

EXHIBIT 312

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023

1

1 UNITED STATES DISTRICT COURT FOR THE

2 SOUTHERN DISTRICT OF NEW YORK

3 CASE NUMBER: 22-CV-10904-JSR

4 ACTION FOR DAMAGES

5 GOVERNMENT OF THE UNITED STATES)
6 VIRGIN ISLANDS,)

7 Plaintiff,)

8 VS.)

9 JP MORGAN CHASE BANK, N.A.,)

10 Defendant.)

11 -----

12
13
14
15 VIDEO RECORDED DEPOSITION OF

16 CAROL THOMAS JACOBS

17 THURSDAY, JULY 13, 2023

18
19
20 REPORTED BY:

21 DENISE D. HARPER-FORDE
22 Certified Shorthand Reporter (CSR)
23 Certified RealTime Reporter (CRR)
24 Certified LiveNote Reporter (CLR)
25 Registered Professional Reporter (RPR)
Notary Public (FLORIDA)

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
132

1 in 2017 -- at least I wasn't aware
2 and I don't know if anyone at Attorney
3 General's Office was aware of these
4 allegations in 2017.

5 (BY ATTORNEY NEIMAN):

6 Q. And do you know if the
7 Attorney General's Office in the
8 Virgin Islands did anything at anytime
9 prior to 2019 to try to see what kind
10 of allegations were being made in
11 publicly filed lawsuits regarding
12 Jeffrey Epstein?

13 ATTORNEY ACKERMAN: Object to
14 form.

15 THE WITNESS: I'm not aware of
16 any.

17 (BY ATTORNEY NEIMAN):

18 Q. Would you agree with me that
19 it would have been appropriate for the
20 Virgin Islands to make efforts to find
21 out what kind of allegations were
22 being made against a prominent
23 resident like Mr. Epstein in publicly
24 filed lawsuits?

25 ATTORNEY ACKERMAN: Object to

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
133

1 form.

2 THE WITNESS: If they were
3 aware. But like I say, I don't know
4 if anyone at the Virgin -- I don't
5 know if anyone -- at least I can only
6 speak as to myself. I know I wasn't
7 aware, and I don't know if anyone in
8 the Attorney General's Office was
9 aware.

10 (BY ATTORNEY NEIMAN):

11 Q. No. I understand that. But
12 I'm asking you a slightly different
13 question, which is given that Mr.
14 Epstein was a registered sex offender
15 living on the Virgin Islands and given
16 that he had been granted various
17 waivers of the ordinary registration
18 notification requirements and given
19 the difficulties that the Virgin
20 Islands had with the annual monitoring
21 visits, do you agree with me that it
22 would have been appropriate given
23 those facts for the law enforcement in
24 the Virgin Islands to make efforts
25 affirmatively to monitor what was

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
134

1 being alleged about Mr. Epstein in
2 publicly filed civil lawsuits?

3 ATTORNEY ACKERMAN: Object to
4 form.

5 THE WITNESS: If they were
6 aware of the publicly filed lawsuits,
7 and I -- I have no information that
8 the Virgin Islands was aware of this
9 lawsuit in 2017.

10 (BY ATTORNEY NEIMAN):

11 Q. Are you aware that it is not
12 hard to learn of publicly filed
13 lawsuits if you tried?

14 ATTORNEY ACKERMAN: Object to
15 form.

16 THE WITNESS: You know, I
17 don't know. I don't know what -- I
18 don't know.

19 (BY ATTORNEY NEIMAN):

20 Q. Okay. Do you think that the
21 Virgin Islands should have at least
22 tried to find out what was going
23 alleged in publicly -- what was being
24 alleged in publicly filed lawsuits
25 regarding Mr. Epstein?

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
135

1 ATTORNEY ACKERMAN: Object to
2 form Asked and answered.

3 THE WITNESS: The Virgin
4 Islands can only respond to what they
5 know. And like I said, I don't know
6 if anyone in the Virgin Islands knew.
7 I was not aware, and I don't know if
8 anyone was aware in 2017.

9 (BY ATTORNEY NEIMAN):

10 Q. All right. I'm going to ask
11 my question in a slightly different
12 way, but same -- same question.

13 Do you think part of the
14 Virgin Islands' responsibility for
15 protecting the community included
16 making efforts to try to learn what
17 was being alleged about Mr. Epstein in
18 publicly filed lawsuits?

19 ATTORNEY ACKERMAN: Object to
20 form.

21 THE WITNESS: The Virgin
22 Islands can only take action on what
23 they know. And I've said it, I have
24 no information that they were aware of
25 this.

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
146

1 Q. We have met before. I am
2 David Ackerman with the law firm of
3 Motley Rice. We represent the
4 Government of the Virgin Islands in
5 this action.

6 I'm just going to have a few
7 questions for you. And I want to
8 start with that document that was
9 marked as Exhibit 10. Can you pull
10 that in front of you?

11 A. Yes.

12 Q. And this is a document that's
13 entitled "Complaint."

14 Do you see that?

15 A. Yes.

16 Q. Okay. Does the document
17 indicate where the Complaint was
18 filed?

19 A. It says United States District
20 Court Southern District of New York.

21 Q. Was this Complaint filed in
22 the Virgin Islands?

23 A. No, it was not.

24 Q. Okay. In your opinion, do you
25 believe law enforcement has an

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
147

1 obligation to monitor public dockets
2 of every court in the country for
3 allegations that may reference the
4 Virgin Islands?

5 A. I don't. I think it's
6 unreasonable. It would be an
7 unreasonable obligation on the Virgin
8 Islands.

9 Q. Okay. Thank you. We can put
10 that document aside.

11 Let's go to Exhibit 1, which
12 is that big document. And I want to
13 start with the page that is -- I
14 apologize, I need to find it -- 12500
15 near the end of the document. Are you
16 there?

17 A. Yes.

18 Q. And this is the E-mail chain
19 that counsel showed you involving
20 Clive Rivers and Denise George. And
21 you were copied on several of these
22 E-mails; is that correct?

23 A. Yes.

24 Q. Okay. If you would look
25 please at the second page at the very

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
148

1 bottom. And there is an E-mail that
2 AG George sent to Attorney Kellerhals
3 and Attorney Rivers on June 2nd, 2019.

4 A. Uh-huh.

5 Q. Do you see that?

6 A. Yes.

7 Q. And then that E-mail continues
8 over to the next page, correct?

9 A. Yes.

10 Q. And if you look at the second
11 full paragraph on the next page, which
12 is Bates numbered 12502 --

13 A. Yes.

14 Q. -- do you see the section that
15 says, "While my predecessors have
16 apparently had differing
17 interpretations of Title 14, Section
18 1724B (4) of the Virgin Islands code."
19 Did I read that correctly?

20 A. Yes.

21 Q. Okay. In your experience in
22 government, is it unusual for
23 different office holders to have
24 differing interpretations of statutory
25 provisions?

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
149

1 A. This is something -- you know,
2 it happens. Different Attorney
3 Generals give different -- can have a
4 different opinion on a particular
5 issue.

6 Q. Okay. Are you familiar with
7 Section 1724B (4) of the Virgin
8 Islands code?

9 A. Yes.

10 Q. And did you become familiar
11 with that section in connection with
12 your review of materials relating to
13 Mr. Epstein's sex offender
14 registration?

15 ATTORNEY NEIMAN: Objection to
16 form, leading.

17 THE WITNESS: Yes, I did.

18 (BY ATTORNEY ACKERMAN):

19 Q. Okay. Let me ask the question
20 differently.

21 How did you become familiar
22 with that section?

23 A. When the matter was -- the
24 issue was brought to me by Attorney
25 Shani, I reviewed the statute.

CAROL T. JACOBS
U.S. VIRGIN ISLANDS vs JP MORGAN CHASE

July 13, 2023
150

1 Q. Okay. Does that statute say
2 anything about the Attorney General's
3 role in the notification
4 requirements?

5 A. It gives the Attorney General
6 the discretion to modify the
7 notification requirements.

8 Q. Okay. Do you have any -- any
9 understanding as to whether Attorney
10 General Frazer was exercising his
11 discretion in granting a waiver?

12 A. From his letter, that's what
13 it appears.

14 Q. Okay. Do you believe that
15 Attorney General Frazer did anything
16 inconsistent with the statute in
17 granting the waiver to Mr. Epstein?

18 A. Attorney Generals are free to
19 exercise their discretion however they
20 see fit. And he exercised his
21 discretion one way, and I -- when I
22 was sitting Attorney General, I
23 exercised my discretion in a different
24 manner.

25 Q. When you were sitting Attorney