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Civil Action No.: 17-cv-03956
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Bates Page Reference	**Reason for Withholding** (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
03956 -11026-11027	Duplicate copies of 10983-10984
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IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CRIMINAL DIVISION

STATE OF FLORIDA	
vs	CASE NO. 06 CF9454AMB
	08 9381CFAMB
JEFFREY EPSTEIN	
Defendant.	

PLEA CONFERENCE

PRESIDING: HONORABLE DEBORAH DALE PUCILLO

APPEARANCES:

ON BEHALF OF THE STATE:
BARRY E. KRISCHER, ESQUIRE
State Attorney
401 North Dixie Highway
West Palm Beach, Florida 33401
By: LANNA BELOHLAVEK, ESQUIRE
Assistant State Attorney

ON BEHALF OF THE DEFENDANT:
ATTERBURY, GOLDBERGER & WEISS,P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, Florida 33401
By: JACK GOLDBERGER, ESQUIRE

June 30, 2008
Palm Beach County Courthouse
West Palm Beach, Florida 33401
Beginning at 8:40 o'clock, a.m.

PHYLLIS A. DAMES, OFFICIAL COURT REPORTER

regularly congregate?

MS. BELOHLAVEK: I personally do not know.

THE COURT: Neither do I, which is why I'm asking. Has that been investigated?

MR. GOLDBERGER: We have done our due diligence, for what it's worth, there is a residential street. There are not children congregating on that street. We think the address applies, if it doesn't, we fully recognize that he can't live there.

THE COURT: Okay. D is, you shall not have any contact with the victim, are there more than one victim?

MS. BELOHLAVEK: There's several.

THE COURT: Several, all of the victims. So this should be plural. I'm making that plural. You are not to have any contact direct or indirect, and in this day and age I find it necessary to go over exactly what we mean by indirect. By indirect, we mean no text messages, no e-mail, no Face Book, no My Space, no telephone calls, no voice mails, no

messages through carrier pigeon, no messages through third parties, no hey would you tell so and so for me, no having a friend, acquaintance or stranger approach any of these victims with a message of any sort from you, is that clear?

THE DEFENDANT: Yes, ma'am

THE COURT: And then it states, unless approved by the victim, the therapist and the sentencing court. Okay.

THE DEFENDANT: I understand.

THE COURT: And the sentencing court. So, if there is a desire which, I would think would be a bit strange to have contact with any of the victims the court must approve it.

MS. BELOHLAVEK: Correct.

THE COURT: If the victim was under the age of 18, which was the case, you shall not until you have successfully attended and completed the sex offender program. So, is this sex offender program becoming a condition of probation?

MS. BELOHLAVEK: That is not. I don't believe I circled that one.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.
_____/

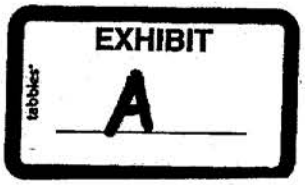
Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092,
_____/

DECLARATION OF ADAM D. HOROWITZ

1. My name is Adam D. Horowitz. I am an attorney for Jane Doe No. 4.

2. The deposition of Jane Doe No. 4 was scheduled for September 16, 2009 at 1:00 p.m. at 350 Australian Ave. South, Suite 115, West Palm Beach, Florida. On the day before the deposition, the undersigned and counsel for Jeffrey Epstein entered into a written stipulation in which it was agreed that "Jeffrey Epstein will not attend tomorrow's deposition of Jane Doe No. 4 (in the absence of a court order permitting him to attend)." It was further agreed that Jeffrey Epstein may listen in to the deposition by telephone or view a videofeed of the deposition, but under no circumstances would he "be seen by our client."

3. While Jane Doe No. 4 and I were in the lobby of 350 Australian Ave South at approximately 1:00 p.m. for her deposition on September 16, 2009, we crossed paths with Jeffrey Epstein and someone who appeared to be his bodyguard. Jeffrey Epstein stopped



walking and began to stare at and intimidate Jane Doe No. 4. Jane Doe No. 4 was terrified, began crying and ran outside the building. Jeffrey Epstein smirked at her and walked away.

4. As a result of this incident, Jane Doe began crying uncontrollably and was unable to proceed with her deposition.

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

Dated: September 17, 2009

Adam D. Horowitz

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.
_____/

Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.
_____/

DEFENDANT'S, JEFFREY EPSTEIN, MOTION FOR SANCTIONS AND TO COMPEL DEPOSITION OF JANE DOE NO. 4 AND MEMORANDUM IN SUPPORT THEREOF

Defendant, JEFFREY EPSTEIN, by and through his undersigned attorneys, moves this court for an order granting sanctions pursuant to Rule 30(d)(2) and (3)(A) and (C) (referencing Rule 37(a)(5)), Federal Rules of Civil Procedure and compelling the deposition of Jane Doe No. 4 within fifteen (15) days and as grounds therefore would state:

1. On August 16, 2009, the deposition of Jane Doe No. 4 was noticed for September 16, 2009 to begin at 1:00 p.m. Plaintiff's counsel had advised that Jane Doe No. 4 could not appear for a deposition prior to that time of day, i.e. 1:00 p.m.

2. The deposition was originally set at the offices of the undersigned, but Plaintiff's counsel requested that it be moved to the court reporter's office. The court reporter is Prose Court Reporting located at 250 Australian Avenue South, Suite 115, West Palm Beach, FL 33401.

3. The undersigned's office began attempting to set the deposition of Jane Doe No. 4 on July 21, 2009. Because of the number of attorneys who would be attending (based on the court's consolidation order) coordinating the video deposition creates logistical problems.

4. On August 27, 2009, the undersigned wrote a letter to counsel for the Plaintiff indicating that Mr. Epstein would be present at the deposition. A copy of that letter is attached as **Exhibit 1.**

5. Some 13 days later, counsel for Jane Doe No. 4 filed a motion for protective order on September 9, 2009 attempting to prohibit Mr.Epstein's presence at the deposition. The Defendant immediately filed a response (an Emergency Motion) on September 11, 2009 requesting that the court enter an order allowing Epstein, the Defendant in this matter, to attend the deposition. This is common procedure. See **Exhibit 2, without exhibits**. As of the date of the deposition, the court had not ruled on these motions.

6. On Monday, counsel for Jane Doe No. 4 and the undersigned spoke, an agreement was reached that the deposition would proceed as scheduled, and that Mr. Epstein would not be in attendance other than by telephone or other means. See **Exhibit 3.**

7. The deposition was originally scheduled on the 15th Floor and moved by Prose to a larger ground floor to accommodate the number of people who were to attend

8. The undersigned and his partner, Mark T. Luttier, had scheduled a meeting with Mr. Epstein for approximately an hour prior to the deposition. It is well known through multiple newspaper articles that Mr. Epstein's office at the Florida Science Foundation is located on the 14th Floor in the same building as the court reporter and Mr. Epstein's criminal attorney, Mr. Goldberger. As well, had the court issued an order prior to the deposition that would have allowed Mr. Epstein to attend, he was readily available.

9. As of 1:00 p.m., no order had been received from the court, so Epstein's attorneys, in good faith, decided that Epstein would not attend the deposition (as per the agreement), if we chose to proceed, which we were doing. The undersigned and Mr. Luttier specifically waited until just after 1:00 o'clock, the time that the deposition was to start, prior to leaving with Mr. Epstein. Counsel instructed Mr. Epstein to leave the building. Clearly, Defendant and his counsel simply wish to have meaningful discovery.

10. The undersigned and Mr. Luttier exited the elevator heading toward the deposition room and Mr. Epstein and his driver, Igor Zinoviev exited in separate elevator at the same time and turned to depart from through the front entrance such that he could go to his home to watch the deposition and assist counsel, from a video feed.

11. Completely unbeknownst and unexpected by anyone, apparently the Plaintiff and her attorney(s) were at the front door where Mr. Epstein was intending to exit. Upon seeing two women, one who might be the Plaintiff, Mr. Epstein immediately made a left turn and exited through a separate set of doors to the garage area. See affidavit of Jeffrey Epstein and Igor Zinoviev, **Exhibit 4 and 5, respectively**.

12. The entire incident was completely unknown to the undersigned and Mr. Luttier until Adam Horowitz, Esq. came in and announced that the deposition was not going to take place in that Mr. Epstein and his client saw one another, she was upset and therefore the deposition was cancelled from his perspective.

13. The undersigned and his partner, Mr. Luttier, had a court reporter and a videographer present. Additionally, Mr. Hill on behalf of C.M..A., Adam Langino on behalf of B.B., William Berger on behalf of three Plaintiffs were present for the deposition.

14. Any suggestion that the chance "visual" between Mr. Epstein and Jane Doe No. 4 was "pre-planned" would be absurd, disingenuous and false. The undersigned counsel went out of his way to make certain Mr. Epstein would not be in the building after the time the deposition was set to begin. Had the Plaintiff and her counsel been in the deposition room at the appointed time, no visual contact would have occurred.

15. It is possible that Plaintiff's counsel, by filing their motion for protective order on September 9, 2009 and then advising the undersigned on September 14, 2009 that the deposition would not go forward unless the undersigned agreed to exclude Mr. Epstein from the deposition, were not prepared and/or did not want to proceed with the deposition.

16. The unilateral termination of the deposition was unnecessary, inappropriate and a substantial waste of attorney time and the costs related to the deposition (court reporter and videographer). (See **Affidavit of Robert D. Critton, Jr., Mark T. Luttier and Deposition Transcript, Exhibits 6, 7, and 8 respectively).**

17. Had the "visual" been premeditated, the cancellation of the deposition may have been justified, however, under these circumstances, it was grandstanding and improper. In that the Plaintiff has stated that she voluntary went to JE's home 50 plus times without trauma until she filed a lawsuit, this brief visual encounter from a distance should not have resulted in the unilateral cancellation of her deposition.

18. The costs associated with the court reporter and videographer total $428.80. See **Exhibit 9.**

Memorandum of Law In support of Motion

A substantial amount of administrative time went into the setting up the deposition of Jane Doe No. 4. Almost two months passed from the time that the Defendant's counsel first

requested a date for the deposition of Jane Doe No. 4. The deposition of Jane Doe No. 4 was to begin at 1:00 p.m, based on her schedule, and was moved from the undersigned's office to the office of the court reporter at her counsel's request.

Pursuant to Rule 30(d)(2) and (3)(A) and (C) and its reference to 37(a)(5)), Federal Rules of Civil Procedure, the court may impose an appropriate sanction, including reasonable expenses in attorneys fees incurred by any party on a person who impedes or delays the fair examination of the deponent. In this instance, the brief visual encounter, which was completely unintended and inadvertent, should not have been grounds for Plaintiff's counsel and Plaintiff refusing to move forward with the deposition. Furthermore, pursuant to (3)(A) and (C), Plaintiff and Plaintiff's counsel had no right to unilaterally terminate/cancel the deposition and fail to move forward. Plaintiff should have continued with the deposition and filed any motion deemed appropriate post deposition. Therefore, Defendant is asking for the costs associated with the attendance of the court reporter, her transcript and the presence of the videographer. Defendant would also request reasonable fees for 2.5 hours at $500 per hour for being required to prepare this motion and affidavits associated with same.

The records obtained thus far on Jane Doe No. 4, do not reflect any "emotional trauma" by her own account of some 50 plus visits to the Defendant's home prior to the time that she hired an attorney. Even in her interview with attorney's handpicked expert, Dr. Kliman, by her own comments, her significant emotional trauma relates to physical and verbal abuse by a prior boyfriend, Preston Vineyard, and deaths associated with two close friends, Chris and Jen. Therefore, the supposed "emotional trauma" caused by a chance encounter resulting in a "glance" at best, should not be the basis for Plaintiff unilaterally cancelling her deposition.

Rule 7.1 A. 3. Certification of Pre-Filing Conference

Counsel for Defendant conferred with Counsel for Plaintiff by telephone and by e-mail; however, an agreement has not been reached.

WHEREFORE, Defendant moves this court for an order granting sanctions to include attorneys fees and costs as set forth above and costs associated with the attendance of the court reporter, the transcript and the presence of the videographer and direction that Jane Doe No. 4 appear for deposition within fifteen (15) days from the date of the court's order at the court reporter's office. If the court has not issued an order regarding Mr. Epstein's attendance at Plaintiff's deposition when Jane Doe No. 4 is to appear, the Defendant will agree that Mr. Epstein will not be present in the building on the date of her scheduled deposition such that no "inadvertent" contact will occur.

Robert D. Critton, Jr.
Michael J. Pike
Attorneys for Defendant Epstein

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was hand-delivered to the Clerk of the Court as required by the Local Rules of the Southern District of Florida and electronically mailed to all counsel of record identified on the following Service List on this 17th day of September, 2009.

Certificate of Service
Jane Doe No. 2 v. Jeffrey Epstein
Case No. 08-CV-80119-MARRA/JOHNSON

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Respectfully submitted,

By: _____
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ED RICCI
SPECIAL CONSUMER JUSTICE COUNSEL

August 27, 2009

Sent by E.Mail and U.S. Mail
Stuart S. Mermelstein, Esq.
Herman & Mermelstein, P.A.
18205 Biscayne Blvd.
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Miami, FL 33160

Re: **Jane Doe No. 4 v. Epstein**

Dear Stuart:

Please be advised that Mr. Epstein plans to be in attendance at the deposition of your client. He does not intend to engage in any conversation with your client.. However, it is certainly his right as a party-defendant in the lawsuit to be present and to assist counsel in the defense of any case.

Cordially yours,

Robert D. Critton, Jr.

RDC/clz

cc: Jack A. Goldberger, Esq.

EXHIBIT 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

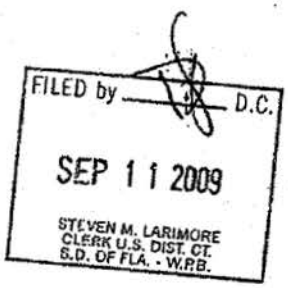
JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.
_____/



Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.
_____/

Defendant Epstein's Emergency Motion To Strike Plaintiff's Motion For Protective Order (DE 292) And Emergency Motion To Allow The Attendance Of Jeffrey Epstein At The Deposition Of Plaintiffs And Response In Opposition To Plaintiffs', Jane Doe Nos. 2-8, Motion For Protective Order As To Jeffrey Epstein's Attendance At The Deposition Of Plaintiffs, With Incorporated Memorandum of Law

Defendant, Jeffrey Epstein, by and through his undersigned counsel, and pursuant to all applicable rules, including Local Rule 7.1(e) and Local Rule 12, hereby files and serves his Emergency Motion To Strike Plaintiff's Motion For Protective Order (DE 292) And Emergency Motion To Allow The Attendance Of Jeffrey Epstein At The Deposition Of Plaintiffs And Response In Opposition To Plaintiffs', Jane Doe Nos. 2-8, Motion For Protective Order As To Jeffrey Epstein's Attendance At The Deposition Of Plaintiffs. In support, Epstein states:

Introduction and Background

1. On August 19, 2009, Defendant sent a Notice for Taking the Deposition of Jane Doe No. 4 for September 16, 2009. See **Exhibit "1"**

EXHIBIT 2

2. Additionally, notices were sent out in other cases in connection with deposing additional Plaintiffs.

3. No objection(s) was/were received for Jane Doe No. 4, which was the only deposition set relative to the Jane Doe 2-8 Plaintiffs.

4. On August 27, 2009, the undersigned counsel sent a letter to counsel for Jane Doe No. 4 concerning her deposition and the scheduling of same on the above date. See **Exhibit "2".**

5. No response was received until counsel for Jane Doe No. 4 called on September 8, 2009, approximately eight days prior to the scheduled deposition, to indicate that they now had an objection and would be filing a motion for protective order seeking to prevent Epstein from attending the deposition. Once again, Plaintiffs are attempting to stifle this litigation through their own delay tactics during discovery. Plaintiffs wish not only to attempt to force Epstein to trial without any meaningful discovery, but now wish to ban Epstein from any depositions, thereby preventing him from assisting his attorneys in his very own defense. What's next – will Plaintiffs seek to prevent Epstein from attending any of the trials that result from the lawsuits Jane Does 2-8 have initiated? Plaintiffs see millions of dollars in damages, both compensatory and punitive, against Defendant.

6. Defendant is filing this emergency motion and his immediate response to the motion for protective order to guarantee his right to be present and assist counsel in deposing not only Jane Doe No. 4, but other plaintiffs and witnesses in these cases. To hold otherwise would violate Epstein's due process rights to defend the very allegations Plaintiffs have alleged against him. Does a Defendant not have a right to be present at depositions or other court proceedings to assist counsel with the defense of his case? Does a Defendant, no matter what the charges or the allegations, have full and unbridled access to the court system and the proceedings it governs,

including discovery? The short answer is unequivocally, yes. To hold otherwise would be a direct violation of Epstein's constitutional due process rights. Plaintiffs' attempts to play fast and loose with the law should not be tolerated.

7. As the court is aware, plaintiffs and defendants routinely attend depositions of parties and other witnesses in both State and Federal court proceedings. In fact, parties have a right under the law to attend such depositions.

8. As the court will note from Exhibit 2, counsel for the Defendant specifically stated that "Please be advised that Mr. Epstein plans to be in attendance at the deposition of your client. He does not intend to engage in any conversation with your client. However, it is certainly his right as a party-defendant in the lawsuit to be present and to assist counsel in the defense of any case." Despite this right, Plaintiffs continue to attempt to control how discovery is conducted in this case and how this court has historically governed discovery.

9. Interestingly, in Jane Doe II, the state court case, attorney Sid Garcia took the deposition of the Defendant and his client, Jane Doe II, was present throughout the deposition. This is despite her claims of "emotional trauma" set forth in her complaint. Jane Doe No. II is also a Plaintiff in the federal court proceeding *Jane Doe II v. Jeffrey Epstein* (Case No. 09-CIV-80469). Is this court going to start a precedent where it allows Plaintiffs to attend the depositions of Jeffrey Epstein, but not allow Epstein to attend their depositions (i.e., the very Plaintiffs that have asserted claims against him for millions of dollars)? This court should not condone such a practice.

10. The undersigned is well aware of the court's No-Contact Order entered on July 31, 2009 (DE 238). A copy of the order is attached as **Exhibit "3"**. In fact, the order provides that the defendant have no direct or indirect contact with the plaintiffs, nor communications with

the plaintiffs either directly or indirectly. However, there is no prohibition against Mr. Epstein's attendance at a deposition where, as is reflected in the order, the communication will be made to the plaintiff solely through defense counsel with one or more of plaintiffs' counsel of record present in the room in a videotaped deposition. Obviously, any inappropriate contact or communication will certainly be flagged by the attorneys in attendance. As such, Plaintiffs really have the cart before the horse in this instance (i.e., nothing prevents Epstein from attending these depositions and, to the extent Plaintiffs believe that something improper occurs at any deposition, only then can that circumstance be addressed by a motion such as the instant one.)

11. Next, Plaintiffs, Jane Does 2-8, attempt to use the Affidavit of Dr. Kliman for every motion for protective order/objection filed to date. This also includes the two most recent motions, which attempt to prevent Defendant's investigators from doing their job, such that the Defendant and his attorneys can defend the claims asserted in these cases. Plaintiffs lose sight of the fact that the court, in discussing the Non-Prosecution Agreement, inquired as to whether Epstein and his counsel could fully defend the case, which included discovery and investigation. All plaintiffs' counsel and the USAO responded in the affirmative. In fact, Plaintiffs universally agreed at the June 12, 2009 hearing on Defendant's Motion to Stay that regular discovery could proceed. See **Composite Exhibit "4"** at pages 26-30 & 33-34. For instance, the court asked Plaintiffs' attorneys the following questions:

> **The Court:** [] So again, I just want to make sure that if the cases go forward and if Mr. Epstein defends the case as someone ordinarily would defend a case being prosecuted against him or her, that that in and of itself is not going to cause him to be subject to criminal prosecution? (Ex. "A," p.26).
>
> ***
>
> **The Court:** You agree he should be able to take the ordinary steps that a defendant in a civil action can take and not be concerned about having to be prosecuted? (Ex. "A," p.27).

***

The Court: Okay. But again, you're in agreement with everyone else so far that's spoken on behalf of a plaintiff that defending the case in the normal course of conducting discovery and filing motions would not be a breach? (Ex. "A," p.30).

Mr. Horowitz – counsel for Jane Does 2-7: Subject to your rulings, of course, yes. (Ex. "A," p.30).

***

The Court: But you're not taking the position that other than possibly doing something in litigation which is any other discovery, motion practice, ***investigations*** that someone would ordinarily do in the course of defending a civil case would constitute a violation of the agreement? (Ex. "A," p.34).

Ms. Villafana: No, your honor. I mean, civil litigation is civil litigation, and being able to take discovery is part of what civil litigation is all about.... But. . . , Mr. Epstein is entitled to take the deposition of a Plaintiff and to subpoena records, etc. (Ex. "A," p.34)

12. It is clear from the transcript attached as Exhibit "4" that each of the Plaintiffs' attorneys, including Mr. Horowitz for Jane Does 2-8, expected and conceded that regular/traditional discovery would take place (i.e., discovery, motion practice, depositions, requests for records, and investigations).

13. Importantly, Plaintiffs' counsel advised the undersigned that they coordinate their efforts in joint conference calls at least two times per month. At recent depositions of two witnesses, Alfredo Rodriguez and Juan Alessi, five different plaintiffs' attorneys questioned the witnesses for approximately six to eight hours, often repeating the same or similar questions that had previously been asked.

14. Clearly, the Plaintiffs' counsel wish to control discovery and how the Defendant is allowed to obtain information to defend these cases. However, the court has ruled on a number of these issues as follows:

A. Plaintiffs' counsels sought to preclude the Defendant from serving third party subpoenas and allowing only Plaintiffs' counsel to obtain

depositions and those materials and "filter them" to defense counsel. That motion was denied, and the court tailored a method such that the Defendant could obtain the records directly.

B. Plaintiffs' counsels sought to limit the psychological psychiatric examination in C.M.A. v. Jeffrey Epstein and Sarah Kellen (Case No. 08-CIV-80811), as to time, subject matter and scope. However, Magistrate Johnson entered an order denying the requested restrictions.

C. Other Plaintiffs' attorneys have said that they object to requested psychological exam of their client(s), thus motions for such exams will now need to be filed; yet all seek millions of dollars in damages for alleged psychological and emotional trauma.

D. Many Plaintiffs' object to discovery regarding current and past employment (although they are seeking loss of income, both in past and future).

E. All Plaintiffs object to prior sexual history, consensual and forced as being irrelevant, although in many of the medical records that are now being obtained, as well as the psychiatric exams done by Dr. Kliman, there is reference to rape, molestation, abusive relationships (both physical and verbal), prior abortions, illegal drugs and alcohol abuse.

15. Clearly, Plaintiffs wish to make allegations; however, they forget that they must meet their burden by proving same. Meeting that burden and disproving those allegations is not possible if this court allows Plaintiffs to stifle and/or control the discovery process.

16. Specifically, with regard to Jane Doe No. 4, which is the deposition set for next week, September 16, 2009, the plaintiff has in her past (see affidavit of Richard C.W. Hall, M.D., an expert psychiatrist retained by Defendant to conduct exams on various claimants.) See **Exhibit "5"**

A. Sought counseling due to a dysfunctional home situation, specifically with regard to her father. She described herself as being angry, bitter, depressed and having body image problems;

B. Had an ex-boyfriend, Preston Vinyard, who was, on information and belief, a drug dealer who she lived with;

C. Had drug and alcohol problems herself; and

D. Spoke with two psychiatrists when she was sixteen or seventeen (before this lawsuit!) and did not reference Epstein, but did reference her boyfriend and family issues.

17. There are police reports that reflect that:

A. In September 2004, a battery report was filed regarding Jane Doe No. 4 and Vinyard based on an argument where he grabbed her by the neck and began spitting on her and calling her a cheater.

B. Also in September 2004, there was a domestic violence file opened where Vinyard was physically and verbally abusive to Jane Doe No. 4, his girlfriend at the time. There is reference that the two started a serious relationship in January 2002, when she was only fourteen (14) years old.

C. Vinyard was arrested in December 2003, and charged with reckless driving and leaving the scene of the accident with Jane Doe No. 4, when their vehicle hit a tree and they fled.

18. Moreover, an ex-boyfriend of Jane Doe No. 4 died in a DUI accident and it took her two years to get over his death, and another good friend of hers, "Jen," died in an automobile accident involving drinking. Within her Amended Complaint and Answers to Interrogatories, she indicates that she went to Epstein's house on several occasions. However, at no time did she call the police, at no time did she report any traumatic or severe emotional trauma, nor alleged coercion, force or improper behavior by Epstein until she got a "lawyer" and is now pursuing claims for millions of dollars. Epstein's assistance to his attorneys at these depositions regarding the above issues is not only a constitutional due process right afforded to him but essential given the fact that this court has ruled that Plaintiffs' depositions can only occur one time, no "second bite" absent a court order.

19. Given the breadth of the allegations made against Epstein and the substantial damages sought, Epstein has an unequivocal and constitutional right to be present at any deposition such that he can assist his counsel with the defense of these cases. See *infra*. **Dr. Hall**

also prepared affidavits regarding Jane Does 2, 3, 5, 6, and 7, which are attached to DE 247.

Memorandum Of Law

20. Plaintiffs' motion is required to be denied as they have failed to meet their burden showing the "extraordinary circumstances" necessary to establish good cause to support a protective order which would grant the extraordinarily rare relief of preventing a named party from attending in person the deposition of another named party. Also requiring denial of Plaintiffs' motion is the fact that it seeks to exclude Epstein from all the depositions of all the Plaintiffs in actions before this Court. Such relief is unprecedented and attempts to have this Court look at the Plaintiffs' collectively as opposed to analyzing each case based on facts versus broad speculation whether "extraordinary circumstances" exist on a case by case basis. In other words, the standard is such that the Court would be required to determine whether each Plaintiff has met her burden, should the Court consider adopting such extraordinary relief. On its face, the motion does not meet the necessary burden as to Jane Doe 4, or Jane Does 2, 3, 5, 6, or 7.

Discussion of Law Requiring the Denial of the Requested Protective Order

Rule 26(c)(1)(E), Fed.R.Civ.P. (2009), governing protective orders, provides in relevant part that:

> **(1)** ***In General.*** A party or any person from whom discovery is sought may move for a protective order in the court where the action is pending--or as an alternative on matters relating to a deposition, in the court for the district where the deposition will be taken. The motion must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action. **The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:**
>
> * * * *
>
> **(E)** designating the persons who may be present while the discovery is conducted;

* * * *

In seeking to prevent the Defendant from being present in the room where the Plaintiffs are being deposed, Plaintiffs generally rely on treatise material from Wright & Miller, 8 Federal Practice & Procedure Civ.2d, *§2041,* and cases cited therein. The case of Gaella v. Onassis, 487 F.2d 986, at 997 (2d Cir. 1973), cited by Plaintiffs, makes clear that the exclusion of a party from a deposition "should be ordered rarely indeed." Unlike the Gaella case, there is no showing by each of the Plaintiffs that there has been any conduct by Epstein, in rightfully defending the actions filed against him, reflecting "an irrepressible intent to continue ... harassment" of any Plaintiff or a complete disregard of the judicial process, i.e. prior alleged conduct versus any action/conduct displayed in this or other cases that would justify extraordinary relief. There is absolutely no basis in the record to indicate that Epstein will act other than properly and with the proper decorum at the depositions of the Plaintiffs and abide in all respects with the No-Contact Order.

Wherefore, Epstein respectfully requests that this Court enter an order denying Plaintiffs' Motion for Protective Order, provide that Epstein is permitted to attend the depositions of the Plaintiffs that have asserted claims against him in the related matters, and for such other and further relief as this court deems just and proper.

Robert D. Critton, Jr.
Michael J. Pike
Attorney for Defendant Epstein

Certificate of Service

I HEREBY CERTIFY that a true copy of the foregoing was hand-delivered to the Clerk of the Court as required by the Local Rules of the Southern District of Florida and electronically mailed to all counsel of record identified on the following Service List on this 11th day of September, 2009.

Certificate of Service
Jane Doe No. 2 v. Jeffrey Epstein
Case No. 08-CV-80119-MARRA/JOHNSON

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561-659-8300
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jagesq@bellsouth.net
Counsel for Defendant Jeffrey Epstein

Respectfully submitted,

By: _____
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rcrit@bclclaw.com
MICHAEL J. PIKE, ESQ.
Florida Bar #617296
mpike@bclclaw.com
BURMAN, CRITTON, LUTTIER & COLEMAN
303 Banyan Blvd., Suite 400
West Palm Beach, FL 33401
561/842-2820 Phone
561/515-3148 Fax
(Co-*Counsel for Defendant Jeffrey Epstein)*

Robert D. Critton Jr.

From: Adam Horowitz [ahorowitz@sexabuseattorney.com]
Sent: Tuesday, September 15, 2009 11:43 AM
To: Michael J. Pike; Robert D. Critton Jr.
Cc: Stuart Mermelstein
Subject: Jane Does v. Epstein

Please allow this to confirm that Jeffrey Epstein will not attend tomorrow's deposition of Jane Doe No. 4 (in the absence of a Court order permitting him to attend). We understand you may wish to have your client listen in by telephone or view a videofeed of the deposition, but will not be seen by our client.

Regards,

Adam D. Horowitz, Esq.
www.sexabuseattorney.com
Mermelstein & Horowitz, P.A.
18205 Biscayne Boulevard
Suite 2218
Miami, FL 33160
ahorowitz@sexabuseattorney.com
Tel: (305) 931-2200
Fax: (305) 931-0877

From: Michael J. Pike [mailto:MPike@bclclaw.com]
Sent: Tuesday, September 15, 2009 10:54 AM
To: Stuart Mermelstein; Adam Horowitz
Cc: Robert D. Critton Jr.; Jessica Cadwell
Subject: FW: Jane Does v. Epstein

Gentlemen:

I sent the e-mail below weeks ago. I have not heard back from you. I'm entitled to the questionnaires Kliman had your clients fill out and which he utilized to formulate his opinions. I need them by tomorrow since they are well over due. If not, I will have no other choice to file a motion, which I do not want to do given how we have worked together on these issues in the past. Let me know, pike.

From: Michael J. Pike
Sent: Tuesday, August 18, 2009 11:37 AM
To: Robert D. Critton Jr.; Stuart Mermelstein; Ashlie Stoken-Baring; Connie Zaguirre
Subject: Jane Does v. Epstein

From reviewing the transcripts, it seems Dr. Kliman utilized Questionnaire's with all of your clients. I need them. Please advise of your position. I'm sure you will produce since they are

EXHIBIT 3

Page 2 of 2

discoverable. Thanks.

Michael J. Pike, Esq.
Burman, Critton, Luttier & Coleman
515 N. Flagler Dr., Ste. 400
West Palm Beach, Florida 33401
Telephone: (561) 842-2820
Facsimile (561) 844-6929

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY E. EPSTEIN,

Defendant.
_____/

Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.
_____/

AFFIDAVIT OF JEFFREY E. EPSTEIN

STATE OF FLORIDA) SS
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared Jeffrey E. Epstein having personal knowledge and being duly sworn, deposes and says:

1. My office is located at 250 Australian Avenue South, 14th Floor, West Palm Beach, Florida. Its location has been well publicized in the news.

2. I met with my attorneys, Robert D. Critton, Jr. and Mark T. Luttier, at 12:30 p.m. in preparation for the deposition of Jane Doe No. 4 which was to take place beginning at 1:00 p.m. on September 16, 2009.

3. I was aware of the motion for protective order which had been served in this case by counsel for Jane Doe No. 4 and the Emergency Motion To Strike Plaintiff's Motion For

EXHIBIT 4

Protective Order And Emergency Motion To Allow The Attendance Of Jeffrey Epstein At The Deposition Of Plaintiffs And Response In Opposition To Plaintiffs', Jane Doe Nos. 2-8, Motion For Protective Order As To Jeffrey Epstein's Attendance At The Deposition Of Plaintiffs, With Incorporated Memorandum of Law, which had been filed on my behalf such that I could attend the deposition and assist my attorneys in my defense.

4. I also understood that as of 1:00 p.m. on September 16, after I had finished speaking with my attorneys that the court had not ruled regarding the above-referenced motions.

5. I was instructed by my attorneys that I could not attend the deposition and therefore a video feed was set up such that I could view the deposition from my home.

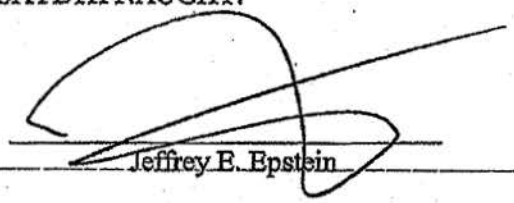
6. I also understood that my attorneys did not want me in the building after the deposition began.

7. At 1:04 p.m. after we assumed that everyone would be in the deposition room, my lawyers went down on one elevator and I went down on another elevator with my driver, Igor Zinoviev, both exiting at approximately the same time.

8. I asked Igor where he had parked, and he said "out front". We exited the elevator, I walked toward the front door. Near the front door, I saw a taller woman and a shorter woman who I thought might be Jane Doe No. 4 and immediately turned to my left and went out a separate exit to the garage.

9. At no time did I speak with or attempt to interact with either women.

FURTHER THE AFFIANT SAYETH NAUGHT.



Jeffrey E. Epstein

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Jeffrey E. Epstein known to me to be the person described in and who executed the foregoing Affidavit, who acknowledged before me that he/she executed the same, that I relied upon the following form of identification of the above named person: Jeffrey Epstein, and that an oath was/was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this day of Sept. 17, 2009.

PRINT NAME: Sheryl L. Mahoney (SEAL)
NOTARY PUBLIC/STATE OF FLORIDA
COMMISSION NO.:
MY COMMISSION EXPIRES:

SHERYL L. MAHONEY NOTARY PUBLIC STATE OF FLORIDA
My Comm. Expires May 28, 2010
No. DD519867

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.
_____/

Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.
_____/

AFFIDAVIT OF IGOR ZINOVIEV

STATE OF FLORIDA) SS
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared Igor Zinoviev having personal knowledge and being duly sworn, deposes and says:

1. I work for Jeffrey Epstein. I as well drive him from place to place.

2. At approximately 1:04 p.m., Mr. Epstein and I went down in the elevator from the 14th floor to the ground level. I was to drive Mr. Epstein to his home. His lawyers went down at approximately the same time in a separate elevator.

3. I parked the car at the front entrance. As I walked toward the front door and noticed that Mr. Epstein quickly turned to the left so as to exit through the door to the garage of the building rather than the front entrance.

EXHIBIT 5

4. At no time did Mr. Epstein speak or gesture to anyone, including the individuals whom I saw near the front door.

5. At no time did I speak with the individuals at the main entrance.

FURTHER THE AFFIANT SAYETH NAUGHT.

Igor Zinoviev

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Igor Zinoviev known to me to be the person described in and who executed the foregoing Affidavit, who acknowledged before me that he/she executed the same, that I relied upon the following form of identification of the above named person: Jeffrey Epstein, and that an oath was/was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this day of Sept. 17, 2009.

SHERYL L. MAHONEY NOTARY PUBLIC STATE OF FLORIDA My Comm. Expires May 28, 2010 No. DD519867

PRINT NAME: Sheryl L. Mahoney (SEAL)
NOTARY PUBLIC/STATE OF FLORIDA
COMMISSION NO.:
MY COMMISSION EXPIRES:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.
_____/

Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.
_____/

AFFIDAVIT OF ROBERT D. CRITTON, JR.

STATE OF FLORIDA) SS
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared Robert D. Critton, Jr., having personal knowledge and being duly sworn, deposes and says:

1. I am counsel for Jeffrey Epstein in the above-styled matter and other civil lawsuits.

2. The information contained in motion, paragraphs 1 through 9, 11, 13, 14 and 16 is true and accurate based on my personal knowledge.

3. The costs and fees set forth in the motion are true, correct and reasonable.

FURTHER THE AFFIANT SAYETH NAUGHT.

_____
Robert D. Critton, Jr.

EXHIBIT 6

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Robert D. Critton, Jr.. known to me to be the person described in and who executed the foregoing Affidavit, who acknowledged before me that he/she executed the same, that I relied upon the following form of identification of the above named person: Personally Known, and that an oath was/was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this day of 17, September, 2009.

Jessica Cadwell

PRINT NAME: JESSICA CADWELL (SEAL)
NOTARY PUBLIC/STATE OF FLORIDA
COMMISSION NO.: DD 853529
MY COMMISSION EXPIRES: 04/19/13

JESSICA CADWELL
MY COMMISSION # DD 853529
EXPIRES: April 19, 2013
Bonded Thru Notary Public Underwriters

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.
_____/

Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.
_____/

AFFIDAVIT OF MARK T. LUTTIER

STATE OF FLORIDA) SS
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared Mark T. Luttier., having personal knowledge and being duly sworn, deposes and says:

1. I am counsel for Jeffrey Epstein in the above-styled matter and other civil lawsuits.

2. The information contained in motion, paragraphs 1 through 10, 11, 13, 14 and 16 is true and accurate based on my personal knowledge.

FURTHER THE AFFIANT SAYETH NAUGHT.

Mark T. Luttier

Mark T. Luttier

EXHIBIT 7

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Mark T. Luttier, known to me to be the person described in and who executed the foregoing Affidavit, who acknowledged before me that he/she executed the same, that I relied upon the following form of identification of the above named person: personally known, and that an oath was/was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of ~~8th~~ Sept., 2009.

Jessica Cadwell
PRINT NAME: JESSICA CADWELL (SEAL)
NOTARY PUBLIC/STATE OF FLORIDA
COMMISSION NO.: DD 853529
MY COMMISSION EXPIRES: 04/19/13

JESSICA CADWELL
MY COMMISSION # DD 853529
EXPIRES: April 19, 2013
Bonded Thru Notary Public Underwriters

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-CV-80119-MARRA/JOHNSON

JANE DOE NO.2,

Plaintiff,

-vs-

JEFFREY EPSTEIN,

Defendant.
_____/

Related cases:

08-80232, 08-08380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092
_____/

DEPOSITION OF JANE DOE #4

Wednesday, September 16, 2009
1:03 - 1:08 p.m.

250 Australian Avenue South
Suite 115
West Palm Beach, Florida 33401

Reported By:
Cynthia Hopkins, RPR, FPR
Notary Public, State of Florida
Prose Court Reporting

EXHIBIT 8

APPEARANCES:
On behalf of the Plaintiff:
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MERMELSTEIN & HOROWITZ, P.A.
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Phone: 305.931.2200

On behalf of the Defendant:
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MARK T. LUTTIER, ESQUIRE
BURMAN, CRITTON, LUTTIER & COLEMAN, LLP
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Suite 400
West Palm Beach, Florida 33401
Phone: 561.842.2820

On behalf of Jeffrey Epstein:
JACK ALAN GOLDBERGER, ESQUIRE
ATTERBURY, GOLDBERGER & WEISS, P.A.
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On behalf of CMA:
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SEARCY, DENNEY, SCAROLA,
BARNHART & SHIPLEY, P.A.
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West Palm Beach, Florida 33409

APPEARNCES CONTINUED...

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2925 PGA Boulevard
Suite 200
Palm Beach Gardens, Florida 33410
Phone: 561.515.1400

PROCEEDINGS

MR. HOROWITZ: Adam Horowitz, counsel for Plaintiff, Jane Doe 4.

MR. CRITTON: Cindy, what time is it?

THE COURT REPORTER: It is 1:03.

MR. BERGER: William J. Berger for LM and EW.

MR. HILL: Jack Hill for CMA.

MR. LANGINO: Adam Langino from Leopold Kuvin on behalf of BB.

MR. LUTTIER: Mark Luttier on behalf of Burman, Critton, Luttier & Coleman for the Defendant.

MR. CRITTON: Robert Critton on behalf of Defendant, Jeffrey Epstein.

MR. HOROWITZ: This is Adam Horowitz. We're canceling today's deposition. Before appearing here today, we had a stipulation with Defense counsel that Mr. Jeffrey Epstein, the Defendant, would not be here. He would not cross paths with our client.

And immediately as we were approaching the deposition room, he made face-to-face contact with our client. He was just feet away from

her and intimidated her, and for that reason we're not going forward.

MR. CRITTON: I didn't see any contact because I, obviously, was not out there. We started at about -- when you came in it was approximately 1:03. Mr. Epstein has an office here at the Florida Science Foundation. Had you been here at 1:00, your paths never would have crossed because Mr. Epstein was leaving the building. I instructed him to leave the building so that he would not be here.

He was going to appear by way of Skype so that he could be on a video camera so that he could see this.

(Mr. Goldberger entered the room.)

MR. CRITTON: Had you been here on time, and not faulting, I am just saying had you been here on time at 1:00, as everyone else seemed to be here at least get here before you did, Adam, you and your client, your paths never would have crossed.

I directed Mr. Epstein to leave the building so he would not be here so that there would be no way that your paths could have crossed. It was neither my intent nor was it

my client's intent specifically, because I also advised him that he was not to cross paths, not to have any contact with your client, and certainly by our agreement not to be here today for the deposition.

MR. HOROWITZ: And at approximately 1:00 is exactly when my client crossed paths with Jeffrey Epstein. And not only did he cross paths but he proceeded to stare her down just feet away from her. For that reason she became an emotional wreck and cannot proceed with the deposition. She's simply not in an emotional state to do so.

And in addition Mr. Epstein violated the agreement between counsel that he would not cross paths or come into contact with our client. And it will be also for the criminal court judge to decide whether he has violated a no-contact order. I have nothing else to say.

MR. CRITTON: Again I instructed Mr. Epstein to leave the building so absolutely no contact could occur between he and Mr. Horowitz and his client nor anyone else. Until the court, until either Judge Marra or Judge Johnson ruled on the issue as to whether

or not he could appear at the depositions of not only Jane Doe 4 but any other individuals, so you do what you need to do.

MR. HOROWITZ: Off the record.

(The Deposition was concluded.)

CERTIFICATE

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, Cynthia Hopkins, Registered Professional Reporter and Florida Professional Reporter, State of Florida at large, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

Dated this 16th day of September, 2009.

Cynthia J. Hopkins

Cynthia Hopkins, RPR

Prose Court Reporting Agency, Inc
One Clearlake Centre
250 South Australian Avenue, Suite 1500
West Palm Beach, Florida 33401
(561) 832-7500 Phone (561) 832-7506 Fax
Tax ID: 26-3892897
www.prosecra.com

September 17, 2009

Robert Critton, Esquire
Burman, Critton, Luttier & Coleman - WPB
303 Banyan Boulevard
Suite 400
West Palm Beach, FL 33401

Invoice Number
CH 411

Re: Jane Doe No. 2 vs. Jeffrey Epstein
9-16-09 Scheduled Deposition of Jane Doe No. 4
Statement for Record

Description of Services		
Depo App NT - 1st Hr	Appearance 1st Hr	110.00
Depo Trans 0&1-Reg	Transcript Pages - 8	28.80
E-Transcript Emailed	Complimentary	
	Invoice total:	**$138.80**

Thank you for choosing Prose Court Reporting Agency, Inc. Payment is due upon receipt.

EXHIBIT 9

VISUAL EVIDENCE
P.O. Box 6967 West Palm Beach, FL 33405

Invoice

Date	Number
9/17/2009	28616
Terms	
Due on receipt	

BURMAN, CRITTON & LUTTIER
ROBERT CRITTON
303 BANYAN BLVD
SUITE 400
WEST PALM BEACH, FL 33401

Case / Reference:	JANE DOE #2 v EPSTEIN

Date	Services Rendered	Qty	Amount
9/16/2009	VIDEOTAPED DEPOSITION OF: JANE DOE # 4		
	Tech Time - 1ST 2 Hours	1	275.00
	Digital Tape Stock	1	15.00
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA-JOHNSON

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.
_____/

Related Cases:
08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.
_____/

ORDER ON DEFENDANT'S, JEFFREY EPSTEIN, MOTION FOR SANCTIONS AND TO COMPEL DEPOSITION OF JANE DOE NO. 4 AND MEMORANDUM IN SUPPORT THEREOF

This matter came before the Court on Defendant's, JEFFREY EPSTEIN, Motion For Sanctions and to Compel Deposition of Jane Doe No. 4. Having considered Defendant's motion, it is HEREBY ORDERED and ADJUDGED that:

Defendant's motion is hereby GRANTED: Plaintiff shall pay sanctions in the amount of $ _____ in costs and $ _____ in fees directly to Burman, Critton, Luttier and Coleman within 10 days, and further directs that the Plaintiff make herself available for deposition no later than October _____, 2009 beginning at 9:30 a.m. at the same location. Mr. Epstein shall not be present in the building on the day of the deposition absent a court order on pending motions.

DONE and ORDERED this ____day of _____, 2009.

_____
Kenneth A. Marra
United States District Judge

Courtesy Copies: Counsel of Record

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

STATE OF FLORIDA)
)
vs) CASE NO. 06 CF9454AMB
) 08 9381CFAMB
JEFFREY EPSTEIN)
)
Defendant.)

PLEA CONFERENCE

PRESIDING: H

APPEARANCES:

ON BEHAI
BAR
Sta
401
West
By:

103

ON BEHALF
ATTER
250 A
Suite
West P . lorida 33401
By: J GOLDBERGER, ESQUIRE

CERTIFIED COPY

June 30, 2008
Palm Beach County Courthouse
West Palm Beach, Florida 33401
Beginning at 8:40 o'clock, a.m.

PHYLLIS A. DAMES, OFFICIAL COURT REPORTER

regularly congregate?

MS. BELOHLAVEK: I personally do not know.

THE COURT: Neither do I, which is why I'm asking. Has that been investigated?

MR. GOLDBERGER: We have done our due diligence, for what it's worth, there is a residential street. There are not children congregating on that street. We think the address applies, if it doesn't, we fully recognize that he can't live there.

THE COURT: Okay. D is, you shall not have any contact with the victim, are there more than one victim?

MS. BELOHLAVEK: There's several.

THE COURT: Several, all of the victims. So this should be plural. I'm making that plural. You are not to have any contact direct or indirect, and in this day and age I find it necessary to go over exactly what we mean by indirect. By indirect, we mean no text messages, no e-mail, no Face Book, no My Space, no telephone calls, no voice mails, no

messages through carrier pigeon, no messages through third parties, no hey would you tell so and so for me, no having a friend, acquaintance or stranger approach any of these victims with a message of any sort from you, is that clear?

THE DEFENDANT: Yes, ma'am

THE COURT: And then it states, unless approved by the victim, the therapist and the sentencing court. Okay.

THE DEFENDANT: I understand.

THE COURT: And the sentencing court. So, if there is a desire which, I would think would be a bit strange to have contact with any of the victims the court must approve it.

MS. BELOHLAVEK: Correct.

THE COURT: If the victim was under the age of 18, which was the case, you shall not until you have successfully attended and completed the sex offender program. So, is this sex offender program becoming a condition of probation?

MS. BELOHLAVEK: That is not. I don't believe I circled that one.