

April 9, 2019

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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SHELDON BARR and THOMAS GARDNER,

Plaintiffs,

-against-

CITY OF NEW YORK and 116 EAST 65TH
STREET, LLC,

Defendants,

INDEX NO.: 159225/2010

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535 Fifth Avenue

New York, New York

April 9, 2019

10:07 a.m.

EXAMINATION BEFORE TRIAL of the Defendant,
116 EAST 65TH STREET, LLC, by GHISLAINE MAXWELL, in
the above-entitled action, held at the above time
and place, taken before a Notary Public of the State
of New York, pursuant to Order and Stipulations
between Counsel.

Page 2
April 9, 2019

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

THE LAW OFFICE OF JOSEPH FALLEK

Attorney for Plaintiffs

One Battery Park Plaza, 32nd Floor

New York, New York 10004

BY: LARRY FALLEK, ESQ.

CUOMO, LLC.

Attorney for Defendant

116 EAST 65TH STREET, LLC.

200 Old Country Road, Suite 2 South

Mineola, New York 11501

BY: MATTHEW CUOMO, ESQ.

FILE NO.: AIGPRIV 17007

Page 3
April 9, 2019

1 3

2 S T I P U L A T I O N S

3 IT IS HEREBY STIPULATED AND AGREED by and

4 between(among) counsel for the respective parties

5 hereto, that:

6

7 All rights provided by the C.P.L.R.,

8 including the right to object to any question,

9 except as to form, or to move to strike any

10 testimony at this(these) examinations(s), are

11 reserved, and, in addition, the failure to object to

12 any question or to move to strike any testimony at

13 this(these) examination(s) shall not be a bar or

14 waiver to make such motion at, and is reserved for

15 the trial of this action;

16

17 IT IS FURTHER STIPULATED AND AGREED by and

18 between(among) counsel for the respective parties

19 hereto, that this(these) examinations(s) may be

20 sworn to by the witness(es) being examined, before a

21 Notary Public other than the Notary Public before

22 whom this(these) examination(s) was(were) begun; but

23 the failure to do so, or to return the original of

24 this(these) examinations(s) to counsel, shall not be

25 deemed a waiver of the rights provided by

Page 4
April 9, 2019

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S T I P U L A T I O N S (Cont'd)

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Rules 3116 and 3117 of the C.P.L.R., and shall be

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controlled thereby;

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IT IS FURTHER STIPULATED AND AGREED by and

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between(among) counsel for the respective parties

8

hereto, that this(these) examinations(s) may be

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utilized for all purposes as provided by the

10

C.P.L.R.;

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IT IS FURTHER STIPULATED AND AGREED by and

13

between(among) counsel for the respective parties

14

hereto, that the filing and certification of the

15

original of this(these) examination(s) shall be and

16

the same hereby are waived;

17

18

IT IS FURTHER STIPULATED AND AGREED by and

19

between(among) counsel for the respective parties

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hereto, that a copy of the within examination(s)

21

shall be furnished to counsel representing the

22

witness(es) testifying, without charge.

23

24

IT IS FURTHER STIPULATED AND AGREED by and

25

between(among) counsel for the respective parties

Page 3
April 9, 2019

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2 S T I P U L A T I O N S (Cont'd)

3 hereto, that all rights provided by the C.P.L.R.,

4 and Part 221 of the Uniform Rules for the Conduct of

5 Depositions, including the right to object to any

6 question, except as to form, or to move to strike

7 any testimony at this examination is reserved; and

8 in addition, the failure to object to any question

9 or to move to strike any testimony at this

10 examination shall not be a bar or waiver to make

11 such motion at, and is reserved to, the trial of

12 this action.

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1 GHISLAINE MAXWELL

2 G H I S L A I N E M A X W E L L, called as a

3 witness, having been first duly sworn by a Notary

4 Public of the State of New York, was examined and

5 testified as follows:

6 EXAMINATION BY

7 MR. FALLEK:

8 Q. Please state your name for the record.

9 A. Ghislaine Maxwell.

10 Q. Please state your address for the record.

11 A. 44 Kinnerton Street, London, England

12 SW183X.

13 MR. FALLEK: Good morning, Ms. Maxwell. My

14 name is Larry Fallek. I represent the

15 plaintiffs in this action, Sheldon Barr and

16 Thomas Gardner.

17 I will be asking you a series of questions

18 about an accident that occurred back on

19 September 9, 2015. Many of the questions are

20 going to involve your ownership. When I say,

21 "your ownership," I am referring to the

22 ownership of 116 East 65th Street in

23 Manhattan.

24 THE WITNESS: Okay.

25 MR. FALLEK: Before we start I have a few

1 GHISLAINE MAXWELL

2 basic rules I want to discuss with you. Please

3 make all your responses verbally. The Court

4 Reporter can't take down a shake or nod of the

5 head. Like you are doing right now.

6 THE WITNESS: Of course.

7 MR. FALLEK: Please say yes or no.

8 THE WITNESS: Yes.

9 MR. FALLEK: And try not to shrug your

10 shoulders or anything like that. Just make all

11 your response verbally.

12 THE WITNESS: I shall.

13 MR. FALLEK: Please let me finish my entire

14 question before you give an answer. The Court

15 Reporter cannot take us both down speaking at

16 the same time.

17 Q. Is that agreeable?

18 A. Yes.

19 MR. FALLEK: It's important that you stop

20 me if you don't understand a question. If you

21 do give an answer, I will assume that you

22 understand my question.

23 Q. Is that understood?

24 A. Yes.

25 Q. The address that you just gave the Court

Page 8
April 9, 2019

1 GHISLAINE MAXWELL

2 Reporter, how long have you lived there?

3 A. '92, '93.

4 Q. Is that your primary residence at this

5 time?

6 A. No. It's just a home that I have.

7 Q. How many homes do you own back in September

8 of 2015?

9 A. Two.

10 Q. Where are those homes?

11 A. 116 East 65th Street and the one in London.

12 Q. When you say, "the one in London," you are

13 referring to the address that you just gave?

14 A. Yes.

15 Q. Is that a private home?

16 A. Yes.

17 Q. Is that home owned by you individually or

18 some other form?

19 A. It's owned by me.

20 Q. Is your name on the deed to that property

21 or the title of the property?

22 A. It was back then. I kind of -- it was up

23 until recently. I don't know. I can't remember

24 what it is now, if I changed it or not.

25 Q. Back in September of 2015, did you or any

April 9, 2019

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GHISLAINE MAXWELL

A. He was my lawyer for this matter.

MR. FALLEK: No further questions. Thank
you.

(Whereupon, the proceedings were concluded
at 11:47 a.m.)

GHISLAINE MAXWELL

Subscribed and sworn to
before me this ____ day
of _____, 2019.

Notary Public

April 9, 2019

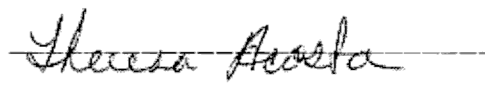
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C E R T I F I C A T I O N

I, Theresa Acosta, a Shorthand Reporter
and Notary Public of the State of New York, do
hereby certify;

That, GHISLAINE MAXWELL, the witness whose
examination is hereinbefore set forth, was duly
sworn, and that such examination is a true record of
the testimony given by such 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.


THERESA ACOSTA