

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.

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

3 THE LAW OFFICE OF JOSEPH FALLEK

4 Attorney for Plaintiffs

5 One Battery Park Plaza, 32nd Floor

6 New York, New York 10004

7 BY: LARRY FALLEK, ESQ.

8

9 CUOMO, LLC.

10 Attorney for Defendant

11 116 EAST 65TH STREET, LLC.

12 200 Old Country Road, Suite 2 South

13 Mineola, New York 11501

14

15 BY: MATTHEW CUOMO, ESQ.

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17 FILE NO.: AIGPRIV 17007

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

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IT IS HEREBY STIPULATED AND AGREED by and
between(among) counsel for the respective parties
hereto, that:

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All rights provided by the C.P.L.R.,
including the right to object to any question,
except as to form, or to move to strike any
testimony at this(these) examinations(s), are
reserved, and, in addition, the failure to object to
any question or to move to strike any testimony at
this(these) examination(s) shall not be a bar or
waiver to make such motion at, and is reserved for
the trial of this action;

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IT IS FURTHER STIPULATED AND AGREED by and
between(among) counsel for the respective parties
hereto, that this(these) examinations(s) may be
sworn to by the witness(es) being examined, before a
Notary Public other than the Notary Public before
whom this(these) examination(s) was(were) begun; but
the failure to do so, or to return the original of
this(these) examinations(s) to counsel, shall not be
deemed a waiver of the rights provided by

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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
controlled thereby;

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6 IT IS FURTHER STIPULATED AND AGREED by and
7 between(among) counsel for the respective parties
8 hereto, that this(these) examinations(s) may be
9 utilized for all purposes as provided by the
10 C.P.L.R;

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12 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;

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18 IT IS FURTHER STIPULATED AND AGREED by and
19 between(among) counsel for the respective parties
20 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

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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

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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

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

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1 GHISLAINE MAXWELL

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3 A. He was my lawyer for this matter.

4 MR. FALLEK: No further questions. Thank
5 you.

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

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11 GHISLAINE MAXWELL

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

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Notary Public

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

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

7

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

12

13 I further certify that I am not related to
14 any of the parties to this action by blood or
15 marriage; and that I am in no way interested in the
16 outcome of this matter.

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19



20 THERESA ACOSTA

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