

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

DOCKETING STATEMENT
AND NOTICE OF APPEARANCE OF COUNSEL
(Revised as of May 1, 2001)

The Court requires the following information in order to facilitate disposition of the case.

APPELLANT/PETITIONER: If this case involves an original writ, is an appeal of a non-final order or is a case involving child custody, this docketing statement must be completed and returned within five days. In all other cases, the appellant must file the docketing statement within **20 days** from the date of the acknowledgment of the notice of appeal.

APPELLEE/RESPONDENT: Is not required to file a docketing statement unless there are amendments, corrections or additions to the docketing statement filed by the appellant/petitioner. Appellee/respondent is only required to file a notice of appearance if counsel's name does not already appear on the certificate of service. Appellee's/respondent's docketing statement, if necessary, is due within **5 days** from service of the appellant's/petitioner's docketing statement.

PLEASE PROVIDE THE FOLLOWING INFORMATION:

DOCKETING STATEMENT OF: (CHECK ONE) APPELLANT/PETITIONER ✓
APPELLEE/RESPONDENT _____

1. STYLE OF CASE

Jeffrey Epstein v.
State of Florida

**DCA CASE
NUMBER**

4D09-2554

**LOWER COURT
CASE NUMBER**

2008 CF 009381A

2a. NOTICE OF APPEARANCE OF COUNSEL FOR APPELLANT (If party is not represented by counsel, party should so indicate and provide accurate mailing address and phone number).

Name See attached. Bar Number _____

Address _____

Attorney For _____ Phone Number _____ Fax Number _____

2b. APPELLEE'S TRIAL COUNSEL AND/OR APPELLATE COUNSEL (IF KNOWN)

Name See attached. Bar Number _____

Address _____

Attorney For _____ Phone Number _____ Fax Number _____

3. INTERESTED PERSONS: List names of all persons or entities having an interest in this matter. Please clarify whether these persons or entities are parties, lawyers or otherwise, and as to parties, designate whether appellant or appellee.

See attached.

09/12/2019

Page 3418

Agency to Agency Request: 19-411

CONFIDENTIAL

SDNY_GM_00331681

EFTA_00204407

EFTA02729392

4. JUDGES BELOW: List the name of all judges, deputy commissioners and hearing officers/examiners who were involved in this action below. Specify the judge who entered the order appealed.

Honorable Jeffrey J. Colbath (entered order appealed)

5. JURISDICTION: State the basis for this court's jurisdiction, including the following: (1) the appellate rule providing jurisdiction claimed 9.100(c)(1) and 9.140(b)(1)(D); (2) the date of filing in the lower tribunal of the order appealed June 25, 2009; (3) if this is an appeal from a final order, the date of the return of verdict in a jury action N/A; the service date of any Fla. R. Civ. P. 1.530 motion N/A, and the date of entry of the order deciding such motion N/A.

6. PENDING MATTERS IN LOWER TRIBUNAL: Are there any matters, including counts of claims or counterclaims, still pending in the lower tribunal? If yes, please explain exactly what remains pending.

Not in the criminal case. There are civil cases pending against Mr. Epstein.

7. CURRENT AND PRIOR PROCEEDINGS IN THIS COURT:

List by style and case number of this court, all cases which are or have been pending before this court involving issues arising from the same lower tribunal case and the current status of same:

None.

Criminal appeals: List by style and case number of this court all co-defendants currently or previously on appeal to this court.

None.

Similar Issues: List by style and case number of this court, all cases which are or have been pending before this court which are related to this action or which involve an issue which will be similar or determinative to the issue in this case on appeal.

E.W. v. Epstein, Case No. 4D09-2409.

If you become aware of appeals filed subsequent to the submission of this docketing statement involving a co-defendant in a criminal case, the same controversy or parties, or substantial similar issues, please file an amended response to this question.

8. Court Transcript:

Do you intend to order any portion of the transcript for the appeal? Yes _____ No ☒

If yes, have all arrangements been made for its preparation? Yes _____ No _____

If yes, date ordered _____

If no, why not? Already filed with court.

Estimated date of completion: _____

Estimated number of pages: _____

Name and address of court reporter(s): _____

9. CUSTODY STATUS IN CRIMINAL APPEALS: Is the appellant in custody and serving a sentence imposed as a result of a conviction which is the subject of this appeal? yes

If so, state the length of the sentence imposed. 18 months jail followed by 12 months community control

10. ISSUES:

If this case involves the determination of the constitutionality of a statute, cite the statute involved.

N/A

Please state in short form the anticipated issues raised. For example, on criminal issues: denial of motion for judgment of acquittal, denial of motion to suppress evidence, error in sentence; on civil issues, award of alimony, error in valuation of assets for equitable distribution, error in determining contract damages; error in admission of hearsay at trial.

Error in unsealing confidential federal non-prosecution agreement and addendum.

11. TYPE OF CASE: PLACE A CHECK BY THE MOST APPROPRIATE TYPE OF CASE:

A. Civil

- _____ 1. Domestic Relations - divorce, child custody, paternity or support
- _____ 2. Child dependency
- _____ 3. Adoption/Termination of Parental Rights
- _____ 4. Professional Malpractice
- _____ 5. Products Liability
- _____ 6. Negligence
- _____ 7. Contract or Indebtedness
- _____ 8. Condominium - rules violations, developer suits
- _____ 9. Foreclosure - mortgage, lien
- _____ 10. Inmate Appeal - gain time, rule challenges, disciplinary action
- _____ 11. Attorney's Fees
- _____ 12. All others - specify _____

B. Criminal

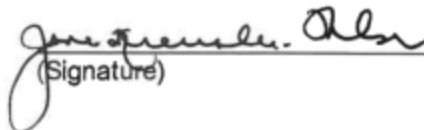
- _____ 1. Direct Appeal - judgment and sentence
- _____ 2. Direct Appeal - sentence only
- _____ 3. Direct Appeal - juvenile
- _____ 4. Collateral Attack - (Rule 3.850 or habeas corpus) - judgment and sentence
- _____ 5. Collateral Attack - (Rule 3.800, Rule 3.850 or habeas corpus) - sentence only
- _____ 6. Collateral Attack - juvenile
- _____ 7. Appeal by the State
- ☒ 8. All Others - specify unsealing of confidential federal non-prosecution agreement

C. Administrative

- _____ 1. Department of Professional Regulation
- _____ 2. Unemployment Appeals Commission
- _____ 3. Rule Challenge - specify agency _____
- _____ 4. All others - specify _____

Certificate of Service

I certify that a copy hereof has been furnished by _____ mail _____ this 8th day
of _____ July _____, 2009, to: See attached.
mail/hand delivery/fax


(Signature)

JANE KREUSLER-WALSH
(Print Name)

2a. NOTICE OF APPEARANCE OF COUNSEL FOR APPELLANT

JANE KREUSLER-WALSH
Florida Bar No. 272371
BARBARA J. COMPIANI
Florida Bar No. 290701
KREUSLER-WALSH, COMPIANI & VARGAS, P.A.
501 South Flagler Drive, Suite 503
West Palm Beach, FL 33401-5913

[REDACTED]
Appellate counsel for petitioner

ROBERT D. CRITTON
Florida Bar No. 224162
BURMAN, CRITTON, LUTTIER & COLEMAN, LLP
515 North Flagler Drive, Suite 400
West Palm Beach, FL 33401

[REDACTED]
Counsel for petitioner

JACK A. GOLDBERGER
Florida Bar No. 262013
ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, FL 33401

[REDACTED]
Counsel for petitioner

2b. APPELLEE'S TRIAL COUNSEL AND/OR APPELLATE COUNSEL (IF KNOWN)

WILLIAM J. BERGER
Florida Bar No. 197701
ROTHSTEIN ROSENFELDT ADLER
401 East Las Olas Boulevard, Suite 1650
Fort Lauderdale, FL 33394

[REDACTED]
Counsel for non-party intervener, E.W.

DEANNA K. SHULLMAN
Florida Bar No. 0514462
THOMAS, LOCICERO & BRALOW, P.L.
400 North Ashley Drive, Suite 1100
P. O. Box 2602 (33601)
Tampa, FL 33602

[REDACTED]
Counsel for non-party intervener, Palm Beach Newspapers d/b/a The Palm Beach Post

SPENCER T. KUVIN
Florida Bar No. 089737
LEOPOLD-KUVIN, P.A.
2925 PGA Boulevard, Suite 200
Palm Beach Gardens, FL 33410

[REDACTED]
Counsel for non-party intervener, B.B.

JUDITH STEVENSON ARCO
Florida Bar No. 455131
STATE ATTORNEY'S OFFICE--WEST PALM BEACH
401 North Dixie Highway
West Palm Beach, FL 33401

[REDACTED]
Counsel for respondent, State of Florida

JEFFREY H. SLOMAN
Florida Bar No. 378879
U.S. Attorney's Office--Southern District
500 South Australian Avenue, Suite 400

3. INTERESTED PERSONS:

Judith Stevenson Arco of
State Attorney's Office--West Palm Beach
(counsel for respondent, State of Florida)

B.B.
(non-party intervener)

William J. Berger of
Rothstein Rosenfeldt Adler
(counsel for non-party intervener, E.W.)

Honorable Jeffrey J. Colbath
(circuit court judge)

Barbara J. Compiani of
Kreusler-Walsh, Compiani & Vargas, P.A.
(appellate counsel for petitioner)

Robert D. Critton of
Burman, Critton, Luttier & Coleman
(counsel for petitioner)

Jeffrey Epstein
(petitioner)

Jack A. Goldberger of
Atterbury, Goldberger & Weiss, P.A.
(counsel for petitioner)

Jane Kreusler-Walsh of
Kreusler-Walsh, Compiani & Vargas, P.A.
(appellate counsel for petitioner)

Spencer T. Kuvn of
Leopold-Kuvn, P.A.
(counsel for non-party intervener, B.B.)

Honorable Kenneth A. Marra
(judge, Southern District of Florida)

Palm Beach Newspapers d/b/a The Palm Beach Post
(non-party intervener)

Deanna K. Shullman of
Thomas, Locicero & Bralow, P.L.
(counsel for non-party intervener, The Palm Beach Post)

Jeffrey H. Sloman,
U.S. Attorney--Southern District

State of Florida
(respondent)

E.W.
(non-party intervener)

CERTIFICATE OF SERVICE

JEFFREY H. SLOMAN
U.S. ATTORNEY'S OFFICE
SOUTHERN DISTRICT
500 South Australian Avenue, Suite 400
West Palm Beach, FL 33401

JUDITH STEVENSON ARCO
STATE ATTORNEY'S OFFICE
401 North Dixie Highway
West Palm Beach, FL 33401

WILLIAM J. BERGER
ROTHSTEIN ROSENFELDT ADLER
401 East Las Olas Boulevard, Suite 1650
Fort Lauderdale, FL 33394
Counsel for E.W.

DEANNA K. SHULLMAN
THOMAS, LOCICERO & BRALOW, P.L.
400 North Ashley Drive, Suite 1100
P. O. Box 2602 (33601)
Tampa, FL 33602
Counsel for The Palm Beach Post

SPENCER T. KUVIN
LEOPOLD-KUVIN, P.A.
2925 PGA Boulevard, Suite 200
Palm Beach Gardens, FL 33410
Counsel for B.B.

ROBERT D. CRITTON
BURMAN, CRITTON, LUTTIER & COLEMAN
515 North Flagler Drive, Suite 400
West Palm Beach, FL 33401
Counsel for petitioner

JACK A. GOLDBERGER
ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South, Suite 1400
West Palm Beach, FL 33401
Counsel for petitioner

CONFIDENTIAL

SDNY_GM_00331690

EFTA_00204416

EFTA02729401

**KREUSLER-WALSH,
COMPIANI & VARGAS, P.A.**
SUITE 503, FLAGLER CENTER
501 SOUTH FLAGLER DRIVE
WEST PALM BEACH, FLORIDA 33401-5913



JUDITH STEVENSON ARCO
State Attorney's Office-West Palm Beach
401 North Dixie Highway
West Palm Beach, FL 33401

3340134295 C029