



January 3, 2024

**VIA ECF**

The Honorable Loretta A. Preska  
District Court Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: ***Giuffre v. Maxwell*, Case No. 15-cv-7433-LAP**

Dear Judge Preska,

Pursuant to the Court's December 18, 2023, unsealing order, and following conferral with Defendant, Plaintiff files this set of documents ordered unsealed. The filing of these documents ordered unsealed will be done on a rolling basis until completed. This filing also excludes documents pertaining to Does 105 (*see* December 28, 2023, Email Correspondence with Chambers), 107, and 110 (*see* ECF No. 1319), while the Court's review of those documents is ongoing.

Respectfully,

/s/ Sigrid S. McCawley  
Sigrid S. McCawley

cc: Counsel of Record (via ECF)

**United States District Court  
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

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**PLAINTIFF’S NON-REDACTED MOTION FOR LEAVE TO SERVE THREE  
DEPOSITION SUBPOENAS BY MEANS OTHER THAN PERSONAL SERVICE**

Plaintiff Virginia Giuffre, by and through her undersigned counsel, hereby files this Motion for Leave to Serve Three Deposition Subpoenas by Means Other Than Personal Service. The three persons to be subpoenaed – Jeffrey Epstein, Sarah Kellen and Nadia Marcinkova – were each involved in the sexual abuse and sexual trafficking at issue in this case. It appears that all three of them have evaded attempts to personally serve them (and two of the persons, Epstein and Kellen, have attorneys who have not been authorized by their clients to accept service). Ms. Giuffre seeks leave to provide service by several alternative means that are designed to assure actual notice is provided to these persons. *See* Declaration of Sigrid McCawley (“McCawley Decl.”) at Composite Exhibit 1, Subpoenas for Jeffrey Epstein, Sarah Kellen (aka Sarah Kensington and Sarah Vickers) and Nadia Marcinkova. This Court has repeatedly held that Fed. R. Civ. P. 45 permits alternative service in appropriate circumstances, and this case presents such circumstances. Accordingly, the Court should grant Ms. Giuffre leave to serve deposition subpoenas by alternative means.



## **BACKGROUND**

At the heart of this case lies Ms. Giuffre's allegations that that she was sexually abused by Jeffrey Epstein and the Defendant. Ms. Giuffre has also alleged that Epstein and the Defendant were aided by others who played keys roles in the sex trafficking organization, including Sarah Kellen and Nadia Marcinkova. Defendant has called Ms. Giuffre a "liar" and Ms. Giuffre is now in the process of assembling testimony and evidence to prove the truth of her allegations.

Apart from the Defendant in this case, Jeffrey Epstein is the most important person for Ms. Giuffre to depose. It was Epstein who gave the directions to Maxwell to recruit Ms. Giuffre and bring her to Epstein's mansions to be sexually abused. At several points during her recent deposition, Ms. Maxwell refused to answer Ms. Giuffre's questions about Epstein, but instead told her she should go ask Epstein about the subject. *See, e.g.*, Tr. of Depo. of Defendant (Apr. 22, 2016) at 100 ("Q: ... [W]as it Jeffrey's preference to start a massage with sex? . . . A: I think you should ask that question of Jeffrey."); *id.* at 146-47 ("Q: So would [Ms. Giuffre] be brought on trips that were for the purpose of work and decorating the house? A: Like I said, I never worked with her but you would have to ask Jeffrey what he brought her on the trip for."); *id.* at 389-90 ("Q: Does [Epstein] . . . have any knowledge of any illegal activity that you've conducted? . . . A: If you want to ask Jeffrey questions about me, you would have to ask him."). *See McCawley Decl. at Exhibit 2.*

Because of Epstein's importance to this case, Ms. Giuffre has diligently tried to personally serve Epstein with a subpoena for his deposition. Epstein, however, appears to have no interest in answering questions under oath about the scope of his sex trafficking organization and he has not authorized his lawyer to accept service of the subpoena. On March 7, 2016, Ms.

Giuffre's counsel contacted counsel for Epstein to seek agreement that he would accept service of the subpoena in this matter. *See* McCawley Decl. at Composite Exhibit 3, Electronic Correspondence to Attorney Marty Weinberg. Ms. Giuffre was unable to obtain that agreement so she retained an investigative company to attempt to locate Epstein for purposes of personal service<sup>1</sup>. As explained in the attached affidavit, the Alpha Group Investigators commenced efforts to personally serve Epstein on April 26, 2016. *See* McCawley Decl. at Exhibit 4 Affidavit of Douglas G. Mercer, Chief Investigator Alpha Group. Those efforts have continued for weeks, and included over sixteen (16) attempts to personally serve Epstein, including as recently as May 18, 2016, at which time the investigator affixed the subpoena to the front door of Epstein's residence and mailed copies of the subpoena to both of his New York addresses along with a witness check. Counsel for Ms. Giuffre also provided a copy of the subpoena to Marty Weinberg, Epstein's attorney.

Jeffrey Epstein is not the only key witness who has been evading Ms. Giuffre's efforts to depose them. The next echelon in the sex trafficking organization below Epstein and the Defendant includes Sarah Kellen and Nadia Marcinkova. Ms. Giuffre alleges that they were heavily involved in the sex trafficking. Both Kellen and Marcinkova appear repeatedly on the flight logs of Jeffrey Epstein's aircraft. The U.S. Attorney's Office for the Southern District of Florida specifically identified both Kellen and Marcinkova as among four named "potential co-conspirators of Epstein" in the non-prosecution agreement it executed with Epstein as part of his guilty plea to Florida state sex offense charges. *See* Non-Prosecution Agreement, *In re: Investigation of Jeffrey Epstein* at 7. Additionally, both Kellen and Marcinkova previously

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<sup>1</sup> As recently as today, Ms. Giuffre's counsel continues to attempt to negotiate acceptance of service of the subpoena for Mr. Epstein, which now includes a request that his deposition take place in the U.S. Virgin Islands but has still not received an agreement to accept service. *See* McCawley Decl. at Composite Exhibit 3, Correspondence with Marty Weinberg, counsel for Jeffrey Epstein.

invoked their 5th amendment privileges when asked about their involvement in Epstein and Defendant's sex trafficking ring. At her recent deposition, Defendant appeared to be well aware of the fact that Epstein had potential co-conspirators. *See, e.g.*, Tr. of Depo. of Defendant (Apr. 22, 2016) at 49 ("Q: Are you aware that Sarah Kellen was . . . named as a co-conspirator in the case involving Jeffrey Epstein? . . . A: I am aware."). *See* McCawley Decl. at Exhibit 2.

As with Epstein, however, Kellen and Marcinkova appear to be evading efforts to serve them. On March 31, 2016, Ms. Giuffre's counsel reached out to Sarah Kellen's counsel to seek agreement that she would accept service of the subpoena in this matter. *See* McCawley Decl. at Exhibit 5, Electronic Correspondence with Bruce Reinhart, of McDonald Hopkins, LLP in West Palm Beach, Florida. Mr. Reinhart represented that Ms. Kellen refused to allow her counsel to accept service of the subpoena, so Ms. Giuffre was forced to commence the efforts to attempt to personally serve her with the subpoena. As explained in the attached affidavit, the Alpha Group Investigators commenced efforts to personally serve Kellen on April 26, 2016. *See* McCawley Decl. at 4, Affidavit of Douglas G. Mercer, Chief Investigator Alpha Group. Those efforts have continued with over nineteen (19) attempts at service and concluded as recently as May 18, 2016, at which time the investigator affixed the subpoena to the front door of Kellen's residence and mailed copies of the subpoena to both of her New York addresses. Ms. Giuffre's counsel also provided a copy of the subpoena to Kellen's attorney.

Marcinkova has also been evading service. Ms. Giuffre has had her investigators make efforts to attempt to personally serve Marcinkova at her New York residence, and also made efforts to try to personally serve her while on a trip to California, but has been unable to obtain personal service. Ms. Giuffre's investigators made over ten (10) attempts to personally serve Marcinkova. *See* McCawley Decl. at Exhibit 4, Affidavit of Douglas G. Mercer, Chief

Investigator Alpha Group. In addition, counsel for Ms. Giuffre reached out to Ms. Marcinkova's former counsel but he indicated that he could not accept service as he no longer represents her. *See* McCawley Decl. at Exhibit 6, Electronic Correspondence with Jack Goldberger, at Atterbury, Goldberger & Weiss, P.A., in West Palm Beach, Florida.

In other litigation relating to Jeffrey Epstein, both Marcinkova and Kellen asserted their fifth amendment rights when asked questions about Defendant's recruitment of underage girls.

Q Do you know Ghislaine Maxwell?

A Fifth.

Q Is that somebody who helped Jeffrey Epstein to devise the scheme to allow him access to various and a variety of underage minor females?

A Fifth.

Q Is Sarah Kellen somebody that was also involved in the planning of this scheme to gain access to underage minor females?

A Fifth.

*See* McCawley Decl. at Exhibit 7, Nadia Marcinkova April 13, 2010 Dep. Tr. at p. 29-30 (GIUFFRE001171-1172)

Q Isn't it true that yourself, Ghislaine Maxwell and Sarah Kellen had access to a master of list of underage minor females names and phone numbers so they could be called for the purpose of coming to Jeffrey Epstein's house to be sexually molested?

A Fifth.

*See* McCawley Decl. at Exhibit 7, Nadia Marcinkova April 13, 2010 Dep. Tr. at p. 33-34 (GIUFFRE001173)

Q Do you know Jane Doe-102 [Virginia Giuffre]?

A Fifth.

*See* McCawley Decl. at Exhibit 7, Nadia Marcinkova April 13, 2010 Dep. Tr. at p. 47-48 (GIUFFRE001176)

Q Are you aware of Jeffrey Epstein and Ghislaine Maxwell's sexual interaction with Jane Doe-102 when she was a minor?

Q This is one of many underage minor females that was trafficked basically around the globe to be sexually exploited and abused; is that correct?

A Fifth.

Q Was that typical of Jeffrey Epstein and Ghislaine Maxwell to sexually abuse minors on Jeffrey Epstein's airplane?

A Fifth.

Q And also typical of Ghislaine Maxwell and Jeffrey Epstein to prostitute or pimp out underage minors to friends?

A Fifth.

*See McCawley Decl. at Exhibit 7, Nadia Marcinkova April 13, 2010 Dep. Tr. at p. 47-48 (GIUFFRE001176)*

Q Ghislaine Maxwell is somebody who you know to be bi-sexual, true?

A Fifth.

Q You know that Ghislaine Maxwell engaged in sexual acts with underage minor females, true?

A Fifth.

*See McCawley Decl. at Exhibit 7, Nadia Marcinkova April 13, 2010 Dep. Tr. at p. 58-59 (GIUFFRE001179)*

Q. Did Ghislaine Maxwell introduce you to Jeffrey Epstein for the first time?

THE WITNESS: On the instruction of my lawyer, I must invoke my Fifth Amendment right.

*See McCawley Decl. at Exhibit 8, Sarah Kellen March 24, 2010 Dep. Tr. p.21 (GIUFFRE001676)*

Q. All right. All right. Ms. Kellen, would you agree with me that there was an agreement between Jeffrey Epstein, Ghislaine Maxwell, Jean-Luc Brunel, yourself and Nadia Marcinkova to bring in girls from out of state that were underage?

THE WITNESS: On the instruction of my lawyer, I must invoke my Fifth Amendment right.

*See McCawley Decl. at Exhibit 8, Sarah Kellen March 24, 2010 Dep. Tr. p. 38 (GIUFFRE001680)*

Q. Would you agree with me that Ghislaine Maxwell provides underage girls to Mr. Epstein for sex?

THE WITNESS: Upon the instruction of my lawyer, I must invoke my Fifth Amendment privilege.

*See McCawley Decl. at Exhibit 8, Sarah Kellen March 24, 2010 Dep. Tr. p. 100*

(GIUFFRE001695). Both Marcinkova and Kellen are key witnesses in this action because they were present with Mr. Epstein and Maxwell during the time period when Virginia Giuffre was with Epstein and Maxwell.

### **ARGUMENT**

#### **A. The Court Should Permit Alternative Service**

In the unique circumstances of this case, this Court should grant Ms. Giuffre leave to serve Jeffrey Epstein, Sarah Kellen, and Nadia Marcinkova via means other than personal service, because they are evading service of process and there are other means to assure actual notice. Under Rule 45(b)(1) of the Federal Rules of Civil Procedure, “[s]erving a subpoena requires delivering a copy to the named person . . . .” The purpose of “requiring delivery to a named person is to ‘ensure receipt, so that notice will be provided to the recipient, and enforcement of the subpoena will be consistent with the requirements of due process.’”

*Aristocrat Leisure Ltd. v. Deutsche Bank Trust Co. Americas*, 262 F.R.D. 293, 304 (S.D.N.Y. 2009) (quoting *Med. Diagnostic Imaging, PLLC v. CareCore Nat., LLC*, Nos. 06 Civ. 7764 & 06 Civ. 13516, 2008 WL 3833238, at \*2 (S.D.N.Y. Aug. 15, 2008) (internal quotation marks omitted)). *See also First City, Texas-Houston, N.A. v. Rafidain Bank*, 197 F.R.D. 250, 255 (S.D.N.Y. 2000) (finding that attaching a subpoena to the door, and mailing another copy to counsel of record was sufficient). Cases not only from this Court, but also from others in the Second Circuit, have interpreted that rule “liberally” to allow service so long as the “the type of

service used ‘was calculated to provide timely actual notice.’” *Aristocrat Leisure Ltd.*, 262 F.R.D. at 304 (*quoting CareCore*, 2008 WL 3833238, at \*2 (noting that “nothing in the word ‘delivering’ [in Rule 45(b)(1)] indicates personal service, and a personal service requirement can be unduly restrictive”); *see also Cordius Trust v. Kummerfeld*, No. 99 Civ. 3200, 2000 WL 10268, at \*2 (S.D.N.Y. Jan. 3, 2000) (holding that because “alternative service by means of certified mail reasonably insures actual receipt of the subpoena by the witness, the ‘delivery’ requirement of Rule 45 will be met”); *JPMorgan Chase Bank, N.A. v. IDW Grp., LLC*, No. 08 CIV. 9116(PGG), 2009 WL 1313259, at \*2 (S.D.N.Y. May 11, 2009) (“this Court joins other courts in this District in holding that effective service [of a deposition subpoena] under Rule 45 is not limited to personal service” (internal quotation omitted)).

A prerequisite for using means other than personal service is typically that the party “requesting the accommodation diligently attempted to effectuate personal service.” *OceanFirst Bank v. Hartford Fire Ins. Co.*, 794 F. Supp. 2d 752, 754 (E.D. Mich. 2011) (*citing Franklin v. State Farm Afire and Casualty Co.*, 2009 WL 3152993, at \*2 (E.D. Mich. 2009)). Here, Ms. Giuffre has diligently attempted to make personal service on each of the three individuals, having made multiple attempts to personal service them, including going to different locations at different times on different days, and attempting to reach them through their attorneys. *See* McCawley Decl. at Exhibit 4, Affidavit of Douglas G. Mercer, Chief Investigator Alpha Group. Indeed, it appears that the only reason that personal service has been unsuccessful thus far is that the important witnesses Ms. Giuffre is attempting to serve are fully aware of her efforts and are attempting to evade service. This Court will recall that efforts to evade service are a familiar practice of Jeffrey Epstein and his colleagues. As described in earlier pleadings in this case, for example, the Defendant herself refused to comply with a deposition subpoena in an earlier case

brought by one of Jeffrey Epstein's sexual assault victims. *See* Decl. of Sigrid McCawley at Composite Exhibit 9, Maxwell Deposition Notice; Subpoena and Cancellation Payment Notice, and January 13, 2015 Daily Mail Article.

Ms. Giuffre proposes that she be permitted to serve her deposition notices by means other than personal service. Ms. Giuffre asks this Court to rule that she be permitted to serve each of the three individuals in ways that are reasonably calculated to give them actual notice. The specific means that Ms. Giuffre proposes are the means that her investigators took on May 18<sup>th</sup> of posting the subpoenas to the addresses associated with each of the witnesses and mailing the subpoenas to those addresses with the witness fee check and providing copies of the subpoenas via e-mail to the witnesses known counsel. *See* McCawley Decl. at Exhibit 4, Affidavit of Douglas G. Mercer, Chief Investigator Alpha Group.

Means such as those described above have been approved by this Court in other cases. For example, in *Medical Diagnostic Imaging, PLLC v. Carecore National, LLC*, 2008 WL 3833238 (S.D.N.Y. 2008) (Katz, J.), this Court allowed service of a deposition subpoena to be made through mailing a copy of the subpoena to the witness' place of employment along with a copy of the Court's order directing the witness to comply with the subpoena or face sanctions. *Id.* at \*3. Similarly, in *JPMorgan Chase Bank, N.A. v. IDW Grp., LLC*, No. 08 CIV. 9116(PGG), 2009 WL 1313259, at \*3 (S.D.N.Y. May 11, 2009), this Court allowed service of a deposition subpoena to be made by sending a copy of the deposition subpoena to the witness' place of business and residence by certified mail; leaving a copy of the deposition subpoena at the witness' residence and place of business with a person of suitable age and discretion; and remitting a copy of the deposition subpoena by electronic mail and certified mail to counsel for a related corporation. And, in at least two cases, this Court has found that certified mailing of a



subpoena to the witness alone satisfies Rule 45. *See Cordius Trust v. Kummerfeld*, 1999 U.S. Dist. Lexis 19980, \*5–\*6 (S.D.N.Y.1999); *Ultradent Products, Inc. v. Hayman*, No. M8-85 RPP, 2002 WL 31119425, at \*3 (S.D.N.Y. Sept. 24, 2002). Here, the means of service exceed those approved in those other cases and should be permitted.

### **CONCLUSION**

Ms. Giuffre should be granted leave to serve Jeffrey Epstein, Sarah Kellen, and Nadia Marcincova with deposition subpoenas by means other than personal service. As Ms. Giuffre has made multiple attempts at personal service, Ms. Giuffre should be granted leave to serve deposition subpoenas by the means employed by her investigators of posting the subpoenas to the known locations and also sending the subpoenas via U.S. mail.

Dated: May 25, 2016

Respectfully Submitted,

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Sigrid McCawley

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<sup>2</sup> This daytime business address is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah for this private representation.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on the 25th day of May, 2016, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system.

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Copies of this filing were also provided by e-mail to:

Marty Weinberg, counsel for Jeffrey Epstein  
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/s/ Sigrid S. McCawley  
Sigrid S. McCawley

# **EXHIBIT C**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 08-80736-Civ-Marra/Johnson**

**JANE DOE #1 and JANE DOE #2**

**v.**

**UNITED STATES**  
\_\_\_\_\_ /

**JANE DOE #3 AND JANE DOE #4’S MOTION PURSUANT TO RULE 21 FOR  
JOINDER IN ACTION**

COME NOW Jane Doe #3 and Jane Doe #4 (also referred to as “the new victims”), by and through undersigned counsel, to file this motion pursuant to Federal Rule of Civil Procedure 21 to join this action, on the condition that they not re-litigate any issues already litigated by Jane Doe #1 and Jane Doe #2 (also referred to as “the current victims”). The new victims have suffered the same violations of their rights under the Crime Victims’ Rights Act (CVRA) as the current victims. Accordingly, they desire to join in this action to vindicate their rights as well. Because the new victims will not re-litigate any issues previously litigated by the current victims (and because they are represented by the same legal counsel as the current victims), the Government will not be prejudiced if the Court grants the motion. The Court may “at any time” add new parties to the action, Fed. R. Civ. P. 21. Accordingly, the Court should grant the motion.<sup>1</sup>

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<sup>1</sup> As minor victims of sexual offenses, Jane Doe #3 and Jane Doe #4 desire to proceed by way of pseudonym for the same reasons that Jane Doe #1 and Jane Doe #2 proceeded in this

### **FACTUAL BACKGROUND**

As the Court is aware, more than six years ago, Jane Doe #1 filed the present action against the Government, alleging a violation of her rights under the CVRA, 18 U.S.C. § 3771. DE1. She alleged that Jeffrey Epstein had sexually abused her and that the United States had entered into a secret non-prosecution agreement (NPA) regarding those crimes in violation of her rights. At the first court hearing on the case, the Court allowed Jane Doe #2 to also join the action. Both Jane Doe #1 and Jane Doe #2 specifically argued that the government had failed to protect their CVRA rights (inter alia) to confer, to reasonable notice, and to be treated with fairness. In response, the Government argued that the CVRA rights did not apply to Jane Doe #1 and Jane Doe #2 because no federal charges had ever been filed against Jeffrey Epstein.

The Court has firmly rejected the United States' position. In a detailed ruling, the Court concluded that the CVRA extended rights to Jane Doe #1 and Jane Doe #2 even though federal charges were never filed. DE 189. The Court explained that because the NPA barred prosecution of crimes committed against them by Epstein, they had "standing" to assert violations of the CVRA rights. *Id.* The Court deferred ruling on whether the two victims would be entitled to relief, pending development of a fuller evidentiary record. *Id.*

Two other victims, who are in many respects similarly situated to the current victims, now wish to join this action. The new victims joining at this stage will not cause any delay and their joinder in this case is the most expeditious manner in which to pursue their rights. Because the background regarding their abuse is relevant to the Court's assessment of whether to allow them to join, their circumstances are recounted here briefly.

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fashion. Counsel for the new victims have made their true identities known to the Government.

### Jane Doe #3's Circumstances

As with Jane Doe #1 and Jane Doe #2, Jane Doe #3 was repeatedly sexually abused by Epstein. The Government then concealed from Jane Doe #3 the existence of its NPA from Jane Doe #3, in violation of her rights under the CVRA. If allowed to join this action, Jane Doe #3 would prove the following:

In 1999, Jane Doe #3 was approached by Ghislaine Maxwell, one of the main women whom Epstein used to procure under-aged girls for sexual activities and a primary co-conspirator in his sexual abuse and sex trafficking scheme. In fact, it became known to the government that Maxwell herself regularly participated in Epstein's sexual exploitation of minors, including Jane Doe #3. Maxwell persuaded Jane Doe #3 (who was then fifteen years old) to come to Epstein's mansion in a fashion very similar to the manner in which Epstein and his other co-conspirators coerced dozens of other children (including Jane Doe #1 and Jane Doe #2). When Jane Doe #3 began giving Epstein a "massage," Epstein and Maxwell turned it into a sexual encounter, as they had done with many other victims. Epstein then became enamored with Jane Doe #3, and with the assistance of Maxwell converted her into what is commonly referred to as a "sex slave." Epstein kept Jane Doe #3 as his sex slave from about 1999 through 2002, when she managed to escape to a foreign country and hide out from Epstein and his co-conspirators for years. From 1999 through 2002, Epstein frequently sexually abused Jane Doe #3, not only in West Palm Beach, but also in New York, New Mexico, the U.S. Virgin Islands, in international airspace on his Epstein's private planes, and elsewhere.

Epstein also sexually trafficked the then-minor Jane Doe, making her available for sex to politically-connected and financially-powerful people. Epstein's purposes in "lending" Jane Doe

(along with other young girls) to such powerful people were to ingratiate himself with them for business, personal, political, and financial gain, as well as to obtain potential blackmail information.

One such powerful individual that Epstein forced then-minor Jane Doe #3 to have sexual relations with was former Harvard Law Professor Alan Dershowitz, a close friend of Epstein's and well-known criminal defense attorney. Epstein required Jane Doe #3 to have sexual relations with Dershowitz on numerous occasions while she was a minor, not only in Florida but also on private planes, in New York, New Mexico, and the U.S. Virgin Islands. In addition to being a participant in the abuse of Jane Doe #3 and other minors, Dershowitz was an eye-witness to the sexual abuse of many other minors by Epstein and several of Epstein's co-conspirators. Dershowitz would later play a significant role in negotiating the NPA on Epstein's behalf. Indeed, Dershowitz helped negotiate an agreement that provided immunity from federal prosecution in the Southern District of Florida not only to Epstein, but also to "any potential co-conspirators of Epstein." NPA at 5. Thus, Dershowitz helped negotiate an agreement with a provision that provided protection for himself against criminal prosecution in Florida for sexually abusing Jane Doe #3. Because this broad immunity would have been controversial if disclosed, Dershowitz (along with other members of Epstein's defense team) and the Government tried to keep the immunity provision secret from all of Epstein's victims and the general public, even though such secrecy violated the Crime Victims' Rights Act.

Ghislaine Maxwell was another person in Epstein's inner circle and a co-conspirator in Epstein's sexual abuse. She was someone who consequently also appreciated the immunity granted by the NPA for the crimes she committed in Florida. In addition to participating in the



sexual abuse of Jane Doe #3 and others, Maxwell also took numerous sexually explicit pictures of underage girls involved in sexual activities, including Jane Doe #3. She shared these photographs (which constituted child pornography under applicable federal laws) with Epstein. The Government is apparently aware of, and in certain instances possesses some of these photographs.

Perhaps even more important to her role in Epstein's sexual abuse ring, Maxwell had direct connections to other powerful individuals with whom she could connect Epstein. For instance, one such powerful individual Epstein forced Jane Doe #3 to have sexual relations with was a member of the British Royal Family, Prince Andrew (a/k/a Duke of York). Jane Doe #3 was forced to have sexual relations with this Prince when she was a minor in three separate geographical locations: in London (at Ghislaine Maxwell's apartment), in New York, and on Epstein's private island in the U.S. Virgin Islands (in an orgy with numerous other under-aged girls). Epstein instructed Jane Doe #3 that she was to give the Prince whatever he demanded and required Jane Doe #3 to report back to him on the details of the sexual abuse. Maxwell facilitated Prince Andrew's acts of sexual abuse by acting as a "madame" for Epstein, thereby assisting in internationally trafficking Jane Doe #3 (and numerous other young girls) for sexual purposes.

Another person in Epstein's inner circle of friends (who becomes apparent with almost no investigative effort) is Jean Luc Brunel. Epstein sexually trafficked Jane Doe #3 to Jean Luc Brunel many times. Brunel was another of Epstein's closest friends and a regular traveling companion, who had many contacts with young girls throughout the world. Brunel has been a model scout for various modeling agencies for many years and apparently was able to get U.S.

passports for young girls to “work” as models. He would bring young girls (ranging to ages as young as twelve) to the United States for sexual purposes and farm them out to his friends, especially Epstein. Brunel would offer the girls “modeling” jobs. Many of the girls came from poor countries or impoverished backgrounds, and he lured them in with a promise of making good money. Epstein forced Jane Doe #3 to observe him, Brunel and Maxwell engage in illegal sexual acts with dozens of underage girls. Epstein also forced Jane Doe #3 to have sex with Brunel on numerous occasions, at places including Epstein’s mansion in West Palm Beach, Little St. James Island in the U.S. Virgin Islands (many including orgies that were comprised of other underage girls), New York City, New Mexico, Paris, the south of France, and California.

Epstein also trafficked Jane Doe #3 for sexual purposes to many other powerful men, including numerous prominent American politicians, powerful business executives, foreign presidents, a well-known Prime Minister, and other world leaders. Epstein required Jane Doe #3 to describe the events that she had with these men so that he could potentially blackmail them.

The Government was well aware of Jane Doe #3 when it was negotiating the NPA, as it listed her as a victim in the attachment to the NPA. Moreover, even a rudimentary investigation of Jane Doe #3’s relationship to Epstein would have revealed the fact that she had been trafficked throughout the United States and internationally for sexual purposes. Nonetheless, the Government secretly negotiated a non-prosecution agreement with Epstein precluding any Federal prosecution in the Southern District of Florida of Epstein and his co-conspirators. As with Jane Doe #1, and Jane Doe #2, the Government concealed the non-prosecution agreement from Jane Doe #3 – all in violation of her rights under the CVRA – to avoid Jane Doe #3 from raising powerful objections to the NPA that would have shed tremendous public light on Epstein

and other powerful individuals and that would likely have been prevented it from being concluded in the secretive manner in which it was.

Jane Doe #4's Circumstances

If permitted to join this action, Jane Doe #4 would allege, and could prove at trial, that she has CVRA claims similar to those advanced by Jane Doe #1 and Jane Doe #2, based on the following:

As with the other Jane Does, Jane Doe #4 was repeatedly sexually abused by Epstein. In or around the summer of 2002, Jane Doe #4, an economically poor and vulnerable sixteen-year-old child, was told by another one of Epstein's underage minor sex abuse victims, that she could make \$300 cash by giving an old man a massage on Palm Beach. An acquaintance of Jane Doe #4 (also a minor sexual abuse victim of Epstein) telephoned Epstein and scheduled Jane Doe #4 to go to Epstein's house to give him a massage. During that call, Epstein himself got on the phone (a means of interstate communication) with Jane Doe #4, asking her personally to come to his mansion in Palm Beach.

Jane Doe #4 then went to Epstein's mansion and was escorted upstairs to Epstein's large bathroom by one of Epstein's assistants. Shortly thereafter Jeffrey Epstein emerged and lay face down on the table and told Jane Doe #4 to start massaging him. Epstein asked Jane Doe #3 her age and she told him she had recently turned sixteen. Epstein subsequently committed illegal sexual acts against Jane Doe #4 on many occasions.

Epstein used a means of interstate communication (i.e., a cell phone) to arrange for these sexual encounters. Epstein also frequently travelled in interstate commerce (i.e., on his personal jet) for purposes of illegally sexually abusing Jane Doe #4.

January. In the meantime, however, counsel for the victims believe that it is no longer appropriate to delay filing this motion and accordingly file it at this time. Because the Government is apparently opposing this motion, Jane Doe #3 and Jane Doe #4 have described the circumstances surrounding their claims so that the Court has appropriate information to rule on the motion.

### **CONCLUSION**

Jane Doe #3 and Jane Doe #4 should be allowed to join this action, pursuant to Rule 21 of the Federal Rules of Civil Procedure. Their joinder should be conditioned on the requirement that they not re-litigate any issues previously litigated by Jane Doe #1 and Jane Doe #2. A proposed order to that effect is attached to this pleading.

DATED: December 30, 2014

Respectfully Submitted,

/s/ Bradley J. Edwards

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**United States District Court  
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

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**PLAINTIFF'S NON-REDACTED MOTION TO EXCEED PRESUMPTIVE TEN  
DEPOSITION LIMIT IN FEDERAL RULE CIVIL PROCEDURE 30(A)(2)(a)(ii)**

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Plaintiff Virginia Giuffre, by and through her undersigned counsel, hereby files this motion to take approximately seven additional depositions in this case beyond the presumptive ten deposition limit. Ms. Giuffre's requests is still within the total number of hours allowed by the ten deposition limit because the parties have agreed that they will split the time for all third party witnesses such that Ms. Giuffre will only be expending at most 3 ½ hours at those additional depositions. In an abundance of caution, even though Ms. Giuffre will not likely be exceeding the total number of hours allowed for depositions, she seeks leave from this Court to confirm that she may proceed with the additional depositions for the reasons stated below.

Ms. Giuffre has alleged that Defendant recruited females for Mr. Epstein, including underage females like herself, under the guise of working in a legitimate position - such as an assistant or as a massage therapist - only to almost immediately be coerced or enticed into engaging in sex for money. Defendant has challenged the veracity of Ms. Giuffre, and appears to intend to argue that Ms. Giuffre cannot support the allegation that Ms. Maxwell recruited females for Mr. Epstein or that the females were coerced or enticed into sex. The sexual abuse that lies at the heart of this case took place behind closed doors – doors of Jeffrey Epstein's various private mansions. Unsurprisingly, Ms. Giuffre must find supporting circumstantial evidence to support her claims. Moreover, because Mr. Epstein and Defendant were travelling between Mr. Epstein's numerous homes and thus many of the events relevant to this case took place more than 100 miles from the courthouse, Ms. Giuffre cannot compel most of the witnesses to appear via a trial subpoena. Accordingly, Ms. Giuffre seeks leave to take more than the standard ten depositions in this case. At this time, she seeks leave to take seven additional depositions, as articulated below.<sup>2</sup>

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<sup>2</sup> Ms. Giuffre's counsel met and conferred with Defendant's counsel both in person and by phone in an effort to obtain agreement to proceed with these depositions but was unable to obtain an agreement. *See*

## I. FACTUAL BACKGROUND

The Court is aware of the scope of this case from earlier pleadings and numerous hearings. Initially, Ms. Giuffre anticipated the scope of discovery on this case would be narrow, because many of the events (such as flying to London on one of Epstein's planes with Maxwell) were supported by seemingly indisputable evidence, such as flight logs, and because the Defendant's counsel initially suggested that she may invoke her Fifth Amendment rights. Instead, during her recent deposition, Defendant simply failed to recall many of the most significant events in this case or refused to respond directly to many important questions. As a result, Ms. Giuffre is now in a position where she has to call multiple witnesses to establish fundamental facts in the case. For example, Defendant would not even admit that the initials "GM" which are on the private plane flight logs over 300 times, represent her initials for

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McCawley Decl. at Exhibit 1, May 17, 2016 Email Correspondence from Sigrid McCawley to Laura Menninger and Jeff Pagliuca with proposed deposition calendar. Ms. Giuffre's ability to determine exactly which depositions would need to be taken was hamstrung by the Defendant's refusal to sit for her deposition. As the Court will recall, Ms. Giuffre made efforts to set Defendant's deposition starting in February 2016, yet Defendant did not sit for her deposition until after being ordered by the Court on April 22, 2016. During that deposition, Defendant refused to answer a number of questions and refused to acknowledge basic facts in this case, thereby causing Ms. Giuffre to have to depose a number of unanticipated witnesses. Ms. Giuffre's counsel started conferring with Defendant's counsel in February 2016 and has actively engaged in discussion about these depositions that Ms. Giuffre knew she needed to take. On May 9, 2016, the parties conferred regarding deposition scheduling and Ms. Giuffre noticed depositions in accordance with the dates and locations that Defendant's counsel said were available, and, on May 17, 2016, provided her with a calendar outlining those dates. *See* McCawley Decl. at Exhibit 1, May 17, 2016 Email Correspondence from Sigrid McCawley. Ms. Maxwell waited until one day before the first deposition scheduled to take place on May 31, 2016 to inform Ms. Giuffre's counsel that she refuses to attend the deposition of this subpoenaed witness unless Ms. Giuffre drops her request to seek additional depositions by way of this motion. "If you intend to seek more than 10 depositions or to continue the discovery cut-off post July 1, then we will not be appearing at the depositions next week..." *See* McCawley Decl. at Exhibit 2, May 27, 2016 e-mail Correspondence from Laura Menninger to Bradley Edwards. This obstruction of discovery by refusing to attend subpoenaed depositions that were noticed to her about one month ago on May 4, 2016 should not be condoned. *See* McCawley Decl. at Exhibit 3, May 4, 2016 Notice of Service and Subpoena to Juan Alessi. Defendant's counsel is also apparently refusing to appear at the other two depositions set for next week, of Maria Alessi set for Wednesday, June 1, 2016 and originally noticed on May 4, 2016 and Dave Rodgers set for Friday, June 3, 2016 and originally noticed on May 4, 2016. While Ms. Giuffre had originally hoped to be able to conclude discovery on July 1, 2016, Defendant's refusal to attend depositions and agree to scheduling is putting Ms. Giuffre in a position where she will need additional time to complete discovery. *See* McCawley Decl. at Exhibit 4, May 26, 2016 Letter from Sigrid McCawley.

Ghislaine Maxwell. Therefore, Ms. Giuffre is now required to take the deposition of pilot Dave Rodgers to authenticate his pilot logs and the identity of the individuals on various flights.

In addition, as the Court knows, this case involves allegations that Ms. Giuffre was a victim of sexual abuse when she was under the age of 18 after being recruited by Ghislaine Maxwell and Jeffrey Epstein. Ms. Giuffre has alleged that Defendant recruited her and other young females, inexperienced in massage, for sex with Jeffrey Epstein by lying to them and telling them that the job was to be her personal assistant or a massage therapist. That was a ruse. Instead, Defendant recruited these females for sex with Jeffrey Epstein and, often, with herself, and “massage” was a euphemism for sex in Defendant’s household. Defendant has stated that these claims are obvious lies.

Aside from the deposition of the Defendant, Ms. Giuffre has taken the deposition of one other witness, Johanna Sjoberg, on May 18, 2016. Ms. Sjoberg testified that, while a twenty-year-old college student with no massage training, Ms. Maxwell, a stranger to her, approached her on her college campus, and told her she would hire Ms. Sjoberg as her personal assistant. After Ms. Sjoberg began to work for Defendant inside the home she shared with Epstein, Defendant revealed that Ms. Sjoberg’s true “job” was to complete sex acts with Jeffrey Epstein. Defendant was explicit with her instructions, at one point scolding Ms. Sjoberg for failing to “finish [her] job” after Ms. Sjoberg massaged Epstein without completing the sex act, and because of this failure, Defendant, instead, had to “finish [her] job for her” and cause Epstein and complete the sex act. *See* McCawley Decl. at Exhibit 5, Deposition of Johanna Sjoberg. Accordingly, in this manner, Ms. Giuffre needs to depose other witnesses to show the veracity of her claim that Defendant recruited young females, inexperienced in massage, for sex with Jeffrey Epstein, proving that Defendant was lying when she called Ms. Giuffre a liar, and knew

at the time she made the defamatory statement that it was untrue. Testimony like that from Ms. Sjoberg's refutes Defendant's testimony, and goes to her credibility, and goes to the claim at the center of this case.

Additionally, to prove Ms. Giuffre's allegations, that span multiple years, on multiple continents, and multiple locations, Ms. Giuffre has arranged a series of depositions of persons with direct knowledge of the relevant issues. To prove her case, Ms. Giuffre believes that a minimum of seventeen depositions will be required. In reviewing this list of depositions, it is important to understand that only one of them – the Defendant's – will consume a full seven hours of questioning by Ms. Giuffre's counsel, as permitted under the rules. *See* Fed. R. Civ. P. 30(d)(1). Apart from the Defendant's deposition, all of the other depositions set by Ms. Giuffre have been pursuant to an agreement with Defendant's counsel that Ms. Giuffre will be given half of the seven hours to ask questions. In the descriptions below, the time Ms. Giuffre will have to ask questions (or thus far has asked questions) is indicated:

**A. Depositions Taken Thus Far By Ms. Giuffre**

1. **Ghislaine Maxwell (7 hours)**. The defendant, of course, has relevant information in this case. But when Defendant was deposed, she refused to answer numerous questions about alleged adult consensual sex. Those refusals are currently before the Court in a pending motion to compel. DE 155. And, more broadly, Defendant's deposition makes it clear that she intends to contest many of the points that earlier had appeared to be potentially uncontested. For example, in pleadings before her deposition, Defendant had suggested that she might invoke her Fifth Amendment right to remain silent during questioning. Indeed, just a week before her deposition, Defendant filed a motion seeking the alternative relief of staying further proceedings so that she could get more information about whether to take the Fifth. *See* DE 101 at 2-4.

During her deposition, however, Defendant did not take the Fifth. Instead, she testified that she suffered from a series of memory lapses and could not recall many of the key issues in dispute in this case. As a result of Defendant's inability to remember events, a variety of issues are now in dispute. For example, at her deposition, Defendant indicated that she lacked recollection of or was otherwise unable to specifically answer the following questions:

- Whether Defendant observed a female under the age of 18 at Jeffrey Epstein's home in Palm Beach. *See* McCawley Decl. at Exhibit 6, Maxwell Depo. at 29.
- Whether Defendant had met Ms. Giuffre and introduced her to Epstein. *Id.* at 33.
- Whether Defendant, in 2011, could recall having met Ms. Giuffre at the Mar-a-Lago in Palm Beach and then writing that fact in an email. *Id.* at 35.
- Whether, when Defendant first met [REDACTED].
- Whether Defendant could recall being on a plane with [REDACTED] and Ms. Giuffre. [REDACTED].
- Whether the Defendant knew what Nadia Marcinkova was doing at Epstein's mansion. *Id.* at 41, 44.
- Whether Defendant knew the nature of the relationship between Epstein and Sarah Kellen. *Id.* at 47-48.
- Whether Defendant knew that Sarah Kellen recruited girls under the age of 18 to come to Epstein's mansions. *Id.* at 56-57.
- Whether massage therapists at Epstein's mansions performed sexual acts. *Id.* at 52-54.
- Whether Defendant knew the age of Eva Dubin when she (Dubin) met Epstein. *Id.* at 58-59.
- Whether Defendant advised Johanna Sjoberg that she (Sjoberg) could obtain extra money if she massaged Epstein. *Id.* at 61.
- Whether Defendant introduced Sjoberg to Prince Andrew. *Id.* at 63.
- Whether Defendant could recall Emmy Taylor brought masseuses to Epstein's mansion. *Id.* at 67.

- Whether Defendant knew what Ms. Giuffre was required to wear while providing massages to Epstein. *Id.* at 68-69.
- Whether Defendant could recall having a laundry basket of sex toys in Epstein's Palm Beach mansion, as described by Juan Alessi. *Id.* at 70-75.
- Whether Defendant could recall paying Ms. Giuffre. *Id.* at 75.
- Whether Defendant was ever present to view Ms. Giuffre massaging Epstein. *Id.* at 75.
- Whether Defendant could recall telling Ms. Giuffre that she needed a cell phone so that she could be on call regularly. *Id.* at 77.
- Whether Defendant was required to be on call to come to Epstein's mansion when he wanted her to come. *Id.* at 79.
- Whether Defendant could recall Ms. Giuffre being at Epstein's New York mansion when Prince Andrew came to visit. *Id.* at 80-81.
- Whether Defendant could recall Ms. Giuffre staying at any of Epstein's six homes. *Id.* at 81.
- Whether Defendant was aware that there were over 30 individuals who were minors who gave reports to the Palm Beach Police Department who said they were sexually assaulted by Epstein during the years that Defendant was working with him. *Id.* at 89-91.
- Whether Defendant introduced Ms. Giuffre to Prince Andrew in London. *Id.* at 108.
- Whether Ms. Giuffre ever stayed at Defendant's home in London. *Id.* at 108.
- Whether Defendant remembered taking a trip with Ms. Giuffre to travel over to Europe, including London. *Id.* at 108.
- Whether Defendant could recall Prince Andrew being present in New York for a party where Johanna Sjoborg was also present. *Id.* at 112-13.
- Whether a picture depicting Prince Andrew, Ms. Giuffre and Defendant was taken at Defendant's London town home. *Id.* at 113-14.
- Whether Defendant ever flew on one of Epstein's planes with a 17 year old. *Id.* at 121-22.
- Whether the notation "GM" on flight logs for passengers on Epstein's planes represented the Defendant (i.e., Ghislaine Maxwell). *Id.* at 122-23.

- Whether Defendant knew that the flight logs produced by Dave Rogers (one of Epstein's pilots) were accurate. *Id.* at 128-29.
- Whether Defendant could recall ever being on a flight on one of Epstein's planes with Ms. Giuffre. *Id.* at 132-33.
- Whether Defendant could recall Epstein and former President Clinton being friendly towards each other. *Id.* at 135-36.
- Whether Defendant could recall the purpose of a trip to Thailand with Epstein and former President Clinton was. *Id.* at 140.
- Whether Defendant could recall Ms. Giuffre taking pictures on trips. *Id.* at 144.
- Whether Defendant could recollect writing down messages on memo pads from various individuals at Epstein's Palm Beach mansion. *Id.* at 150-57; 159-60.
- Whether Defendant could recall receiving a message on a memo pad concerning [REDACTED]
- Whether Defendant could explain why a minor would be calling Epstein to say they had a female for him. *Id.* at 164.
- Whether Defendant could recall a sixteen-year-old Russian girl who came to Epstein's mansion? *Id.* at 167.
- Whether Defendant believed that Epstein sexually abused minors. *Id.* at 171-80.
- Whether Defendant was present at Epstein's Florida mansion when police executed a search warrant. *Id.* at 186.
- Whether Defendant took a picture at one of Epstein's properties of a person in either a naked or semi-naked state. *Id.* at 193.
- Whether Defendant could recall what Epstein told her about the criminal investigation of him. *Id.* at 194-95.
- Whether Epstein told Defendant that he never had sex with Ms. Giuffre. *Id.* at 197.
- Whether it was an "obvious lie" that Epstein engaged in sexual conduct with Ms. Giuffre while she was under the age of 18. *Id.* at 202-06.
- Whether Defendant knew whether Epstein had sex with a minor. *Id.* at 239.



- Whether it was a lie for Ms. Giuffre to say that Defendant approached females to bring them to Epstein. *Id.* at 244-46.
- Whether Defendant knew Epstein had a sexual preference for minors. *Id.* at 251-53.
- Whether Defendant knew that [REDACTED] asked girls to come over to see Epstein for purposes of sexual massage. [REDACTED]
- Whether Defendant could recall seeing [REDACTED] and Epstein together. [REDACTED].
- Whether Defendant was aware of any interstate or international transportation of women, aged 18 to 28, for purposes of having sex with Epstein where they would receive compensation. *Id.* at 278-79.
- Whether Defendant could recall anything about a puppet or caricature of Prince Andrew in Epstein's home when Prince Andrew was there, including whether Ms. Giuffre was sitting on Prince Andrew's lap with the puppet or caricature. *Id.* at 289-93.
- Whether Defendant could remember entering any telephone numbers into a contact book maintained by Epstein. *Id.* at 320-22.
- Whether a document with Epstein's contacts (including "massage" contacts) was located on Defendant's computer. *Id.* at 331-34.
- Whether, if Alfredo Rodriguez said that Defendant had knowledge that underage girls were coming over to Epstein's Florida mansion for purposes of sex, that would be a true statement. *Id.* at 329-30.
- Whether Defendant could recall any representative of hers informing the press that Ms. Giuffre committed grand theft. *Id.* at 344-45.
- Whether Defendant knew what her press agent, Ross Gow, was referring to when he talked in an email about "helpful leakage." *Id.* at 349-50, 406.
- Whether Defendant could recall interacting with anyone, other than Ms. Giuffre, under the age of 18 on any of Epstein's properties. *Id.* at 384.
- Whether Defendant had discussed with Prince Andrew any of the details of Ms. Giuffre's allegations against him. *Id.* at 400.

Because Defendant refused to answer those questions, Ms. Giuffre needs to depose other witnesses who have the requisite knowledge to testify concerning those issues.

2. **Johanna Sjorberg (3 ½ hours).** Ms. Sjorberg's deposition was taken on May 18, 2016, in Fort Lauderdale. She testified as follows:

- Johanna confirmed that Maxwell recruited her to work as an assistant but she was almost immediately converted into a massage therapist and worked for Maxwell and Epstein from 2001 – 2006. *See* McCawley Decl. at Exhibit 5, (May 18, 2016 Deposition Tr. at p. 8-9)
- Johanna confirms that she knew Virginia was underage when she met her on the trip to NY with Jeffrey in 2001 because Virginia couldn't get into the casino and then later Johanna asked her and Virginia said she was 17. (p. 18). Johanna testified that Virginia looked young. (p. 18-19). Johanna added: "At the time I had the impression that she did not have a family or she had walked away from her family. And it seemed to me, you know, they had just sort of adopted her, not as a child, but they would take care of her." (p. 88)
- Johanna testified that Jeffrey had to have three (3) massages a day from different girls. (p. 30)
- Johanna testified that Jeffrey told her that he had three (3) massages a day because "he needed to have three orgasms a day. It was biological, like eating." (p. 32)
- Johanna testified that Maxwell "let me know that she was – she would not be able to please him as much as he needed and that is why there were other girls around." (p. 33) "She (Maxwell) said she doesn't have the time or the desire to please him as much as he needs and that's why there were other girls around." (p. 150-151)
- Johanna confirmed that she witnessed Virginia when she was seventeen (17) in Jeffrey Epstein's New York mansion with Prince Andrew and Ghislaine Maxwell. (p. 87) Johanna also testified that Prince Andrew sat with Virginia and Johanna and took a picture with a puppet in his image that had its hand and Prince Andrew's hand on their respective breasts. (p. 83)
- Johanna testified that Maxwell bought a camera for her and asked her to take naked pictures of herself for Jeffrey. (p. 145)
- Johanna testified that Maxwell would not give her the camera because Johanna "didn't finish the job" when massaging Jeffrey so Maxwell had to do it and was not happy. (p. 34) "She told me – called me after I had left and said, I have the camera for you but you cannot receive it yet because you came here and didn't finish your job and I had to finish it for you... She was implying that I did not get Jeffrey off and so she had to do it." Q When you say 'get Jeffrey off' do you mean bring him to orgasm? A. Yes." (p. 34-35)
- Maxwell told Johanna to always act "grateful" to Jeffrey Epstein. (p. 35)

- Maxwell called Johanna and the other girls her “children” when they were on a trip to the USVI. (p. 36)
- David Copperfield was at a dinner at Epstein’s and there was another girl present who looked young and Johanna asked what school she went to and Johanna did not recognize the school name as being a college and she said it was possible it was a high school aged girl. Johanna said Copperfield “questioned me if I was aware that girls were getting paid to find other girls” (p. 37-38)
- Johanna testified she heard Jeffrey call someone to try to find girls in Hawaii to send over the Fredrick Fekkai. (p. 38-39)
- Johanna testified Jeffrey told her “Clinton likes them young, referring to girls.” (p. 41)
- Johanna testified that she was naked for 25 – 50% of all massages. (p. 42)
- Johanna testified that Jeffrey made her perform sexual acts during massages including sexual toys and she had intercourse with him. (p. 43, 146-147)
- Johanna testified that Nadia Marcinkova and Maxwell were both with her in the USVI in 2005. (p. 44).
- Johanna testified that Maxwell asked her to find other girls to perform massages at the house. (p. 141) She gave a name of a girl from a restaurant to Maxwell and Maxwell paid her \$200.00 for the girls’ name. “Did Maxwell ever ask you to bring other girls over for Jeffrey” (p. 46) A. Yes....”And I recall Ghislaine giving me money to bring her over...” (p. 141)
- Johanna testified that if a massage involved sexual acts that Jeffrey paid Johanna more than the normal \$200.00. (p. 100-101)
- She testified that Defendant called Emmy Taylor her “slave.” (p. 15). Later she testified that Jeffrey: “He told me one time Emmy was sleeping on the plane and they were getting ready to land and he went and woke her up and she thought that meant he wanted a [sex act], so she started to unzip his pants, and he said, No, no, no you just have to wake up for landing.” (p. 143-144)
- Johanna said Defendant flew her in the helicopter from the main island to the USVI. (p. 55)
- Johanna said she believes what Virginia is saying about being abused by Jeffrey and Maxwell. “Basically that I believed her, even though she never spoke to me specifically about what was going on; that once I learned everything that happened based on reading the police report, I believed her side of the story.” (p. 122-123). “Q. And what experience in the house helped you form your opinion that what Virginia is saying is true? A. You know, Jeffrey being open with me about what other girls did for him and

that I was not one of those girls. He was always trying to recruit me almost in a way that I could be one of them and travel with him and live the life of luxury if I only – if I only did this. So after five years of learning what was happening, I can look back knowing – I only knew Virginia a short time. Looking back, I can make assumptions about what was required of her.” (p. 123-124)

- She said she recalls that Defendant went to dinner with Governor Bill Richardson one time when Johanna was visiting the ranch in New Mexico (p. 110).

**B. Future Depositions Sought by Ms. Giuffre**

Ms. Giuffre has also scheduled the following depositions.

3. **Juan Alessi (3 ½ hours)**. Mr. Alessi’s deposition is scheduled for May 31, 2016, in Florida<sup>3</sup>. Mr. Alessi was one of the employees in Epstein’s mansion. Mr. Alessi provided witness statements to police during the criminal investigation in Palm Beach, and was previously deposed in civil cases previously brought against Mr. Epstein. Specifically, Juan Alessi informed the Palm Beach Police Detective as follows: “Alessi stated that towards the end of his employment, the masseuses were younger and younger. When asked how young, Mr. Alessi stated they appeared to be sixteen or seventeen years of age *at most*.” (emphasis added.) *See* McCawley Decl. at Composite Exhibit 7, Palm Beach Police Incident Report at p. 57.

On November 21, 2005, the Palm Beach Police Department took a sworn statement from house employee Juan Alessi in which he revealed that girls would come over to give “massages” and he observed Ms. Maxwell going upstairs in the direction of the bedroom quarters. *See* McCawley Decl. at Exhibit 8, November 21, 2005 Sworn Statement at 10. He also testified that after the massages, he would clean up sex toys that were kept in “Ms. Maxwell’s closet.” *Id.* at 12-13. He added that he and his wife were concerned with what was going on at the house (*Id.* at 14) and that he observed girls at the house, including one named “Virginia.” *Id.* at 21. It is anticipated that he will testify consistently with that previous testimony.

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<sup>3</sup> As explained above, as of today, Defendant’s counsel sent an email refusing to attend this deposition set for Tuesday, May 31, 2016 (Monday is Memorial Day). *See* McCawley Decl. at Exhibit 2.

4. **Maria Alessi (3 ½ hours)**. Ms. Alessi's deposition is scheduled for June 1, 2016, in Florida. She was, with her husband, household staff for Epstein in the Palm Beach home he shared with Defendant, and, it is anticipated, will corroborate many of the observations of her husband about minor girls and massages inside of Epstein's Florida mansion. Mr. Alessi referenced during his prior deposition the things that Ms. Alessi observed with respect to the sexual massages and involvement of minor girls. Mrs. Alessi is also anticipated to testify regarding Ms. Maxwell's close association with Mr. Epstein and knowledge the visitors.

5. **Dave Rodgers (3 ½ hours)**. Mr. Rodgers's deposition is scheduled for June 3, 2016, in Florida. Rodgers was one of the pilots for Epstein's private jets and will, it is anticipated, authenticate his flight logs showing Defendant and Ms. Giuffre together on the same flights. Defendant refused to admit that her name is reflected in the flight logs despite her initials "GM" appearing over 300 times. Therefore, such authentication is necessary because Defendant testified at her deposition she could not remember even the most basic things about flights in the flight logs. For example, when asked if "GM" represented her initials on the flight log, Defendant responded: "How do you know GM is me," (*See* McCawley Decl. at Exhibit 5, Maxwell Depo. at 29 at. 122) and "GM can stand for any level, it could be Georgina, George." (*Id.* at 123). Ms. Giuffre is also seeking additional flight logs in Mr. Rodgers possession that will further corroborate Defendant's involvement with Jeffrey Epstein.

6. **Rinaldo Rizzo (3 ½ hours)**. Mr. Rizzo is scheduled for June 10, 2016 and will be able to testify regarding his observations of Defendant and Epstein with underage girls (girls less than 18 years of age). Mr. Rizzo was originally set for deposition on May 13, 2016 which was noticed on April 11, 2016, and Defendant requested that Ms. Giuffre reschedule that deposition just days before the scheduled date.

7. **Jean Luc Brunel (3 ½ hours)**. Mr. Brunel's deposition is set for June 7, 2016, in New York. He has relevant information because he has known Maxwell and Epstein for many years and was present with Epstein and Defendant on many occasions at Epstein's homes in New York, Palm Beach and the USVI, and he has personal knowledge of the disputed issues in this case

8. **Ross Gow (3 ½ hours)**. Mr. Gow is Defendant's press agent who issued the press statement at issue in this case on Defendant's behalf. He will be able to testify regarding the defamatory statement, its distribution, any other defamatory statements that were distributed, and any information he had regarding the basis for the statement. Ms. Giuffre has requested that Defendant agree to produce Mr. Gow rather than requiring the time and expense of having to serve a subpoena on Mr. Gow, located in London, under the Hague convention, but counsel for Defendant has not agreed to produce Ross Gow for deposition.

9. **Dana Burns (3 ½ hours)**. Ms. Burns' deposition is set for June 8, 2016, in New York City. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10. **Jo Jo Fontanella (3 ½ hours)**. Jo Jo Fontanella is a critical witness because he has been working as Jeffrey Epstein's butler in his New York mansion for a number of years

including during the time that Ms. Giuffre was staying the night at the mansion when she was a minor child. Virginia interacted with Mr. Fontanella frequently during the time she was with Mr. Epstein and the Defendant. Mr. Fontanella will be able to testify to what he observed at the New York mansion including his observation regarding the age and number of females who visited the house each day. Mr. Fontanella will be able to testify regarding Defendant's presence at the home at various times and what he observed Defendant doing while she was at the New York mansion.

11. **Detective Joe Recarey (3 ½ hours).** During Defendant's deposition, Defendant questioned the veracity of the Palm Beach Police report containing the accounts of the numerous minor children who were also sexually abused by Jeffrey Epstein. Defendant referred to at least one of those children as a prostitute, which is false. *See* McCawley Decl. at Exhibit 5, Maxwell Deposition at 173:8-12; 359:11-18. The Palm Beach police report also includes statements about the Defendant. Detective Recarey is expected to testify regarding his investigation, what he observed, the evidence he collected from Mr. Epstein's Palm Beach mansion, the modus operandi of the Epstein organization, and the interviews he conducted with a number of females who were subject to abuse at the Palm Beach mansion. He will also testify regarding Jeffrey Epstein's, who is in a joint defense with Defendant, and his campaign to attack the credibility of the numerous minor children who reported sex offenses against him. Attacking the credibility of their victims, including Ms. Giuffre, is a part of Epstein and Defendant's modus operandi.

12. **Former Palm Beach Police Chief Michael Reiter (3 ½ hours).** Chief Reiter is scheduled for deposition on June 20, 2016. He was the Police Chief who was responsible for overseeing the Palm Beach Epstein investigation. He has made public statements about the 40

victims of Jeffrey Epstein’s abuse. He has made public statements about the fact that after he started the investigation into the crimes that took place at the Palm Beach mansion, he was followed by strange men and “investigated”. He also has made public statements that he sent to victims regarding the failure of the government to properly handle the matter. Reiter is relevant to many issues, among others, Defendant’s claimed innocence by the fact that she was never formally charged.

13. **Emmy Taylor (3 ½ hours).** Emmy Taylor was Defendant’s “assistant” during the time Ms. Giuffre was being abused. Ms. Taylor is on flight logs to Europe with Ms. Giuffre and other locations in the United States. Johanna Sjoberg testified that Emmy Taylor was referred to by the Defendant as “my slave” and that Ms. Taylor trained Ms. Sjoberg to give massages while Ms. Sjoberg was naked. Emmy Taylor will be able to testify as to what she observed and experienced during the years she was with Defendant and Epstein. Ms. Giuffre is still attempting to locate Ms. Taylor, but she is believed to reside in London.

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. **Nadia Marcinkova (3 ½ hours).** Ms. Marcinkova's deposition is set for June 16, 2016, in New York.<sup>4</sup> Ms. Marcinkova was specifically identified by the U.S. Attorney's Office for the Southern District of Florida as a "potential co-conspirator of Epstein" in the non-prosecution agreement it executed with Mr. Epstein as part of his guilty plea. She has relevant information because she observed the recruitment of underage girls for sex and, in fact, participated in sex acts with minors. She was also on numerous flights with Defendant (in contradiction to Defendant's testimony), and she can provide valuable testimony about Maxwell's role in the recruitment of females.

16. **Sarah Kellen (a/k/a Sarah Kensington or Sarah Vickers) (3 ½ hours).** Ms. Kellen's deposition is set for June 22, 2016, in New York. Ms. Kellen specifically identified by the U.S. Attorney's Office for the Southern District of Florida as a "potential co-conspirator of Epstein" in the non-prosecution agreement it executed with Mr. Epstein as part of his guilty plea. She has relevant information because she was present during the time when Virginia was with Epstein and the Defendant, and she travelled with all of them during this critical time period. It is believed that she worked at the direction of, and directly under, Ms. Maxwell and was taught by Ms. Maxwell how to recruit females for sex with Mr. Epstein.

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<sup>4</sup> Marcinkova, Kellen and Epstein have not been personally served and are all subject to Ms. Giuffre's Motion for Alternative Service [D.E. 160].

17. **Jeffrey Epstein (3 ½ hours)**. Ms. Giuffre's counsel have been in touch with Epstein's counsel and is continuing to work to schedule his deposition. Epstein lies at the center of this case, and he can testify that Defendant recruited females for sex with him, including Mrs. Giuffre, under the offer of being a massage therapist, and ultimately paid these females for sex. He can testify that Defendant lured dozens if not hundreds of young females, including many underage females, to his residences for sexual purposes.

## II. DISCUSSION

Ms. Giuffre has attempted to conduct discrete, focused discovery in this case to limit any burdens on the Defendant and on the Court. Nonetheless, this case presents numerous challenges that require that she take more than ten depositions – not the least of which is Defendant's extraordinary lack of memory about many events that would appear to have indisputably taken place. Ms. Giuffre, however, is not seeking to exceed the allotted *hours* for depositions under Rule 45 -- only the *number* of depositions. Ms. Giuffre seeks leave of Court to 7 additional depositions, for a total of seventeen depositions.

Under the rules, each party is entitled to take ten depositions which total seven hours each. Fed. R. Civ. P. 29(d)(1). Thus, the presumptive *time* limit for depositions is a total of seventy hours (10 depositions x 7 hours per deposition). For the convenience of opposing counsel, Ms. Giuffre has stipulated that they may have half of the seven hour deposition time for each third party witness. Thus, if the Court grants Ms. Giuffre's motion, she will end up taking less than seventy hours of deposition testimony. Specifically, she will only take one deposition of seven hours (Defendant's) and sixteen depositions of three-and-a-half hours – a total of 66 and ½ hours of depositions.

In light of the accommodation she had extended to opposing counsel, Ms. Giuffre requested that opposing counsel agree that both sides could schedule additional depositions beyond the presumptive limit of ten. Defendant refused to agree and is also in disagreement about the proposed schedule for depositions, despite the fact that Ms. Giuffre scheduled depositions based on the dates Defendant's counsel represented were available for depositions in this case. At Defendant's counsel's request Ms. Giuffre scheduled depositions of witnesses who lived in the same geographical location on consecutive days to limit the travel time and expense. *See McCawley Decl. at Exhibit 1.*

Sadly, it appears that Defendant's counsel may be attempting to delay Ms. Giuffre's ability to obtain depositions because certain witnesses are avoiding service and others were difficult to locate, and the time period for the close of discovery is swiftly approaching. The Court will recall that the Defendant managed to delay her deposition until April 22, 2016, through unnecessary motion practice. And now that the need to depose other witnesses has been established, Defendant's counsel are employing other delay tactics. The Court currently has before it, for example, Ms. Giuffre's motion for leave to serve three deposition subpoenas by means other than personal service. DE 160. As recounted at greater length in that motion, three of the critical witnesses in this case – Jeffrey Epstein, Sarah Kellan, and Nadia Marcinkova – have all thus far managed to evade service of process, despite repeated, diligent, and expensive efforts at personal service. Of course, all three of these witnesses are persons who have worked very closely with Defendant in the past. Epstein is also in a joint defense agreement with Defendant.

In other situations, Ms. Giuffre has been forced to delay taking depositions because of Defense Counsel. For example, Ms. Giuffre served a subpoena on Mr. Rizzo and opposing

counsel on April 11, 2016 for a deposition a month later on May 13, 2016. Just days before the deposition, Defendant's counsel said they didn't realize the deposition was scheduled and that they could not proceed forward on that date. *See* McCawley Decl. at Exhibit 9, May 5, 2016 E-mail Correspondence Regarding Scheduled Depositions. This forced Ms. Giuffre's counsel to have to reset the witness for June 10, 2016. Of course, with each delay, Ms. Giuffre is hamstrung in identifying which further witnesses need to be deposed.

Under Rule 30(a) of the Federal Rules of Civil Procedure, any party who wishes to conduct more than ten depositions without stipulation by the opposing party must seek leave of the court. Fed.R.Civ.P. 30(a)(2)(A)(i). Once such a motion is made, "[t]he court must grant a request to exceed ten depositions unless the additional depositions would be unreasonably cumulative or duplicative, the requesting party had a prior opportunity in discovery to obtain the information sought, or the burden or expense of additional depositions would outweigh any likely benefit." *In re Weatherford Int'l Sec. Litig.*, No. 11 CIV. 1646 LAK JCF, 2013 WL 5762923, at \*2 (S.D.N.Y. Oct. 24, 2013) (*citing* Fed.R.Civ.P. 26(b)(2)(C); *Raniola v. Bratton*, 243 F.3d 610, 628 (2d Cir.2001)). Given the liberal discovery allowed by the rules, the burden on the party seeking additional depositions is not great. Rule 30(a)(2)'s ten-deposition limit is "a useful and appropriate 'Stop' sign, not as a 'Road Closed' sign. Once any party has taken ten depositions, it makes perfect sense to require that party to demonstrate the need for more. But that showing need not be onerous. If the need exists, discovery should not be prevented." *Scott v. City of Sioux City, Iowa*, 298 F.R.D. 400, 402-03 (N.D. Iowa 2014).

As the Court can readily determine from the summary of anticipated testimony above, none of the anticipated testimony is unreasonably cumulative or duplicative. Rather, all of the anticipated testimony goes to central and now-disputed issues in the case. The Court should be

aware that, at every turn, Defendant appears ready to brand Ms. Giuffre as a “liar” who cannot be believed. Thus, obtaining witnesses, like Ms. Sjoberg, who can corroborate that she is telling the truth is more important in this case than it would be in many others. It is equally important that Ms. Giuffre be able to depose the witnesses who can refute Defendant's testimony.

The Court can also readily determine that Ms. Giuffre has not had any prior opportunity to obtain discovery of the witnesses she seeks to depose. The case is only now in the fact discovery phase, and she has had no opportunity to previously depose these third-party witnesses.

Finally, there is no substantial burden involved with deposing seven additional witnesses. Any assessment of burden must take into account the scope of the underlying case. Ms. Giuffre is seeking both compensatory and punitive damages that would total millions of dollars. Against that backdrop, a handful of additional depositions cannot be seen as unduly burdensome. Moreover, this is not a situation where Defendant lacks means to pay for counsel to attend the depositions. Defendant's vast wealth does not appear to be in doubt.<sup>5</sup>

During the meet-and-confer on this issue, the Defendant's substantive reason for not stipulating to these additional depositions is that, with regard to three of the witnesses (Epstein, Kellan, and Marcinkova), it appears likely that they will invoke their Fifth Amendment right to refuse to answer some questions about Defendant's involvement in the sexual abuse of Ms. Giuffre. But until those witnesses actually take the Fifth, the conclusion that they will actually

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<sup>5</sup>Defendant has thus far refused produce documents regarding the extent of her assets, arguing that until the punitive damages phase of this proceeding is reached the discovery is not relevant. Nonetheless, public information suggests significant assets – and the possibility that she is transferring assets outside the reach of the Court's jurisdiction. *See, e.g., Alleged Epstein Madam Sells \$16M Manhattan Townhouse*, New York Post, Apr. 28, 2016 (available at <http://nypost.com/2016/04/28/alleged-epstein-madam-sells-16m-manhattan-townhouse/>).

take the Fifth is, at a minimum, premature.<sup>6</sup> The witness may, for example, answer some questions and not others. And, in any event, even if they take the Fifth when asked about Defendant's sexual abuse of minors, those invocations will quite likely be admissible against the Defendant at trial.

The Second Circuit has squarely held that a witness' invocation of Fifth Amendment rights can in proper circumstances be used against a party. The Second Circuit's seminal decision is *LiButti v. United States*, 107 F.3d 110, 121 (2d Cir. 1997), which upheld the drawing of adverse inferences based on a non-party's invocation of a Fifth Amendment right to remain silent. The Second Circuit instructed that, the circumstances of given case, rather than status of particular nonparty witness, determines whether nonparty witness' invocation of privilege against self-incrimination is admissible in course of civil litigation. *Id.* at 122-23. The Circuit also held that, in determining whether nonparty witness' invocation of privilege against self-incrimination in course of civil litigation and drawing of adverse inferences is admissible, court may consider the following nonexclusive factors:

- (1) nature of witness' relationship with and loyalty to party;
- (2) degree of control which party has vested in witness in regard to key facts and subject matter of litigation;
- (3) whether witness is pragmatically noncaptioned party in interest and whether assertion of privilege advances interests of witness and party in outcome of litigation; and
- (4) whether witness was key figure in litigation and played controlling role in respect to its underlying aspects.

*Id.* at 124-25.

Clearly, many of these factors are going to weigh heavily in favor of drawing an adverse inference against Defendant. For example, Jeffrey Epstein is a "pragmatically noncaptioned

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<sup>6</sup> The Court should be aware that these are also the three witnesses who have been attempted to evade service of process.

party in interest” regarding issues of whether he and Defendant together sexually abused Ms. Giuffre. And Defendant is in a joint defense agreement with Epstein. Also, some of the most important events in this case took place in private bedroom where just three people were present – Ms. Giuffre, Defendant, and Epstein. With Defendant denying these events, the fact that Epstein may take the Fifth could provide decisive information to the jury.

But the Court need not make any determinations now as to precisely how these factors will play out. Instead, it is enough to note that very important and unique evidence may be secured from the deposition of each of these three individuals and therefore Ms. Giuffre should be permitted to take their deposition.

### **CONCLUSION**

Ms. Giuffre respectfully requests that she be allowed to take a total seventeen depositions in this case.

Dated: May 27, 2016

Respectfully Submitted,

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Sigrid McCawley

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on the 27th day of May, 2016, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system. I also certify that the foregoing document is being served this day on the individuals identified below via transmission of Notices of Electronic Filing generated by CM/ECF.

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/s/ Sigrid S. McCawley  
Sigrid S. McCawley

**United States District Court  
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

---

**NON-REDACTED DECLARATION OF SIGRID S. McCAWLEY IN SUPPORT OF  
PLAINTIFF'S MOTION TO EXCEED PRESUMPTIVE TEN DEPOSITION LIMIT IN  
FEDERAL RULE OF CIVIL PROCEDURE 30(A)(2)(a)(ii), FILED UNDER SEAL**

I, Sigrid S. McCawley, declare that the below is true and correct to the best of my knowledge as follows:

1. I am a partner with the law firm of Boies, Schiller & Flexner LLP and duly licensed to practice in Florida and before this Court pursuant to this Court's September 29, 2015 Order granting my Application to Appear Pro Hac Vice.
2. I respectfully submit this Declaration in support of Plaintiff's Motion to Exceed Presumptive Ten Deposition Limit In Federal Rule of Civil Procedure 30(A)(2)(a)(ii), Filed Under Seal.
3. Attached hereto as Composite Exhibit 1, is a true and correct copy of the May 17, 2016 Email Correspondence from Sigrid McCawley.
4. Attached hereto as Exhibit 2, is a true and correct copy of the May 27, 2016 Email Correspondence from Laura Menninger.
5. Attached hereto as Exhibit 3, is a true and correct copy of the Notice of Service

and Subpoena to Juan Alessi.

6. Attached hereto as Exhibit 4, is a true and correct copy of the May 26, 2016 Correspondence from Sigrid McCawley.

7. Attached hereto as Exhibit 5, is a true and correct copy of the May 18, 2016 Deposition Transcript of Johanna Sjoberg.

8. Attached hereto as Composite Exhibit 6, is a true and correct copy of the April 22, 2016 Deposition Transcript of Ghislaine Maxwell.

9. Attached hereto as Exhibit 7, is a true and correct copy of the Palm Beach Police Report.

10. Attached hereto as Exhibit 8, is a true and correct copy of the November 21, 2005 Sworn Statement of Juan Alessi.

11. Attached hereto as Exhibit 9, is a true and correct copy of the May 4, 2016 Email Correspondence from Laura Menninger.

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

/s/ Sigrid S. McCawley  
Sigrid S. McCawley, Esq.

Dated: May 27, 2016.

Respectfully Submitted,

BOIES, SCHILLER & FLEXNER LLP

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/s/ Sigrid S. McCawley  
Sigrid S. McCawley, Esq.

# EXHIBIT 5

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CASE NO. 15-CV-07433-RWS

-----X

VIRGINIA L. GIUFFRE,

Plaintiff,

v.

GHISLAINE MAXWELL,

Defendant.

-----X

May 18, 2016

9:04 a.m.

C O N F I D E N T I A L

Deposition of JOHANNA SJOBERG, pursuant  
to notice, taken by Plaintiff, at the  
offices of Boies Schiller & Flexner, 401  
Las Olas Boulevard, Fort Lauderdale, Florida,  
before Kelli Ann Willis, a Registered  
Professional Reporter, Certified Realtime  
Reporter and Notary Public within and  
for the State of Florida.

1 A P P E A R A N C E S:

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Attorneys for Plaintiff

3 401 East Las Olas Boulevard  
Fort Lauderdale, Florida 33301

4 BY: SIGRID S. McCAWLEY, ESQ. and  
MEREDITH SCHULTZ, ESQ.

5

6 HADDON MORGAN & FOREMAN, P.C.  
Attorneys for Defendant

7 150 East 10th Avenue  
Denver, Colorado 80203

8 BY: LAURA A. MENNINGER, ESQ.

9

10 SINCLAIR LOUIS & ZAVERTNIK, P.A.  
Attorneys for Deponent

11 40 NW Third Street  
Suite 200

12 Miami, Florida 33128

BY: MARSHALL DORE LOUIS, ESQ.

13

14

15 ALSO PRESENT: Ryan Kick, Videographer

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1 THE VIDEOGRAPHER: We are now on the  
2 record. This is begins Videotape No. 1 in the  
3 deposition of Johanna Sjoberg, in the matter of  
4 Virginia Giuffre versus Ghislaine Maxwell.

5 Today is May 18th, 2016. The time is  
6 9:04 a.m. This deposition is being taken at  
7 401 East Las Olas Boulevard, Fort Lauderdale,  
8 Florida.

9 The videographer is Ryan Kick. The court  
10 reporter is Kelli Ann Willis. We both  
11 represent Magna Legal Services.

12 Will counsel and all parties present state  
13 their appearance and whom they represent.

14 MS. McCAWLEY: Yes. I'm Sigrid McCawley,  
15 with the law firm of Boise Schiller & Flexner,  
16 and I represent Virginia Giuffre. And I have  
17 here two colleagues of mine, Meredith Schultz  
18 and Sandra Perkins, from my firm as well.

19 MS. MENNINGER: Hi. I'm Laura Menninger  
20 from Haddon Morgan & Foreman, and I represent  
21 Ghislaine Maxwell.

22 MR. LOUIS: I'm Dore Louis from Sinclair  
23 Louis & Zavertnik. I'm here on behalf of the  
24 deponent.

25 Thereupon:

1 JOHANNA SJOBERG

2 a witness named in the notice heretofore filed,  
3 being of lawful age and having been first duly  
4 sworn, testified on her oath as follows:

5 E X A M I N A T I O N

6 BY MS. McCAWLEY:

7 Q. Good morning, Johanna. Thank you for  
8 coming. I'm going to talk to you a little bit about  
9 the deposition process before we get started to make  
10 sure you understand what's going to happen here  
11 today.

12 You just heard there's a videographer, and  
13 he's going to be taking your video during this  
14 deposition and generally what's happening in the  
15 course of the deposition.

16 And then you have a court reporter here  
17 who takes down the words that we say. And it's a  
18 little bit tricky because I tend to speak quickly  
19 sometimes and speak over people, and she needs to  
20 get down all of the words. So I'll try to do my  
21 best to go slower and make sure I'm not talking over  
22 you.

23 And, similarly, if you've got an answer to  
24 a question, make sure that you're verbally  
25 responding, not just nodding or making a gesture

1 because she can't get that down. We want to make  
2 sure our responses are verbal. I'll try to remind  
3 you of that if that happens.

4 Have you ever been deposed before?

5 A. No.

6 Q. No. Okay.

7 So what's going to happen is I'm going to  
8 ask questions, and you'll give answers. And like I  
9 said, everybody will be recording those.

10 Is there any reason, any medical reason,  
11 anything you've taken today that would cause you to  
12 not to be able to give truthful testimony today?

13 A. No.

14 Q. No. Okay.

15 All right. So we're going to get started,  
16 and if you have any questions during the deposition  
17 or you need to stop to take a break, you can just  
18 let me know and we'll take that break.

19 So what I -- the only thing I ask is if  
20 we're in the midst of a question, you finish the  
21 answer before we take a break.

22 A. Sure.

23 Q. But I'll try to make sure that I take  
24 regular breaks, as well.

25 You stated your name for the record. Can

1     you tell me your date of birth?

2

3             Q.     That makes you how old now?

4

5             Q.     Okay. And where are you currently living?

6

7             Q.     And I'm going to show you what I'm going  
8     to mark as the first two exhibits in the matter.  
9     And I'm going to ask the court reporter if I can  
10    mark those.

11                   (The referred-to document was marked by  
12            the court reporter for Identification as  
13            Sjoberg Exhibits 1 and 2.)

14    BY MS. McCAWLEY:

15             Q.     Okay. I'm going to show you what I'm  
16    marking as Exhibit 1. It's going to be the  
17    re-notice of your videotaped deposition, which is  
18    simply a notice I'm going to show you. And then  
19    Exhibit 2 is the subpoena that we served on you.

20                   So you're here today pursuant to our  
21    Notice of Deposition and the subpoena that we served  
22    on you.

23                   Are you familiar with the subpoena? Have  
24    you seen that document before?

25             A.     Yes.

1 Q. Okay. Great.

2 All right. Do you know a female by the  
3 name of Ghislaine Maxwell?

4 A. Yes.

5 Q. And when did you first meet Ms. Maxwell?

6 A. 2001. March probably. End of  
7 February/beginning of March.

8 Q. And how did you meet her?

9 A. She approached me while I was on campus at  
10 Palm Beach Atlantic College.

11 Q. And what happened when she approached you?

12 A. She asked me if I could tell her how to  
13 find someone that would come and work at her house.  
14 She wanted to know if there was, like, a bulletin  
15 board or something that she could post, that she was  
16 looking for someone to hire.

17 Q. And what did you discuss with her?

18 A. I told her where she could go to -- you  
19 know, to put up a listing. And then she asked me if  
20 I knew anyone that would be interested in working  
21 for her.

22 Q. Did she describe what that work was going  
23 to be?

24 A. She explained that she lived in Palm Beach  
25 and didn't want butlers because they're too stuffy.

1 And so she just liked to hire girls to work at the  
2 house, answer phones, get drinks, do the job a  
3 butler would do.

4 Q. And did she tell you what she would pay  
5 for that kind of a job?

6 A. At that moment, no, but later in the day,  
7 yes.

8 Q. And what did she say?

9 A. Twenty dollars an hour.

10 Q. Was there anybody else with Ms. Maxwell  
11 when you met her?

12 A. There was another woman with her. I don't  
13 recall her or what she looks like or how old she  
14 was.

15 Q. And what happened next?

16 A. And then she asked me if I would be  
17 interested in working for her. And she told me that  
18 she was -- I could trust her and that I could jump  
19 in her car and go check out the house at that moment  
20 if I wanted.

21 And so I said, Sure, let's do it, and went  
22 to her home with her.

23 Q. And where was that home?

24 A. In Palm Beach.

25 Q. And did she describe that home as being

1 her home?

2 A. She described it as being her home and  
3 alluded to the fact that it was her and Jeffrey's  
4 home and that she had homes all over the world.  
5 Yes.

6 Q. And what happened when you arrived at the  
7 home?

8 A. I believe she just showed me around.

9 Q. Do you recall meeting anybody at the home?

10 A. I don't recall if I met Jeffrey at that  
11 time or the next time that I was there.

12 Q. How did you meet Jeffrey? Did Maxwell  
13 introduce you to Jeffrey?

14 A. Yes.

15 Q. What do you recall of your first meeting  
16 with Jeffrey?

17 A. I remember him being in a bathrobe. I  
18 recall talking to him about how I was a major in  
19 psychology. And he had studied psychology, and so  
20 he spoke with me about different topics.

21 I remember thinking this guy is very  
22 smart. That was my first impression.

23 Q. And when you refer to Jeffrey, are you  
24 referring to Jeffrey Epstein?

25 A. Yes.



1           Q.     How did the meeting -- you said Maxwell  
2     took you to the home. Do you remember how that  
3     meeting ended?

4           A.     Well, she dropped me back off at campus.

5           Q.     And did you --

6           A.     She got my number and I took her number.  
7     And then she called me the next weekend to work.

8           Q.     So at that point you started working for  
9     Ms. Maxwell?

10          A.     At that time, yes.

11                 MS. MENNINGER: Objection, leading.

12                 Sorry.

13          BY MS. McCAWLEY:

14          Q.     Did you then start working for Ms. Maxwell  
15     after that first meeting?

16          A.     She called me and I went over to the home  
17     the next Sunday to work.

18          Q.     And what work -- can you describe for me  
19     the first day at work, what work you performed?

20          A.     Sure. I remember answering the phones and  
21     taking messages. And at one point, she asked me to  
22     go pick up printer ink, and I took her car to Office  
23     Depot to get ink.

24                 She asked me to go buy some magazines, so  
25     I went to Palm Beach Daily News and bought a few

1 magazines.

2 She and I went -- she wanted to take me  
3 shopping to Worth Avenue, but it was a Sunday and  
4 Nieman Marcus was closed, so we went back to, like,  
5 a little book store. And I remember she bought, I  
6 think, five pairs of reading glasses because she  
7 thought Jeffrey would like them. He had them all  
8 over the house. On every table there was reading  
9 glasses.

10 And that's about it. It was a pretty  
11 simple day.

12 Q. Were you paid that day for that work?

13 A. Yes.

14 Q. And how much were you paid? Do you  
15 remember?

16 A. I don't remember how many hours I was  
17 there -- I was there. She paid me cash.

18 Q. So Maxwell paid you?

19 A. Yes.

20 Q. And then was she the one who trained you  
21 with what -- with respect to what you were supposed  
22 to do during the day, directed you to, like you  
23 said, go to --

24 A. I believe she was the one that was kind of  
25 showing me around.

1 Q. And how long did you work in that position  
2 answering phones and doing --

3 A. Just that one day.

4 Q. Just that one day.

5 And did your duties change?

6 A. Well, the next time she called me, she  
7 asked me if I wanted to come over and make \$100 an  
8 hour rubbing feet.

9 Q. And what did you think of that offer?

10 A. I thought it was fantastic.

11 Q. And did you come over to the house for  
12 that purpose?

13 A. Yes.

14 Q. And when you came over to the house, was  
15 Maxwell present?

16 A. I don't recall.

17 Q. And what happened that second time you  
18 came to the house?

19 A. At that point, I met Emmy Taylor, and she  
20 took me up to Jeffrey's bathroom and he was present.  
21 And her and I both massaged Jeffrey. She was  
22 showing me how to massage.

23 And then she -- he took -- he got off the  
24 table, she got on the table. She took off her  
25 clothes, got on the table, and then he was showing

1 me moves that he liked. And then I took my clothes  
2 off. They asked me to get on the table so I could  
3 feel it. Then they both massaged me.

4 Q. So it was more than a foot massage at that  
5 point?

6 A. Yeah, it was mostly, like, legs and back.

7 Q. Was everybody in the room without clothes  
8 on?

9 A. When they were on the massage table, yes.

10 Q. Did they -- when they got off the massage  
11 table to perform the massage, did they dress or  
12 did --

13 A. Yes.

14 Q. They dressed.

15 And do you recall who paid you for that  
16 first day that you did the massages?

17 A. I don't recall.

18 Q. Do you recall whether Maxwell was at the  
19 house during that first day when you were doing the  
20 massage with Emmy and Jeffrey?

21 MS. MENNINGER: Objection, asked and  
22 answered.

23 BY MS. McCAWLEY:

24 Q. You can answer.

25 A. I don't recall.

1 Q. Who did Emmy work for?

2 A. Ghislaine.

3 Q. Did Maxwell ever refer to Emmy by any  
4 particular term?

5 A. She called her her slave.

6 Q. You said your job duties changed. Did you  
7 start to travel as part of your job with Jeffrey and  
8 Ghislaine?

9 A. Yes. The next time they called me, they  
10 asked me to go to New York.

11 Q. And did you -- do you recall when that was  
12 approximately?

13 A. That was Easter of 2001.

14 Q. And do you recall who was on the plane  
15 with you for that trip?

16 MS. MENNINGER: Objection, leading, form.

17 MS. McCAWLEY: Actually, I'm going to stop  
18 really quickly and I'm going to ask for the  
19 next exhibit, please.

20 MS. MENNINGER: This is 3?

21 MS. McCAWLEY: Yes. I'm going to mark  
22 this as Exhibit 3 for purposes of the  
23 deposition.

24

25

1 (The referred-to document was marked by  
2 the court reporter for Identification as  
3 Sjoberg Exhibit 3.)

4 BY MS. McCAWLEY:

5 Q. Johanna, I'm going to direct you -- I  
6 flagged some pages, but for the record, I'm going to  
7 say what pages they are before I hand you the  
8 exhibit.

9 A. Sure.

10 Q. These are Giuffre 000748 and 000758, are  
11 the two pages right now I may refer you to. The  
12 document itself is 000721 through 789.

13 And these are flight logs from pilot David  
14 Rogers that have been produced in this case.

15 MS. MENNINGER: Objection, foundation,  
16 asking the witness any questions about this  
17 document.

18 THE WITNESS: Can I touch it?

19 MS. McCAWLEY: Yes, you may.

20 MS. MENNINGER: I just have to say things  
21 every now and then.

22 THE WITNESS: Okay.

23 BY MS. McCAWLEY:

24 Q. So you mentioned that you traveled to New  
25 York. If you turn to page -- flagged page which

1     should be 000748, at the top of that document you're  
2     going to see a date of April 2001.

3             I'm just going to ask you to go down to  
4     the -- if you look at the line on the left to where  
5     it says 9 for the date, and look over where it has  
6     the names.

7             Do you see -- can you identify your name  
8     on that list?

9             A.     Yes.

10            Q.     And can you tell me -- I know there are  
11     initials there -- who else to the extent you  
12     remember was on the plane with you?

13            MS. MENNINGER:  Objection, foundation,  
14     leading, form of question.

15     BY MS. McCAWLEY:

16            Q.     Johanna, do you recall who was on the  
17     plane with you that day?

18            MS. MENNINGER:  Objection, foundation,  
19     form, leading.

20            The witness is reading the document.

21     BY MS. McCAWLEY:

22            Q.     You can answer.

23            A.     Okay.  JE, Jeffrey Epstein; ET, Emmy  
24     Taylor; VR, Virginia Roberts; BK, I do not recall;  
25     and myself.

1 MS. MENNINGER: Objection. The witness is  
2 reading the document.

3 BY MS. McCAWLEY:

4 Q. And do you recall where you flew when you  
5 went to -- when you traveled that first time with  
6 Jeffrey Epstein?

7 A. We left from Palm Beach and landed in  
8 Atlantic City for a few hours because there was a  
9 storm in New York, and then got back on the plane a  
10 few hours later and landed in Teterboro.

11 Q. And you said that you recall landing in  
12 Atlantic City. Did you go into Atlantic City?

13 A. Yes, went to one of Trump's casinos.

14 Q. Did you actually go into the casino  
15 itself?

16 A. Yes.

17 Q. Do you recall Virginia -- at the time  
18 Virginia Roberts being present with you?

19 A. Yes.

20 Q. Do you recall if she went into the casino?

21 A. She was underage. I did not know anything  
22 about how old you had to be to gamble legally. I  
23 just knew she could not get in because of an ID  
24 issue. So she and I did not gamble.

25 Q. In your opinion, did Virginia look young,



1 in your view?

2 A. Yes.

3 Q. Did you ever -- did you at that time  
4 wonder why she was traveling with Jeffrey?

5 A. At that time, I did not.

6 Q. Did you later wonder that?

7 A. Yes.

8 Q. And what was your impression?

9 MS. MENNINGER: Objection, vague,  
10 speculative.

11 THE WITNESS: I -- we're jumping ahead; is  
12 that okay?

13 BY MS. McCAWLEY:

14 Q. Yes, that's okay.

15 A. A few days later, I remember asking her  
16 questions to try to figure out her role, why she was  
17 there, and she gave me vague answers and was never  
18 specific.

19 And so I thought perhaps she just was an  
20 assistant, someone that did massages well. I wanted  
21 to believe that she was innocent.

22 Q. Did you ever refer to her as being  
23 orphan-like?

24 A. I did.

25 Q. And how did that come about?

1           A.    No, I only -- to you, I said that to you.  
2    I just saw her as perhaps someone who may not have  
3    had a strong family, and they took her under their  
4    wing.

5           Q.    Now, you mentioned remembering going to  
6    Atlantic City.

7                   Did you go -- where did you go after  
8    Atlantic City?

9           A.    Once we landed in New York, Emmy and I  
10   went in a car and drove around the city for a half  
11   hour or so, just to see some of the city.

12          Q.    And then where did you go after doing the  
13   sightseeing?

14          A.    We went to the townhouse on East 71st.

15          Q.    And can you describe that location for me?

16          A.    Sure. Between Madison and Park. I think  
17   the address might have been 9 East 71st Street.

18          Q.    And who owned that home?

19          A.    As far as I knew, Epstein.

20          Q.    Can you describe for me physically what --

21          A.    Palatial. When you walk up, it looks like  
22   a normal door to a townhouse, and when you walk  
23   in -- I thought there were four floors. I heard  
24   there were seven floors. I didn't see them all.

25          Q.    And do you recall who, if anybody, was at

1 Jeffrey's home when you arrived?

2 A. Yes. When I first walked in the door, it  
3 was just myself, and Ghislaine headed for the  
4 staircase and said -- told me to come up to the  
5 living room.

6 Q. And what happened at that point, when you  
7 came up to the living room?

8 A. I came up and saw Virginia, Jeffrey,  
9 Prince Andrew, Ghislaine in the room.

10 Q. And did you meet Prince Andrew at that  
11 time?

12 A. Yes.

13 Q. And what happened next?

14 A. At one point, Ghislaine told me to come  
15 upstairs, and we went into a closet and pulled out  
16 the puppet, the caricature of Prince Andrew, and  
17 brought it down. And there was a little tag on the  
18 puppet that said "Prince Andrew" on it, and that's  
19 when I knew who he was.

20 Q. And did -- what did the puppet look like?

21 A. It looked like him. And she brought it  
22 down and presented it to him; and that was a great  
23 joke, because apparently it was a production from a  
24 show on BBC. And they decided to take a picture  
25 with it, in which Virginia and Andrew sat on a

1 couch. They put the puppet on Virginia's lap, and I  
2 sat on Andrew's lap, and they put the puppet's hand  
3 on Virginia's breast, and Andrew put his hand on my  
4 breast, and they took a photo.

5 Q. Do you remember who took the photo?

6 A. I don't recall.

7 Q. Did you ever see the photo after it was  
8 taken?

9 A. I did not.

10 Q. And Ms. Maxwell was present during the --  
11 was Ms. Maxwell present during that?

12 A. Yes.

13 Q. What happened next?

14 A. The next thing I remember is just being  
15 shown to which room I was going to be staying in.

16 Q. When you exited the room that you were in  
17 where the picture was taken, do you recall who  
18 remained in that room?

19 A. I don't.

20 Q. Do you recall seeing Virginia exit that  
21 room?

22 A. I don't.

23 Q. During this trip to New York, did you have  
24 to perform any work when you were at the New York  
25 house?

1           A.    I performed at least one massage that I  
2    recall.

3           Q.    And who instructed you to give that  
4    massage?

5           A.    Jeffrey.

6           Q.    And can you describe for me what happened  
7    during that massage?

8           A.    Near the end, he asked me to rub his  
9    nipples while he masturbated.

10          Q.    And did that take place?

11          A.    It did not.

12          Q.    And why not?

13          A.    I was not comfortable with it. And so I  
14    left the room.

15          Q.    Did you have any -- did you say anything  
16    to him before leaving the room?

17          A.    I believe I said, "I'm done."

18          Q.    Do you recall what his reaction was to  
19    that?

20          A.    I do not. At the time, at that moment, I  
21    do not.

22          Q.    Did you recall later what --

23          A.    Well, we had a conversation a little  
24    later, talking about his expectations, and that was  
25    the conversation where he said that the next trip

1 they were going on was to the island in the Virgin  
2 Islands, and I would be invited; however, there  
3 would be, quote, sex stuff happening.

4 Q. Can you describe for me -- can you  
5 describe for me what that -- in New York, where you  
6 massaged and what that looked like?

7 A. He had one room that was the massage room.  
8 It was about the size of a spa room in a spa. It  
9 had high ceilings. It had dark tapestry on the  
10 walls. It was a very dark room. There was a very  
11 large picture of a naked woman whom I don't recall.  
12 That's all I remember.

13 Q. In the New York home, did you observe  
14 photos around the house?

15 A. I don't recall.

16 Q. In the Palm Beach home that we were  
17 talking about earlier, did you recall seeing photos  
18 in that?

19 A. Yes.

20 Q. And did you recall seeing photos of naked  
21 females in that home?

22 A. Yes.

23 Q. Approximately -- can you tell me where you  
24 would see those in the home?

25 A. I definitely saw them in his bathroom.

1 And I can't recall if they were in the main living  
2 areas.

3 Q. Did you see them in the stairwell up to  
4 the second story of the house?

5 A. I can't recall.

6 Q. Do you know who -- who the people were in  
7 those photos? Were you familiar with any of them?

8 A. No.

9 Q. Were you in any of those photos?

10 A. At one point, yes.

11 Q. And were you naked in that photo?

12 A. Topless.

13 Q. Do you recall seeing any naked photos of  
14 Virginia Roberts?

15 A. I do not.

16 Q. Where did you go next, after the New York  
17 visit?

18 A. I went to the Virgin Islands.

19 Q. And who told you that you would be going  
20 to the Virgin Islands?

21 A. He asked me if I wanted to go, and I said  
22 I would still like to go.

23 Q. And do you recall who you -- who went with  
24 you to the Virgin Islands?

25 A. I believe -- well, I know Virginia was

1 with me. Ghislaine was there. Jeffrey. And there  
2 were two other women that I don't recall their  
3 names.

4 Q. Did you travel on Jeffrey's plane to get  
5 to the Virgin Islands?

6 A. Yes.

7 Q. I want to show you again the flight log  
8 that you have there in front of you. If you can  
9 flip to --

10 MS. MENNINGER: I'm going to object to the  
11 foundation again.

12 BY MS. McCAWLEY:

13 Q. It's that same page that you were on. The  
14 date is the 11th.

15 A. Yes.

16 Q. Do you see the TEB to TIST there?

17 A. Yes.

18 MS. MENNINGER: Objection, leading. The  
19 questioning is testifying now.

20 MS. McCAWLEY: Can you let me finish my  
21 question, please?

22 BY MS. McCAWLEY:

23 Q. Can you tell me who the initials are there  
24 that you see that were on the plane?

25 MS. MENNINGER: Objection, foundation,



1 leading.

2 THE WITNESS: Jeffrey Epstein; Ghislaine  
3 Maxwell; AP and PK are the two women I do not  
4 recall; Virginia Roberts; and myself.

5 BY MS. McCAWLEY:

6 Q. Do you recall how you flew back from the  
7 location in the US Virgin Islands?

8 A. They put me on a commercial flight. I  
9 wanted to be home in time for Easter.

10 Q. When you say "they," do you recall who  
11 made those arrangements for you?

12 A. It could have been Ghislaine.

13 Q. Did you -- do you recall performing  
14 massages while you were in the US Virgin Islands?

15 A. Yes.

16 Q. Who was involved in -- was there more than  
17 one?

18 A. Yes. I massaged Ghislaine at one point.  
19 And I massaged Jeffrey, Virginia and I, both, on the  
20 beach.

21 Q. Were you dressed during the massage that  
22 was on the beach?

23 A. Yes. Bikinis probably, most likely.

24 Q. Do you recall what Virginia was wearing?

25 A. I believe she was wearing a bathing suit,

1 as well.

2 Q. Were you paid for the massage on the beach  
3 with Virginia?

4 A. At the end of -- before I left and flew  
5 home, Ghislaine gave me \$1,000.

6 Q. You mentioned that you massaged -- you  
7 recall massaging Ghislaine on the trip to the USVI.

8 Do you recall when that took place?

9 A. I don't even recall what days we were  
10 there, so...

11 Q. Do you recall where it took place?

12 A. I believe it was -- well, either in my  
13 guest cottage or one of them. There were three  
14 guest houses set up that were all similar and that I  
15 was staying in. Virginia and I stayed in one  
16 together. And it was either in there or in another  
17 one that was identical.

18 Q. And was that massage performed with  
19 Virginia as well or by you alone?

20 A. I don't recall.

21 Q. Were there other females in the USVI on  
22 that trip with you besides Virginia?

23 A. Two others.

24 Q. And do you recall who they were?

25 A. I do not.

1 Q. Did you ever see Ghislaine Maxwell during  
2 that trip laying out by the pool?

3 A. There was one time where we were all by  
4 the pool, yes.

5 Q. Was Ghislaine Maxwell ever nude or topless  
6 by the pool?

7 A. I don't recall. She was nude when she  
8 went swimming in the ocean.

9 Q. At that moment in the USVI home, did you  
10 observe any photos there of nude females?

11 A. I don't recall.

12 Q. Besides Virginia, who you mentioned, you  
13 observed to be young, did you observe any other  
14 females that in your view appeared to be essentially  
15 under the age of 18?

16 A. No.

17 Q. Did you observe any females who you  
18 thought looked young, younger than you?

19 A. No.

20 Q. Do you remember an individual by the name  
21 of that you met during your time with Jeffrey  
22 Epstein?

23 A. In Palm Beach?

24 Q. Yes.

25 A. Yes.

1 Q. Did you observe her to be young when you  
2 met her?

3 MS. MENNINGER: Objection, vague as to  
4 time.

5 THE WITNESS: All of the women were  
6 generally young. I did not know the ages of  
7 really anyone, so...

8 BY MS. McCAWLEY:

9 Q. How many massages did Jeffrey receive on  
10 average in a given day?

11 MS. MENNINGER: Objection, foundation.

12 THE WITNESS: Three a day.

13 BY MS. McCAWLEY:

14 Q. Let me back up for a moment.

15 How long did you work for Jeffrey and  
16 Ghislaine?

17 MS. MENNINGER: Objection, leading and  
18 foundation.

19 THE WITNESS: I believe it was five years,  
20 2001 to 2006.

21 BY MS. McCAWLEY:

22 Q. And how many massages did Epstein receive  
23 per day on average?

24 MS. MENNINGER: Objection, foundation.

25 THE WITNESS: Three.

1 BY MS. McCAWLEY:

2 Q. Were the massages performed by the same  
3 girl or different females?

4 A. Different.

5 MS. MENNINGER: Objection, foundation.

6 BY MS. McCAWLEY:

7 Q. What did the females who performed the  
8 massages look like?

9 MS. MENNINGER: Objection, foundation.

10 THE WITNESS: They all looked different.  
11 Some of them were ethnic, some were blond, some  
12 were short, some were tall. Everyone was thin.

13 BY MS. McCAWLEY:

14 Q. Were the girls who performed the massages  
15 young or old?

16 MS. MENNINGER: Objection, foundation.

17 THE WITNESS: I don't recall anyone being  
18 old.

19 BY MS. McCAWLEY:

20 Q. Do you recall anybody being over the age  
21 of, say, 25?

22 MS. MENNINGER: Objection, form.

23 THE WITNESS: Yeah, I believe there was  
24 probably a few women that were older than 25.

25 MS. MENNINGER: I'm sorry. I get a chance

1 to object and then you can still answer. No  
2 one is going to stop you from answering. I  
3 just need to get the objection on the record,  
4 in the same way she needs to be able to talk  
5 before you. My apologies. I'm not trying to  
6 cut you off, but I am supposed to get it in  
7 before you answer.

8 BY MS. McCAWLEY:

9 Q. Did Jeffrey ever tell you why he received  
10 so many massages from so many different girls?

11 MS. MENNINGER: Objection, hearsay.

12 BY MS. McCAWLEY:

13 Q. You can answer.

14 A. He explained to me that, in his opinion,  
15 he needed to have three orgasms a day. It was  
16 biological, like eating.

17 Q. And what was your reaction to that  
18 statement?

19 A. I thought it was a little crazy.

20 Q. And what did -- do you recall what -- when  
21 you observed the other females giving massages, do  
22 you recall what they would dress like? Did they  
23 wear scrubs or did they typically wear normal  
24 clothes?

25 A. Normal clothes.

1 MS. MENNINGER: Objection, leading.

2 BY MS. McCAWLEY:

3 Q. Do you believe that from your  
4 observations, Maxwell and Epstein were boyfriend and  
5 girlfriend?

6 A. Initially, yes.

7 Q. Did Maxwell ever share with you whether it  
8 bothered her that Jeffrey had so many girls around?

9 MS. MENNINGER: Objection, leading,  
10 hearsay.

11 THE WITNESS: No. Actually, the opposite.

12 BY MS. McCAWLEY:

13 Q. What did she say?

14 A. She let me know that she was -- she would  
15 not be able to please him as much as he needed and  
16 that is why there were other girls around.

17 Q. Did there ever come a time -- did you ever  
18 take a photography class in school?

19 A. Yes.

20 Q. And did there ever come a time when  
21 Maxwell offered to buy you a camera?

22 A. Yes.

23 MS. MENNINGER: Objection, leading.

24 BY MS. McCAWLEY:

25 Q. Did Maxwell ever offer to buy you a

1 camera?

2 MS. MENNINGER: Objection, leading.

3 THE WITNESS: Yes.

4 BY MS. McCAWLEY:

5 Q. Was there anything you were supposed to do  
6 in order to get the camera?

7 MS. MENNINGER: Objection, leading.

8 THE WITNESS: I did not know that there  
9 were expectations of me to get the camera until  
10 after. She had purchased the camera for me,  
11 and I was over there giving Jeffrey a massage.  
12 I did not know that she was in possession of  
13 the camera until later.

14 She told me -- called me after I had left  
15 and said, I have the camera for you, but you  
16 cannot receive it yet because you came here and  
17 didn't finish your job and I had to finish it  
18 for you.

19 BY MS. McCAWLEY:

20 Q. And did you -- what did you understand her  
21 to mean?

22 A. She was implying that I did not get  
23 Jeffrey off, and so she had to do it.

24 Q. And when you say "get Jeffrey off," do you  
25 mean bring him to orgasm?



1 A. Yes.

2 Q. Did Ghislaine ever describe to you what  
3 types of girls Jeffrey liked?

4 A. Model types.

5 Q. Did Ghislaine ever talk to you about how  
6 you should act around Jeffrey?

7 A. She just had a conversation with me that I  
8 should always act grateful.

9 Q. Did Jeffrey ever tell you that he took a  
10 girl's virginity?

11 A. He did not tell me. He told a friend of  
12 mine.

13 Q. And what do you recall about that?

14 MS. MENNINGER: Objection, hearsay,  
15 foundation.

16 THE WITNESS: He wanted to have a friend  
17 of mine come out who was cardio-kickboxer  
18 instructor. She was a physical trainer.

19 And so I brought her over to the house,  
20 and he told my friend Rachel that -- he said,  
21 You see that girl over there laying by the  
22 pool? She was 19. And he said, I just took  
23 her virginity. And my friend Rachel was  
24 mortified.

25

1 BY MS. McCAWLEY:

2 Q. Based on what you knew, did Maxwell know  
3 that the type of massages Jeffrey was getting  
4 typically involved sexual acts?

5 MS. MENNINGER: Objection, foundation,  
6 leading.

7 THE WITNESS: Yes.

8 BY MS. McCAWLEY:

9 Q. What was Maxwell's main job with respect  
10 to Jeffrey?

11 MS. MENNINGER: Objection, foundation.

12 THE WITNESS: Well, beyond companionship,  
13 her job, as it related to me, was to find other  
14 girls that would perform massages for him and  
15 herself.

16 BY MS. McCAWLEY:

17 Q. Did Maxwell ever refer to the girls in a  
18 particular way?

19 A. At one point when we were in the islands,  
20 we were all watching a movie and she called us her  
21 children.

22 Q. Did anybody respond to that?

23 A. I don't recall.

24 Q. Did she ever refer to herself as a mother?

25 A. Yes, like a mother hen.

1 Q. Do you recall who was present at the time  
2 that she made that comment about children?

3 A. This was the second trip that I took to  
4 the Virgin Islands, so, no. I don't want to speak,  
5 you know, incorrectly. I can't remember. I can't  
6 really remember.

7 Q. Have you ever met David Copperfield?

8 A. Yes.

9 Q. And do you recall when you initially met  
10 him?

11 A. Yes.

12 Q. Can you tell me what that was?

13 A. Sure. Someone called me from the house  
14 and said that he would be there, and if I wanted to  
15 come have dinner, then I could meet him.

16 So when I arrived at the house, he wasn't  
17 there yet, but I waited with, I believe, Sarah  
18 Kellen, and there was another girl there which I had  
19 never met and never seen. She seemed young to me.

20 And I asked her what school she went to,  
21 kind of prodding to see if she went to one of the  
22 area colleges, and I did not recognize the name of  
23 the school.

24 And so I thought she could be younger than  
25 college age, but I had to assume for my own sanity

1       that she was a daughter of one of his friends.

2           Q.     But it was possible she was the school --  
3     is it possible that the school she referred to was a  
4     high school?

5           A.     Yes.

6           Q.     And what happened at that dinner, if  
7     anything?

8           A.     He did some magic tricks.

9           Q.     Did you observe David Copperfield to be a  
10    friend of Jeffrey Epstein's?

11          A.     Yes.

12          Q.     Did Copperfield ever discuss Jeffrey's  
13    involvement with young girls with you?

14          A.     He questioned me if I was aware that girls  
15    were getting paid to find other girls.

16          Q.     Did he tell you any of the specifics of  
17    that?

18          A.     No.

19          Q.     Did he say whether they were teenagers or  
20    anything along those lines?

21          A.     He did not.

22                 MS. MENNINGER:  Objection, leading, calls  
23    for hearsay.

24    BY MS. McCAWLEY:

25          Q.     Did you ever hear or observe Jeffrey

1 talking on the phone about Frederic Fekkai?

2 A. Yes.

3 MS. MENNINGER: Objection, leading.

4 BY MS. McCAWLEY:

5 Q. What did you hear?

6 A. I heard him call someone, and say, Fekkai  
7 is in Hawaii. Can we find some girls for him?

8 Q. And what was your reaction to that?

9 A. Well, I was massaging and I didn't have a  
10 reaction. I tried to remain reactionless the whole  
11 five years.

12 Q. Did Jeffrey ever take you shopping?

13 A. Yes.

14 Q. Can you describe for me what happened?

15 A. Sure. He took me to Victoria's Secret. I  
16 believe he picked out everything and went into the  
17 room with me, the fitting room, which was very odd.

18 Q. Did he make any comments about being in  
19 the fitting room with you?

20 A. He joked that one time he was in there  
21 with another girl, and she said something like  
22 "Dad." But that's all I recall.

23 Q. Did Jeffrey ever talk to you -- let me  
24 back up a moment.

25 Have you ever been propositioned by anyone

1 to have a baby for someone?

2 A. Yes.

3 Q. And who propositioned you?

4 A. Jeffrey asked me.

5 Q. Did he ask you more than once?

6 A. Yes.

7 Q. And what did he say?

8 A. Basically just said, I want you to be the  
9 mother of my baby.

10 Q. And do you recall your response to that?

11 A. Um, I don't believe that I said flat-out  
12 no. I didn't agree to it. I would just say, Oh,  
13 yeah, really? Okay.

14 Q. Did you ever bring other girls over as  
15 Maxwell had requested?

16 MS. MENNINGER: Objection, leading,  
17 hearsay, form.

18 THE WITNESS: One time.

19 BY MS. McCAWLEY:

20 Q. Let me back up a minute, just to make it a  
21 clean question.

22 Did you ever bring friends over to massage  
23 Jeffrey?

24 A. No.

25 Q. And why did you not bring friends over to

1     message Jeffrey?

2             A.     I was living in secret about what I was  
3     doing during the massages, and I did not want my  
4     friends to be -- to know what I was doing. So I did  
5     not want anyone else coming into that.

6             Q.     Was Bill Clinton a friend of Jeffrey  
7     Epstein?

8                     MS. MENNINGER: Objection, foundation.

9     BY MS. McCAWLEY:

10            Q.     Let me back up.

11                    Do you know if Bill Clinton was a friend  
12     of Jeffrey Epstein?

13            A.     I knew he had dealings with Bill Clinton.  
14     I did not know they were friends until I read the  
15     Vanity Fair article about them going to Africa  
16     together.

17            Q.     Did Jeffrey ever talk to you about Bill  
18     Clinton?

19            A.     He said one time that Clinton likes them  
20     young, referring to girls.

21            Q.     Did you ever -- do you recall ever taking  
22     a trip to Jeffrey Epstein's home in New Mexico?

23            A.     Yes.

24            Q.     And do you recall who you went on that  
25     trip with?

1           A.     Sarah Kellen was there.   Ghislaine was  
2     there.   That's all I recall.

3           Q.     Do you recall why you went on the trip to  
4     New Mexico?

5           A.     To work.

6           Q.     Did you perform massages on that trip?

7           A.     Yes.

8           Q.     Did you -- do you recall whether you  
9     performed massages with Sarah Kellen on that trip?

10          A.     No.

11          Q.     Do you recall in the New Mexico home ever  
12     observing nude photos of females there?

13          A.     I don't recall.

14          Q.     When you would provide massages, would you  
15     provide those massages naked?

16          A.     On occasion.

17          Q.     On average, would you be naked, if it was  
18     100 percent of the time, more than 50 percent of the  
19     time?

20          A.     Can you repeat it?

21          Q.     Sure.   When you're performing the  
22     massages, can you tell me -- you said on occasion.  
23     Over the five years that you worked for him, how  
24     often did you perform massages naked?

25          A.     Somewhere between 25 and 50 percent of the



1 time.

2 Q. Did Epstein try to make the massages  
3 sexual?

4 A. On occasion.

5 Q. Would Epstein have you rub his nipples?

6 A. Yes.

7 Q. Would he masturbate during the massages?

8 A. Yes.

9 Q. Did he use sex toys or vibrators on you?

10 A. Yes.

11 Q. Would he leave the sex toys or vibrators  
12 out after the massage or would he clean up after  
13 himself?

14 MS. MENNINGER: Objection, vague, form.

15 THE WITNESS: He did not ever clean up.

16 BY MS. McCAWLEY:

17 Q. Do you believe that your experience during  
18 the years you were with Jeffrey and Maxwell damaged  
19 you?

20 MS. MENNINGER: Objection, leading, form.

21 THE WITNESS: It affected me. "Damaged"  
22 is a strong word.

23 BY MS. McCAWLEY:

24 Q. And in what way did it affect you?

25 A. It affected future relationships with men,

1 trust issues, expectation issues.

2 Q. Did you observe Nadia Marcinkova and  
3 Ghislaine at the house at the same time?

4 MS. MENNINGER: Objection, leading, form.

5 THE WITNESS: I don't recall.

6 BY MS. McCAWLEY:

7 Q. On the USVI trip, the second trip that you  
8 took, do you recall Nadia Marcinkova being present?

9 A. I believe she was present at that trip.

10 Q. Do you recall Maxwell being present on  
11 that trip?

12 A. Yes.

13 Q. Do you know an individual by the name of  
14 ?

15 A. Yes.

16 Q. And who is ?

17 A. She was one of the girls that was around.

18 Q. Was around both Jeffrey Epstein  
19 and Ghislaine Maxwell?

20 A. I don't recall.

21 Q. Do you recall where you first met  
22

23 A. In Palm Beach.

24 Q. At Jeffrey Epstein's home?

25 A. Yes.

1           Q.    And what -- do you recall any observations  
2    about                    when you met her?

3           A.    To speak with, she was a little rough  
4    around the edges, and I could see the progression of  
5    her being groomed a little. They got her braces.  
6    She had terrible posture. And with a lot of  
7    massages, she learned to stand up straight. So I  
8    just saw her become a much more confident person.

9           Q.    Do you recall how old she was when you  
10   first met her?

11          A.    I assumed she was 18, but I do not know  
12   her age.

13                MS. McCAWLEY: We're going to take a break  
14                really quickly and then we will be back. So we  
15                are going to go off the record.

16                THE VIDEOGRAPHER: Off the record at 9:48.

17                (Thereupon, a recess was taken, after  
18                which the following proceedings were held:)

19                THE VIDEOGRAPHER: On the record at 9:58.

20   BY MS. McCAWLEY:

21          Q.    I'm just going to resume. I have a few  
22   more questions for you.

23                You mentioned visiting the US Virgin  
24   Islands.

25                Do you recall doing any activities with

1 Maxwell when you were on the visit to the USVI?

2 MS. MENNINGER: Objection, vague as to  
3 time.

4 THE WITNESS: I don't recall.

5 BY MS. McCAWLEY:

6 Q. Do you recall ever going hiking with her?

7 A. Yes.

8 Q. Did Maxwell ever ask you to try to bring  
9 other girls over for Jeffrey?

10 A. At that time?

11 Q. Yes.

12 A. No.

13 Q. Any other time?

14 A. Well, she had asked me if I knew anyone  
15 that could perform massages that would come to the  
16 house.

17 Q. And what was your understanding of that  
18 request?

19 MS. MENNINGER: Objection.

20 THE WITNESS: Well --

21 MS. MENNINGER: Form.

22 THE WITNESS: -- I just wondered why they  
23 wouldn't just call me.

24 BY MS. McCAWLEY:

25 Q. And did you bring anybody else over to

1 perform massages?

2 A. I did not.

3 Q. When you were either in the USVI or in  
4 Palm Beach, did you ever observe any females either  
5 topless or naked out by the pool?

6 A. Yes.

7 Q. What did you observe?

8 A. Mostly skinny-dipping.

9 Q. Do you know who the individuals were that  
10 you observed?

11 A. Sarah Kellen and Ghislaine.

12 Q. Anybody else?

13 A. Yes, but I don't recall who.

14 Q. Did that happen on more than one occasion?

15 A. Yes.

16 Q. How often do you remember making those  
17 observations?

18 A. Three times.

19 Q. Do you recall giving a statement to the  
20 police regarding Jeffrey Epstein?

21 A. Yes.

22 Q. Do you recall when you gave that  
23 statement?

24 A. I don't recall the date.

25 Q. Do you recall the year?

1           A.     I want to say it was early 2006 or late  
2     2005.

3           Q.     Do you recall who you met with?

4           A.     No.

5           Q.     Do you recall what you told the police?

6           A.     It was similar to this. They were asking  
7     me a lot of questions that I answered. They knew a  
8     lot. They knew what the bathroom looked like. They  
9     knew that the couch had a hot pink throw on it with  
10    green tassels.

11                   I assumed that there had been videos and  
12    they had seen me. They had seen the videos. That's  
13    what I had assumed. I didn't know that maybe people  
14    had already come forward and given them statements.

15           Q.     Did they talk to you at all about the  
16    videos?

17           A.     They said, Were you aware that there were  
18    video cameras in the house?

19                   I said, No, but it would not surprise me.

20                   MS. McCAWLEY: And I'm going to mark as  
21    Exhibit 4 -- do you have an extra -- sorry.  
22    Did you get one? Okay. Giuffre 0002 through  
23    89.

24                   And I'm going to direct you to page 00076,  
25    and I'm going to hand it to you.

1 (The referred-to document was marked by  
2 the court reporter for Identification as  
3 Sjoberg Exhibit 4.)

4 BY MS. MCCAWLEY:

5 Q. I'm just going to ask that you take a look  
6 at that. As you can see, under the narrative line  
7 there, there is a name. It says, "Reported by  
8 Recarey, Joseph." Is that a name you recall meeting  
9 with, a Detective Recarey?

10 A. Yes. I mean, I don't recall his name,  
11 only except that he had been following me around,  
12 and he left me cards, like, on my car and in my  
13 door. I tried to avoid him for a long time.

14 Q. And can you just look at the text  
15 underneath there?

16 A. Uh-huh.

17 Q. Take a moment to look at that.

18 A. Sure.

19 Q. Does that refresh your recollection as to  
20 what you told the police during the investigation?

21 A. There are errors in here. I was not 23  
22 when I met him. I was 21.

23 Q. Anything else that doesn't look correct?

24 A. The same error: That I had met him three  
25 years ago, and it obviously had been closer to five.

1                   There is also the error, he obviously  
2       misunderstood me: He did not pay for my tuition at  
3       college. I'm still paying those school loans. But  
4       he did pay for me to go to massage school and to  
5       cosmetology school.

6                   Okay. It pretty much ends here.

7           Q.     Yes. Right. About halfway through the  
8       page.

9           A.     Okay.

10           MS. McCAWLEY: So, Johanna, that concludes  
11       my initial piece. I'm going to reserve the  
12       rest of my time for redirect. I'm going to  
13       turn it over to Laura.

14           MS. MENNINGER: Can we take just a little  
15       break?

16           MS. McCAWLEY: Sure, no problem.

17           THE VIDEOGRAPHER: Off the record at  
18       10:05.

19           (Thereupon, a recess was taken, after  
20       which the following proceedings were held:)

21           THE VIDEOGRAPHER: On the record at 10:14.

22                   E X A M I N A T I O N

23       BY MS. MENNINGER:

24           Q.     Hi.

25           A.     Hello.



1 Q. We've never met before today, correct?

2 A. Correct.

3 Q. Can you tell me a little bit about your  
4 current job?

5 A. Sure. I just purchased a salon. I'm a  
6 salon owner. I'm a hairstylist.

7 Q. Congratulations.

8 A. Thank you.

9 Q. How long have you been a hairstylist?

10 A. For 10 years.

11 Q. And what did you do before that?

12 A. I briefly did massage in a spa for about a  
13 year and a half. And before that I was a nanny, and  
14 before that I was in school.

15 Q. And I believe you said you studied  
16 psychology in school?

17 A. Correct.

18 Q. Did you graduate?

19 A. Yes.

20 Q. With a degree in psychology?

21 A. Yes.

22 Q. Where did you get training to be a massage  
23 therapist?

24 A.

1 Q. And when did do you that?

2 A. That would have been, I believe, in

3 Q. And how long did you study there?

4 A. I think it was a six-month program.

5 Q. And you worked in a spa thereafter?

6 A. I did.

7 Q. What was the name of the spa again?

8 A.

9 Q. And are you married?

10 A. No.

11 Q. Do you have children?

12 A. No.

13 Q. And how old are you now?

14 A.

15 Q. Can you tell me about your first meeting  
16 with Ghislaine Maxwell?

17 A. Sure. I was sitting on a bench [REDACTED]  
18 [REDACTED]. She approached me.

19 I was getting ready to go to a class. It was my  
20 junior year. Yes, it was the second semester of my  
21 junior year. And she and another woman approached  
22 me. The other woman didn't speak that I recall.

23 And she asked me about -- she had a house  
24 in Palm Beach, and she was looking for someone that  
25 she could hire to work at the house, where she could

1 post that she needed help.

2 She then asked me if I knew anyone, and I  
3 didn't know who she was, I didn't want to take the  
4 responsibility of finding someone to work for her,  
5 and so I said, Sorry, I don't.

6 And then she said, Well, maybe what about  
7 you?

8 And I was at a point in life, I was super  
9 spontaneous and willing to skip school.

10 So she said, Come to my house, come in my  
11 car and check it out.

12 And so I did.

13 Q. Okay. So for those of you -- of us who  
14 don't know, is this like a college campus, like a  
15 traditional college campus, or is it in a city  
16 setting?

17 A. It's in a city setting. I mean, Palm  
18 Beach is not a big city. So it's on the  
19 Intracoastal, and there was a big grassy area that  
20 were surrounded by buildings, so she was inside of  
21 the campus.

22 Q. And she was looking for a bulletin board  
23 where she could post a job?

24 A. Something like that, yes.

25 Q. Did she have any kind of flyers --

1 A. Not that I recall.

2 Q. But that's what she asked you, for  
3 directions to a bulletin board where she could post  
4 a job?

5 A. Yes.

6 MS. McCAWLEY: Objection.

7 BY MS. MENNINGER

8 Q. And it sounds like you guys got into a  
9 conversation; is that fair?

10 A. Yes.

11 Q. Can you describe Ghislaine Maxwell's  
12 personality?

13 A. Well, I instantly picked up on the fact  
14 that she was British. She had on, like, workout  
15 clothes. I believe she was wearing all black. And  
16 she -- I mean, she was a little snarky, but I felt  
17 comfortable enough to get in the car with her.

18 Q. And it sounds like you had contact with  
19 her over the next several years; is that fair?

20 A. Yes.

21 Q. And did you get to know more about her  
22 personality over those five years, four or five  
23 years?

24 A. Yes.

25 Q. And can you describe her for me, how you

1 observed her personality to be?

2 A. Sure. She definitely had a great sense of  
3 humor, she loved making jokes. I mean, in a very  
4 British way. I don't remember her ever laughing,  
5 but she was funny.

6 And I remember just thinking, she -- the  
7 first weekend that we flew to the Virgin Islands,  
8 she flew the helicopter from Saint, wherever we were  
9 to little Saint Jeff [sic] or whatever the name of  
10 the island was, and I just thought, wow, who is this  
11 woman.

12 Q. Would you say that you respected her?

13 A. Yes.

14 Q. When you ended up getting in the car with  
15 her and this other woman and going back to the  
16 house, who was driving the car?

17 A. She was driving.

18 Q. And where did she take you?

19 A. She took me to the house in Palm Beach.

20 Q. And can you describe the house in Palm  
21 Beach?

22 A. Sure. It's at the end of El Brillo Way,  
23 on the Intracoastal. The house was either white or  
24 pink. It was pink at one time it may have been  
25 painted. It was nothing fancy, it was large, it was

1     like a beach house.

2           Q.     And when you got there, do you remember  
3     meeting other people while you were there that first  
4     time?

5           A.     I remember other people being in the home.  
6     I don't really remember who was there.

7           Q.     Do you remember meeting, like, a butler  
8     or --

9           A.     Potentially, a chef. Someone in the  
10    kitchen. Maybe a house manager, yeah.

11          Q.     What was your impression of this other  
12    woman that was with Ms. Maxwell at this time?

13          A.     Zero. She left zero impression on me.

14          Q.     Age, height, hair color? Nothing?

15          A.     I want to say she was brunette. Age, 20s.  
16    Yeah.

17          Q.     And you were going for the purposes of  
18    checking out potentially working at this job?

19          A.     Yes.

20          Q.     It sounds like you met Jeffrey Epstein  
21    that first time that you did go to the house, right?

22                 MS. McCAWLEY: Objection.

23                 THE WITNESS: I believe I either met him  
24    that time or the next time. I can't recall.

25

1 BY MS. MENNINGER:

2 Q. Okay. And tell me about your first  
3 meeting with him.

4 A. Sure. I met him, I believe it was in the  
5 hallway right beside the kitchen. There was a  
6 hallway. It was actually more like a room, a pantry  
7 type of room. That's where all of the pieces of  
8 paper with the phone messages would lay.

9 And I remember sitting on the counter and  
10 speaking with him, and he was in a bathrobe, and he  
11 spoke with me about me being in college and studying  
12 psychology.

13 Q. And did you form an opinion of him in that  
14 first meeting?

15 A. I -- yeah. I believed that he was smart.  
16 He was personable and could speak to anyone.

17 Q. Did he give off any sexual vibes in the  
18 first meeting?

19 A. No.

20 Q. And where was Ghislaine when you were  
21 speaking with Mr. Epstein?

22 A. I don't recall.

23 Q. Do you recall going to a second floor of  
24 the home during that first meeting?

25 A. I don't recall. Ghislaine said at one

1 point, You might get a massage today. That was --  
2 sorry, that was the second time when I was in the  
3 home working. And I just thought it was crazy that  
4 I would get a massage while I was working. But it  
5 did not end up happening because the masseuse could  
6 not stay.

7 Q. Do you know who the masseuse was that  
8 could not stay?

9 A. No.

10 Q. But that didn't happen on the first  
11 meeting; you believe that was the second meeting?

12 A. Yes, that was when I was there to work.

13 Q. How long -- how did the first trip to the  
14 house end?

15 A. She gave me her phone number, and she took  
16 my phone number, and she took me back to school.

17 Q. And were you full-time at school at the  
18 time?

19 A. Yes.

20 Q. And how many classes were you taking, if  
21 you remember?

22 A. Probably four or five.

23 Q. How did you -- how long was it before you  
24 heard from Ms. Maxwell again?

25 A. Within probably three days.



1 Q. And how did she contact you?

2 A. She called me on my -- at that time I had  
3 a cell phone. It could have been on my cell phone.  
4 It could have been on my house phone. We had house  
5 phones back then.

6 Q. I remember.

7 Where were you living at the time?

8 A. I was in an apartment in West Palm Beach.

9 Q. And did you have a roommate or with  
10 family?

11 A. I had a roommate.

12 Q. So when Ms. Maxwell called you on whatever  
13 phone it was, do you remember what she said?

14 A. Yeah. She said, Do you want to come over  
15 and work on Sunday?

16 Q. And what did you say?

17 A. I said, Sure.

18 Q. And did you?

19 A. I did.

20 Q. How did you get there?

21 A. That I don't recall, because I did not  
22 have a car.

23 Q. Did you --

24 A. I think my roommate dropped me off,  
25 honestly. I can remember what I was wearing.

1 Q. You do?

2 A. I do.

3 Q. What were you wearing?

4 A. I had a -- I still have the shirt. It's  
5 an old, weathered, blue, North Carolina Tech Tar  
6 Heels T-shirt.

7 Q. Because you -- did Ms. Maxwell explain to  
8 you what you would be doing on that Sunday when you  
9 came to work or was that part of the prior  
10 conversation?

11 MS. McCAWLEY: Objection.

12 THE WITNESS: About what I was wearing?

13 BY MS. MENNINGER:

14 Q. No. About what you were going to do at  
15 work.

16 A. She had explained that she just wanted  
17 someone to help out around the house, answering  
18 phones, you know, grabbing drinks if someone wanted  
19 a drink, running errands.

20 Q. And so you dressed appropriate to what you  
21 believed --

22 A. I did not know how to dress properly,  
23 apparently. I should not have worn that. But I was  
24 in college.

25 Q. Did anyone say anything to you?

1 A. No.

2 Q. So when you got there, what happened?

3 This is your second time to the house, but your  
4 first time working, right?

5 A. Yes.

6 I was probably introduced to a few people  
7 that were there. I mean, I was there for several  
8 hours. Do I recall every minute? No. I just  
9 recall when I would actually have to work, answer  
10 the phone, pour some drinks for people. Just water;  
11 they didn't drink alcohol. And run errands. There  
12 were a few errands that I ran.

13 Q. You described those errands earlier?

14 A. I did. In her car.

15 Q. You used her car?

16 A. Yes.

17 Q. What kind of car was it?

18 A. It was a Mercedes convertible.

19 Q. Did anyone go with you?

20 A. No.

21 Q. You described a shopping trip. Was that  
22 in the same car?

23 A. Yes.

24 Q. Was that a separate trip than when you  
25 went to run errands?

1           A.     Yes.   That's when Ghislaine went with me  
2     and she drove.

3           Q.     Okay.   So you ran errands, came back, more  
4     than once?

5           A.     Twice.

6           Q.     And then you went on a shopping trip?

7           A.     Yes.

8           Q.     During the time you were at the home, was  
9     there anything that made you suspicious?

10          A.     No.

11          Q.     Or leery?

12          A.     No.

13          Q.     You mentioned there may have been some  
14     discussion of a massage.   Do you recall that  
15     discussion?

16          A.     I had never had a massage before.   So she  
17     just said there was a massage therapist coming and I  
18     may get one.

19          Q.     Did she say who it was?

20          A.     No.

21          Q.     So when you went shopping on this trip,  
22     you said Ghislaine drove the car and you went with  
23     her.   Was anyone else there?

24          A.     No.

25          Q.     And where did you all go?

1           A.     We went to Worth Avenue in Palm Beach, but  
2     because it was Sunday, the stores were closed.

3           Bless you.

4           MR. LOUIS:   Thank you.

5           THE WITNESS:   So from there, we went to --  
6     I believe it was Palm Beach Daily News, which  
7     was like a little book store.   And I remember  
8     her purchasing reading glasses for Jeffrey and  
9     some magazines.

10    BY MS. MENNINGER:

11           Q.     Were those things for the home?

12           A.     Yes.

13           Q.     And earlier on your errands, you had been  
14     purchasing things for the home or office?

15           A.     Yes.   Yes.

16           Q.     Besides the printer cartridge, ink  
17     cartridge, do you remember anything else?

18           A.     Well, yes.   Like they wanted specific  
19     magazines.   I don't know if it was, like, Scientific  
20     American or something to that effect.   It was  
21     wasn't, like, Playboy.

22           Q.     Okay.   Did you ever answer phones?

23           A.     Yes.

24           Q.     When did you answer phones?

25           A.     That day.

1 Q. Do you remember anything notable about the  
2 phone calls?

3 A. I just remember I always had to say, He's  
4 unavailable, can I take a message?

5 Q. And where did you take a message?

6 A. On a little notepad next to the phone.

7 Q. Do you recall any small children calling  
8 the house that day?

9 A. No.

10 Q. Were you speaking to anyone about their  
11 school experience or anything like that?

12 A. No.

13 Q. Did you take any messages for famous  
14 people?

15 A. They could have been famous and I would  
16 have been clueless.

17 Q. Did you take messages at any other point  
18 during the time that you worked with Jeffrey?

19 A. No.

20 Q. And you said you remember at the end of  
21 that day being paid by Ghislaine?

22 A. Yes.

23 Q. And you were paid for doing the errands  
24 and answering phones and whatever else you did?

25 A. Yes.

1 MS. McCAWLEY: Objection.

2 BY MS. MENNINGER:

3 Q. Did you do anything else that day in terms  
4 of errands or things around the house that you  
5 remember?

6 A. Not that I recall.

7 Q. Did you come back to answer phones and do  
8 errands any other day?

9 A. No.

10 Q. That was the only day you did it?

11 A. Yes.

12 Q. All right.

13 Tell me the second time -- how long was it  
14 before you got another sort of contact from anybody  
15 at the home?

16 A. Okay. Well, after that -- I remember  
17 actually that day of working, I sat with Ghislaine  
18 outside on this -- outside table on the patio by the  
19 pool. I told her that I was getting ready to go to  
20 Nicaragua for spring break on a mission trip. I  
21 remember her going, Why would you ever go to  
22 Nicaragua? So I was going to be gone the next week  
23 for spring break.

24 So she called, after I returned, and asked  
25 if I wanted to make \$100 an hour rubbing feet.

1 Q. Was that the whole conversation?

2 A. That was pretty much it. I said, Okay,  
3 sure, tell me when.

4 Q. And were you excited about the prospect of  
5 rubbing feet and making \$100?

6 A. I was actually with -- while I was on the  
7 trip in Nicaragua, I was rubbing feet, I was  
8 massaging people, their feet. So it just seemed  
9 kind of crazy that it all happened at the same time.

10 Q. How was it rubbing feet?

11 A. I guess I just liked doing it. I didn't  
12 know that I did, but I was massaging people's feet.

13 Q. Were these strangers?

14 A. No, no, no. They were -- it was a group  
15 of us that went on the trip. So we were all very  
16 close.

17 Q. What kind of trip was it?

18 A. It was a -- well, a PBA, you had to do  
19 these things called Workshop hours, which you had to  
20 do community service, 40 hours every year. And so  
21 that was the way to do them all, and you would go on  
22 these trips and help build a school or feed children  
23 or do some sort of -- something nice.

24 Q. Nice.

25 What other trips did you take while you



1     were there?

2             A.     I did a trip and worked with Habitat for  
3     Humanity in Baltimore. And then I went back to  
4     Nicaragua the next year and did the same thing.

5             Q.     Very nice.

6                     And you were there for a whole week?

7             A.     Yes.

8             Q.     All right.

9                     So you got a call from Ghislaine after you  
10    returned?

11            A.     Yes.

12            Q.     And that's when she asked you about  
13    rubbing feet?

14            A.     Yes.

15            Q.     And did she tell you when she would like  
16    you to come over?

17            A.     It was either that night or the next day.

18            Q.     And do you know how you got there?

19            A.     No.

20            Q.     Do you know what you were wearing?

21            A.     No, I don't remember.

22            Q.     When you got there, I think you said you  
23    don't remember if Ghislaine was actually there the  
24    second time?

25            A.     I want to believe that she was there

1 because she was my main contact, and so I would  
2 assume that she was probably at the house and  
3 greeted me; however, I do not recall if she was  
4 there.

5 Q. It sounds like you met Emmy Taylor?

6 A. Yes.

7 Q. How did you meet Emmy Taylor?

8 A. She was at the house the first day that I  
9 worked running errands. And I realized she was also  
10 a personal assistant type of person.

11 Q. Do you know who she worked for?

12 A. She, well, Ghislaine, it appeared to me  
13 that she worked for Ghislaine. Ghislaine sort of  
14 told her what to do and where to go.

15 Q. And I believe you mentioned she called her  
16 her slave?

17 A. She did. It was in a joking way, but she  
18 said, Yes, that's my slave.

19 Q. You did not see her in any type of slavery  
20 situation?

21 A. Not any chains or anything of the sort,  
22 no.

23 Q. So tell me what you remember about the  
24 second time you went.

25 A. The third time?

1 MS. McCAWLEY: Objection.

2 BY MS. MENNINGER:

3 Q. I'm sorry. You're right. Third time.

4 The second time you went to work, but the third time  
5 you were there.

6 A. Correct.

7 So I was escorted up to the bathroom,  
8 which is where 99 percent of the massages happened.  
9 And Emmy Taylor was with me and Jeffrey. And I  
10 don't remember the order, but Emmy was on the table  
11 at one point. She took all of her clothes off, got  
12 on the table.

13 I remember thinking, Okay, she's just  
14 going to strip naked and get on the table. Well,  
15 that's cool. We're cool. That's what we do.

16 And Jeffrey was showing me how to massage  
17 on her body. And then I took my clothes off and got  
18 on the table, and then they showed me what it felt  
19 like with the both of them.

20 And then Jeffrey got on the table and Emmy  
21 showed me how to massage.

22 Q. So Ghislaine was not in the room?

23 A. No.

24 Q. You said that 99 percent of the massages  
25 took place in the bathroom.

1 Did you see massages take place in other  
2 places of the house at all?

3 A. Did I see any? No, besides us maybe  
4 hanging out on the couch and someone massaging his  
5 foot or me massaging his foot. But not, like, on a  
6 table.

7 Q. So just casual foot-rubbing might happen  
8 elsewhere in the home, but not a full-blown, full  
9 body massage?

10 MS. McCAWLEY: Objection.

11 THE WITNESS: Yes.

12 BY MS. MENNINGER:

13 Q. Did you see any full-blown, full body  
14 massages out by the pool?

15 A. Not that I recall.

16 Q. And do you remember ever giving any  
17 yourself?

18 A. By the pool?

19 Q. Out by the pool, yes.

20 A. On a table?

21 Q. Yes.

22 A. No.

23 Q. All right.

24 You said that you had subsequently been  
25 trained as a massage therapist, correct?

1 A. Correct.

2 Q. Would you describe it as normal massage  
3 protocol for a person to be naked under a towel  
4 during a massage, a regular massage?

5 MS. McCAWLEY: Objection.

6 THE WITNESS: Naked under a towel during a  
7 massage, the person getting massaged?

8 BY MS. MENNINGER:

9 Q. Yes.

10 A. Yes.

11 Q. And as a massage therapist, you're trained  
12 how to drape the person so that they're covered in  
13 the right places, correct?

14 A. Yes.

15 Q. So when you were being trained by Emmy and  
16 Jeffrey on some massage techniques, did anyone say  
17 anything sexual during that conversation?

18 A. Not that I recall.

19 Q. What was the mood like? Was it, you know,  
20 laughing?

21 A. Yes. Comfortable.

22 Q. And just to clarify, the people who were  
23 giving the massages at the various points in time  
24 were clothed while they were doing that, correct?

25 MS. McCAWLEY: Objection.

1 BY MS. MENNINGER:

2 Q. In this period you just described with  
3 Emmy Taylor and Jeffrey in a bathroom upstairs on  
4 your third visit to the house, people giving the  
5 massages had their clothes on, correct?

6 A. Correct.

7 Q. All right.

8 What was the next time you remember coming  
9 to the house there?

10 A. The next time was to do a massage. All by  
11 myself.

12 Q. Okay. And how did that one come about?

13 A. Hmm, someone must have called me, but I  
14 don't remember who.

15 Q. And to whom did you give the massage on  
16 this next visit to the house?

17 A. Jeffrey.

18 Q. Was Ghislaine present during that massage?

19 A. No.

20 Q. Did anything unusual occur during that  
21 massage?

22 A. After.

23 Q. What happened? After the massage?

24 A. He asked me how well do I orgasm. And I  
25 said, I don't, I'm a virgin. And he was quite

1 surprised.

2 Q. Where were you when you were having this  
3 discussion?

4 A. In the bathroom.

5 Q. Were you clothed?

6 A. Yes.

7 Q. Was he clothed?

8 A. I don't remember him being naked. He was  
9 probably either wrapped with a towel or in a  
10 bathrobe.

11 Q. Were you caught off guard by this  
12 question?

13 A. Yes.

14 Q. Was that the first time anyone had said  
15 anything sexual to you during this --

16 A. Ever? Yes.

17 Q. Did he say anything else that you recall  
18 during that conversation?

19 A. I mean, we had a little bit of a  
20 conversation about it, but I don't recall  
21 specifically.

22 Q. And how did that massage encounter end?

23 A. Normal. There was nothing I had to do,  
24 just normal massage.

25 Q. Did he pay you?

1 A. Yes.

2 Q. How much did he pay you?

3 A. \$200.

4 Q. How did he pay you?

5 A. Cash.

6 Q. And where was the cash?

7 A. I don't recall specifically. It was  
8 either -- he brought it upstairs with him or it  
9 would have been down on his desk.

10 Q. And I'm assuming that you had other  
11 massages that you gave him under similar  
12 circumstances in the next years, right?

13 A. Many, right.

14 Q. So recalling this particular one is not  
15 sticking out in your mind?

16 A. Yes.

17 MS. McCAWLEY: Objection.

18 BY MS. MENNINGER:

19 Q. Do you remember the next time after that?

20 A. I don't. I mean, from there, it's just a  
21 blur of random invites to come over and do it.  
22 Massage was, like, I would see him maybe three days  
23 a row, and I wouldn't see him for two months. It  
24 would be kind of that irregular schedule.

25 Q. Do you ever recall a time where you came



1 over every day for three weeks in a row?

2 A. No.

3 Q. Were you paid \$200 per massage?

4 A. Yes.

5 Q. And how long did the massages last?

6 A. Anywhere from 30 minutes to an hour and a  
7 half.

8 Q. Did you ever give a four-hour massage to  
9 him?

10 A. Good grief, no, not that I recall.

11 Q. Have you ever given a four-hour massage to  
12 anyone in your whole life?

13 A. No, I haven't.

14 Q. Tell me how the whole idea of traveling to  
15 New York came up.

16 A. I actually was not home. They called  
17 my -- my apartment. My roommate answered. When I  
18 got home, she said, You need to call Jeffrey Epstein  
19 immediately. He wants to take you to New York, but  
20 they are leaving at 4:00.

21 And I was excited because I had never been  
22 to New York.

23 Q. Are you from

24 A. I am.

25 Q. But you never went to New York?

1 A. Just flying over it.

2 Q. When you said they called, do you know who  
3 called your roommate?

4 A. I don't know who called my roommate.

5 Q. In this sort of pre-trip to New York  
6 period, do you recall discussing any of the  
7 particulars of your massages with Jeffrey, with  
8 Ghislaine?

9 MS. McCAWLEY: Objection.

10 BY MS. MENNINGER:

11 Q. If that makes sense.

12 A. No.

13 Q. So before you got this call, had anyone  
14 mentioned the idea of traveling to you?

15 A. No.

16 Q. Did you call Jeffrey immediately?

17 A. I did.

18 Q. And what conversation did you have with  
19 him?

20 A. Basically he said, I want to take you  
21 to -- to New York City. Can you be here quickly?

22 And I got to the house, and he said, Do  
23 you have your passport?

24 I said, No.

25 He said, Go get it.

1                   So I went back and picked up my passport,  
2                   and went back to the house before we went to the  
3                   airport.

4                   Q.     And why did you need your passport?

5                   A.     I was ready to find out. I had no idea.

6                   Q.     This was the spontaneous phase?

7                   A.     Exactly.

8                   Q.     So you went and got your passport. You  
9                   came back. And then what happened?

10                  A.     Then we went to the airport.

11                  Q.     And who is we?

12                  A.     So, I don't remember the ride to the  
13                  airport, but the people that I recall being on the  
14                  plane was Jeffrey, Ghislaine, Virginia and I.

15                  Q.     And when was the first time you met  
16                  Virginia?

17                  A.     I believe it was that day.

18                  Q.     In your previous visits to the house, had  
19                  you seen her there?

20                  A.     Not that I recall.

21                  Q.     And what was your impression the first day  
22                  you met her?

23                  A.     She seemed young and blond and cute.

24                  Q.     What was her personality like?

25                  A.     I honestly don't recall her personality.

1 Bubbly.

2 Q. Did you see her in the plane or on the  
3 trip to New York engaged in any kind of affectionate  
4 or sexual contact with Jeffrey?

5 A. No.

6 Q. With Ghislaine?

7 A. No.

8 Q. How did it come to be that you were in a  
9 casino in Atlantic City?

10 A. We, as we were flying, Jeffrey said, Why  
11 don't you go sit in the cockpit to check out the  
12 landing?

13 So we were sitting there, and the pilots  
14 told me to go back and tell him that we can't land  
15 in New York and that we were going to have to land  
16 in Atlantic City.

17 Jeffrey said, Great, we'll call up Trump  
18 and we'll go to -- I don't recall the name of the  
19 casino, but -- we'll go to the casino.

20 Q. And what happened with an ID issue?

21 MS. McCAWLEY: Objection:

22 THE WITNESS: All I knew is that she was  
23 not going to be allowed to gamble, and so I  
24 spent time with her. We were just walking  
25 around. I don't remember what we did. Because

1           either she didn't have an ID or she was too  
2           young. I don't remember specifically why. I  
3           just knew that she could not gamble.

4       BY MS. MENNINGER:

5           Q.     Okay. So you walked around with her in  
6       Atlantic City?

7           A.     Uh-huh. In the casino. We never left the  
8       casino.

9           Q.     Were you disappointed that you couldn't  
10      gamble?

11          A.     No.

12          Q.     When you were walking around and talking  
13      to her, did you learn anything about her?

14          A.     Not that I recall.

15          Q.     Did you have an impression about why she  
16      was on the trip?

17          A.     At that point, no. I was so new to the  
18      whole thing, I was just trying to figure out my  
19      position and who everybody was. At that point, I  
20      had no idea -- I didn't know anything sexual was  
21      happening at all. So I just felt like she was just  
22      another visitor.

23          Q.     Did she tell you at that time that she had  
24      been to New York with Jeffrey before?

25          A.     Not that I recall.

1 Q. Did she tell you anything about Ghislaine  
2 during that walk-about?

3 A. No.

4 Q. And then you all traveled on to New York  
5 that same night?

6 A. Yes.

7 Q. How long were you in New York for that  
8 visit?

9 A. It was maybe two nights.

10 Q. And where did you sleep at night?

11 A. I slept in one of the guest rooms at his  
12 townhouse on 71st Street.

13 Q. And did you stay in the same room as  
14 Virginia?

15 A. No.

16 Q. Do you know where she stayed?

17 A. No.

18 Q. All right.

19 And then when you got into Manhattan, how  
20 did it come to be that you were doing some  
21 sightseeing?

22 A. Well, they knew that I had never been, so  
23 I believe Jeffrey asked the driver and Emmy just to  
24 drive me around to see the Empire State Building.  
25 That's all I remember. It was late. It was dark.

1 It wasn't long, maybe 30 minutes.

2 Q. When you got back to the house, what  
3 happened?

4 A. I walked into the front door, and  
5 Ghislaine stuck her head over the grand staircase  
6 and asked me to come upstairs into the living room.

7 Q. And can you describe the living room?

8 A. Oh, it was very large and very formal.  
9 And Jeffrey and her and Virginia and Prince Andrew  
10 were there.

11 Q. What were they all doing when you came in?

12 A. Just socializing. I don't remember them  
13 doing an activity. It was just being together.

14 Q. Was anyone unclothed?

15 A. No.

16 Q. Was this the same room where Jeffrey had a  
17 desk?

18 A. It could have been, but I can't remember.

19 Q. Did you go to New York more than one time?

20 A. Yes.

21 Q. How many times did you go to New York?

22 A. Two times.

23 Q. This was the only time that you met Prince  
24 Andrew in New York, though?

25 A. Yes.

1 Q. When you came upstairs, where was Virginia  
2 sitting?

3 A. I don't remember.

4 Q. Do you remember what she was wearing?

5 A. No.

6 Q. She was already there when you got back  
7 from sightseeing?

8 A. Yes.

9 Q. Tell me what happened with the caricature.

10 A. Ghislaine asked me to come to a closet.  
11 She just said, Come with me. We went to a closet  
12 and grabbed the puppet, the puppet of Prince Andrew.  
13 And I knew it was Prince Andrew because I had  
14 recognized him as a person. I didn't know who he  
15 was.

16 And so when I saw the tag that said Prince  
17 Andrew, then it clicked. I'm like, that's who it  
18 is.

19 And we went down -- back down to the  
20 living room, and she brought it in. It was just  
21 funny because -- he thought it was funny because it  
22 was him.

23 Q. Tell me how it came to be that there was a  
24 picture taken.

25 MS. McCAWLEY: Objection.



1           THE WITNESS: I just remember someone  
2           suggesting a photo, and they told us to go get  
3           on the couch. And so Andrew and Virginia sat  
4           on the couch, and they put the puppet, the  
5           puppet on her lap.

6           And so then I sat on Andrew's lap, and I  
7           believe on my own volition, and they took the  
8           puppet's hands and put it on Virginia's breast,  
9           and so Andrew put his on mine.

10       BY MS. MENNINGER:

11           Q. And this was done in a joking manner?

12           MS. McCAWLEY: Objection.

13           THE WITNESS: Yes.

14       BY MS. MENNINGER:

15           Q. Do you recall a photo being taken of that  
16       event?

17           A. Yes.

18           Q. You've never seen the photo?

19           A. No.

20           Q. You don't know whose camera it was?

21           A. No.

22           Q. Virginia was sitting on the couch next to  
23       Andrew, not in a big leather armchair?

24           A. Maybe. I'm just trying to remember how I  
25       remember it.

1 Q. To the best of your recollection, you went  
2 and sat on Andrew's lap, correct?

3 A. Yes.

4 Q. On his knee?

5 A. Yes.

6 Q. And Virginia was not sitting on his knee,  
7 correct?

8 A. I don't recall. I just remember I was --  
9 she might have been on his other knee, like Santa.  
10 I don't remember.

11 Q. After that, do you remember any other  
12 pieces of that social engagement?

13 A. No.

14 Q. Do you know where you went?

15 A. From there, I went to bed.

16 Q. Were people drinking?

17 A. No.

18 Q. Did you hear Ghislaine Maxwell tell  
19 Virginia to do anything while you were in that room?

20 A. No.

21 Q. Do you recall what happened the next day  
22 in New York?

23 A. Bits. I mean, that was the day I went to  
24 Victoria's Secret. I went and walked around by  
25 myself and went to a souvenir shop, got a mug or

1 something. That's all I recall.

2 Q. Did you go anywhere with Virginia?

3 A. Oh, my gosh, yes. We went to Phantom of  
4 the Opera.

5 Q. Who else went?

6 A. I think it was just she and I. I forgot  
7 about that. Thank you for that memory.

8 Q. It's my job.

9 Anything else you remember about that day  
10 in New York?

11 A. No.

12 Q. You said you had given a massage to  
13 Jeffrey while you were there on that trip or was it  
14 a subsequent trip?

15 A. That trip.

16 Q. And how did that come to be?

17 A. Either he or somebody asked me to go and  
18 do it. Someone showed me to the room, but I don't  
19 remember who it was.

20 Q. Can you describe that room?

21 A. Yes. It was high ceilings, dark. There  
22 were, like, dark red walls or dark blue walls or  
23 dark blue carpeting or something. It had a massage  
24 table set up in the middle, and there was a large --  
25 I want to say like a 15-foot photo, either photo or

1 painting of a naked girl.

2 Q. Pornographic or artistic?

3 A. No. No, I wouldn't say pornographic.

4 Artistic.

5 Q. Artistic.

6 Was Ghislaine present during that massage?

7 A. No.

8 Q. Did something about that particular  
9 massage session stand out to you?

10 A. Yes. That was when I was first asked to  
11 squeeze and rub his nipples while he pleasured  
12 himself.

13 Q. And did he say that's what he was going to  
14 do?

15 A. He -- yes, he was just very blunt about  
16 it. He said, Rub my nipples, I'm going to jerk off.  
17 I was like, No, done.

18 Q. And you walked out?

19 A. I did.

20 Q. Were there any repercussions of you  
21 walking out?

22 A. Amazingly, no. Knowing what I know now,  
23 I'm surprised I was ever called back. But, no, I  
24 just stood my ground and walked out. I'm not  
25 comfortable with that.

1 Q. Do you know personally whether anyone else  
2 had said no to him?

3 A. No.

4 Q. Did anyone ever tell you that they had  
5 been in a massage scenario and told him no?

6 A. No.

7 Q. Do you recall when in your trip the  
8 massage occurred?

9 A. Well, it was not the day we landed. It  
10 must have been that next day that we were there.

11 Q. Do you remember anything else about  
12 Virginia from that trip other than the Prince Andrew  
13 thing and Phantom of the Opera?

14 A. Well, we were getting ready to leave to go  
15 to the airport, and we were waiting. She and I sat  
16 on the steps in the foyer. I do remember just kind  
17 of asking a few questions to try to understand her  
18 role, because at that point now I knew what he  
19 wanted from me in the massage. And -- but she did  
20 not make it clear to me that she was participating  
21 in that. So I was prodding gently to see if there  
22 was anything happening that shouldn't have been,  
23 because I was getting the impression that she was --  
24 she told me she was 17.

25 Q. She told you she was 17?

1 A. Uh-huh.

2 Q. How did that come up?

3 A. I asked her.

4 Q. Was anyone else present during this  
5 conversation?

6 A. No.

7 Q. You mentioned in your earlier testimony  
8 that she seemed orphan-like.

9 A. Yes.

10 Q. But you said that was something you had  
11 said to Ms. McCawley, correct?

12 A. Correct.

13 Q. That was not said at the time?

14 A. Right. No. At the time I was getting an  
15 impression that she did not have a family or she had  
16 walked away from her family. And it seemed to me,  
17 you know, they had just sort of adopted her, not as  
18 a child, but they would take care of her.

19 Q. Did you observe anyone speaking to her as  
20 a child, like make up your bed?

21 A. No.

22 Q. Did you observe whether she was using  
23 drugs during that trip?

24 A. No.

25 MS. McCAWLEY: Objection.

1 BY MS. MENNINGER:

2 Q. Did you ever observe her using drugs?

3 A. Not that I recall.

4 Q. Did she tell you that she was using Xanax?

5 A. No.

6 Q. Cocaine?

7 A. No.

8 Q. Ecstasy?

9 A. No.

10 Q. Heroin?

11 A. No.

12 Q. When was the second trip you took to New  
13 York?

14 A. Later. Maybe 2005. I don't know. I  
15 could look in the flight record.

16 Q. That's all right.

17 A. I don't remember exactly.

18 Q. That's all right.

19 You just recall it being several years or  
20 so after?

21 A. Yes. Several years later.

22 Q. And just so I'm clear, can you just list  
23 for me the places you recall traveling with Jeffrey?

24 A. Yes. That first trip was New York and the  
25 Virgin Islands. And then not again until around

1     2005, we went to New Mexico and to New York City and  
2     the Virgin Islands.

3           Q.     So you were in New York twice and the  
4     Virgin Islands twice and New Mexico once?

5           A.     Yes.

6           Q.     Anywhere else?

7           A.     No.

8           Q.     Were those primarily on the private plane?

9           A.     Yes.

10          Q.     You said you flew commercially once to get  
11     back?

12          A.     Yes.

13          Q.     Did you recall any other commercial  
14     flights?

15          A.     He bought a couple of flights for me when  
16     I wanted to go up to New York for personal reasons.  
17     One time I went to New York commercially, and I was  
18     there with friends, but I did go over to his house  
19     while I was in the city.

20          Q.     And that's not the trip to New York?

21          A.     No.    Separate.

22          Q.     Would you characterize your relationship  
23     with Jeffrey as friendly?

24                   MS. McCAWLEY:   Objection.

25                   THE WITNESS:   Yes.



1 BY MS. MENNINGER:

2 Q. If you asked him to buy a ticket to New  
3 York, that might be something that he would do?

4 A. I never asked him to do anything for me,  
5 but I told him I was interested in something, and he  
6 always offered.

7 Q. The second trip to New York, anything  
8 memorable about that? The one -- I'm sorry, the one  
9 that you mentioned that was with Jeffrey.

10 A. I do recall Nadia being there. While I  
11 massaged, she gave him a facial, but nothing sexual  
12 happened.

13 Q. And do you recall if Ghislaine was part of  
14 that trip or not?

15 A. I remember her being in New Mexico.

16 Q. What do you remember about her being in  
17 New Mexico?

18 A. I remember she took me to -- when they  
19 were building the ranch, they had a little  
20 three-bedroom home, just like a prefab house. She  
21 took me over there. So we went for a little walk.

22 I remember she had two new puppies named  
23 Max and Mini, little Yorkies. And I want to say  
24 that it was around Jeffrey's birthday when we were  
25 there, but nothing -- there was no, like,

1 celebration or cake with candles. It was just  
2 another day.

3 Q. You said that the Virgin Islands were a  
4 part of that second trip, as well?

5 A. Yes.

6 Q. And do you remember Ghislaine being part  
7 of the Virgin Islands the second time?

8 A. Yes. That's when she called -- went to  
9 bed and kissed us all on the head and called us her  
10 children.

11 Q. Who were the other participants in that  
12 session?

13 A. That's who -- I don't recall who was  
14 there. I want to say that Nadia was.

15 Q. But Virginia was not there?

16 A. Virginia was not there.

17 Q. Do you recall the point in time in which  
18 Virginia went away?

19 A. Sort of. After the trip to New York, I  
20 was given her phone number to call. And I remember  
21 one time I tried to get ahold of her. Her boyfriend  
22 answered. A boyfriend, I would assume, and he  
23 sounded like he was high. And I couldn't find out  
24 where she was. And then from there on, she was out  
25 of the picture.

1 Q. Do you recall how long after the New York  
2 trip that occurred?

3 A. I would say it was probably within a month  
4 or two.

5 Q. Did she tell you she was working  
6 elsewhere?

7 A. No.

8 Q. Did you ask her?

9 A. No.

10 Q. Did she mention that she was a waitress?

11 A. No.

12 Q. And worked at Taco Bell?

13 A. Huh-huh.

14 Q. Did you speak to her boyfriend or a  
15 boyfriend at any other time associated with her?

16 A. No.

17 Q. Did you meet her boyfriend?

18 A. No.

19 Q. Her fiancé?

20 A. No.

21 MS. McCAWLEY: Objection.

22 BY MS. MENNINGER:

23 Q. When you were on the plane with Jeffrey  
24 during these two trips, he was present on all of  
25 those flights?

1 A. Yes.

2 Q. Did you observe any sexual behavior  
3 happening on the plane?

4 A. No. He told me a story of something that  
5 had happened one time.

6 Q. Did it involve Ghislaine Maxwell?

7 A. No.

8 Q. Did it involve Virginia Roberts?

9 A. No.

10 Q. And you didn't see anything?

11 A. No.

12 Q. You did give massages to Ghislaine  
13 Maxwell, correct?

14 A. Yes.

15 Q. On how many occasions?

16 A. Maybe somewhere between five and 10.

17 Q. Was that over the course of the five  
18 years?

19 A. Yes.

20 Q. Was there some point during that five  
21 years where Ghislaine Maxwell was not around as  
22 much?

23 A. Yes.

24 Q. Do you recall when that was?

25 A. In the middle.

1 Q. Did you know why that might be?

2 A. No.

3 Q. Is that about the time that you started  
4 seeing Nadia more frequently?

5 A. Yeah, I guess she was probably in the  
6 picture more. Her and Sarah both had kind of been  
7 around the most.

8 Q. Did you observe Nadia or Sarah appearing  
9 to act like Jeffrey's girlfriend?

10 A. Nadia, not Sarah.

11 Q. What did you observe?

12 A. She was just very loving, kissing him.

13 Q. Did you know how old she was?

14 A. I didn't know.

15 Q. So you gave massages to Ghislaine five or  
16 10 times. Was there anything unusual about those  
17 massages?

18 A. No.

19 Q. You've been quoted in the press perhaps as  
20 saying that she wasn't very picky?

21 A. About massage?

22 Q. About her massages.

23 A. Not like Jeffrey, I guess. I mean, saying  
24 that meant that, you know, I would do whatever I  
25 wanted to do in the massage; whereas, Jeffrey was,

1     like, Do my foot, do my leg. He would kind of  
2     narrate what he wanted. She just wanted a massage.  
3     So if that makes sense.

4             Q. She may have been naked under a towel --

5             A. Definitely.

6             Q. -- in a regular massage fashion?

7             MS. McCAWLEY: Objection.

8             THE WITNESS: Yes. Actually, I do recall  
9     an instance where I was massaging her and  
10    Jeffrey came into the room and he did something  
11    sort of sexual to her, whether it was fondling  
12    her or slapping her butt or something, and she  
13    brushed him off like she was embarrassed.

14    BY MS. MENNINGER:

15            Q. So she never asked you to touch her in a  
16    sexual manner, correct?

17            A. No.

18            Q. And she did not rub her breasts on you,  
19    for example?

20            A. No.

21            MS. McCAWLEY: Objection.

22    BY MS. MENNINGER:

23            Q. She did not demand that you perform oral  
24    sex on her?

25            A. No.

1 Q. Did she did not demand that you undress  
2 during your massages?

3 A. No.

4 Q. There was nothing from her that was sexual  
5 during the massages that you gave to her?

6 MS. McCAWLEY: Objection.

7 THE WITNESS: Correct.

8 BY MS. McCAWLEY:

9 Q. Do you recall when the last time you gave  
10 her a massage was?

11 A. I don't recall.

12 Q. Do you recall meeting with her in about  
13 2006 when she was in town for some helicopter  
14 training?

15 A. I do recall that.

16 Q. Do you recall giving her some massages  
17 during that period?

18 A. Yes.

19 Q. Do you remember going out to dinner with  
20 her and to a movie?

21 A. I remember to a movie, and I don't  
22 remember if we went to dinner. I remember her  
23 cooking dinner. That was another way she impressed  
24 me: She knew how to cook like a chef. She had done  
25 some culinary training.

1 Q. And you guys had a normal type  
2 conversation?

3 A. Yes. It was very fun.

4 MS. McCAWLEY: Objection.

5 MS. MENNINGER: I would like to take about  
6 a 5-, to 10-minute break, if that's okay.

7 THE VIDEOGRAPHER: Off the record at  
8 11:05.

9 (Thereupon, a recess was taken, after  
10 which the following proceedings were held:)

11 THE VIDEOGRAPHER: This is the beginning  
12 of Disk 2. On the record at 11:25.

13 BY MS. MENNINGER:

14 Q. Hi. I believe when we left off I was  
15 asking you about massages that you gave to  
16 Ghislaine.

17 Did Ghislaine pay you when she got a  
18 massage from you?

19 A. Yes.

20 Q. Do you know how much she paid you?

21 A. I believe it was 200. It was the going  
22 rate.

23 Q. The same as you were getting paid by  
24 Jeffrey, correct?

25 A. Yes.



1 Q. Ghislaine was not present when you were  
2 giving massages to Jeffrey, correct?

3 MS. McCAWLEY: Objection.

4 THE WITNESS: Correct.

5 BY MS. MENNINGER:

6 Q. At some point Jeffrey became more  
7 aggressive with you, correct?

8 A. Correct.

9 MS. McCAWLEY: Objection.

10 BY MS. MENNINGER:

11 Q. At what point was that?

12 A. In the last year.

13 Q. And what does that mean to you, "became  
14 more aggressive"?

15 A. He was pressuring me to do more than I was  
16 comfortable with doing.

17 Q. Is that what ultimately caused you to  
18 leave working for Jeffrey?

19 A. What caused me to leave was when it was  
20 made public what I was doing.

21 Q. What do you mean by that?

22 A. Well, after I had spoken with the police  
23 report -- the police and there was a police report,  
24 I did not realize that was public knowledge,  
25 journalists would get a hold of. So at one point

1 the news channel 12 showed up at my door asking me  
2 questions.

3 Q. When Jeffrey was pressuring you to do more  
4 than you felt comfortable with, did you observe him  
5 being more aggressive in general? Outside of the  
6 massage context?

7 MS. McCAWLEY: Objection.

8 THE WITNESS: No.

9 BY MS. MENNINGER:

10 Q. Do you know whether he was taking any type  
11 of steroids?

12 A. No.

13 Q. Did you ever see him wearing a patch or  
14 something like that?

15 A. I don't recall.

16 Q. Did you tell anyone that Jeffrey was  
17 becoming more aggressive with you contemporaneous  
18 with when it was happening?

19 MS. McCAWLEY: Objection.

20 THE WITNESS: No.

21 BY MS. MENNINGER:

22 Q. When Jeffrey asked you to do other things  
23 besides a normal massage, did he offer to pay you  
24 additionally?

25 A. Yes.

1 Q. How much?

2 A. One hundred dollars extra.

3 Can I clarify?

4 Q. Absolutely.

5 A. He didn't ever say he would pay me more,  
6 but when the massage was more than just a massage  
7 and it was sexual, then he would pay me more.

8 Q. It wasn't a discussion; it's just what  
9 happened?

10 A. Correct.

11 Q. Thank you for clarifying.

12 The things that took place with you and  
13 Jeffrey behind closed doors were when you were a  
14 consenting adult, correct?

15 A. Yes.

16 MS. McCAWLEY: Objection.

17 THE WITNESS: Correct.

18 BY MS. MENNINGER:

19 Q. And you did not have knowledge of what  
20 took place with other women behind closed doors and  
21 Jeffrey, correct?

22 MS. McCAWLEY: Objection.

23 THE WITNESS: Correct.

24 BY MS. MENNINGER:

25 Q. Do you recall giving an interview to a

1 reporter from the Mail on Sunday?

2 A. Yes.

3 Q. You told that reporter, I believe, that  
4 the police report painted a picture that it was a  
5 big orgy all the time, but it wasn't?

6 A. What I saw, I did not see anything out in  
7 the open sexually. Me, personally.

8 Q. Right. You did not see orgies happening  
9 in the pool, for example?

10 A. No.

11 Q. You did not see people engaging in sexual  
12 conduct out in the open areas of the home, correct?

13 A. Right.

14 MS. McCAWLEY: Objection.

15 BY MS. MENNINGER:

16 Q. When you became aware of the allegations  
17 against Jeffrey, those came as a surprise to you,  
18 correct?

19 MS. McCAWLEY: Objection.

20 THE WITNESS: Correct.

21 BY MS. MENNINGER:

22 Q. And the surprise was that it involved  
23 underaged girls making that allegation, correct?

24 MS. McCAWLEY: Objection.

25 THE WITNESS: Correct.

1 BY MS. MENNINGER:

2 Q. You were asked some questions with  
3 Ms. McCawley about nude photographs that were  
4 present in the home? Homes?

5 A. Uh-huh.

6 Q. In Palm Beach, I believe you said there  
7 were some in the room where the massage table was?

8 A. Yes.

9 Q. Can you tell me what you recall seeing?

10 A. It wasn't candid photos. They were all,  
11 like, staged.

12 Q. Like a model?

13 A. Yes. And my -- I don't recall necessarily  
14 knowing any of the people in those photos. I  
15 remember at one point there was a photo of myself,  
16 but...

17 Q. Were they fully frontally nude or were  
18 they staged, like, with, you know, parts of bodies  
19 showing?

20 A. I really only remember topless photos. I  
21 don't remember full frontal photos.

22 Q. So exposing the breasts, but not exposing  
23 the genitalia?

24 A. Not that I recall. And Ghislaine's  
25 bathroom, I believe there was a photo of her

1 topless, or a painting.

2 Q. A painting?

3 A. Uh-huh.

4 Q. Did you see any nude or semi-clad photos  
5 of young girls?

6 A. No.

7 Q. Preteens, for example?

8 A. No.

9 Q. Something you would consider child  
10 pornography?

11 A. Never.

12 Q. Other than in the bathroom or the massage  
13 room at the Palm Beach home, do you recall any other  
14 place in the Palm Beach home where you saw any of  
15 these topless photos of women?

16 A. I remember there being photos everywhere,  
17 and the ones that stick out in my memory are the  
18 ones -- there was a photo of Ghislaine with the  
19 Pope. It would not surprise me if there were naked  
20 photos around. I just didn't retain them in my  
21 memory.

22 Q. So when you say there were photos  
23 everywhere, you mean just photos in general?

24 A. Yes. They had a lot of photos around the  
25 house.

1 MS. McCAWLEY: Objection.

2 BY MS. MENNINGER:

3 Q. And Ghislaine was not topless in a photo  
4 with the Pope, just so I'm clear?

5 A. Correct.

6 Q. I just want to make sure we get that  
7 record really clear.

8 So you recall there being photos  
9 everywhere; you just remember a couple sticking out  
10 in your brain as being topless?

11 A. Yes.

12 Q. And the walls on the staircase to the  
13 upstairs were not just covered with nude  
14 photographs, to your recollection?

15 A. To my recollection, I just -- I don't  
16 remember.

17 Q. Did you observe what you would consider to  
18 be child pornography on any computer in the home?

19 A. No.

20 Q. Did you observe anyone taking photographs  
21 of young girls in the home?

22 A. No.

23 Q. The photograph of yourself that you saw,  
24 was that something that you had posed for?

25 A. Not, like, professionally. But I was just

1 sitting, and I believe Jeffrey took the photo. I  
2 was just sitting on a couch upstairs in the  
3 bathroom.

4 Q. It wasn't taken by a hidden camera?

5 A. No. No. I was smiling in the picture.

6 Q. And, likewise, in the New York home, did  
7 you see anything -- you described a large painting  
8 or a photograph that was in the massage room?

9 A. Yes.

10 Q. Do you recall any other photos of  
11 semi-clad or naked females?

12 A. I don't recall.

13 Q. Anything that you would consider to be  
14 child pornography that you saw in the New York home?

15 A. No.

16 Q. And, likewise, in New Mexico?

17 A. I don't recall.

18 Q. Do you recall seeing any semi-clad photos  
19 in New Mexico at all?

20 A. I do not recall.

21 Q. And the Virgin Islands?

22 A. Yes, in his bathroom, master bathroom.

23 Q. And what do you recall, if anything, about  
24 that photo?

25 A. There was a photo of me in there.



1 Q. And, again, was that something that you  
2 were okay with?

3 A. Yes.

4 Q. Jeffrey Epstein never told you that he  
5 knowingly had sexual contact with an underaged girl,  
6 correct?

7 MS. McCAWLEY: Objection.

8 THE WITNESS: When I asked him if the  
9 accusations were true, after I spoke with the  
10 police, he said yes, but they lied about their  
11 age.

12 BY MS. MENNINGER:

13 Q. How did that conversation come about?

14 A. He asked me if the police had ever spoken  
15 to me and I asked him, is it true.

16 Q. And you were talking about underaged  
17 girls?

18 A. Correct.

19 Q. And he said that he had been lied to by  
20 those girls?

21 A. Yes.

22 Q. Did he say anything else to you about it?

23 A. No.

24 Q. Did you ask him anything else about it?

25 A. No.

1 Q. Did you attempt to have any conversation  
2 like that with Ghislaine Maxwell?

3 A. No.

4 Q. I saw one press report that said you had  
5 met Cate Blanchett or Leonardo DiCaprio?

6 A. I did not meet them, no. When I spoke  
7 about them, it was when I was massaging him, and he  
8 would get off -- he would be on the phone a lot at  
9 that time, and one time he said, Oh, that was  
10 Leonardo, or, That was Cate Blanchett, or Bruce  
11 Willis. That kind of thing.

12 Q. So name-dropping?

13 A. Yes.

14 Q. So you had not met Cate Blanchett or  
15 Leonardo DiCaprio?

16 A. I have not.

17 Q. Would you remember if you had?

18 A. I would hope I would remember.

19 Q. Did you meet Cameron Diaz?

20 A. No.

21 Q. Bill Clinton?

22 A. No.

23 Q. Did you see Bill Clinton on the island?

24 A. No.

25 Q. Did you see Bill Clinton in a helicopter

1 being flown by Ghislaine Maxwell?

2 A. No.

3 Q. Did Ghislaine Maxwell ever tell you that  
4 she had flown Bill Clinton in her helicopter?

5 MS. McCAWLEY: Objection.

6 THE WITNESS: I don't recall her saying  
7 that.

8 BY MS. MENNINGER:

9 Q. Did you ever meet Senator ?

10 A. I don't know what he looks like. I might  
11 have.

12 Q. If I told you he was from Maine, would  
13 that stick out in your mind?

14 A. It should, but I do not recall meeting  
15 him.

16 Q. Do you ever remember meeting Prime  
17 Minister Ehud Barak from Israel?

18 A. No.

19 Q. Do you recall meeting any prime minister?

20 A. No.

21 Q. Any foreign president?

22 A. No.

23 Q. Nobel Prize winners?

24 A. Not to my knowledge.

25 Q. Naomi Campbell?

1 A. No.

2 Q. Al Gore?

3 A. No.

4 Q. Alan Dershowitz?

5 A. No.

6 Q. Les Wexner?

7 A. No.

8 Q. Tom Pritzker?

9 A. No.

10 Q. Kevin Spacey? I may have already asked  
11 you, but have you met Kevin Spacey?

12 A. No.

13 Q. Did you meet Governor Bill Richardson of  
14 New Mexico?

15 A. Hmm, I want to say that he was supposed to  
16 come to dinner when we were in New Mexico. I don't  
17 know if I met him. I believe that he and Ghislaine  
18 had dinner separate from myself.

19 Q. Jean Luc Brunel?

20 A. Yes.

21 Q. You did meet him?

22 A. Yes.

23 Q. Tell me about that.

24 A. He was just in the house at one time in  
25 Palm Beach.

1 Q. Socializing?

2 A. Yes.

3 Q. Did you observe him to be with underaged  
4 girls?

5 A. I don't recall.

6 Q. Did you give him a massage?

7 A. I don't think I did. I gave a lot of  
8 guests massages. I don't remember any of their  
9 names. So it could have been any of those people  
10 besides the movie stars.

11 Q. You would know?

12 A. Exactly.

13 Q. And did you engage in sexual contact with  
14 any of the guests for whom you gave a massage?

15 A. No. That's why he would call me for his  
16 guests, because I was not comfortable with the  
17 sexual contact. So he still wanted to employ me as  
18 a massage therapist, but it was all normal.

19 Q. So this was an actual conversation that  
20 you had?

21 A. No, but I -- I noticed. I noticed that I  
22 wasn't -- I was massaging him less and less and  
23 massaging his guests more.

24 Q. So there was a change in the frequency  
25 with which you were giving Jeffrey Epstein massages?

1 A. Right.

2 Q. And an increase corresponding to massages  
3 you were giving to guests, correct?

4 A. Yes.

5 Q. Did any of the guests for whom you gave a  
6 massage mention that they expected something sexual?

7 A. No.

8 Q. Did they ask you to engage in sexual  
9 contact and you refused?

10 MS. McCAWLEY: Objection.

11 THE WITNESS: No.

12 BY MS. MENNINGER:

13 Q. Marvin Minsky?

14 A. I don't know that.

15 Q. George Lucas?

16 A. No.

17 Q. Donald Trump?

18 A. No.

19 Q. Did you ever massage Donald Trump?

20 A. No.

21 Q. Sorry, I have to ask, but did you ever  
22 have sex with Alan Dershowitz in the back of a  
23 limousine with Virginia and Jeffrey present?

24 MS. McCAWLEY: Objection.

25 THE WITNESS: Absolutely not.

1 BY MS. MENNINGER:

2 Q. Do you know who Alan Dershowitz is?

3 A. I do.

4 Q. You would remember --

5 A. I would remember that.

6 Q. Did you ever see Virginia Roberts with any  
7 of the people that I just asked you about?

8 A. No.

9 Q. Did Virginia ever talk to you about having  
10 been with any of those people?

11 MS. McCAWLEY: Objection.

12 THE WITNESS: No.

13 BY MS. MENNINGER:

14 Q. Did she tell you that she had met any of  
15 those people?

16 A. No.

17 Q. I believe you saw in that police report a  
18 reference to a friend of Jeffrey named Glenn and his  
19 wife?

20 A. Uh-huh.

21 Q. Do you remember them?

22 A. Vaguely.

23 Q. Tell me what you remember.

24 A. I remember they had an apartment in -- on  
25 Breakers Row. I went up there and massaged. It may

1 have been more than once, but I only really remember  
2 one time. But there was nothing sexual.

3 Q. Neither with the wife, nor with Glenn?

4 A. Right.

5 Q. Do you remember the apartment?

6 A. I only remember that I had to carry my  
7 massage table up some stairs.

8 Q. So you actually gave the massage on a  
9 massage table?

10 A. Yes.

11 Q. Does that help you place it in time as to  
12 when that might have occurred? In other words --

13 A. Well --

14 Q. -- did you get your massage license at  
15 some point and a massage table?

16 MS. McCAWLEY: Objection.

17 THE WITNESS: Yes. He bought me my  
18 massage table around the time that I went to  
19 massage school. So it could have been any time  
20 after. If I thought really hard, I could  
21 remember when I went to school. But it -- I  
22 want to say it's around 2003.

23 BY MS. MENNINGER:

24 Q. Nothing sexual happened with Glenn?

25 A. No.



1 Q. Did Glenn ask you to give him a massage on  
2 the floor of the home?

3 A. I don't recall.

4 Q. Did you ever discuss Glenn with Virginia?

5 A. Not to my recollection.

6 Q. Did you ever go to Virginia's home?

7 A. No.

8 Q. Do you know where she lived?

9 A. No.

10 Q. Did she talk about it?

11 A. Not that I remember.

12 Q. Did you see anything in your interactions  
13 with Virginia that led you to believe that she was a  
14 sex slave?

15 MS. McCAWLEY: Objection.

16 THE WITNESS: No.

17 BY MS. MENNINGER:

18 Q. Did you see anyone forcing her to remain  
19 in the home?

20 A. No.

21 Q. Did you see her look traumatized at some  
22 point?

23 MS. McCAWLEY: Objection.

24 THE WITNESS: No.

25

1 BY MS. MENNINGER:

2 Q. Did you see anything that led you to  
3 believe Virginia Roberts had been trafficked,  
4 sexually trafficked to third parties?

5 MS. McCAWLEY: Objection.

6 THE WITNESS: No.

7 BY MS. MENNINGER:

8 Q. Did Virginia ever tell you that she had  
9 been trafficked?

10 A. No.

11 MS. McCAWLEY: Objection.

12 BY MS. MENNINGER:

13 Q. Did you hear anyone direct Virginia  
14 Roberts to go have sex with someone?

15 A. No.

16 Q. Did Jeffrey ever ask you to go have sex  
17 with another person?

18 A. No.

19 Q. Did Ghislaine Maxwell ever ask you to go  
20 have sex with another person?

21 A. No.

22 Q. Did Ghislaine Maxwell ever ask you to give  
23 a massage to someone else?

24 A. No.

25 Q. Did Ghislaine Maxwell ever ask you to

1 dress up in any outfit?

2 A. No.

3 Q. Did she ever buy you an outfit for you to  
4 wear in terms of a sexual profile?

5 A. No.

6 Q. Did she tell you what kind of clothes you  
7 should buy?

8 A. No.

9 Q. Did she direct you to go get Brazilian  
10 bikini waxes?

11 A. No.

12 Q. Did she direct you to go get your teeth  
13 whitened?

14 A. No.

15 MS. MENNINGER: I would like to mark as an  
16 exhibit -- I have no recollection what number  
17 we're on. Thank you. Exhibit 5.

18 (The referred-to document was marked by  
19 the court reporter for Identification as  
20 Sjoberg Exhibit 5.)

21 BY MS. MENNINGER:

22 Q. Have you seen this article before?

23 A. It has followed me everywhere.

24 MS. McCAWLEY: I'm sorry. Can I just ask  
25 you to put the Bates numbers on the record?

1 MS. MENNINGER: Sure. It's Bates marked  
2 Giuffre 1131 through 1138.

3 BY MS. MENNINGER:

4 Q. What do you mean it has followed you  
5 everywhere?

6 A. Well, if you Google me, it comes up.

7 Q. I wanted to just ask you a couple of  
8 questions.

9 On the third page, towards the bottom,  
10 there is a photograph that begins "we had a picture  
11 taken," and just to orient you, this is in the  
12 discussion around the Prince Andrew meeting you had.

13 Did you meet Prince Andrew any other time  
14 besides the time you already described in your  
15 testimony?

16 A. No.

17 Q. If you want to take a look at that  
18 paragraph before I ask you questions.

19 A. Okay.

20 Q. In that paragraph, it describes that  
21 Andrew -- Virginia sat on the chair, and then Andrew  
22 sat on another chair, and you sat on his lap.

23 MS. McCAWLEY: Objection.

24 BY MS. MENNINGER:

25 Q. Is that what it says?

1 A. That's what it says.

2 Q. Do you recall telling that to the  
3 reporter?

4 A. Yes.

5 Q. And this was back in 2007 or so?

6 A. Yes.

7 Q. As you sit here today, does that make  
8 it -- does that refresh your recollection that  
9 Virginia was sitting in one chair and you were  
10 sitting on another, with Andrew?

11 A. Yeah. If I said that, then I remember it  
12 that way. I'm just trying to remember. Whether we  
13 were on a couch or a chair, I just remember the  
14 boobs part, the hand on the boobs.

15 Q. I understand that part stands out.

16 And I also completely understand if you  
17 don't remember things that happened a long time ago.

18 A. Right.

19 Q. I'm just wondering if, having looked at  
20 this news article, it refreshes your memory that  
21 Virginia was sitting in a different place?

22 A. In a different chair?

23 Q. Does it?

24 A. It does say that. Does it refresh my  
25 memory?

1 Q. Okay. That's fine.

2 A. Yeah, sure.

3 Q. If it doesn't, it doesn't. I'm just  
4 asking.

5 Did Virginia say anything to you about  
6 having met Prince Andrew before this time in New  
7 York?

8 MS. McCAWLEY: Objection.

9 THE WITNESS: She did not say.

10 BY MS. MENNINGER:

11 Q. Did Prince Andrew say or do anything that  
12 led you to believe that he had met Virginia prior to  
13 that time?

14 A. I don't recall.

15 Q. Did you ever see Al Gore on the island?

16 A. No.

17 Q. Did you see his wife, Tipper Gore, on the  
18 island?

19 A. No.

20 Q. What is your understanding of what the  
21 lawsuit we are here today is about?

22 A. I understand that Ghislaine is calling  
23 Virginia a liar, and so Ghislaine is suing Virginia.  
24 I'm sorry. Strike that. Reverse it.

25 Right, Virginia is suing Ghislaine for

1     defamation.

2             Q.     And do you know what Virginia said about  
3     Ghislaine?

4             A.     That Ghislaine recruited her.

5             Q.     Do you know anything else that Virginia  
6     said about Ghislaine?

7             A.     Only what was spoken to me.

8             Q.     And I should clarify.  Don't tell me  
9     anything your lawyer has conveyed to you.

10            A.     Exactly.  That's all I know.  I've met  
11     with Virginia once last summer.

12            Q.     Okay.  Tell me about that.

13            A.     She -- there was a moderator between us,  
14     like an investigator.  And she was in Palm Beach.  
15     And it was more about Jeffrey.  It was less about  
16     Ghislaine.  I don't remember specifically about  
17     Ghislaine at all.

18            Q.     So you met with Virginia and an  
19     investigator at the same time?

20            A.     Yes.

21            Q.     And they were what, talking to you about  
22     Jeffrey in what context?

23                    MS. McCAWLEY:  Objection.

24                    THE WITNESS:  Basically, they were trying  
25     to find people that would help her get her

1 story out, because this is when Dershowitz --  
2 Dershowitz was saying nothing was happening and  
3 he was calling her a liar. And she was just  
4 trying to find people to back up her story.

5 BY MS. MENNINGER:

6 Q. And what did you understand her story to  
7 be? Did she tell you?

8 A. That she was recruited to give massages,  
9 sexual massages, and have sex with people such as  
10 Dershowitz and Andrew. But I knew none of that at  
11 the time.

12 Q. Right. Did you tell them anything -- did  
13 you tell them during that meeting that you knew of  
14 anything about her being recruited to give sex to  
15 either Jeffrey or to other people?

16 MS. McCAWLEY: Objection.

17 THE WITNESS: Can you rephrase?

18 BY MS. MENNINGER:

19 Q. Yes. That wasn't a very good question.

20 What did you say during this meeting with  
21 Virginia and her investigator?

22 A. Basically that I believed her, even though  
23 I -- she never spoke to me specifically about what  
24 was going on; that once I learned everything that  
25 happened based on reading the police report, I



1 believed her side of the story.

2 Q. And did she tell you what her side of the  
3 story was?

4 A. You know, just that she wasn't a liar;  
5 that, you know, she was there to have sex with men  
6 that Jeffrey wanted her to sleep with.

7 Q. Did she tell you in that meeting who she  
8 had sex with?

9 A. No.

10 Q. Did she name any of the famous people?

11 A. Only Dershowitz came up.

12 Q. Did you two talk about the incident in New  
13 York with the puppet?

14 A. I don't recall.

15 Q. And you formed this opinion about whether  
16 she was a liar based on things that you've read in  
17 the police report?

18 MS. McCAWLEY: Objection.

19 THE WITNESS: I formed my opinion based on  
20 my experience in the house.

21 BY MS. MENNINGER:

22 Q. Okay. And what experience in the house  
23 helped you form your opinion that what Virginia is  
24 saying is true?

25 A. You know, Jeffrey being open with me about

1     what other girls did for him and that I was not one  
2     of those girls.

3             He was always trying to recruit me almost  
4     in a way that I could be one of them and travel with  
5     him and live the life of luxury if I only -- if only  
6     I did this.

7             So after five years of learning what was  
8     happening, I can look back knowing -- I only knew  
9     Virginia for a very short time. Looking back, I can  
10    make assumptions about what was required of her.

11            Q.    Did she tell you how old she was when she  
12    said she started working with Jeffrey?

13            A.    She didn't.

14            Q.    Did she tell how long she had worked with  
15    Jeffrey?

16            A.    No.

17            Q.    Have you read all the things that have  
18    been attributed to her in the press?

19            A.    Many of them.

20            MS. McCawley:  Objection.

21            THE WITNESS:  I don't know that I've read  
22    all of them, but I have read some.

23    BY MS. MENNINGER:

24            Q.    In this meeting with Virginia and the  
25    investigator, you said Ghislaine Maxwell did not

1     come up?

2             A.     Not that -- not that I recall.

3             Q.     Do you know the name of the investigator?

4             A.     Valerie Rivera.

5             Q.     Have you read the statement that Ghislaine  
6 Maxwell issued to the press?

7             A.     No.

8             Q.     Do you know what it says?

9             A.     No.

10            Q.     You said you have read some of Virginia's  
11 statements to the press but not all of them?

12            A.     I don't know how many there are. I know I  
13 read something. I don't know if I read all of them.

14            Q.     Have you read her book manuscript?

15            A.     No.

16                   MS. McCAWLEY: Objection.

17 BY MS. MENNINGER:

18            Q.     Did she tell you that she was writing a  
19 book?

20            A.     No.

21            Q.     Did she tell you she was trying to get a  
22 book deal?

23                   MS. McCAWLEY: Objection.

24                   THE WITNESS: No.

25

1 BY MS. MENNINGER:

2 Q. Did she tell you that he hired a ghost  
3 rider?

4 A. No.

5 MS. McCAWLEY: Objection.

6 BY MS. MENNINGER:

7 Q. Did she tell you that she hired a literary  
8 agent?

9 MS. McCAWLEY: Objection.

10 THE WITNESS: No.

11 BY MS. MENNINGER:

12 Q. Did you speak with John Connelly?

13 A. Yes.

14 Q. When did you speak with John Connelly?

15 A. He was first calling me around the time  
16 that everything was coming out in 2006. And I  
17 didn't say a lot to him, but I did say a few things.  
18 And I asked him not to use my name, and he used my  
19 name. And then he quoted me as saying things I  
20 never said.

21 Q. Do you know to whom he quoted things that  
22 you had never said?

23 A. I don't remember the news outlet, no.

24 Q. So it was published somewhere?

25 A. Somewhere on the Internet.

1 Q. Something that you said to John Connelly  
2 got twisted?

3 A. Yes. He put words in my mouth.

4 Q. And it was misreported and published?

5 MS. McCAWLEY: Objection.

6 THE WITNESS: Correct.

7 BY MS. MENNINGER:

8 Q. Have you spoken to him lately?

9 A. No. He called me again at the beginning  
10 of last year, around New Year's last year, but I did  
11 not return his call.

12 Q. Do you recall what it is he attributed to  
13 you falsely?

14 A. It was mostly about how I felt about  
15 certain things. I don't remember specifically what  
16 he said, but he was giving an opinion for me that I  
17 never spoke to him about.

18 Q. And that you did not hold?

19 A. Well, I can't remember what it was. Yeah.

20 Q. Okay. Do you know whether Virginia has  
21 lied about any of her experience?

22 MS. McCAWLEY: Objection.

23 THE WITNESS: I don't know that she has  
24 lied.

25

1 BY MS. MENNINGER:

2 Q. Do you know that she has told the truth?

3 A. As far as I know, she has.

4 Q. Do you know whether the press has  
5 accurately reported everything that Virginia has  
6 said?

7 MS. McCAWLEY: Objection.

8 THE WITNESS: I don't know.

9 BY MS. MENNINGER:

10 Q. Other than John Connelly and the police,  
11 who else have you spoken to about your experience?

12 A. Well, the woman from the Daily Mail. Her  
13 name is Wendy Leigh.

14 Q. And that's Defendant's Exhibit 5 -- not  
15 Defendant's Exhibit, just Exhibit 5, correct?

16 A. Correct.

17 Q. Did Wendy Leigh accurately report your  
18 statements?

19 A. She did a little bit of embellishment, as  
20 well, but the facts are all true.

21 Q. And what parts do you believe are  
22 embellished?

23 A. Near the end, when she was doing a  
24 summary, when she wrote, "Sure, I had a good time,  
25 but I also think it damaged me a bit." I don't

1 recall saying that.

2 And there's another part in here where she  
3 said I said that I made a deal with the devil, which  
4 I never would have said that. The words she used.

5 Q. On page 2 of 8, it's about -- it's about  
6 even with the hem of your skirt.

7 A. "I made a pack with the devil in exchange  
8 for excitement and glamour. I was only a college  
9 student. I was hard-up and foolish."

10 That I never said, any of that. I was a  
11 college student, that's true. "Hard-up and  
12 foolish," I would have never called myself foolish.

13 Q. Were you paid any money for this  
14 interview?

15 A. I was paid \$1,500.

16 Q. And how long did the interview last?

17 A. A couple of hours.

18 Q. Where did it take place?

19 A. At Cafe Boulud in the Brazilian Court  
20 Hotel in Palm Beach.

21 Q. Who else besides Wendy Leigh and John  
22 Connelly and the police --

23 MS. McCAWLEY: Objection.

24 BY MS. MENNINGER:

25 Q. -- and Virginia and the investigator --

1 MS. McCAWLEY: Objection.

2 BY MS. MENNINGER:

3 Q. -- did you talk to about your experience?

4 A. Family and friends.

5 Q. Did you speak to any other reporters?

6 A. I had other reporters calling me. I  
7 avoided almost all of the calls. I had someone  
8 coming at me, stalking me. I do not know who he  
9 was. He offered me \$25,000 to give a story, and I  
10 turned him down.

11 Q. Who?

12 A. He showed up in my work multiple times.

13 Q. There were other stories printed in the  
14 Daily Mail, not by Wendy Leigh, later.

15 Did you see any of those stories? I'm  
16 sorry. Let me be a little clearer. That attributed  
17 comments to you.

18 A. I don't recall specifically, but I feel  
19 like I stayed on top of it, and I wasn't surprised  
20 when my name was brought up.

21 Q. Do you recall giving another interview?

22 A. No, never.

23 Q. Do you recall anything that was printed  
24 other than the John Connelly thing that you believe  
25 to be inaccurate?



1 A. No.

2 Q. Was there anybody else present when you  
3 were interviewing with Wendy Leigh?

4 A. No.

5 Q. Was she recording it on a recorder?

6 A. Yes.

7 Q. Have you ever heard that recording?

8 A. No.

9 Q. Do you know whether the police were  
10 recording their interview with you?

11 A. Yes.

12 Q. Have you ever heard that recording?

13 A. No.

14 Q. Did you ever receive notification that you  
15 were named as a victim in any of Jeffrey Epstein's  
16 criminal cases?

17 A. No.

18 Q. Other than the \$1,500 from Wendy Leigh,  
19 did you receive any other money for making any  
20 statements?

21 A. No.

22 Q. Did you give an interview to Virginia's  
23 attorneys?

24 A. Yes. Right?

25 MS. McCAWLEY: You can say yes.

1 BY MS. MENNINGER:

2 Q. When was that?

3 A. Two weeks ago, roughly.

4 Q. And who was present during that meeting?

5 A. My lawyer and several others.

6 Q. Several other what?

7 A. Lawyers. I don't know. I don't know who  
8 they all are.

9 Q. So Ms. McCawley you recall being there?

10 A. Yes.

11 Q. Ms. Schultz you recall being there?

12 A. No. I didn't learn it, no. You weren't  
13 there.

14 Q. Brad Edwards?

15 A. Yes.

16 Q. Paul Cassell?

17 A. Maybe. I don't remember.

18 Q. And was that interview recorded?

19 A. I don't know. It may have been. I don't  
20 remember.

21 Q. Did anyone ask your permission to record  
22 it?

23 A. Maybe. I don't recall.

24 Q. Were you shown any documents during that  
25 meeting?

1 A. Flight logs.

2 Q. Any other documents?

3 A. No.

4 Q. What did Ms. McCawley or Mr. Edwards or  
5 any of the other lawyers say to you about Ghislaine  
6 Maxwell?

7 A. They just asked impressions. They never  
8 said anything about her.

9 Q. Were you shown a copy of any report that  
10 came out of that interview?

11 A. Which interview?

12 Q. The one with the -- Virginia's attorneys.

13 MS. McCAWLEY: Objection.

14 THE WITNESS: No.

15 BY MS. MENNINGER:

16 Q. You testified earlier about an incident  
17 with a camera that Ghislaine Maxwell had given you.  
18 I want to ask you some questions about that.

19 A. Sure.

20 Q. Do you know when that was?

21 A. That was in 2002.

22 Q. And why does that date stick out?

23 A. Because I was living -- where I was living  
24 specifically and where I had the phone call.

25 Q. Tell me what you remember about the

1 conversation.

2 A. I had been over to her house prior  
3 massaging Jeffrey. And I got a phone call from her,  
4 and she told me she had a camera for me for my  
5 photography class, but yet, she couldn't give it to  
6 me yet because during the massage I didn't finish my  
7 job and she had to finish it for me.

8 Q. Did she say what she meant?

9 A. No, but I knew.

10 Q. Was there any other time that you had  
11 discussed with her finishing your job?

12 A. Not that I recall.

13 Q. Any other time you just recall discussing  
14 with her anything about your sexual contact with  
15 Jeffrey?

16 MS. McCAWLEY: Objection.

17 THE WITNESS: No.

18 BY MS. MENNINGER:

19 Q. Did she give you the camera?

20 A. I did get the camera.

21 Q. Okay. When did she give you the camera?

22 A. I guess the next time I went to the house.

23 Q. What was said at that time?

24 A. I honestly don't know that she handed it  
25 to me. I remember it being there for me.

1 Q. What kind of camera was it?

2 A. A Canon Rebel 35-millimeter.

3 Q. Do you still have it?

4 A. I do not. No one uses 35-millimeter  
5 anymore.

6 Q. What's that?

7 A. No one uses 35-millimeter.

8 Q. Back to the cell phone conversation.

9 A. Right.

10 Q. Was it your birthday?

11 A. It was just I was taking a photography  
12 class and I needed a camera.

13 Q. Do you know her to be a photographer?

14 A. Not a professional, but I knew she was  
15 interested in photography.

16 Q. Did you see her with cameras?

17 A. Yes.

18 Q. Did you see her taking photographs of nude  
19 people?

20 A. No.

21 Q. Did she ever ask you to take a photograph  
22 of you semi-clad or naked?

23 A. Did she ever ask to take a photo of me?

24 Q. Semi-clad or naked.

25 A. No.

1 Q. Did she ever ask to take a photograph of  
2 you at any point?

3 A. I don't remember.

4 Q. Did you tell anyone else about this  
5 conversation: You couldn't give it to me now  
6 because I hadn't finished my job?

7 A. No.

8 MS. MENNINGER: I think I'm going to  
9 reserve the rest of my time for recross, so you  
10 all, I guess, can take a break.

11 MR. LOUIS: Can I have one second?

12 MS. MENNINGER: Sure.

13 MS. McCAWLEY: We can go off the record?

14 THE VIDEOGRAPHER: Off the record at  
15 12:09.

16 (Thereupon, a recess was taken, after  
17 which the following proceedings were held:)

18 THE VIDEOGRAPHER: On the record at 12:10.

19 BY MS. MENNINGER:

20 Q. Sorry, just a couple of more questions.

21 It sounds like maybe there was an  
22 additional telephone conference that one might  
23 construe as a meeting with attorneys; is that true?

24 A. Correct.

25 Q. All right. Tell me about that.

1           A.     They just wanted to -- we had met prior,  
2     and they just wanted to clarify a few things and ask  
3     a few more questions.

4           Q.     Okay. What did they clarify?

5           A.     Any other specific times that I had, you  
6     know, seen Ghislaine naked, or if I had, you know,  
7     had any sexual massages with her, any type of  
8     questions like that.

9           Q.     Okay. And what did you tell them about  
10    having any sexual massages with Ghislaine?

11          A.     That I was not asked to do -- to perform  
12    anything with her.

13          Q.     And you did not?

14          A.     Correct.

15          Q.     And what did you tell them about specific  
16    times of seeing Ghislaine Maxwell naked?

17          A.     Only when she would swim or get a massage.

18          Q.     And that's swimming -- you mentioned  
19    earlier skinny-dipping?

20          A.     Correct.

21          Q.     And I think you said perhaps some other  
22    time that you saw her jump off a dock and swim --

23          A.     Correct, yes.

24          Q.     -- in the nude?

25          A.     Yes.

1 Q. And then you saw her under a towel during  
2 massages?

3 A. Yes.

4 Q. Is there any other time that you recall  
5 seeing Ghislaine Maxwell naked?

6 A. No.

7 Q. Is there anything else about that  
8 telephone conference with the attorneys to clarify  
9 that you recall, the topics?

10 A. No.

11 MS. MENNINGER: All right. Thank you. I  
12 think we can go off the record now.

13 THE VIDEOGRAPHER: Off the record at  
14 12:12.

15 (Thereupon, a lunch recess was taken,  
16 after which the following proceedings were  
17 held:)

18 THE VIDEOGRAPHER: On the record at 12:54.

19 FURTHER EXAMINATION

20 BY MS. McCAWLEY:

21 Q. Johanna, I'm going to ask you a couple of  
22 more just follow-up questions.

23 When Laura was talking to you, she  
24 mentioned some names of famous people that you --  
25 most of which you had not met.



1 Did you ever meet anybody famous when you  
2 were with Jeffrey?

3 A. I met Michael Jackson.

4 Q. Oh, really? And where was that?

5 A. At his house in Palm Beach. At Jeffrey's  
6 house in Palm Beach.

7 Q. Did you massage him?

8 A. I did not.

9 Q. Anybody else you remember? I know you  
10 mentioned David Copperfield earlier. Anybody else?

11 A. No, I'd remember that.

12 Q. I believe you also testified that you had  
13 never had a massage before you started working with  
14 Jeffrey and Ghislaine; is that correct?

15 A. I don't recall having a massage before  
16 then.

17 Q. And I think you said on the first day,  
18 when you were doing the clerical work, Maxwell  
19 mentioned that you might be able to get a massage;  
20 is that correct?

21 A. Yes.

22 Q. Did you tell Maxwell that you had never  
23 had a massage at that point?

24 A. I don't remember.

25 Q. Did you remember telling Jeffrey that you

1 had never had a massage?

2 A. No.

3 Q. And then you were talking about the  
4 massage -- the first massage when you were being in  
5 the room with Jeffrey and Emmy?

6 A. Uh-huh.

7 Q. And I know you said Emmy was naked or took  
8 off her clothes at some point?

9 A. Uh-huh.

10 Q. And then laid on the table.

11 And then you changed positions with her;  
12 is that what happened?

13 A. Yes. I don't remember the sequence, but  
14 at one point she was, I was, and Jeffrey was.

15 Q. And in the -- in the time when there was  
16 changeover, for example, when you're on the table  
17 and Emmy is not on the table and Jeffrey is not on  
18 the table, did Emmy at that point remain naked or  
19 did she actually stop and get dressed and continue  
20 massaging?

21 A. I don't recall her getting dressed, but I  
22 would probably remember if she massaged naked.

23 Q. Do you know if Jeffrey remained naked  
24 during that massage?

25 A. He was never, like, naked standing up. He

1 always covered himself with a towel.

2 Q. I believe I asked this, but I just want to  
3 clarify to make sure that I did: Did Maxwell ever  
4 ask you to bring other girls over to -- for Jeffrey?

5 A. Yes.

6 Q. Yes?

7 A. Yes.

8 Q. And what did you -- did you do anything in  
9 response to that?

10 A. I did bring one girl named --  
11 no. -- it was some girl named  
12 that I had worked with at a restaurant. And I  
13 recall Ghislaine giving me money to bring her over;  
14 however, they never called her to come.

15 Q. And then I believe you mentioned that one  
16 of your physical fitness instructors, you brought a  
17 physical fitness instructor; was that correct?

18 A. Correct.

19 Q. And what did she do?

20 A. She gave him a -- like a training session,  
21 twice.

22 Q. Twice.

23 Did anything sexual in nature happen  
24 during the session?

25 A. At one point he lifted up her shirt and

1 exposed her bra, and she grabbed it and pulled it  
2 down.

3 Q. Anything else?

4 A. That was the conversation that he had told  
5 her that he had taken this girl's virginity, the  
6 girl by the pool.

7 Q. Okay. Did Maxwell ever say to you that it  
8 takes the pressure off of her to have other girls  
9 around?

10 A. She implied that, yes.

11 Q. In what way?

12 A. Sexually.

13 Q. And earlier Laura asked you, I believe, if  
14 Maxwell ever asked you to perform any sexual acts,  
15 and I believe your testimony was no, but then you  
16 also previously stated that during the camera  
17 incident that Maxwell had talked to you about not  
18 finishing the job.

19 Did you understand "not finishing the job"  
20 meaning bringing Jeffrey to orgasm?

21 MS. MENNINGER: Objection, leading, form.

22 BY MS. McCAWLEY:

23 Q. I'm sorry, Johanna, let me correct that  
24 question.

25 What did you understand Maxwell to mean

1     when she said you hadn't finished the job, with  
2     respect to the camera?

3             MS. MENNINGER:  Objection, leading, form.

4             THE WITNESS:  She implied that I had not  
5     brought him to orgasm.

6     BY MS. McCAWLEY:

7             Q.     So is it fair to say that Maxwell expected  
8     you to perform sexual acts when you were massaging  
9     Jeffrey?

10            MS. MENNINGER:  Objection, leading, form,  
11     foundation.

12            THE WITNESS:  I can answer?

13            Yes, I took that conversation to mean that  
14     is what was expected of me.

15     BY MS. McCAWLEY:

16            Q.     And then you mentioned, I believe, when  
17     you were testifying earlier that Jeffrey told you a  
18     story about sex on the plane.  What was that about?

19            MS. MENNINGER:  Objection, hearsay.

20            THE WITNESS:  He told me one time Emmy was  
21     sleeping on the plane, and they were getting  
22     ready to land.  And he went and woke her up,  
23     and she thought that meant he wanted a blow  
24     job, so she started to unzip his pants, and he  
25     said, No, no, no, you just have to be awake for

1 landing.

2 BY MS. McCAWLEY:

3 Q. Do you recall witnessing any sexual acts  
4 on the plane?

5 A. No.

6 Q. Did Emmy ever talk to you about performing  
7 sexual acts on the plane?

8 A. No.

9 Q. We looked earlier at the police report,  
10 and I just want to clarify, you identified some  
11 areas where there were discrepancies in that report.

12 And you can take another look at it if you  
13 want, but other than the discrepancies you pointed  
14 out, is that a recollection of what you remember  
15 telling the detective?

16 A. Yes.

17 MS. MENNINGER: Objection, outside the  
18 scope of cross.

19 BY MS. McCAWLEY:

20 Q. You mentioned that there was a time when  
21 you noticed that Maxwell was around a little bit  
22 less?

23 A. Uh-huh.

24 Q. And I believe you said that was during the  
25 middle of the time you were with Jeffrey.

1                   Do you remember approximately when that  
2                   was year-wise?

3                   A.     I don't. I would say it was probably  
4                   sometime between 2003 and 2004.

5                   Q.     And what made you think that?

6                   A.     I just saw her less and less at the house.

7                   Q.     Were you there more at the house during  
8                   that time period?

9                   A.     No, not necessarily. It's just at the  
10                  beginning, she was around a lot. And then I would  
11                  see her occasionally without him. The one time we  
12                  spent a few days together in 2006, she wasn't there  
13                  at all.

14                  Q.     So you saw her in the -- is it fair to say  
15                  that you saw her in the 2005 and 2006 time frame?

16                  A.     Yes.

17                  Q.     Then we were talking about the photography  
18                  earlier and about the photographs.

19                  Did Maxwell ever ask you to take nude  
20                  photos of yourself for Jeffrey?

21                  A.     She asked me to take photos of myself for  
22                  Jeffrey, yes.

23                  Q.     And did you do that?

24                  A.     I did not.

25                  Q.     And the photos that were around that were

1 in the bathroom, that you mentioned a couple of  
2 times places that there were photos of you, who took  
3 those?

4 A. He did.

5 Q. And when we were talking about the Palm  
6 Beach house and you were describing an area where  
7 there were just a lot of photographs, is it fair to  
8 say that there could have been nude photographs  
9 amongst those photos that you saw?

10 A. Yes.

11 Q. And earlier you testified that you don't  
12 have knowledge of what happens behind closed doors,  
13 but you also said that Jeffrey had told you what  
14 other girls did for him and that he wanted you to do  
15 those things for him.

16 Is it fair to say that you knew that other  
17 girls were performing sexual acts?

18 A. Yes.

19 MS. MENNINGER: Objection, foundation,  
20 form.

21 BY MS. McCAWLEY:

22 Q. And I know you mentioned previously that  
23 your relationship and the interaction with him  
24 progressed over time.

25 Did there come a time when you were



1 expected to have sexual intercourse with Jeffrey?

2 A. Yes.

3 Q. And when was that?

4 A. 2005.

5 MS. McCAWLEY: That's it. I just do want  
6 to also put on the record that we're  
7 designating the testimony as confidential under  
8 the protective order.

9 F U R T H E R E X A M I N A T I O N

10 BY MS. MENNINGER:

11 Q. Okay. You just testified that you have  
12 knowledge -- you had knowledge that -- of what  
13 Jeffrey was doing behind closed doors with other  
14 girls. Was that your testimony?

15 A. Based on what he had told me.

16 Q. Okay. So Jeffrey told you things that he  
17 had done with other girls?

18 A. Yes.

19 Q. You did not observe any of those things?

20 A. No.

21 Q. You did not talk to any of those girls  
22 about what they had done with Jeffrey behind closed  
23 doors?

24 MS. McCAWLEY: Objection.

25

1 BY MS. MENNINGER:

2 Q. Correct?

3 A. No. Correct.

4 Q. The only source of knowledge you have is  
5 based on what Jeffrey told you he had done with  
6 other girls?

7 A. Correct.

8 MS. McCAWLEY: Objection.

9 BY MS. MENNINGER:

10 Q. You said that there were possibly nude  
11 photos amongst the other photos that you saw on  
12 various walls at the Palm Beach house, correct?

13 A. Correct.

14 Q. None of them stood out to you?

15 A. Correct.

16 Q. None of them appeared pornographic?

17 A. No.

18 Q. You didn't see any fully frontally nude  
19 photographs, correct?

20 A. No, not that I recall.

21 Q. And you don't recall seeing any girls that  
22 appeared to be underaged, correct?

23 A. No.

24 Q. You said Ghislaine asked you to take  
25 photos of yourself for Jeffrey, correct?

1 A. Correct.

2 Q. Did she ask you to take a nude photograph  
3 of yourself or just a photograph of yourself?

4 A. A nude photograph of myself.

5 Q. What exactly did she say to you?

6 A. I don't remember exactly, but I know that  
7 I never felt comfortable. I would have felt fine  
8 taking photos of myself, my face, but I knew I was  
9 never comfortable with it because I had to take  
10 photos of my body. And I also didn't know how to  
11 take a photo from standing behind. You have to have  
12 someone else involved.

13 Q. That's my question. How would you take a  
14 nude photograph of yourself?

15 A. Exactly. Someone else would have to do  
16 it.

17 Q. Do you recall any of the particulars of  
18 what she said to you that led you to believe she  
19 wanted you to do that?

20 A. No, just asking for the photos.

21 Q. Do you know when in your time there?

22 A. It was near the beginning, because that's  
23 when I was interested in the photography.

24 Q. Was it in the context of your discussion  
25 of your photography class?

1 A. No.

2 Q. Was it in the context of anything?

3 A. About the camera that she had bought for  
4 me.

5 Q. What did she say in relationship to the  
6 camera that she bought for you and taking  
7 photographs of you?

8 A. Just that Jeffrey would like to have some  
9 photos of me, and she asked me to take photos of  
10 myself.

11 Q. What did you say?

12 A. I don't remember saying no, but I never  
13 ended up following through. I think I tried once.

14 Q. This was the pre-selfie era, correct?

15 A. Exactly.

16 Q. I want to go back to this: You testified  
17 to two things just now with Sigrid that you said  
18 were implied to you.

19 A. Okay.

20 Q. The first one was it would take pressure  
21 off of Maxwell to have more girls around?

22 A. Right.

23 Q. What exactly did Maxwell say to you that  
24 led you to believe that was her implication?

25 A. She said she doesn't have the time or

1     desire to please him as much as he needs, and that's  
2     why there were other girls around.

3           Q.     And did she refer specifically to any  
4     other girls?

5           A.     No.

6           Q.     Did she talk about underaged girls?

7           A.     No.

8           Q.     Was she talking about massage therapists?

9           A.     Not specifically.

10          Q.     Okay. There were other girls in the house  
11     that were not massage therapists, correct?

12          A.     Yes.

13          Q.     Nadia is another person that was around,  
14     correct?

15          A.     Yes.

16          Q.     There were other people he traveled with?

17          A.     Uh-huh.

18                 MS. McCAWLEY: Objection.

19     BY MS. MENNINGER:

20          Q.     Correct?

21          A.     Correct.

22          Q.     Other girls?

23          A.     Yes.

24          Q.     Adults?

25          A.     Yes.

1 Q. When I say "girl," I really mean women,  
2 correct?

3 A. Correct.

4 Q. There were other women around who hung out  
5 with Jeffrey, and you don't know what they did  
6 behind closed doors, correct?

7 A. Correct.

8 Q. So when you heard the implication that she  
9 wanted other girls around to take the pressure off  
10 of her sexually, in your mind that meant other adult  
11 women that he had in his life, correct?

12 MS. McCAWLEY: Objection.

13 THE WITNESS: Correct, doing what I was  
14 expected to do in a massage, you know.

15 BY MS. MENNINGER:

16 Q. Ghislaine didn't have anything to do with  
17 you bringing this woman over for a physical workout  
18 with Jeffrey, correct?

19 A. Correct.

20 Q. She asked you to bring another girl to  
21 be -- to perform massages at the home?

22 A. Yes. Well, she was always asking if I  
23 knew anyone else. And so I brought this one girl  
24 that I didn't even know I worked with her at a  
25 restaurant. So I didn't care what she thought of me

1 if anything happened. And so -- but it never turned  
2 into anything.

3 Q. She was an adult?

4 A. She was an adult.

5 Q. Working at a restaurant with you?

6 A. Yes.

7 Q. What restaurant was that?

8 A. It's a restaurant that's closed. It's  
9 called .

10 Q. You were asked about the famous people.  
11 You said you met Michael Jackson?

12 A. Yes.

13 Q. But you did not give him a massage?

14 A. No.

15 Q. There were other famous people, perhaps,  
16 who were around Jeffrey's home that you didn't meet,  
17 correct?

18 A. Correct.

19 Q. Do you know whether Virginia Roberts has  
20 told the truth about the age she was when she met  
21 Ghislaine Maxwell?

22 MS. McCAWLEY: Objection. Exceeds the  
23 scope of cross.

24 THE WITNESS: I don't have any idea what  
25 she told them in terms of her age.

1 BY MS. MENNINGER:

2 Q. Do you know if Virginia Roberts is telling  
3 the truth about whether she spent her sweet 16th  
4 birthday with Jeffrey and Ghislaine Maxwell?

5 MS. McCAWLEY: Objection.

6 THE WITNESS: I don't know anything about  
7 that.

8 BY MS. MENNINGER:

9 Q. Do you know whether Virginia Roberts is  
10 telling the truth about whether Ghislaine Maxwell  
11 sexually assaulted her on her first day on the job?

12 MS. McCAWLEY: Objection.

13 THE WITNESS: I have not knowledge of  
14 that.

15 BY MS. MENNINGER:

16 Q. Do you have any knowledge of whether  
17 Virginia Roberts is telling the truth about  
18 Virginia -- excuse me -- about Ghislaine Maxwell  
19 forcing Virginia Roberts to "go down" on her?

20 MS. McCAWLEY: Objection.

21 THE WITNESS: No knowledge.

22 BY MS. MENNINGER:

23 Q. Do you have any knowledge about whether  
24 Virginia Roberts is telling the truth about whether  
25 Ghislaine Maxwell forced her to participate in



1 orgies with other women?

2 MS. McCAWLEY: Objection.

3 THE WITNESS: No.

4 BY MS. MENNINGER:

5 Q. Do you have any knowledge about whether  
6 Virginia Roberts is telling the truth about whether  
7 Ghislaine Maxwell directed her to have sex with  
8 Prince Andrew?

9 MS. McCAWLEY: Objection.

10 THE WITNESS: No. Only based on what I've  
11 read in the media.

12 BY MS. MENNINGER:

13 Q. And Alan Dershowitz?

14 MS. McCAWLEY: Objection.

15 THE WITNESS: The same.

16 BY MS. MENNINGER:

17 Q. Prime ministers?

18 MS. McCAWLEY: Objection.

19 THE WITNESS: No.

20 BY MS. MENNINGER:

21 Q. Do you have any knowledge about whether  
22 Virginia Roberts is telling the truth about foreign  
23 presidents?

24 MS. McCAWLEY: Objection.

25 THE WITNESS: No knowledge.

1 BY MS. MENNINGER:

2 Q. Do you know whether Virginia Roberts is  
3 telling the truth about Ghislaine Maxwell forcing  
4 her to participate in an orgy with Prince Andrew and  
5 other underaged girls on the island?

6 MS. McCAWLEY: Objection.

7 THE WITNESS: No knowledge.

8 BY MS. MENNINGER:

9 Q. Did Ghislaine Maxwell ever ask you to have  
10 her baby?

11 MS. McCAWLEY: Objection.

12 THE WITNESS: No.

13 MS. MENNINGER: No further questions.

14 MS. McCAWLEY: Thank you for your time.

15 THE WITNESS: We are done.

16 MS. McCAWLEY: We are off the record.

17 THE VIDEOGRAPHER: The time is 1:11. This  
18 concludes the video deposition. Off the  
19 record.

20 (Thereupon, the taking of the deposition  
21 was concluded at 1:11 p.m.)

22

23

24

25

AFFIDAVIT

STATE OF FLORIDA                   )  
COUNTY OF                         )

I, \_\_\_\_\_, being first  
duly sworn, do hereby acknowledge that I did  
read a true and certified copy of my deposition  
which was taken in the case of GIUFFRE V.  
MAXWELL, taken on the 18th day of May, 2016,  
and the corrections I desire to make are as  
indicated on the attached Errata Sheet.

CERTIFICATE

STATE OF FLORIDA                   )  
COUNTY OF                         )

Before me personally appeared

\_\_\_\_\_,  
to me well known / known to me to be the  
person described in and who executed the  
foregoing instrument and acknowledged to and  
before me that he executed the said instrument  
in the capacity and for the purpose therein  
expressed.

Witness my hand and official seal, this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My Commission Expires:

			ERRATA SHEET
	PAGE	LINE	REMARKS
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22			Signature of Witness
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24			(Notary Public)
25			Dated this _____ day of _____, _____.
			MY Commission Expires: _____

1 CERTIFICATE OF OATH  
2 STATE OF FLORIDA )  
3 COUNTY OF MIAMI-DADE )  
4  
5 I, the undersigned authority, certify  
6 that JOHANNA SJOBERG personally appeared before me  
7 and was duly sworn.  
8 WITNESS my hand and official seal this  
9 18th day of May, 2016.  
10  
11  
12 KELLI ANN WILLIS, RPR, CRR  
13 Notary Public, State of Florida  
14 My Commission No. FF911443  
15 Expires: 2/16/21  
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C E R T I F I C A T E

STATE OF FLORIDA )

: ss

COUNTY OF MIAMI-DADE )

I, KELLI ANN WILLIS, a Registered  
Professional, Certified Realtime Reporter and  
Notary Public within and for The State of  
Florida, do hereby certify:

That JOHANNA SJOBERG, the witness whose  
deposition is hereinbefore set forth was duly  
sworn by me and that such Deposition is a true  
record of the testimony given by the witness.

I further certify that I am not related  
to any of the parties to this action by blood  
or marriage, and that I am in no way interested  
in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 18th day of May, 2016.

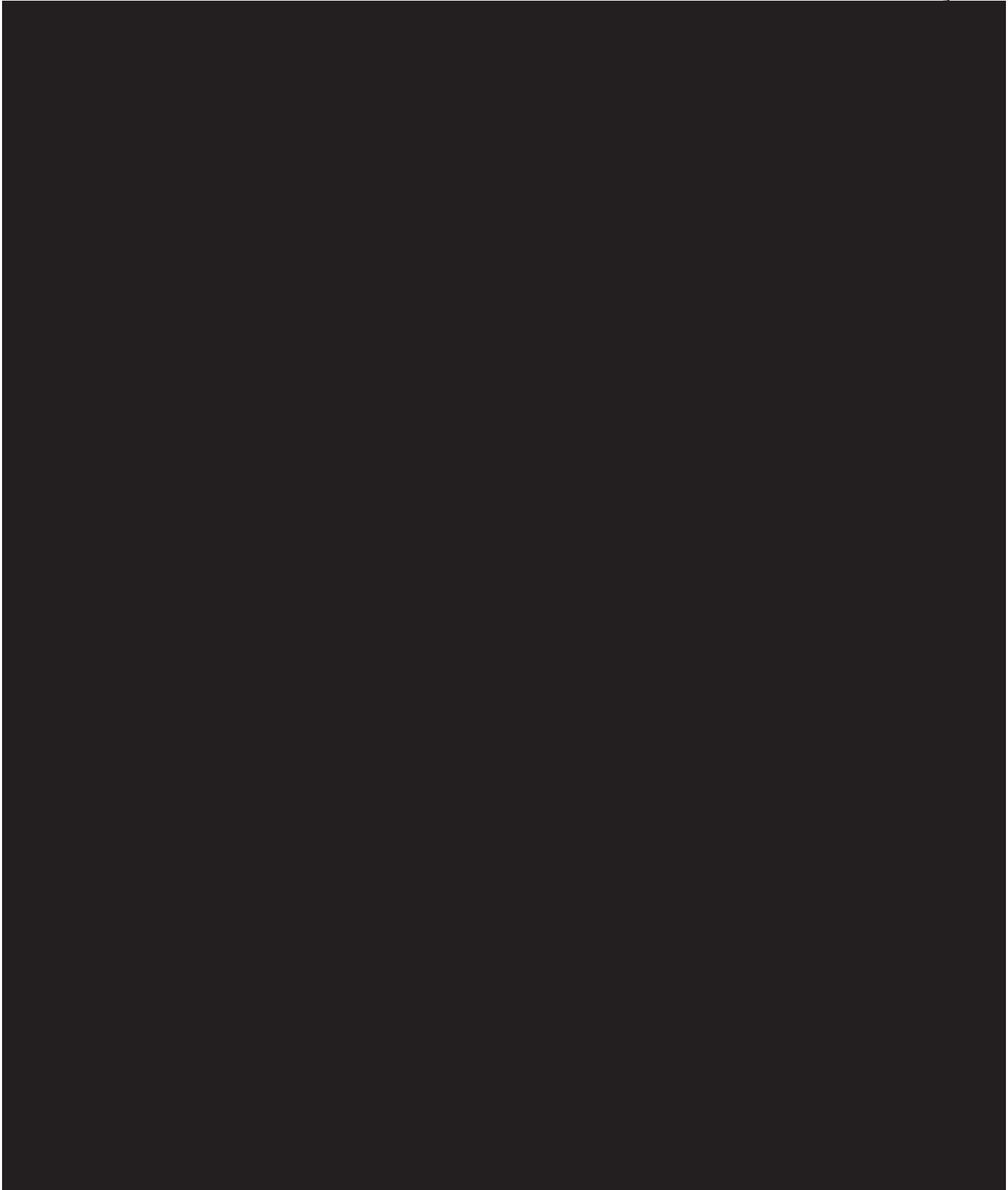
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KELLI ANN WILLIS, RPR, CRR



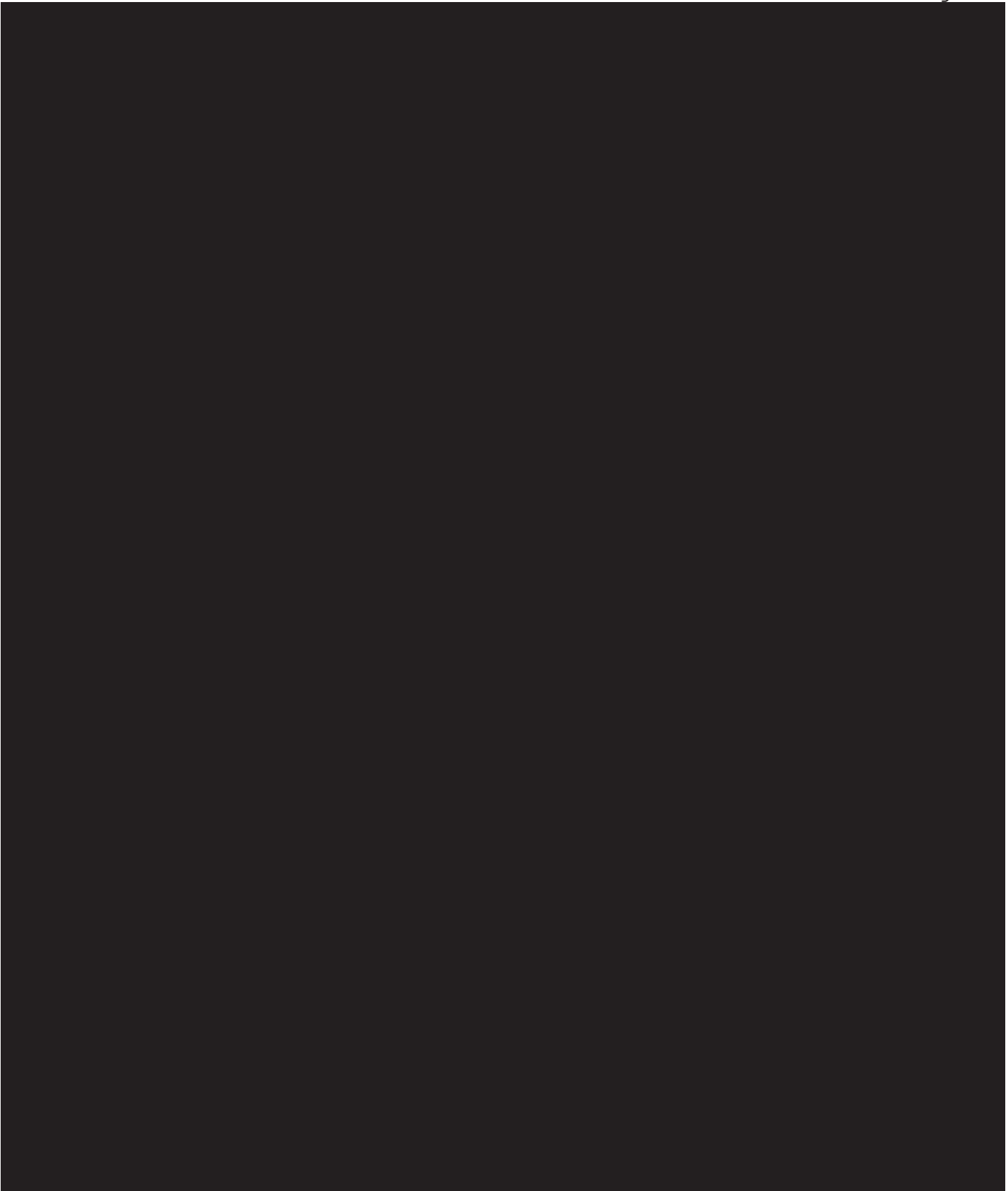




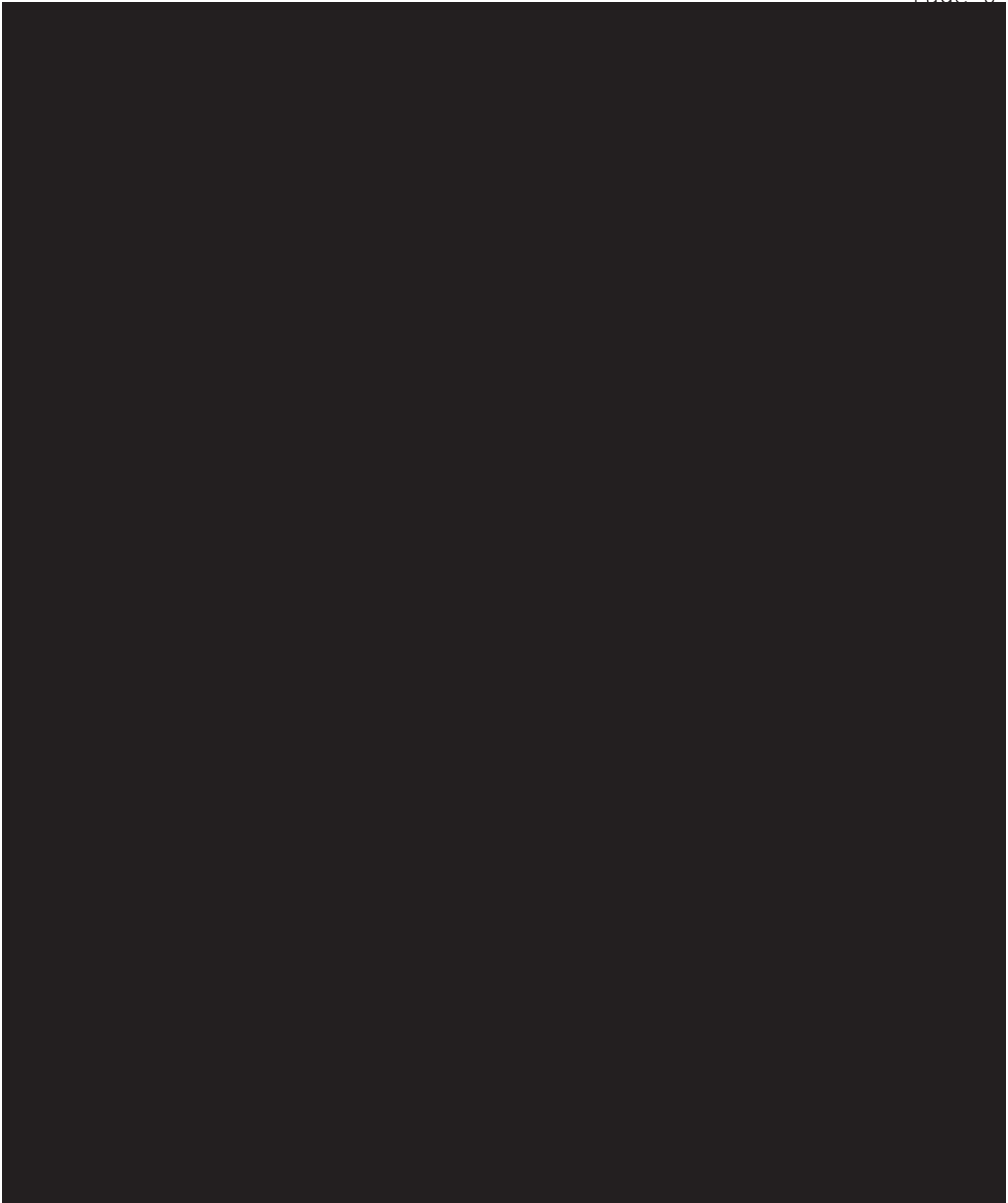




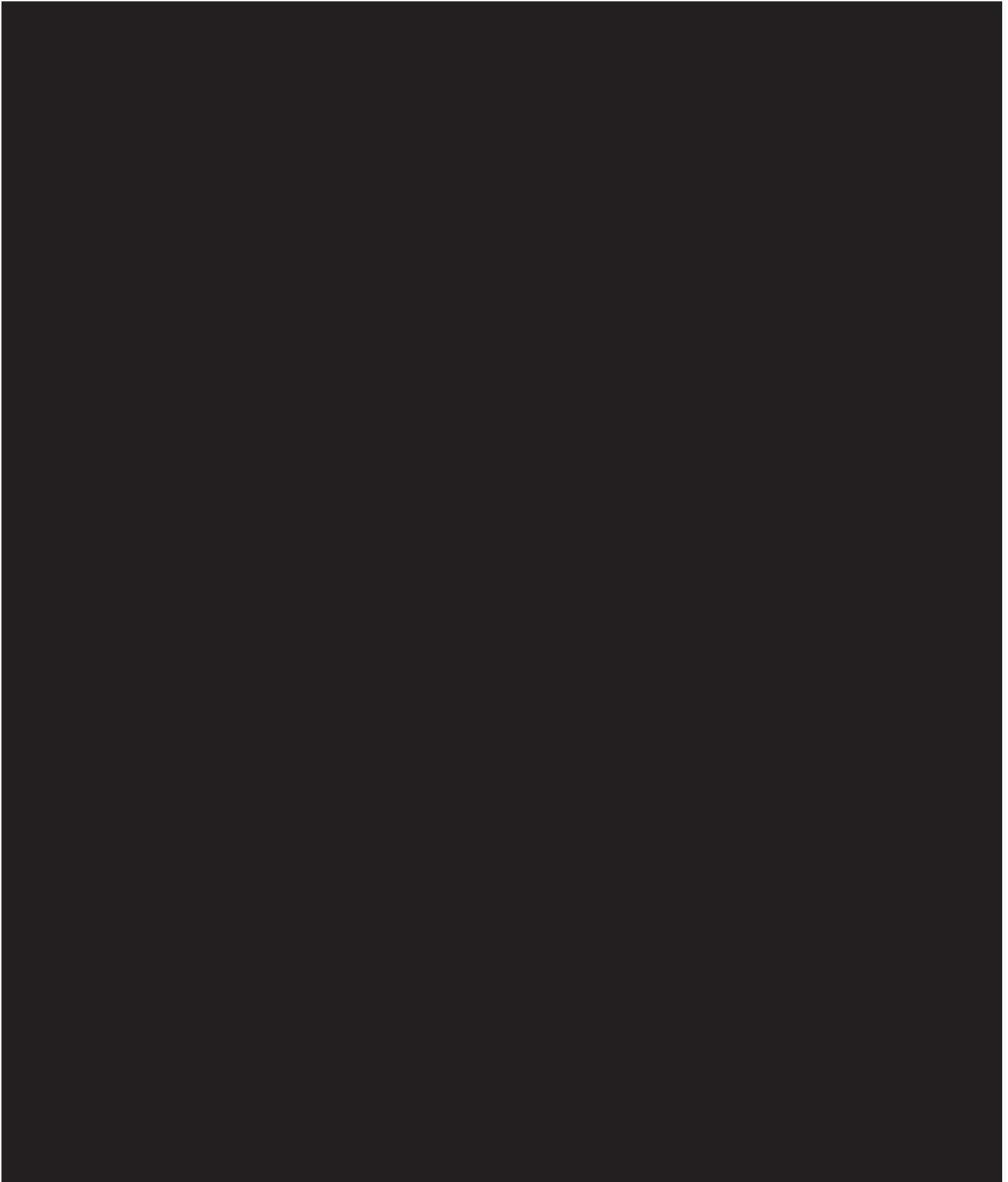








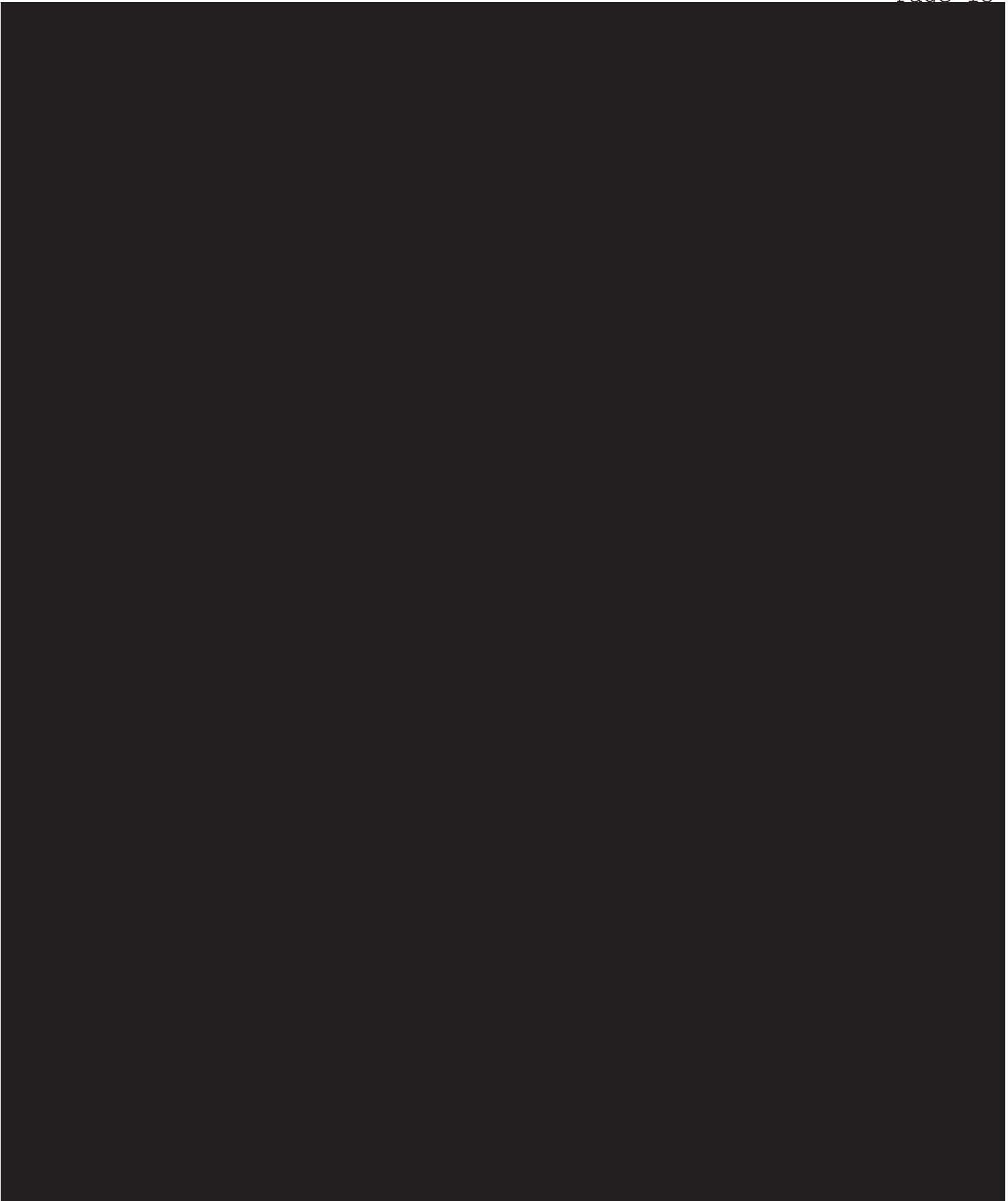








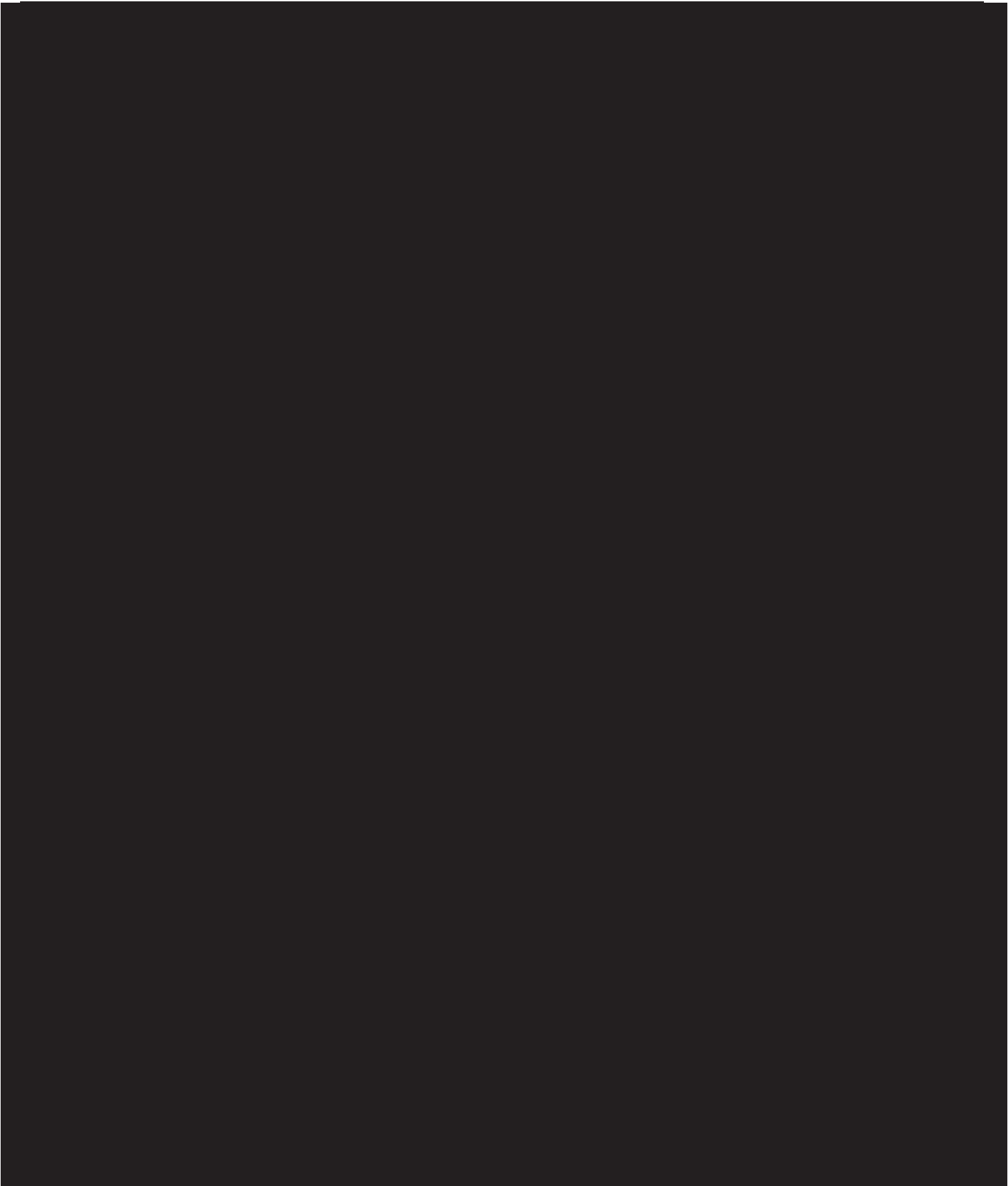
















# EXHIBIT 7

## PART 2

Date: 7/19/06  
Time: 15:01:37

PALM BEACH POLICE DEPARTMENT  
Incident Report

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(Continued)

photographed by CSI Pavlik and then videotaped by myself. The search was concluded at approximately 3:05 p.m. whereupon Detective Recarey and I were the last two officers in the house. Upon securing the residence we met with the gentleman who identified himself to Detective Recarey as the lawyer for the defendant and he was informed that the residence was secured and that copies of the inventory return had been left on the first floor table of the personal assistant's office.

Detective Recarey and I returned to Police Headquarters and secured for the day.

\*\*\*\*\* N A R R A T I V E # 14 \*\*\*\*\*

A Reported By: DAWSON, MICHAEL C. 11/07/05  
Entered By.: ALTOMARO, NICKIE A. 11/07/05

On October 20, 2005, I assisted Detective Recarey in the execution of a search warrant at 358 El Brillo Way, Palm Beach, Florida, 33480.

Upon the announcement of the search warrant, immediate contact was made with three white males who came out of the house or surrounding structures. Those males were identified as Janusz Banasiak, Daniel Estes, and Mark Zeff. As other members of the police department cleared the home, I kept watch over these three males. Once the house was cleared, those males were turned over to Detective Recarey.

Detective Dicks and I were assigned to assist in the search of the main house, the cabana and the servant's quarters. We started in the garage. All areas of the garage were searched to include four vehicles. These vehicles were three black Mercedes Benz cars registered to Jeffrey Epstein. The fourth vehicle was a Harley Davidson motorcycle, green in color, registered to Jeffrey Epstein. Nothing was recovered from the garage.

A towel closet and pantry located off the kitchen were searched and yielded negative results.

The kitchen was searched and taken into evidence was a phone message book that was located near a house phone.

North of the kitchen was an office room which contained a computer. The room had a closet that contained a locked gun locker. The combination was entered by Banasiak in the presence of Sgt. Frick and the safe was opened. Items were taken from the room. See the completed property receipt for a detailed list.

A green bathroom located on the first floor was searched and nothing was taken.

A closet located just west of the green bathroom was searched. Two massage tables were located in the closet along with a photo of a nude



Date: 7/19/06  
Time: 15:01:37

PALM BEACH POLICE DEPARTMENT  
Incident Report

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(Continued)

female from the waist up. See the property receipt for details.

I searched two bedrooms and their adjoining bathrooms, which were located on the second floor on the East side of the house. In the Northeast bedroom closet I found adult sex toys called Twin Torpedoes.

Soap made in the shape of a penis and vagina were also found in these upstairs bedrooms. See the property receipt for details.

I searched the pool cabana located on the South side of the pool. Photos were taken from the wall. See the property receipt for details.

I assisted in the search of Banasiak's living quarters. Numerous CD s along with a message book was seized. See the property receipt for details.

\*\*\*\*\* N A R R A T I V E # 15 \*\*\*\*\*

4

Reported By: RECAREY, JOSEPH

11/08/05

Entered By.: ALTOMARO, NICKIE A.

11/08/05

On November 1, 2005, I was contacted by Atty. Gus Fronstin, who advised he was willing to assist with the investigation. Atty. Fronstin advised he would try to have his client, Jeffrey Epstein available to be interviewed. I explained I would be interested in conducting an interview with his client as well as other employees that are employed within the house. Atty. Fronstin advised he would return my call once he received confirmation on the interviews.

On November 6, 2005, I attempted contact with [REDACTED] at her residence. I left a business card for her to return my call. Upon returning to the police department, I had received a telephone call from [REDACTED]. I returned her call at [REDACTED] and spoke with [REDACTED]. She made arrangements to respond to the station to provide an interview. At approximately 3:30 pm, she arrived at the Palm Beach Police Station with her boyfriend. Her boyfriend was allowed to sit in the lobby area while Ms. [REDACTED] was interviewed.

I took Ms. [REDACTED] to the Detective Bureau Interview room. I closed the door for privacy and explained to her that I appreciated her coming to the police station for the interview. During the sworn taped statement, she advised she was at Jeffrey Epstein's house one time. Approximately two months ago, she was approached by a girl, [REDACTED], who was dating her roommate, to make some quick money. [REDACTED] advised she was in need to make some quick cash to make the rent that month. She agreed to go to the house. She had been told by [REDACTED] that the massage would have to be done in her underwear. She advised [REDACTED] drove with her and brought her into the house. They walked into the kitchen area and took the stairs upstairs. [REDACTED] further stated she was brought into a master bedroom area. She advised she recalled seeing portraits of naked women throughout the room. A massage table was already out near the sauna/shower area in the master bedroom. Epstein entered the room wearing only a towel and



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introduced himself as Jeff. [REDACTED] advised she recalled she and [REDACTED] removed their clothing down to their panties, Epstein lay on his stomach area and they provided a massage on his legs and feet area. I asked [REDACTED] if she had any formal massage training and she replied no. [REDACTED] advised she was topless and the panties she wore were the boy shorts lace panties. She and [REDACTED] continued the massage until the last ten minutes of the massage, Epstein, told [REDACTED] to leave the room so that [REDACTED] could finish the massage.

[REDACTED] got dressed and Epstein turned over onto his back. Epstein then removed the towel, which had been around his waist. Epstein laid there naked and requested that [REDACTED] rub his chest area. [REDACTED] stated as she did this, Epstein, began masturbating as she rubbed his chest. [REDACTED] stated he pulled down her boy short panties and he produced a large white vibrator with a large head. She stated it was within a drawer in his master bathroom. He rubbed the vibrator on her vagina area. [REDACTED] advised he never penetrated her vagina with the vibrator.

He continued to rub her vagina with the vibrator as he continued to masturbate. [REDACTED] stated she was very uncomfortable during the incident but knew it was almost over. Epstein climaxed and started to remove himself from the table. He wiped himself with the towel he had on previously and went into the shower area. [REDACTED] got dressed and met with [REDACTED] in the kitchen area. Epstein came into the kitchen and provided [REDACTED] \$200.00 for bringing [REDACTED] and paid \$200.00 to [REDACTED] for providing the massage. [REDACTED] was told to leave her telephone number with Sarah, his assistant for future contact. [REDACTED] provided her cellular telephone number for future contact. [REDACTED] was asked if she was recently contacted about this investigation by anyone from the Epstein organization. She replied she was called but it was for work. She stated she was called by Sarah for her to return to work for Epstein. [REDACTED] stated work is the term used by Sarah to provide the massage in underwear. [REDACTED] advised she declined, as she was not comfortable in providing that type of work. The interview was concluded and the videotape was placed into evidence.

Investigation Continues..

\*\*\*\*\* N A R R A T I V E # 16 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 11/10/05  
Entered By: ALTOMARO, NICKIE A. 11/10/05

On November 7, 2005, I made telephone contact with [REDACTED] who advised she would be able to meet with me at her home. Det. Sandman and I traveled to her home in [REDACTED] and made contact with [REDACTED]. During a sworn taped statement, [REDACTED] stated she met Jeffrey Epstein through Haley Robson. Robson would approach females who wished to work for him. [REDACTED] stated she was asked to work for him but declined. [REDACTED] explained that work means give massages. She was asked about any formal training in providing massages to which she said no. [REDACTED] said she accompanied Robson and other females



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who were taken to Epstein s house to provide massages. [REDACTED] further stated she had been to the house approximately 4 or 5 times in the past year. She accompanied Robson with [REDACTED] the 14-year-old victim, and [REDACTED]. Each time the girls were taken over, they were previously told they would have to provide a massage, possibly naked. It was also told that should Epstein require them to do anything extra and they were not comfortable just to tell him and he would stop. [REDACTED] stated Robson received \$200.00 for each girl she brought over to massage Jeffrey Epstein. When I asked which girl appeared to be the youngest, she replied, the victim, as she stated she was fifteen years old at the most; she looked really young. [REDACTED] further stated each time she went to the house, she sat in the kitchen and waited with Robson until the massage was over. She further stated that the cook would make lunch or a snack for them as they waited. I asked her if there was anything that caught her attention within the home. [REDACTED] stated there were a lot of naked girls in photographs throughout the house. The interview was concluded and the tape was turned into evidence.

Investigation Continues..

\*\*\*\*\* N A R R A T I V E # 17 \*\*\*\*\*  
 Reported By: RECAREY, JOSEPH 11/10/05  
 Entered By.: ALTOMARO, NICKIE A. 11/10/05

Det. Dawson and I attempted contact with [REDACTED] in [REDACTED]. I left my business card at her front door. Ms [REDACTED] returned my call and arranged a meeting with me at the Palm Beach Police Department for November 8, 2005. At approximately 2:00pm, [REDACTED] arrived at the Palm Beach Police Department. She was brought into the interview room and the door was closed for privacy. She was told that I appreciated her coming to the police station for questioning regarding an on going investigation. She was told that I was investigating a crime involving Jeffrey Epstein and knew, based on the investigation, that she had encounters with him in the past. During a sworn taped statement, [REDACTED] stated she had met Epstein approximately two years ago. She was first introduced to Epstein by Haley Robson. Robson approached her about working for Epstein and providing a massage to him for \$200.00. The arrangements were made and as Robson could not take her the day the arrangements were made, [REDACTED] took [REDACTED] [REDACTED] also attended [REDACTED] and was familiar with Epstein.

[REDACTED] recalled she was brought there and entered through the back kitchen door. She had met with an assistant Sarah and another assistant Adrianna. Sarah brought her upstairs as she observed several photographs of naked females throughout the house. [REDACTED] stated Epstein came in the room, wearing only a towel, and laid on the table. [REDACTED] stated he picked out the oils he wanted her to use and requested she remove her clothing to provide the massage. [REDACTED] stated that on the first massage she provided she did not remove her



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clothing. [REDACTED] stated she had returned several times after that. Each time she returned more things happened. [REDACTED] stated that the same thing would happen. Epstein would walk into the master bedroom/bathroom area wearing only a towel. He would masturbate as she provided a massage. [REDACTED] stated she was unsure if he climaxed as he masturbated under the towel. Additionally she never looked blow his waist. She claimed that Epstein would convince her to remove her clothes. She eventually removed her clothes and stayed in her thong panties. On occasion, Epstein would use a massager/vibrator, which she described as white in color with a large head, on her. Every time she provided a massage he would masturbate. [REDACTED] added she has no formal training in providing a massage. [REDACTED] stated she brought two females during her visits to provide massages. [REDACTED] stated she brought a girl named [REDACTED] and [REDACTED] from [REDACTED]. [REDACTED] stated she received \$200.00 for each girl she brought. Additionally, [REDACTED] was given \$200.00 for taking her in the very beginning. The interview was concluded and the tape was placed into evidence.

Investigation continues...

\*\*\*\*\* N A R R A T I V E # 18 \*\*\*\*\*

A

Reported By: RECAREY, JOSEPH

11/13/05

Entered By.: ALTOMARO, NICKIE A.

11/14/05

On November 8, 2005, I made telephone contact with [REDACTED] W/F, [REDACTED] at her residence. [REDACTED] responded to the police station for an interview reference an ongoing investigation. At approximately 2:30 pm, she arrived at the Palm Beach Police Station and was brought into the interview room for the interview. The door was closed for privacy and she was told that I appreciated her cooperation in this case. During a sworn taped statement, [REDACTED] stated she had met Jeffrey Epstein approximately one year ago. She was approached by a subject known to her as [REDACTED]. [REDACTED] had asked her if she wanted to make money providing massages to Epstein. [REDACTED] had heard that several girls from [REDACTED] were doing this and making money. She agreed and was taken to the house by [REDACTED]. [REDACTED] had introduced her to Sarah and Epstein and brought her upstairs to a master bedroom and Master bathroom where a massage table was prepared and the proper oils were taken out. [REDACTED] left the room and waited downstairs for [REDACTED]. [REDACTED] stated Epstein entered the room wearing a towel and she provided a massage wearing only her thong panties. [REDACTED] advised Epstein had masturbated every time she provided a massage. She stated Epstein continued to masturbate until he climaxed; once that occurred the massage was over. She felt the whole situation was weird but she advised she was paid \$200.00 for providing the massage. She also stated [REDACTED] received \$200.00 for bring [REDACTED] to Epstein.

[REDACTED] stated she had gone a total of 15 times to his residence to provide a massage and things had escalated from just providing a



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massage. Epstein began touching her on her buttocks and grabbed her closer to him as he masturbated. Epstein also grabbed her breasts and fondled her breast with his hands as she provided the massage. [REDACTED] stated on one occasion, he offered extra monies to have vaginal intercourse. She stated this all occurred on the massage table. [REDACTED] stated Epstein penetrated her vagina with his penis and began having intercourse with her until he reached the point of climax. Epstein removed his penis from her vagina and climaxed onto the massage table. [REDACTED] received \$350.00 for her massage. I asked her if she had any formal training in providing massages, [REDACTED] stated she did not.

[REDACTED] continued to state on one other occasion, Epstein introduced his assistant, Nada, into the massage. Nada was brought into room with [REDACTED] to provide a massage. Epstein had them kiss and fondle each other around the breasts and buttocks as they provided a massage to Epstein. Epstein, watched and masturbated as this occurred. On other occasions, Epstein introduced the large white vibrator/massager during the massage. Epstein stroked the vibrator/massager on [REDACTED] vagina as she provided the massage.

[REDACTED] stated the last time she spoke with anyone at the house, was with Sarah during the weekend of October 2 or 3, 2005. [REDACTED] stated she had brought two people to the Epstein house. She provided the names of [REDACTED] and [REDACTED] (unknown last name). It should be noted, [REDACTED] had been previously identified as [REDACTED] and had been previously interviewed. The interview was concluded and the videotape was placed into evidence via the locker system.

On November 9, 2005, Sgt Frick and I traveled to 6791 Fairway Lakes Drive in Boynton Beach, Florida in hopes to interview Juan Alessi, the former houseman of Epstein's home. As no one was home, a business card was left for him to return my call. We then traveled to 11349 SW 86th Lane in Miami in hopes to interview Alfredo Rodriguez, a former house man of Epstein. We did not locate them at home. I left a business card for him to return my call.

We then traveled to [REDACTED] and met with Dean of Students, Mr. [REDACTED]. We requested to speak with [REDACTED]. [REDACTED] was re interviewed, as she still was in possession of the rental car that Epstein had acquired for her. [REDACTED] stated that Sarah, Epstein's assistant, had called her on her cellular telephone and informed her that rental was extended for her. Sarah stated she had paid an additional \$625.00 for her to keep the rental an extra month. [REDACTED] was asked if she had any additional contact with either Epstein or anyone from his organization. [REDACTED] stated she did not, other than the telephone call informing her that she could keep the car for an extra month. [REDACTED] did not provide any additional information.

On November 10, 2005, at approximately 9:47 am, Alfredo Rodriguez had telephoned reference my business card found on his door. Rodriguez stated he had worked with Epstein for approximately six months after



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the previous houseman left. Rodriguez stated that it was his responsibility to keep the identity of the masseuses private. Mr. Epstein had a massage in the morning and one in the afternoon. Mr. Rodriguez stated he would rather speak about this in private. He advised he would come to the police station to speak with me. Rodriguez stated he would return my call on Monday, November 14, 2005.

I then made telephone contact with Juan Alessi. He advised he found my card on his door and wanted to know what I needed to speak with him about. I explained to Alessi that I was conducting an investigation on his former employer, Mr. Epstein. Alessi stated he would return my call shortly as he was in the middle of a project at his home. I received a telephone call from Attorney Donald Morrell from 686-2700. Mr. Morrell stated he represented Mr. Alessi and did not want me speaking with his client. I then made telephone contact with the State Attorney's Office and confirmed that subpoenas would be issued to the former employees to assist in the investigation.

I then made telephone contact with Attorney Guy Fronstin, attorney for Mr. Epstein. I explained to Mr. Fronstin that I would like to speak with Mr. Epstein. He stated Mr. Epstein is not in residence in Florida at this time and would check with him to ascertain if he could be here by Wednesday November 16, 2005 for an interview. Mr. Fronstin stated he would return my call should Mr. Epstein decide to come in to the police station for an interview.

Investigation continues.

\*\*\*\*\* N A R R A T I V E # 19 \*\*\*\*\*  
 Reported By: RE CAREY, JOSEPH 11/15/05  
 Entered By.: ALTOMARO, NICKIE A. 11/16/05

On November 14, 2005, Det. Sandman and I traveled to [REDACTED] in [REDACTED] and spoke with [REDACTED]. She was told of the ongoing investigation involving Epstein. [REDACTED] advised she had gone to the house on several occasions. During a sworn taped statement, she advised she started going to the house approximately one year ago and was brought by [REDACTED] (Unknown last name). [REDACTED] stated [REDACTED] brought her into the house and she was introduced to a girl named Sarah. Once she met her, Sarah brought her upstairs into a master bedroom bathroom. [REDACTED] stated she met Jeffrey in the bathroom. He lay on the table and picked the massage oils. She provided the massage, as he lay naked on the massage bed. She stated she rubbed his calves and back area. Upon the end of the massage, Epstein removed himself from the massage table and paid her \$300.00 for the massage.

[REDACTED] stated she had only been at the house approximately five or six times. [REDACTED] said each time she went to the house she was notified by Sarah, Epstein's assistant, that Epstein was in town and would like her to work. [REDACTED] stated she returned to the house and was again led upstairs by Sarah. She provided the massage, clothed.



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██████████ advised it wasn't really weird until later on ██████████ was asked if she ever removed her clothing to provide a massage. ██████████ stated it was not until the third time she went that she removed her clothing. ██████████ stated she was notified by Sarah that Epstein wanted her to come to work. She arrived at the house and was led upstairs by Sarah. She started providing the massage when Epstein asked her to remove her clothing. ██████████ removed her pants, shirt and bra. She stayed in her thong panties and continued rubbing Epstein. Epstein turned over onto his back and she rubbed his chest area. ██████████ stated she knew he was masturbating himself as she providing the massage. ██████████ stated she believed he climaxed based on his breathing. She did not want to view either the climax or the fact that he was masturbating. ██████████ stated once the breathing relaxed he got up and told her to get dressed. She was paid \$300.00 for her services.

██████████ stated on the last time she went to provide a massage, she was notified by Sarah to come to the house and work. ██████████ stated she was now dating her current boyfriend and did not feel comfortable going. She recalled it was approximately January 2005. She said she went, already thinking that this would be the last time. She went upstairs and went into the master bathroom. She met with Epstein, who was wearing only a towel as he entered the room to lie on the table. ██████████ stated Epstein caught her looking at the clock on several occasions. Epstein asked her if she was in a hurry. ██████████ stated her boyfriend was in the car waiting for her. ██████████ further stated that Epstein got upset, as she wasn't enjoying the massage. She told him that she didn't want to continue and she would not be back. Epstein told her to leave as she was ruining his massage. I asked her if she had any contact with Epstein's organization, she stated she received \$200.00 from Western Union in Royal Palm Beach and Okeechobee Blvd as a Christmas gift. ██████████ advised she had no formal training in provide any massages. ██████████ also stated she was sixteen years old when she first went to Epstein's house.

At approximately 4:22 pm, I made telephone contact with ██████████ at ██████████. She agreed to meet with me at a public place. I suggested she come to the police station for an interview. ██████████ did not want to meet at the police station. I recommended we meet at the Palm Beach Gardens Mall in the food court area. She agreed and an appointment was made for November 15, 2005 at 5:00 pm at the food court.

Investigations Continue.

\*\*\*\*\* N A R R A T I V E # 20 \*\*\*\*\*  
Reported By: SANDMAN, JENNIFER R. 11/16/05  
Entered By.: ALTOMARO, NICKIE A. 11/17/05

On 10/20/2005, I assisted executing a search warrant at 358 El Brillo Way in the Town of Palm Beach, Palm Beach County Florida under the direction of affiant Detective Joe Recarey.



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Detective Melnichok and I searched the pantry room that is west next to the kitchen. This room had all white cabinets with a dark grey and black counter top. We did not find anything in this room.

We searched the yellow and blue room that is west next to the pantry room. This room had a very large statue of man with a bow. Taken into evidence from this room were nine photographs in frames of various women.

We searched the main entrance foyer that is to the north of the yellow and blue room. This room contained two bamboo chairs and ottomans with cushions. It also contained a round table with numerous books.

We searched another blue room that is west of the foyer. This room had a stereo system and book shelves that were from the floor to the ceiling. Taken into evidence from this room were eight photographs in frames of various women and/or Epstein, the owner of the residence.

We searched the room to the west of the blue room that has sliding glass doors that lead out to the pool. In this room in a dresser were two DVD's and two VCR tapes. These items were taken into evidence.

We searched a 2004 black Chevy Suburban bearing Florida tag X99-EGL, registered to Jeffrey Epstein DOB 01/20/53, which was located on the east side of the driveway facing south. I found a Thrifty rental agreement between the passenger seat and the middle console. The name on the rental agreement was Johanna Sjoberg from 622 Holly Drive Palm Beach Gardens, Florida 33410. The phone number on the rental agreement was (561) 714-0546. The vehicle rented was a white 2005 Chrysler Sebring bearing Florida tag W99-FUN. The vehicle was rented on 9/25/05 at 17:58 hours and was returned on 9/26/05 at 16:52 hours. The last four numbers of the credit card used are 9821. Detective Melnichok found a piece of paper in the middle console that said I used the cash in here to fill up the tank and was signed by Johanna.

I searched the 2005 black Cadillac Escalade ESV bearing Florida tag Q29-9GT, registered to Jeffrey Epstein dob 01/20/53, which was located on the west side of the driveway facing south. I did not find anything in this vehicle.

All of the items that were taken into evidence were photographed in the place they were located and then turned over to crime scene.

\*\*\*\*\* N A R R A T I V E # 21 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 11/17/05  
Entered By.: ALTOMARO, NICKIE A. 11/17/05



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On November 15, 2005, Det. Sandman and I traveled to [REDACTED] in [REDACTED]. We met with [REDACTED] a seventeen-year old juvenile who was not in school this day due to a cold from which she was suffering. [REDACTED] was told that I needed to speak with her in reference to an ongoing investigation involving a subject she would know as Jeffrey Epstein. Prior to speaking with her, I explained that because of the fact that she is a minor, I needed to speak with her parents prior to speaking with her. She telephoned her father, Mr. [REDACTED], on his cell phone and explained to him that Det. Sandman and I were there to speak with her. I spoke with Mr. [REDACTED] on the telephone and informed him I needed to speak with his daughter in reference to an ongoing investigation. Mr. [REDACTED] advised he had no problem with us speaking with his daughter.

During a sworn taped statement, [REDACTED] stated she met Jeffrey Epstein over a year ago. She was sixteen years of age and was approached by [REDACTED] who informed her that she could make monies providing a massage to Epstein for \$200.00. [REDACTED] had informed her that she would have to provide this massage topless. [REDACTED] made the arrangements with Epstein and his assistants and took [REDACTED] to the house. [REDACTED] stated [REDACTED] and she entered through a glass door that led into a kitchen. [REDACTED] took her upstairs, to a master bedroom and master bathroom. She recalled the bathroom had a large pink couch, sauna and matching shower. Epstein entered into the room wearing only a towel. [REDACTED] and [REDACTED] removed their clothing remaining only in thong underwear. She further stated that Epstein lay on his chest on the table. Epstein selected which oils to use for the massage. Both [REDACTED] and [REDACTED] provided the massage on his legs, back and feet. Forty minutes into the massage, Epstein turned over onto his back and requested [REDACTED] wait downstairs in the kitchen area for [REDACTED]. Epstein instructed [REDACTED] to finish the massage. As [REDACTED] got dressed, [REDACTED] starting rubbing his chest. [REDACTED] left the room, and Epstein began masturbating himself as [REDACTED] rubbed Epstein's chest. [REDACTED] stated he continued masturbating until he climaxed on the towel he was wearing. When asked if he had removed the towel she stated he turned the towel around so that the opening would allow him to expose himself. After he cleaned himself off with the towel, he instructed [REDACTED] the massage was done and to get dressed and met with him downstairs. [REDACTED] got dressed and met with Epstein in the kitchen area. She was paid \$200.00 dollars for providing the massage. [REDACTED] stated she was aware that [REDACTED] also received monies for the same thing.

The second time she went to the house she was again approached by [REDACTED]. [REDACTED] asked if she wanted to return to the house to provide another massage; [REDACTED] agreed and the arrangements were made by [REDACTED] for her to return to the house. [REDACTED] stated [REDACTED] drove her to the house and knocked on the same glass door that leads to the kitchen area. They were allowed entry into the house by one of the staff members. [REDACTED] led her upstairs to the master bedroom and



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master bathroom area. [REDACTED] left [REDACTED] this time to do the massage alone. Epstein entered the room again wearing only a towel. [REDACTED] began removing her clothing as she did the last time she was at the house. Epstein instructed her to get naked. He lay on the table on his stomach as [REDACTED] began massaging his legs and back.

As [REDACTED] finished with Epstein's back and legs, Epstein then turned over onto his back. [REDACTED] started to rub his chest and he began masturbating himself. As [REDACTED] rubbed his chest, Epstein leaned over and produced a massager/vibrator. He turned it on and began rubbing [REDACTED] vagina and masturbating himself at the same time. [REDACTED] stated she continued to rub his chest as this was occurring. She described the vibrator/massager as large, grey with a large head. Epstein rubbed her vagina for approximately two to three minutes with the massager/vibrator. He then removed the vibrator from her vaginal area and concentrated on masturbating himself. [REDACTED] stated he climaxed onto the towel again and informed her that the massage was done. [REDACTED] got dressed and met with [REDACTED] who was waiting in the kitchen area. She received \$200.00 for the massage. [REDACTED] said she never returned to the house and had no desire to return to the house. [REDACTED] was asked if she received any formal massage training. She advised she had no formal training. [REDACTED] was asked if Epstein knew her real age. [REDACTED] stated he knew as he asked her questions about herself and high school. He was aware she attended and is still attending [REDACTED].

The interview was concluded. I suggested [REDACTED] inform her parents of what occurred at the Epstein house. [REDACTED] stated she would tell her father as he was unaware this had occurred. I left my business card for any questions they may have. We left the area and returned to the police station. The tape was placed into evidence.

Investigation Continues.

\*\*\*\*\* N A R R A T I V E # 22 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 11/17/05  
Entered By.: ALTOMARO, NICKIE A. 11/17/05

On November 15, 2005, Officer Munyan and I responded to the Palm Beach Gardens Mall food court section to meet with [REDACTED]. At approximately 5:10 p.m., [REDACTED] arrived and met with us at the food court. [REDACTED] provided a sworn taped statement in which she stated she had been at the Epstein house over fifty times. She began going to Epstein's house when she turned eighteen years old. [REDACTED] was asked if she knew of the on-going investigation. [REDACTED] stated she was aware there was an investigation as she had been told by other girls that were interviewed. Additionally, she has had several telephone conversations with Epstein's assistants as to what had been going on during the investigation.

I asked [REDACTED] how she was introduced to Epstein. [REDACTED] stated she did not want to disclose who brought her to the house but she would



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respond to any other questions. When I asked her what happened at the house, [REDACTED] stated everything happened. It all began with the massages. Each time she went more things happened. She would massage Epstein and he would masturbate and climax. She stated things escalated from there. She provided oral sex on Epstein and he provided oral sex on her. She stated he would also use a massager/vibrator on her vagina to stimulate her as she massaged him. He introduced his assistant Nadia or Nada to have vaginal intercourse with [REDACTED]. She stated Nada or Nadia would utilize a strap-on (synthetic penis) to have intercourse with her. She was told to masturbate herself as Epstein and Nada had sexual intercourse. All this was done at Epstein's direction.

[REDACTED] could not provide exact dates as she had been to the house so many times. [REDACTED] stated Epstein inserted his fingers in her vagina to stimulate her as she massaged him. When I asked her if there had been any vaginal intercourse with Epstein, she stated she did not have sex with him. She did admit having sex with Nada, his assistant.

[REDACTED] stated not every time she went involved sexual favors. Sometimes she would just talk with him and get paid. I asked her how much she was paid each time she went to Epstein's residence. [REDACTED] stated she got paid \$300.00 every time she went to the house. She was told to bring other girls to him to provide massages. [REDACTED] declined stating that she does what she does and did not want to introduce anyone else to do what she does. [REDACTED] stated she had never received any formal training in providing massages.

I showed [REDACTED] a photo line up in which Nada Marcinkova was placed in position six. She reviewed the six photographs and immediately identified Nada Marcinkova as the person with whom she had intercourse. Additionally, it was the same person she watched have intercourse with Epstein. She signed the photo line-up under Nada Marcinkova's photo as the person she identified. We then left the mall and returned to the police station. The photo line up and tape were placed in to evidence.

Investigation Continues...

\*\*\*\*\* N A R R A T I V E # 23 \*\*\*\*\*

Reported By: RECAREY, JOSEPH

11/29/05

Entered By: ALTOMARO, NICKIE A.

12/01/05

On November 17, 2005, I received a phone message from Atty. Guy Fronstin who advised to call his cellular phone reference his client Jeffrey Epstein. I telephoned his cell phone and left a message for him to return my call. I did not receive a call back on Thursday, November 17, 2005. On Friday, November 18 2005, I retrieved another voice mail from my work phone from Mr. Fronstin advising he would not produce his client Jeffrey Epstein for any statement. Fronstin stated he had spoken with ASA Lana Belohlavek and expressed Mr. Epstein has a passion for massages. I called ASA Lana Belohlavek and confirmed that



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Fronstin had telephoned her reference this case. Although nothing was discussed, Mr. Fronstin did advise her that Epstein is very passionate about massages.

I also spoke with ASA Daliah Weiss reference the previous employees, Juan and Maria Alessi. She advised that they had been served through a subpoena process server. They were both scheduled to appear on Monday November 21, 2005 at 12:00 p.m.

On November 21, 2005, I met with ASA Weiss, Atty. Donnie Murrell and Juan and Maria Alessi at the State Attorney Office. ASA Weiss had requested a court reporter to be present to take the statement of the Alessi s. I spoke with Maria Alessi, in the presence of her attorney, Donnie Murrell. She advised she had worked for Epstein for eight years, from the period of 1994 through 2002. She advised she had never had any direct conversations with him. She stated it was her husband who spoke directly with Epstein. Her work consisted of doing house cleaning, shopping and other preparations when Epstein would arrive in town. Alessi stated the preparations consisted of preparing the house and bathrooms for his arrival. She advised she did view several masseuses that arrived at the house. She advised that two or three girls would come during a day and provide the massages. The girls that arrived looked young in age. Mrs. Alessi did not know any of the girls personally and were always different. She was told that when Epstein was in residence he did not want to encounter the Alessis during his stay in Palm Beach.

I then spoke with Mr. Alessi in the presence of his attorney, Donnie Murrell. Mr. Alessi stated that he was employed for eleven years with Mr. Epstein. He originally was hired as a part time employee and then moved up into a full time position. His duties included everything. Alessi stated he was the house manager, driver and house maintenance person. It was his responsibility to prepare the house for Epstein s arrival. When asked about cooks or assistants, Alessi stated they traveled with Epstein on his private plane. He remembered dealing with his girlfriend, Ms. Maxwell originally and then dealt with Epstein directly.

I asked Mr. Alessi about massages that occurred within the home. Mr. Alessi stated Mr. Epstein had up to three massages a day. Each masseuse that visited the house was different. Alessi stated that towards the end of his employment, the masseuses were younger and younger. When asked how young, Mr. Alessi stated they appeared to be sixteen or seventeen years of age at the most. The massages would occur in Epstein's bedroom or bathroom. There were times he recalled that he would set up the massage tables either in Epstein s bedroom or in his bathroom. I asked if there were things going on other than a massage. Alessi stated that there were times towards the end of his employment that he would have to wash off a massager/vibrator and a long rubber penis, which were in the sink after the massage. Additionally, he stated the bed would almost always have to be made after the massage. Alessi was never privy to what went on during the



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massages.

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He was asked if he remembered any names of the girls that massaged Epstein. He tried to remember and was unable to provide any exact names of any girls. Alessi was asked about any contact with anyone from the Epstein organization. Alessi said he did speak with Mr. Epstein shortly after my initial contact with him to find out what was going on. Alessi also stated that approximately on November 11, 2005, he was contacted by a private investigator from the Law Office of Roy Black. The investigator had called him to meet with him to ascertain what he was going to tell the police. Alessi stated they met at the Carrabba s Restaurant in Boynton Beach and discussed the same questions I was asking him. I informed Mr. Alessi and Mr. Morrell that as this is an ongoing investigation and anything we discuss should be confidential. They both acknowledged the fact that the information would be kept confidential. It should be noted that a court reporter was present during the interviews and would be providing a copy of the statements to me when they become available.

On November 21, 2005, I received a voice mail from Mr. Fronstin who advised he would not be making Mr. Epstein available for any statements. He did have some words that he wanted to relay on behalf of Mr. Epstein. I telephoned his office and left a message for him to return my call.

On November 29, 2005, I received a call back from Mr. Fronstin who left a voice mail after hours on November 28, 2005, advising he would return my call during normal business hours to speak with me reference the case on November 29, 2005.

\*\*\*\*\* N A R R A T I V E # 24 \*\*\*\*\*

Reported By: RECAREY, JOSEPH 11/29/05

Entered By.: ALTOMARO, NICKIE A. 12/01/05

On November 29, 2005, at approximately 2:30 p.m. I received a telephone call on the department issued cell phone. Mr. Fronstin stated he was calling to relay information that Mr. Epstein wished he could relay. Mr. Fronstin stated that he would not allow Mr. Epstein to speak with me at this time. He further stated that Mr. Epstein is very passionate about massages. He continued that Mr. Epstein had allegedly donated over \$100,000 to the Ballet of Florida for massages. The massages are therapeutic and spiritually sound for him that is why he has had many massages. Mr. Fronstin stated he appreciated the way the investigation has not been leaked out into the media. I explained to Mr. Fronstin that it is as important to protect the innocent if the allegations are not substantiated. Mr. Fronstin was told of the allegations that the private investigators assigned to the case have been portraying themselves as police officers. Additionally, I explained that my cell phone had been called by the private investigators. Mr. Fronstin advised he was not aware of that and advised they were under the direction of Attorney Roy Black in



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Miami. Mr. Fronstin further stated Epstein had originally called Mr. Dershorwitz in Boston, who recommended Roy Black in Miami, who asked Mr. Fronstin to assist. I informed him that if and when any charges would be presented I would notify him. The call was then terminated.

Investigation continues.

\*\*\*\*\* N A R R A T I V E # 25 \*\*\*\*\*

JA Reported By: RECAREY, JOSEPH 12/15/05  
Entered By.: ALTOMARO, NICKIE A. 12/16/05

A review of the telephone message books, which were obtained during the search warrant, was conducted in which various messages from different dates were made to Jeffrey Epstein. The telephone message books have a duplicate copy (Carbon Copy) which, once a phone message is written into the book, the top copy is then torn on the perforated edge and the carbon copy is left in the book. First names of girls, dates and telephone numbers were on the copy of the messages. I recognized various numbers and names of girls that had already been interviewed. The body of the messages was time of the day that they called for confirmation of "work." Other names and telephone numbers were located in which the body of the messages were, "I have girls for him" or "I have 2 girls for him." These messages were taken by Sarah for Jeffrey Epstein. Based on the context of the body of the messages, I requested subpoenas for subscriber information on the telephone numbers and the time frame involved. Copies of the messages were made for evidentiary purposes.

I obtained [REDACTED] yearbooks for 2005, 2004 and 2003. I first reviewed the 2005 yearbook and located most of the girls I had spoken with. Additionally, I located [REDACTED]. Based on the corrected name spelling, I was able to locate her to her residence in [REDACTED]. On December 8, 2005, Det. Caristo and I responded to [REDACTED] in [REDACTED]. I located [REDACTED] at her home. She advised she is attending [REDACTED] and is participating in the early release program so she can maintain her part time job. As she is still a minor, I left my business card to have her mother return my call to request an interview with her daughter. We then left the area.

I also had previously researched the telephone number for [REDACTED] and telephone number [REDACTED]. A subpoena had been issued for the information on [REDACTED]. The telephone number was registered to [REDACTED] of [REDACTED]. A query of [REDACTED] revealed that she is the daughter of [REDACTED] and is currently residing at [REDACTED]. Det. Caristo and I attempted contact with [REDACTED] with negative results. I left my business card on her front door requesting she return my call. We then responded to [REDACTED]. I also attempted contact with Mr. [REDACTED] with negative results. I left my business card for him to return my call.



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On December 9, 2005, I received a telephone call from [REDACTED] [REDACTED] mother, who was made aware of the on going investigation in Palm Beach. [REDACTED] advised she was told of everything that occurred at Epstein's house involving Epstein and his staff. She advised she would allow me to question her daughter about what occurred and would cooperate with the investigation. [REDACTED] provided me with [REDACTED] cellular telephone number to schedule an appointment for an official interview. I telephoned her cellular telephone and made a tentative appointment for Monday, December 12, 2005.

I then received a telephone call from [REDACTED] [REDACTED] father of [REDACTED] [REDACTED] who stated he found the business card on his door. I explained that I was conducting an investigation and needed to speak with [REDACTED] as she may have information that could assist in the investigation. Mr. [REDACTED] stated that his daughter no longer resides with him and has her own trailer in another trailer park. He advised he would tell her to call me.

On December 12, 2005, due to a conflict with schedules, arrangements were made to meet with [REDACTED] [REDACTED] on Tuesday, December 13, 2005 at 5:00 pm. On December 13, 2005, Det. Dawson and I traveled to [REDACTED] and met with [REDACTED] [REDACTED]. During a sworn taped statement, [REDACTED] stated that when she was sixteen years old, she was taken to Epstein's house to provide a massage for money. [REDACTED] stated it was before Christmas last year when [REDACTED] [REDACTED] approached her and asked if she needed to make money for Christmas; [REDACTED] stated she did and agreed to provide a massage for money. [REDACTED] made arrangements to take [REDACTED] to the house and drove [REDACTED] to the house to "work." [REDACTED] stated she could not remember the street name but would be able to drive to the street. They drove to the last house on the street and pulled in the last house on left side. They walked up the driveway and entered through a side gate which led to a kitchen door. They knocked on the door and were encountered by an employee who [REDACTED] described as a "Spanish looking lady." They informed her that they were expected. They were then encountered by a white female with long blond hair. [REDACTED] was unable to remember the name of the white female with blond hair but knew she was Epstein's assistant. She was led upstairs by the white female who explained that there would be lotions out already and Epstein would choose the lotion he wanted her to use. She was led through a spiral staircase which led to a master bedroom and bathroom. The massage table was already set up in the bathroom. [REDACTED] described the bathroom as a large spacious bathroom with a steam room and shower beside it with a sink to the right. [REDACTED] was introduced to Jeff who was on the phone when she entered. Jeff was wearing a white towel and lay on his stomach so that [REDACTED] may massage his feet and calves. [REDACTED] started the massage with the massage oil Jeff chose and rubbed his feet and calves. Jeff got off the phone and requested she massage his back as well. [REDACTED] began rubbing his back and got to the small of his back. During the rubbing of his back Jeff asked her to get comfortable. He



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requested she remove her pants and shirt. [REDACTED] removed her shirt and pulled her pants off. [REDACTED] stayed in her bra and thong panties.

As she finished the small of the back, Jeff then turned onto his back. He instructed she rub his chest and pinch his nipples. As she began to rub his chest, Jeff asked her questions about herself.

[REDACTED] remembered telling him she attended [REDACTED]. Jeff asked her if she was sexually active. Before [REDACTED] could answer, he also asked what sexual positions does she enjoy. [REDACTED] stated she was shy didn't like talking about those things. She continued rubbing his chest. Epstein reached up and unsnapped her bra from the front. [REDACTED] explained the bra she used had a front snapping device. Epstein rubbed her breasts and asked her if she like having her breasts rubbed. [REDACTED] said "no, I don't like that." Epstein then removed his towel and lay on the bed naked exposing his penis to [REDACTED]. He began touching his penis and masturbated as he touched her breasts. [REDACTED] explained Jeff then touched her vagina area by rubbing her vagina with his fingers on the outside of her thong panties. [REDACTED] tensed up and stated Jeff was aware that she was uncomfortable.

[REDACTED] stated that Jeff told her, "Relax, I'm not going inside." She further explained Jeff commented to her how beautiful and sexy she was. Jeff then moved her thong panties to one side and now was stroking her clitoris. [REDACTED] said "Jeff commented how hard my clit was." He then inserted two fingers in her vagina and was stroking her within her vagina. She tried pulling back to pull out his fingers from within her vagina. Jeff removed his fingers from within her vagina and apologized for putting his fingers inside her. During this time he kept his hand on her vagina area rubbing her vagina. [REDACTED] stated he rubbed her real hard as he was masturbating. [REDACTED] said he climaxed onto the towel he had been previously wearing and got up from the table. Jeff told her there was \$200.00 dollars for her on the dresser within the master bathroom. Jeff also told her that there was an additional \$100.00 that was to be given to [REDACTED] for bringing her there to massage him. Jeff told her to leave her telephone number with his assistant as he wanted to see her again. Jeff stated his assistant would contact her to work again soon.

I asked her if she ever received any formal massage training to which [REDACTED] stated she did not. [REDACTED] stated it was the only time she ever went to work for Jeff and knew what happened to her was wrong. She stated she no longer speaks to [REDACTED] because she was upset that [REDACTED] took her there. She further stated that she had never been contacted for any additional work. The interview was terminated and we left the area.

Investigation Continues...

\*\*\*\*\* N A R R A T I V E # 26 \*\*\*\*\*

Reported By: DICKS, ALLEN C.

12/18/05

Entered By: ALTOMARO, NICKIE A.

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On 102005 at approx 0930hrs I assisted with the execution of a search warrant at 358 El Brillo Ave, Palm Beach.

Initially I was assigned to enter the residence and conduct a sweep of the premises for safety purposes. I then accompanied CSEU tech Pavlik while she photographed the exterior of the house. Once this was complete I was assigned to search certain areas of the house with Det. Dawson as part of the search warrant.

We began in the garage, searching three Mercedes Benz vehicles, a Harley Davidson motorcycle and adjacent closets in the garage. Nothing of evidentiary value was located.

We then searched two closets off the kitchen area on the east side. These can best be described as pantry or storage closets. Nothing of evidentiary value was obtained.

A small office with adjoining bath was then searched. In the bath area I located a phone message book with recent messages. This item was seized as evidence. Please note this bath and shower area are not used as designed but are storage areas containing a variety of items to include a gun safe in the shower and assorted household items.

We then searched a bath area and closet at the base of the main stairs in the foyer. Inside the closet two massage tables were located as well as partial nude female photographs. These items were later seized as evidence. Nothing of evidentiary value was noted in the bathroom.

We then searched two bedrooms upstairs on the east side of the residence. Located in the bath room of the south bedroom was penis shaped soap. Located in the bedroom of the northern bedroom was penis and vagina shaped soap as well as an adult sex toy. These items were seized as evidence.

We then searched the pool cabana located in the south west corner of the property. Several photographs of nude females were seized as evidence.

I was then assigned to stand by with a person I believe was Douglas Schoettle. Mr. Schoettle was in the residence at the beginning of the search warrant. He was present during the warrant service and subsequent search. I stood by with him until the search was completed and I departed the residence. I had no conversation with him regarding the reason for our presence.

Regarding seized evidence, all items were photographed in place and then collected by CSEU personnel.

This concludes my involvement in this case.



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\*\*\*\*\* N A R R A T I V E # 27 \*\*\*\*\*  
IA Reported By: KRAUEL, CURTIS D. 12/21/05  
Entered By.: ALTOMARO, NICKIE A. 12/21/05

On Thursday, October 20, 2005 at approximately 0936 hours, I assisted in the execution of a search warrant located at 358 El Brillo Way, Palm Beach, Florida, residence of Jeffrey Epstein. I was instructed by Case Agent Det. Joseph Recarey, to secure all computer and media related material from the residence.

Upon my arrival I was directed by Det. Recarey to a room designated as the Kitchen Staff Office. I observed a, Silver in color, CPU with the left side cover removed, exposing the CPU s hardware sitting on floor next to a glass type desk. The CPU had no discernable identifiers or features indicating a make or model. This CPU was powered off with the power cord not plugged in. The keyboard and mouse were atop the CPU. It should be noted that the CPU was not connected to a monitor, printer, or other media device. On the back Panel of the CPU, I observed an A/V card with RCA jacks attached. This type of hardware would allow audio and video to be downloaded onto the CPU s hard disk. The ends of the RCA jacks were unattached at the time of the search and no external camera was located within this room.

The CPU was located on the right side of a desk that held a flat panel LCD screen. The desk also held another keyboard and mouse, indicative of a second computer; however, no other computer was found. It appeared as though a second computer had been recently removed as the cables ends from the monitor, keyboard and mouse were in the same area. A further search of the room revealed no media storage devices, i.e. CD s, Floppy Disks, Zip Disks, etc. This type of media is commonly stored in an area where computers are placed, yet no media was found.

After completing a search of this room, I secured the CPU and turned all items over to the Evidence Custodian for future forensic analysis via a property receipt.

I was then directed by Det. Recarey to a room designated as the Garden Room, where I observed a wooden desk facing west. The desk held a flat screen LCD monitor, keyboard, mouse, media card reader and printer; however, no CPU was located. All of the cables were removed from an area where a computer had once been. A search of the desk area revealed no signs of any media devices.

Det. Recarey directed me to a third location designated as the Cabana room, which is detached from the residence and located just south of the pool. In the South East corner of the room, I observed an office type setting, with an L-shaped desk holding a flat screen LCD monitor, keyboard, mouse and printer; however, no CPU was located. All of the cables were removed from an area where a computer had once been. A search of the desk area revealed no signs of any media devices.



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Det. Recarey directed me to a second detached structure located on the South East corner of the property. This area of this structure was assigned with single letters to identify a particular part of the room. In the office area, designated as Room B, I observed a powered on Dell Dimension 2350, attached to an LCD flat panel monitor. The screen displayed an open Microsoft Internet Explorer browser with URL address of <http://home.bellsouth.net/>. I observed no other active windows in the Start panel window and photographed screen. The power cord was removed from the back of the Dell CPU and I disconnected the cable modem to prevent remote access. At that time, the Dell CPU, marked with Serial Number 6WTVN21, was secured and turned over the evidence custodian for future forensic analysis via property receipt.

I also located several media related items within Room B, which were recorded onto a property receipt and turned over the Evidence Custodians.

I then responded to a Bedroom designated as Room F, where I observed a white in color CPU marked Premio. The Premio CPU was in a computer desk which held a white CRT monitor, both of which were powered on. The CRT monitor displayed a message from Norton Antivirus software, warning of an expired subscription. I observed no other active windows in the Start panel window and photographed screen. I removed the power cable from the back of the Premio CPU and shutdown all other media. The Premio CPU, marked with Serial Number 2000091078, was secured and turned over the evidence custodian for future forensic analysis via property receipt. I also located several media related items within Room F, which were recorded onto a property receipt and turned over the Evidence Custodians.

This concluded my participation in the search of the residence.

\*\*\*\*\* N A R R A T I V E # 28 \*\*\*\*\*  
Reported By: RE CAREY, JOSEPH 12/21/05  
Entered By.: ALTOMARO, NICKIE A. 12/21/05

On December 20, 2005, I contacted ASA Daliah Weiss in an attempt to subpoena the Epstein former houseman, Alfredo Rodriguez. Rodriguez, who resides in Miami, had eluded the process servers previously and was not served the investigative subpoena. A telephone message was left as she is not available during the week of 12/19/2005. I made contact with State Attorney Inv Theresa Wyatt and requested the same via telephone message.

I then researched the victim's [REDACTED] cellular telephone subpoena data which had been received from a previous subpoena request. I analyzed the records which depict several calls from Haley Robson. The telephone calls start on February 6, 2005 at 12:49 pm.; the same day which the victim and the victim's father stated the incident occurred at Epstein's house. The first incoming call was from Robson's residence at 561 333-0180. The second incoming call from Robson's



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cellular phone 561-308-0282 occurred at 1:02 pm. The call durations were one minute or less. The time frame was within thirteen minutes apart. It should be noted that Robson's residence was in close proximity to the victim's. The next call occurred at 5:50 pm when the victim telephoned Robson's residence. Several calls were made after the above mentioned calls both incoming and outgoing to Robson. Further analysis showed no telephone calls to either Robson's cellular telephone or Robson's residence were registered prior to February 6, 2005.

Additionally, I also conducted an analysis on the telephone calls from 305-710-5165. The subscriber information confirmed that the number is registered to Paul A Lavery from Hialeah, Florida. The address was crossed referenced to the Office of Kiraly and Riley Private Investigators. I researched the web page [www.rileykiraly.com](http://www.rileykiraly.com) which also showed various cases in which they assisted. I also located another web site under [www.coralspringssparklandrotary.org](http://www.coralspringssparklandrotary.org) in which Mr. Riley attended a Miami Rotary meeting and confirmed Atty. Roy Black is among his clientele.

The telephone calls revealed Lavery had telephone contact with [REDACTED], [REDACTED] and [REDACTED] either just after I attempted to interview them, or just prior. A background was conducted on Lavery which revealed he holds a current Private Investigator License. A criminal arrest record revealed he had been previously arrested for possession of cocaine and solicitation of prostitution.

I also researched the girls using [www.myspace.com](http://www.myspace.com). This web site is a new social networking service that allows members to create unique personal profiles online in order to find and communicate with old and new friends. The site allows one to establish your own [myspace.com](http://www.myspace.com) page and decorate the page any way one wishes. I found the following people have [myspace](http://www.myspace.com) sites: Haley Robson, [REDACTED], [REDACTED], [REDACTED] and [REDACTED].

I received a Cingular Wireless packet which contained a CD which contained the results of the subpoena request for verbatim calls on [REDACTED]. An analysis will be conducted in the near future on the phone numbers called.

Investigation Continues.

\*\*\*\*\* N A R R A T I V E # 29 \*\*\*\*\*

Reported By: RECAREY, JOSEPH

12/27/05

Entered By.: ALTOMARO, NICKIE A.

12/29/05

Upon doing research on the message books recovered in the search warrant, I located the identity of [REDACTED]. The telephone number [REDACTED] was registered to [REDACTED]. She currently is seventeen years old and is attending the [REDACTED]. I



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responded to [REDACTED] also known as the [REDACTED]. I located the [REDACTED]. I located [REDACTED] inside the foundation and informed her that I was investigating a case against Jeffrey Epstein and knew she had been at the house. [REDACTED] started to cry and advised she had put that part of her life behind her. I explained that although she is seventeen years old I needed to inform her parents that she would be interviewed. She provided her home telephone number. I attempted contact and left voice mail messages at the house to speak with her parents.

Det. Caristo and I then located [REDACTED] at her residence located at [REDACTED] in [REDACTED]. I attempted to interview her about Jeffrey Epstein. She advised she is so in love with Jeff Epstein and would do anything for him. She further explained that she would not speak with us about him either negative or positive. She asked us to leave her property. I informed her that although she did not wish to speak with us, I had sufficient information at this point in the investigation to know she was at Epstein's house and provided girls to Epstein to work. I also explained that prior to our arrival at her residence I had telephone contact with her father, [REDACTED], who was told she would be interviewed. [REDACTED] is currently seventeen years old and as a juvenile, parental notification would be required. We then left the area and returned to the police station.

While at the police station, I left another telephone message for [REDACTED] parents. I began an analysis of Sarah Kellen's Cellular telephone. The telephone number 917-855-3363 is assigned to Sarah Kellen and the financially responsible party is Jeffrey Epstein of 457 Madison Ave. in New York City, New York. The time frame which was subpoenaed was September 2005, through October 2005. There were eighty seven pages of calls made either to the cell phone or from the cell phone. The local (561) numbers were analyzed. A spread sheet was prepared and placed into the attachment file of who was called.

The unknown numbers were researched using FoneFinder.com and subpoenas were requested to determine subscriber information. This was done to identify additional victims or witnesses. The analysis revealed that Kellen had called the victim/witnesses frequently when Epstein was in the Town of Palm Beach to "work." This confirms what the girls interviewed had previously stated. Kellen would notify them when Epstein was in town and their willingness to "work." The CD was placed into evidence.

Investigation Continues.

\*\*\*\*\* N A R R A T I V E # 30 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 1/03/06  
Entered By.: ALTOMARO, NICKIE A. 1/03/06

On December 29, 2005, I received a facsimile from National Compliance



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Center from Cingular Wireless for telephone number 561-308-0282. This was the telephone number for Haley Robson during the time frame when the victim, [REDACTED] was brought to the Epstein house to "work." An analysis of the phone records, of all incoming and outgoing calls, showed that on February 6, 2005, the day the victim, [REDACTED] was brought to the house, Robson first called Sarah Kellen, Epstein's assistant, at 917-855-3363 at 12:50 pm (EST). The next call was made to Epstein's house in Palm Beach, at 12:52 pm (EST). The following call was made to the victim, [REDACTED] at 1:01 pm (EST) and at 1:02 pm (EST). This confirms the information provided by the victim and victim's father. I photo copied the records and enlarged the page 8 of 10 to show the calls made by Robson on February 6, 2005.

To this date, I have not heard from [REDACTED] parents. I will attempt to establish contact with them during the evening hours.

I received a package from Atty. Guy Fronstin, which was hand delivered at the police station. Within the package, was a letter from Alan Dershowitz, and two www.myspace.com profiles. The profiles were that of [REDACTED] and [REDACTED]. MySpace.com is a social networking service that allows members to create unique personal profiles online in order to find and communicate with old and new friends. This package was in response to a previous meeting in which Mr. Dershowitz called to assist in the investigation in providing any additional witnesses such as house employees who have been reluctant to speak with law enforcement.

I reviewed the profiles Mr. Dershowitz enclosed. [REDACTED] who designed her blog to be [REDACTED] "still attends [REDACTED] [REDACTED] sends and receives messages from friends which contain some profanity. Upon reviewing her friends' comments section from Myspace, most of her good friends sent messages to establish contact and invite her to go out.

I then reviewed [REDACTED] web blog which was provided by Mr. Dershowitz. Ms. [REDACTED] designed her blog to be [REDACTED]. Her blog states that her interests include music, theater and weed (Marijuana). I reviewed her packet in which [REDACTED] declares her love for her live-in boyfriend. She also describes using marijuana with her boyfriend [REDACTED].

The letter Mr. Dershowitz sent advised he was looking into the allegation that one of the private investigators used by the private attorneys of Epstein, attempted to impersonate or state that they were police officers from Palm Beach. Mr. Dershowitz advised that the investigators used to interview [REDACTED] had "quite a distinct speech impediment", did not claim to be nor did they impersonate themselves as a police officer. This package was sent to both ASA Lana Belohlavic and ASA Daliah Weiss at the State Attorney's Office.

I made telephone contact with ASA Weiss to confirm she received the package and request an interview with Sarah Kellen, Nada Marcinkova, and Janusz Banasiak. She advised she would assist in attempting to



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 contact Mr. Dershowitz.

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On January 3, 2006, I received a telephone call from ASA Weiss who informed me that she made telephone contact with Mr. Dershowitz. She had requested the employees be available the week of January 3, 2006. Mr. Dershowitz informed her that the assistants are out of the country and would require additional time to locate them and make them available.

Investigation Continues.

\*\*\*\*\* N A R R A T I V E # 31 \*\*\*\*\*  
 Reported By: MINOT, LORI S. 1/03/06  
 Entered By: ALTOMARO, NICKIE A. 1/03/06

On Thursday, 03/31/05, I started conducting surveillance at 358 El Brillo. At this point I observed at 1155 hours, a Tan Altima bearing FL tag A303AN in Roadway, Black SL bearing FL tag V55RFW in drive, Tan Honda Civic bearing FL tag X98APM in Roadway, Black Chevy Suburban in driveway and a Black Caddy Escalade in driveway. At 1325 Hours I observed Tan Honda Civic X98APM in roadway, Black Chevy Suburban in driveway, Black Caddy Escalade in drive and a White Kia car bearing FL tag D651BQ. At 1615 hours I observed a Tan Honda Civic, X98APM in roadway, Black Chevy Suburban in drive, Black Caddy Escalade in driveway and a White Kia car D651BQ in roadway.

On Friday, 04/01/05, I continued surveillance at 358 El Brillo. At 1130 hours I observed a Tan Honda Civic bearing FL tag X98APM in roadway, Black Caddy Escalade in driveway and a Tan unknown make/model bearing FL tag A303AN in roadway. At 1227 hours, I observed a Tan Honda Civic X98APM in roadway, Black Caddy Escalade in driveway and a Black Chevy SUV located behind the Escalade. At 1345 hours, I observed a Tan Honda Civic X98APM in roadway and a Black Chevy SUV in driveway. At 1558 hours, I observed a Tan Honda Civic X98APM in roadway, Black Chevy SUV in driveway, Black Caddy Escalade in driveway and a dark unknown model/make car parked in garage.

On Saturday, 04/02/05, I continued surveillance at 358 El Brillo. At 0713 hours, I observed a Red Explorer bearing FL tag J98JEI in roadway and a Black Caddy Escalade in driveway. At 0814 hours, I observed a Red Explorer J98JEI in roadway, Black Caddy Escalade in driveway and a Tan Honda Civic X98APM. At 0952 hours, I observed a Red Explorer J98JEI in roadway, Black Caddy Escalade in driveway, Tan Honda Civic X98APM in roadway and also a Grey unknown make/model with a B.M in trunk retrieving landscaping tools.

At 1155 hours, I observed a Grey Camaro bearing FL tag [REDACTED] parking in the roadway in front of 358 El Brillo. A W/F, blond hair, teens to early 20's, thin and tall wearing a white tank top and short blue jean shorts, exited the vehicle and walked to the rear of the house. I also observed a Red Explorer J98JEI in roadway, Tan Honda Civic X98APM in roadway and a Black Caddy Escalade in driveway. At 1310 hours, I



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observed a Red Explorer W/F driver leaving the area, Tan subcompact on roadway and a Red Neon bearing FL tag [REDACTED]. Then observed 3 W/Fs, approximately 16 to 18 years of age jogging. All 3 females ran into the driveway. There were 2 with blond hair and one brown hair.

On Sunday, 04/03/05, I continued surveillance at 358 El Brillo. At 0719 hours I observed a Tan Honda Civic X98APM in roadway and a Black Caddy Escalade. At 0934 hours, I observed a Tan Honda Civic X98APM in roadway and a Black Caddy Escalade in driveway. At 1057 hours I observed only the Tan Honda Civic X98APM.

On Tuesday, 04/05/05, I continued surveillance at 358 El Brillo. At 1052 hours, I observed a Red Explorer J98JEI in roadway, a Green Explorer, bearing FL tag F91KAK in roadway, a Grey Altima bearing FL tag A303AN in roadway, White Ford Truck H58LRA in roadway, Black Mercedes in driveway being washed by a B/M and an unknown dark car parked in the garage. At 1059 hours a Blue Chevy Suburban drove to the house of 358 El Brillo and parked in the driveway. At 1119 hours, I observed the White Ford Truck H58LRA leave the area and the drive was the pool man.

At 1126 hours, I observed a Grey unknown make/model car park in roadway. W/M got out of the car and walked to a house on the south side of El Brillo. At 1406 hours, I observed a Red Explorer parked on roadway and a large white box truck parked behind the surveillance suburban.

\*\*\*\*\* N A R R A T I V E # 32 \*\*\*\*\*  
Reported By: BATES, MICHAEL J. 1/03/06  
Entered By.: ALTOMARO, NICKIE A. 1/03/06

On 03/31/05, at approximately 1500 hours while conducting surveillance at 358 El Brillo, I observed a Black Cadillac Escalade, unknown tag, a Black Chevrolet Suburban, unknown tag, a Black Mercedes S600 FL tag U90BQL parked in the east driveway next to the 3-car garage. There was a Tan Honda Civic FL tag X98APM parked on the street in front of the residence.

At approximately 1700 hours, I observed the Black Suburban, Black Escalade, Black Mercedes and Tan Honda Civic parked in the same place. At 1750 hours, there was no change in vehicles. At 1840 hours, I observed the Black Escalade, Black Suburban and Black Mercedes along with a Silver Hyundai Accent FL tag A136AN all parked in the east driveway and a Red Ford Explorer FL tag J98JEI parked on the street in front of the residence.

At 2000 hours, I observed the Black Escalade, Black Suburban parked in the east driveway and the Red Explorer and Tan Civic parked on the street.

On Friday, 04/01/05 at approximately 1700 hours, I observed the Black



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Escalade and Black Suburban parked in the east driveway and the Tan Honda Civic parked on the street in front of the residence. At 1820 hours, I observed the Suburban and Civic in the same place and a Gold Chevrolet Camaro FL tag [REDACTED] parked on the street in front of the residence. At 2250 there was no change. At 2330, I observed the Black Escalade parked in the driveway and the Red Explorer parked on the street in front of the residence.

On Saturday, 04/02/05 at approximately 1700 hours, I observed a Black Escalade, unknown tag, parked in the driveway and a Tan Honda Civic FL tag X98AMP parked in the street in front of the residence. At 1805 hours the Escalade and Civic were in the same position and the Black Mercedes FL tag U90BQL was also parked in the east driveway. At 1920 hours the Escalade and Civic were the only vehicles and both were in the same position. At 2030 hours and 2145 hours there were no vehicles observed.

At 2115 hours, I observed a Black Mercedes, 4-door parked in the east driveway FL tag G14CT. At 2300 hours, 2350 hours and 0045 hours, the Black Mercedes was the only vehicle observed.

\*\*\*\*\* N A R R A T I V E # 33 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 1/05/06  
Entered By.: ALTOMARO, NICKIE A. 1/05/06

I made contact with Mr. [REDACTED], father of [REDACTED] who was told that I wished to interview his daughter. Mr. [REDACTED] stated he was aware and had spoken with his daughter about the incident. He stated that his daughter had previously told him that she was hired to model lingerie at a Palm Beach mansion. Mr. [REDACTED] stated he knew nothing else about what she did when she went to "work." Mr. [REDACTED] advised he would cooperate with the investigation and make his daughter available for interviews. I asked if she was available for an interview, [REDACTED] stated she was not at home at the moment. I informed him I would make contact with her at a later time. Mr. [REDACTED] expressed his interest in the resolution in this matter as he stated this information has affected his daughter emotionally.

On January 4, 2005, I acquired the subpoenas from the State Attorney's Office for Cingular Wireless, Metro PCS, Verizon, Bell South Telecommunications and Sprint for the unknown telephone numbers from Sarah Kellen's cellular telephone. The subpoenas were sent to the respective telephone carriers for subscriber information.

I received a telephone call from State Attorney's Office, who informed me that the former houseman for Jeffrey Epstein, Alfredo Rodriguez, was present at the State Attorney's Office for an interview. Rodriguez was issued an investigative subpoena for an interview on the on-goings at Epstein's house during his employ. I responded to the State Attorney's Office and encountered Mr. Rodriguez waiting in the lobby. I brought Mr. Rodriguez to the interview room.



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During a sworn taped statement, Mr. Rodriguez stated he was employed by Jeffrey Epstein for approximately six months. He was referred by associates and his employment lasted the months of November 2004 through May 2005. His responsibilities as house manager included being the butler, chauffeur, chef, houseman, run errands for Mr. Epstein and provide for Epstein's guests. Rodriguez advised he had very limited contact with Mr. Epstein. If Rodriguez needed to relay a message to Mr. Epstein, he would have to notify Epstein's secretary "Leslie" in New York City, who would then notify Epstein's personal assistant, Sarah, who would relay the message to Epstein. Rodriguez stated Epstein did not want to see or hear the staff when he was in residence.

I asked Rodriguez if Epstein received many guests during his stay in Palm Beach. Rodriguez advised he had many guests. I asked specifically about masseuses coming to the house. Rodriguez stated he would have two massages a day. Epstein would have one massage in the morning and one massage in the afternoon everyday he was in residence. Rodriguez stated he would be informed to expect someone and make them comfortable until either Sarah or Epstein would meet with them.

Rodriguez stated once the masseuses would arrive, he would allow them entry into the kitchen area and offer them something to drink or eat. They would then be encountered by either Sarah or Epstein. They would be taken upstairs to provide the massage. I asked Rodriguez if any of the masseuses appeared young in age. He advised he didn't ask their ages but felt they were very young. Rodriguez stated they ate like his own daughter who is in high school. Rodriguez stated they would eat tons of cereal and drink milk all the time. Rodriguez stated the girls that would come appeared to be too young to be masseuses. He stated one time under Epstein's direction, he delivered a dozen roses to [REDACTED] for one of the girls that came to provide a massage. He knew the girls were still in high school and were of high school age. I asked Rodriguez about the massages. He felt there was a lot more going on than just massages. He would clean Mr. Epstein's bedroom after the alleged massages and would discover massager/vibrators and sex toys scattered on the floor. He also said he would wipe down the vibrators and sex toys and put them away in an armoire. He described the armoire as a small wood armoire which was on the wall close to Epstein's bed.

Epstein ordered Rodriguez to go to the Dollar rent a car and rent a car for the same girl he brought the roses to, so that she could drive her self to Epstein's house without incident. Rodriguez said the girl always needed rides to and from the house. Rodriguez referred himself as a "human ATM machine" and was ordered by Epstein to maintain a minimum balance of \$2,000 dollars on him at all times. When a girl would come by the house and Mr. Epstein was either not in residence or was not at home at the time, Rodriguez was to provide the girl (masseuse) several hundred dollars for their time and to notify Epstein the amount they were given. Epstein also ordered Rodriguez to



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purchase several gifts and provide them as tips to the girls. I asked what kind of gifts. Rodriguez stated he purchased IPODS, jewelry, anything the girls would want.

Rodriguez stated the amount of girls that came to the house was approximately fifteen. Each of the girls knew each other and all seemed to know at [REDACTED] who Mr. Epstein was. When asked to identify these girls, Rodriguez stated he could not at the moment but knew he wrote their names down on a journal he kept during his employ with Mr. Epstein. He kept a journal in the event he needed to explain either to Mr. Epstein or his assistants what was done at the house or who visited the house as he stated he was in-charge of Mr. Epstein's personal security while in Palm Beach. I informed him I would need to view this journal to which he stated he would research the book and contact me to provide the book. The interview was concluded and left the area. I returned back to the police station where the micro cassette was placed into evidence. At approximately 7:20 pm, I was notified Rodriguez located the journal and would call me on January 5, 2005 to provide the journal.

Investigation Continuesãã

\*\*\*\*\* N A R R A T I V E # 34 \*\*\*\*\*  
 Reported By: RECAREY, JOSEPH 1/09/06  
 Entered By.: ALTOMARO, NICKIE A. 1/10/06

On January 5, 2006, I attempted to meet with Alfredo Rodriguez to recover the folder or journal in which he kept the notes that were given to him during his employ with Mr. Jeffrey Epstein. He kept this folder to justify what he did during his employ should the need arise to justify what occurred with the monies he had to keep or any questions as to the petty cash he withdrew from the household account from the bank. At approximately 10:00 pm, I attempted contact with Mr. Rodriguez and discovered he was assisting his wife at her place of employment and would not be able to meet with me. Mr. Rodriguez stated he would meet with me on January 6, 2006, in Broward County, in the morning hours.

On January 6, 2006, at approximately 9:00 am, I received a telephone call from Mr. Rodriguez who advised he had the file in hand and would be traveling northbound to meet with me in Broward County. At 10:50 am, I met with Alfredo Rodriguez at the parking lot of Bank of America in Boca Raton on Yamato Road and Military Trail (known as the Polo Center). Rodriguez produced a green folder which contained documents, a note with Mr. Epstein's stationery with direction to deliver a bucket of roses to [REDACTED] after [REDACTED] high school drama performance. Also in that same note was direction to rent a car for [REDACTED] and direction to extend the rental contract. I returned to the Palm Beach Police Station and placed the folder into evidence.

I received a fax from Verizon from the subpoena request sent on



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01-04-06, for telephone number 561-302-1844. The phone number is registered to Dr Perry Bard, from West Palm Beach. Dr. Bard is a chiropractor and has an office located 4275 Okeechobee Blvd in West Palm Beach. The cellular number is Dr Bard's personal cellular number.

On January 9, 2006, Det. Caristo and I traveled to 622 Holly Drive in Palm Beach Gardens in an attempt to locate Johanna Sjoberg, who had been previously seen on the property and identified through her Florida Drivers License and Florida license Plate. A business card was left for her to return my call. We then traveled to the [REDACTED] and located [REDACTED]. [REDACTED] agreed to speak with us and in a private room within the school provided us a taped statement.

During the statement, [REDACTED] advised that when she was fifteen or sixteen years of age, she was taken to Jeffrey Epstein's house by her associate, [REDACTED]. [REDACTED] stated this occurred late May 2004 or early June 2004. She was told she could model lingerie for money for a wealthy Palm Beacher. She remembered they traveled by yellow cab from their residence in West Palm Beach to Epstein's house. She remembered encountering Epstein at the front door during the evening hours.

He introduced himself and brought them into the kitchen so that the chef could prepare something for them to eat. After having a meal, [REDACTED] and Epstein brought [REDACTED] upstairs to a master bedroom which had a large bathroom. She observed a large style shower, sauna and there was a large massage bed also in the bathroom. Epstein entered a room within the bathroom and came out wearing only a towel. [REDACTED] said they would provide a massage on his feet. [REDACTED] asked why they are doing this. [REDACTED] told her this was part of the routine and told her to rub his legs and calves. Epstein had told [REDACTED] to get comfortable. [REDACTED] continued rubbing Epstein's calves and feet. At Epstein's direction, [REDACTED] then left the room leaving [REDACTED] there by herself. Epstein told [REDACTED] to get comfortable. [REDACTED] removed her blouse and pants and stayed in her panties. [REDACTED] stated she was not wearing a bra. She believed she was wearing thong panties. Epstein turned over onto his back and began touching her. Epstein touched her breasts and began touching her in her vagina area. Epstein instructed her to rub his chest and rub his nipples. [REDACTED] stated the touching consisted over the panties on the first time; he stroked her vagina but stayed on top of the panties. During the first massage, she stated Epstein was stroking her and began masturbating himself at the same time. He put his hands under the towel and appeared as to masturbate himself however she never saw his penis. She continued rubbing his chest until he grabbed her and pulled her closer to him. He appeared to have climaxed because after he pulled her closer to him the massage was over. Epstein had told her that there was two hundred dollars for her on the dresser. He told her that she could not tell anyone what happened at the house or bad things could happen. [REDACTED] stated she went to Epstein's house three



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or four times total. [REDACTED] was very scared and felt very nervous. She knew because of Epstein's money he was powerful. After the massage, Epstein ordered his houseman at the time to drive the girls home. The employee was to drop off the girls at their house and watch them go inside their house.

[REDACTED] could not remember who the houseman was. She stated Epstein and his assistant Sarah would call her at her father's house to arrange for her to come and "work." She advised each time she returned to the house, Epstein would do the same thing. [REDACTED] stated it was a routine with Epstein. She would rub his feet and calves. He would then turn over and begin to touch her on her vagina area. The only difference was that it was done without panties. Epstein's fingers would stroke her vagina area as he would masturbate and finally climax and the massage would be over. She was paid \$200.00 each time she went. Each time she went she was reminded not to speak of what happened at the house and that she would be contacted again. She began to purposely miss the calls when either Sarah or Epstein would call her. She once brought a friend, [REDACTED] unknown last name, to work for Epstein. She was paid \$200.00 for bringing [REDACTED]. [REDACTED] stated she no longer returned to work for Epstein. She also stated that she wanted to notify the police of what happened at the house. [REDACTED] stated she was scared of what could have happened to her or her family if she notified authorities.

On January 10, 2006, I received the results from the subpoena from BellSouth Telecommunications for telephone number [REDACTED]. The number is assigned to Mr. [REDACTED], [REDACTED] father in [REDACTED]. I also received the results from Western Union which confirmed the money order sent to [REDACTED] from Jeffrey Epstein in New York City. The "wire" was sent by Jeffrey Epstein of 457 Madison Ave in New York City on December 23, 2004 at 12:05 pm. The amount of \$222.00 was charged to Epstein's credit card so that [REDACTED] could receive \$200.00 in [REDACTED]. The twenty-two dollars was for processing and local fees to send the money via Western Union. A copy of the check presented to [REDACTED] was also attached to the receipt of the wire. This confirmed what [REDACTED] advised she received as a Christmas bonus from Epstein.

Investigation continues.

\*\*\*\*\* N A R R A T I V E # 35 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 1/10/06  
Entered By.: ALTOMARO, NICKIE A. 1/10/06

I received and reviewed the Cingular Wireless results from the subpoena requests for subscriber information for telephone numbers 561-818-8361, 561-389-6874 and 561-309-0079. The first number, 561-818-8361, is assigned to Janusz Banasiak in care of Jeffrey Epstein of 457 Madison Ave in New York City. Banasiak is the current houseman/house manager for 358 El Brillo Way in Palm Beach, FL 33480. The second number, 561-389-6874, is assigned to Christina Venero of



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1685 61st Drive in West Palm Beach. Research conducted on Venero revealed she is a licensed Massage therapist with a Florida conditional/active license number MA39723. Venero had been previously arrested for battery / unwanted touching and DUI. Requests for copies of the reports involving the arrests were requested from the Palm Beach County Sheriff's Office. The last number 561-309-0079 is assigned to Thomas Rofrano of 9850 Alt A1A in Palm Beach Gardens. Research on Mr. Rofrano, revealed that he is a Florida Chiropractic Physician.

Vehicles that were previously documented on the property while surveillance was being conducted were researched. I determined a tan Chevrolet Camaro, bearing Florida license [REDACTED] was seen on the property in which a young white female was seen entering the Epstein property. Research was conducted which revealed that the vehicle is registered to [REDACTED] of [REDACTED]. Mr. [REDACTED] has two daughters, [REDACTED] and [REDACTED]. [REDACTED] is currently residing in Connecticut and [REDACTED] is residing with her father in [REDACTED]. Research on [REDACTED] revealed she was recently involved in a traffic stop in Lake Clarke Shores in May 19, 2005. A request to discover any information from the stop was requested.

I spoke with ASA Daliah Weiss who informed me that Janusz Banasiak will be available for an interview tomorrow at the State Attorney's Office in West Palm Beach at 1:30 pm. I informed her that I would be at her office for the interview.

\*\*\*\*\* N A R R A T I V E # 36 \*\*\*\*\*  
 Reported By: RECAREY, JOSEPH 1/23/06  
 Entered By.: ALTOMARO, NICKIE A. 1/23/06

On January 19, 2006, Det. Caristo and I met with Johanna Sjoberg at 622 Holly Drive in Palm Beach Gardens. Sjoberg was identified as a licensed massage therapist who had previously been seen on Epstein's property when physical surveillance was done. Sjoberg was told of the on going investigation and I felt she may have information pertaining to the case. During a sworn taped statement, Sjoberg stated she met Epstein three years ago when Ghaline Maxwell approached her while she was attending Palm Beach Atlantic College to work around Epstein's house. Maxwell had told her that they needed some girls to work at the house to answer phones and run errands. Sjoberg accepted the job and began working at Epstein's house on El Brillo in Palm Beach. Sjoberg stated it was a part time job during the time she went to Palm Beach Atlantic College. She continued going to Epstein's house and would be notified when Epstein would travel to Palm Beach. Sjoberg advised she would be notified by Maxwell, Epstein or Sarah, his assistant, when he would travel to Palm Beach. Sjoberg stated she began providing massages to Epstein before she became a massage therapist. She continued giving massages not only to Epstein but to Nadia Marcinkova, and Sarah, his assistant. Sjoberg was asked about what occurred during the massages. Sjoberg stated as she was twenty



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three years old when she met Epstein, anything that happened was between two consenting adults. I explained to her that she was not in any trouble however as part of this investigation, I needed to ask certain questions. Sjoberg stated that there were times that Epstein would ask her to perform during the massage. He would instruct her to rub his nipples as he masturbated himself. Sjoberg stated she felt "grossed" about the behavior but as she was getting paid, she just continued. Sjoberg also advised she would on occasion perform the massages naked. Epstein would on occasion, utilize the vibrator/massager on her vagina area when she performed the massages. Sjoberg explained that Epstein never exposed himself to her as he maintained himself covered under the towel he would be wearing. When Epstein would masturbate he would be covered.

I asked if Sjoberg ever received any gifts, or any gratuities from Epstein. Sjoberg advised aside from being paid well, she advised Epstein took care of her tuition from Palm Beach Atlantic College. She received a rental car for a week when her scooter broke down.

Additionally she received other gifts from Epstein. Epstein also recommended her to another client who resides at Breakers Row in Palm Beach. The client she was referred to was "Glenn" unknown last name, and his wife, who she provided a massages to. The statement was concluded and placed into evidence upon our return to the Palm Beach Police Department.

While at the police station, I researched Florida tag [REDACTED] which was also previously seen on the property when there was physical surveillance being done at the property. The vehicle is registered to [REDACTED] of [REDACTED]. Researching Mr. [REDACTED] and the vehicle revealed that his daughter, [REDACTED] had been driving the vehicle and was cited for unlawful speed in Lake Clark Shores. The vehicle is a tan, Chevrolet Camaro, 2-door. I researched [REDACTED], date of birth, [REDACTED], resides at [REDACTED] in [REDACTED]. [REDACTED] has a my space page called [www.myspace.com/\[REDACTED\]](http://www.myspace.com/[REDACTED]). In her web page, shows various photos of [REDACTED] photographed at a beach. An interview is forthcoming.

A review of the video disks which was extracted at the Palm Beach County Sheriff's Office Computer Crime Unit revealed that only one hidden camera was functional at the time. Several images of Epstein working at his office were seen. Additional footage of Sarah Kellen and Nadia Marcinkova was seen. There was other footage of females seen. The identity of the females is unknown at this time, until such time as I meet with certain females to show the video footage to confirm if, in fact, it is them on the video. At this time it appears that [REDACTED] and Haley Robson are seen sitting with Epstein beside his desk in the evening hours. Due to poor lighting, a direct confirmation cannot be made at this time.

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\*\*\*\*\* N A R R A T I V E # 37 \*\*\*\*\*

A Reported By: RE CAREY, JOSEPH 1/30/06  
Entered By.: ALTOMARO, NICKIE A. 1/30/06

On January 25, 2006, Det Caristo and I, responded to [REDACTED] in [REDACTED] and met with [REDACTED]. [REDACTED] stated last year, when she was seventeen years of age, she met Jeffrey Epstein through her former room mate [REDACTED]. [REDACTED] was allegedly dating Epstein at the time. [REDACTED] and [REDACTED] had once cohabitated together when they modeled. [REDACTED] explained [REDACTED] called her on her telephone and advised her that she was in Palm Beach and requested to see her. [REDACTED] made arrangements to meet with her at Epstein's house. [REDACTED] arrived and met Epstein and [REDACTED]. [REDACTED] and [REDACTED] went to the Palm Beach Mall together and went shopping. [REDACTED] advised that [REDACTED] and she had received money from Epstein to go to the mall. They visited Victoria's Secret and purchased undergarments from the store utilizing monies given by Epstein. [REDACTED] advised she purchased one item and [REDACTED] purchase various items. The money used to purchase the items was the money given by Epstein.

[REDACTED] and [REDACTED] continued shopping and having a day together. [REDACTED] stated [REDACTED] explained how she and Epstein have been dating each other and he has been paying all of her bills. [REDACTED] claimed [REDACTED] advised they met in New York and had been dating ever since. They later returned to Epstein's home and encountered Epstein. He had a brief conversation with [REDACTED] about her modeling career. He knew of her modeling career from [REDACTED]. He requested to see her modeling portfolio and explained that he could help her with modeling jobs. [REDACTED] had her book with her to show [REDACTED] and showed the book to Epstein. He commented negatively about her photographs and portfolio. [REDACTED] felt uncomfortable with the comments made as she had been working with other professional modeling companies who had offered her work from her photographs. Epstein requested to see what was purchased at the mall. [REDACTED] took out the undergarments which were purchased. She immediately showed Epstein different sets purchased. Epstein then requested to view what [REDACTED] purchased. [REDACTED] was reluctant to show the outfit however since it was Epstein's money that purchased the item, she pulled it out of the bag. Epstein asked her to try it on. [REDACTED] looked at [REDACTED] who told her "yeah, try it on." Feeling compelled to try the undergarment outfit on; she went to another room and put on the bra and panty set. She walked out to the living room where they were sitting, and modeled the suit. She then went back into the other room and changed back into her clothes. [REDACTED] returned into the room and told [REDACTED] she would be going home. [REDACTED] scheduled another day for [REDACTED] to return for massages with her.

[REDACTED] stated within that same week, she returned to meet with [REDACTED] and have a massage. [REDACTED] had told her that she would be unable to stay with her as she would be going on a bike ride with Epstein. [REDACTED] explained she could stay at the house and take advantage of the massage.



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██████████ stated she met with an unknown massage therapist and had the table already set up in a guest room. ██████████ removed her clothing, leaving her panties on, and wrapped herself with a towel for the massage. ██████████ remembered that the door to the guest room was closed but not locked. As the therapist was working her back, the door was opened by Epstein and entered into the room. ██████████ was trying to conceal herself as Epstein was talking to her about his chiropractic session. Epstein told ██████████ turn over onto her back. ██████████ eventually turned over exposing her breasts to Epstein as he applied pressure on her shoulder and her waist. ██████████ stated Epstein "popped" her back. ██████████ removed her self from the table, got dressed and left the house. ██████████ further stated ██████████ had attempted to call her on several occasions to invite her back to Epstein's house to which ██████████ replied "I'm busy." ██████████ advised she has not had contact with either ██████████ or Jeffrey Epstein. It should be noted that her mother, ██████████ was present during the interview. The interview was concluded and we thanked them her for their time.

\*\*\*\*\* N A R R A T I V E # 38 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 1/31/06  
Entered By: ALTOMARO, NICKIE A. 1/31/06

On January 27, 2006, I made telephone contact with Christina Venero, at 772-878-7280. Venero is a licensed massage therapist who had frequented the home of Jeffrey Epstein. Ms. Venero has been unable to meet with me in Palm Beach County, and because she lives and works in Port St Lucie, a telephone interview was conducted. I explained to Ms. Venero that there was an on going investigation involving Jeffrey Epstein.

Venero stated she knows Epstein and has been employed by him for approximately three years. Epstein has paid Venero to perform Swedish Massages (Deep Tissue) on him and other guests. Venero explained that approximately three year ago she met Ghislaine Maxwell and Jeffrey Epstein through a mutual friend. Epstein and Maxwell were looking for a massage therapist. Venero stated since that time, she is notified when Epstein is coming to Palm Beach. Venero stated she comes to his house and provides the massage or massages. Venero explained she has also massaged his guests and assistants. Venero continued that she is paid \$100.00 and hour for the massage.

I asked Venero if anything occurred during the massage that would have made her feel uncomfortable. Venero stated she only provided massages and that was it. She never was approached for anything else. I asked if Epstein ever asked her to rub his chest she stated she would not rub his chest as that is not part of her massage. Venero explained that she was not Epstein's type. The girls she would see at Epstein's house were very thin, beautiful and without tattoos. Venero explained she has several tattoos that are visible. Maxwell and Epstein have commented negatively about her tattoos previously when she has provided massages.



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Venero stated she only provided massages for Epstein and his associates and nothing happened during those massages. Venero stated as she does Swedish style massages, the patient is usually sore after the massages. I thanked her for her assistance and the interview was concluded at this time.

I received a facsimile from T-Mobile Cellular service on telephone number 561-317-5844, which is assigned to David Rodgers, pilot for Mr. Epstein, who resides in Lake Worth. Rodgers' telephone number was dialed on several occasions by Sarah Kellen. A background on Rodgers indicated he has a valid FAA pilot license First Class for the Southern FAA Region. Rodgers has another historical FAA license for Airline Transport Pilot.

Investigation Continues.

\*\*\*\*\* N A R R A T I V E # 39 \*\*\*\*\*

Reported By: RECAREY, JOSEPH

2/14/06

Entered By.: ALTOMARO, NICKIE A.

2/16/06

On Friday, February 3, 2006, I had made arrangements to meet with Joanna Harrison at the Palm Beach Police Station. At approximately 1:00pm, Harrison and her friend, Victoria Bean arrived at the police station. During an interview with Harrison, she stated she met Epstein when she turned eighteen years old and was brought to Epstein's house to provide a massage. She advised this occurred on May of 2005. She advised Haley Robson had informed her if she wanted to provide a massage for \$200.00. Harrison agreed and was brought to Epstein's house to provide a massage. Harrison stated she had been to the house on many occasions during the massage sessions. Harrison also stated she would remove her clothing to provide the massage on Epstein. Harrison advised Epstein would pay her \$300.00 to rub his back, legs and chest. During the massages, Epstein would masturbate himself as she rubbed his chest. I asked her if Epstein ever touched her breasts during the massages. Harrison replied. "Yes." I asked her if Epstein ever touched or massaged her vagina. Harrison stated he had on several occasions. I asked her if he ever penetrated her with either his penis or any other objects. Harrison stated that during a massage he inserted his fingers in her vagina as she massaged him. She stated this occurred one time only. Harrison stated the massage would be over when Epstein would climax onto a towel. I asked Harrison if she had any formal massage training to which she replied that she did not. Harrison was then asked if she ever brought anyone to the house to "work." Harrison stated she brought two people to the house. She advised she received money for bringing people to the house to "work." Harrison stated she brought a girl named [REDACTED] and her friend Tory Bean. Bean was still waiting for Harrison in the lobby of the police station. I thanked Harrison for her time and her cooperation and escorted her to the lobby.

I asked Ms Bean if I could speak with her about this investigation. I



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brought her to the interview room and explained to her that I was conducting an investigation on Jeffrey Epstein and felt she may have information pertaining to the investigation. Ms Bean identified herself as Victoria Bean and resides in Wellington, Florida. She advised approximately a year ago she was brought to Epstein's house to provide a massage for money. Bean stated she needed to make money and felt it was a quick way to make some money. Bean stated she was brought to the house by Harrison and was introduced to Epstein and his assistant. She was brought to his main bathroom and provided a massage. I asked her if she provided the massage naked. Bean stated she did. She rubbed Epstein's legs, back and chest. I asked Bean if Epstein touched her during the massage. She advised he did not, however he did masturbate himself as she rubbed his chest. Once he climaxed the massage was over. She was paid her money and left the area. Bean advised it occurred one time and she never returned to Epstein's house. The interview was concluded and Bean was escorted to the lobby.

I located a telephone number for [REDACTED] and attempted to contact her on several occasions. I called [REDACTED] and spoke with Ms. [REDACTED] who advised she would speak with me in [REDACTED] where she resides. Due to a scheduling conflict, we were unable to meet. I informed her I would contact her to schedule another appointment to speak with her about this investigation. I have attempted to meet with her and make telephone contact with negative results.

On February 13, 2006, I met with David Rodgers at 7318 Heathley Drive in Lake Worth. Rodgers was identified as Epstein's pilot. I spoke with Rodgers who advised he has been employed with Epstein since 1991. He flies both planes for Epstein depending where he wants to fly to.

Rodgers was asked about passengers in the plane he flies. Rodgers stated unless Epstein flew to his island off of St Thomas, there would be no way of knowing who the passengers were. I mentioned a recent flight to Ohio, where Rodgers flew to Ohio to pick up [REDACTED]. Rodgers stated he recalled flying on several occasions and did not remember [REDACTED]. Rodgers stated once he is in the cockpit, he does not know who the passengers are. When he prepares the passenger manifests, he lists Epstein and his assistants he knows by name, Sarah and Adrianna. Rodgers stated he would list either female or male passengers on the manifests only to keep a count on the passengers. Mrs. Rodgers came into the living room and recommended that her husband consult with an attorney. Mr. Rodgers agreed he would speak with the family attorney to inform him of this questioning. I explained to Mr. Rodgers that he was not the suspect in this investigation and ceased all questions. Based on the fact Rodgers could not advise who passengers were in the plane, I then left the area.

I attempted to locate [REDACTED] at [REDACTED] in [REDACTED]. I left my business card for her to return my call. On February 14, 2006, at 12:06 pm, I received a call back from Ms. [REDACTED].



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on my voice mail. Ms [REDACTED] left her telephone number for a return call 561-662-3098. I left her a message to return call.

Investigation Continues..

\*\*\*\*\* N A R R A T I V E # 40 \*\*\*\*\*

Reported By: RECAREY, JOSEPH

2/21/06

Entered By.: ALTOMARO, NICKIE A.

2/22/06

On February 15, 2006, I made telephone contact with [REDACTED] who provided directions to where I could locate her. Det Caristo and I responded to 806 Old Dixie Hwy in Lake Park to meet with [REDACTED]. Upon my arrival, I met with [REDACTED] in the parking lot directly behind MAACO Auto Painting. She was advised I was there to speak with her about an ongoing investigation that concerned Jeffrey Epstein in Palm Beach. [REDACTED] stated she knows Epstein very well and did not want to speak with me about Mr. Epstein. She was very fond of Epstein and did not want to speak with me about anything concerning Jeffrey Epstein. I explained to her that she was seen at the house and I would like to speak with her. She stated she knew there was an investigation and that I had spoken with other people and therefore I should know what happened at Epstein's house. [REDACTED] ended the conversation and walked back into her boyfriend's business, Blanton Automotive. Det Caristo and I left the area and returned to the police station.

Investigation continues.

\*\*\*\*\* N A R R A T I V E # 41 \*\*\*\*\*

Reported By: RECAREY, JOSEPH

4/10/06

Entered By.: ALTOMARO, NICKIE A.

4/10/06

A Grand Jury Session was requested during the month of February 2006, in which all the girls that had been interviewed would have been called to testify before the Grand Jury to seek an indictment against Jeffrey Epstein. Due to subsequent meetings with the State Attorney's Office and Defense Attorney Alan Dershowitz the Grand Jury was postponed until a later time. Dershowitz had provided a package of material on the main victims in this case in which they appear on Myspace.com and speak about alcohol use and some marijuana use. The State Attorney's Office wanted time to review the material.

I requested additional subpoenas from the State Attorney's Office in which I requested information from Dollar Rent a Car and Jet Aviation. The information requested from Dollar Rent a Car was for the rented vehicle by Alfredo Rodriguez while under the employ of Epstein for one of the victims. The other subpoena requested was for Jet Aviation for dates and times when Epstein's planes were in Palm Beach County.

I continued to research other names that were acquired either from interviews or intelligence gathered during the investigation. I



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located [REDACTED] in [REDACTED]. I responded to [REDACTED] in [REDACTED]. During the interview, [REDACTED] stated she knew I would be speaking with her. [REDACTED] stated she was first introduced to Epstein when she turned eighteen years old. [REDACTED] stated she was sure of her age as it was her senior year in [REDACTED]. She advised she was brought there to make money and was told she would have to provide a massage to this Palm Beach guy. She remembered she met Epstein and his assistant Sarah in the kitchen area. She stated she was taken by one of her friends, [REDACTED]. She stated she went upstairs with Sarah while Epstein got ready for the massage. He exited his bathroom naked and [REDACTED] turned around. Epstein asked her if being naked offended her. [REDACTED] stated it made her uncomfortable. Epstein then put on a towel and lay on the table. [REDACTED] stated she rubbed his back and feet. She stated she had no massage training or experience. [REDACTED] stated during the massage, Epstein attempted to touch her buttocks. [REDACTED] pulled away as he touched her buttocks. She told him again she was uncomfortable with him touching her. Epstein then cut the massage short and became upset with her. Epstein paid her \$200.00 for the massage and told her to leave the house. [REDACTED] never returned to the house. She did advise of one time she went with [REDACTED] however she waited in the car for [REDACTED] as she did not want to go into the house. At the conclusion of [REDACTED] visit with Epstein they left the area. [REDACTED] stated she had heard from other girls that have gone to the house that Epstein now required them to do the massage naked and allow him to touch them in their private areas for monies. The interview was concluded as [REDACTED] did not have any other information to provide.

I then learned from the original victim, [REDACTED] the defense attorney had learned of her identity. I spoke with the father of the victim, who stated there has been a private investigator on his house photographing his family and chasing visitors who come to the house. He provided a Florida License of E79-4EH. This vehicle is registered to Ivan Robles of West Palm Beach. Robles is a private investigator intern who is licensed by the state. I informed the State Attorney's Office of the above information.

I received the Grand Jury subpoenas to be delivered to three victims for a Grand Jury session to be held on April 18, through April 20, 2006.

Investigation continues.

\*\*\*\*\* N A R R A T I V E # 42 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 4/14/06  
Entered By.: ALTOMARO, NICKIE A. 4/18/06

The Grand Jury Subpoenas were personally served to the individuals they were issued to. On April 5, 2006, at approximately 7:30 p.m., I personally served the parents of [REDACTED] who had informed me that the private investigators were still photographing the family. On April



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10, 2006, at approximately 2:30 p.m., I served [REDACTED] at her residence in [REDACTED]. The subpoena was given to her mother, [REDACTED].

I learned through one of the victims [REDACTED] that she was personally contacted through a source that has maintained contact with Epstein. The source assured [REDACTED] she would receive monetary compensation for her assistance in not cooperating with law enforcement. [REDACTED] also stated she was told, "Those who help him will be compensated and those who hurt him will be dealt with." I told [REDACTED] that tampering with a witness/victim is an arrestable offense and very serious. I asked her who approached her during this encounter. [REDACTED] originally was reluctant to provide the name of the person who approached her to offer her not to testify because she felt they were still friends.

On April 11, 2006, Det Dawson and I traveled to Tallahassee, Florida and met with the victim, [REDACTED] identified [REDACTED] W/F, [REDACTED], as the person who approached her in Royal Palm Beach while she was home during Spring Break in March 2006. [REDACTED] also stated she did not want to pursue the intimidation charges on [REDACTED]. [REDACTED] was concerned that the defense attorney was given a copy of the report as certain things she had told me in confidence were repeated to her by Beal. Prior to our departure, the victim was given a copy of her subpoena for the Grand Jury which was scheduled to commence April 18, 2006.

Upon our return from Tallahassee, I notified the State Attorney's Office of what was told to me. I also notified them that the subpoenas were delivered to the witnesses and they would be calling for arrangements for the date and time needed for the Grand Jury. I spoke with ASA Weiss and informed her of the possible intimidation by the defense.

On April 13, and April 14, 2006 I attempted contact on several occasions with ASA Weiss and ASA Belohlavic to ascertain when the victims needed to report for Grand Jury testimony. Messages were left on their voicemail. On April 17, 2006, during the hours of 9:00 am and 11:30 am, I again left messages for ASA Weiss and ASA Belohlavic for either of them to return my call as I had not heard from the State Attorney's Office as to the time and date of the Grand Jury.

At approximately 12:30 pm, I went to the State Attorney's Office and located ASA Weiss and ASA Belohlavic in their offices. I entered ASA Belohlavic's office who informed me that she was going to return my call. She explained that an offer was made to the defense, Atty Guy Fronstin and Atty Alan Dershowitz. The offer is 1 count of Agg Assault with intent to commit a felony, five years probation, with adjudication withheld. Epstein would have to submit to psychiatric/sexual evaluation and no unsupervised visits with minors. When asked about the all the other victims, ASA Belohlavic stated that was the only offer made as to one victim, [REDACTED]. ASA Belohlavic cell phone rang and went to voice mail. She checked her voice mail and played the message on speaker. The caller identified himself as



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Atty Guy Fronstin and acknowledged the deal made between them. Fronstin stated in the message, he spoke with his client, Jeffrey Epstein, and agreed to the deal. Fronstin asked to call off the grand jury as they would accept this deal. Belohlavic stated a probable cause would be needed to book Epstein in the county jail and would let me know as to when it would be needed. I explained my disapproval of the deal and not being consulted prior to the deal being offered. However I expressed that was only my opinion and the final approval would come from the Chief of Police. She explained to have Chief Reiter call Barry Krisher about the deal. I left the area and returned to the police station where I briefed the Chief about the deal offered.

I checked my voice mail messages and discovered a message from [REDACTED] stepmother for the victim [REDACTED]. She was calling because the State Attorney's Office still had not returned any of her calls as to when they are needed for this case. I then called ASA Belohlavic's office and left messages for her to call the victims on this case and explained to them what the State Attorney's Office had done.

On April 17, 2006, at approximately 4:30 pm, State Attorney Investigator Tim Valentine called to officially notify me of the cancellation of the Grand Jury. He requested I contact the victims that had been served to appear, to notify them of the cancellation. I advised Valentine that as this Grand Jury session was called based on the State Attorney's Office decision to have the victims heard by the Grand Jury that I felt it was the States Attorney's Office responsibility to contact the victims and advise them of the reason they were no longer needed.

\*\*\*\*\* N A R R A T I V E # 43 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 5/04/06  
Entered By.: ALTOMARO, NICKIE A. 5/04/06

As I had not received any contact from anyone at the State Attorney's Office, on May 1, 2006, I prepared three arrest warrant requests and submitted them to the State Attorney's Office. The packages were delivered to the Crimes against Children Unit in care of ASA Lana Belohlavek. Jeffrey Epstein's arrest warrant was requested for 4 counts of Unlawful Sexual activity with certain minors and one count of Lewd and Lascivious Molestation. Sarah Kellen, Epstein's assistant's, arrest warrant request was for 4 counts of Principal in the 1st degree Unlawful Sexual activity with certain minors and one count of Principal in the 1st degree Lewd and Lascivious Molestation. Haley Robson's arrest warrant request was for Lewd and Lascivious Acts on a victim under 16 years of age. The receipt of delivery was signed and brought back to the records division at the police department.

On May 3, 2006, at approximately 2:54 pm, I received a telephone call from ASA Daliah Weiss on my cellular telephone. ASA Weiss advised she



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has been taken off the Jeffrey Epstein case because her husband is employed with Attorney Jack Goldberger. Attorney Goldberger is the attorney of record for Jeffrey Epstein. His previous attorney, Guy Fronstin, has been fired from representation. ASA Lana Belohlavek has been assigned the case. ASA Weiss stated she can no longer speak about the Epstein case with me. I thanked her for her telephone call. ASA Weiss further stated that ASA Belohlavek would be calling me.

\*\*\*\*\* N A R R A T I V E # 44 \*\*\*\*\*

Reported By: RE CAREY, JOSEPH 5/15/06  
Entered By.: ALTOMARO, NICKIE A. 5/15/06

On May 10, 2006, information was received that Epstein's associate, Leslie Wexner, The Limited Inc, CEO's, plane had arrived in West Palm Beach, PBIA. The plane, a Gulfstream 4 bearing a N900LS registration, was on the tarmac at Galaxy Aviation. As Epstein had recently acquired the services of a new attorney, and the fact that Epstein's house is currently under remodeling, it was believed that Epstein may be in Palm Beach. I conducted physical surveillance at the residence, 358 El Brillo Way. I observed a large construction crew conducting remodeling at the house. The contractor, David Norr, was observed driving a Ford Explorer, white in color. The vehicle has a Florida registration of F30QQF. Norr left Epstein's house and traveled north on County Road. Det Caristo and I conducted surveillance on Norr. Norr traveled to several construction sites and checked on certain jobs. Surveillance was discontinued on Norr and Det Caristo and I traveled to Galaxy Aviation. I observed the white plane with a blue stripe along the body and tail of the plane; the tail number was visible on the bottom of the tail, closer to the body of the plane. We maintained visual surveillance on the plane until 4:57 p.m., when a caravan of Cadillac Escalades drove onto the tarmac. We observed several people exit the vehicles and discovered that they were part of the executive team for Limited Inc. The executives were in Palm Beach County for an executive meeting for the day. They arrived in Palm Beach County on May 9, 2006 at 9:30 pm and were scheduled to leave on the 10th at 5:00 pm.

On May 12, 2006, I met with ASA Lana Belohlavek at the State Attorney's Office. She explained that her boss, Barry Krischer, was requesting this case be taken to the Grand Jury again. I explained to her I had requested arrest warrants for Jeffrey Epstein, Sarah Kellen, and Haley Robson. I asked that she either issue the warrants or direct file, as so much time has elapsed since the original request to the Grand Jury. I explained that the Palm Beach Police Department had concluded the case in December of 2005 and has been waiting for the case to go forward. Belohlavek stated the original offer was again offered to the new defense attorney. She was waiting for their answer by Friday May 19, 2006. She stated she would advise me of the answer.

\*\*\*\*\* N A R R A T I V E # 45 \*\*\*\*\*

Reported By: RE CAREY, JOSEPH 6/05/06



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Entered By.: ALTOMARO, NICKIE A.

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6/06/06

On May 22, 2006, I received several phone calls throughout the day from Mr. [REDACTED] who stated he had been followed aggressively by a private investigator. Mr. [REDACTED] stated that as he drove to and from work and running errands throughout the county, the same vehicle was behind him running other vehicles off the road in an attempt not to lose sight of Mr. [REDACTED] vehicle.

I explained to him as Mr. Epstein had retained new legal council it was possible it would be new private investigators following him to observe his daily activities. I also explained to him that there was a meeting scheduled with ASA Lana Belohlavek and Attorney Jack Goldberger at Mr. Krischer's office scheduled on June 1, 2006 at 9:00 am. I attempted to call ASA Lana Belohlavek to inform her of the private investigators following Mr. [REDACTED] however; she was on her vacation during the week of May 22 through May 30 2006.

On May 23, 2006, I received other phone calls from Mr. and Mrs. [REDACTED] who advised they were able to acquire the private investigators license plate information. The subject following them was again driving very aggressively and caused Mrs. [REDACTED] to run off the road. Mrs. [REDACTED] stated the vehicle is a green Chevy Monte Carlo bearing Florida tag I35-XGA. The vehicle is registered to Zachary Bechard of Jupiter Florida. Bechard is employed with Candor Investigations from Jupiter, Florida. Bechard is a licensed Private Investigator in the State of Florida.

Since the discovery of the threat made against one of the victims in this case [REDACTED], I requested subpoenas for all calls made to and received from [REDACTED] during the month of March 2006 for her cell phone and home phone. I had confirmed with Florida State University the exact dates of Spring Break for 2006. The Spring Break was from March 4, 2006 through March 12, 2006. I received a subpoena from Sprint/Nextel with all calls made during the month of March 2006. I reviewed the 989 calls made and received during the month of March 2006. I observed on March 7, 2006, [REDACTED] made and received thirty five calls during that day.

Date	Time	Seconds	In/Out	To/From
7-Mar-06	11:03 AM	492	Outbound	561XXXX
7-Mar-06	11:16 AM	6	Inbound	561XXXX
7-Mar-06	11:22 AM	887.2	Inbound	561XXXX
7-Mar-06	11:37 AM	48	Outbound	9178553363
7-Mar-06	11:39 AM	28.2	Inbound	2125356831
7-Mar-06	12:02 PM	727.2	Inbound	2125356831

The table reflects the date of the calls, time of day (EST), duration



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of call in seconds, inbound or outbound calls and calls made to or from [REDACTED] phone. On March 7, 2006, at 11:03 am, [REDACTED] made a call to the victim [REDACTED] which lasted 492 seconds (8 minutes and 2 seconds). The victim then returned the call at 11:16 am which lasted 6 seconds. The victim then made contact with [REDACTED] at 11:22 am for 877.2 seconds (14 minutes and 6 seconds). These sequences of calls were consistent with what the victim had described to me on the date of the intimidation. Immediately after speaking with the victim, [REDACTED] makes a call to Sarah Kellen, Epstein's assistant, which lasts for forty-eight seconds. A call is then immediately received, a telephone number registered to a Corporation affiliated with Jeffrey Epstein located at 457 Madison Ave in New York. An extensive computer check revealed 457 Madison Ave is a business address in which Epstein has his corporations assigned to. Epstein had corporation attorney, Darren Indyke, register the businesses and register himself as an agent. I also observed Epstein has his El Zorro Ranch Corporation, New York Strategy Group, Ghislaine Corporation, J Epstein and Company and the Financial Strategy Group registered to this same address. Finally, a third call is received by [REDACTED] at 12:02 pm from the same corporate number which lasts 12 minutes and 1 second. It should be noted that there is no further contact with either the victim during the month of March or April of 2006. I also noted that there was no further contact with Sarah Kellen or Jeffrey Epstein during the remainder of the month of March or April 2006.

On June 1, 2006, ASA Lana Belohlavek telephoned me to inform me of the meeting that occurred with Atty. Jack Goldberger and her reference this case. She advised she would make her determination on whether to file on this case or not by Monday June 5, 2006.

Inv Continues.

\*\*\*\*\* N A R R A T I V E # 46 \*\*\*\*\*  
Reported By: RECAREY, JOSEPH 7/12/06  
Entered By.: ALTOMARO, NICKIE A. 7/12/06

On June 29, 2006, I had spoken to ASA Lana Belohlavic who informed me that the case would be sent to the Grand Jury for charges. She informed me that the grand jury would convene on July 19, 2006 to hear the Epstein case. Belohlavic stated State Attorney Barry Krisher made the determination to go the Grand Jury to hear the case.

On July 12, 2006, I spoke with Mrs. [REDACTED] mother of the victim, [REDACTED] who inquired about the status of the case. I explained to her that I was told we would be going to the Grand Jury during the week of July 19, 2006. She stated she had not been contacted as of yet by the State Attorney's Office for any information. I provided her with the telephone numbers to the State Attorney's Office.

Investigation continues...

\* \* \* \* \* END OF REPORT \* \* \* \* \*



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\*\*\*\*\* N A R R A T I V E # 47 \*\*\*\*\*

NA Reported By: RE CAREY, JOSEPH 8/03/06

Entered By.: ALTOMARO, NICKIE A. 8/03/06

On July 18, 2006, I received a Grand Jury letter to appear before the Grand Jury on July 19, 2006, reference the Jeffrey Epstein case. On July 19, 2006, I responded to the Grand Jury Room and testified before the grand jury. At the conclusion, ASA Belohlavec stated the grand jury returned with a true bill for Felony Solicitation of Prostitution.

On July 25, 2006, Epstein turned himself into the county jail and was released on a \$3,000 bond. Epstein is to return for arraignment on August 25, 2006 at 8:45 am.

ATT POLICE CLERKS: Please show this case cleared by arrest with the arrest of Jeffrey Epstein W/M 01-20-1953.

\*\* End of Report \*\*

# EXHIBIT 1

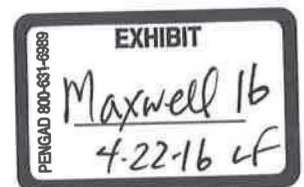
**From:** jeffrey E. <jeevacation@gmail.com>  
**Sent:** Monday, January 12, 2015 10:03 AM  
**To:** Gmax

you can issue a reward to any of virginias friends acquaints family that come forward and help prove her allegations are false the strongest is the clinton dinner, and the new version in the virgin isalnds that stven hawking partica-ted in an underage orgy

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**From:** Ross Gow <ross@acuityreputation.com>  
**Sent:** Tuesday, February 24, 2015 3:36 AM  
**To:** G Max; Philip Barden  
**Subject:** VR cried rape - prior case dismissed as prosecutors found her 'not credible'

Ghislaine

Some helpful leakage...

In today's Daily Mail print edition and on web

[www.dailymail.co.uk/news/article-2965360/Prince-Andrew-s-sex-slave-accused-two-teens-rape-three-years-joined-Jeffrey-Epstein-s-harem.html](http://www.dailymail.co.uk/news/article-2965360/Prince-Andrew-s-sex-slave-accused-two-teens-rape-three-years-joined-Jeffrey-Epstein-s-harem.html)

and

[www.nydailynews.com/news/world/sex-slave-prince-andrew-accused-2-men-rape-1998-article-1.2125569](http://www.nydailynews.com/news/world/sex-slave-prince-andrew-accused-2-men-rape-1998-article-1.2125569)

Mom told a detective "about her daughter's past drug abuse and also how many kids in Royal Palm Beach are involved in drugs, witchcraft and animal sacrifice," according to a confidential report by the Palm Beach County Sheriff's Office.

best

Ross

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# EXHIBIT 2

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
1	2/12/2015 6:14	Virginia Giuffre	smccawley@bsfllp.com		Email chain with Giuffre, Edwards and Cassell re attorney impressions and legal advice relating to deposition testimony	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
2	2/16/2015 1:05	StanPottinger@aol.com	Smccawley@BSFLLP.com,brad@pathtojustice.com,robiejennag@y7mail.com		Discussion of evidence among client and attorneys	AC Privilege and Work Product/joint defense/common interest	Withheld	2	msg
3	2/16/2015 15:37	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley, Pottinger and Edwards re information provided by client to assist in legal advice	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
4	2/16/2015 16:15	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley, Pottinger and Edwards re information provided by client to assist in legal advice	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
5	2/16/2015 16:24	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley, Pottinger and Edwards re information provided by client to assist in legal advice	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
6	2/16/2015 16:24	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley, Pottinger and Edwards re information provided by client to assist in legal advice	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
7	2/21/2015 16:45	Sigrid McCawley	StanPottinger@aol.com,brad@pathtojustice.com,cassellp@law.utah.edu,robiejennag@y7mail.com	Smccawley@BSFLLP.com	Discussion of evidence among client and attorneys	AC Privilege and Work Product/joint defense/common interest	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016



Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
8	2/21/2015 16:58	Virginia Giuffre	Smccawley@BSFLLP.com		Discussion of evidence among client and attorney	AC Privilege and Work Product/joint defense/common interest	Withheld	2	msg
9	2/21/2015 17:05	Brad Edwards	Smccawley@BSFLLP.com	StanPottinger@aol.com,cassellp@law.utah.edu,robiejennag@y7mail.com	Discussion of evidence among client and attorneys	AC Privilege and Work Product/joint defense/common interest	Withheld	2	msg
10	2/21/2015 17:10	Sigrid McCawley	robiejennag@y7mail.com		Discussion of evidence among client and attorney	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
11	2/21/2015 17:16	Virginia Giuffre	Smccawley@BSFLLP.com		Discussion of evidence among client and attorneys	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
12	2/23/2015 14:21	Sigrid McCawley	robiejennag@y7mail.com	StanPottinger@aol.com,brad@pathjustice.com,cassellp@law.utah.edu	Discussion of thoughts and impressions of attorneys	AC Privilege and Work Product/joint defense/common interest	Withheld	1	msg
13	2/23/2015 14:29	StanPottinger@aol.com	Smccawley@BSFLLP.com,robiejennag@y7mail.com	brad@pathjustice.com,cassellp@law.utah.edu	Discussion of thoughts and impressions of attorneys	AC Privilege and Work Product/joint defense/common interest	Withheld	1	msg
14	2/23/2015 16:01	Virginia Giuffre	Smccawley@BSFLLP.com	StanPottinger@aol.com,brad@pathjustice.com,cassellp@law.utah.edu	Discussion of thoughts and impressions of attorneys	AC Privilege and Work Product/joint defense/common interest	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
15	2/24/2015 17:51	Sigrid McCawley	robiejennag@y7mail.com		Email chain with McCawley, Giuffre, and Paralegals re seeking information to assist in legal advice, with attachment	AC Privilege and Work Product/joint defense/commo n interest	Withheld	4	msg
16					Attached case research	AC Privilege and Work Product/joint defense/commo n interest	Withheld	14	rtf
17	2/26/2015 12:59	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley and legal assistant re legal document, with attachment	AC Privilege and Work Product/joint defense/commo n interest	Withheld	1	msg
18					Attached draft legal document	AC Privilege and Work Product/joint defense/commo n interest	Withheld	1	jfif
19	2/28/2015 17:47	Virginia Giuffre	Smccawley@BSFLLP.com		Email with Giuffre, McCawley, Edwards and Henderson re discussion of draft statement	AC Privilege and Work Product/joint defense/commo n interest	Withheld	3	msg
20	3/13/2015 17:29	Stan Pottinger	robiejennag@y7mail.com	Smccawley@BSFLLP.com,brad@pa thtojustice.com	Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
21	3/13/2015 17:49	Virginia Giuffre	stanpottinger@aol.com		Email chain with Giuffre, Edwards, McCawley and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
22	3/13/2015 17:56	StanPottinger@aol.com	robiejennag@y7mail.com	Smccawley@BSFLLP.com,brad@pathtojustice.com	Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
23	3/13/2015 18:00	Brad Edwards	StanPottinger@aol.com,robiejennag@y7mail.com	Smccawley@BSFLLP.com	Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
24	3/13/2015 18:24	Virginia Giuffre	brad@pathtojustice.com		Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	4	msg
25	3/13/2015 18:25	Virginia Giuffre	StanPottinger@aol.com		Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
26	3/13/2015 21:53	Virginia Giuffre	brad@pathtojustice.com	Smccawley@BSFLLP.com,StanPottinger@aol.com	Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	4	msg
27	3/13/2015 23:38	Brad Edwards	robiejennag@y7mail.com		Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	4	msg
28	3/13/2015 23:40	Virginia Giuffre	brad@pathtojustice.com		Email chain with Giuffre, Edwards, McCawley, Henderson and Pottinger re legal advice on media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	4	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
29	3/17/2015 15:20	Virginia Giuffre	Smccawley@BSFLLP.com,brad@pathtojustice.com,stanpottinger@aol.com		Providing information to assist in legal advice re potential legal action, with attachments	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
30	3/17/2015 18:40	Stan	Smccawley@BSFLLP.com,brad@pathtojustice.com,robiejennag@y7mail.com		Email chain with Giuffre, Edwards, Pottinger and McCawley re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
31	3/17/2015 19:42	Virginia Giuffre	stanpottinger@aol.com		Email chain with Giuffre, Edwards, Pottinger and McCawley re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
32	3/20/2015 15:43	Sigrid McCawley	brad@pathtojustice.com,robiejennag@y7mail.com,stanpottinger@aol.com	aortiz@BSFLLP.com,brittany@pathtojustice.com	Email chain with Giuffre, Edwards, Henderson, Pottinger, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
33	3/20/2015 15:57	Sigrid McCawley	robiejennag@y7mail.com		Providing legal advice re potential deposition	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
34	3/24/2015 21:19	Sigrid McCawley	robiejennag@y7mail.com	aortiz@BSFLLP.com	Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
35	3/24/2015 21:21	Virginia Giuffre	Smccawley@BSFLLP.com	aortiz@BSFLLP.com	Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
36	3/24/2015 21:36	Andres Ortiz	Smccawley@BSFLLP.com,robiejennag@y7mail.com		Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
37	3/24/2015 22:21	Virginia Giuffre	aortiz@BSFLLP.com		Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	3	msg
38	3/26/2015 2:00	Sigrid McCawley	robiejennag@y7mail.com	Smccawley@BSFLLP.com,StanPottinger@aol.com,brad@pathtojustice.com,brittany@pathtojustice.com,perez@BSFLLP.com	Email chain with Giuffre, Edwards, Henderson, Pottinger, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
39	3/26/2015 2:21	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
40	3/26/2015 2:22	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
41	3/26/2015 3:00	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
42	4/1/2015 21:32	Virginia Giuffre	Smccawley@BSFLLP.com		Giuffre conveying information sought by attorney to assist in legal advice with attachments	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
43	4/2/2015 7:01	Brittany Henderson	robiejennag@y7mail.com	eperez@BSFLLP.com	Providing draft legal document for client review, with attachment	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
44					Attached Draft legal document	AC Privilege and Work Product/joint defense/common interest	Withheld	15	pdf
45	4/3/2015 15:32	Brittany Henderson	robiejennag@y7mail.com	brad@pathtojustice.com,eperez@BSFLLP.com	Email chain with Giuffre, Henderson, Edwards and legal assistant re legal document, with attachment	AC Privilege and Work Product/joint defense/common interest	Withheld	2	msg
46					Attached draft legal document	AC Privilege and Work Product/joint defense/common interest		15	pdf

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016



Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
47	4/8/2015 20:34	Virginia Giuffre	Smccawley@BSFLLP.com		Seeking legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
48	4/9/2015 3:23	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re advice re legal filings, with attachments	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
49	4/9/2015 7:16	Sigrid McCawley	StanPottinger@aol.com,brad@pathtojustice.com,robiejennag@y7mail.com	brittany@pathtojustice.com,sperkins@BSFLLP.com	Email chain with Giuffre, Edwards, Henderson, McCawley and BSF staff re legal advice re media issues	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
50	4/9/2015 9:26	Brad Edwards	Smccawley@BSFLLP.com	robiejennag@y7mail.com	Email chain with Giuffre, Edwards, and McCawley re legal advice re media issues	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
51	4/9/2015 9:33	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre and McCawley re legal advice re media issues	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
52	4/9/2015 12:46	Sigrid McCawley	robiejennag@y7mail.com		Conveying legal advice re draft legal documents to client, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
53					Conveying legal advice re draft legal documents to client, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	14	docx
54					Conveying legal advice re draft legal documents to client, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	12	docx
55					Conveying legal advice re draft legal documents to client, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	2	docx
56	4/10/2015 14:59	Sigrid McCawley	robiejennag@y7mail.com	StanPottinger@aol.com,brad@pathtojustice.com	Providing legal advice re media issues	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
57	4/10/2015 15:37	Virginia Giuffre	Smccawley@BSFLLP.com		Regarding legal advice re media issues	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
58	4/10/2015 17:31	Sigrid McCawley	robiejennag@y7mail.com	StanPottinger@aol.com,brad@pathtojustice.com,brittany@pathtojustice.com,eperez@BSFLLP.com	Email chain with Giuffre, McCawley, Henderson, Edwards, Pottinger and legal assistant re legal documents, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	2	msg
59					Attached draft legal document	AC Privilege and Work Product/joint defense/common interest	Withheld	3	pdf

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
60					Attached draft legal document	AC Privilege and Work Product/joint defense/common interest	Withheld	21	pdf
61	4/10/2015 17:40	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley and BSF staff regarding legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
62	4/10/2015 19:10	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley and BSF staff regarding legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
63	4/10/2015 19:28	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley and BSF staff regarding legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
64	4/10/2015 19:33	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley and BSF staff regarding legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
65	4/10/2015 20:03	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley and BSF staff regarding legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
66	4/10/2015 20:04	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley and BSF staff regarding legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
67	4/10/2015 20:04	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley and BSF staff regarding legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
68	4/10/2015 23:46	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley legal assistant re seeking and providing information sought by attorney to assist in providing legal advice, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
69	4/13/2015 13:52	Sigrid McCawley	robiejennag@y7mail.com	StanPottinger@aol.com,brad@pathtojustice.com	Email chain with Giuffre, Pottinger, Edwards and McCawley re legal advice regarding potential public statements	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
70	4/13/2015 13:56	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, Pottinger, Edwards and McCawley re legal advice regarding media issues	AC Privilege and Work Product/joint defense/common interest	Withheld	3	msg
71	4/14/2015 23:38	Brad Edwards	Smccawley@BSFLLP.com,brittany@pathjustice.com,robiejennag@y7mail.com,stanpottinger@aol.com		Providing legal advice related to VRS	Attorney Client/joint defense/common interest/work product	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
72	4/16/2015 11:14	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re legal advice regarding media issues	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
73	4/16/2015 11:47	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre and McCawley re legal advice regarding media issues	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
74	4/24/2015 19:22	Sigrid McCawley	robiejennag@y7mail.com		Providing legal advice re records retention, with attachments	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
75					Attached letter providing legal advice re document retention	Attorney Client/joint defense/common interest/work product	Withheld	2	pdf
76	4/24/2015 19:59	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re legal advice regarding potential deposition	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
77	4/27/2015 21:20	Brad Edwards	robiejennag@y7mail.com	Smccawley@BSFLLP.com	Seeking information to assist in providing legal advice	Attorney Client/joint defense/common interest/work product	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
78	4/30/2015 6:42	Brittany Henderson	eperez@BSFLLP.com	Smccawley@BSFLLP.com,brad@pathtojustice.com,robiejennag@y7mail.com	Legal documents provided to assist in providing legal advice	AC Privilege and Work Product/joint defense/commo n interest	Withheld	1	msg
79	4/30/2015 7:02	Brittany Henderson	robiejennag@y7mail.com		Email chain with Giuffre, Henderson and paralegal re seeking and providing information to assist in providing legal advice	Attorney Client/joint defense/commo n interest/work product	Withheld	2	msg
80	4/30/2015 7:05	Virginia Giuffre	brittany@pathtojustice.com		Email chain with Giuffre, Henderson, Edwards, McCawley and legal assistant re seeking information to assist in providing legal advice	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
81	5/4/2015 20:04	Virginia Giuffre	brittany@pathtojustice.com		Email chain with Giuffre, Henderson, Edwards, McCawley and legal assistant re seeking information to assist in providing legal advice, with attachment	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
82	5/11/2015 18:20	Sigrid McCawley	robiejennag@y7mail.com	Smccawley@BSFLLP.com	Email chain with McCawley, Giuffre, Edwards, Pottinger, Henderson and Paralegal re seeking and providing information to assist in legal advice, with attachments	AC Privilege and Work Product/joint defense/commo n interest	Withheld	1	msg
83	5/11/2015 18:34	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley, Edwards, Pottinger and Paralegal re seeking information to assist in providing legal advice re potential litigation	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
84	5/11/2015 18:40	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre and McCawley re case research, with attachment	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016



Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
85	5/11/2015 18:45	Sigrid McCawley	brad@pathtojustice.com,robiejennag@y7mail.com		Providing and seeking information to assist in legal advice re potential legal action, with attachment	AC Privilege and Work Product/joint defense/common interest	Withheld	1	msg
86	5/11/2015 18:47	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re seeking information to assist in providing legal advice re potential litigation	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
87	5/11/2015 18:56	Virginia Giuffre	brad@pathtojustice.com		Email chain with Giuffre, McCawley, Edwards, Pottinger and Paralegal re seeking information to assist in providing legal advice re potential litigation	AC Privilege and Work Product/joint defense/common interest	Withheld	2	msg
88	5/17/2015 22:37	Sigrid McCawley	robiejennag@y7mail.com		Providing litigation documents to client, with attachments	Attorney Client/joint defense/common interest/work product	Withheld	3	msg
89					Attached draft legal agreement	AC Privilege and Work Product/joint defense/common interest	Withheld	10	pdf
90	5/17/2015 22:40	Sigrid McCawley	robiejennag@y7mail.com		Providing legal advice re legal agreement, with attachment	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
91	5/18/2015 18:40	Virginia Giuffre	Smccawley@BSFLLP.com		Discussion of confidential agreement, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
92					Attached confidential agreement page	Attorney Client/joint defense/common interest/work product	Withheld	1	jfif
93					Attached confidential agreement page	Attorney Client/joint defense/common interest/work product	Withheld	1	jfif
94	6/5/2015 19:16	Sigrid McCawley	robiejennag@y7mail.com		Conveying attorney mental impression regarding hearing	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
95	6/6/2015 17:20	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re attorney mental impression regarding hearing	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
96	6/25/2015 2:26	Sigrid McCawley	robiejennag@y7mail.com		Providing advice re status and strategy of ongoing legal matters	Attorney Client/joint defense/common interest/work product	Withheld	6	msg
97	7/17/2015 14:19	Sigrid McCawley	robiejennag@y7mail.com	eperez@BSFLLP.com	Discussion with S. McCawley regarding file related to representation by B. Josefsberg	Attorney Client/joint defense/common interest/work product	Withheld	4	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
98	7/27/2015 21:53	Virginia Giuffre	Smccawley@BSFLLP.com		Providing information to assist in legal advice re potential litigation	Attorney Client/joint defense/commo n interest/work product	Withheld	1	msg
99	7/29/2015 19:45	Sigrid McCawley	robiejennag@y7mail.com	StanPottinger@aol.com	Conveying legal advice on media issues	Attorney Client/joint defense/commo n interest/work product	Withheld	1	msg
100	8/5/2015 19:51	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley and paralegals re information sought to assist in providing legal advice	AC Privilege and Work Product/joint defense/commo n interest	Withheld	1	msg
101	8/6/2015 2:14	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley, legal intern and paralegal re seeking information to assist in providing legal advice re potential litigation	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
102	8/6/2015 2:45	Sigrid McCawley	robiejennag@y7mail.com	brad@pathtojustice.com	Email chain with Giuffre, McCawley, legal intern, Edwards and paralegal re seeking information to assist in providing legal advice re potential litigation	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
103	8/6/2015 2:55	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley, legal intern and paralegal re seeking information to assist in providing legal advice re potential litigation	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
104	8/6/2015 3:48	Sigrid McCawley	robiejennag@y7mail.com	Smccawley@BSFLLP.com,brad@pa thtojustice.com	Email chain with McCawley, Giuffre, and Paralegals re seeking information to assist in legal advice, with attachments	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
105	8/6/2015 3:51	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley, legal intern and paralegal re seeking information to assist in providing legal advice re potential litigation	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
106	9/1/2015 18:54	Sigrid McCawley	robiejennag@y7mail.com	brad@pathtojustice.com,brittany@pathtojustice.com	Providing and seeking information to assist in legal advice re potential legal action, with attachment	AC Privilege and Work Product/joint defense/commo n interest	Withheld	2	msg
107	9/7/2015 18:24	Virginia Giuffre	brad@pathtojustice.com,smccawley@bsfllp.com,stanpottinger@aol.com		Providing information sought by attorneys to provide legal advice, with attachment	Attorney Client/joint defense/commo n interest/work product	Withheld	1	msg
108					Attached Information sought by attorneys to provide legal advice	AC Privilege and Work Product/joint defense/commo n interest	Withheld	4	docx
109	9/7/2015 18:58	Sigrid McCawley	brad@pathtojustice.com,robiejennag@y7mail.com,stanpottinger@aol.com		Email chain with Giuffre, Edwards, Pottinger and McCawley re collection of information to assist in providing legal advice re potential litigation	Attorney Client/joint defense/commo n interest/work product	Withheld	1	msg
110	9/15/2015 21:58	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re draft legal document relating to litigation	Attorney Client/joint defense/commo n interest/work product	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
111	9/15/2015 22:04	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre and McCawley re draft legal document relating to litigation	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
112	9/15/2015 22:07	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re draft legal document relating to litigation	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
113	9/20/2015 12:15	Sigrid McCawley	robiejennag@y7mail.com	brad@pathtojustice.com	Conveying information about potential legal action.	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
114	9/20/2015 14:47	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re potential legal action.	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
115	9/20/2015 19:16	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re potential legal action.	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
116	9/20/2015 19:29	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre and McCawley re potential legal action.	Attorney Client/joint defense/common interest/work product	Withheld	2	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
117	9/20/2015 19:30	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re potential legal action.	Attorney Client/joint defense/common interest/work product	Withheld	2	msg
118	9/21/2015 14:48	Sigrid McCawley	robiejennag@y7mail.com		Communication re initiation of lawsuit, with attachments	AC Privilege and Work Product/joint defense/common interest	Withheld	1	msg
119					Attached draft legal document relating to litigation	AC Privilege and Work Product/joint defense/common interest	Withheld	12	pdf
120					Attached draft legal document relating to litigation	Attorney Client/joint defense/common interest/work product	Withheld	2	pdf
121					Attached draft legal document relating to litigation	Attorney Client/joint defense/common interest/work product	Withheld	2	pdf
122					Attached draft legal document relating to litigation	Attorney Client/joint defense/common interest/work product	Withheld	3	pdf

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016



Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
123	9/21/2015 14:51	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre and McCawley re potential legal action.	Attorney Client/joint defense/common interest/work product	Withheld	1	msg
125	Emails, letters, and other communications from 2011 - Present	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson (and other), Sigrid McCawley, Meredith Schultz, David Boies, Jack Scarola, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice and representation	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson, Sigrid McCawley, Meredith Schultz, David Boies, Jack Scarola, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice and representation		Plaintiff has objected that Defendant's requests are overly broad and unduly burdensome, as individually logging all privileged responsive documents would be overly burdensome. Plaintiff contends that requests targeting such privileged information are not reasonably calculated to lead to the discovery of admissible evidence, are not important to resolving the issues, are not relevant to any party's claim or defense, are not proportional to the needs of the case, and creates a heavy burden on Plaintiff that outweighs its benefit. Therefore, Plaintiff has employed categorical logging pursuant to Local Civil Rule 26.2(c). Correspondence re: Jane Doe #1 and Jane Doe #2 v. United States ("CVRA case"), Case no. 08-80736-CIV-Marra, pending in the Southern District of Florida. Documents withheld pursuant to the privileges asserted included communications from Ms. Giuffre to the attorneys listed seeking legal advice related to the CVRA case, communications from the attorneys to Ms. Giuffre giving legal advice or giving attorney mental impressions related to the CVRA case, communications sending or attaching attorney work product related to the CVRA case, and/or communications sending or attaching client revisions to attorney work product related to the CVRA case, and communications re evidence.	AC Privilege and Work Product/joint defense/common interest	Withheld	Approx. 1.3K docs overlapping with other cases	

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
126	Emails, letters, and other communications from 9/21/15 - Present	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson, Sigrid McCawley, Meredith Schultz, David Boies, Stephen Zach, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice and representation	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson, Sigrid McCawley, Meredith Schultz, David Boies, Stephen Zach, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice and		Plaintiff has objected that Defendant's requests are overly broad and unduly burdensome, as individually logging all privileged responsive documents would be overly burdensome. Plaintiff contends that requests targeting such privileged information are not reasonably calculated to lead to the discovery of admissible evidence, are not important to resolving the issues, are not relevant to any party's claim or defense, are not proportional to the needs of the case, and creates a heavy burden on Plaintiff that outweighs its benefit. Therefore, Plaintiff has employed categorical logging pursuant to Local Civil Rule 26.2(c). Correspondence re: Giuffre v. Maxwell ("Maxwell case"), 15-cv-07433-RWS, pending in the Southern District of New York, since the date of filing, September 21, 2015. Documents withheld pursuant to the privileges asserted included communications from Ms. Giuffre to the attorneys listed seeking legal advice related to the Maxwell case, communications from the attorneys to Ms. Giuffre giving legal advice or giving attorney mental impressions related to the Maxwell case, communications sending or attaching attorney work product related to the Maxwell case, and/or communications sending or attaching client revisions to attorney work product related to the Maxwell case, and communications re evidence.	AC Privilege and Work Product/joint defense/commo n interest	Withheld	Approx. 1.3K docs overlapping with other cases	

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
127	Emails, letters, and other communications from January 2015 - Present	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson, Sigrid McCawley, Meredith Schultz, David Boies, Stephen Zach, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice and representation	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson, Sigrid McCawley, Meredith Schultz, David Boies, Stephen Zach, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice and		Plaintiff has objected that Defendant's requests are overly broad and unduly burdensome, as individually logging all privileged responsive documents would be overly burdensome. Plaintiff contends that requests targeting such privileged information are not reasonably calculated to lead to the discovery of admissible evidence, are not important to resolving the issues, are not relevant to any party's claim or defense, are not proportional to the needs of the case, and creates a heavy burden on Plaintiff that outweighs its benefit. Therefore, Plaintiff has employed categorical logging pursuant to Local Civil Rule 26.2(c). Correspondence re: <i>Bradley Edwards and Paul Cassell v. Alan Dershowitz</i> ("Dershowitz case"), Case no. 15-000072, pending in the Seventeenth Judicial Circuit, Broward County, Florida. Documents withheld pursuant to the privileges asserted included communications from Ms. Giuffre to the attorneys listed seeking legal advice related to the Dershowitz case, communications from the attorneys to Ms. Giuffre giving legal advice or giving attorney mental impressions related to the Dershowitz case, communications sending or attaching attorney work product related to the Dershowitz case, and/or communications sending or attaching client revisions to attorney work product related to the Dershowitz case, and communications re evidence.	AC Privilege and Work Product/joint defense/commo n interest	Withheld	Approx. 1.3K docs overlapping with other cases	

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
128	Emails, letters, and other communications from 2009 - Present	Virginia Giuffre, Bob Josefsberg, Katherine W. Ezell, Amy Ederi, other Podhurst attorneys, Legal Assistants, and Professionals retained by attorneys to aid in the rendition of legal advice	Virginia Giuffre, Bob Josefsberg, Katherine W. Ezell, Amy Ederi, other Podhurst attorneys, Legal Assistants, and Professionals retained by attorneys to aid in the rendition of legal advice		Plaintiff has objected that Defendant's requests are overly broad and unduly burdensome, as individually logging all privileged responsive documents would be overly burdensome. Plaintiff contends that requests targeting such privileged information are not reasonably calculated to lead to the discovery of admissible evidence, are not important to resolving the issues, are not relevant to any party's claim or defense, are not proportional to the needs of the case, and creates a heavy burden on Plaintiff that outweighs its benefit. Therefore, Plaintiff has employed categorical logging pursuant to Local Civil Rule 26.2(c). Correspondence re: <i>Jane Doe No. 102 v. Jeffrey Epstein</i> ("Epstein case"), Case No. 09-80656-CIV-Marra/Johnson (Southern District of Florida). Documents withheld pursuant to the privileges asserted included communications from Ms. Giuffre to the attorneys listed seeking legal advice related to the Epstein case, communications from the attorneys to Ms. Giuffre giving legal advice or giving attorney mental impressions related to the Epstein case, communications sending or attaching attorney work product related to the Epstein case, and/or communications sending or attaching client revisions to attorney work product related to the Epstein case, and communications re evidence.	AC Privilege and Work Product/joint defense/common interest	Withheld	Approx. 1.3K docs overlapping with other cases	
129	6/10/2015	Virginia Giuffre	robiejennag@y7mail.com		Email chain with Giuffre and McCawley seeking information to assist with attorney advice.	Attorney Client	Withheld	2	msg
130					Letter from Virginia Giuffre to David Boies conveying requested information to assist in providing legal advice.	AC Privilege and Work Product	Withheld	26	pdf
131	4/30/2015	Brittany Henderson	eperez@BSFLLP.com	Smccawley@BSFLLP.com,brad@pa thtojustice.com,robiejennag@y7m ail.com	Communication re VRS registrations	AC Privilege and Work Product	Withheld	1	msg
132	4/29/2015	Andres Ortiz	bh699@nova.edu	Smccawley@BSFLLP.com,brad@pa thtojustice.com,garvin@lclark.edu, robiejennag@y7mail.com	Email chain with McCawley, Edwards, Garvin, Henderson, Giuffre and BSF staff re legal advice re VRS communications.	AC Privilege and Work Product	Withheld	1	msg
133	4/29/2015	brittany henderson	aortiz@BSFLLP.com	Smccawley@BSFLLP.com,brad@pa thtojustice.com,garvin@lclark.edu, robiejennag@y7mail.com	Communication re legal advice re VRS communications.	AC Privilege and Work Product	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
134	4/17/2015	Paul Cassell	brad@pathtojustice.com	Smccawley@BSFLLP.com,brittany@pathtojustice.com,eperez@BSFLLP.com,robiejennag@y7mail.com	Email chain with Cassell, McCawley, Edwards, Garvin, Beloof, Henderson, Giuffre and BSF staff re legal advice re VRS registrations.	AC Privilege and Work Product	Withheld	5	msg
135	4/17/2015	Sigrid McCawley	brad@pathtojustice.com,cassell@law.utah.edu	brittany@pathtojustice.com,eperez@BSFLLP.com,robiejennag@y7mail.com	Email chain with Cassell, McCawley, Edwards, Garvin, Beloof, Henderson, Giuffre and BSF staff re legal advice re VRS registrations.	AC Privilege and Work Product	Withheld	4	msg
136	4/17/2015	Brad Edwards	cassell@law.utah.edu	Smccawley@BSFLLP.com,brittany@pathtojustice.com,eperez@BSFLLP.com,robiejennag@y7mail.com	Email chain with Cassell, McCawley, Edwards, Garvin, Beloof, Henderson, Giuffre and BSF staff re legal advice re VRS registrations.	AC Privilege and Work Product	Withheld	4	msg
137	2/26/2015	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre and McCawley re non-testifying expert.	Attorney Client	Withheld	1	msg
138	2/26/2015	Sigrid McCawley	robiejennag@y7mail.com		Communication re non-testifying expert.	Attorney Client	Withheld	1	msg
139	2/11/2016	Sigrid McCawley	robiejennag@y7mail.com		Email chain with Giuffre, McCawley, Edwards, Pottinger and BSF staff re media communications.	Attorney Client	Redacted	3	msg
140	2/11/2016	Sigrid McCawley	StanPottinger@aol.com,robiejennag@y7mail.com	Lcarlsen@BSFLLP.com,brad@pathtojustice.com	Email chain with Giuffre, McCawley, Edwards, Pottinger and BSF staff re media communications.	Attorney Client	Redacted	3	msg
141	2/11/2016	StanPottinger@aol.com	robiejennag@y7mail.com	Lcarlsen@BSFLLP.com,Smccawley@BSFLLP.com,brad@pathtojustice.com	Email chain with Giuffre, McCawley, Edwards, Pottinger and BSF staff re media communications.	Attorney Client	Redacted	3	msg
142	2/9/2016	StanPottinger@aol.com	robiejennag@y7mail.com		Email chain with Giuffre and Pottinger re media communications.	Attorney Client	Redacted	2	msg
143					Letter from Virginia Giuffre to David Boies conveying requested information to assist in providing legal advice.	AC Privilege and Work Product	Withheld	26	pdf
144					Letter from Virginia Giuffre to David Boies conveying requested information to assist in providing legal advice.	AC Privilege and Work Product	Withheld	23	docx
145	6/10/2015	Virginia Giuffre	robiejennag@y7mail.com		Email chain with Giuffre and McCawley re ongoing litigation.	Attorney Client	Withheld	2	msg
146	4/29/2015	Virginia Giuffre	aortiz@BSFLLP.com	Smccawley@BSFLLP.com,bh699@nova.edu,brad@pathtojustice.com,garvin@lclark.edu	Email chain with Henderson, McCawley, Edwards, Garvin and BSF staff re VRS communications.	Attorney Client	Withheld	2	msg
147	4/10/2015	Virginia Giuffre	rebecca.boylan@yahoo.com		Email chain with Boylan, Giuffre, McCawley, and BSF staff re legal advice re VRS registrations.	Attorney Client	Withheld	2	msg
148	2/26/2015	Virginia Giuffre	Smccawley@BSFLLP.com		Email confirming legal advice re non-testifying expert.	Attorney Client	Withheld	1	msg

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016

Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
149	2/11/2015	Virginia Giuffre	StanPottinger@aol.com		Email chain with Giuffre and Pottinger re media communications	Attorney Client	Redacted	3	msg
150	2/11/2015	Virginia Giuffre	Smccawley@BSFLLP.com		Email chain with Giuffre, McCawley, Pottinger and BSF staff re media communications.	Attorney Client	Redacted	3	msg
151	1/13/2015	Virginia Giuffre	StanPottinger@aol.com		Email chain with Pottinger and Giuffre re anticipated litigation.	AC Privilege and Work Product	Withheld	1	msg
152	Emails, letters, and other communications from January 2015 - Present	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson, Sigrid McCawley, Meredith Schultz, David Boies, Stephen Zach, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice	Virginia Giuffre, Brad Edwards, Paul Cassell, Brittany Henderson, Sigrid McCawley, Meredith Schultz, David Boies, Stephen Zach, Stan Pottinger, Ellen Brockman, Legal Assistants, Professionals retained by attorneys to aid in the rendition of legal advice		Plaintiff has objected that Defendant's requests are overly broad and unduly burdensome, as individually logging all privileged responsive documents would be overly burdensome. Plaintiff contends that requests targeting such privileged information are not reasonably calculated to lead to the discovery of admissible evidence, are not important to resolving the issues, are not relevant to any party's claim or defense, are not proportional to the needs of the case, and creates a heavy burden on Plaintiff that outweighs its benefit. Therefore, Plaintiff has employed categorical logging pursuant to Local Civil Rule 26.2(c). This categorical entry is regarding correspondence re potential legal action against entities and individuals. Documents withheld pursuant to the privileges asserted included communications from Ms. Giuffre to the attorneys listed seeking legal advice related to potential law suits, communications from the attorneys to Ms. Giuffre giving legal advice or giving attorney mental impressions related to the law suits, communications sending or attaching attorney work product related to potential lawsuits, and/or communications sending or attaching client revisions to attorney work product related to potential lawsuits, and communications re evidence.	AC Privilege and Work Product/joint defense/common interest	Withheld	Approx. 1.3K overlapping with other cases	

Plaintiff Virginia Giuffre's Revised Supplemental Privilege Log dated May 27, 2016



Log ID	Email Sent Date	Email From	Email To	CC Address	Subject Matter	Type of Privilege	Privilege Action	Page Count	Doc Type
153	Email and letter communications	The law enforcement entity, Virginia Giuffre, David Boies, Stan Pottinger, Sigrid McCawley, Paul Cassell, Brad Edwards	The law enforcement entity, Virginia Giuffre, David Boies, Stan Pottinger, Sigrid McCawley, Paul Cassell, Brad Edwards		Plaintiff has objected that Defendant's requests are overly broad and unduly burdensome, as individually logging all privileged responsive documents would be overly burdensome. Plaintiff contends that requests targeting such privileged information are not reasonably calculated to lead to the discovery of admissible evidence, are not important to resolving the issues, are not relevant to any party's claim or defense, are not proportional to the needs of the case, and creates a heavy burden on Plaintiff that outweighs its benefit. Therefore, Plaintiff has employed categorical logging pursuant to Local Civil Rule 26.2(c). This categorical entry is regarding correspondence re the currently ongoing criminal investigation of Defendant and others.	Public Interest	Withheld	approx. 57 documents	

# EXHIBIT 3

United States District Court  
For The Southern District of New York

*Giuffre v. Maxwell*  
15-cv-07433-RWS

Ghislaine Maxwell's Privilege Log Amended as of May 16, 2016

\*\*\*Per Local Rule 26.2, the following privileges are asserted pursuant to British law, Colorado law and NY law.

Log ID	DATE	DOC. TYPE	BATES #	FROM	TO	CC	RELATIONSHIP OF PARTIES	SUBJECT MATTER	PRIVILEGE
1.	2011.03.15	E-Mails	1000-1013	Ghislaine Maxwell	Brett Jaffe, Esq.		Attorney / Client	Communication re: legal advice	Attorney-Client
2.	2011.03.15	E-Mails	1014-1019	Brett Jaffe, Esq.	Ghislaine Maxwell		Attorney / Client	Communication re: legal advice	Attorney-Client
3.	2015.01.02	E-Mails	1020-1026	Ross Gow	Ghislaine Maxwell		Attorney Agent / Client	Communication re: legal advice	Attorney-Client
4.	2015.01.02	E-Mail	1024-1026	Ghislaine Maxwell	Ross Gow		Attorney Agent / Client	Communication re: legal advice	Attorney-Client
5.	2015.01.02	E-Mail	1027-1028	Ross Gow	Ghislaine Maxwell	Brian Basham	Attorney Agent / Client	Communication re: legal advice	Attorney-Client
6.	2015.01.06	E-Mail	1029	Ghislaine Maxwell	Jeffrey Epstein		Common Interest	Communication re: legal advice	Common Interest
7.	2015.01.06	E-Mail	1030-1043	Ghislaine Maxwell	Jeffrey Epstein, Alan Dershowitz, Esq.		Attorney / Client	Communication re: legal advice	Common Interest
8.	2015.01.10	E-Mail	1044	Ghislaine Maxwell	Philip Barden, Esq., Ross Gow		Attorney / Client	Communication re: legal advice	Attorney-Client
9.	2015.01.10	E-Mail	1045-1051	Ghislaine Maxwell	Philip Barden, Esq.		Client / Attorney	Communication re: legal advice	Attorney-Client
10.	2015.01.09 2015.01.10	E-Mails	1052-1055	Ross Gow	Philip Barden, Esq.	G. Maxwell	Agent / Attorney / Client	Communication re: legal advice	Attorney-Client
11.	2015.01.11	E-Mail	1055-1058	Ghislaine Maxwell	Jeffrey Epstein		Common Interest	Communication re: legal advice	Common Interest
12.	2015.01.11	E-Mail	1055-1058	Philip Barden, Esq.	Ross Gow	G. Maxwell	Attorney / Agent / Client	Communication re: legal advice	Attorney-Client
13.	2015.01.11	E-Mail	1056-1058	Philip Barden, Esq.	Ghislaine Maxwell	Ross Gow	Attorney / Agent / Client	Communication re: legal advice	Attorney-Client

14.	2015.01.11 – 2015.01.17	E-Mails	1059-1083	Jeffrey Epstein	Ghislaine Maxwell		Common Interest	Communication re: legal advice	Common Interest Privilege
15.	2015.01.13	E-Mail	1067-1073	Ghislaine Maxwell	Jeffrey Epstein		Common Interest	Communication re: legal advice	Common Interest Privilege
16.	2015.01.13	E-Mail	1069-1073, 1076-1079	Philip Barden, Esq.	Martin Weinberg, Esq.		Common Interest	Communication re: legal advice	Common Interest Privilege
17.	2015.01.13	E-Mails	1068-1069, 1074-1076	Philip Barden, Esq.	Ghislaine Maxwell	Mark Cohen	Attorney / Client	Communication re: legal advice	Attorney-Client
18.	2015.01.21	E-Mail	1088-1090	Ross Gow	Philip Barden, Esq., Ghislaine Maxwell		Agent / Attorney / Client	Communication re: legal advice	Attorney-Client
19.	2015.01.21 - 2015.01.27	E-Mails	1084-1098	Jeffrey Epstein	Ghislaine Maxwell		Common Interest	Communication re: legal advice	Common Interest Privilege
20.	2015.01.21-2015.01.27	E-Mails	1099	Ghislaine Maxwell	Jeffrey Epstein		Common Interest	Communication re: legal advice	Common Interest Privilege
21.	2015.04.22	E-mail	7 pages	Jeffrey Epstein	Ghislaine Maxwell		Common Interest	Forwarding message from Martin Weinberg, labeled “Attorney-Client Privilege” with attachment	Common Interest Privilege
22.	Various	E-mails		Agent of Haddon, Morgan & Foreman; Laura Menninger	Agent of Haddon, Morgan & Foreman; Laura Menninger		Agent of attorney and Attorney	Attorney work product	Attorney Work Product
23.	Various	E-mails		Mary Borja; Laura Menninger	Mary Borja; Laura Menninger		Attorney Work Product	Attorney work product	Attorney Work Product
24.	2015.10.21 – 2015.10.22	E-mail chain with attachment		Darren Indyke; Laura Menninger	Darren Indyke; Laura Menninger		Attorneys for parties to Common Interest Agreement	Common Interest Agreement	Attorney Work Product; Common Interest Privilege

# Exhibit 6

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
VIRGINIA L. GIUFFRE,  
  
Plaintiff,  
v.  
GHISLAINE MAXWELL,  
  
Defendant.  
-----X

15-cv-07433-RWS

**DEFENDANT GHISLAINE MAXWELL'S RESPONSES AND OBJECTIONS TO  
PLAINTIFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

Defendant Ghislaine Maxwell, by and through her undersigned counsel, hereby responds to Plaintiff's Second Request for Production of Documents (the "Requests").

**PRELIMINARY STATEMENT AND GENERAL OBJECTIONS**

1. This response is made to the best of Ms. Maxwell's present knowledge, information and belief. Ms. Maxwell, through her attorneys of record, have not completed the investigation of the facts relating to this case, have not completed discovery in this action, and have not completed preparation for trial. Ms. Maxwell's responses to Plaintiff's requests are based on information currently known to her and are given without waiving Ms. Maxwell's right to use evidence of any subsequently discovered or identified facts, documents or communications. Ms. Maxwell reserves the right to supplement this Response in accordance with Fed. R. Civ. P. 26(e).

2. Ms. Maxwell objects to the Requests to the extent they attempt to impose any requirement or discovery obligation greater than or different from those under the Federal Rules of Civil Procedure, the local rules of this Court or any Orders of the Court.

3. Ms. Maxwell objects to the Requests to the extent they seek documents or information protected by the attorney/client privilege, the work-product doctrine, Rule 408 of the Federal Rules of Evidence, any common interest privilege, joint defense agreement or any other applicable privilege.

4. Ms. Maxwell objects to the Requests to the extent they seek documents or information outside of Ms. Maxwell's possession, custody or control.



5. Ms. Maxwell objects to the Requests to the extent they seek information which is not relevant to the subject matter of the litigation and/or is not reasonably calculated to lead to the discovery of admissible evidence.

6. Ms. Maxwell objects to the Requests to the extent they are overly broad, unduly burdensome and/or propounded for the improper purpose of annoying, embarrassing, or harassing Ms. Maxwell.

7. Ms. Maxwell objects to the Requests to the extent they are vague and ambiguous, or imprecise.

8. Ms. Maxwell objects to the Requests to the extent they seek information that is confidential and implicates Ms. Maxwell's privacy interests.

9. Ms. Maxwell incorporates by reference every general objection set forth above into each specific response set forth below. A specific response may repeat a general objection for emphasis or for some other reason. The failure to include any general objection in any specific response does not waive any general objection to that request.

10. The Requests seek information that is confidential and implicates Ms. Maxwell's privacy interests. To the extent such information is relevant and discoverable in this action, Ms. Maxwell will produce such materials subject to an appropriate protective order pursuant to Fed. R. Civ. P. 26(c) limiting their dissemination to the attorneys and their employees.

### **OBJECTIONS TO DEFINITIONS**

11. Ms. Maxwell objects to Definition No. 1 regarding "Agent" to the extent that it purports to extend the meaning beyond those permissible by law.

12. Ms. Maxwell objects to Definition No. 3 regarding "Defendant." The Definition is overly broad and unduly burdensome to the extent it attempts to extend the scope of the Requests to documents in the possession, custody or control of individuals other than Ms. Maxwell or her counsel.

13. Ms. Maxwell objects to Definition No. 5 regarding "Employee." Ms. Maxwell is an individual, sued in an individual capacity, and therefore there is no "past or present officer, director, agent or servant" of hers. Additionally, "attorneys" and "paralegals" are not "employees" of Ms. Maxwell given that she herself is not an attorney and therefore cannot "employ" attorneys.

14. Ms. Maxwell objects to Definition No. 10 regarding "You" or "Your." The Definition is overly broad and unduly burdensome to the extent it attempts to extend the scope of the Requests to documents in the possession, custody or control of individuals other than Ms. Maxwell or her counsel.

### **OBJECTIONS TO INSTRUCTIONS**

15. Ms. Maxwell objects to Instruction No. 1, in particular the definition of the “Relevant Period” to include July 1999 to the present, on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. The Complaint at paragraph 9 purports to describe events pertaining to Plaintiff and Defendant occurring in the years 1999 – 2002. The Complaint also references statements attributed to Ms. Maxwell occurring in January 2015. Defining the “Relevant Period” as “July 1999 to the present” is vastly overbroad, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and as to certain of the Requests, is intended for the improper purpose of annoying or harassing Ms. Maxwell and it implicates her privacy rights. Thus, Ms. Maxwell interprets the Relevant Period to be limited to 1999-2002 and December 30, 2014 - January 31, 2015, except to the extent that any the answers “relate to any activity of defendant with respect to the practice which has been alleged and the duties alleged to be performed by Defendant, ‘activities’ being defined as sexual abuse or trafficking of any female,” in which case her answers reflect the period 2000-today. Ms. Maxwell specifically objects to production of any documents outside that period, except as specifically noted.

16. Ms. Maxwell objects to Instruction No. 3 on the grounds that it is unduly burdensome and is intended for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell cannot possibly recall the specific disposition of documents, particularly electronic documents, dating back over 16 years. However, Ms. Maxwell, prior to this litigation has long had a practice of deleting emails after they have been read.

17. Ms. Maxwell objects to Instruction Nos. 5, 8, 9, 12, 17 to the extent they seek to impose obligations to supply explanations for the presence or absence of such documents, to specifically identify persons or documents, to provide information concerning who prepared documents, the location of any copies of such documents, the identities and contact information for persons who have custody or control of such documents, the reasons for inability to produce portions of documents, and the “natural person in whose possession they were found,” beyond the requirements of Rule 34. This Instruction improperly seeks to propound Interrogatories pursuant to Rule 33.

18. Ms. Maxwell objects to Instructions No. 13 on the grounds that it is unduly burdensome and is intended for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell cannot possibly recall the specific circumstances upon which a document dating back 16 years has ceased to exist.

19. Ms. Maxwell objects to Instruction No. 15 to the extent that it calls for documents or information protected by the attorney/client privilege, the work-product doctrine, or any other applicable privilege.

20. Ms. Maxwell objects to Instruction Nos. 18 & 19 to the extent they require information on any privilege log above and beyond the requirements of Local Civil Rule 26.2.

**SPECIFIC OBJECTIONS AND RESPONSES TO PLAINTIFF'S SECOND REQUESTS  
FOR PRODUCTION OF DOCUMENTS**

**DOCUMENT REQUEST NO. 1**

Produce all documents that Your attorneys reviewed and/or relied upon in the March 21, 2016, meet and confer discussion when Mr. Pagliuca stated that (1) Plaintiff made false allegations concerning her sexual assault; (2) she made them in roughly the same time frame that Plaintiff was abused by Jeffrey Epstein; (3) that the allegations were made against a number of individuals in the area; and (4) that the allegations were found to be unfounded by local police.

**RESPONSE:** Ms. Maxwell has no knowledge of any statements made by Mr. Pagliuca during the March 21, 2016 meet and confer and hence has no documents responsive to this Request. Further, this Request inaccurately characterizes the statements of Ms. Maxwell's counsel during the March 16, 2016 meet and confer.

Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege.

Ms. Maxwell also objects to this Request to the extent it calls for information relating to Virginia Roberts Giuffre that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Subject to and without waiver of the foregoing, Defendant refers to the public documents and news reports regarding Plaintiff's allegations of sexual abuse and investigation of the same, which have been previously produced, are available in the public domain, or referenced in court papers. Defendant also refers Plaintiff to documents within the possession, custody and control of Plaintiff and her counsel, including without limitation Mr. Bradley Edwards, which were requested in Defendant's First Set of Discovery Requests, but were not produced despite certification of Plaintiff and Plaintiff's counsel that such Responses were truthful and complete.

Without waiver of any such objections, Ms. Maxwell has made available documents related to some of Ms. Giuffre's false allegations of sexual assaults in her Second Supplemental Fed. R. Civ. P. 26(a)(1)(A) disclosures.

**DOCUMENT REQUEST NO. 2**

Produce all documents concerning how any such police report, or how any such recounting, retelling, summary, or description of any such police report (as referenced in Interrogatory No. 1), came into Your possession. This request includes, but is not limited to, all documents concerning how, when, and by whom such reports (or descriptions of reports) were obtained from a minor child's sealed juvenile records and files.

**RESPONSE:** Ms. Maxwell objects to this Request in that there is no "Interrogatory No. 1" to which the Request corresponds. She further objects to the Request in that it improperly seeks to propound an Interrogatory in the form of a Request for Production of Documents and is

a contention Interrogatory barred according to Plaintiff's interpretation of the Local Rules. The Request embeds a number of assumptions that are not true and for which Plaintiff supplies no basis for assertion of their veracity.

Ms. Maxwell likewise objects to this Request because it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege.

Finally, Ms. Maxwell also objects to this Request to the extent it calls for information relating to Virginia Roberts Giuffre that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Defendant refers to the public documents and news reports regarding Plaintiff's allegations of sexual abuse and investigation of the same, which have been previously produced, are available in the public domain, or referenced in court papers. Defendant also refers Plaintiff to documents within the possession, custody and control of Plaintiff and her counsel, including without limitation Mr. Bradley Edwards, which were requested in Defendant's First Set of Discovery Requests, but were not produced despite certification of Plaintiff and Plaintiff's counsel that such Responses were truthful and complete.

Without waiver of any such objections, Ms. Maxwell has made available documents related to some of Ms. Giuffre's false allegations of sexual assaults in her Second Supplemental Fed. R. Civ. P. 26(a)(1)(A) disclosures. Ms. Maxwell is withholding documents responsive to this request on the basis of the attorney-client and work product privileges.

### **DOCUMENT REQUEST NO. 3**

Produce all documents concerning how information or knowledge of the local police's findings or opinions concerning Ms. Giuffre's allegations of sexual assault as a minor child came into Your possession, including but not limited to documents concerning any statements made by law enforcement or any state attorney, written or oral, concerning such allegations.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege.

Ms. Maxwell also objects to this Request to the extent it calls for information relating to Virginia Roberts Giuffre that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Subject to and without waiver of the foregoing, Defendant refers to the public documents and news reports regarding Plaintiff's allegations of sexual abuse and investigation of the same, which have been previously produced, are available in the public domain, or referenced in court papers. Defendant also refers Plaintiff to documents within the possession, custody and control of Plaintiff and her counsel, including without limitation Mr. Bradley Edwards, which were requested in Defendant's First Set of Discovery Requests, but were not produced despite certification of Plaintiff and Plaintiff's counsel that such Responses were truthful and complete.

Without waiver of any such objections, Ms. Maxwell has made available documents related to some of Ms. Giuffre's false allegations of sexual assaults in her Second Supplemental Fed. R. Civ. P. 26(a)(1)(A) disclosures. Ms. Maxwell is withholding documents responsive to this request on the basis of the attorney-client and work product privileges.

**DOCUMENT REQUEST NO. 4**

Produce all documents concerning any investigations, internal or otherwise, by any law enforcement or governmental agency, regarding the illegal disclosure, illegal purchase, and/or theft of sealed juvenile police records concerning Plaintiff.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Ms. Maxwell also objects to this Request to the extent it calls information relating to Virginia Roberts Giuffre that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Defendant objects to this request to the extent that it characterizes the gathering of public information as "illegal."

Subject to and without waiver of the foregoing, Defendant has been unable to locate any documents responsive to this Request.

**DOCUMENT REQUEST NO. 5**

Produce all documents concerning any rape, sexual assault, sexual intercourse, or other sexual encounter involving Plaintiff. This Request includes, but is not limited to, (1) any documents concerning any sexual assault of Plaintiff while a minor; (2) any police reports, or documents concerning any police reports, that were created concerning such claims of sexual assault; and (3) documents concerning any communications received by You (or Your agents or attorneys) by other individuals that reference any sexual assault of Plaintiff while a minor.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege.

Ms. Maxwell also objects to this Request to the extent it calls for information relating to Virginia Roberts Giuffre that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Subject to and without waiver of the foregoing, Defendant refers to the public documents and news reports regarding Plaintiff's false allegations of sexual abuse and investigation of the same, which have been previously produced, are available in the public domain, or referenced in court papers. Defendant also refers Plaintiff to documents within the possession, custody and control of Plaintiff and her counsel, including without limitation Mr. Bradley Edwards, which were requested in Defendant's First Set of Discovery Requests, but were not produced despite certification of Plaintiff and Plaintiff's counsel that such Responses were truthful and complete.

Defendant objects to the characterization of Plaintiff's documented false claims of sexual contact as "rape" or "sexual assault."

Without waiver of any such objections, Ms. Maxwell has made available documents related to some of Ms. Giuffre's false allegations of sexual assault in her Second Supplemental Fed. R. Civ. P. 26(a)(1)(A) disclosures.

**DOCUMENT REQUEST NO. 6**

Produce any Joint Defense Agreement entered into between You and Jeffrey Epstein from 1999 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Defendant is withholding production of any such agreement on the basis of such privileges.

**DOCUMENT REQUEST NO. 7**

Produce any documents concerning any Joint Defense Agreement entered into between You and Jeffrey Epstein from 1999 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Defendant is withholding documents on the basis of such privileges.

**DOCUMENT REQUEST NO. 8**

Produce any documents concerning any of Your, or Your attorneys or agent's, communications with Jeffrey Epstein's attorneys or agents from 1999 to the present relating to the issue of sexual abuse of females, or any documents concerning any of Your, Your attorneys or agent's, communications with Jeffrey Epstein's attorneys or agents from 1999 to the present relating to the recruitment of any female under the age of 18 for any purpose, including socializing or performing any type of work or services.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is cumulative and duplicative. Ms. Maxwell has already produced documents related to her communications with Jeffrey Epstein in response to Plaintiff's First Requests for Production of Documents, all of which document her denial that she did "recruit[] any female under the age of 18 for any purpose."

Ms. Maxwell also objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Subject to and without waiver of the foregoing, Defendant has been unable to locate any additional documents responsive to this Request.



**DOCUMENT REQUEST NO. 9**

Produce any Joint Defense Agreement entered into between You and Alan Dershowitz from 1999 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Subject to and without waiver of the foregoing, Defendant has been unable to locate any documents responsive to this Request.

**DOCUMENT REQUEST NO. 10**

Produce any documents concerning any Joint Defense Agreement entered into between You and Alan Dershowitz from 1999 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Subject to and without waiver of the foregoing, Defendant has been unable to locate any documents responsive to this Request.

**DOCUMENT REQUEST NO. 11**

Produce any documents concerning any of Your attorneys' or agents' communications with Alan Dershowitz's attorneys or agents from 1999 to the present

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Defendant is withholding communications between Mr. Dershowitz's counsel and Defendant's counsel which contain work product and concern joint defense or common interest matters.

**DOCUMENT REQUEST NO. 12**

Produce all documents concerning Virginia Giuffre (a/k/a Virginia Roberts), whether or not they reference her by name. This request includes, but is not limited to, all communications, diaries, journals, calendars, blog posts (whether published or not), notes (handwritten or not), memoranda, mobile phone agreements, wire transfer receipts, or any other document that concerns Plaintiff in any way, whether or not they reference her by name.

**RESPONSE:** Ms. Maxwell objects to this Request as overly broad, unduly burdensome and interposed for improper purposes. Response to this Request would literally entail defense counsel reviewing for privilege every single document in their possession related to this case.

Ms. Maxwell further objects to this Request on the grounds that it is cumulative and duplicative. Ms. Maxwell further objects to this request as exceeding the scope of this Court's March 17, 2016 Order. Ms. Maxwell also objects to this Request to the extent it calls for information relating to Virginia Roberts Giuffre that exists within the public domain, the internet

or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Subject to the foregoing objections, Ms. Maxwell and her counsel are not going to review every document in their possession for any additional documents responsive to this Request.

#### **DOCUMENT REQUEST NO. 13**

Produce all contracts, including but not limited to indemnification agreements and employment agreements, between You and Jeffrey Epstein, or any entity associated with Jeffrey Epstein, from 1999 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is cumulative and duplicative and is overly broad. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Subject to and without waiver of the foregoing, Defendant has been unable to locate any such documents.

#### **DOCUMENT REQUEST NO. 14**

Produce all documents concerning any contracts, including but not limited to indemnification agreements and employment agreements, between You and Jeffrey Epstein, or any entity associated with Jeffrey Epstein, from 1999 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is cumulative and duplicative and is overly broad. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Subject to and without waiver of the foregoing, Defendant has been unable to locate any such documents.

#### **DOCUMENT REQUEST NO. 15**

Produce all documents concerning the identity or identities of the individual(s) or entities paying Your legal fees concerning the above-captioned action, and all documents concerning the identity or identities of the individual(s) or entities paying Ross Gow, or any entities associated with Ross Gow, for any work he performed on Your behalf.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it seeks multiple categories of documents within a single request for production. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege. Ms. Maxwell is producing her engagement letter with her counsel in this action. Defendant has been unable to locate any additional documents responsive to this Request.

**DOCUMENT REQUEST NO. 16**

Produce all documents concerning any action or lawsuit brought against You from 1999 to the present, including, but not limited to, actions or lawsuits brought in foreign jurisdictions.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is over-broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, or any other applicable privilege. Subject to and without waiving the above objections, Ms. Maxwell has been unable to locate any documents responsive to this Request.

**DOCUMENT REQUEST NO. 17**

Produce all documents concerning any statement made by You or on Your behalf to the press or any other group or individual, including draft statements, concerning Ms. Giuffre, by You, Ross Gow, or any other individual, from 2005 to the present, including the dates of any publications, and if published online, the Uniform Resource Identifier (URL) address.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is cumulative and duplicative. Ms. Maxwell also objects to this Request to the extent it calls for information that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, or any other applicable privilege. Ms. Maxwell is not producing documents that are available in the public domain. Ms. Maxwell has been unable to locate any additional documents responsive to this Request.

**DOCUMENT REQUEST NO. 18**

Produce all documents concerning which individuals or entities You or Your agents distributed or sent any statements concerning Ms. Giuffre referenced in Request No. 18 made by You or on Your behalf.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is cumulative and duplicative. Ms. Maxwell also objects to this Request to the extent it calls for information that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, or any other applicable privilege. Ms. Maxwell is not producing documents that are available in the public domain. Ms. Maxwell has been unable to locate any additional documents responsive to this Request.

**DOCUMENT REQUEST NO. 19** Produce all documents concerning any alleged illegal activity involving Plaintiff from the Relevant Period. This request includes, but is not limited to, any documents concerning the Roadhouse Grill in Florida.

**RESPONSE:** Ms. Maxwell objects to this Request as vague and confusing. Ms. Maxwell is unaware of all illegal activities in which Plaintiff may have been engaged in during the stated time period, and documents concerning those activities are uniquely within Plaintiff's possession, custody and control.

Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, the common interest privilege or any other applicable privilege.

Ms. Maxwell also objects to this Request to the extent it calls for information relating to Virginia Roberts Giuffre that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Subject to and without waiver of the foregoing, Defendant refers to the public documents and news reports regarding Plaintiff's allegations of sexual abuse and investigation of the same, which have been previously produced, are available in the public domain, or referenced in court papers. Defendant also refers Plaintiff to documents within the possession, custody and control of Plaintiff and her counsel, including without limitation Mr. Bradley Edwards, which were requested in Defendant's First Set of Discovery Requests, but were not produced despite certification of Plaintiff and Plaintiff's counsel that such Responses were truthful and complete.

Without waiver of any such objections, Ms. Maxwell has made available documents related to some of Ms. Giuffre's contacts with law enforcement in her Second Supplemental Fed. R. Civ. P. 26(a)(1)(A) disclosures.

**DOCUMENT REQUEST NO. 20**

Produce all documents concerning any apartment or other dwelling occupied by Plaintiff from 1999 to the present, including but not limited to, all documents concerning the acquisition of, and payment for, such dwellings. This Request includes, but is not limited to, any dwelling paid for -in whole or in part by Defendant or Jeffrey Epstein.

**RESPONSE:** Ms. Maxwell objects to this Request to the extent it calls for information that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Ms. Maxwell is not producing documents that are available in the public domain. Ms. Maxwell is not re-producing documents already produced by her and produced by Plaintiff in this action, for example, in response to Defendant's First Set of Discovery Requests to Plaintiff which requested *inter alia* documents related to Plaintiff's residences since 1999.

Without waiver of any such objections, Ms. Maxwell has made available documents related to some of Ms. Giuffre's dwellings in her Second Supplemental Fed. R. Civ. P.

26(a)(1)(A) disclosures. Ms. Maxwell has been unable to locate any additional documents responsive to this Request.

**DOCUMENT REQUESTS “CONCERNING PUNITIVE DAMAGES”**

**DOCUMENT REQUEST NO. 21**

Produce all copies of the complaints in any lawsuits that You have filed in any court in which You seek damages or any other financial recovery from 2014 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell’s personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of “Document Requests Concerning Punitive Damages” until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff’s counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

**DOCUMENT REQUEST NO. 22**

Produce all Financial Statements prepared for or submitted to any Lender or Investor for the past three years by You personally or on Your behalf or on behalf of any entity in which You hold or held a controlling interest from January 2015 to the Present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell’s personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of “Document Requests Concerning Punitive Damages” until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff’s counsel will not file a Motion to Compel a Response to this Request, nor will

Defendant move for a Protective Order with regard to this Request, without further conferral.

**DOCUMENT REQUEST NO. 23**

Produce all W-2s, K-1s, and any other documents reflecting any income (including salary, bonuses, dividends, profit distributions, royalties, advances, annuities, and any other form of income), including all gross and net revenue received by You directly or indirectly from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

**DOCUMENT REQUEST NO. 24**

Produce all tax returns filed with any taxing entity (either foreign or domestic) from January 2015 to the present by You or on Your behalf, or on behalf of any entity in which You hold or held a controlling interest at the time of filing.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.



**DOCUMENT REQUEST NO. 25**

Produce all bank statements or other financial statements which were prepared by You, on Your behalf or by or on behalf of any entity in which You held an ownership interest of 10% or more at any time from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

**DOCUMENT REQUEST NO. 26**

Produce all deeds and titles to all real property owned by You or held on Your behalf either directly or indirectly at any time from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

**DOCUMENT REQUEST NO. 27**

Produce all passbooks (or other documents showing account balances) with respect to all savings accounts, checking accounts, and savings and loan association share accounts owned by

You or on which You hold a right or have held a right to withdraw funds at any time from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 28**

Produce all passbooks (or other documents showing account balances) with respect to all savings accounts, checking accounts and savings loan association share accounts, owned by You in whole or in part jointly as co-owner, partner, or joint venture, in any business enterprise, or owned by an entity in which You have or have had a controlling interest at any time from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 29**

Produce all bank ledger sheets (from the internet or otherwise) concerning all bank accounts in which You have a right to withdraw funds, reflecting the highest balance in said

accounts from January 2015 to the present. .

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 30**

Produce all bank ledger sheets (from the internet or otherwise) concerning all bank accounts owned by You solely, or jointly as co-owner, partner, or joint venture, in any business enterprise, or any entity in which You have or have had a controlling interest from January 2015 to the present, reflecting the highest balance in said accounts for each month from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 31**

Produce all checkbooks for all accounts on which You were authorized to withdraw funds from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

### **DOCUMENT REQUEST NO. 32**

Produce the 2015 and 2016 balance sheets and other financial statements with respect to any and all business enterprises of whatever nature (including not-for-profit enterprises), either foreign or domestic, in which You possess any ownership interest of 10% or more, whether a partner, joint venture, stockholder, or otherwise.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

### **DOCUMENT REQUEST NO. 33**

Produce all corporate securities (stocks or bonds), foreign or domestic, directly or indirectly held by You, or held on Your behalf or for Your benefit by another individual or entity, including trusts from January 2015 to the Present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this

action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 34**

Produce all accounts receivable ledgers or other records which set forth the names and addresses of all persons or business enterprises that are indebted to You and the amounts and terms of such indebtedness from August 2016 to the Present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 35**

Produce all copies of the partnership or corporation Income Tax Returns for any partnership or corporation, either foreign or domestic, in which You do possess or have possessed any ownership interest of 4% or more whether as partner, joint venture, stockholder or otherwise, from 2014 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of

annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

### **DOCUMENT REQUEST NO. 36**

Produce all title certificates, registration certificates, bills of sale, and other evidences of ownership possessed by You or held for Your beneficial interest with respect to any of the following described property owned by You or held directly or indirectly for Your beneficial interest from January 2015 to the present:

- a. Motor vehicles of any type, including trucks, other automobiles, and two or three-wheeled vehicles (motorcycles, ATV, etc.).
- b. Aircraft of any type, including jets, propeller planes, and helicopters
- c. Boats, launches, cruisers, sailboats, or other vessels of any type
- d. Real estate and real property

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

### **DOCUMENT REQUEST NO. 37**

From January 2012 to the present, produce all documents concerning any source of funding for the TarraMar Project or any other not-for-profit entities with which You are



associated, including but not limited to, funding received from the Clinton Global Initiative, the Clinton Foundation (a/k/a William J. Clinton Foundation, a/k/a the Bill, Hilary & Chelsea Clinton Foundation), and the Clinton Foundation Climate Change Initiative.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 38**

Produce all memoranda and/or bills evidencing the amount and terms of all of Your current debts and obligations that exist presently.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 39**

Produce all records indicating any and all income (whether taxable or not) received by You from all sources from January 2015 to the present.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad

and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 40**

Produce all copies of any and all brokerage account statements or securities owned by You individually, jointly with any person or entity or as trustee, guardian or custodian, from January 2015 to the present, including in such records date of purchase and amounts paid for such securities, and certificates of any such securities.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 41**

Produce all records pertaining to the acquisition, transfer and sale of all securities by You or on Your behalf from January 2015 to the present, such records to include any and all information relative to gains or losses realized from transactions involving such securities.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms.

Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

Ms. Maxwell intends to move for a Protective Order regarding her personal financial information and is refusing to respond and is withholding documents under the category of "Document Requests Concerning Punitive Damages" until the motion is resolved.

Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **DOCUMENT REQUEST NO. 42**

Produce all policies of insurance having any cash value that exist or existed from January 2015 to the present, which policies You or any entity controlled by You is the owner or beneficiary.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

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Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff's counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

#### **UN-NUMBERED REQUEST**

Produce all copies of any and all trust agreements that exist or existed from January 2015 to the present in which You are the settlor or beneficiary together with such documents necessary and sufficient to identify the nature and current value of the trust.

**RESPONSE:** Ms. Maxwell objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Maxwell objects to this Request on the grounds that it is propounded for the improper purpose of annoying or harassing Ms. Maxwell. Ms. Maxwell's personal financial information is not at issue in this matter and information relating thereto is irrelevant.

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Based on the May 16, 2016 conferral, counsel for Plaintiff has agreed to hold this Request in abeyance pending either a finding of liability or resolution of dispositive motions. Plaintiff’s counsel will not file a Motion to Compel a Response to this Request, nor will Defendant move for a Protective Order with regard to this Request, without further conferral.

Dated: May 16, 2016

Respectfully submitted,

*s/Laura A. Menninger*

---

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*Attorneys for Ghislaine Maxwell*

**CERTIFICATE OF SERVICE**

I certify that on May 16, 2016, I served the attached document DEFENDANT GHISLAINE MAXWELL'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS via email to the following counsel of record:

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s/ Laura A. Menninger  
Laura A. Menninger

**United States District Court  
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

**RESPONSE TO MOTION TO COMPEL ATTORNEY-CLIENT COMMUNICATIONS  
AND ATTORNEY WORK PRODUCT MATERIALS**

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Plaintiff Virginia Giuffre, by and through her undersigned counsel, hereby files this response to Defendant's Motion to Compel All Attorney-Client Communications and Attorney Work Product Placed at Issue by Plaintiff and Her Attorneys (DE 164). The motion should be denied in its entirety.

### **INTRODUCTION**

Defendant argues Ms. Giuffre and two of her attorneys (Cassell and Edwards) have somehow placed "at issue" her confidential attorney-client communications and therefore have made a "sweeping waiver" of attorney-client privilege in this case. Defendant, however, fails to cite the controlling law on this issue: Federal Rule of Evidence 502. Enacted in 2008, Rule 502 was designed to block exactly the kind of argument Defendant is making. Rule 502 provides that litigants are entitled to the *most* protective law on attorney-client privilege, either state law where the disclosure was made or federal law. The alleged disclosures in this case were made in Florida, and under Florida law did not constitute any waiver of attorney-client privilege. Indeed, Defendant does not reveal to the Court that the Florida judge who handled the case during which the alleged "waivers" occurred (the Dershowitz case) has already considered – and rejected in their entirety – the very arguments that Defendant is advancing here.

In addition, none of the alleged disclosures were made by Ms. Giuffre, who as the holder of the privilege is the only individual with authority to waive it. Moreover, none of the alleged disclosures concerned the substance of confidential attorney-client communications. And finally, Ms. Giuffre will not be seeking to introduce or otherwise take advantage of any confidential attorney-client communications in this case. Accordingly, for these and other reasons, the Court should deny Defendant's motion in its entirety.

## **FACTUAL BACKGROUND**

### **The CVRA Case**

The facts relevant to this issue begin in 2008, when attorney Bradley J. Edwards (soon joined by co-counsel Professor Paul Cassell) filed a *pro bono* action in the Southern District of Florida under the Crime Victims' Rights Act (CVRA), 18 U.S.C. § 3771. Filed on behalf of Jane Doe 1 (and later Jane Doe 2) the CVRA action alleged that federal government had failed to protect the rights of Jane Doe 1 and other similarly situated victims of sex offenses committed by Jeffrey Epstein. *See* Declaration of Sigrid McCawley ("McCawley Decl.") at Exhibit 1, Complaint filed in Jane Doe 1 v. United States, No. 9:08-cv-80736 (S.D. Fla. July 7, 2008). Jane Does 1 and 2 achieved many victories in the case, including a ruling that the CVRA rights of victims could apply before charges were filed, *Does 1 and 2 v. United States*, 817 F.Supp.2d 1337 (S.D. Fla. 2011);<sup>1</sup> that they had standing to challenge the non-prosecution agreement reached between the Government and Epstein, *Jane Does 1 and 2 v. United States*, 950 F.Supp.2d 1262 (S.D. Fla. 2013); and that plea negotiations were not protected from disclosure by any federal rule of evidence, *Does v. United States*, 749 F.3d 999 (11<sup>th</sup> Cir. 2014). Congress has also followed the developments in the case closely, recently amending the CVRA to insure that in the future crime victims receive notice of any non-prosecution agreement entered into by the Government. *See* Pub. L. 114-22, Title I, § 113(a), (c)(1), May 29, 2015, 129 Stat. 240, 241 (adding 18 U.S.C. § 3771(a)(9) to give crime victims "[t]he right to be informed in a timely manner of any plea bargain or deferred prosecution agreement).

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<sup>1</sup> *See generally* Paul G. Cassell, Nathanael J. Mitchell & Bradley J. Edwards, *Crime Victims' Rights During Criminal Investigations? Applying the Crime Victims' Rights Act before Criminal Charges are Filed*, 104 J. CRIM. L. & CRIMINOLOGY 59 (2014).

On December 30, 2014, Cassell and Edwards filed a Motion Pursuant to Rule 21 for Joinder in the Action on behalf two additional victims: Jane Doe 3 and Jane Doe 4. (Jane Doe 3, Virginia Giuffre, subsequently decided to reveal her name). The joinder motion argued that Jane Does 3 and 4 should be allowed to join the two existing plaintiffs in the action because they had suffered the same violations of their rights under the CVRA. McCawley Decl., Exhibit 2, Jane Does’ 3 and 4 Joinder Motion.<sup>2</sup> To establish that they were “victims” of Epstein’s sex crimes with standing to join the suit, Jane Does 3 and 4 alleged that they had suffered sexual abuse from Epstein. For example, Jane Doe 3 alleged that she had been forced by Epstein to have sexual relations with various persons, including Alan Dershowitz – who had been one of Epstein’s defense attorneys negotiating the non-prosecution deal and arranging to keep it secret from the victims. McCawley Decl., Exhibit 2 at 4. Jane Doe 3 also alleged that Defendant (i.e., Ghislaine Maxwell) had participated in the sexual abuse of Jane Doe 3. *Id.* at 4-5.

After Dershowitz also filed a motion to intervene to contest the allegations (DE 282), Jane Doe 3 filed a response to Dershowitz’s intervention motion. McCawley Decl., Exhibit 3, Response to Motion to Intervene.<sup>3</sup> The response explained that the allegations against Dershowitz were relevant to at least eight separate issues in the CVRA case. *Id.* at 18-26. The response also explained some of the evidence supporting the allegations against Dershowitz, including:

- sworn testimony from one of Epstein’s household employees (Juan Alessi) that Dershowitz came “pretty often” to Epstein’s Florida mansion and got massages while he was there;

<sup>2</sup> The Joinder Motion attached as an exhibit is a “corrected” motion, filed on January 2, 2015. As discussed below, several paragraphs in this motion were later stricken by Judge Marra.

<sup>3</sup> This document is currently restricted/under seal in the CVRA case, although an order sealing it is not found in the Court record so far as can be determined. In light of the sealing of the document, we have marked aspects of this pleading dealing with the document as confidential.

- sworn testimony from another of Epstein’s household employees (Alfredo Rodriquez) that Dershowitz was present alone at the home of Epstein, without his family, in the presence of young girls;
- invocations of Fifth Amendment rights to remain silent by three of Epstein’s identified co-conspirators (Sarah Kellen, Nadia Marcinkova, and Adrianna Mucinska) when asked questions about whether Dershowitz had been involved with massages by young girls;
- refusals by Jeffrey Epstein to discuss Dershowitz’s involvement but instead to invoke his Fifth Amendment right.

*Id.* at 26-38.

Several months later, on April 7, 2015, the Court (Marra, J.) denied Jane Doe 3 and Jane Doe 4’s motion for joinder. McCawley Decl., Exhibit. 4, Order denying Jane Doe 3’s motion to join. With regard to the eight separate issues as to which the allegations against Dershowitz were relevant, the Court addressed only the first (establishing “victim” status) and found that the “factual details regarding with whom and where the Jane Does engaged in sexual activities are immaterial and impertinent to this central claim (i.e., that they were known victims of Mr. Epstein and the Government owed them CVRA duties), especially considering that these details involve non-parties who are not related to the respondent Government.” *Id.* at 5.<sup>4</sup> Accordingly, the Court struck the factual details from the victims’ pleading as unnecessary at that time. The Court specifically recognized, however, that the details could be reasserted by the parties to the action – i.e., Jane Doe 1 and Jane Doe 2 – if they could “demonstrate a good faith basis for believing that such details are pertinent to a matter presented for the Court’s consideration.” *Id.* at 6. Following the Court’s ruling, additional litigation has proceeded in the CVRA case.

#### The Dershowitz case

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<sup>4</sup> In asserting that the non-parties were “not related to the respondent Government,” the Court did not address Jane Doe 3’s argument that Dershowitz, as one of Epstein’s defense counsel, had helped negotiate the non-prosecution agreement and helped to arrange to keep it secret from the victims.

While the CVRA case was moving forward in the Southern District of Florida on behalf of Jane Does 1 and 2, separate litigation developed between the *pro bono* attorneys who had filed the lawsuit (Cassell and Edwards) and Dershowitz. After the filing of the joinder motion in the CVRA case, Dershowitz took the airwaves to attack not only Jane Doe 3, but also Cassell and Edwards. Typical of these attacks was one levelled on CNN, in which Dershowitz alleged:

If they [Cassell and Edwards] had just done an hours' worth of research and work, they would have seen she is lying through her teeth. . . . They're prepared to lie, cheat, and steal. These are unethical lawyers. . . . They can't be allowed to have a bar card to victimize more innocent people.

*Hala Gorani – CNN Live* (Jan. 5, 2015).<sup>5</sup>

Cassell and Edwards then filed a state law defamation action against Dershowitz in Broward County, Florida. *See* McCawley Decl., Exhibit. 5, Complaint in *Edwards and Cassell v. Dershowitz*. The complaint alleged that Dershowitz had engaged in a “massive public media assault on the reputation and character” of Cassell and Edwards. *Id.* at 4. Ms. Giuffre was *not* a party to this defamation lawsuit.

#### The Florida Court Rejects a Waiver of Attorney Clients Privilege Argument

As Cassell and Edwards' Florida defamation action moved forward, Dershowitz sought to make an argument that they had somehow waived their client's (Ms. Giuffre's) attorney-client privilege. On September 8, 2015, Dershowitz filed a motion to compel Cassell and Edwards to produce documents and additional responses to interrogatories. McCawley Decl., Exhibit. 6, Motion to Compel. In his motion, Dershowitz argued that Cassell and Edwards “have waived any privilege or protection that would otherwise attach to responsive documents and information

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<sup>5</sup> Available at <http://www.cnn.com/videos/world/2015/01/05/wrn-uk-sex-abuse-allegations-alan-dershowitz-intv.cnn>.

by bringing this defamation action placing at issue the truthfulness of Jane Doe No. 3's allegations against Dershowitz . . . ." *Id.* at 3-5. In his motion and reply pleading (McCawley Decl., Exhibit 8, Reply in Support of Motion to Compel), Dershowitz argued that Cassell and Edwards' actions throughout the case constituted a waiver of attorney-client privilege.

Cassell and Edwards responded, arguing that Ms. Giuffre was not a party of the defamation action and that she was the only person who could waive her privilege. McCawley Decl., Exhibit 7 at 4-6, Response in Opposition to Motion to Compel. Cassell and Edwards also argued that there had been no waiver because confidential attorney-client communications with Ms. Giuffre were not "at issue" in the defamation case. *Id.* at 6-9. Cassell and Edwards also later filed a sur-reply, further elaborating on the argument that Ms. Giuffre had not waived any attorney-client privilege by publicly discussing her sexual abuse by Epstein and his associates. McCawley Decl., Exhibit 9, Sur-Reply in Support Opposition to Motion to Compel. Cassell and Edwards also explained that communications with Ms. Giuffre were protected not only beginning in March 2014, but even earlier than that date when Ms. Giuffre understood that she was obtaining legal services from Cassell and Edwards. *Id.* at 1.

Following this extensive briefing on waiver issues,<sup>6</sup> on December 8, 2015, the Florida Court (Lynch, J.) ruled, ***denying Dershowitz's argument that attorney-client privilege had been waived.*** McCawley Decl., Exhibit 10, Order Denying Motion to Compel. Specifically, the Court denied the motion to compel, explaining "Pre March 2014 communications are protected by the work product privilege and the witness has not waived the communications that were protected by the attorney-client privilege. Also, there was no waiver by the [Cassell and Edwards] by filing suit." *Id.* at 1.

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<sup>6</sup> And following the filing of Cassell and Edwards' summary judgment motion, filed on November 26, 2015.



Ms. Giuffre's Deposition in the Defamation Case

As the defamation action moved forward, Dershowitz subpoenaed Ms. Giuffre to a deposition. McCawley Decl., Exhibit 11, Composite Exhibit of excerpts from transcript of deposition of Ms. Giuffre. During the deposition, held in Fort Lauderdale, Florida, Ms. Giuffre was represented by the undersigned legal counsel, who asserted objections to revealing attorney-client information where the questions called for revealing confidential attorney client communications. *See, e.g., id.* at 22-23; 131-32; 173-74; 183; 208. During the deposition, Ms. Giuffre specifically stated that “I decide not to waive my [attorney-client] privilege at this time.” *Id.* at 174. Ms. Giuffre also denied that Cassell and Edwards had ever pressured her into identifying someone as being involved in her sexual abuse. *Id.* at 200-12

The Settlement of the Defamation Case

Ultimately, Cassell, Edwards, and Dershowitz agreed to settle their defamation case. That settlement included both a public statement and confidential monetary payments. As part of the settlement, Cassell and Edwards withdrew their allegations against Dershowitz in the defamation case contained in the then-pending summary judgment motion. McCawley Decl., Exhibit 12, Notice of Withdrawal of Summary Judgment Motion. As explained in the notice of withdrawal of this motion, “the withdrawal of the referenced filings is not intended to be, and should not be construed as being, an acknowledgement by Edwards and Cassell that the allegation made by Ms. Giuffre were mistaken. Edwards and Cassell do acknowledge that the public filing in the Crime Victims’ Rights Act case of their client’s allegation against Defendant Dershowitz became a major distraction from the merits of the well-founded Crime Victims’ Rights Act by causing delay and, as a consequence, turned out to be a tactical mistake.” *Id.* All these actions settling the Florida defamation case took place in Florida.

## **LEGAL STANDARDS FOR WAIVER**

### **A. Federal Rule of Evidence 502 Controls on the Issue of Waiver**

Defendant asks this Court to find that Ms. Giuffre has somehow waived her attorney-client privilege regarding various communications in this case. This is no small step. The attorney-client privilege is one of the “oldest recognized privileges for confidential communications.” *Swidler & Berlin v. United States*, 524 U.S. 399, 403 (1998)). The privilege’s purpose is to “encourage full and frank communication between attorneys and their clients and thereby promote broader public interests in the observance of law and the administration of justice.” 524 U.S. at 403 (internal quotation marks omitted).

In setting out the legal standards pertaining to waiver of attorney-client privilege, Defendant fails to cite the controlling – and protective – law on the issue. In a federal case, issues of alleged waiver of attorney-client privilege must be resolved under the new standards in Federal Rule of Evidence 502. In 2008, Congress enacted Federal Rule of Evidence 502, which is entitled “Attorney-Client Privilege and Work Product; Limitations on Waiver.” New rule 502 places a number of protections in place to reduce litigation over claims that a party has somehow “waived” attorney client privilege. *See generally* Adv. Comm. Note, Rule 502. Notably, Defendant does not discuss, or even cite, Rule 502 in her motion.

The issue currently before the Court is specifically controlled by Rule 502(c), which covers situations where a disclosure in a state proceeding is alleged, in a federal proceeding, to establish waiver. Rule 502(c) provides the *greater* of protections found in federal or state law:

- (c) Disclosure Made in a State Proceeding. When the disclosure is made in a state proceeding and is not the subject of a state-court order concerning waiver, the disclosure does not operate as a waiver in a federal proceeding if the disclosure:
- (1) would not be a waiver under this rule if it had been made in a federal proceeding; or
  - (2) is not a waiver under the law of the state where the disclosure occurred.

As is readily apparent from the text of the rule, there are two separate ways in which a party can prove that no waiver of attorney-client privilege has occurred: (1) by demonstrating that no waiver exists under federal law; or (2) by demonstrating that no waiver exists under the state law where the disclosure occurred. Between these two possibilities, the drafters of the rule decided to apply the *most* protective law that governs waiver. *See* Fed. R. Evid. 502(c), Adv. Comm. Notes (“The [Advisory] Committee [on the Federal Rules of Evidence] determined that the proper solution for the federal court is to apply the law that is *most* protective of privilege and work product” (emphasis added)).

#### **B. Florida Law**

C.

Florida’s protective law on the attorney-client privilege provides that neither an attorney nor a client may be compelled to divulge confidential communications between a lawyer and client which were made during the rendition of legal services. Fla. Stat. Ann. § 90.502(1)(c). Communication denotes more than just giving legal advice; it also includes giving information to the lawyer to enable him to render sound and informed advice. *Hagans v. Gatorland Kubota, LLC/Sentry Ins.*, 45 So.3d 73, 76 (Fla. 1<sup>st</sup> DCA 2010).

Under Florida law, while the burden of establishing the attorney-client privilege usually rests on the party claiming it, *First Union National Bank v. Turney*, 824 So.2d 172, 185 (Fla. 1<sup>st</sup> DCA 2002), when communications appear on their face to be privileged, the burden is on the party seeking disclosure to prove facts which would make an exception to the privilege applicable. *Ford Motor Co. v. Hall-Edwards*, 997 So.2d 1148, 1153 (Fla. 3<sup>d</sup> DCA 2008); *Rousso v. Hannon*, 146 So.3d 66, 70 (Fla. 3<sup>d</sup> DCA 2014). In this case, Defendant does not appear to dispute that an attorney-client privilege exists with regard to the communications between Ms. Giuffre and her attorneys. Rather, Defendant’s argument is that the privilege has somehow been

waived. *See* Motion to Compel at 1-2. Therefore, under Florida law, Defendant must shoulder the burden of overcoming the privilege. (Of course, because Defendant failed to even cite, much less discuss, Florida law, she has not carried that burden.)

Defendant asserts that she can force disclosure of the privileged communications between Ms. Giuffre and her counsel under the “at issue” doctrine. To establish this alleged waiver, Defendant’s motion relies on a federal district court case – *Hearn v. Rhay*, 68 F.R.D. 574 (E.D. Wash. 1975), which was cited in *Bank Brussels Lambert v. Credit Lyonnais (Suisse), S.A.*, 210 F.R.D. 506, 509-10 (S.D.N.Y. 2002) (Ellis, M.J.). *See* Motion to Compel at 8. As discussed below, as a matter of controlling federal authority, these cases have been repudiated by the Second Circuit. And to the same effect, Florida law also rejects the expansive *Hearn* approach to waiver. *See Guarantee Ins. Co. v. Heffernan Ins. Brokers, Inc.*, 300 F.R.D. 590, 593-95 (S.D. Fla. 2014) (discussing Florida authorities). Florida law disfavors waiver of the attorney-client privilege and will not readily find an “at issue” waiver. *See Guarantee Ins. Co. v. Heffernan Ins. Brokers, Inc.*, 300 F.R.D. 590, 593 (S.D. Fla. 2014) (*citing Coates v. Akerman, Senterfitt & Eidson, P.A.*, 940 So.2d 504, 508 (Fla. 2nd DCA 2006) (refusing to find waiver based on the at-issue doctrine)). In contrast to *Hearn*, under Florida law, at-issue waiver only occurs “when a party ‘raises a claim that will *necessarily* require proof by way of a privileged communication.’” *Coates*, 940 So.2d at 508 (quoting *Jenney v. Airdata Wiman, Inc.*, 846 So.2d 664, 668 (Fla. 2nd DCA 2003)) (emphasis in original). Indeed, in 2014, the Southern District of Florida rejected the *Hearn* “at issue” analysis and instead, adopted the analysis of the Third Circuit as outlined in *Rhone-Poulenc Rorer, Inc. v. Home Indemnity Co.*, 32 F.3d 851 (3d Cir. 1994). *Guarantee Ins.*, 300 F.R.D. at 595. The Third Circuit deemed the *Hearn* test to be of “dubious validity” because, although it “dress[es] up [its] analysis with a checklist of factors, [it] appear[s] to rest on a

conclusion that the information sought is relevant and should in fairness be disclosed.” *Id.* at 864. The Third Circuit specifically rejected *Hearne* because relevance is not the standard for determining whether or not evidence should be protected from disclosure as privileged. *Rhone*, 32 F.3d at 863. Florida law tracks that of the Third Circuit. *See* 300 F.R.D. at 593-95 (citing Florida case law).

Also, under Florida law, the client – not her attorneys – holds the attorney-client privilege. *See* Fla. Stat. Ann. § 90.502(3); *see also* Fla. Stat. Ann. § 90.502(2) (a client has a privilege to refuse to disclose, and to prevent any other person from disclosing, the contents of confidential communications when such other person learned of the communications because they were made in the rendition of legal services to the client). Some Florida courts have even recognized serious due process issues could be created by a procedure through which a client lost their privilege without an opportunity to be heard in the proceedings. *See, e.g., Rogers v. State*, 742 So.2d 827, 829 (Fla. 2d DCA 1999). Under Florida law, so long as a client has a reasonable expectation of privacy in the communication, under § 90.507, the privilege is protected. *McWatters v. State*, 36 So.3d 613, 636 (Fla. 2010). Also under Florida law, only the client – not her attorney – can waive attorney-client privilege. *See Savino v. Luciano*, 92 So.2d 817 (Fla. 1957), *Coates v. Akerman, Senterfitt & Edison, P.A.*, 940 So.2d 504 (Fla. 2d DCA 2006), and *Genovese v. Provident Life and Accident Ins. Co.*, 74 So.3d 1064 (Fla. 2011).

### **C. Federal Law**

Rather than discuss Florida privilege law, Defendant exclusively cites federal case law. *See* Mot. to Compel at ii-iii (table of authorities citing only federal cases). Yet as this Court has previously held in ruling on an earlier privilege motion made by the Defendant, state law generally provides the rule of decision in this diversity case. *See* *Giuffre v. Maxwell*, DE 135 at

6, 2016 WL 175918 at \* 6 (applying New York privilege law) (*citing Allied Irish Banks v. Bank of Am., N.A.*, 240 F.R.D. 96, 102 (S.D.N.Y. 2007) (“Because this Court’s subject matter jurisdiction is based upon diversity . . . state law provides the rule of decision concerning the claim of attorney-client privilege.”)). Accordingly, an argument can be made that New York *state* law applies in this case<sup>7</sup> – but Defendant does not explain why she jumps to federal law.

As explained above, in the particular context of a waiver argument, Federal Rule of Evidence 502 applies the *more* protective of state law or federal law in determining whether a waiver of privilege has occurred. In this case, the controlling federal law is at least as protective as Florida law. The controlling federal law here comes from the Second Circuit, including *In re Cnty. of Erie*, 546 F.3d 222 (2d Cir. 2008) – a case not even cited, much less discussed, by the Defendant. In view of the importance of the attorney-client privilege, the Second Circuit in that case held that any finding of waiver should be made with “caution.” *Id.* at 228.

Rather than cite this controlling Second Circuit precedent, Defendant relies on a 2002 case from this Court applying the *Hearn* “at issue” doctrine. *See* Mot. to Compel at 8 (*citing Bank Brussels Lambert v. Credit Lyonnais (Suisse), S.A.*, 210 F.R.D. 506, 509-10 (S.D.N.Y. 2002) (Ellis, Magistrate Judge) (*quoting Hearn v. Rhay*, 68 F.R.D. 574, 581 (E.D. Wash. 1975))). Defendant goes on to argue that “courts have generally applied the *Hearn* [at issue] doctrine liberally, finding a broad waiver of attorney-client privilege where a party asserts a position ‘the truth of which can only be assessed by examination of the privilege communication.’” Mot. to Compel at 8 (internal quotation omitted).

Defendant fails to recognize that the Second Circuit has explicitly disavowed the *Hearn* doctrine. In *In re Cnty. of Erie*, 546 F.3d 222 (2d Cir. 2008), the Second Circuit explained that “[c]ourts in our Circuit and others have criticized *Hearn* and have applied its tests unevenly.” *Id.*

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<sup>7</sup> As a protective matter, Ms. Giuffre will also provide citations to New York state authorities in this response.



at 227-28.<sup>8</sup> The Second Circuit also noted that the *Hearn* test “has been subject to academic criticism. *See, e.g.,* Richard L. Marcus, *The Perils of Privilege: Waiver and the Litigator*, 84 MICH. L. REV. 1605, 1628-29 (1986); Note, *Developments in the Law-Privileged Communications*, 98 HARV. L. REV. 1650, 1641-42 (1985) (identifying “the faults in the *Hearn* approach”). In light of these strong criticisms of *Hearn*, the Second Circuit decided that “[w]e agree with its critics that the *Hearn* test cuts too broadly and therefore conclude that the District Court erred in applying it here. . . . Nowhere in the *Hearn* test is found the essential element of *reliance* on privileged advice in the assertion of the claim or defense in order to effect a waiver.” 546 F.3d at 229 (emphasis added). The Second Circuit held that, for an “at issue” waiver to occur, “a party must *rely* on privileged advice from his counsel to make his claim or defense.” *Id.* (emphasis added).

In light of the Second Circuit’s holding, recent cases from this Court have explained that “reliance on privileged advice in the assertion of the claim or defense is an ‘essential element’ of a claim of waiver.” *Aristocrat Leisure Ltd. v. Deutsche Bank Trust Co. Americas*, No. 04 CIV 10014 PKL, 2009 WL 3111766, at \*16 (S.D.N.Y. Sept. 28, 2009).<sup>9</sup> For the sake of completeness, it may be relevant to note that New York state privilege law applies the same

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<sup>8</sup> The Second Circuit cited numerous cases, including cases from this Court – e.g., *Pereira v. United Jersey Bank*, Nos. 94 Civ 1565 & 94 Civ 1844, 1997 WL 773716, at \*3 (S.D.N.Y. Dec. 11, 1997) (“*Hearn* is problematic insofar as there are very few instances in which the *Hearn* factors, taken at face value, do not apply and, therefore, a large majority of claims of privilege would be subject to waiver.”); *Allen v. West Point-Pepperell, Inc.*, 848 F.Supp. 423, 429 (S.D.N.Y. 1994) (noting that district courts within this Circuit have reached conflicting decisions in the application of *Hearn*, and rejecting reliance “upon a line of cases in which courts have unhesitatingly applied a variation of the *Hearn* balancing test”); *Connell v. Bernstein-Macaulay, Inc.*, 407 F.Supp. 420, 422 (S.D.N.Y. 1976) (“The actual holding in [*Hearn*] is not in point because the party there asserting the privilege had expressly relied upon the advice of counsel as a defense to the plaintiff’s action.”); *Rhone-Poulenc Rorer, Inc. v. Home Indem. Co.*, 32 F.3d 851, 864 (3d Cir. 1994) (deeming *Hearn* to be of “dubious validity” because, although it “dress[es] up [its] analysis with a checklist of factors, [it] appear[s] to rest on a conclusion that the information sought is relevant and should in fairness be disclosed”).

<sup>9</sup> The *Aristocrat Leisure* case accordingly rejected a party’s reliance on the same authority that Defendant relies upon here. *See Aristocrat*, 2009 WL 3111766 at \*16 n.6 (discussing *Bank Brussels Lambert v. Credit Lyonnais (Suisse), S.A.*, 210 F.R.D. 506 (S.D.N.Y. 2010), and then noting in the next sentence that the *Hearn* test relied upon by *Bank Brussels* “recently has been criticized by the Second Circuit on this very issue.”).

specific and protective standard. *See In re Bank of New York Mellon*, 42 Misc. 3d 171, 177, 977 N.Y.S.2d 560, 565 (Sup. Ct. 2013) (“‘at issue’ waiver occurs ‘when the party has asserted a claim or defense that he intends to prove by use of the privileged materials.’ An example of an affirmative act that does constitute ‘at issue’ waiver of privilege is a party’s ‘assert[ing] as an affirmative defense [its] reliance upon the advice of counsel.’”).<sup>10</sup>

## **DISCUSSION**

### **I. MS. GIUFFRE DID NOT WAIVE HER ATTORNEY-CLIENT PRIVILEGE WHEN EDWARDS AND CASSELL FILED AND PURSUED THEIR OWN DEFAMATION ACTION AGAINST ALAN DERSHOWITZ.**

Defendant’s lead argument is that Cassell and Edwards waived Ms. Giuffre’s attorney-client privilege when they filed and pursued a defamation action against Alan Dershowitz. *See* Mot. to Compel at 10. This claim is meritless for numerous reasons, including the fact (not disclosed by Defendant) that this very argument has been fully litigated before the Florida court handling that defamation action, which specifically *rejected* any finding of waiver.

#### **A. The Florida Court Presiding over the Defamation Action Has Already Rejected the Same Waiver Claim that Defendant is Advancing Here.**

The claim that Cassell and Edwards somehow waived Ms. Giuffre’s attorney-client by pursuing their own, personal defamation action against Dershowitz has already been the subject of extensive briefing – and, ultimately, a Florida court ruling. Defendant has scoured the docket

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<sup>10</sup> New York and federal authorities also hold that when attorneys are not acting on the client’s behalf, they cannot waive their client’s privilege. N.Y. C.P.L.R. § 4503(a); *Dillenbeck v. Hess*, 73 N.Y.2d 278, 290, 536 N.E.2d 1126, 1134 (N.Y. 1989) (“[T]he sine qua non of any evidentiary privilege is that it is personal to, and can only be waived by, the privilege holder.”). *See also In re von Bulow*, 828 F.2d 94, 100-01 (2d Cir. 1987) (“Of course, the privilege belongs solely to the client and may only be waived by him. An attorney may not waive the privilege without his client’s consent.”); *In re Bank of New York Mellon Corp. Forex Transactions Litig.*, 66 F. Supp. 3d 406, 410 (S.D.N.Y. 2014) (same); *Ferreira v. Capitol Specialty Ins. Corp.*, 31 Misc. 3d 1209(A), 929 N.Y.S.2d 199 (N.Y. Sup. Ct. 2011) (“CPLR 4503 makes clear that an attorney cannot waive the attorney-client privilege rather waiver is only effective when done by the beneficiary of the privilege or their personal representative.”).

in the Dershowitz defamation case to collect every flyspeck of information that she believes support her argument that a “waiver” has taken place. *See* Mot. to Compel at 10-12 and numerous associated exhibits. But, remarkably, she has not revealed to this Court the most relevant information from the docket: that the Florida court considered the same waiver issues and rejecting the same arguments that the Defendant now advances. This Florida court ruling, applying Florida law, is controlling here.

As discussed above in the factual section of this response, in the Florida case, Dershowitz filed a motion to compel advancing legal and factual arguments identical to those the Defendant is advancing here. *See* McCawley Decl., Ex. 6 at 3, Dershowitz motion to compel (arguing that Cassell and Edwards “have waived any privilege or protection that would otherwise attach to responsive documents and information by bringing this defamation action placing at issue the truthfulness of Jane Doe No. 3’s allegations against Dershowitz . . .”). *Id.* at 3. Citing *Hearn v. Rhay*, 68 F.R.D. 574, 581 (E.D. Wash. 1975), Dershowitz claimed that information Ms. Giuffre had confidentially provided to Cassell and Edwards as her attorneys had become “at issue” in the defamation action. McCawley Decl., Ex. 6 at 4-5. Dershowitz argued broadly that a whole host of alleged attorney-client communications were “at issue” in the case, including:

(1) Jane Doe No. 3’s allegations against Dershowitz asserted in the action captioned *Jane Doe #1, et al. v. United States of America*, Case No. 08-cv-80736 (S.D. Fla.) (the “Federal Action”); (2) [Cassell and Edwards’] investigation into Jane Doe No. 3’s allegations against Dershowitz; (3) [Cassell and Edwards’] assertion in the Complaint that Dershowitz was an alleged participant in the criminal conduct committed by Jeffrey Epstein (“Epstein”); and (4) Jane Doe No. 3’s whereabouts and activities during the time when she claims to have been “sex slave” for Epstein.

Ex. 6 at 3. As the briefing on the issue continued, in an October 26, 2015 response filing, Dershowitz argued that Ms. Giuffre’s public statements waived the privilege,<sup>11</sup> along with actions by her attorneys Cassell and Edwards. Ex. 8 at 5-8.<sup>12</sup>

After all these arguments were fully briefed, the Florida court (Lynch, J.) *rejected* Dershowitz’s arguments that any waiver of the attorney-client privilege had taken place. McCawley Decl., Ex. 10 at 1 (“Defendant/Counterclaim Plaintiff’s Motion to Compel Production of documents and complete responses to interrogatories is hereby denied.”). In a December 8, 2015, order, Judge Lynch provided a short explanation of his reasoning and entered an order denying Dershowitz’s waiver motion. *Id.*

In her pending motion to compel, Defendant recycles the same arguments that Dershowitz made, such as the claim that Cassell and Edwards waived privilege by filing suit (Mot. Compel at 10), that her March 2011 interview with Scarola and Edwards was a waiver (*id.* at 10), and other similar claims (*id.* at 11-13). But Dershowitz already litigated these issues a few months ago in the Dershowitz case – and his claims were rejected by the Florida court. Defendant is now collaterally estopped from relitigating these identical issues here, because Dershowitz had a full and fair opportunity to litigate those issues and Defendant was in a “common interest” agreement with Dershowitz at the time. The doctrine of collateral estoppel protects litigants – and the courts – from relitigating identical issues and promotes efficiency by barring unnecessary litigation. *See Parklane Hosiery Co., Inc. v. Shore*, 439 U.S. 322, 326 (1979). As this Court has explained, for collateral estoppel to apply, there must have been a full

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<sup>11</sup> Dershowitz specifically listed the following public statements by Ms. Giuffre as illustrations of how she had waived her privilege: (1) Ms. Giuffre’s March 5, 2011, interview with the *Daily Mail*; (2) Ms. Giuffre’s April 7, 2011, recorded telephone interview with attorneys Jack Scarola and Brad Edwards; (3) the January 2015 release of Ms. Giuffre’s diary by *Radar Online*; (4) Ms. Giuffre’s statements to “numerous other third parties,” including former boyfriends and the FBI; and (5) Ms. Giuffre’s filing of this suit against Defendant. Ex. 6 at 6-8.

<sup>12</sup> Dershowitz specifically argued that (among other illustrations) Cassell’s answers to interrogatories and testimony at his deposition in the case had waived privilege. Ex. 6 at 11-12.

and fair opportunity to litigate the decision that now controls and the issue in the prior action must be identical to and decisive of the issue in the instant action. *Zois v. Cooper*, 268 B.R. 890, 893 (S.D.N.Y. 2001), *aff'd sub nom. In re Zois*, 73 F. App'x 509 (2d Cir. 2003). A non-party can be bound by a decision, so long as her interests were “effectively represented.” *Zois*, 268 B.R. at 893.<sup>13</sup> As this Court can readily determine from reviewing the pleadings Dershowitz filed in the Florida case, *see* McCawley Decl. at Ex. 6 & 8, Dershowitz fully briefed identical issues to those presented here. And he was effectively representing Maxwell at the time. The elements of collateral estoppel apply.

Moreover, entirely apart from collateral estoppel doctrine, Judge Lynch's decision is highly persuasive. Judge Lynch was the presiding judge over the Dershowitz matter, so he was intimately familiar with (for example) what matters were “at issue” in that particular case. Moreover, Judge Lynch is, of course, a Florida judge skilled in applying Florida legal principles. His ruling on whether a waiver of attorney client privilege existed under Florida law should be given heavy weight here. *See Elliott Associates, L.P. v. Banco de la Nacion*, 194 F.3d 363, 370 (2d Cir. 1999). Finally, Defendant's briefing entirely ignores even the existence of Judge Lynch's ruling. In such circumstances where the Defendant has failed to offer any reason for questioning Judge Lynch's holding, this Court should follow Judge Lynch's lead and hold that no waiver of the attorney-client privilege exists under Florida law. And, because Florida law controlled when the disclosures took place, under Fed. R. Evid. 502(c), no waiver exists in this proceeding.

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<sup>13</sup> *Zois* relied on New York law. Florida law is to the same effect, as is federal doctrine. *See O'Brien v. Fed. Trust Bank, F.S.B.*, 727 So. 2d 296, 298 (Fla. Dist. Ct. App. 1999) (“Collateral estoppel prevents relitigation of issues where the identical issues previously have been litigated between the parties or their privies.”); *Montana v. United States*, 440 U.S. 147, 153-54 (1979).

**B. Actions by Cassell and Edwards Do Not Waive Ms. Giuffre's Attorney-Client Privilege.**

Not only has Judge Lynch already ruled on the attorney-client privilege issue, but his ruling was entirely correct. Defendant's argument rests on the proposition that Cassell and Edwards had authority to waive Ms. Giuffre's privilege while they pursued *their* Florida defamation action. But in filing their own, personal defamation claims against Dershowitz in a lawsuit where Ms. Giuffre was not a party, Cassell and Edwards were not acting on Ms. Giuffre's behalf. Defendant never attempts to even explain, much less prove, how that defamation action could have benefitted Ms. Giuffre. And Florida law is clear that when attorneys are not acting on the client's behalf, they cannot waive their client's privilege. *See* Charles W. Ehrhardt, 1 Fla. Prac., *Evidence* § 502.6 (2015 ed.); *Schetter v. Schetter*, 239 So.2d 51, 52 (Fla. 4<sup>th</sup> DCA 1970).

To find that an attorney waived his client's privilege, a clear record must exist concerning the attorney's attorney to waive privilege. *See Bus. Integration Servs., Inc. v. AT&T Corp.*, No. 06 CIV. 1863 (JGK), 2008 WL 318343, at \*2 (S.D.N.Y. Feb. 4, 2008). Here, to the contrary, the record is clear that Ms. Giuffre did *not* authorize any waiver of her attorney-client privilege. *See* McCawley Decl., Ex. 13, affidavit of Ms. Giuffre (Ms. Giuffre did not authorize any waiver). Accordingly, under Florida law, Cassell and Edwards' actions did not waive Ms. Giuffre's privilege.<sup>14</sup>

The main examples Defendant offers in support of her waiver argument come from a summary judgment motion that Cassell and Edwards filed. *See* Mot. to Compel at 16. Of

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<sup>14</sup> For the sake of completeness, it is worth noting that both federal law and New York state law likewise require that a client waive attorney-client privilege. *See, e.g., Schnell v. Schnell*, 550 F. Supp. 650, 653 (S.D.N.Y.1982) (no waiver of attorney-client privilege where attorney testified at hearing without presence or authorization of client); N.Y. C.P.L.R. 4503 (McKinney) ("Unless the client waives the privilege, an attorney . . . shall not disclose, or be allowed to disclose such communication, nor shall the client be compelled to disclose such communication, in any action, disciplinary trial or hearing, or administrative action, proceeding or hearing conducted by or on behalf of any state, municipal or local governmental agency or by the legislature or any committee or body thereof.").



course, that motion was filed on their behalf – not Ms. Giuffre’s. To be sure, that motion contained (among other supporting information) a sworn affidavit from Ms. Giuffre.<sup>15</sup> But the routine step of submitting an affidavit is not a waiver of attorney-client protections, as discussed at greater length in Part II.D., *infra*. And, in any event, Defendant does not include that affidavit among her supporting materials to her motion, much less explain how the recitation of factual information in that affidavit constitutes a waiver by Ms. Giuffre with respect to communications with her attorneys. *See Koon v. State*, 463 So.2d 201, 203-04 (Fla. 1985) (no waiver when the client merely discloses facts which were part of the communication with the client’s attorney). Ms. Giuffre has not waived *her* privilege.

**C. Ms. Giuffre’s Confidential Communications With Her Attorneys Were Never “At Issue” in the Florida Dershowitz Litigation.**

Defendant’s argument that Ms. Giuffre’s attorney-client privilege has been waived under the “at issue” doctrine also fails under Florida law because her confidential communications were never at issue in the Dershowitz litigation.

Florida law on when confidential attorney-client communications are at issue comes from the Florida Supreme Court’s decision in *Savino v. Luciano*, 92 So.2d 817 (Fla. 1957). There, the Florida Supreme Court announced the test for determining whether confidential communications were “at issue” as whether a claim or defense would “*necessarily require* that the privileged matter be offered in evidence.” *Id.* at 819 (emphasis added); *see also Diaz–Verson v. Walbridge Aldinger Co.*, 54 So.3d 1007, 1011 (Fla. 2d DCA 2010). More recent decisions from Florida

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<sup>15</sup> The “evidentiary support” for the summary judgment motion rested on 16 additional exhibits, including such obviously non-privileged materials as a Palm Beach Police Department report; flight logs from Epstein’s jet; excerpts from deposition testimony of Epstein, Juan Alessi, Alfredo Rodriquez, and Alan Dershowitz; photographs; and Epstein’s telephone directory. *See Menninger Dec.*, Ex. E at 28.

have emphasized that *Savino* does not mean that a party waives attorney-client privilege merely by bringing or defending a lawsuit. *Coates v. Akerman, Senterfitt & Edison, P.A.*, 940 So.2d 504 (Fla. 2d DCA 2006). Instead, waiver occurs only when a party “must necessarily use the privilege information to establish its claim or defense.” *Id.* at 510-11 (emphasis added). Most recently, in *Genovese v. Provident Life and Accident Ins. Co.*, 74 So. 3d 1064, 1069 (Fla. 2011), *as revised on denial of reh’g* (Nov. 10, 2011), the Florida Supreme Court cited both *Coates* and *Savino* to hold that the “at issue” doctrine allows discovery of privileged material only when the holder of the privilege – the client – raises the advice of counsel as a claim or defense in the action and the communication is essential to the claim or defense. *Id.*

Under these restrictive standards, Ms. Giuffre’s communications were never at issue in her attorneys’ personal, defamation case against Dershowitz. Consider, for example, a typical allegation Cassell and Edwards’ complaint:

Immediately following the filing of what Defendant, Dershowitz, knew to be an entirely proper and well-founded pleading, Dershowitz initiated a massive public media assault on the reputation and character of Bradley J. Edwards and Paul G. Cassell accusing them of intentionally lying in their filing, of having leveled knowingly false accusations against the Defendant, Dershowitz, without ever conducting any investigation of the credibility of the accusations, and of having acted unethically to the extent that their willful misconduct warranted and required disbarment.

McCawley Decl., Ex. 5 at 4 (¶ 17). As is immediately apparent, this allegation does not **require** an examination of Ms. Giuffre’s confidential communications with her attorneys. Instead, it requires an assessment of Dershowitz’s state of mind with regard to his knowledge of the information that Cassell and Edwards had to support the filing of the allegations. And, as supporting exhibits to the pleadings Cassell and Edwards filed made clear, the adequacy of their investigation could be readily established from many sources that did not have any connection to what Ms. Giuffre may or may not have told them in confidence. *See, e.g.*, McCawley Decl., Ex.

3 at 26-38 (recounting information supporting allegations against Dershowitz, such as sworn testimony from household employees and invocations of the Fifth Amendment by Epstein and his co-conspirators).

To be sure, Dershowitz tried to make an argument that Ms. Giuffre’s communications with her attorneys might have some arguable relevance to the case. But Judge Lynch rejected that very argument – and quite properly so. Relevance is insufficient to waive privilege under Florida law. *Guarantee Ins*, 300 F.R.D. at 594 (citing *Coyne v. Schwartz, Gold, Cohen, Zakarin & Kotler, P.A.*, 715 So.2d 1021, 1022 (Fla. 4<sup>th</sup> DCA 1998)). A client does not waive the attorney-client privilege simply because her credibility could be impeached by communications with her former attorney. *See Jenney v. Airdata Wiman, Inc.*, 846 So.2d 664, 668 (Fla. 2d DCA 2003). Accordingly, under Florida law, Ms. Giuffre’s confidential communications with her attorneys were never at issue in the Florida litigation.<sup>16</sup>

**D. Defendant Has Not Met the Other Requirements for Showing Waiver of Attorney-Client Privilege.**

For the foregoing reasons, Defendant has failed to make the required showing for an “at issue” waiver of attorney-client privilege. But even more fundamentally, Defendant has failed to establish other elements necessary to find a waiver of attorney-client privilege. Defendant repeatedly refers to routine litigation actions, such as the filing of in-court affidavits, as a basis for finding some kind of waiver of privilege. *See* Mot. to Compel at 16. But it is obvious that such actions do not waive attorney-client protection. Litigation requires some limited communication to third parties — including the court and opposing counsel — of information learned in the course of the attorney-client relationship. Therefore, Florida law recognizes an

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<sup>16</sup> The same result would obtain under New York state law. *See, e.g., Am. Re-Ins. Co. v. U.S. Fid. & Guar. Co.*, 40 A.D.3d 486, 492, 837 N.Y.S.2d 616, 622 (2007) (the at-issue “doctrine applies where a party, through its affirmative acts, places privileged material at issue and has selectively disclosed the advice”).

absolute privilege to protect attorneys' statements made in communications that are preliminary to a proposed judicial proceeding, or in the institution of, or during the course and as a part of, a judicial proceeding. Fla. Stat. Ann. § 90.502(2); *see also McCullough v. Kubiak*, 158 So. 3d 739, 740 (Fla. 4<sup>th</sup> DCA, 2015). A waiver of the attorney-client privilege occurs only if the client voluntarily discloses in court the substance of a ***communication with her attorney***. *See, e.g., Delap v. State*, 440 So.2d 1242, 1247 (Fla. 1983) (criminal defendant sought to use in court favorably testimony from his investigator while blocking inquiry into other testimony). No waiver occurs when the client merely discloses facts which were part of the communication with the client's attorney. *See Koon v. State*, 463 So.2d 201, 203-04 (Fla. 1985); *see also Taylor v. State*, 855 So.2d 1, 26 n.29 (Fla. 2003). Thus, the privilege attaches to the communication with counsel, not to the underlying facts. *Brookings v. State*, 495 So.2d 135, 139 (Fla. 1986); *see also Lynch v. State*, 2 So.3d 47, 66 (Fla. 2008).<sup>17</sup> As a result, allegations that Giuffre disclosed to third parties the same facts that she may have related to Cassell and Edwards, without any evidence that she disclosed the substance of her confidential consultation with Edwards and Cassell, cannot overcome her privilege.<sup>18</sup>

To hold otherwise would eviscerate the attorney-client privilege. Such a ruling would mean that every time an attorney filed a declaration by his client that contained the factual basis for the client's claim, the opposing party would have the right to examine all privileged communications. Defendant has not cited any authority either in Florida (or elsewhere) to

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<sup>17</sup> New York state privilege law is to the same effect. *See, e.g., Niesig v. Team I*, 76 N.Y.2d 363, 372, 558 N.E.2d 1030, 1034 (1990) (because "the privilege applies only to confidential communications with counsel (*see*, CPLR 4503), it does not immunize the underlying factual information . . . from disclosure to an adversary").

<sup>18</sup> As an illustration, Defendant notes that in 2011 Ms. Giuffre gave an interview to the *Daily Mail*. Mot. to Compel at 15. But Defendant does not explain how that interview disclosed any attorney-client communications. And because any such disclosures would have been extrajudicial, they would be narrowly construed. *In re von Bulow*, 828 F.2d 94, 103 (2d Cir. 1987).

support his extreme assertion that Ms. Giuffre waived her privilege simply by allowing an affidavit to be filed in a court proceeding.

Defendant also claims Cassell, at his deposition in the Dershowitz case, waived attorney-client privilege by discussing factual information related to his investigation of Ms. Giuffre's allegations (for example, flight log information). Cassell's deposition testimony did not constitute a waiver of Ms. Giuffre's attorney-client privilege. Indeed, Ms. Giuffre's own separate attorney (undersigned counsel, Ms. McCawley, from the law firm of Boies, Schiller & Flexner, LLP) raised a standing objection to Cassell answering any question that would require divulging any attorney/client communications. McCawley Decl., Ex. 14, deposition excerpt of Paul Cassell, Volume I, dated Oct. 16, 2015, at 39:24 – 40:2 (“Virginia Roberts does not waive her attorney/client privilege with her lawyers, and they are not entitled to testify as to information that she intended to be confidential that she communicated to her lawyers.”).<sup>19</sup>

Defendant also argues that because Cassell said at some (unspecified) point in his deposition that he “knew” some (unidentified) information about Ms. Giuffre, he must have been revealing attorney-client communications. Mot. to Compel at 17 (“Of course, the information [Cassell and Edwards] “knew” about [Ms. Giuffre] was a direct result of her attorney-client communications with them . . . .”). But Cassell knew a vast amount of information about Ms. Giuffre from the factual record in the case, such as the flight logs demonstrating flights that she took with Epstein and Defendant on Epstein's jet. Defendant's logic is simply incorrect.

**E. Ms. Giuffre Will Not Seek to Use Confidential Attorney-Client Communications in her Action Here.**

For all the reasons just explained, Ms. Giuffre has not waived her attorney-client privilege through events that occurred in the Dershowitz case. But one additional point bears

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<sup>19</sup> In her “excerpts” from Cassell's deposition, Defendant has not included this portion. See Menninger Dec., Ex. L.

emphasis: Defendant attempts to argue that the trial *in this case* will somehow be unfair if she does not receive access to confidential attorney-client communications that Ms. Giuffre had with her lawyers earlier. Mot. to Compel at 20-21. But regardless of what may or may not have been at issue in the Dershowitz case, confidential communications will not be at issue here. For example, Defendant writes that “[i]t would be prejudicial for [Ms. Giuffre] to be able to support her claim in this case that she is not a liar using her attorney’s testimony . . . .” *Id.* at 21. To be clear, Ms. Giuffre has no intention of calling, for example, Cassell and Edwards to testify at trial in an attempt to support her claims. Thus, this will not be a case where it will be “misleading to the court or any jury to hear testimony from [Ms. Giuffre’s] counsel about all the factual basis, work product and thought process on which they relied in making the allegations in the Joinder Motion,” Mot. to Compel at 22, for the simple reason that that Ms. Giuffre’s counsel will not be witnesses in the case. Nor will Ms. Giuffre be presenting a “state of mind” defense that might require a more extensive inquiry into attorney-client communications. *See In re Cty. of Erie*, 546 F.3d 222, 229 (2d Cir. 2008) (noting absence of good faith or state of mind issues as a reason for not finding “at issue” waiver of privilege); *Nomura Asset Capital Corp. v. Cadwalader, Wickersham & Taft LLP*, 62 A.D.3d 581, 582, 880 N.Y.S.2d 617, 618-20 (N.Y. App. Div. 2009) (finding no waiver where plaintiff disavowed any intention to use confidential attorney-client communications; relevance alone insufficient to put privileged materials “at issue” because, “if that were the case, a privilege would have little effect”).

To be sure, at trial Ms. Giuffre will present factual testimony supporting her version of events – just as, no doubt, Defendant will try to present testimony supporting her version. But such testimony (from both sides) does not create any waiver of attorney-client privilege. Instead, such testimony is simply the presentation of competing facts, from which the jury can decide



who is telling the truth. None of this creates any need for Defendant to force Ms. Giuffre to reveal confidential communications.

## II. MS. GIUFFRE DID NOT WAIVE HER ATTORNEY-CLIENT PRIVILEGE BY DENYING FABRICATED EVIDENCE DURING HER DEPOSITION.

Defendant spends significant time arguing that Ms. Giuffre's answers to several deposition questions about the *absence* of any communications from Cassell and Edwards that she provide false information constituted a waiver of attorney client privilege. Mot. to Compel at 11 (arguing that "never" answer to the question "Has Brad [Edwards] ever pressured you or encouraged you in any way or under any circumstances at any time to provide false information about Jeffrey Epstein" constituted a waiver of attorney-client privilege). While the arguments above are sufficient to dispose of this claim, it is worth emphasizing several additional points about this specific testimony.

First, disclosing the *absence* of communication is not the same as exposing any communication. It is a fundamental requirement of a waiver argument that a communication be exposed, *see* Fla. Stat. Ann. § 90.502 (extending privilege to a "communication between lawyer and client"), not the absence of such a communication. *See Montanez v. Publix Super Markets, Inc.*, 135 So. 3d 510, 512-13 (Fla. Dist. Ct. App. 2014) (rejecting argument that client waived her attorney-client privilege by stating that an interrogatory answer was not "her" answer because this did not disclose the substance of her communications with her attorney). *Cf. Mitchell v. Superior Court*, 37 Cal. 3d 591, 602, 691 P.2d 642, 647 (Cal. 1984) ("Relevant case law makes it clear that mere disclosure of the fact that a communication between client and attorney had occurred does *not* amount to disclosure of the specific content of that communication, and as such does not necessarily constitute a waiver of the privilege.").

Second, the questions highlighted by Defendant asked Ms. Giuffre whether she had ever communicated with her attorneys Cassell and Edwards for purposes of committing a crime or fraud. *See* Mot. to Compel at 11 (recounting questions). If such a communication involving perjury had existed, it would not have been covered by the attorney-client privilege in the first instance because it would have involved an on-going crime or fraud. *See* Fla. Stat. Ann. § 90.502(4) (“There is no lawyer-client privilege under this section when . . . [t]he services of the lawyer were sought or obtained to enable or aid anyone to commit or plan to commit what the client knew was a crime or fraud.”).<sup>20</sup> Answering those questions by denying the existence of a crime or fraud accordingly did not constitute waiver of confidentiality over any otherwise-protected communication. Indeed, any other conclusion would essentially abolish the attorney-client privilege. A party could simply accuse the opposing side of fabricating evidence and, when that accusation was denied, argue that attorney-client privilege had been waived. This is not the law.

Finally, it is important to note that throughout her deposition, Ms. Giuffre’s attorney strenuously objected to any effort by Dershowitz to obtain attorney-client information. *See* McCawley Decl., Exhibit 11, Composite Exhibit of Deposition Excerpts from the Deposition of Virginia Giuffre at 131-32; 173-74; 183; 200-12.<sup>21</sup> Clearly, at her deposition, Ms. Giuffre did not voluntarily waive any attorney-client privilege she held.

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<sup>20</sup> Again, for sake of completeness, it is worth noting that federal and New York state law also contain a crime-fraud exception to the attorney client privilege. *HSH Nordbank AG New York Branch v. Swerdlow*, 259 F.R.D. 64, 73 (S.D.N.Y. 2009); *Ulico Cas. Co. v. Wilson, Elser, Moskowitz, Edelman & Dicker*, 1 A.D.3d 223, 224, 767 N.Y.S.2d 228 (2003) (attorney-client privilege “may not be invoked where it involves client communications that may have been in furtherance of a fraudulent scheme, an alleged breach of fiduciary duty or an accusation of some other wrongful conduct”).

<sup>21</sup> Once again, these objections are not included in Defendant’s excerpts from the deposition.

**III. EDWARDS AND CASSELL HAVE NOT WAIVED WORK-PRODUCT PROTECTION AND MAXWELL HAS NOT DEMONSTRATED NEED TO PENETRATE THE PROTECTION.**

**A. Work Product Protection Has Not Been Waived.**

For many of the same reasons that Ms. Giuffre has not waived her attorney-client privilege, the work-product protection has not been waived. Fed. R. Evid. 502’s protections against waiver apply not only to the attorney-client privilege but also to the work-product doctrine. On the facts of this case, Rule 502 thus extends all work-product protections that exist “under the law of the state where the disclosure occurred,” Fed. R. Evid. 502(c)(2) – i.e., Florida law – as well as the protection that exists under federal law, Fed. R. Evid. 502(c)(1).

Florida law provides that work-product protections extend to “documents and tangible things otherwise discoverable” if a party prepared those items “in anticipation of litigation or for trial.” Fla. R. Civ. P. 1.280(b)(3). The rationale supporting the work-product doctrine is that one party is not entitled to prepare his case through the investigative work product of his adversary where the same or similar information is available through ordinary investigative techniques and discovery procedures. *Universal City Development Partners, Ltd. v. Pupillo*, 54 So.3d 612, 614 (Fla. 5<sup>th</sup> DCA, 2011). The work-product of the litigant, his attorney or agent, cannot be examined, absent rare and exceptional circumstances. *Surf Drugs, Inc. v. Vermette*, 236 So.2d 108, 112 (Fla. 1970).

In Florida (as elsewhere), a party “can make a limited waiver of its . . . work product privilege.” *Paradise Divers, Inc. v. Upmal*, 943 So. 2d 812, 814 (Fla. Dist. Ct. App. 2006). A waiver by disclosure only includes “other unrevealed communications only to the extent that they are relevant to the communication already disclosed.” *Id.* (citing *Eastern Air Lines, Inc. v. Gellert*, 431 So.2d 329, 332 (Fla. 3d DCA 1983)). Waiver by disclosure does “not mean . . . that

voluntary disclosure of confidential information effectively waives the privilege as to all conversations, or the whole breadth of discussion which may have taken place.” *Procacci v. Seitlin*, 497 So. 2d 969, 969-70 (Fla. Dist. Ct. App. 1986) (citing *Goldman, Sachs & Co. v. Blondis*, 412 F.Supp. 286, 288 (N.D.Ill.1976)). Instead, waiver by disclosure is confined to “that specific subject during that particular conversation.” *Procacci*, 497 So. 2d at 970 (quoting *Perrignon v. Bergen Brunswig Corp.*, 77 F.R.D. 455, 461 (N.D. Cal.1978)).<sup>22</sup>

As with her attorney-client privilege argument, Defendant has not even cited Florida law on waiver of work-product protection, much less explained how she meets its demanding requirements. Moreover, the illustrations she provides do not prove any general waiver of work-product protection. For example, Defendant relies on the claim that Cassell and Edwards have waived work-product protection by disclosing a transcript of a portion of a 2011 telephone interview with Ms. Giuffre by attorneys Jack Scarola and Brad Edwards. But that recorded interview was never a confidential communication between Mr. Giuffre and the lawyers, but rather (as the transcript of the call itself makes clear) a communication that could be presented **“to any jury that might ultimately have to hear these facts.”** McCawley Decl., Ex. 15 at 1, transcript of Scarola/Edwards interview on April 7, 2011 (emphasis added). In other words, the recorded call was simply the functional equivalent of an affidavit – and affidavits are routinely disclosed with waiving work product protections, under the law of Florida and elsewhere.

Defendant also argues that Cassell and Edwards waived work-product protection by filing a summary judgment motion in the Dershowitz case which contained supporting exhibits (e.g., flight logs, sworn testimony by third-party witnesses, and other evidence). Mot. to Compel

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<sup>22</sup> New York state law is to the same effect. See *Charter One Bank, F.S.B. v. Midtown Rochester, L.L.C.*, 191 Misc. 2d 154, 159, 738 N.Y.S.2d 179, 186 (Sup. Ct. 2002) (“ The disclosure of a document protected by the work-product rule does not result in a waiver of the privilege as to other documents.”).

at 16. But providing information in support of a summary judgment motion is a routine step that attorneys take every day. While the materials produced are obviously not subject to work product protection, other materials and communications do not somehow become subject to discovery. *Paradise Divers, Inc.*, 943 So. 2d at 814.

### **B. Defendant Has Not Proven “Need” to Penetrate Work-Product Protection.**

Defendant’s argument on work product protection also simply assumes that it is the same as the attorney-client privilege and can be waived under an “at issue theory.” But the “at issue” legal theory Defendant relies on to argue (incorrectly) that attorney-client privilege has been waived applies only to that privilege. The work product doctrine is quite distinct from attorney-client privilege, and application of the privileges and exceptions to them differ. *See West Bend Mutual Ins. Co. v. Higgins*, 9 So.3d 655, 656 (Fla. 5<sup>th</sup> DCA 2009); *Genovese v. Provident Life & Accident Ins. Co.*, 74 So. 3d 1064, 1068 (Fla. 2011), *as revised on denial of reh’g* (2011). The function of the work product doctrine is to protect counsel’s mental impressions. *West Bend Mutual*, 9 So.3d at 656. To pierce the privilege, Defendant must show “that the substantial equivalent of the material cannot be obtained by other means.” *Southern Bell Tel. & Tel. Co. v. Deason*, 632 So.2d 1377, 1385 (Fla.1994). Defendant has not even identified any specific work-product she claims to need, much less shown why she cannot get the underlying information from other sources.

Under the law of Florida (and elsewhere<sup>23</sup>), to establish “need,” a party must present testimony or evidence demonstrating the material requested is critical to the theory of the

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<sup>23</sup> Both federal and New York state law extend work product protections similar to those found in Florida law. *See, e.g., Hickman v. Taylor*, 329 U.S. 495, 511 (1947); N.Y. Civ. Practice Law & Rules § 3101(c) (McKinney). Indeed, New York state law may go even further than Florida’s and extends “absolute” work-product protection. *See Charter One Bank, F.S.B. v. Midtown Rochester, L.L.C.*, 191 Misc. 2d 154, 159, 738 N.Y.S.2d 179, 185 (Sup. Ct. 2002) (section 3101(c) “affords absolute immunity from disclosure of attorney’s work product.”).

requestor's case, or to some significant aspect of the case. *Zirkelbach Const. Inc. v. Rajan*, 93 So.3d 1124, 1130 (Fla. 2d DCA 2012). “[W]ell established in Florida is the principle that the unsworn analysis of a party’s attorney and/or a bare assertion of need and undue hardship to obtain the substantial equivalent [is] insufficient to satisfy this showing.” *Butler v. Harter*, 152 So.3d 705, 712 (Fla. 1st DCA, 2014); *see Procter & Gamble Co. v. Swilley*, 462 So.2d 1188, 1194 (Fla. 1st DCA 1985); *State v. T.A.*, 528 So.2d 974, 975 (Fla. 2d DCA, 1988) (“[R]epresentations by counsel not made under oath and not subject to cross-examination, absent a stipulation, are not evidence). Further, Florida courts have held that “the showing of need encompasses a showing of diligence by the party seeking discovery of another party’s work product.” *Butler v. Harter*, 152 So.3d 705, 712 (Fla. 1st DCA, 2014); *see also CSX Transp., Inc. v. Carpenter*, 725 So.2d 434, 435 (Fla. 2d DCA 1999) (quashing order granting motion to compel discovery because the record did not contain affidavits supporting plaintiff’s argument that it was unable to obtain the substantially equivalent information by other means without undue hardship); *Falco v. N. Shore Labs. Corp.*, 866 So.2d 1255, 1257 (Fla. 1st DCA 2004) (holding that need and undue hardship “must be demonstrated by affidavit or sworn testimony”); *N. Broward Hosp. Dist. v. Button*, 592 So.2d 367, 368 (Fla. 4th DCA 1992), (“[T]he unsworn assertions of plaintiff’s counsel were insufficient to constitute a showing of need and undue hardship.”), *called into doubt on other grounds as stated in Columbia Hosp. Corp. of S. Broward v. Fain*, 16 So.3d 236 (Fla. 4th DCA 2009).

Here, Defendant has ample information from which she can present her case. At the core of this case is whether Ms. Giuffre “lied” when she said that the Defendant recruited her to be sexually abused by Jeffrey Epstein. Defendant can, of course, testify to her interactions with Ms. Giuffre, as well as call other witnesses regarding the circumstances of those interactions.



Defendant can also get information from her close friend, Epstein, about the circumstances of the interactions. Defendant and Epstein are not only good friends but they have a “common interest agreement” that facilitates transfer of information between the two of them. Finally, to make her showing that she is unable to obtain “equivalent information” from other sources, Defendant would have to explain in detail what other steps she has taken to secure information from other sources, including not only Epstein but other witnesses present at Epstein’s mansion. Having failed to do any of this, Defendant has not made a sufficient showing to obtain work-product information. *Pupillo*, 54 So.3d at 614.

**IV. COMMUNICATIONS WITH ATTORNEY JACK SCAROLA ARE COVERED BY A JOINT DEFENSE AGREEMENT AND ARE THUS PROTECTED BY ATTORNEY-CLIENT AND WORK-PRODUCTION PROTECTION.**

As a tag-along argument at the end of her motion, Defendant argues that Ms. Giuffre has not established the existence of a common interest or joint defense agreement that embraces Jack Scarola, the attorney for Cassell and Edwards in the Dershowitz litigation. Mot. to Compel at 23-24. Disclosure of that agreement involved notice to the parties to the agreement. Now that appropriate notice has been provided, the agreement can be – and has been – disclosed. *See* McCawley Decl., Ex. 16, common interest agreement. In view of the existence of the valid agreement, it is clear that the referenced communications involving Scarola are protected. *See, e.g., Guiffre v. Maxwell*, No. 15 CIV. 7433 (RWS), 2016 WL 1756918, at \*6 (S.D.N.Y. May 2, 2016) (noting common interest agreement protection) (*citing GUS Consulting GMBH v. Chadbourne & Parke LLP*, 20 Misc. 3d 539, 542, 858 N.Y.S.2d 591, 593 (Sup. Ct. 2008)).

**CONCLUSION**

Defendant’s motion to compel should be denied in its entirety.

Dated: June 1, 2016

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on the 1st day of June, 2016, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system. I also certify that the foregoing document is being served this day on the individuals identified below via transmission of Notices of Electronic Filing generated by CM/ECF.

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<sup>24</sup> This daytime business address is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah for this private representation.

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***GIUFFRE***

***VS.***

***MAXWELL***

**Deposition**

***VIRGINIA GIUFFRE***

*05/03/2016*

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***Agren Blando Court Reporting & Video, Inc.***

*216 16th Street, Suite 600*

*Denver Colorado, 80202*

*303-296-0017*

1           A       I believe this is when I was hoping to  
2       join the CVRA case.

3           Q       All right. And do you know when this  
4       document was filed?

5                   And actually, just to be clear, about  
6       halfway there's actually a second document that was  
7       filed. So this is a composite exhibit. Let me be  
8       very clear.

9                   So after page 14 -- I'm sorry, 13, there's  
10      a second document that is styled Jane Doe #3 and Jane  
11      Doe #4's Corrected Motion Pursuant to Rule 21 for  
12      Joinder In Action.

13                  Do you see that?

14           A       Did you say page 14?

15           Q       It is on the 14th page of this document.

16                  Do you see that?

17           A       I do.

18           Q       And so this composite Exhibit 2 has both a  
19      motion and a corrected motion.

20                  Do you see that?

21           A       Yes.

22           Q       And were both of those pleadings  
23      authorized by you to be filed?

24           A       Yes.

25           Q       In other words, you wanted to join the

1 CVRA action in or about December 30th, 2014, correct?

2 A I -- I'm not aware of the exact dates.

3 There's no dates on this. But I did try to join the  
4 motion, yes.

5 Q All right. If you can look at the top  
6 line of the document.

7 A Yes.

8 Q Does it say, Entered on FLSD --

9 A Oh, it does, too, I'm sorry, yes.

10 Q That's all right. So does that refresh  
11 your memory as to about when you first sought to join  
12 the CVRA action?

13 A Yes.

14 Q December 30th, 2014, correct?

15 A Yes.

16 Q And the corrected motion was filed a few  
17 days later, correct?

18 A Yes, correct.

19 Q If I could turn to Defendant's Exhibit 3,  
20 which was January 21st.

21 (Exhibit 3 marked.)

22 MR. EDWARDS: Thank you.

23 Q (BY MS. MENNINGER) Do you recognize this  
24 document?

25 A Yes, I do.



1 physical features of Ghislaine Maxwell?

2 A I can tell you that she had very large  
3 natural breasts. I can tell you that her pubic hair  
4 was dark brown, nearly black. I don't remember any  
5 specific birthmarks or moles that I could point out  
6 that would be relevant.

7 Q Any scar?

8 A I don't remember any scars.

9 Q Any tattoos?

10 A No tattoos.

11 Q When did you next go to the El Brillo  
12 house?

13 A I believe it would have been the next day.

14 Q You believe it would have been or was it?

15 MR. EDWARDS: Form.

16 A I know that it was consecutive, that I  
17 continued to go there after my first -- the first  
18 time that the abuse took place there. It was  
19 consecutive that I was there, I believe, over the  
20 next course of weeks.

21 Q (BY MS. MENNINGER) What day of the week  
22 was the first time you went?

23 A I don't know.

24 Q Do you know whether you went the very next  
25 day or not?

1           A       I believe I did.

2           Q       All right. How did you get there the very  
3 next day?

4                   MR. EDWARDS: Form.

5           A       I believe my dad dropped me off again.

6           Q       (BY MS. MENNINGER) When you say you  
7 believe, do you recall him doing that or are you  
8 guessing?

9           A       I don't -- well, this is how I figure  
10 this. I don't remember Ghislaine picking me up from  
11 Mar-a-Lago. I didn't have my own car. So the only  
12 way I could have really gotten there would have been  
13 my dad picking me up -- I mean, sorry, dropping me  
14 off.

15          Q       Do you have a distinct recollection of  
16 your father dropping you off there more than one day  
17 in a row?

18          A       Yes.

19          Q       You do not recall the car he was driving?

20          A       Like I said, he always drove trucks.

21 That's as good as I can get.

22          Q       And so -- and you worked on weekends as  
23 well at Mar-a-Lago or no?

24          A       No.

25          Q       So the second day would have had to be

1 A I wouldn't say directly.

2 Q How --

3 A I'd say I stayed with my parents for --  
4 like, I think I finished school at Crestwood. So I  
5 would have been in, I don't know, I guess eighth  
6 grade, finished eighth grade. And then -- I don't  
7 know. I really don't know. Around eighth grade.

8 Q You went to Growing Together?

9 A I think -- I think it was then.

10 Q And how many years did you live at Growing  
11 Together?

12 A Over a year.

13 Q Were you ever in foster care?

14 A What Growing Together was, was like a  
15 group home that sent you away to foster parents every  
16 night.

17 Q So you lived in other people's homes  
18 during the period of time you were assigned to  
19 Growing Together?

20 A Well, you stayed at Growing Together  
21 during the day and then at night you get sent home  
22 with parents.

23 Q Did you go to school while you were at  
24 Growing Together?

25 A Yeah, they offer education there.

1 Q So the education was at Growing Together?

2 A Yeah.

3 Q You did not attend a Palm Beach County --

4 A I did, but you had to earn your levels up  
5 to be able to go outside. So I don't remember what  
6 level you have to get up to, to go out to another  
7 school. I think there was like seven levels or  
8 something. And you had to make it to, like, level 4  
9 to be able to go to outside school.

10 Q So for some period of time you were  
11 assigned to Growing Together and you were going to  
12 school at Growing Together. And for some period of  
13 time you were going to other schools and coming back  
14 to Growing Together?

15 A Correct.

16 Q And then when you came back to Growing  
17 Together, you were sent to spend the night at a  
18 family's home?

19 A Yes.

20 Q So you never slept at Growing Together?

21 A No.

22 Q Did you live -- other than living at or  
23 staying at Growing Together during the day and  
24 sleeping at these other homes at night, is there  
25 anywhere else that you recall living in the period

1 a 3. I think it's [REDACTED]

2 [REDACTED]. I really can't make out  
3 the telephone number.

4 Q Okay. Do you see Relationship? Can you  
5 read that?

6 A Friend.

7 Q Okay. Do you see just below that there's  
8 a line that says number 21?

9 A Do not stop -- sorry, Do not sign  
10 application until requested to do so by  
11 administering an oath.

12 Q Okay.

13 A Applicant's signature age 13 or older.

14 Q Oh, it's by the signature line?

15 A Yeah.

16 Q And that's your signature?

17 A Yes.

18 Q All right. And this is the document that  
19 you recall filling out for your first passport?

20 A I don't recall doing it, but yes, it's in  
21 my handwriting and it's got all of my information on  
22 it.

23 Q Okay. And on line -- box 23 it's got your  
24 driver's license checked off, right?

25 A July 23. Yeah, I really can't make out

1 And when they say massage, that means erotic, okay?  
2 That's their term for it. I think there are plenty  
3 of other witnesses that can attest to what massage  
4 actually means.

5 And I'm telling you that Ghislaine told me  
6 to go to Glenn Dubin and give him a massage, which  
7 means sex.

8 Q Okay. So Glenn -- Ghislaine Maxwell told  
9 you to go give a massage to Glenn Dubin?

10 A Correct.

11 Q That's your testimony?

12 A That is my testimony.

13 Q All right. Ghislaine Maxwell told you to  
14 go give a massage to [REDACTED], correct?

15 A Correct.

16 Q Ghislaine Maxwell told you to give a  
17 massage to Prince Andrew, correct?

18 A Correct.

19 Q Ghislaine Maxwell told you to give a  
20 massage to Bill Richardson, correct?

21 A Correct.

22 Q When did Ghislaine Maxwell tell you to  
23 give a massage to Bill Richardson?

24 A I don't know dates.

25 Q Where were you?



1           A       When it happened?

2           Q       When Ghislaine Maxwell used the words, Go  
3       give a massage to Bill Richardson, where were you?

4                   MR. EDWARDS: Object to the form.  
5       Mischaracterizes her testimony.

6           A       I can't tell you where we were. I know  
7       where I was sent to. I don't know where we were when  
8       she told me to do that.

9           Q       (BY MS. MENNINGER) Where were you sent  
10      to --

11          A       New Mexico.

12          Q       -- by Ghislaine Maxwell?

13                  MR. EDWARDS: Object to the form.  
14      Mischaracterizes her testimony again.

15          A       Are you smiling at me because --

16          Q       (BY MS. MENNINGER) No, I'm asking you to  
17      answer the question.

18          A       I have answered the question. I was sent  
19      to New Mexico.

20          Q       Okay. Where were you sent from?

21          A       I already answered that. I don't know  
22      where I was sent from.

23          Q       Okay.

24          A       I was flying everywhere with these people.

25          Q       Where were you sent by Ghislaine Maxwell

1 to have sex with Jean Luc Brunel?

2 MR. EDWARDS: Object to the form.

3 Mischaracterized her testimony.

4 A Many places.

5 Q (BY MS. MENNINGER) Ghislaine Maxwell sent  
6 you to many places to have sex with Jean Luc Brunel?

7 MR. EDWARDS: Object to the form.

8 A It happened at many places, yes.

9 Q (BY MS. MENNINGER) You had sex with Jean  
10 Luc Brunel at many places is what you're saying,  
11 correct?

12 A I was sent to Jean Luc Brunel at many  
13 places to have sex with him.

14 Q When did Ghislaine Maxwell send you to a  
15 place to have sex with Jean Luc Brunel?

16 A You are asking --

17 MR. EDWARDS: Form.

18 A -- me to answer the impossible.

19 Q (BY MS. MENNINGER) All right. When did  
20 Ghislaine Maxwell send you to have sex with the owner  
21 of a large hotel chain?

22 MR. EDWARDS: Object to the form.

23 Mischaracterization.

24 A I'm going to keep answering the questions  
25 the same way that I keep answering them. I don't

1 know where it was when she said to go do this.

2 Q (BY MS. MENNINGER) Okay. Where were you  
3 sent to have sex with the owner of a large hotel  
4 chain by Ghislaine Maxwell?

5 MR. EDWARDS: Object to the form.

6 A I believe that was one time in France.

7 Q (BY MS. MENNINGER) Which time in France?

8 A I believe it was around the same time that  
9 Naomi Campbell had a birthday party.

10 Q Where did you have sex with the owner of a  
11 large hotel chain in France around the time of Naomi  
12 Campbell's birthday party?

13 A In his own cabana townhouse thing. It was  
14 part of a hotel, but I wouldn't call it a hotel.

15 Jeffrey was staying there. Ghislaine was  
16 staying there. Emmy was staying there. I was  
17 staying there. This other guy was staying there. I  
18 don't know his name.

19 I was instructed by Ghislaine to go and  
20 give him an erotic massage.

21 Q She used the words erotic massage?

22 A No, that's my word. The word massage is  
23 what they would use. That's their code word.

24 Q Was she in the room when you gave this  
25 erotic massage to the owner of a large hotel chain?

1           A       No, she was not in the room. She was in  
2       another cabana.

3           Q       And other than telling you to go give the  
4       owner of this large hotel chain a massage, do you  
5       remember any other words she used to you to direct  
6       you in what you should do?

7           A       Not at the time, no.

8           Q       Where did -- where were you and where was  
9       Ms. Maxwell when she directed you to go have sex with  
10      Marvin Minsky?

11                  MR. EDWARDS: Object to the form.

12          A       I don't know.

13          Q       (BY MS. MENNINGER) Where did you go to  
14      have sex with Marvin Minsky?

15          A       I believe it was the U.S. Virgin Islands,  
16      Jeff's -- sorry, Jeffrey Epstein's island in the U.S.  
17      Virgin Islands.

18          Q       And when was that?

19          A       I don't know.

20          Q       Do you have any time of year?

21          A       No.

22          Q       Do you know how old you were?

23          A       No.

24          Q       Other than Glenn Dubin, [REDACTED],  
25      Prince Andrew, Jean Luc Brunel, Bill Richardson,

1 another prince, the large hotel chain owner and  
2 Marvin Minsky, is there anyone else that Ghislaine  
3 Maxwell directed you to go have sex with?

4 A I am definitely sure there is. But can I  
5 remember everybody's name? No.

6 Q Okay. Can you remember anything else  
7 about them?

8 A Look, I've given you what I know right  
9 now. I'm sorry. This is very hard for me and very  
10 frustrating to have to go over this. I don't -- I  
11 don't recall all of the people. There was a large  
12 amount of people that I was sent to.

13 Q Do you have any notes of all these people  
14 that you were sent to?

15 A No, I don't.

16 Q Where are your notes?

17 A I burned them.

18 Q When did you burn them?

19 A In a bonfire when I lived at Titusville  
20 because I was sick of going through this shit.

21 Q Did you have lawyers who were representing  
22 you at the time you built a bonfire and burned these  
23 notes?

24 A I've been represented for a long time, but  
25 it was not under the instruction of my lawyers to do

1       this. My husband and I were pretty spiritual people  
2       and we believed that these memories were worth  
3       burning.

4               Q       So you burned notes of the men with whom  
5       you had sex while you were represented by counsel in  
6       litigation, correct?

7               MR. EDWARDS: Object to the form.

8               A       This wasn't anything that was a public  
9       document. This was my own private journal, and I  
10      didn't want it anymore. So we burned it.

11              Q       (BY MS. MENNINGER) When did you write  
12      that journal?

13              A       Just over time. I started writing it  
14      probably in, I don't know, I can't speculate, 2012,  
15      2011.

16              Q       So you did not write this journal at the  
17      time it happened?

18              A       No.

19              Q       You started writing this journal  
20      approximately a decade after you claim you finished  
21      being sexually trafficked, correct?

22              A       Yes.

23              Q       And you started writing a journal after  
24      you had a lawyer, correct?

25              A       Correct.



1           Q       Including Mr. Edwards, who is sitting  
2       right here, correct?

3           A       Correct.

4           Q       What did that journal look like?

5           A       It was green.

6           Q       And what else?

7           A       It was just a spiral notebook.

8           Q       Okay. And what did you put into that  
9       green spiral notebook?

10          A       Bad memories. Things that I've gone  
11       through, lots of things, you know. I can't tell you.  
12       There was a lot of pages. It was over 300 pages in  
13       that book.

14          Q       Did you ever show that book to your  
15       lawyers?

16          A       No.

17          Q       Did you show that book to anyone?

18          A       My husband.

19          Q       Did you show it to anyone else besides  
20       your husband?

21          A       No.

22          Q       Did you tear out pages and give them to  
23       Sharon Churcher?

24          A       No, I wrote -- those pages that you're  
25       talking about, I wrote for her specifically. She

1 wanted to know about the Prince Andrew incident.

2 Q So that's a different piece of paper?

3 A Yeah, that's just random paper.

4 Q So you had a green spiral notebook that  
5 you began sometime in 2011 or 2012 in which you wrote  
6 down your recollections about what had happened to  
7 you, and you burned that in a bonfire in 2013.

8 Did I get that right?

9 A You got that right.

10 Q And do you have no other names of people  
11 to whom you claim Ghislaine Maxwell directed you to  
12 have sex, correct?

13 A At this time, no.

14 Q Is there any document that would refresh  
15 your recollection that you could look at?

16 A If you have a document you'd like to show  
17 me, I would be glad to look at it and tell you the  
18 names I recognize off of that.

19 Q I'm just asking you if there's a document  
20 you know of that has this list of names in it?

21 A Not in front of me, no.

22 Q Where is the original of the photograph  
23 that has been widely circulated in the press of you  
24 with Prince Andrew?

25 A I probably still have it. It's not in my

possession right now.

Q Where is it?

A Probably in some storage boxes.

Q Where?

A In Sydney.

Q Where in Sydney?

A At some family's house. We got the boxes shipped to Australia, and they were picked up off the porch by my nephews and brought to their house.

Q Which is where?

A In Sydney.

Q Where in Sydney?

A [REDACTED]

Q And who lives in that house?

A Well, it's owned by my mother-in-law and father-in-law, but my nephews live in the house.

Q What are their names?

A I'm not giving you the names of my nephews.

Q What's the address of the house?

A Why would you want that?

Q I want to know where the photograph is. I'm asking you where the photograph is. And you've just told me it's somewhere in [REDACTED]?

A Yes.

1           Q       So where in [REDACTED] is the photograph  
2       located?

3           A       If I can't 100 percent say that the  
4       photograph is there, it could be at my house that I  
5       presently live in. I'm not going to give you the  
6       address of my nephews' residence.

7           Q       When is the last time you saw the  
8       photograph in person?

9           A       When I packed and left America.

10          Q       Colorado?

11          A       Yes.

12          Q       All right. So you had that photograph  
13       here with you in Colorado?

14          A       Yes.

15          Q       What's on the back of the photograph?

16          A       I'm sorry?

17          Q       Is there anything on the back of the  
18       photograph?

19          A       There's like the date it was printed, but  
20       no writing or anything.

21          Q       Okay. Does it say where it was printed?

22          A       I don't believe so. I think it just -- I  
23       don't remember. I just remember there's a date on  
24       it.

25          Q       Whose camera was it taken with?

1 A My little yellow Kodak camera.

2 Q Who took the picture?

3 A Jeffrey Epstein.

4 Q And where did you have it developed?

5 A I believe when I got back to America.

6 Q So where?

7 A I don't know.

8 Q Palm Beach?

9 A I don't know.

10 Q What is the date the photograph was  
11 printed?

12 A I believe it's in March 2001.

13 Q Okay.

14 A But that's just off of my photographic  
15 memory. I don't -- it could be different, but I  
16 think it's March 2001.

17 Q You have a photographic memory?

18 A I'm not saying I have a photographic  
19 memory. But if I'd look at the back of the photo and  
20 I remember what it says, I believe it was March 2001.

21 Q Did the photograph ever leave your  
22 possession for a while?

23 A I gave it to the FBI.

24 Q Okay. And when did you get it back?

25 A When they took copies of it.

1 Q When was that?

2 A 2011.

3 Q When they came to interview you?

4 A Yes.

5 Q So from 2011 until you left Colorado it  
6 was in your personal possession?

7 A Yes.

8 Q What other documents related to this case  
9 are in that, storage boxes in Australia?

10 MR. EDWARDS: Object to the form.

11 A Documents related to this case -- there --  
12 I don't know. I really can't tell you. I mean,  
13 there's seven boxes full of Nerf guns, my kids' toys,  
14 photos. I don't know what other documents would be  
15 in there.

16 Q (BY MS. MENNINGER) Did anyone search  
17 those documents after you received discovery requests  
18 from us in this case?

19 A I haven't been able to obtain those boxes.  
20 I can't get them sent back up to me. It's going to  
21 cost me a large amount of money. And right now I'm  
22 trying to look after my family, so I'm not able to  
23 afford to get them up.

24 Q You live in Australia, correct?

25 A I do.



1 read it.

2 MS. MENNINGER: We're going off the  
3 record.

4 MR. EDWARDS: Yeah, that's fine. She'll  
5 read.

6 THE VIDEOGRAPHER: That concludes today's  
7 proceedings. We're off the record at 5:28.

8 (Proceedings concluded at 5:28 p.m.)

9  
10 \* \* \* \* \*