

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

VS.

JEFFREY EPSTEIN,

Defendant.

AFFIDAVIT OF JEFFREY M. HERMAN

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

Jeffrey M. Herman, deposes and states as follows:

1. I am the attorney of record for Jane Doe No. 2, and have knowledge of the status and history of this case.

2. The Complaint filed in this action alleges that Defendant Epstein is a financier and money manager to billionaires, who himself is a man of tremendous wealth, power and influence. It alleges that Defendant Epstein preys on young teenage girls by inducing them to give him massages for compensation in his Palm Beach mansion, and then sexually assaulting them.

3. Plaintiff Jane Doe No. 2 seeks damages for sexual assault against Defendant Epstein. This case was filed on February 6, 2008. On that day, I attended a press conference in West Palm Beach, Florida concerning the filing of this suit. Accusations relating to Mr. Epstein's sexual misconduct with underage girls has been reported extensively in the press, since 2006. The filing of Jane Doe No. 2's case received extensive press coverage, as did a prior related case filed on January

24, 2008 making similar allegations. Jack A. Goldberger, Esq., Mr. Epstein's attorney, attended a press conference in January, 2008 on Mr. Epstein's behalf, which concerned the filing of the first civil case.

4. In March, 2008, I advised Mr. Goldberger in writing that I represent the woman who is Jane Doe No. 2. A redacted copy of this letter is attached hereto as Exhibit "A". Mr. Goldberger is attorney of record for Mr. Epstein in a criminal case pending against Mr. Epstein in Palm Beach County. I subsequently wrote to Mr. Goldberger again and asked for his consent to conducting a single deposition of Jane Doe No. 2 to be used in both criminal and civil matters. A redacted copy of this letter is attached hereto as Exhibit "B". Mr. Goldberger was also asked if he would accept service on behalf of Mr. Epstein, but he failed to respond.

5. Shortly thereafter, Plaintiff's process server made numerous attempts to serve Mr. Epstein with the Summons and Complaint at his New York residence, without success. It is my understanding that Defendant Epstein's principal residence is an approximate 45,000 square foot luxury townhouse in Manhattan. He also has an estate home in Palm Beach, an island in St. Thomas and a residence in New Mexico. I was later provided with information that Mr. Epstein was out of the country in and about April, 2008, in the State of Israel. I was further advised that he returned to the United States in late April - early May, 2008. In response to this information my firm instructed the New York process server to step up efforts to serve process on Defendant Epstein. Service was finally obtained on May 7, 2008 at Defendant Epstein's New York residence, on the fifth attempt to serve Defendant Epstein in a span of 14 days.

6. It was not until June 6, 2008, when the Clerk denied Plaintiff's Motion for Entry of Default, that I became aware that the Clerk had an issue with service of process in this action. In two

other related cases, Clerk's defaults were entered based on the same service. At every step, my firm has acted promptly and diligently to comply with the rules of the court, attempt to properly effect service, and move this case forward expeditiously.

FURTHER AFFIANT SAYETH NAUGHT.

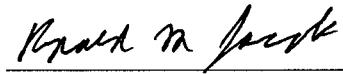
Dated: June 10, 2008.



JEFFREY M. HERMAN

BEFORE ME, personally appeared JEFFREY M. HERMAN who after being first duly sworn, deposes and states that he has executed the foregoing Affidavit, and that it is correct to the best of his knowledge and belief.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 10 day of June, 2008.



NOTARY PUBLIC,
STATE OF FLORIDA



HERMAN & MERMELSTEIN PA

ATTORNEYS AT LAW

Jeffrey M. Herman
Tel 305.931.2200
Fax 305.931.0877
jherman@hermanlaw.com

18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
www.hermanlaw.com

March 13, 2008

Via Facsimile and U.S. Mail

Jack A. Goldberger, Esq.
250 Australian Avenue South
Suite 1400
West Palm Beach, FL 33401

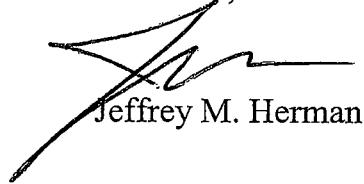
Re: *State of Florida v. Jeffrey E. Epstein*
Case No.: 2006CF009454AXX

Dear Mr. Goldberger:

Please be advised we represent [REDACTED] Please direct all communications intended for her to our office.

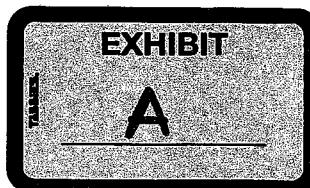
Thank you for your attention to this matter.

Sincerely,



Jeffrey M. Herman

JMH/lr



HERMAN & MERMELSTEIN PA

ATTORNEYS AT LAW

Jeffrey M. Herman
Tel 305.931.2200
Fax 305.931.0877
jherman@hermanlaw.com

18205 Biscayne Blvd.
Suite 2218
Miami, Florida 33160
www.hermanlaw.com

March 20, 2008

Via Facsimile and U.S. Mail

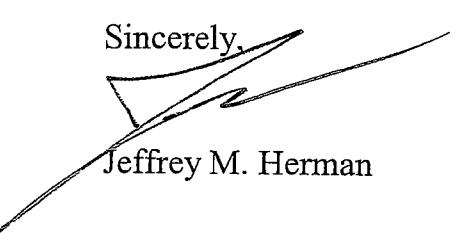
Jack A. Goldberger, Esq.
250 Australian Avenue South
Suite 1400
West Palm Beach, FL 33401

Re: *State of Florida v. Jeffrey E. Epstein*
Case No.: 2006CF009454AXX

Dear Mr. Goldberger:

As you know, we represent [REDACTED] in all matters pertaining to Jeffrey Epstein. If you plan on scheduling [REDACTED] for deposition please contact us to schedule to a date convenient for [REDACTED] and myself. In addition, we would like to conduct a single deposition to be used for both the criminal and the civil matters. Please let us know if you will agree to this or if we should seek court approval for same. Of course, we understand that the State Attorney's Office will need to agree to this as well, and we have not yet contacted them for approval.

Sincerely,



Jeffrey M. Herman

JMH/lr

cc: Lanna Leigh Belohlavek, Asst. State Attorney

