herein are true.

Signed this 24th day of October, 2013.

WENDY ROBERTS, Registered Professional Reporter

EMPIRE LEGAL SUPPORT, INC.  
401 EAST LAS OLAS BOULEVARD, STE 1400  
FORT LAUDERDALE, FL 33301

To: BRADLEY EDWARDS, ESQUIRE  
Farmer Jaffe Weissing Edwards Fistos Lehrman  
425 North Andrews Avenue, Suite 2  
Fort Lauderdale, Florida 33301

Re: CASE NO.: 502009CA040800XXXXMBAG

Dear BRADLEY EDWARDS,

Your deposition taken in the above  
entitled cause is now ready for signature.  
Please come to this office and sign same; or  
if you wish to waive the signing of the  
deposition, please so advise.

If this deposition has not been signed  
within 30 days of today's date, October 24th,  
2013, we shall consider your signature waived.

Your prompt attention in this matter is  
appreciated.

Sincerely,

Wendy Roberts, RPR

#### DEPOSITION ERRATA SHEET

Our Assignment No. 12217  
Case Caption: JEFFREY EPSTEIN  
vs. SCOTT ROTHSTEIN

#### DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury  
that I have read the entire transcript of  
my Deposition taken in the captioned matter  
or the same has been read to me, and  
the same is true and accurate, save and  
except for changes and/or corrections, if  
any, as indicated by me on the DEPOSITION  
ERRATA SHEET hereof, with the understanding  
that I offer these changes as if still under  
oath.

Signed on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2013.

BRADLEY EDWARDS

#### DEPOSITION ERRATA SHEET

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BRADLEY EDWARDS

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SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

BRADLEY EDWARDS

IN THE CIRCUIT COURT OF THE  
15TH JUDICIAL CIRCUIT, IN AND  
FOR PALM BEACH COUNTY, FLORIDA  
CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,  
Plaintiff,

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

VIDEOTAPE DEPOSITION OF BRADLEY EDWARDS

May 15th, 2013  
10:00 A.M. - 12:20 P.M.

401 East Las Olas Blvd., Suite 1400  
Fort Lauderdale, FL

Stenographically Reported By:  
WENDY ROBERTS, RPR  
Notary Public, State of Florida  
Empire Legal Support, Inc.  
Fort Lauderdale Office  
Phone: (954)241-1010

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ALSO PRESENT: JEFF EPSTEIN, PLAINTIFF  
DEBRA FEIN, LAW CLERK

Page 4

1 Videotape Deposition taken before Wendy Roberts,  
2 Registered Professional Reporter and Notary Public in  
3 and for the State of Florida at Large, in the above  
4 cause.  
5

6 THE VIDEOGRAPHER: We are now on the video  
7 record. Today's date is May 15th, 2013. The time  
8 is 10:17 a.m. This is the video deposition of  
9 Bradley Edwards taken in the matter of Jeffrey  
10 Epstein v. Scott Rothstein, Case  
11 No. 502009CA040800XXXXMBAG.

12 We're located at 401 East Las Olas Boulevard,  
13 Fort Lauderdale, Florida. The court reporter is  
14 Wendy Roberts, the videographer is Anthony Estevez,  
15 both with Empire Legal.

16 Would counsel please state their appearances  
17 for the record.

18 MR. KING: William King, Searcy Denney Scarola  
19 Barnhart & Shipley for Mr. Edwards.

20 MR. HADDAD: Fred Haddad on behalf of Jeff  
21 Epstein.

22 MR. GOLDBERGER: Jack Goldberger, Atterbury,  
23 Goldberger & Weiss on behalf of Jeffrey Epstein.

24 MS. HADDAD COLEMAN: Tonja Haddad Coleman on  
25 behalf of Jeffrey Epstein.

1 (Pages 1 to 4)

EMPIRE LEGAL SUPPORT, INC.

EXHIBIT

Electronically signed by Wendy Roberts (201-049-665-8352)  
Electronically signed by Wendy Roberts (201-049-665-8352)  
Electronically signed by Wendy Roberts (201-049-665-8352)

e96e17a7-3aa9-4fcc-b5a9-1e7af3379795

1 THE COURT REPORTER: Would you raise your hand  
2 to be sworn in, please. Do you solemnly swear the  
3 testimony you are about to give in this case will  
4 be the truth, the whole truth and nothing but the  
5 truth, so help you God?

6 THE WITNESS: Yes.

7 Thereupon:

8 BRADLEY EDWARDS

9 having been first duly sworn or affirmed, was  
10 examined and testified as follows:

11 DIRECT EXAMINATION

12 BY MR. HADDAD:

13 Q State your name, please.

14 A Brad Edwards.

15 Q All right. And is that your practicing name  
16 or your legal name?

17 A My practicing name.

18 Q All right. You're Bradley Edward, what's your  
19 middle name?

20 A Bradley James Edwards.

21 Q Okay. You're how old?

22 A [REDACTED]

23 Q Okay. You were admitted to practice when?

24 A 2002.

25 Q All right. So that's 13 years you have been

1 division?

2 A Not long. I don't remember.

3 Q You left to go with which firm?

4 A Kubicki Draper.

5 Q Where are they located?

6 A Fort Lauderdale.

7 Q What kind of work did you do?

8 A Insurance defense.

9 Q And how long did you stay with them?

10 A A couple years.

11 Q All right. Then you went out on your own?

12 A Correct.

13 Q And then you started a plaintiffs' firm,  
14 correct?

15 A Yes.

16 Q And I know the whole story, when you met  
17 Russell Adler, et cetera, at the gym and all of that so  
18 we don't need to go through that again, you ended up  
19 with RRA for a period of time, correct?

20 A True.

21 Q All right. And of course this is old home  
22 week here in this building, as a matter of fact, I  
23 forgot, correct?

24 A The same building.

25 Q Same building. All right. And then one day

1 practicing -- no, 11 years?

2 A Yes.

3 Q All right. And my recollection is you gave a  
4 deposition in 2010, correct?

5 A Correct.

6 Q A couple hundred pages of depositions?

7 A Correct.

8 Q All right. And I am not here to reinvent the  
9 wheel or reinvent the deposition. I know what you said  
10 then. We've had three years elapse since that time so I  
11 just want to catch up a little bit to start with. You  
12 spent some time in the State Attorney's Office, correct?

13 A Correct.

14 Q How many years?

15 A Roughly three.

16 Q All right. And when you left the State  
17 Attorney's Office, were you a division prosecutor,  
18 special units prosecutor?

19 A Division prosecutor.

20 Q Which division were you in when you left, if  
21 you recall?

22 A Judge Gates.

23 Q Okay. And were you the lead?

24 A Yes.

25 Q And how long had you had the lead in that

1 in October of -- was it 2009?

2 A Yes.

3 Q Halloween weekend, correct?

4 A Yes.

5 Q All right. You were advised that the firm had  
6 no longer the ability to function.

7 A Correct.

8 Q Yourself, I know Gary Farmer was with you at  
9 RRA, was Matt Weissing there too?

10 A Yes.

11 Q And who else, Scott Lehrman, is that his name?  
12 No, not that one. Who else was there with you? Let me  
13 do it that way, it's easier.

14 A I think there were 60 lawyers there with me.

15 Q No, no, I am talking about in your unit of  
16 torts lawyers, that you can recall?

17 A In my unit it was Russ Adler --

18 Q Right.

19 A -- myself, Scott Goldstein.

20 Q That's it. Okay.

21 A Seth Lehrman, Tami Wolfe. I think there were  
22 others, I can't really remember.

23 Q All right. Farmer was not part of the firm at  
24 the time?

25 A He was part of the firm but he wasn't a

1 personal injury tort lawyer. He did mainly qui tam and  
 2 class action, which was a separate division of RRA.  
 3 Q All right. Now, you left that firm obviously  
 4 for the obvious reason, there was no firm, and you guys  
 5 started your own firm; would that be fair?  
 6 A I started my own firm with some of the other  
 7 people that were previously at RRA, correct.  
 8 Q All right. And my recollection is you are an  
 9 association of P.A.s, correct?  
 10 A Yes.  
 11 Q P.A., that's another association of P.A., am I  
 12 correct?  
 13 A The current firm that I'm at?  
 14 Q Yeah, yeah.  
 15 A Yeah.  
 16 Q You are Bradley Edwards, P.A., as part of the  
 17 rest of the firm P.A., correct?  
 18 A You have the right idea.  
 19 Q Huh?  
 20 A You have the right idea.  
 21 Q Thank you.  
 22 MR. GOLDBERGER: He's an LLC.  
 23 MR. HADDAD: Huh?  
 24 MR. GOLDBERGER: He's an LLC, that's what he's  
 25 trying to tell you.

1 A Yeah, but you are on the right track, I got  
 2 you, we understand each other.  
 3 MR. HADDAD: We are the same, Jack. You know,  
 4 us poor sole practitioners don't get along with  
 5 that sort of thing, you know. We are from the old  
 6 school, we don't need to keep books.  
 7 BY MR. HADDAD:  
 8 Q So at any rate, you became with that firm,  
 9 correct?  
 10 A Yes.  
 11 Q All right. Now, you brought with you, and I'm  
 12 not going through all of this other stuff, the Epstein  
 13 cases, correct? When you went to RRA, that was part of  
 14 the reason Russell was asking you to come in?  
 15 MR. KING: I'm going to object because this is  
 16 repetitious.  
 17 MR. HADDAD: I understand that.  
 18 MR. KING: It was all done in his first depo.  
 19 I'm giving you a little leeway here so --  
 20 MR. HADDAD: Yeah, I understand. I'm just  
 21 trying to lead into this. I am not trying to go  
 22 into that all over again.  
 23 BY MR. HADDAD:  
 24 Q It's just from more of a pointing chip for the  
 25 deposition, correct?

1 A You are asking me a bunch of questions.  
 2 Q Nevermind, let me just --  
 3 A But I think we all know --  
 4 Q Yeah, let me just go from there. All right.  
 5 Let's start -- let's go backwards from 20 -- let's start  
 6 backwards. It's now 2013, correct?  
 7 A Yes.  
 8 Q Do you have any active cases involving Jeffrey  
 9 Epstein?  
 10 A Yes.  
 11 Q How many?  
 12 A This one that we're here for today.  
 13 Q No, I'm talking -- okay, yes, this one and  
 14 what else?  
 15 A And another case that I would say involves  
 16 him, in that he has intervened in the case and it's a  
 17 Federal Court matter relating to some of the victims  
 18 that he molested that is directly against the United  
 19 States Government.  
 20 Q And that is your victims' rights case?  
 21 A That's one way to characterize it for sure.  
 22 Q Okay. Well, that's what you -- you filed a  
 23 lawsuit, correct, against the United States?  
 24 A Under the Crime Victims' Right Act, correct.  
 25 Q Okay. And that lawsuit is still pending?

1 A Yes.  
 2 Q Is it being actively litigated?  
 3 A Yes.  
 4 Q And is there any other co-plaintiffs in that  
 5 case, if that's the right word, besides yourself?  
 6 A I'm not a plaintiff in the case.  
 7 Q Well, an intervener, are there any other  
 8 co-interveners or --  
 9 A I'm not an intervener.  
 10 Q What are you?  
 11 A An attorney representing the plaintiffs.  
 12 Q Okay. How many plaintiffs are there?  
 13 A In that case there are two.  
 14 Q Are there any other cases that you are  
 15 involved with or sharing information with, without  
 16 getting into what's being shared, and lawsuits pending  
 17 against Jeffrey Epstein at this time?  
 18 A Other than what I just described, no.  
 19 Q Okay. And those suits have been pending for  
 20 how long?  
 21 A This one has been pending since November 2009,  
 22 I believe.  
 23 Q Okay.  
 24 A And that lawsuit has been -- the Crime  
 25 Victims' Rights Act lawsuit has been pending since the

1 summer of 2008. I don't know the exact month.

2 Q All right. And is it near resolution?

3 A I don't know.

4 Q Is -- can you tell me the style of the case?

5 A Yes, it's Jane Doe I and Jane Doe II versus  
6 United States of America.

7 Q All right. And the purpose of that lawsuit is  
8 to do what?

9 A Hold the United States Attorney's Office and  
10 Government responsible for violating the rights of the  
11 victims in that particular case.

12 Q By entering into a settlement agreement with  
13 Mr. Epstein?

14 A It has nothing to do with Mr. Epstein. He  
15 voluntarily intervened into the case, had something to  
16 do with discovery that we were trying to get.

17 Q All right.

18 A I think Roy Black represents him in that.

19 Q Okay. And that's for the -- okay, I will let  
20 it go at that for just a minute.

21 The ultimate result of what you are seeking in  
22 it that suit is what?

23 A Something that compensates the victims.

24 Q Financially or otherwise?

25 A I don't believe the Crime Victims' Rights Act

1 allows for financial recovery.

2 Q What -- what recovery does it allow?

3 A Well, that's part of -- that is what that  
4 lawsuit is about, I mean, I think that we have proven  
5 that there was a violation, now we're at a stage where  
6 there is an attempt to uncover what Judge Marra believes  
7 is the appropriate remedy for the violation.

8 Q All right.

9 A And I don't know what his result is going to  
10 be.

11 Q All right.

12 A It's going to be a judge-made decision.

13 Q I'm sorry. That lawsuit has been pending  
14 since 2008, you said, correct?

15 A That was the first of all of the lawsuits that  
16 was filed.

17 Q All right.

18 A Yes.

19 Q And like you said, there is still Jane Doe I  
20 and Jane Doe II are still pending?

21 A In that case?

22 Q Yeah.

23 A Yes.

24 Q All right. And what does your -- I guess  
25 since you represent the plaintiffs, you filed a prayer

1 for relief in your complaint, correct?

2 A Correct.

3 Q What does your prayer for relief seek?

4 A Do you have the document to show me, maybe  
5 that would refresh my recollection, I mean I think that  
6 we have filed many pleadings and in one we asked for 25  
7 prayers of relief. I can't recite them all for you.

8 Q I don't ask you to recite them word-for-word.  
9 Give me a synopsis. You must have an idea since you are  
10 the plaintiffs' lawyer and have been doing this stuff  
11 for 10 or 11 years, give me some idea of what you are  
12 seeking.

13 A Yeah, I mean, we want a declaration that the  
14 rights were violated, we want some apology-type  
15 information coming from the Government.

16 Q Right.

17 A Ultimately, if we got everything that we  
18 wanted -- I can tell you what my clients want, they want  
19 the non-prosecution agreement, the immunity agreement --

20 Q Umm-hmm.

21 A -- overturned and for that to allow for  
22 Mr. Epstein to be prosecuted for the crimes that he  
23 actually commit -- committed against them and that --  
24 for which they cooperated with the Government.

25 Q Okay. And that's been the goal that you have

1 been pursuing since you filed it, in essence, isn't it?

2 A That is their main goal, but then, you know,  
3 at this point, there are many other possibilities.

4 Q Does the -- I'm sorry, does the successful  
5 prosecution, as it were, by you of that case allow for  
6 attorney's fees?

7 A I don't believe so.

8 Q All right. So are you being compensated for  
9 that at this time?

10 A Not at all.

11 Q You are doing that completely pro bono?

12 A Absolutely.

13 Q All right. How many hours would you say since  
14 2008 you have donated or devoted to that case?

15 A A lot.

16 MR. KING: I'm going to object, because now I  
17 think the question of relevancy and materiality of  
18 this line of questioning is -- is --

19 MR. HADDAD: He has made a -- he has made a  
20 claim for lost time, inability to work, et cetera,  
21 et cetera, et cetera and his claims for punitive  
22 damages as well as for claims for damages for  
23 malicious prosecution and for abuse of process. If  
24 you read his prayers for relief and his answers to  
25 interrogatories and his ability to not work because

1 of this lawsuit and because of the suit that was  
2 filed, I think it's totally relevant.

3 MR. KING: Well, I -- I --

4 MR. HADDAD: If you want to instruct him not  
5 to answer, we can take it up before a judge.

6 MR. KING: Right. I disagree.

7 MR. HADDAD: It's up to you, Mr. King.

8 MR. KING: I disagree.

9 MR. HADDAD: That's why we have judges.

10 MR. KING: I will allow you some -- some  
11 leeway there, but then I'll evaluate it as you go  
12 along.

13 MR. HADDAD: Can you give me his answers  
14 per diem?

15 BY MR. HADDAD:

16 Q So I will ask the question again, how much  
17 time -- and see what the leeway is -- how much time  
18 would you say roughly you devoted -- let's -- okay,  
19 let's call it since to 2010, since your last deposition  
20 'til today, approximately?

21 A I don't know. If you showed me the docket on  
22 that case or something that would help me, then I could  
23 approximate a little better, but I really don't know.

24 Q All right. Just for -- in your answers to  
25 interrogatories, you have been obligated to divert --

1 A I haven't kept my hours on that case.

2 Q All right. You have no independent idea of  
3 whether it's one hour, a thousand hours?

4 A It's more than one, less than a thousand.

5 Q Okay. How many hearings would you approximate  
6 you have attended in front of Judge Marra?

7 A Since 2010, you said?

8 Q Yeah, let -- I'm going to let -- go over  
9 everything in your prior deposition since 2010.

10 A I believe that the answer to that is one or  
11 two. I can't remember for sure, but I believe it's only  
12 one or two hearings that have taken place since my last  
13 deposition.

14 Q And representing the Government is whom?

15 A It was Marie Villafana and Dexter Lee.

16 Q And who's doing it now?

17 A I don't know.

18 Q All right. Could you approximate for me the  
19 last time you had a hearing in this case?

20 A I think it was 2011.

21 Q All right.

22 A I'm not sure if there were any in 2012, I  
23 don't believe so.

24 Q All right. So the case is just a pending  
25 advisement or ruling by Judge Marra, is it just sitting

1 your response was: "To divert time, effort and attention  
2 from the productive practice of his profession to defend  
3 tortious misconduct of Epstein. Every minute the  
4 verdict -- verdict from his professional pursuits  
5 impeded his ability to advance the claims and interest  
6 of existing clients and precluded him from taking other  
7 and additional responsibilities. Time records made  
8 available in response to Epstein's response, request to  
9 produce detail, at a minimum, the extent of the  
10 diversion he is suffering."

11 So you obviously must have been aware of these  
12 when you produced these and filed these responses to  
13 interrogatories. I'm just asking for an approximation.

14 A Of what?

15 Q Time spent.

16 A I produced the time I spent on this case.

17 MR. KING: On this case.

18 A I produced it.

19 BY MR. HADDAD:

20 Q I un -- on this case, I never -- I'm talking  
21 about the other case, the -- the -- the Federal case,  
22 approximately how much time have you spent?

23 A Show me a docket or something and I will help  
24 you out there. I just don't know.

25 Q No -- no, I'm just --

1 there, is it what?

2 A Judge Marra has many motions that have been  
3 fully briefed on his -- on the table right now and we're  
4 waiting for rulings. That's -- ~.~.

5 Q All right.

6 MR. HADDAD: Yes, sir (counsel confer outside  
7 the hearing of the reporter.)

8 BY MR. HADDAD:

9 Q In fact, there are motions pending right now,  
10 correct, you are saying?

11 A Correct.

12 Q Actively pending. So that would stay the time  
13 for dismissal for lack of prosecution?

14 A I would think so.

15 Q Well, I think Federal rule is the same as  
16 Civil and State, isn't it?

17 A Right.

18 Q You've got a certain amount of time to act  
19 upon it. It was dismissed previously for lack of  
20 prosecution, correct?

21 A I don't remember it being dismissed. I think  
22 they filed a motion to dismiss.

23 Q Okay.

24 A I don't really remember procedurally how that  
25 really worked.

1 Q Was that the Government who filed it or was it  
2 someone intervening who filed it?

3 A It wasn't someone intervening. It was either  
4 the Government filing a motion or the Court sua sponte  
5 issuing -- I don't remember it being an order, but I  
6 remember seeing some notification that it was going to  
7 be dismissed or something along those lines.

8 Q All right. I think since I started with this,  
9 with the diversion of time, effort, when you started the  
10 law firm in 2000 -- well, 2009 you started the law firm,  
11 correct, October of 2009, your deposition was in  
12 February of 2010; as I recall, correct?

13 A Okay. I'm taking your word for it.

14 Q Well, do you think I would bull -- I would  
15 make a misrepresentation to you?

16 A Not intentionally.

17 Q Well, I just did because it was March 23rd.

18 A There we go.

19 Q I apologize so~.~.~. I forgot we have a video  
20 recording. I almost slipped and thought I was in  
21 trial -- in criminal court.

22 At any rate, March 23rd, so that would have  
23 been five months after you went into practice, correct?

24 A Five months after we started --

25 Q You started the firm?

1 A -- our current law firm.

2 Q All right. Now, when RRA imploded, you  
3 started the current firm, were all the named partners in  
4 that firm members of RRA?

5 A Yes.

6 Q Farmer, Jack. Matt Weissing had been over  
7 there?

8 A Yes.

9 Q All right. And you all regrouped. Where are  
10 your offices located now?

11 A Andrews Avenue.

12 Q Where?

13 A 425.

14 Q Andrews Avenue, north or south?

15 A Just south of Maguire's, north of Broward.  
16 Trying to give you landmarks you may know.

17 Q No, nothing is better for you guys than that  
18 law firm, that -- I tell you, I used to be right next to  
19 Grady's. It was even better when I did it. All right.  
20 At any rate --

21 A I figured you would appreciate the landmark.

22 Q Yeah, to say the least. Actually, Boyd's Bait  
23 and Tackle is better.

24 At any rate, so you started the law firm and  
25 approximately how many cases did you have that you took

1 with you from RRA that were your cases besides the  
2 three, you know, LM and all of that stuff, those three,  
3 and stuff that's pending in the case right now, which  
4 would be five total -- four or five total cases,  
5 correct?

6 MR. KING: Objection, relevancy, materiality.

7 MR. HADDAD: I'm tying it up to his damages  
8 claim for loss of reputation, et cetera.

9 MR. KING: Immaterial.

10 MR. HADDAD: You can instruct him not to  
11 answer. You want --

12 MR. KING: Not yet. Not yet, but um --

13 MR. HADDAD: Go ahead.

14 MR. KING: -- if you are going to try to get  
15 into every case with him --

16 MR. HADDAD: Not -- not even remote -- not  
17 even remotely, Mr. King.

18 MR. KING: Okay.

19 MR. HADDAD: I have been doing this a long  
20 time too. All right.

21 Go ahead.

22 MR. KING: Go ahead.

23 A Tell me your question again.

24 BY MR. HADDAD:

25 Q Yeah, how many cases did you take with you?

1 A I don't remember.

2 Q All right. Would you -- well, let me look  
3 here. One of your claims, I can't remember what I did  
4 with them but I read them someplace. Oh, yeah, the  
5 damage that you suffered is emotional distress,  
6 embarrassment, mental anguish, humiliation, loss of  
7 reputation and standing in the community, loss of value  
8 of time expended in defense of and responding to the  
9 abuse, correct? That's what you said in your answers to  
10 interrogatories; do you want to see them?

11 A Sure.

12 MR. KING: Which number is that?

13 A Yeah. It's an interrogatory signed May 26,  
14 2011, served on me May 16th, 2011. And yes, I believe  
15 that you read that accurately.

16 BY MR. HADDAD:

17 Q Thank you. The nuns will be happy where I  
18 went to school.

19 Do you still maintain these as your damages  
20 that you suffered?

21 A For the most part, that's about right.

22 Q All right. What -- what's not right?

23 A The diversion of time, clearly I diverted a  
24 lot of time that should not have been diverted to  
25 defending against frivolous ac -- accusations and I



1 produced this time record. With respect to reputation,  
2 I believe that over the course of the last three years I  
3 have done a pretty darn good job resurrecting any damage  
4 that was done to my reputation in this community.

5 Q Well, let's -- let's start with that. You  
6 don't -- you never had a reputation damage, did you?

7 MR. KING: Objection, form.

8 BY MR. HADDAD:

9 Q Okay. What damage, if any, did you initially  
10 have done to your reputation by the filing of a lawsuit  
11 against you that suggested that you were so aggressive  
12 as a lawyer someone was going to sue you?

13 A No, the lawsuit that was filed against me --

14 MR. KING: Object to form, argumentative.

15 A The lawsuit that was filed --

16 MR. HADDAD: I was paying a compliment.

17 MR. KING: Yes.

18 Go ahead.

19 A The lawsuit that was filed against me said  
20 that I was part of some racketeering scheme, said that I  
21 was involved in a Ponzi scheme, that I was  
22 co-conspirator of Scott Rothstein's and that I was  
23 committing fraud and conspiracy to commit fraud. A  
24 bunch of criminal actions were alleged against me. In  
25 fact, I think the complaint was entirely crimes that I

1 you -- joined you as party or a --

2 A It didn't happen.

3 Q -- defendant or anything?

4 A That did not happen.

5 Q Name one person, other than this lawsuit,  
6 which we'll get into later, other than this lawsuit,  
7 what newspaper article, what Daily Review article, what  
8 any article accused you of being involved in the Scott  
9 Rothstein debacle?

10 A I can't recite them off of my head.

11 Q Is there any?

12 A I believe that newspaper articles were written  
13 when the lawsuit was filed about me and Scott being  
14 accused of being some co-conspirator in a Ponzi scheme,  
15 yes.

16 Q All right. There were newspaper articles  
17 written quoting a pleading as opposed to someone  
18 suggesting you committed a criminal act; is that  
19 correct?

20 A I don't know the distinction that you are  
21 trying to make.

22 Q We'll worry about that later, I'm just asking  
23 you, do you know whether or not it was someone quoting a  
24 newspaper -- a -- a -- a legal pleading, or was it a  
25 individual making an accusation that you were a

1 had committed as a lawyer, which is the exact opposite  
2 of the type of reputation that you want as a lawyer.

3 With that being said, that complaint, the  
4 various motions making those allegations about me being  
5 some form of co-conspirator in a Ponzi scheme was  
6 repeatedly filed and stated on the record and in  
7 hallways over at the bankruptcy court, because every  
8 lawyer who was anybody in South Florida had something to  
9 do with the bankruptcy proceedings over at the  
10 bankruptcy court. So I had to go over there  
11 continuously and fend off these lawyers who believed  
12 that there must be some merit to it, because somebody  
13 who has a lot of money is hiring lawyers who have a  
14 pretty good reputation to say these things, there's got  
15 to be something to it.

16 BY MR. HADDAD:

17 Q Name one case in which you were impleaded  
18 because of your alleged involvement with Scott  
19 Rothstein?

20 A I did not lose a single client.

21 Q Name one -- no, name one person who impleaded  
22 you, one other person in bankruptcy court, whether it be  
23 the clawback scheme, whether it be Shears, whatever the  
24 hell he calls what he did, whatever you call any of that  
25 stuff, name one person that impleaded you or asked

1 criminal?

2 A The legal pleading made an accusation that I  
3 was a criminal and that was reported on.

4 Q I'm asking you, was there anything other --  
5 was there any person, reporter, anyone, any of the  
6 people you had all of these thousands of e-mails with,  
7 anyone who suggested that you were a criminal, other  
8 than the pleading filed that suggested because of  
9 Rothstein's inclusion of your cases as part of the basis  
10 for his Ponzi scheme that you were involved, other than  
11 that lawsuit?

12 A People believed that I was involved.

13 Q Who expressed that to you? You're a young  
14 lawyer, you're in the courthouse every day or almost  
15 every day, you're around town, correct?

16 A Yes.

17 Q You go to different restaurants. Name one  
18 person that came up to you and said, I can't believe you  
19 are not in jail, you are a Ponzi scheme or you are  
20 anything, name one person --

21 A There were lawyers over at the bankruptcy  
22 court, when I had to sit there listening to the things  
23 that were being said, that told me, you are going to be  
24 a target of mine given this information that we --  
25 that -- that is being told to us by Jeffrey Epstein and

1 his lawyers.

2 Q Let me ask you this as a lawyer. Let me ask  
3 you this as a lawyer. You are a prosecutor, correct?

4 A Yes.

5 Q And I read in your deposition you didn't do  
6 RICO cases and you didn't really do economic crimes,  
7 correct?

8 A Right.

9 Q All right. Did you investigate cases?

10 A Yes.

11 Q Okay. And you're aware that in the instance  
12 of this case that Mr. Rothstein used, and I mean it's  
13 hundreds of pages to your depo that I'm not going to  
14 reinvent the wheel on or 10's of 20 pages that  
15 Mr. Rothstein had your boxes and your cases included in  
16 a room right upstairs here where he brought in  
17 investors, correct?

18 A I am aware of that.

19 Q And he used your cases, Bradley Edwards' cases  
20 to lure investors into his fraudulent schemes, you've  
21 testified to that in bankruptcy court and other courts,  
22 haven't you?

23 MR. KING: Objection, form.

24 MR. HADDAD: Oh, excuse me, you are right  
25 counsel, I'll try.

1 obviously, that Scott preyed upon you, as it were. You  
2 were one of Scott's victims. No -- no -- incredibly --  
3 not -- not incredibly because Scott would do that to  
4 anybody, you were one of Scott's victims. He didn't  
5 care two cents about using you; would you agree?

6 A Clearly.

7 Q Obviously, he put you in that position,  
8 correct?

9 A Clearly.

10 Q He brought you in and every single investor,  
11 whether they were criminal investors or not criminal  
12 investors, were led to believe that Bradley Edwards was  
13 assisting him and using his cases to promulgate these  
14 settlements, correct?

15 A I don't know that at all --

16 Q All right. Well, you've heard that from  
17 Sheer--

18 A -- to be true.

19 Q -- when he won his verdicts and his lawsuits,  
20 didn't you? I am just asking --

21 A No.

22 Q -- if you familiarized yourself with --

23 A No.

24 Q -- that tome that he filed that he called a  
25 complaint?

1 BY MR. HADDAD:

2 Q You are aware of that, correct?

3 MR. KING: The same objection.

4 A Now? Yeah.

5 BY MR. HADDAD:

6 Q Yes.

7 A Yes.

8 MR. KING: The same objection. It's compound.  
9 I don't know what question you are asking him --

10 MR. HADDAD: Oh, he understood it, he  
11 answered.

12 MR. KING: Not necessarily.

13 MR. HADDAD: Oh, okay.

14 MR. KING: But then the answer would be --

15 MR. HADDAD: Strike the whole thing, okay.  
16 I'll do it over again.

17 THE COURT REPORTER: Counsel, would you stop  
18 interrupting him at the same time. I only can get  
19 one down at the same time, please.

20 MR. HADDAD: Just hold up your hand and I'll  
21 stop.

22 MR. KING: Okay.

23 MR. HADDAD: All right.

24 BY MR. HADDAD:

25 Q So you were -- sorry. You were aware,

1 A Because of how long it was, I may have read  
2 10 pages of it. But it was 2,000 or 3,000 pages --

3 Q Did you find it to be grammatically correct at  
4 all?

5 A In the first 10 pages, I don't remember.

6 Q Sheer doesn't like me, so I don't care. At  
7 any rate.

8 All right. So you -- you realized what  
9 happened there, they used your cases, et cetera. Now,  
10 let me -- just -- just because you brought this up at  
11 the other part I want to go into, is there was an  
12 unfiled Federal case, correct, that you have been asked  
13 about a bunch of times with the misspelled names,  
14 something or another, 290-page complaint or 240-page  
15 complaint?

16 A About me?

17 Q No, not about you, about another Pon -- about  
18 another alleged Epstein victim that was unfiled that  
19 Scott was showing when he needed money?

20 A I don't know that.

21 Q You don't know anything about it?

22 A Scott was showing~.~.~.

23 Q Scott -- excuse me, did -- was there ever a  
24 complaint that was filed but never served in this case  
25 and against Mr. Epstein?

1 A A complaint that was --  
 2 Q Umm-hmm.  
 3 A -- filed but never served --  
 4 Q Yeah.  
 5 A -- against Epstein?  
 6 Q Yeah, a complaint that was --  
 7 A By Scott Rothstein?  
 8 Q No, by you? You signed it --  
 9 A Oh, did I?  
 10 Q Yeah. And it was a misspelling of some type.  
 11 A Fred, just ask me a question, I will answer  
 12 it. You are asking so many different things. I don't  
 13 know what you are talking about.  
 14 Q Do you remember filing another lawsuit at the  
 15 time Rothstein's Ponzi scheme was falling apart?  
 16 A Did I file a lawsuit --  
 17 Q Yes --  
 18 A -- when Scott Rothstein's --  
 19 Q -- that was never served?  
 20 A -- Ponzi scheme was falling apart?  
 21 MR. HADDAD: Let me just see, Jack. Do you  
 22 want to take over?  
 23 BY MR. HADDAD:  
 24 Q Okay. You don't remember a Federal court  
 25 case?

1 A About Jeffrey Epstein.  
 2 Q Umm-hmm.  
 3 A Or about -- it had nothing to do with  
 4 Rothstein?  
 5 Q No, Jeffrey Epstein.  
 6 A Okay.  
 7 Q A lengthy Federal case against Mr. Epstein?  
 8 A I filed Federal complaints against Jeffrey  
 9 Epstein before.  
 10 Q Okay. Do you recall one that was filed that  
 11 was never served that contained a misspelling of  
 12 someone's name? I'm just asking if you recall. If you  
 13 don't recall it, you can tell me.  
 14 A I recall filing a complaint against him that  
 15 was never served. I don't know about a misspelling or  
 16 what we are talking about.  
 17 Q Do you recall filing one against him that was  
 18 never served, correct?  
 19 A I do recall filing a complaint against him.  
 20 It was never served.  
 21 Q How long was that complaint?  
 22 A I don't know. If you have it, I will look at  
 23 it. It will definitely help to refresh my recollection.  
 24 It was long, because I know why I filed it and I know  
 25 how many counts that there were.

1 Q Why did you file it?  
 2 THE WITNESS: Is it okay for me to answer  
 3 that?  
 4 MR. KING: No, at this point --  
 5 THE WITNESS: Don't mind answering it.  
 6 MR. KING: -- I see no relevancy or  
 7 materiality to this line of inquiry. It has  
 8 nothing to do with damages, it has nothing do with  
 9 the elements of the claims --  
 10 MR. HADDAD: It has everything to do with --  
 11 MR. KING: -- against Mr. Epstein.  
 12 MR. HADDAD: Okay. I'm -- I'm not arguing  
 13 with you. It has a lot to do with his loss of  
 14 reputation, as everything that he said that  
 15 happened with Scott Rothstein, he said his  
 16 reputation was destroyed by this case, by this man.  
 17 MR. KING: Correct.  
 18 MR. HADDAD: His reputation, he has already  
 19 admitted, was partially destroyed by Scott  
 20 Rothstein by including him in his Ponzi scheme.  
 21 However you want to slice it later for a jury is  
 22 one thing or another.  
 23 THE WITNESS: Can I just talk to Bill outside  
 24 and I think that I will be able to answer the  
 25 question for you?

1 MR. HADDAD: Yeah, go ahead.  
 2 THE VIDEOGRAPHER: The time is 10:47 a.m. We  
 3 are now coming off the video record.  
 4 (Thereupon, a discussion was had off the  
 5 record.)  
 6 THE VIDEOGRAPHER: The time is 10:50 a.m. We  
 7 are now back on the video record.  
 8 BY MR. HADDAD:  
 9 Q Do you recall when it might have been that  
 10 Mr. Rothstein was deposed about who was involved in the  
 11 Ponzi scheme, do you recall when the first time might  
 12 have been?  
 13 A No.  
 14 Q There came a point in time where Mr. Rothstein  
 15 stated that he was certain that you were not involved in  
 16 the Ponzi scheme, you had no knowledge of a Ponzi scheme  
 17 and that he had used all of your cases without your  
 18 knowledge, correct?  
 19 A The first two parts of that, I was in a  
 20 deposition, yes. That he said he used all of my cases  
 21 is not true.  
 22 Q Okay, I don't mean all of your cases. He used  
 23 some of the cases against Epstein as a basis for his  
 24 Ponzi scheme?  
 25 A I think I understand what you mean, I am not

1 trying to be difficult but I'm just going off what you  
 2 said.  
 3 Q Be difficult, it's fine with me.  
 4 A I don't want to be. I want it to be over with  
 5 so go ahead.  
 6 Q It will be over with tomorrow.  
 7 A At this rate, for sure.  
 8 Q So at any rate, Rothstein had said what he  
 9 said in the deposition, the deposition speaks for itself  
 10 but --  
 11 A Right.  
 12 Q -- do you recall --  
 13 A I was there.  
 14 Q -- when was that deposition?  
 15 A I don't remember.  
 16 Q Do you recall the year?  
 17 A Can you show me the deposition? It was either  
 18 2011 or 2012.  
 19 Q Okay. When he was deposed for those days that  
 20 Judge Bray -- Judge Cohn allowed?  
 21 A Deposed in this case I think --  
 22 Q Yes.  
 23 A -- that your daughter took the deposition.  
 24 Q Do we -- she's old, can you refer to her as  
 25 co-counsel? All right. She took the deposition. All

1 You became aware of certain members of RRA  
 2 becoming targets or noticed of being persons of interest  
 3 to the Federal Government, correct?  
 4 A I don't know that I remember that.  
 5 Q Well, you know that?  
 6 A I mean, now I know things now. It's hard to  
 7 rewind time remembering --  
 8 Q No, I'm talking about --  
 9 A -- when I learned them.  
 10 Q I didn't mean to interrupt you. After the  
 11 firm imploded, based upon just publicity or whatever,  
 12 you were aware that certain persons were implicated in  
 13 the scheme, correct?  
 14 A Correct.  
 15 Q And you are aware that -- let me ask you this:  
 16 At any point in time, did you request or seek counsel,  
 17 without asking anything about that, to make inquiry to  
 18 the Federal Government about yourself?  
 19 MR. KING: Objection.  
 20 A No.  
 21 MR. KING: It's irrelevant.  
 22 MR. HADDAD: Okay.  
 23 MR. KING: Irrelevant and immaterial and it  
 24 would be privileged.  
 25 MR. HADDAD: Not if he asked if he saw -- not

1 right. And that was -- that was the video deposition as  
 2 opposed to Scott being in person when he was over the  
 3 grand jury room, correct?  
 4 A I didn't even know that happened, so, yes,  
 5 that's when it was.  
 6 Q All right. Now, that would have been within a  
 7 year, year and a half later ago, correct, something like  
 8 that; would that be accurate?  
 9 A I'm not going to quarrel it, if you are  
 10 telling me --  
 11 Q Yeah.  
 12 A -- that's what it was, that's it.  
 13 Q All right. And at that point in time, any  
 14 person who knew anything at all or was following the  
 15 case would have learned that Scott Rothstein  
 16 affirmatively stated you had no involvement?  
 17 A I agree with that.  
 18 Q Okay. Do you know whether or not he had made  
 19 that representation to others prior to that in other  
 20 depositions or in debriefings or anything that was  
 21 communicated to you by any individuals?  
 22 A No.  
 23 Q All right. I know from the way the deposition  
 24 was asked the last time that you were asked -- let me  
 25 see how I want to do this.

1 if I don't ask him what he said. At any rate, I  
 2 will let it go and take it up later.  
 3 BY MR. HADDAD:  
 4 Q All right. Let me go on to something else.  
 5 We are talking about 2009.  
 6 A Okay.  
 7 Q You're a lawyer how many years now?  
 8 A In 2009 or now?  
 9 Q Now, now, now, now.  
 10 A Didn't we start here.  
 11 Q Yeah, I know, I just can't remember.  
 12 A 2013, minus, I mean ~.~.  
 13 Q I'm old, Brad.  
 14 A Eleven and a half years.  
 15 Q All right. Now, your reputation, obviously,  
 16 there is no loss of reputation for you, correct?  
 17 A We just went through this.  
 18 Q No, I am going to go through it in detail.  
 19 A Did --  
 20 Q You have no loss of reputation, correct, your  
 21 reputation has expanded immensely since the Epstein  
 22 cases, correct?  
 23 MR. KING: Objection to form, it's  
 24 argumentative.  
 25

1 BY MR. HADDAD:

2 Q Well, let me ask you this: In --

3 A Do I believe that right now my reputation is  
4 better than it has been at any time in the past, yes.

5 Q All right. And as a matter of fact, since the  
6 Rothstein case, you're now included, probably one of the  
7 youngest guys there is, in Best Lawyers in America,  
8 correct?

9 A Probably.

10 Q All right. There are not many guys that have  
11 been practicing 11 years to be included in that.

12 A I agree.

13 Q And that is 100 percent for old people like  
14 Goldberger, for the most part. You are included in that  
15 based upon peer review and nothing else?

16 A That's true.

17 Q You --

18 A I mean, I don't ac -- actually don't know the  
19 answer to that. I -- if you are saying that's what it  
20 is, it might be.

21 Q Did you solicit anybody to become in that?

22 A No.

23 Q Did you receive a letter saying you have been  
24 nominated for Best Lawyers in America?

25 A I don't think so.

1 Q No, you just got a notice one day that you --

2 A Right.

3 Q -- are included, correct?

4 A Right, that's true.

5 Q Out of the whole world, out of thousands of  
6 lawyers practicing law 10 years, you are notified, hey,  
7 you are one of the best lawyers in America for what you  
8 do?

9 A Right.

10 Q Okay. Now, you also are one of the top 40  
11 lawyers under 40, correct?

12 A Right.

13 Q You are 37 years old?

14 A Correct.

15 Q And you are considered one of the top trial  
16 lawyers in Florida?

17 A Right.

18 Q There is a group called the Top 100 Trial  
19 Lawyers in America, correct?

20 A I think so.

21 Q That's part of what you are in?

22 A Okay.

23 Q Yeah, they have the top 100 trial lawyers for  
24 old guys like Goldberger, Scarola, part of his firm and  
25 all those old people, correct?

1 A Maybe I should pay more attention to those  
2 things. I don't know about all those old people.

3 Q Well, you do have -- I look at it from what  
4 you do with them. Come on Brad, you have an ego,  
5 everybody does. At any rate, you are considered in the  
6 top 40 under 40, in that group, correct?

7 A Right.

8 Q And have you ever looked on the Web site for  
9 that group to see the type of lawyers that are included  
10 in that?

11 A No.

12 Q Okay. And you have that distinction of being  
13 included and you promote it with your -- as most lawyers  
14 would, correct?

15 A Personally, I don't, but I know that my law  
16 firm does. I mean, we do have a PR firm for our law  
17 firm.

18 Q Oh, is that who does all of that stuff?

19 A Yeah.

20 Q I mean, this is about a month's worth. All  
21 right.

22 A You looked at a lot more than I have.

23 Q I have to do something to earn the money I  
24 make.

25 A Thank goodness, right.

1 Q Now, you are also -- there is another service  
2 called AVVO, are you familiar with that?

3 A Yes.

4 Q All right. And that's another unsolicited --  
5 out of the top 40 under 40, you can't buy your way into  
6 that one either, you didn't know you were getting that,  
7 correct?

8 A That's true.

9 Q You get a notice, hey, you have just been  
10 included in all of this stuff, whether you like it or  
11 not, you are considered one of the top lawyers in  
12 Florida.

13 A That's true.

14 Q Okay. Then you have AVVO where people can  
15 arrest -- arrest, I see arrest records, two secrets  
16 under your name here. I guess that is part of the  
17 advertising that goes with having a Web site or  
18 something. Five Farmer, Jaffe, Weissing attorneys  
19 recognizes the best lawyers in America, that is pretty  
20 good for a bunch of young lawyers, yeah?

21 A Yeah.

22 Q And AVVO, another one. Do you participate in  
23 their promotion, AVVO, they promote lawyers I think, do  
24 you participate in that at all?

25 A Not really.

1 Q Okay.  
 2 A I answered one question one time.  
 3 Q Yeah, about herpes or something?  
 4 A I participate a lot less than everybody else  
 5 in my law firm, yes.  
 6 Q Okay. But I am just saying, you got -- they  
 7 rated you without your request, correct?  
 8 A That's true.  
 9 Q And they rated you as a superb lawyer?  
 10 A Okay.  
 11 Q Yes or no?  
 12 A I don't know.  
 13 Q Let me -- well --  
 14 A You keep up with this more than I do. I'm  
 15 telling you, I don't -- I don't --  
 16 Q I didn't keep up with this at all.  
 17 A I don't know these things.  
 18 Q I don't know how to use computers. Somebody  
 19 did this for me.  
 20 A Show me what it is and I'll --  
 21 Q Yeah. Do you think I care about looking up  
 22 Brad Edwards?  
 23 A Apparently.  
 24 Q I don't even look up myself.  
 25 A Exactly, that's my point.

1 MR. GOLDBERGER: Someone did it for me.  
 2 MR. HADDAD: Oh, someone did it for you?  
 3 MR. GOLDBERGER: Look at the number.  
 4 MR. HADDAD: What?  
 5 MR. GOLDBERGER: 10.0.B.  
 6 MR. HADDAD: 10.0?  
 7 A Yep. I don't know --  
 8 BY MR. HADDAD:  
 9 Q Okay. You're rated as a superb lawyer,  
 10 correct?  
 11 A Okay. Yes.  
 12 Q Okay. Now, that's not a bad reputation to  
 13 have at 11 years out, correct?  
 14 A No, I -- I agree, I said that from the  
 15 beginning.  
 16 Q All right. And 2009, 2010, you didn't have  
 17 any of these accolades?  
 18 A I -- I agree with that. I think that's right.  
 19 Q Okay. So that's evolved in the last two  
 20 years, okay; would you agree with that?  
 21 A Yes.  
 22 Q All right. And then --  
 23 A I think it has a lot to do with jury verdicts  
 24 that I have received that have nothing to do with  
 25 Epstein but just to the extent that you are implying it

1 has something to do with him that my reputation has  
 2 improved, I just wanted to make that clear.  
 3 Q Well, you don't know what's improved your  
 4 reputation. Reputation is what the community thinks of  
 5 you, you don't know where it comes from.  
 6 A Well, it's certainly not from becoming accused  
 7 of being a Ponzi schemer, that's for damn sure.  
 8 Q You don't know who voted on your reputation,  
 9 maybe it was --  
 10 A You.  
 11 Q Actually, we will go from there because I  
 12 don't want to be argumentative, I don't want to get your  
 13 counsel objecting. I am trying to keep him happy here.  
 14 At any rate, and -- so for reputation in the  
 15 community, you have never asked any lawyers to state  
 16 their opinion of you, correct?  
 17 A That's right.  
 18 Q Or any other members of the public, correct?  
 19 A Right.  
 20 Q Okay. So let's see, all within 20 days,  
 21 24 days in 2013, you have people rate you on lawyers.com  
 22 five out of five is what an excellent exceptional  
 23 attorney you are, correct?  
 24 A I don't even know what that Web site is. This  
 25 is the first time I have seen.

1 Q I don't either, I'm just -- I just saw it.  
 2 You don't know?  
 3 A News to me, no.  
 4 Q Well, I mean, but that's part of your  
 5 reputation is what -- is news to you is that you don't  
 6 even know what's going on or where it's coming from but  
 7 that's your reputation.  
 8 A I don't disagree with you.  
 9 Q Okay. Yeah, I mean, I am blowing -- I can't  
 10 say the word. I'm making you look good. Okay, now, the  
 11 other thing you're in it is for your verdicts, correct,  
 12 you are in for the publication for some of the verdicts  
 13 you have received?  
 14 A Right.  
 15 Q Okay. And how much money do you think you  
 16 have made in the last two years on verdicts nothing to  
 17 do with Epstein, gross verdicts, you won the money over  
 18 at Jacksonville?  
 19 A Over -- over 20 million.  
 20 Q Over 20 million. Let's see, again, okay.  
 21 That's more than probably 90 percent of the PI lawyers  
 22 in the state; wouldn't you agree?  
 23 A I would agree.  
 24 Q That's probably more than Jon Krupnick made  
 25 the last couple years?

1 A I don't know that.  
 2 Q Okay. How about Skip Campbell, you are  
 3 buddies with him?  
 4 A I never talked to him in my life.  
 5 Q Oh, you didn't, I thought you knew him.  
 6 A No, I don't know him.  
 7 Q So you made 20 million in verdicts in the last  
 8 two, three years?  
 9 A Right.  
 10 Q Okay. And how many -- how much money has your  
 11 firm had in gross verdicts in the last couple of years,  
 12 let's say the last since 2009, when you all split  
 13 with -- well, you didn't split with Rothstein when you  
 14 were, I want to say disemboweled, but, I guess,  
 15 disengaged with that law firm, how much money has --  
 16 what's the name, Farmer, Jaffe, let me just use short  
 17 for that?  
 18 A I tried the vast majority of our cases at that  
 19 firm.  
 20 Q Okay. How much -- well, did Gary Farmer win a  
 21 big verdict recently or a settlement?  
 22 A Maybe that, but --  
 23 Q Settlement was how much?  
 24 A -- you know the difference.  
 25 Q Yeah. Do I know the difference? A little

1 A To some extent we are dependent and --  
 2 Q All right.  
 3 A -- to some extent we are independent.  
 4 Q Do you own your own building over there?  
 5 A No, we don't own the building.  
 6 Q All right. Okay. Can -- let's go to  
 7 emotional distress. Tell me about the emotional  
 8 distress that you suffered. Well, let me back up by  
 9 this.  
 10 You were sued by abuse of process by some guy  
 11 in the joint, weren't you, do you remember?  
 12 A No. Are you talking about him?  
 13 Q You, you were sued.  
 14 A By who?  
 15 Q Oh, my God, I got to go find it now. I guess  
 16 if you didn't know you were sued, you can't have a whole  
 17 lot of emotional distress. Where is it?  
 18 A I was -- I know that I was sued by Jeffrey  
 19 Epstein, is that what you are talking about?  
 20 Q No. He's -- no, he is not in the joint.  
 21 Excuse me --  
 22 A I understand that.  
 23 Q -- someone who is in Florida State Prison, an  
 24 individual has sued you along with Michael Gates.  
 25 A Really?

1 bit, not much.  
 2 A Yeah. Exactly.  
 3 Q How much did Farmer settle for?  
 4 A He has had a bunch of them.  
 5 Q How much would you say he's settled for, he  
 6 has had some -- didn't he have a big qui tam suit, or  
 7 whatever you call them?  
 8 A He has had several of them, yes.  
 9 Q How much did he settle for?  
 10 A Hundreds of millions of dollars.  
 11 Q More than that, no, didn't he settle one for a  
 12 billion?  
 13 A I think that predated our current firm though.  
 14 Q Oh, okay. So hundreds of millions of dollars  
 15 coming into your firm from him in settlements?  
 16 A I mean, that's a different question that I'm  
 17 not willing to answer but --  
 18 Q Okay.  
 19 A And it has nothing to do with me, I mean,  
 20 it's --  
 21 Q And that was my next question. You guys are  
 22 all independent, as far as your compensation? I'm not  
 23 going to get into how much you make right now.  
 24 A Not necessarily.  
 25 Q Okay.

1 Q Yes. You weren't aware of that?  
 2 A No.  
 3 Q Okay.  
 4 A But I -- I -- definitely I am interested in  
 5 seeing it.  
 6 MS. HADDAD COLEMAN: Hollywood Police  
 7 Department.  
 8 BY MR. HADDAD:  
 9 Q See I --  
 10 A Oh, oh, okay. All right. Oh, Hollywood  
 11 Police Department?  
 12 MS. HADDAD COLEMAN: Yes.  
 13 A I know that case. I don't know that we were  
 14 sued for abuse of process, I don't know what it was  
 15 but --  
 16 BY MR. HADDAD:  
 17 Q Okay.  
 18 A I am aware generally that we were sued by  
 19 Donald Baker.  
 20 Q Were you a -- still a state attorney at the  
 21 time?  
 22 A No, I had left the State Attorney's Office. I  
 23 think the AG's office covered it, that's why I've had  
 24 zero involvement in it. But --  
 25 Q I understand that. I'm sorry, let me -- let

1 me let you finish your question.  
 2 A Donald Baker, is that the --  
 3 MS. HADDAD COLEMAN: No, it's different.  
 4 THE WITNESS: Oh, different.  
 5 BY MR. HADDAD:  
 6 Q Oh, you got sued twice?  
 7 A Apparently.  
 8 Q All right. And then did -- let me ask you  
 9 about the -- I had it right here.  
 10 A I convicted some guy, he went to prison and  
 11 then sued the judge and every -- all the police and  
 12 everything else.  
 13 MR. GOLDBERGER: Here you go.  
 14 MS. HADDAD COLEMAN: This guy's name is  
 15 different.  
 16 MR. HADDAD: Yeah, Shaarbay, Sharbasom. I  
 17 guess that must be --  
 18 MR. GOLDBERGER: Spell it.  
 19 MR. HADDAD: -- the Arab guy. S-H-A-A-R-B-A-Y  
 20 versus --  
 21 A News to me.  
 22 BY MR. HADDAD:  
 23 Q -- various persons. Were you ever served with  
 24 a lawsuit? Among the persons sued was --  
 25 A No.

1 Q -- Pete Weinstein, Michael Gates, Finkelstein,  
 2 Satz, Dan Callahan, Brad Edwards.  
 3 A No. I don't recognize that person's name. I  
 4 have never been served with that lawsuit, to my  
 5 recollection.  
 6 Q To your recollection, okay.  
 7 A No.  
 8 Q All right. But you said there was another  
 9 one, who else sued you?  
 10 A Donald Baker sued me and Mike Satz and Michael  
 11 Gates and all of the Hollywood Police Department.  
 12 Q And what happened with that case?  
 13 A It was dismissed.  
 14 Q All right. Would those predate the time that  
 15 you were sued by Mr. Epstein?  
 16 A Yes.  
 17 Q Okay. Now, tell me how --  
 18 A Well, I don't know about this new one that you  
 19 just told me about it, it may have been yesterday for  
 20 all I know.  
 21 Q All right.  
 22 A I am unaware of it.  
 23 Q Emotional distress, embarrassment, mental  
 24 anguish, humiliation, I will start with those, because  
 25 we know loss of reputation and standing in the community

1 doesn't exist, correct?  
 2 MR. KING: Objection.  
 3 BY MR. HADDAD:  
 4 Q You concede that?  
 5 MR. KING: Objection, argumentative.  
 6 BY MR. HADDAD:  
 7 Q Well, would you concede -- never mind, we went  
 8 through it already.  
 9 A Yeah, we -- we talked about this.  
 10 Q I understand. Can you detail for me the  
 11 emotional distress, embarrassment, mental anguish and  
 12 humiliation --  
 13 A Okay.  
 14 Q -- that you have?  
 15 A Where I was beginning before --  
 16 Q Yes, sir.  
 17 A -- when we were talking about reputation. I  
 18 do believe that I have always practiced with the utmost  
 19 honest, integrity. And when a lawsuit was filed against  
 20 me accusing me of being dishonest and being a criminal  
 21 or -- to truncate this -- and I had to continue to go to  
 22 court and see lawyers who, for a period of time, and I  
 23 do believe that once the case was dismissed against me,  
 24 that window closed, but for a period of time they  
 25 believed the allegations against me. I think that there

1 was probably a point in time, based on some of the  
 2 e-mails that I have seen, that your co-counsel Tonja  
 3 believed that, which in terms of hurt feelings type of  
 4 things, yeah, that -- that wasn't -- that wasn't  
 5 something that I appreciated either. But having to be  
 6 in a courtroom where lawyers believed that I had done  
 7 these things that I had not done, it was humiliating.  
 8 Now there is another aspect of it which I  
 9 consider to be much more significant, because as we've  
 10 discussed, the case was dismissed against me and I do  
 11 feel that separate and apart from any involvement that I  
 12 have had prosecuting cases against Jeffrey Epstein, I  
 13 have done a good job of resurrecting my reputation from  
 14 the point in time where people initially believed, hey,  
 15 where there is smoke there is fire or something -- this  
 16 guy must be guilty of something. And that was my  
 17 perception of things and that's a reasonable perception  
 18 based on what was filed.  
 19 Q All right. And I don't want -- I am not going  
 20 to be argumentative with you, obviously, but based upon  
 21 what the entirety of what the Ponzi scheme is, just  
 22 being involved in it, just being in that firm with your  
 23 cases there would give that perception to people,  
 24 wouldn't you agree?  
 25 A No. I think that most lawyers escaped fairly



1 unscathed and nobody thought that 60 lawyers were  
2 involved in a Ponzi scheme. I -- me and your client,  
3 Russ Adler, are two of the only that have been pinned as  
4 co-conspirators of Scott Rothstein's.

5 Q No, I would say there have been others.

6 A Well, you would know better than I.

7 Q Of course.

8 A But publicly -- well, that was my perception.

9 Q And I noticed Adler is still out there trying  
10 cases, he just won three million bucks down in Miami  
11 with some lawyer.

12 A He is a good lawyer.

13 Q Okay. And you are a good lawyer.

14 A Right.

15 Q All right. And I want to know exactly where  
16 you were humil -- all right, I understand no one likes  
17 getting sued and no one likes being accused of anything,  
18 how did it impact you, this emotional distress,  
19 embarrassment and mental anguish, how did it manifest  
20 itself that we can put a -- a -- anything on it. Did  
21 you ever not go to court?

22 A No, I -- I always fulfilled my obligations.

23 Q Did you seek -- did you seek mental -- uh,  
24 what do they call those people, mental health helpers --

25 A No.

1 Q -- you know, like psychologists or anything  
2 like that?

3 A I did not.

4 Q Did you go to a doctor to get Xanax?

5 A Nothing.

6 Q Did you lose sleep?

7 A Of course I lost sleep. I mean, but you would  
8 lose sleep from getting these types of allegations  
9 anyway. But I will tell you that it was who was suing  
10 me that caused the emotional distress.

11 Q Because he's so rich or because of what? I  
12 mean, people sue people all the time. Are you going to  
13 say because it was Epstein as opposed to if I sued you  
14 for some reason, for some God-known reason?

15 MR. KING: Objection to form.

16 A That would cause a lot less emotional  
17 distress.

18 BY MR. HADDAD:

19 Q Okay.

20 MR. KING: Objection to form.

21 BY MR. HADDAD:

22 Q All right. Well --

23 A Yes, I am saying it was because it was Jeffrey  
24 Epstein who sued me, because I know him, I know who he  
25 is, I know what he is capable of. I know who he cares

1 about and who he doesn't care about and I know the kinds  
2 of things that he has done in the past, how he lives his  
3 life and what he is capable of doing to me and what I  
4 believed that he would do me. So ye ah, it's all  
5 about him.

6 Q All right. And let's go there. So everything  
7 is about Jeffrey Epstein because he sued you, as opposed  
8 to anyone else in the world?

9 A Yeah.

10 MR. KING: You know, I'm going to -- let me --  
11 let me interject here. I was at a prior deposition  
12 where Mr. Epstein was here and it's the same facial  
13 expressions, the same unprofessional attitude that  
14 he is displaying here that he displayed then. So  
15 I'm just going to ask you to instruct him to  
16 maintain a poker face, to the extent he is able to  
17 do it. It is distracting. I don't know if it is  
18 distracting to the witness, but it is certainly  
19 distracting to me because I can hear it and I can  
20 feel it and I can see it and it should not happen  
21 in deposition of a case of this magnitude or  
22 frankly in any case.

23 MR. HADDAD: I'm sorry, I have no peripheral  
24 vision so I don't see anything because I'm looking  
25 to him.

1 MR. KING: Well --

2 MR. HADDAD: I'm sure somebody will suggest  
3 something to plaintiff or counter-defendant,  
4 whatever he is, on what to do, okay.

5 MR. KING: All right. Thank you.

6 BY MR. HADDAD:

7 Q I don't have the same fears apparently that  
8 Mr. Edwards has.

9 A You don't know him.

10 Q Pardon me?

11 A You don't know him and he didn't sue you. You  
12 weren't a target of his.

13 Q Do you know who I represent? Do you think  
14 this bothers me?

15 A I know who you represent now.

16 Q Not him. Do you think this will bother me?  
17 You have been a lawyer for how long?

18 A I think this is the fourth time we've gone  
19 through this.

20 Q Well, I know that, and how many people -- when  
21 you were a prosecutor, how many people did you put in  
22 prison?

23 A A lot.

24 Q All right. And you got sued by people,  
25 correct?

1 A Right.  
 2 Q Did you get threatened by people when you were  
 3 putting them in prison?  
 4 A To some extent.  
 5 Q Yeah, you were a prosecutor, you --  
 6 A Yeah.  
 7 Q -- were threatened by criminals, correct?  
 8 A Right.  
 9 Q People that were going to prison?  
 10 A Yeah.  
 11 Q They threatened to kill you, they threatened  
 12 to get even with you, all kind of stuff, correct?  
 13 A Right.  
 14 Q And you were a -- I was going to slip again --  
 15 you were a hard-nosed prosecutor?  
 16 A That's true.  
 17 Q All right. And you had the biggest -- I can't  
 18 think of him without saying anything, the hardest  
 19 unyielding judge there was in Michael Gates, correct?  
 20 A Great judge.  
 21 Q There was no amount of prison time that was  
 22 not enough for him, great judge as you said, correct?  
 23 A I don't know if that's correct, I don't agree  
 24 with that.  
 25 Q Well, he was worse than -- well, you don't

1 remember Futch, you weren't born yet. He was the  
 2 toughest judge on the criminal bench at the time you sat  
 3 there and you were the toughest judge {sic} in his  
 4 division -- toughest prosecutor in his division.  
 5 A I'll agree with the second part.  
 6 Q Okay. And you were plainly considered by many  
 7 defense lawyers, which may be a compliment to you, as  
 8 unreasonable. You certainly didn't give any quarter if  
 9 you didn't have to, correct?  
 10 A I would agree with that.  
 11 Q Okay. And I never had a case with you so I  
 12 can't say much.  
 13 A You had one.  
 14 Q Did I?  
 15 A Yeah.  
 16 Q It must have been unpleasant.  
 17 A It was ridiculous and stupid.  
 18 Q Who, me or you?  
 19 A You were actually funny.  
 20 Q I'm making you laugh today.  
 21 A You always do, Fred. Your client stuck some  
 22 dead fish under someone's floorboards. I told you it  
 23 was funny.  
 24 Q Oh, yeah, I got an XKE and a Ferrari out of  
 25 the guy.

1 A I -- I know. You also told everybody in the  
 2 courtroom that on that day, very, very loudly. I  
 3 remember.  
 4 Q That's right, Marty Vanskyhawk.  
 5 A That was it.  
 6 MS. HADDAD COLEMAN: He needs to stop paying  
 7 my exterminator apparently.  
 8 MR. HADDAD: He stuck dead fish down the eaves  
 9 of the house when they went to throw him out?  
 10 A Correct.  
 11 Q Barracudas and Wahoo?  
 12 A Exactly.  
 13 Q Yes. And if you were Norwegian, you would  
 14 have called it lutefisk and ate it.  
 15 A And you actually had it with Jody, but she  
 16 wasn't there that day, so I had to deal with you and him  
 17 and the whole mess.  
 18 Q Well.  
 19 A So yes.  
 20 Q Okay. So, let's face it, you -- you --  
 21 A And he went to prison for fish.  
 22 Q He went to prison for fish.  
 23 A Right.  
 24 Q So did Jerry Chilli when I represented him.  
 25 Of course, he was a Mob kingpin. Excuse me.

1 (Thereupon, a discussion was had off the  
 2 record.)  
 3 MR. HADDAD: I can remember the point I was  
 4 trying to make. I'm not your age yet.  
 5 THE VIDEOGRAPHER: Counsel.  
 6 BY MR. HADDAD:  
 7 Q All right. So --  
 8 MR. GOLDBERGER: Okay. Fred, five minutes  
 9 until the tape change.  
 10 MR. HADDAD: I'm sorry?  
 11 MR. GOLDBERGER: Can you read?  
 12 MR. HADDAD: Oh, yeah, let's take a break now.  
 13 THE VIDEOGRAPHER: The time is 11:15 a.m.  
 14 MR. HADDAD: I've got to take a glass of  
 15 water.  
 16 THE VIDEOGRAPHER: We are now coming off the  
 17 video record. This is the end of Tape No. 1.  
 18 (Whereupon, a break was taken.)  
 19 THE VIDEOGRAPHER: The time is now 11:27 a.m.  
 20 We are now back on the video record. This is the  
 21 start of Tape No. 2.  
 22 (Thereupon, a discussion was had off the  
 23 record.)  
 24 BY MR. HADDAD:  
 25 Q All right. Sir, let me ask you this: You

1 talked about your firm has a PR department, correct?  
 2 A That's correct.  
 3 Q Which is not unusual, I guess, for personal  
 4 injury lawyers, correct?  
 5 A That's correct.  
 6 Q All right. I don't know if it's -- how often  
 7 does -- and the only reason I'm asking is I went through  
 8 this stuff and I'm seeing this, what they call a PR log.  
 9 A Okay.  
 10 Q Whatever it is, okay. And do you have -- I  
 11 guess you just what, hire somebody to do your PR?  
 12 A That's correct.  
 13 Q And does -- do you have a point person who  
 14 does it, like one of your lawyers?  
 15 A Yes.  
 16 Q And who would that be?  
 17 A Seth Lehrman.  
 18 Q Okay. And do you also use Facebook to promote  
 19 the law firm?  
 20 A I believe the law firm has a Facebook page,  
 21 but I can't say for certain.  
 22 Q All right. Do you actually do any of the  
 23 input yourself?  
 24 A Zero. I never have.  
 25 Q Do you have the approval yourself of what's

1 put in there, do you have to approve what's put in there  
 2 or it's --  
 3 A No.  
 4 Q Okay. All of the advertising that is done  
 5 about Bradley Edwards then, such as -- I mean, I'm sure  
 6 you have seen them showing your face on channel -- I am  
 7 talking about the Huizenga thing now where, what's her  
 8 name, Buntrock?  
 9 A I have never seen it.  
 10 Q Okay. All of that's done by someone else?  
 11 A Yes.  
 12 Q You are -- you are presently involved in  
 13 the -- are -- have you filed suit in that case yet?  
 14 MR. GOLDBERGER: Identify the case for him.  
 15 MR. HADDAD: Pardon?  
 16 MR. GOLDBERGER: Just so we have a record.  
 17 MR. HADDAD: I will get to it in a second. If  
 18 he says he filed suit, I'll do it.  
 19 A You -- you're talking about --  
 20 BY MR. HADDAD:  
 21 Q I'm talking about the pastor --  
 22 A I know what you're --  
 23 Q -- you know exactly what I'm talking -- first  
 24 time I saw --  
 25 A Talking about Jeffrey London?

1 Q Yeah, yeah.  
 2 A We have filed suit against Jeffrey London  
 3 only.  
 4 Q Only, no one else has been impleaded?  
 5 A That's true.  
 6 Q Or joined as defendant, okay. And that's how  
 7 many plaintiffs do you have in that case?  
 8 A We have one.  
 9 Q Okay. And does anyone else have other  
 10 plaintiffs?  
 11 A No.  
 12 Q Okay. And of course, fortuitously, I have to  
 13 be in the courtroom on something else when I ran into  
 14 you and Matt Weissing there.  
 15 A Right, at an Arthur hearing for Jeffrey  
 16 London.  
 17 Q At an Arthur hearing, correct.  
 18 A Right.  
 19 Q And at that point, it was mentioned that  
 20 Miss Buntrock had funded the church, funded monies and  
 21 done other certain things, correct?  
 22 A I heard that when you heard that.  
 23 Q All right. And how did the plaintiff reach  
 24 you in that case, do you know?  
 25 MR. KING: I --

1 A Yes, I do know it.  
 2 MR. KING: Is this presumably going to  
 3 reputation?  
 4 MR. HADDAD: Oh, yeah.  
 5 A I do know.  
 6 MR. HADDAD: No, I'm doing it because I wanted  
 7 a cut of the fee, of course.  
 8 A It was --  
 9 MR. KING: I want to make sure we don't go  
 10 afield, that's all.  
 11 Go ahead.  
 12 A It was through a foster home that Matt  
 13 Weissing, my partner, he fostered a child through the  
 14 home.  
 15 BY MR. HADDAD:  
 16 Q Umm-hmm.  
 17 A And the foster home where one of the child  
 18 victims of Jeffrey London was placed contacted Jeff --  
 19 Matt Weissing. That was how it happened.  
 20 Q All right. Now, you are not familiar with  
 21 your advertising, correct?  
 22 A No.  
 23 Q Okay. So if it says you are representing  
 24 several young men against Jeffrey London, you  
 25 wouldn't -- that would not be correct?

1 A I hesitated because you asked how many  
2 plaintiffs there are. And for you to be a plaintiff,  
3 there has to be a lawsuit.

4 Q How many potential plaintiffs are you  
5 representing?

6 A Let me describe what I do in that case and  
7 then you can take it from there. There are, I believe,  
8 seven or eight victims that we have signed on to  
9 represent them through the criminal process as crime  
10 victims' rights attorneys. Some -- some may have civil  
11 claims that still are viable and some may not. Right  
12 now we have filed one. In the future, we may decide to  
13 file others. That's the best I can do.

14 I mean, there -- obviously, we are dealing  
15 with a lot of issues that relate to abuse that happened  
16 many, many years ago, which raises other issues that  
17 everybody is probably familiar with so~.~.~.

18 Q All right. Now, in that case, of course,  
19 there is, I suppose, some issue of whether or not --  
20 well, obviously Mr. London would be what the -- they  
21 used to say is an impossibility, judgment-proof,  
22 correct? He has got no --

23 A I would hope that the guy goes to prison for  
24 the rest of his life so --

25 Q Well, I understand that.

1 correct?

2 A I believe so.

3 Q And in your various advertisements, you have  
4 talked about suing billionaire Jeffrey Epstein,  
5 obtaining judgments for victims against billionaire  
6 Jeffrey Epstein, correct?

7 A Have I said that?

8 Q Your PR people?

9 A Do you have something that says that, maybe.

10 Q I'm asking you.

11 A It's a true statement, so maybe it is -- maybe  
12 it was said.

13 Q I have not yet questioned your integrity about  
14 a single thing, Mr. Edwards.

15 A I understand.

16 Q I'm just asking you whether or not it's true.

17 A Yeah, I want to help you out and I think that  
18 that --

19 Q Well --

20 A -- was done, but I'm not sure.

21 Q You want to help me out? How can I thank you?

22 A Help me help you.

23 Q You start to look like Tom Cruise if I keep at  
24 it.

25 All right, now, you sought -- you made it

1 A -- that would probably make him  
2 judgment-proof.

3 Q Well, I understand that, but the benefactor of  
4 that place where he was is far from judgment-proof,  
5 correct?

6 A Benefactor of what place?

7 Q Of the -- of the place where he had these  
8 kids, would be far from judgment-proof, correct?

9 A The owner of the house I believe is Elizabeth  
10 Buntrock.

11 Q All right. And Miss Buntrock is Huizenga's  
12 sister or cousin?

13 A Some relative.

14 Q All right. And she was married and had one of  
15 the huge -- largest divorces in the history of Broward  
16 County, correct, settlements?

17 A I don't know.

18 Q All right. Okay. And --

19 A I'll come to you for that information.

20 Q I'm sorry?

21 A I will come to you for that information.

22 Q You are talking about more people that don't  
23 like me.

24 All right. You have advertised, besides your  
25 victims' rights stuff, your lawsuits against Epstein,

1 known that you were seeking victims of Mr. Edwards,  
2 correct -- Mr. Epstein; did you not?

3 A Seeking victims?

4 Q Yeah, seeking to represent victims, you put it  
5 out whether or not there were any victims that needed  
6 representation, for lack of a more professional way of  
7 putting it?

8 A I don't think that's right.

9 Q Huh?

10 A I don't think that's right.

11 Q Okay. Now, during the time of these Epstein  
12 suits and Epstein cases, you were quoted in the  
13 newspapers numerous times, correct?

14 A Yes.

15 Q You were quoted in the Daily Mail, I believe  
16 over in London, Mail Online, whatever they call it, I  
17 guess the Daily Mail, correct?

18 A I remember the publications but I was quoted  
19 in several newspapers.

20 Q All right. And I don't want to go back over  
21 what's in your previous depo, so we don't have to go  
22 through that, but in a response to a discovery request  
23 Mr. Scarola produced a packet, to say the least, of  
24 e-mails that you had with various reporters, correct?

25 A I don't know.

1 Q Now I got to work.  
 2 A Sorry.  
 3 Q That's okay.  
 4 (Thereupon, a discussion was had off the  
 5 record.)  
 6 I'm trying to truncate this because I know  
 7 most plaintiff's lawyers and civil lawyers would keep  
 8 you here for six hours and probably --  
 9 A I feel like we're headed down that road.  
 10 Q You're not going to be headed down that road  
 11 with me. I am not staying that long. I'm just trying  
 12 to find it. See if I was a civil lawyer, I would have  
 13 all of this stuff nice and neat. Where is this stuff?  
 14 There it is.  
 15 There is -- and this is why I am doing this --  
 16 is, Dear Miss Coleman, the accompanied -- this is  
 17 May 8th, 2012, are -- in producing response to  
 18 plaintiff's discovery request, subject to our agreement  
 19 that this production does not constitute or support a  
 20 waiver of privilege asserted as to any other documents.  
 21 A Okay.  
 22 Q And there are hundreds of e-mails that  
 23 Mr. Scarola produced to Miss Coleman.  
 24 (Thereupon, a discussion was had off the  
 25 record.)

1 BY MR. HADDAD:  
 2 Q Okay.  
 3 A I have seen those.  
 4 Q Oh, can I see them, because I want to go  
 5 through every one of them?  
 6 A I can't wait.  
 7 Q Well, you're -- if Scarola was here I would do  
 8 it just for the hell of it.  
 9 A I bet you would.  
 10 Q I would.  
 11 MR. KING: Thank you.  
 12 MR. HADDAD: You're welcome.  
 13 BY MR. HADDAD:  
 14 Q All right. In looking through these, these  
 15 are all e-mails that you sent, correct?  
 16 A I think either I sent or received or was  
 17 copied on. I mean, I think that there are some --  
 18 Q All right. And there is no questions you had  
 19 any relationships with the press throughout this entire  
 20 proceeding?  
 21 A I agree.  
 22 Q I mean, most good lawyers do. The press can  
 23 be your best friend in cases.  
 24 A Right. Yeah, we've got a lot of witnesses  
 25 that way, I -- I agree.

1 Q Yeah. And you found a lot of witnesses by  
 2 looking for witnesses in sex cases, Farmer, Jaffe?  
 3 A We have found witnesses that way too.  
 4 Q Okay. And I mean, that is advertising, isn't  
 5 it, looking for -- looking for witnesses in sexual abuse  
 6 cases?  
 7 A Yeah, I --  
 8 Q We support crime -- we are looking for Jeffrey  
 9 Epstein, child molester, that's you guys wrote that out,  
 10 right?  
 11 A We got a lot of calls being based on various  
 12 things, including the things you -- you are talking  
 13 about now, so yeah.  
 14 Q And then as recently as -- I don't have the  
 15 date, but recently you got -- you're looking for  
 16 witnesses for youth pastor, J. London, firm is actively  
 17 investigating or representing victims claiming sexual  
 18 abuse by former pastor, J. London, click video below.  
 19 And then you're looking for our law firm prosecuted  
 20 numerous cases against registered sex offender, Jeffrey  
 21 Epstein. And then you have big headlines, Jeffrey --  
 22 big print, Jeffrey Epstein, registered sex offender,  
 23 correct?  
 24 A I have never actually seen that but that's --  
 25 Q Well, here, let me show that to you.

1 A Where does this come from, the Web site?  
 2 Q Your Web site.  
 3 (Thereupon, a discussion was had off the  
 4 record.)  
 5 A Okay. Okay.  
 6 Q And from your profile, you realize that you  
 7 guys did all that stuff, correct?  
 8 A Yeah, I realize that.  
 9 Q Looking for witnesses, looking for clients?  
 10 A I am holding it right now, so I realize it.  
 11 Q Yeah. Let me see, this is Farmer, Jaffe Web  
 12 site stuff. Would you agree that this has been  
 13 recently -- Farmer, Jaffe, Weissing, attorney Brad  
 14 Edwards pursued victims' rights cases on behalf of 10  
 15 women who were -- and it gives between 12 and 15 years  
 16 of age -- were sexually molested and abused by Palm  
 17 Beach resident, Jeffrey Epstein. Epstein, now a  
 18 registered sex offender and his -- what is that, Edwards  
 19 proved that Epstein, now a registered sex -- pedophile  
 20 in its international sex trafficking criminal enterprise  
 21 exploited them and hundreds of under-age girls, correct?  
 22 A What's your question?  
 23 MR. KING: Form.  
 24 BY MR. HADDAD:  
 25 Q Is that -- is that -- is that what your firm

1 put out?  
 2 A I don't know, I haven't seen that. You are  
 3 pulling it from our firm Web site. I told you I haven't  
 4 input anything, so the fact that it's here, it seems  
 5 like it's here.  
 6 Q Well, I --  
 7 A You are reading it, right?  
 8 Q I want to ask you questions. I am reading it  
 9 right?  
 10 A It seems that way.  
 11 Q Okay. You have never seen that?  
 12 A No.  
 13 Q So your firm is putting these things out and  
 14 they do it without your knowledge or with your  
 15 knowledge?  
 16 A They know about my cases so~.~.~.  
 17 Q I understand that. I'm just asking you if you  
 18 are consulted about the content of what your firm IT guy  
 19 or whoever it is puts out, that's all I'm asking, not a  
 20 hard question.  
 21 A I was not consulted. Here's the thing, has  
 22 there ever been a conversation where the PR person has  
 23 asked me the truthfulness of this information and me say  
 24 yes, that possibly happened. Have I known that this was  
 25 on our Web site, no. I don't have a problem with it

1 being there but I -- my role in the firm is just not  
 2 inputter of information on a Web site.  
 3 Q All right. Now, Mr. Edwards is currently  
 4 pursuing a precedent-setting case on behalf of young  
 5 girls who were sexually molested by a well-connected  
 6 billionaire. Is that the same case or a different case  
 7 against Mr. Edwards?  
 8 A Sounds like the Crime Victim Rights Act case  
 9 that we discussed earlier.  
 10 Q All right. And that would still be against  
 11 this gentleman, correct, Mr. Epstein?  
 12 A It's actually against the U.S. Attorney's  
 13 Office.  
 14 Q All right. Well, it says here, on behalf of  
 15 young girls -- okay, well -- and it says WPTB, news  
 16 coverage, WPBF. Does that mean your groups send these  
 17 out to the different radio stations or TV stations?  
 18 A I don't know what it means. I doubt that  
 19 that's what it means though, but I don't know what --  
 20 Q I don't know, I'm just asking --  
 21 A I don't know.  
 22 Q -- how PR works, I thought maybe you did.  
 23 A I don't.  
 24 Q Okay. Were you familiar with your law firm  
 25 putting out that kind of publicity that you were quoted

1 in London papers regarding Jeffrey Epstein?  
 2 A Right now, as I sit here right now, no, I  
 3 don't remember ever seeing this or knowing this.  
 4 Q Okay. And did you ever express to your law  
 5 firm that you are so afraid of Jeffrey Epstein not to go  
 6 do things like this because you might get him mad?  
 7 A No, the opposite. I mean, I think that being  
 8 public is what saves me so~.~.~.  
 9 Q Okay.  
 10 A I don't --  
 11 Q So the more public you are, such as -- well,  
 12 let me ask you this.  
 13 A If something happened to me right now, I think  
 14 that everybody will know he did it, so I think that  
 15 helps.  
 16 Q Have you ever been married?  
 17 A Yeah.  
 18 Q If something happened to --  
 19 A Not as many times as you.  
 20 Q And -- I'm just looking at this. How did you  
 21 get \$735,000 for three toes?  
 22 A Three toes were chopped off and there was a  
 23 little more to it but~.~.~.  
 24 Q Oh, I guess so, that's a lot of money.  
 25 Okay. Now, the input that you have, I read

1 somebody's book. Who's Michael Isikoff?  
 2 A I don't know.  
 3 Q You don't know who it is?  
 4 A (Witness shakes head.) The name doesn't sound  
 5 familiar to me.  
 6 Q Okay. And you don't recall e-mails with him,  
 7 such as --  
 8 A I don't remem -- I don't know -- or recognize  
 9 the name.  
 10 Q All right. A gentleman from Newsweek  
 11 magazine. You don't remember?  
 12 A I feel like I talked to so many people, I  
 13 don't -- I don't really remember that name particularly.  
 14 If you show me something, I -- you know, if it says I  
 15 sent an e-mail or received an e-mail, then I'm not going  
 16 to quarrel with it. I -- that name does not sound  
 17 familiar.  
 18 Q How about Michele Dargan?  
 19 A Yes, I know Michele.  
 20 Q And who is she?  
 21 A She works with the Palm Beach Daily News.  
 22 Q Okay. And how about some Cochalla lady,  
 23 Cochaca, what -- how do you say it, do you know who I  
 24 mean?  
 25 A Also at the Palm Beach Daily News?

1 Q I don't know, I'm just asking you. It's a  
2 lady that you guys were talking about when they picked  
3 up, what's his name, Polanski, you guys thought about  
4 maybe using the Polanski case to help rake -- gear up  
5 some things, you had a series of e-mails. Do you recall  
6 that?

7 A I don't remember that either.

8 Q You don't, okay. You don't remember anything  
9 about anything about -- any com -- communications,  
10 Polanski got arrested, what, two years ago? They --

11 A I don't remember either.

12 Q -- picked him up in Switzerland and then they  
13 had to let him go?

14 A I don't remember any correspondence about --

15 Q Conchita?

16 A Conchita, yeah, I know --

17 Q Who is she?

18 A A reporter somewhere up north.

19 Q Okay. And do you know how many e-mails you  
20 may have exchanged with her?

21 A No.

22 Q Do you know how many telephone calls you had  
23 with her?

24 A No. I have had telephone calls. I have had  
25 e-mails.

1 Q All right. Did you ever give Michele the  
2 phone number for Epstein's probation officer down in  
3 Virgin Islands or anything?

4 A I don't remember doing that, but I might have.

5 Q All right. And do you recall giving them  
6 information about where to find Mr. Epstein at various  
7 times to different reporters and what you were able to  
8 find out about him?

9 A Specifically, what? There is certain  
10 information I may have given. I -- I was -- I use my  
11 discretion I think pretty responsibly to get the  
12 information that I needed while also disseminating only  
13 the information that I thought would ultimately be  
14 helpful.

15 Q To whom?

16 A To whatever reporters that we're talking  
17 about.

18 Q Oh, and --

19 A If we are talking about Michele Dargan, then  
20 to Michele Dargan.

21 Q It would be fair to say that your methods  
22 of -- excuse me, let me back that up.

23 As a trial lawyer, you recognize that the  
24 press can be invaluable among jurors, correct?

25 A I agree.

1 Q And one of the ways a lawyer can sway, as it  
2 were, public opinion to his case is to have an informed  
3 public from which he would be near his children,  
4 correct?

5 A I don't know.

6 Q Well, you give -- you don't give newspaper  
7 reporters information because you like them, you do it  
8 because want something put out in the public.

9 A I do it because I want information back in  
10 return.

11 Q Okay. But also --

12 A It's -- you give to get.

13 Q I am not going to be argumentative with you,  
14 but having stuff in the paper about Epstein serves your  
15 benefit to try to get cases settled, doesn't it?

16 A It serves my benefit to get witnesses to call  
17 and to --

18 Q Umm-hmm.

19 A -- retrieve other information that would help  
20 me prove the cases against him, and in the end if  
21 proving the case against him is going to cause a  
22 settlement, then indirectly I guess your statement was  
23 true.

24 Q And suggesting with Conchita or whatever her  
25 name is, that perhaps the arrest of, I forgot his name

1 already.

2 MS. HADDAD COLEMAN: Roman Polanski.

3 MR. HADDAD: Huh?

4 BY MR. HADDAD:

5 Q Roman Polanski might be an impetus to get  
6 together a bunch of mothers to protest Jeff Epstein,  
7 that would help your benefit?

8 A I don't remember that.

9 Q Okay. Just asking the questions.

10 A If you can show me something, I will help you  
11 out.

12 Q I don't need to be helped out, I'm just asking  
13 if you remember right now. I know how to help myself,  
14 thank you.

15 Okay. And that was 2009. Hm. You don't  
16 remember Conchita asking you maybe to create a video  
17 against men in power?

18 A No.

19 Q I found it amusing.

20 A I find it amusing as well.

21 Q But it's amazing they pick you as the  
22 forepoint?

23 A It is? Why? Is that a shot at me?

24 Q I would never take a shot at you.

25 A I felt that.

1 Q I am too professional for that.  
 2 A That is a shot at yourself.  
 3 Q That's something no one would ever say about  
 4 me, so I figured I would do it.  
 5 A Uh, I don't remember that e-mail, but I, like  
 6 you, find it somewhat amusing. I mean, you see me  
 7 saying I -- the cases seem so different, not factually  
 8 but procedurally, or I'm unsure as to how we can use one  
 9 to help in the other, so I mean, that's my answer --  
 10 Q But -- but I --  
 11 A -- I agree with today.  
 12 Q I understand that's your answer, but what we  
 13 are talking about is there is a -- a -- it is a --  
 14 almost a circle of people involved in this case  
 15 involving you, the press and others. I mean, there is  
 16 hundreds of e-mails there.  
 17 A More people in this case --  
 18 MR. KING: Objection, form.  
 19 A -- than any other case I have ever had.  
 20 MR. KING: Objection to form.  
 21 BY MR. HADDAD:  
 22 Q All right. And that's involved with members  
 23 of the public also?  
 24 A I think that you could say that no matter what  
 25 category we are talking about, just a lot of people.

1 Q Did you ever meet Conchita face-to-face?  
 2 A I did.  
 3 Q Where?  
 4 A In the Palm Beach Courthouse.  
 5 Q Okay. State Courthouse?  
 6 A Yeah.  
 7 Q Okay. On one of the Epstein cases?  
 8 A She approached me telling me that she had  
 9 known him for 20 years, coming -- I was coming out of  
 10 the courtroom. And I think that I was at a hearing on  
 11 an Ep -- on a case against Jeffrey Epstein.  
 12 Q All right. And -- okay, can I see that back  
 13 for a second? There was something else I wanted to see  
 14 and let me just give -- if you don't mind giving me one  
 15 second.  
 16 Are you familiar with a 2010 case. Your  
 17 deposition was in March of 2010, correct?  
 18 A That's what you told me previously. You told  
 19 me February and then I think you corrected it to March.  
 20 Q Yeah, I corrected myself.  
 21 A But you are right.  
 22 Q Okay. I am showing you a copy.  
 23 A March 23rd, 2010.  
 24 Q I am not sophisticated enough to change the  
 25 date on the front page of a deposition so I assume

1 that's the date, correct?  
 2 A Yes, I would assume so too.  
 3 Q Now, are you aware or did you participate or  
 4 have any involvement in the plea or the sentencing of  
 5 Alfredo Rodriguez?  
 6 A No.  
 7 MR. KING: Let me interpose an objection. No?  
 8 A The answer is no. I'm just wondering if, you  
 9 know, that's -- I remember reading my deposition last  
 10 time and we discussed what of these matters is relevant  
 11 and et cetera. But the answer is no.  
 12 BY MR. HADDAD:  
 13 Q All right. Let -- well, let's -- what it  
 14 boils down to, nobody called up any of the objections  
 15 that were raised. And I'm not going go through the  
 16 whole deposition.  
 17 A Yeah.  
 18 Q I assume you read your deposition in the last  
 19 couple of days, did you not?  
 20 A I did.  
 21 Q All right. And I'm sure your counsel read it  
 22 and Mr. Scarola has innumerable objections.  
 23 A Right.  
 24 Q Actually, one or two were meritorious, but he  
 25 had innumerable objections on economic privilege, on

1 other things, correct? If I were to ask you each of  
 2 those questions --  
 3 A The same objection.  
 4 Q -- they would be the same objections, your  
 5 counsel would make the same objections, that way I don't  
 6 have to redo for two and a half hours.  
 7 MR. KING: That's correct.  
 8 BY MR. HADDAD:  
 9 Q So I get in front of the judge and --  
 10 A Fair enough.  
 11 Q -- were you the confidential informant in  
 12 Alfredo Rodriguez, confidential witness?  
 13 MR. KING: The same objection. I'm going to  
 14 object and instruct him not to answer.  
 15 MR. HADDAD: Okay. Thank you.  
 16 BY MR. HADDAD:  
 17 Q Did you contact -- did you have any contact  
 18 with any persons who were listed in the book that was  
 19 eventually produced by Mr. Rodriguez after he got  
 20 arrested and the book was made public?  
 21 MR. KING: Let me object. I don't see the  
 22 relevancy, immaterial.  
 23 MR. HADDAD: Oh, because he's getting more  
 24 clients and it goes to reputation as to whether  
 25 they hired him or not based on his contact.



1 MR. KING: Was the book published by somebody  
2 else?

3 MR. HADDAD: No, he -- I am asking the  
4 questions, I don't know. I didn't hear what you  
5 said, I'm sorry, Jack, what was that?

6 MR. KING: That's all right. I said as to a  
7 book published by somebody else.

8 MR. HADDAD: No, no, no, no. What happened in  
9 this, I am sure you are not familiar, is Alfredo  
10 Rodriguez was his -- was his house manager.

11 MR. KING: Right.

12 MR. HADDAD: He gave a deposition in the case.  
13 Brad was there, I believe, and a bunch of other  
14 lawyers that were suing Mr. Epstein.

15 MR. KING: Right.

16 MR. HADDAD: After that deposition,  
17 Mr. Rodriguez approached an individual and said, I  
18 have a book that contains a lot more than what I  
19 said at my deposition. In essence, I withheld tons  
20 of stuff at my deposition, I want 50 G's. The  
21 person he approached, I assume, is Mr. Edwards.  
22 Mr. Edwards, being the lawyer that he is didn't get  
23 the book, he approached the police and said someone  
24 is trying to commit a crime, and the book -- the  
25 gentleman was arrested through a roundabout

1 different sort of thing. And then I assume the  
2 book was made public and the names were produced  
3 and I wanted to know whether or not Mr. --

4 MR. KING: That book?

5 MR. HADDAD: That book. Whether or not  
6 Mr. Edwards had contact with any persons that were  
7 listed in that book.

8 MR. KING: Well, along the lines that were  
9 taken last time with regard to whatever work he  
10 undertook, whatever work product was involved in  
11 the investigation of his cases, in light of the  
12 current status of the case, in which the -- you  
13 know, pending claim is what it is --

14 MR. HADDAD: Umm-hmm.

15 MR. KING: -- I think it's -- it's even more  
16 reinforced those objections are and will be raised.

17 MR. HADDAD: All right. That's fine, I  
18 just -- to let you object.

19 BY MR. HADDAD:

20 Q The reason I'm asking the question is, did you  
21 initiate or attempt to initiate any new lawsuits based  
22 upon what you learned in there?

23 MR. KING: The same objection. Instruct him  
24 not to answer.

25 MR. HADDAD: That's not going into work

1 product, it's --

2 MR. KING: No, it is.

3 MR. HADDAD: I'm not -- I'm not going to argue  
4 with you here today.

5 MR. KING: It goes to his mental process.

6 MR. HADDAD: You raise your objections.

7 That's fine, Mr. King.

8 BY MR. HADDAD:

9 Q And I take it you won't answer the question as  
10 to whether or not you were a confidential witness?

11 MR. KING: The same objection.

12 MR. HADDAD: Thank you. All right. Since a  
13 ton of this is --

14 MS. HADDAD COLEMAN: Can you hand me those  
15 pleadings so I can mark them as exhibits.

16 MR. HADDAD: Oh, it's this?

17 BY MR. HADDAD:

18 Q Did you attend Mr. Rodriguez' sentencing?

19 A No.

20 Q Did you have any contact with Mr. Rodriguez  
21 after his sentencing?

22 MR. KING: Objection. The same instruction.

23 MR. HADDAD: Okay.

24 BY MR. HADDAD:

25 Q Did you have any contact with Mr. Rodriguez'

1 subsequent employer, Sid Goldman?

2 MR. KING: The same objection, all based on  
3 work product.

4 MR. HADDAD: I need a five-minute --  
5 two-minute break.

6 MR. KING: Okay.

7 MR. HADDAD: All right. Or do you want to  
8 break for lunch?

9 THE WITNESS: How long are you going to be? I  
10 mean, I don't know.

11 MR. HADDAD: I'm not sure. I mean, I've got  
12 two other lawyers that have to decide how long I'm  
13 going to be. That's why I'm asking for a  
14 two-minute -- five-minute break.

15 THE WITNESS: Take it, and then let's figure  
16 out how long we are going to be and if we need to  
17 take a lunch, we will, and if not then -- you know,  
18 if you have another hour, then I will sit here and  
19 we'll take a lunch later.

20 MR. GOLDBERGER: Let's say --

21 MR. HADDAD: You don't call the shots, I do.

22 MR. KING: Do you want to take two minutes,  
23 Fred?

24 THE VIDEOGRAPHER: The time is 11:58 a.m. We  
25 are now coming off the video record.

(Whereupon, a break was taken.)

(Thereupon, Defendant's Exhibit Nos. 1 - 11 and 13 & 14 were marked for identification.)

THE VIDEOGRAPHER: The time is 12:08 p.m. We are now back on the video record.

MR. KING: And just -- just before -- before we go on, I understand that you all have marked various exhibits that were referenced during the course of the testimony which hadn't been marked earlier which you now marked 1 through what?

MS. HADDAD COLEMAN: 1 through 11, and they were shown to coun -- to Mr. Edwards during the course of this deposition.

MR. KING: Very good.

MS. HADDAD COLEMAN: And not contemporaneously re-referenced.

MR. KING: Very good.

THE WITNESS: It's -- it's a little bit more than that, 1 through 11 and then 13 and 14. 12 was taken out of there so --.

MS. HADDAD COLEMAN: Okay.

MR. KING: So just let's put on the record what we have then so the record is clear.

THE WITNESS: Okay. Exhibit 1 was part of Farmer, Jaffe, Weissing Web site. Exhibit 2 is

from the Web site. Exhibit 3 from the Web site, Exhibit 4 from the Web site. Exhibit 5 from National Trial Lawyers Web site. Exhibit 6 from AVVO, A-V-V-O. Exhibit 7 from the Farmer, Jaffe, Weissing Web site. Exhibit 8 from lawyers.com. Exhibit 9 from for 40 under 40. Exhibits 10 and 11 are interrogatories directed to me and responses. Exhibit 13 is the transcript of the sentencing proceedings for Alfredo Rodriguez. Exhibit 14 is a plea agreement between the United States and Alfredo Rodriguez.

BY MR. HADDAD:

Q Let me go back, if I may, just for a minute to the plea agreement so your counsel can object. Did you -- did you have any input -- did you ever read the plea agreement, particularly the factual presentation on Page 4 and 5, I believe it is?

A I think the answer is no, but let me see if this refreshes my recollection, hold on. What, Page 4 and 5?

Q I think whatever the factual basis is where it talks about Rodriguez approaching someone about what information he had.

A I don't think I have ever read this.

Q And -- and going back to that just as an

aside, did you -- get -- get ready -- did you ever have any contact with Kendall Coffey regarding the propriety or ask him for an opinion of the propriety of taking that book from Mr. Rodriguez?

MR. KING: The same objections, work product. BY MR. HADDAD:

Q Okay.

A And attorney-client privilege.

MR. KING: And Government privilege.

MR. HADDAD: And what?

MR. KING: Government privilege.

MR. HADDAD: Kendall Coffey, neah, he was already out.

MR. KING: He was already out by then, okay.

MR. HADDAD: Yeah, that was after he -- oh, I shouldn't --

MR. KING: No, don't say that.

MR. HADDAD: I don't -- why --

MR. KING: I know what you're talking about.

MR. HADDAD: -- I don't like him.

MR. KING: You must have dealt with him while he was there.

MR. HADDAD: Please. I am dealing with him still.

BY MR. HADDAD:

Q All right, Brad, let me ask, do you have any contact these days with Critton's firm?

A No.

Q Okay. Not recently, not -- not -- okay.

Also you asked for some release of the confidentiality agreements, didn't you, for purpose of obtain -- ascertaining money?

MR. KING: Hold on a second.

A I don't think so.

MR. GOLDBERGER: In the discovery.

MR. KING: In the what?

MR. GOLDBERGER: In the discovery.

MR. HADDAD: In the discovery.

MR. KING: Okay.

A I don't know.

BY MR. HADDAD:

Q Okay. Have you ever discussed with Mr. Scarola?

A Really, that's how you are going to start your question?

Q Oh, yeah, yeah, yeah, yeah. Any of the confidentiality agreements or anything that was obtained in the confidentiality agreements?

MR. KING: Objection.

1 A Attorney-client privilege.  
 2 BY MR. HADDAD:  
 3 Q Okay. I just -- I just ask the questions,  
 4 that's all. You can always say no.  
 5 A I've just never heard of an attorney  
 6 actually --  
 7 Q You -- you -- well, I --  
 8 A -- ask it that way.  
 9 Q -- well, let me put it this -- you were aware  
 10 that Mr. Scarola's law firm represented other purported  
 11 victims of Mr. Epstein, correct?  
 12 A I was aware that his law firm represented  
 13 victims of Mr. Epstein, yes.  
 14 Q And how many?  
 15 A How many victims?  
 16 Q Yeah.  
 17 A I'm not sure.  
 18 Q All right. And do you know which lawyers?  
 19 A I believe that Jack was one of them. I know  
 20 Jack was one of them. He was the main lawyer that  
 21 handled the cases over there.  
 22 Q Okay.  
 23 A In fact, I don't remember the name of any of  
 24 the other lawyers from the firm that handled the cases.  
 25 Q All right.

1 if they were made again today.  
 2 MR. HADDAD: Yeah, he said that already.  
 3 A I want to make a clean record too. If you had  
 4 asked the same questions, I would have asserted at least  
 5 the same objections.  
 6 BY MR. HADDAD:  
 7 Q If not more.  
 8 A If not more, correct.  
 9 Q You have read them and thought about it and  
 10 you are --  
 11 A Right.  
 12 Q -- much more acquainted now that you are in  
 13 the Best Lawyers in America and all that other stuff,  
 14 you have better objections than the old guys.  
 15 A I have better objections.  
 16 Q You are much -- you are much better than the  
 17 old people.  
 18 MR. KING: But he's not usurping our role  
 19 entirely with regard those objections.  
 20 MR. GOLDBERGER: Okay. We're good.  
 21 MR. HADDAD: I'm just a poor lawyer who  
 22 doesn't have all these PR people and all of this  
 23 great stuff going on.  
 24 MS. HADDAD COLEMAN: Every one understands this  
 25 deposition will be continued after the Court rules

1 MR. HADDAD: I don't think I have any other  
 2 questions. Does anybody have anything they want  
 3 to -- Debbie?  
 4 MR. KING: As I understand it, what -- well,  
 5 go ahead, I didn't mean to cut you off.  
 6 MR. HADDAD: That's okay.  
 7 BY MR. HADDAD:  
 8 Q As you know, we still have -- as you said you  
 9 would not answer any of the questions that were  
 10 propounded to you before and objected to.  
 11 A My objection to those previous questions would  
 12 be my objection today.  
 13 MR. HADDAD: All right. It was set for a  
 14 hearing April 12th of 2011 and then again reset for  
 15 another time and no one ever went -- the hearing  
 16 never went forward, so those questions are still  
 17 objected to, unresolved. So we'll stop. We will  
 18 go from there, see whatever happens.  
 19 THE WITNESS: Okay.  
 20 MR. GOLDBERGER: Well, wait a minute. Just  
 21 one thing. I just want to make sure we have a  
 22 clean record here. So if we had asked the same  
 23 questions, he would have raised the same  
 24 objections, so not only are we going to raise the  
 25 previous objections, we are going to raise them as

1 on everything.  
 2 THE WITNESS: Everybody understands the Court  
 3 is going to rule on things and order me back to a  
 4 deposition or not order me back to a deposition,  
 5 whatever the Court's going to do.  
 6 MS. HADDAD COLEMAN: I don't want another  
 7 nasty letter from Mr. Scarola, so I just wanted to  
 8 be clear that we may --  
 9 MR. HADDAD: Why, that -- that's his purpose  
 10 in life. Will you relax.  
 11 MS. HADDAD COLEMAN: But I just want it clear  
 12 on the record.  
 13 MR. HADDAD: That's what happens when you get  
 14 old.  
 15 MR. KING: From our -- from our perspective,  
 16 you understand we were not producing records here  
 17 today, the financial records, because we were  
 18 asserting the financial privacy privilege?  
 19 MS. HADDAD COLEMAN: Of course.  
 20 MR. KING: So I gather that that would have  
 21 put you in a position where you would not have been  
 22 able to, nor would you have proceed with questions  
 23 today.  
 24 MR. HADDAD: We wouldn't even -- no, as long  
 25 as it's pending before the Court, I saw no purpose

1 in having to reestablish that you were objecting  
2 and, you know --

3 MR. GOLDBERGER: Obviously, if those records  
4 had been produced, we would have had a ton of  
5 questions about that but---.

6 MR. KING: I understand, but my only concern  
7 was I didn't know, because I was not there at the  
8 hearing, I didn't participate in any way with  
9 respect to that, so I don't know what the Court's  
10 expectations were as to whether or not the Court  
11 wanted you to ask any questions. If you don't  
12 proceed, that's the case.

13 MR. HADDAD: No, I don't think it was  
14 necessary --

15 MS. HADDAD COLEMAN: In his order, the Court  
16 permitted the deposition to go forward. I said at  
17 the hearing we wouldn't get into any questions that  
18 were directly related to those documents, with the  
19 express understanding once the Court rules we may  
20 ask whatever the Court permits us to ask.

21 MR. KING: That's what I needed to know.  
22 Thank you. All right.

23 MR. HADDAD: All right. We're -- do you  
24 want -- do you want to read or waive this part of  
25 it?

1  
2 STATE OF FLORIDA  
BROWARD COUNTY

3  
4 SUBSCRIBED AND SWORN to before me this  
day of , 2013 at Broward County,  
Florida.

5  
6  
7 Notary Public, State of Florida at Large

8 Commission No:  
9 My Commission Expires:

1 THE WITNESS: I will read it.

2 MR. GOLDBERGER: Okay.

3 THE VIDEOGRAPHER: The time is 12:16 p.m. We  
4 are now coming off the video record. This is the  
5 end of Tape No. 2.

6 THE COURT REPORTER: Do you want this typed  
7 up?

8 MR. HADDAD: Do I want it typed up? I'd  
9 like -- you got to make money. I represent the  
10 richest guy in America.

11 THE VIDEOGRAPHER: Counsel, copy of the video?

12 MR. HADDAD: Huh?

13 THE VIDEOGRAPHER: Do you want a copy of the  
14 video, sir?

15 MR. HADDAD: Sir? No. I don't know. Do we  
16 want a copy of the video?

17 THE COURT REPORTER: Do you want a copy of  
18 this?

19 MR. KING: Yes, please.

20 (Witness excused.)

21 (Deposition was adjourned at 12:16 p.m.)

22 AND FURTHER DEPONENT SAITH NOT

23  
24  
25  
SIGNATURE OF WITNESS

# CERTIFICATE OF OATH

STATE OF FLORIDA  
COUNTY OF BROWARD

I, the undersigned authority, certify that BRADLEY  
EDWARDS personally appeared before me and was duly sworn  
on the 15th day of May, 2013.

Witness my hand and official seal this 24th day of  
May, 2013.

  
Wendy Roberts  
Registered Professional Reporter  
Notary Public, State of Florida at Large  
Commission No.: EE178268  
My commission expires: March 29, 2016



# CERTIFICATE

STATE OF FLORIDA, )  
COUNTY OF BROWARD. )

I, WENDY ROBERTS, Registered Professional Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that the foregoing testimony was taken before me; that the witness was duly sworn by me; and that the foregoing pages constitute a true record of the testimony given by said witness.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, nor financially interested in the action.

Under penalties of perjury, I declare that I have read the foregoing certificate and that the facts stated herein are true.

Signed this 24th day of May, 2013.



WENDY ROBERTS, Registered Professional Reporter

EMPIRE LEGAL SUPPORT, INC.  
401 EAST LAS OLAS BOULEVARD, STE 1400  
FORT LAUDERDALE, FL 33301

To: BRADLEY EDWARDS, ESQUIRE  
Farmer Jaffe Weissing Edwards Fistos Lehrman  
425 North Andrews Avenue, Suite 2  
Fort Lauderdale, Florida 33301

Re: CASE NO.: 502009CA040800XXXXMBAG

Dear BRADLEY EDWARDS,

Your deposition taken in the above entitled cause is now ready for signature. Please come to this office and sign same; or if you wish to waive the signing of the deposition, please so advise.

If this deposition has not been signed within 30 days of today's date, May 24th, 2013, we shall consider your signature waived.

Your prompt attention in this matter is appreciated.

Sincerely,



Wendy Roberts, RPR

# DEPOSITION ERRATA SHEET

Our Assignment No. 10402  
Case Caption: JEFFREY EPSTEIN  
vs. SCOTT ROTHSTEIN

## DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I have read the entire transcript of my Deposition taken in the captioned matter or the same has been read to me, and the same is true and accurate, save and except for changes and/or corrections, if any, as indicated by me on the DEPOSITION ERRATA SHEET hereof, with the understanding that I offer these changes as if still under oath.

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

BRADLEY EDWARDS

## DEPOSITION ERRATA SHEET

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BRADLEY EDWARDS

27 (Pages 105 to 108)

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BRADLEY EDWARDS

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