

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

CASE NO. 2006CF009454A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

RESPONSE TO MOTION FOR PROTECTIVE ORDER

COMES NOW the Defendant, JEFFREY EPSTEIN, by and through his attorney and files his response to the Motion For Protective Order filed by counsel for State's witness Jane Doe No. 1.

1. In summary fashion, counsel for Jane Doe No. 1 complains that serving a witness for deposition by the use of a process server and the service of the witness' parents for the deposition to ensure service, amounts to "continuous and systematic harassment".¹

2. The Motion For Protective Order was filed by one of the attorneys purporting to represent Jane Doe No. 1 in a separate civil proceeding.² While disagreeing with the

¹ Undersigned counsel for the Defendant responds only to the issues in the Motion for Protective Order concerning service of a subpoena for deposition and the date for that deposition. Defendant and undersigned counsel have no knowledge of any agent of the Defendant going to the witness' place of employment representing "himself as an attorney who needed to contract (sp) her" as alleged "on information and belief" in paragraph 8 of the Motion for Protective Order.

² The Motion for Protective Order was filed by attorney Theodore Leopold. While he purports to represent Jane Doe No. 1, attorney Jeffrey Herman also claims to represent the interests of Jane Doe No. 1. In that separate civil proceeding, the two law firms are presently litigating who represents the interests of Jane Doe No. 1.

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assertion in the Motion For Protective Order that Mr. Leopold and the undersigned agreed that Mr. Leopold would accept service on behalf of Jane Doe No. 1, and that the undersigned had agreed not to take the disposition on February 6, 2008, the matter has been rendered **moot**.

3. Prior to filing of a Motion For Protective Order, Mr. Leopold and the undersigned conferred and agreed in writing with the consent of the State Attorney's Office to the taking of Jane Doe No.1's deposition on February 20, 2008. The parties have also agreed that Mr. Leopold will accept service for Jane Doe's No.1's appearance on that date eliminating the need to use a process server to serve Jane Doe No.1. See Exhibit "A" attached. (Jane Doe No. 1's real name has been redacted from the exhibit.)

WHEREFORE, given the fact that the parties have agreed to a procedure for the taking of Jane Doe's No.1's deposition, it is respectfully requested that this Court deny Jane Doe No.1's Motion for Protective Order as moot.

I HEREBY CERTIFY that a copy of the foregoing has been furnished by mail to Lanna Belohlavek, Esquire, The Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, Florida 33401, Theodore J. Leopold, Esquire, 2925 PGA Boulevard, Suite 200, Palm Beach Gardens, Florida, 33410 and Jeffrey Herman, Esquire, 18205 Biscayne Boulevard, Suite 2218, Miami, Florida, 33160, on this 7th day of February, 2008.

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JACK A. GOLDBERGER, ESQ.
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