

## **EXHIBIT L**

1                   IN THE CIRCUIT COURT OF THE SEVENTEENTH  
2                   JUDICIAL CIRCUIT IN AND FOR  
3                   BROWARD COUNTY, FLORIDA

4  
5                   CASE NO. CACE 15-000072

6  
7                   BRADLEY J. EDWARDS and PAUL G. CASSELL,

8                   Plaintiffs/Counterclaim Defendants,

9                   VS.

10                  ALAN M. DERSHOWITZ,

11                  Defendant/Counterclaim Plaintiff.  
12                  

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13  
14                  VIDEOTAPED DEPOSITION OF  
15                  PAUL G. CASSELL  
16                  TAKEN ON BEHALF OF THE DEFENDANT  
17                  VOLUME I, PAGES 1 to 151

18  
19  
20                  Friday, October 16, 2015

21                  1:33 p.m. - 4:31 p.m.

22  
23                  110 Southeast 6th Street  
24                  110 Tower - Suite 1850  
25                  Fort Lauderdale, Florida 33301

Theresa Tomaselli, RMR

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GM\_00336

1           Q. I would like to know why you alleged "and  
2 other minors" given what you have said about your  
3 knowledge of the factual basis, so to speak, for that  
4 allegation.

5           A. Okay. There are going to be -- I'm going to  
6 end up giving you nine reasons, each of which is  
7 complicated, so I just want to -- if -- if -- I don't  
8 want to be accused of -- of filibustering or anything.  
9 I just want you to know that you have asked a broad  
10 question that's going to require a broad and extended  
11 answer. It -- it --

12           Q. Answer the question.

13           A. Okay. Then I'm going to refer to a -- I have  
14 a -- well, actually, I don't.

15           Q. Let me ask you this: Before you refer to  
16 something --

17           A. Yeah.

18           Q. -- please give me your best recollection of  
19 what the basis was, the factual basis that you had in  
20 mind. If the court said to you -- let me put it this  
21 way. If you went to court and Judge Marra said,  
22 Professor Cassell, what's your factual basis for this  
23 allegation? Tell me. What would you say?

24           A. Right.

25           MS. McCAWLEY: Wait. Outside the context of

1 anything that's been communicated to you.

2 MR. SCAROLA: Excuse me. You have asked two  
3 different questions now, and I need to understand  
4 which question you are asking.

5 The question that you posed before just now  
6 was: What was the reason for your including  
7 those allegations in this pleading?

8 Now you have asked: What is the factual  
9 basis? And that's going back to questions that  
10 we have already covered, and we have, I think,  
11 exhausted the ability to respond to that question  
12 outside of privileged information.

13 Do you want to go back to the question about:  
14 What was your reason for including those  
15 allegations?

16 MR. SIMPSON: I'll ask the question a  
17 different way.

18 MR. SCAROLA: Thank you.

19 BY MR. SIMPSON:

20 Q. Mr. Cassell, I'm going to ask you: If you're  
21 in court and Judge Marra said to you, counsel, what is  
22 the factual basis for your allegation that Professor  
23 Dershowitz abused other minors, what would you say? And  
24 if you wouldn't say something because it was privileged,  
25 then don't include it. What would you tell the judge

1 was your basis for this?

2 A. All right. So the initial basis for it  
3 was --

4 MR. SCAROLA: First of all, let me object  
5 because Professor Cassell is not here as an  
6 expert witness and hypotheticals are  
7 inappropriate. You're calling for speculation on  
8 his part. I'm not going to instruct him not to  
9 answer, but it is an improper question.

10 MR. SIMPSON: I disagree, but you can answer  
11 the question.

12 THE WITNESS: Right. So the -- the factual  
13 basis would -- we are setting aside  
14 attorney/client communications, right?

15 BY MR. SIMPSON:

16 Q. I'm asking: What would you tell the judge?

17 A. Right. So that -- I -- I -- that's  
18 speculative to -- I don't think I can give a fair answer  
19 at this point because that would have involved going  
20 back to my client and -- and carving out what kinds  
21 of things we were going to present to Judge Marra in  
22 light of the posture of the case at that point.

23 So it's a speculative question. I would  
24 have -- let me just -- without going into any  
25 attorney/client privileged communications, I would have

1 provided an ample factual basis for those allegations.

2 MR. SIMPSON: I move to strike as  
3 nonresponsive.

4 BY MR. SIMPSON:

5 Q. Let me ask it this way: We have talked  
6 about -- somewhat about the basis for this allegation  
7 about other minors. Putting aside information as to  
8 which you're claiming privilege, tell me what you knew  
9 as of December 30th, 2014, that formed the factual basis  
10 for your -- for that allegation about other minors.

11 MR. SCAROLA: And I'll instruct you not to  
12 answer that question for the same reason, that  
13 when the same question was asked earlier, I  
14 instructed you not to answer.

15 MR. SIMPSON: I'm -- I'm -- maybe we are not  
16 being clear, Jack. I'm asking him to put  
17 aside -- I mean, certainly, he -- he filed a  
18 pleading. You've asserted privilege as to  
19 certain aspects. I'm simply asking him, putting  
20 aside whatever you're claiming privilege for,  
21 right, so I'm not -- I'm not asking you right now  
22 to tell me anything you're claiming as  
23 privileged.

24 BY MR. SIMPSON:

25 Q. Tell me whatever is not privileged that

1 supports that allegation.

2 A. Okay. The privileged information, obviously,  
3 you're asking me not to reveal at this point.

4 Q. I'm asking you -- I'm asking you to tell me  
5 the nonprivileged information. And I'm not agreeing  
6 with your privilege assertion --

7 A. Sure.

8 Q. -- but for purposes of this question --

9 A. For purposes of this question.

10 Q. -- I'm accepting it.

11 A. All right.

12 Q. Putting aside what you claim is privileged, I  
13 want to know everything that's the factual basis for  
14 including the allegation about other minors.

15 A. Okay. Privileged information which I'm not  
16 disclosing in any way would have interacted with a vast  
17 body of other information.

18 The vast body of other information would have  
19 started with an 89-page police report from the Palm  
20 Beach Police Department that showed for about a  
21 six-month period in 2005, there was sexual abuse of  
22 minor girls going on on a daily basis, in -- whenever  
23 Jeffrey Epstein was in his Palm Beach mansion.

24 And on some cases, it was going on not once,  
25 not twice, but three times during the day. That -- let

1 me just be clear. I mean, I -- I referred to the  
2 89-page police report. I have offered to put it into  
3 the record if -- if it would speed things up, but let's  
4 just talk about some of the things that are in that  
5 89-page police report.

6 This was a -- a very intensive investigation  
7 that the Palm Beach Police Department put together.  
8 They did, for example, what are called trash covers;  
9 that is when trash came out of the -- of the mansion of  
10 Epstein, the police would intercept the trash and then  
11 they would go through the trash and look for  
12 incriminating information.

13 And what they began to discover was memo  
14 pads -- and I say "memo pads," let's be clear, pad after  
15 pad after pad, or I guess I should say, sheet after  
16 sheet after sheet that had the name of a girl, and then  
17 there was a notation of something to the effect of a  
18 massage.

19 And so the Palm Beach Police Department began  
20 tracking down, well, wait a minute, these -- these are  
21 girls giving massages and they don't seem to have any  
22 specialized training in massages; they don't seem to be  
23 masseuses in any sense of the term; what's going on  
24 here?

25 And so the Palm Beach Police Department

1 began, you know, I guess what we would call  
2 knock-and-talks, knocking on doors to try to get to some  
3 of these girls, and they would get to the girls, and  
4 many of them initially were -- were afraid to explain  
5 what had happened.

6                   But as they -- as they continued talking to  
7 them, the girls began to explain that what was happening  
8 was, they were going over to Epstein's house under the  
9 guise of giving a massage, and when they got there, the  
10 massage was, in fact, sexual activity.

11                  And for many of the girls, I think, as I say  
12 around 23, 24, something along those lines, they were  
13 underage. They were under the age of consent in  
14 Florida.

15                  And so each and every one of those events was  
16 a crime being perpetrated -- and let's be clear, not  
17 just being perpetrated by Epstein, but by other people  
18 who were involved there at the mansion.

19                  And so what the -- the Palm Beach Police  
20 Department was putting together was that this mansion in  
21 Florida was the nest of sexual abuse of young girls here  
22 in Florida that involved, literally, in the -- in this  
23 period of time, more than a hundred events that they  
24 were able to document of sexual abuse.

25                  And when you put that together with the

1 pattern or practice that was being revealed there, there  
2 were hundreds of acts of sexual abuse going on in the  
3 mansion.

4                   But then what becomes -- and this is where I  
5 indicated that, you know, the answer would continue on.  
6 The -- the problem was that the evidence was starting to  
7 show that this was a much broader series of events. For  
8 example, there were flight logs showing that Mr. Epstein  
9 was then flying with underaged girls, and those flight  
10 logs, you know, as -- as the flight logs began to  
11 develop, for example, we have seen, I know in the last  
12 day or two here, one underage girl was Virginia Roberts  
13 who is on the flight, you know, with Epstein, and with  
14 Maxwell, and those sorts of things.

15                   So you start to look at the flight logs and  
16 you see what's going on is not just events that are  
17 occurring in Florida, but it's occurring on a  
18 multi-state basis, which now starts to make it a federal  
19 crime. For example, we are seeing evidence that --  
20 let's just talk about Virginia Roberts since she's  
21 central to this case.

22                   We are seeing Virginia Roberts being flown  
23 from Florida to New York where she's in the clutches of  
24 Jeffrey Epstein who is sexually abusing her, you know,  
25 many times a week. And not just Jeffrey Epstein, but

1 other powerful persons. For example, Ghislaine Maxwell  
2 is there with him on all of these flights and apparently  
3 being involved in the abuse.

4                   Indeed -- and so you -- you have -- you  
5 have that. You also start to see on the flight logs,  
6 what to my mind are some very sinister things,  
7 suggesting that the pattern is not just confined to sort  
8 of, you know, the girls that are there in Florida, but  
9 it -- it is extending more broadly.

10                  Like one of the -- to my mind, sinister and  
11 scary things on the flight logs is, we see, you know,  
12 Virginia Roberts, who we know has been sexually abused,  
13 and we see Jeffrey Epstein, and then we see on the  
14 flight logs one female.

15                  That's kind of an odd notation for a flight  
16 log because, you know, typically, I understand the  
17 flight logs, the purpose is, well, if something happens  
18 with the flight, or there's some question about who was  
19 on it, you want to know who -- who the person was who  
20 was on the flight.

21                  So, to my mind, when I started to see on  
22 these flight logs entries like one female, I viewed that  
23 as a potential device for obscuring the fact that there  
24 was interstate trafficking of underage girls for  
25 purposes of sexual activity. Serious federal offenses.

1                   But then that evidence extended, you know,  
2 more broadly than that. The evidence also started to  
3 show, again, if we talk just about flight logs, that  
4 the -- that underage girls such as Virginia Roberts were  
5 being flown internationally from, for example, Teterboro  
6 in New York to -- to locations, just to pick one, you  
7 know, for example, in London, where again sexual abuse  
8 was occurring.

9                   And so you started to put together this  
10 pattern of criminality that was started in this -- you  
11 know, I don't know what the right word is here. I don't  
12 want to -- I don't want to -- you know, you've heard  
13 discussions of hyperbole and things like that, but we  
14 have got this nest of -- of -- and I won't say snakes,  
15 but we have this nest of criminals in Florida, but it --  
16 it seems to be spreading to Epstein's mansion in New  
17 York; it seems to be spreading to Ghislaine Maxwell's  
18 flat in London, and -- and -- and it goes on.

19                   So those are the kinds of things that would  
20 have formed the -- the -- the basis, particularly when  
21 you -- when you start to add in this fact: What the  
22 Palm -- going back now to Florida with the Palm Beach  
23 Police Department. What the Palm Beach Police  
24 Department has -- had discovered was not a one-off kind  
25 of event, you know, on one particular day, one

1 particular girl had been sexually abused.

2                   What the Palm Beach Police Department had  
3 discovered was brazen, notorious, repetitive activity  
4 sometimes occurring as often as three times in a  
5 particular day. And so that led me to believe that the  
6 sexual activity that was going on in Florida was such  
7 that someone who was a regular house guest there would  
8 have immediately come to the conclusion that, well,  
9 look, gee, there are these underage girls coming in here  
10 and they -- they seem to be -- you know, they don't seem  
11 to be here to be doing, you know, business activities;  
12 they -- they might be here doing other kinds of  
13 activities. So those would be the kinds of things that  
14 would -- would have formed the factual basis.

15                   There are other things as well, but I'm sure  
16 you want to ask other questions in addition to that. So  
17 I'll stop there, but those -- that's -- I think gives  
18 you a small flavor of the kind of evidence that, you  
19 know, was form -- undergirding the allegations that were  
20 being presented here.

21                   Q. It sounds like you quite passionately believe  
22 that there was strong evidence that Mr. Epstein had  
23 engaged in sexual misconduct; is that right?

24                   A. I think "strong" understates it.

25                   Q. In the course of that long answer, you didn't

1 mention Professor Dershowitz's name once.

2 A. I said flight logs. And let's talk about  
3 flight logs.

4 Q. Let me back up. You didn't answer his  
5 name -- mention his name once; is that -- is that your  
6 recollection as well?

7 A. That's correct. We were talking about a  
8 factual basis, and I'll be glad -- I told you that there  
9 were other things if you want, factual basis for -- for  
10 Mr. Dershowitz. I'll be glad to add that in. Let me --  
11 let's -- let me -- let me -- I would like to supplement  
12 my answer then if I could.

13 Q. Do you want to look at a document?

14 A. Yes.

15 Q. Let me first -- have we exhausted your  
16 recollection without documents of all the evidence that  
17 you would refer to to support the allegation that  
18 Professor Dershowitz abused other minors?

19 A. No.

20 MR. SCAROLA: And let me say that you have a  
21 right to refer to whatever documents you choose  
22 to refer to, to be sure that you give a complete  
23 response to the question that has been asked, as  
24 long as you understand that whatever you refer to  
25 is going to be available to the other side, and

1                   we would be happy to make it available to you.

2                   MR. SIMPSON: And -- and I'll give you an  
3                   opportunity to look at that --

4                   THE WITNESS: Sure --

5                   BY MR. SIMPSON:

6                   Q. -- but I'm entitled to ask first about your  
7                   recollection.

8                   A. Okay.

9                   Q. Based on your recollection --

10                  A. Right.

11                  Q. -- I want to know all the evidence --

12                  A. Right.

13                  Q. -- you were relying on here.

14                  A. So what -- what I'm going to do is, I'm going  
15                  to make a list here on my -- on my notepad of all the  
16                  things, and then I'm going to compare that with notes I  
17                  have here. There may be a couple things that I don't  
18                  cover.

19                  Q. As long as your counsel is okay with that.

20                  A. Yeah.

21                  Q. You understand you'll have to give that to  
22                  me?

23                  A. Yeah. I'll give you the notes --

24                  Q. All right.

25                  A. -- and then I will compare with what I've got

1 there. So I mentioned the Palm Beach Police Department  
2 report.

3 The next thing that I want to mention is the  
4 Jane Doe 102 complaint. In August of 2009, Bob  
5 Josefsberg -- who is, from what I understood, a very  
6 well-regarded lawyer here in Florida; in fact, a lawyer  
7 that was selected by the United States Government to  
8 represent a number of the -- of the girls that had been  
9 sexually abused by Jeffrey Epstein. He was -- he was  
10 part of the procedure that was including the  
11 nonprosecution agreement.

12 In August of 2009, he filed a complaint on  
13 behalf of Virginia Roberts. That complaint indicated  
14 that Virginia Roberts had been sexually abused in  
15 Florida, in New York, and in -- in other places, as I  
16 recall. The thing that -- that I particularly recall  
17 was that Mr. Josefsberg had said, Virginia Roberts was  
18 abused by -- and he gave some categories of people.

19 He mentioned, I think, business people. He  
20 mentioned royalty, and he mentioned academicians. And  
21 so to tie into your question, I knew that Professor  
22 Dershowitz was an academician. And so what I was seeing  
23 now was, that according to a very, very respected  
24 attorney here in Florida, he had found Virginia Roberts  
25 to be credible, and had filed a lawsuit against

1       Mr. Epstein saying that she had been trafficked,  
2       sexually trafficked, you know, not just abused by  
3       Mr. Epstein, but now being forcibly sent to, you know,  
4       other people to abuse.

5           And in the categories of people that were  
6       sexually abusing her were academicians, and I knew that  
7       Mr. Dershowitz fell within that category of -- of being  
8       an academician. The -- that complaint also indicated  
9       that there might be flight logs that would show that  
10      Virginia Roberts had been sexually abused in these  
11      various locations. And that started to indicate to me  
12      that there might be what the law refers to as a common  
13      scheme or plan. And that, just as Virginia Roberts was  
14      being trafficked to these powerful people in various  
15      places, there might well be other girls.

16           And so I have mentioned a flight log, and let  
17      you -- you wanted to talk about Mr. Dershowitz. On --  
18      on December 30th, 2009, I was aware that there was a  
19      flight log showing Mr. Dershowitz flying with Tatiana,  
20      who as far as I can tell was not a business person, was  
21      not providing financial advice or something else.

22           I understood that Mr. Epstein was a  
23      billionaire who was heavily involved in financial  
24      issues. I knew that Tatiana was on a plane with  
25      Mr. Dershowitz, and then there was also, if I recall

1 correctly, working from memory as -- as you were  
2 wondering about, there was a notation that  
3 Mr. Dershowitz was on a plane with one female.

4 And so I was -- when I looked at that, I'm  
5 seeing Mr. Dershowitz on a -- on a flight with a woman  
6 who doesn't seem to be there for, frankly anything other  
7 than sexual purposes or something along those lines with  
8 Mr. Epstein, with Mr. Epstein, who is a sex trafficker,  
9 and with one female which seemed to me to be a potential  
10 entry for disguising international sex trafficking. So  
11 that was of concern.

12 I then began to look at, well, I wonder, how  
13 would I find out if Mr. Dershowitz had been abusing  
14 other girls? Let's see. I knew that Virginia Roberts  
15 had been forced to -- to -- to -- to do this sort of  
16 thing.

17 MS. McCAWLEY: You're okay as long as  
18 you're -- if you're revealing something that's in  
19 an affidavit --

20 THE WITNESS: That's right.

21 MS. McCAWLEY: -- that she submitted, you're  
22 fine.

23 THE WITNESS: Right. So -- so what...

24 Let's see. What did I want, at this point --

1 BY MR. SIMPSON:

2 Q. Do you want the question back?

3 A. No. I'm just trying to remember what I was  
4 thinking about with -- with regard to --

5 MR. SCAROLA: Do you need the response read  
6 back up to the point --

7 THE WITNESS: Yeah, if you would do that,  
8 yeah. I just --

9 MR. SCAROLA: -- about privilege arose.

10 THE WITNESS: Yeah. Let's just see what that  
11 one --

12 MR. SCAROLA: Just read the last couple of  
13 sentences back, or the last two sentences.

14 THE WITNESS: Oh, I'm sorry. Now I remember  
15 exactly what I was thinking.

16 How would we go find out whether Mr. Epstein  
17 was lending women, or in this case, underage  
18 girls, to Mr. Dershowitz for sexual purposes?  
19 Well, the first thing I want to do was ask -- you  
20 know, I'd -- I'd go ask Jeffrey Epstein.

21 And so what I discovered when I started to  
22 look at the transcripts, there were a number of  
23 transcripts where Mr. Epstein was asked about  
24 Alan Dershowitz. And rather than say, well, no,  
25 he wasn't involved in any of these illegal

1                   activities, Jeffrey Epstein took the Fifth as the  
2                   phrase, you know, to be more precise. He  
3                   exercised his right against compelled  
4                   self-incrimination and refused to answer the  
5                   question, which since these were civil cases,  
6                   indicated to me, since he was being represented  
7                   by very experienced legal counsel, that there was  
8                   more than an insignificant risk of incriminating  
9                   himself if he answered that.

10                  And so Jeffrey Epstein now had taken the  
11                  Fifth. And one of the things that I was aware of  
12                  having been involved in, you know, civil  
13                  litigation and criminal litigation in other  
14                  cases, was that once somebody refuses to answer a  
15                  question like, you know: Do you know  
16                  Mr. Dershowitz? And they take the Fifth on that,  
17                  that you're then entitled to draw what's called  
18                  an adverse inference. You can -- you can infer  
19                  that, well, if they answered that question, they  
20                  would have --

21                  MR. SCAROLA: Excuse me.

22                  MS. McCAWLEY: Yeah, I want to make an  
23                  objection here --

24                  MR. SCAROLA: Pardon me. Could you please  
25                  try to control your client --

1 MS. McCAWLEY: Yeah.

2 MR. SCAROLA: -- who keeps jumping up and  
3 down and distracting everybody in the room?

4 MS. McCAWLEY: And there was also profanity  
5 used earlier. I mean, we just have to settle  
6 down on this side, and take a deep breath, and  
7 let him answer his questions.

8 MR. SIMPSON: Look, I mean, the same thing  
9 was happening on the other side.

10 MR. SCAROLA: No, sir.

11 MS. McCAWLEY: There was no profanity on this  
12 side of the table.

13 MR. SCAROLA: No, no, no. There was never  
14 anyone who jumped to their feet at any time  
15 during the course of the last two days. The only  
16 person who keeps jumping up is Alan Dershowitz.  
17 Have him pass you a note quietly, if you would,  
18 please.

19 MR. SIMPSON: I will disagree with your  
20 characterization, but let me say the  
21 argumentation --

22 MR. SCAROLA: Excuse me. Are you -- are you  
23 making the representation --

24 MR. SIMPSON: No, I'm not.

25 MR. SCAROLA: -- that somebody on this side

1 of the room jumped up?

2 MR. SIMPSON: No, no, no, I'm not.

3 MR. SCAROLA: Okay. Thank you.

4 MR. SIMPSON: I'm not.

5 MR. SCAROLA: And I appreciate that.

6 MR. SIMPSON: And I --

7 MR. SCAROLA: And you do acknowledge that  
8 Mr. Dershowitz has repeatedly been jumping up in  
9 the middle of testimony, correct?

10 MR. SIMPSON: That's -- he just got up and  
11 came over to me. That's the only time I'm aware  
12 of, because I'm -- I'm looking at the witness,  
13 but he did just do that, and I will pass notes.  
14 We won't get up.

15 MR. SCAROLA: Okay. Well, I will tell you --

16 MR. SIMPSON: I'm not going to take time from  
17 this.

18 MR. SCAROLA: I will -- I will, for the  
19 record, as an officer of the court, represent  
20 that there have been multiple times during the  
21 course of Professor Cassell's deposition when  
22 Alan Dershowitz has jumped up in the middle of  
23 the testimony and excitedly whispered in your  
24 ear.

25 You may not have realized it because you were

1 focusing on the witness, but everybody on this  
2 side of the room has been distracted by his  
3 unprofessional conduct.

4 MR. SIMPSON: I'm not going to argue with  
5 you. And I --

6 MR. SCAROLA: Thank you.

7 MR. SIMPSON: -- I disagree with that  
8 characterization. There is another attorney  
9 sitting between us. We will pass notes.

10 MR. SCAROLA: Thank you.

11 MR. SIMPSON: And we -- and I believe,  
12 Ms. McCawley, were you instructing not to answer  
13 or what was happening? What did you -- what were  
14 you raising?

15 MS. McCAWLEY: No. There was a lot of  
16 yelling going on here, so I was trying to make  
17 sure that everybody was quiet --

18 MR. SIMPSON: All right.

19 MS. McCAWLEY: -- so that the client could  
20 answer.

21 MR. SIMPSON: All right. Let me back up.

22 BY MR. SIMPSON:

23 Q. Professor Cassell, I think you were in the  
24 middle of an answer?

25 A. I was. Yes, if I could conclude --

1                   MR. SIMPSON: All right. Could the court  
2 reporter read me the last two lines of your  
3 answer?

4                   THE WITNESS: Okay.

5                   (Thereupon, a portion of the record was read  
6 by the reporter.)

7 BY MR. SIMPSON:

8                   Q. Okay. Can you pick up then?

9                   A. Sure. I'll pick up -- pick up the --

10                  Q. Okay.

11                  A. So I was beginning to draw an adverse  
12 inference when Jeffrey Epstein, who is at the heart of  
13 the sexual abuse of, not only Virginia Roberts, but  
14 dozens and dozens and dozens of -- of girls literally  
15 scattered across the globe, takes the Fifth, refuses to  
16 answer the question, off the top of my head, I can't  
17 recall exactly, but something along lines of: Do you  
18 know Alan Dershowitz? And he says, I take the Fifth.  
19 That sort of, frankly, startled me, that -- that this  
20 international sex trafficker was taking the Fifth now  
21 when asked about Mr. Dershowitz.

22                  And so I was stymied in trying to get  
23 information from Mr. Epstein at that point. I think  
24 there were two depositions, if I recall correctly off  
25 the top of my head, that -- that I had an opportunity to

1 review, in which he took the Fifth when asked questions  
2 about Dershowitz.

3 So, at that point, in trying to figure out,  
4 you know, whether Mr. Dershowitz was involved in  
5 sexually abusing, not only Virginia Roberts, but in  
6 other girls, then you go down to the next level, next  
7 layer of the criminal conspiracy.

8 Epstein is at the top, so you go to the next  
9 layer. These are, you know, basically the -- the women  
10 who, from what I could gather, were -- were older than  
11 the age that Epstein wanted to sexually abuse. I think  
12 these were 22 and 23-year-old girls, so they had, you  
13 know, essentially aged out of being his sexual abuse  
14 victims, but they continued to -- what they would do is  
15 collect girls for him under the age of 18, that I guess  
16 was in his target range.

17 And so what -- so the next person I wanted to  
18 talk to, you know, and get information from was Sarah  
19 Kellen. Sarah Kellen is on a lot of these flight logs  
20 with, you know, these girls that -- or women and with  
21 Epstein and others, and so I wanted to talk to Sarah  
22 Kellen.

23 But what I discovered there was that, when  
24 Sarah Kellen was asked about Alan Dershowitz, she took  
25 the Fifth, and there was -- she wasn't the only one.

1 There was Miss Mucinska, who also took the Fifth when  
2 asked questions about Alan Dershowitz.

3 And then there was Marcin -- Miss Marcinkova  
4 who also took the Fifth. So what we -- what I had at  
5 this point was Jeffrey Epstein's international sex  
6 trafficking organization. I had the next echelon, and  
7 both the top kingpin of the sex trafficking  
8 organization, and the next echelon had taken the Fifth,  
9 had refused to answer questions about Alan Dershowitz.

10 And so, at -- at that point, I was drawing an  
11 adverse inference, not just from one person, but from  
12 four persons, and that adverse inference was being  
13 strengthened by the surrounding circumstances, some of  
14 which we have already talked about.

15 One of the things that -- that really  
16 bolstered the adverse inference that I was drawing in  
17 this case was that I've mentioned those three girls,  
18 Kellen, Mucinska, and Marcinkova. They were all covered  
19 by a nonprosecution agreement. And the nonprosecution  
20 agreement was highly unusual.

21 I -- I had been a federal prosecutor for  
22 about four years, I had been a federal judge for about  
23 five-and-a-half years, so I had seen a lot of -- of, you  
24 know, nonprosecution types of arrangements. And one of  
25 the things that was very unusual in this one is, it has

1 what I'll refer to as the blank-check immunity  
2 provision.

3 There was a provision in the nonprosecution  
4 agreement that said, this agreement will prevent federal  
5 prosecution for international and interstate sex  
6 trafficking, not only of Jeffrey Epstein, and not only  
7 of the four women who were identified, but -- and this  
8 is a direct quote: Any other potential co-conspirator,  
9 close quote.

10 And so that was unusual because what it --  
11 what it seemed to be doing was that somehow this  
12 agreement was quite out of the normal and had been  
13 designed to extend immunity to other people that might  
14 have been associated with Epstein.

15 And I knew that that category included the  
16 people that were involved in negotiating this highly  
17 unusual provision included Mr. Dershowitz, who had been  
18 heavily involved, not only in the drafting of the  
19 agreement, but had also been involved remarkably in  
20 attacking the credibility of these girls and saying  
21 things like, you know, it was -- Epstein wasn't  
22 targeting minor girls, which just struck -- you know, I  
23 was -- I don't want to use a technical term,  
24 gob-smocked, that a defense attorney with an obligation  
25 to tell the truth was making a factual representation

1 that Jeffrey Epstein was not targeting minor girls, when  
2 the Palm Beach Police Department had collected, you  
3 know, 23 of them that had all given essentially  
4 interlocking stories about how they had all gone over to  
5 this house, you know, the mansion, to give a massage and  
6 when they had gotten there, they had been sexually  
7 abused.

8 So the kingpin wouldn't talk. The next  
9 echelon of the trafficking organization wouldn't talk.  
10 So the next step was to say, okay, let's see if we can  
11 find somebody, you know, lower level in there, you know,  
12 a household employee or something like that; maybe they  
13 will have some information about, you know, what this  
14 criminal organization is doing.

15 Now, let's -- let's understand, you know,  
16 given the pervasiveness of the -- of the criminal  
17 activity, I -- I wasn't convinced that they were going  
18 to be able to get in there and start saying exactly what  
19 was going on because they might well be exposing  
20 themselves to criminal -- you know, criminal  
21 culpability.

22 But I -- I was able to read a sworn  
23 deposition from Juan Alessi, and Juan Alessi -- I  
24 think -- I don't know. Maybe just to speed things up  
25 today, I won't go through all the things that are --

1 that are said there, but Alessi puts Mr. Dershowitz at  
2 the nest of this international sex trafficking  
3 organization. Let's see. I think he said four or five  
4 times a year, two or three -- you know, two or three  
5 days when he goes there.

6 And let's be clear, I know Mr. Dershowitz had  
7 said at some points like, I'm an attorney, and that's my  
8 client and so forth. And Alessi said, no, but this was  
9 not in a -- in a lawyer/client capacity; this is in a  
10 friend capacity.

11 And so now we have Alessi putting him there  
12 at the same time when young girls were there. And one  
13 of the -- the things that I picked up, so is  
14 Alessi -- you know, is he able to figure out who these  
15 girls are?

16 A photograph of Virginia Roberts is shown to  
17 Juan Alessi in the deposition, and he I.D.s the  
18 photograph as, you know, V.R., so he -- he had, you  
19 know, put two and two together.

20 So now I've got V.R. coming to the house at a  
21 time when Mr. Dershowitz is also in the house, and  
22 apparently spending, you know, two to three nights there  
23 and doing this four or five times a year.

24 Now, Alessi wasn't the only one. There was  
25 Alfredo Rodriguez who was there in about 2004 to 2005,

1 after the time period of Virginia Roberts, but it's part  
2 of the common scheme or plan that we've been discussing  
3 here.

4 And so in 2005, Alfredo Rodriguez says, yeah,  
5 again, Mr. Dershowitz is there at a time when these  
6 massages are going on. When you start to look at Alessi  
7 and Rodriguez's statements in context where they're --  
8 they're saying he's there at the same time the massages  
9 are occurring, and with the West Palm Beach Police  
10 Department reports showing that massages are of a sexual  
11 nature, again, it started to put two and two together.

12 One of the things that was particularly  
13 important about Rodriguez's situation was that Rodriguez  
14 had an access to what's been called the little black  
15 book, or I think he referred to it as the holy grail.  
16 This was Jeffrey Epstein's, you know, telephone book  
17 where he had telephone numbers in it.

18 And so Rodriguez had that and, you know, I  
19 guess thought that this would be worth a lot of money  
20 because it would -- you know, it would identify all of  
21 the people that have been sexually abused by -- by  
22 Jeffrey Epstein. And so he tried to sell it. The FBI  
23 busted him for that.

24 And when the FBI busted him, now he's got  
25 this book. And so the book went to Alessi, and

1 according to a -- to a later FBI report, Alessi  
2 identified information that was pertinent to the FBI's  
3 investigation.

4 And so when I look at the little black book  
5 that I have seen copies of, there are a handful of names  
6 in that black book that have been circled, apparently by  
7 Mr. Rodriguez, and one of the names that's -- that has  
8 been circled is Alan Dershowitz. And so that, to me,  
9 was suggesting that Mr. Rodriguez had identified, you  
10 know, Alan Dershowitz as somebody who had information  
11 about this -- this international sex trafficking ring.

12 But just as a side note, but an important  
13 note, when the -- the thing that was circled on the Alan  
14 Dershowitz page was not a single phone number  
15 indicating, you know, somebody had bumped -- you know,  
16 Epstein had bumped into at one point. I believe there  
17 were 10 or 11 phone numbers that were associated with  
18 Mr. Dershowitz that had all been circled and an e-mail  
19 address as well.

20 So that started to corroborate my sense that  
21 Mr. Dershowitz was, indeed, a very close friend of  
22 Jeffrey Epstein. Now, I had then continued to do --  
23 there's been reference today to, you know, using Google  
24 to do research and so forth. So I Googled Jeffrey  
25 Epstein and one of the things that pops up rather

1 rapidly is an article in Vanity Fair.

2                   And what you see in that article is, you  
3 know, discussion about Mr. Epstein, but when you're  
4 trying to do a profile of someone, you try to figure out  
5 who that person's closest friends are.

6                   And so the Vanity Fair author had gone to  
7 Alan Dershowitz, you know, our -- Mr. Dershowitz here,  
8 and had asked him, hey, what do you know about Jeffrey  
9 Epstein?

10                  And, again, off the top of my head, you want  
11 to know what I can remember right now. What I can  
12 remember right now is that in the Vanity Fair article,  
13 the -- in the Vanity Fair article, Mr. Dershowitz said,  
14 I've written 20-some odd books; there's only one person  
15 outside my immediate family with whom I share drafts,  
16 and that's Jeffrey Epstein.

17                  So I took that as indicating a -- a very  
18 close personal association that -- you know, among the  
19 people that -- that obviously he's sharing this -- these  
20 kinds of things that he wants evaluated before he shares  
21 them with the broader world, there's his immediate  
22 family and then there's -- there's Jeffrey Epstein.

23                  There was also another similar quote in the  
24 article that indicated that -- that Mr. Dershowitz said  
25 that he wasn't interested in Epstein just because he had

1 a lot of money. I mean, Epstein was identified as a  
2 billionaire in this article, billionaire with -- with a  
3 B, so the record is clear.

4                   But he said, look, if Epstein lost all his  
5 money -- I'm paraphrasing here -- I would be, you know,  
6 happy to walk down, you know, the Coney Island Boardwalk  
7 with him and discuss things with him, as -- you know,  
8 even if he didn't have any money.

9                   So now I'm seeing Dershowitz is a very close  
10 personal friend of Jeffrey Epstein. And then I started  
11 to look at flight logs. There were -- there were some  
12 very interesting things that I noticed on the flight  
13 logs.

14                   One of the things I noticed was when I began  
15 to, you know, get into this, that, you know, I was  
16 wondering, well, what -- well, how do these flight logs  
17 come into the possession of, you know, law enforcement  
18 agencies? And the answer turned out to be that they had  
19 been provided by Epstein's defense attorney and -- and,  
20 you know, coincidentally, I suppose, or in my mind,  
21 suspiciously, they were not provided by just any defense  
22 attorney on this rather large defense team. They were  
23 provided by one attorney according to Detective Recarey.  
24 Detective Recarey testified under oath that the flight  
25 logs were provided to him by Alan Dershowitz.

1                   So one of the things that was -- was  
2 interesting is, Dershowitz has had access to these  
3 flight logs, and now I'm beginning to wonder, well, has  
4 there been an opportunity to sanitize those flight logs  
5 or remove any incriminating information?

6                   And -- and one of the things that was  
7 interesting about the flight logs that were produced --  
8 I believe just so the record is clear, that was Exhibit  
9 1 that -- if we could -- if I could refer -- I need to  
10 refresh my recollection as to -- well, I don't -- you  
11 may not want me to look at documents.

12                  It was either Exhibit 1 or 2 this morning  
13 during Dershowitz's deposition which was covering a time  
14 period of January to, I believe, September 2005. These  
15 were flight logs that were produced by Mr. Dershowitz to  
16 the Palm Beach Police Department.

17                  And you wonder why did they stop in  
18 September -- you know, why stop in September 2005?  
19 What's the significance of that? Well, later on,  
20 additional flight logs were obtained, and sure enough,  
21 who shows up on an October 2005 flight log with Jeffrey  
22 Epstein? Mr. Dershowitz.

23                  So that led to a suspicion that  
24 Mr. Dershowitz had provided to the Palm Beach Police  
25 Department flight logs that, the time period of which

1 for the production had been carefully crafted to keep  
2 him out of it; in other words, to not produce the  
3 October 2005 version.

4 The other thing I -- I began to discover as I  
5 started going through some flight logs, Dave Rogers, who  
6 is one of I think about three pilots that -- that  
7 Epstein regularly relied on to fly his -- you know, he  
8 had very fancy -- to use the technical term -- jets.  
9 There were about -- there were about three pilots there.

10 One of them had some flight logs and that --  
11 that was Pilot Dave Rogers, if I'm recalling his name  
12 correctly. And so later on in the litigation, the sex  
13 abuse litigation against Epstein, flight logs were  
14 obtained from Dave Rogers, and it was possible to -- to  
15 compare -- I'm sorry. I don't mean to -- I want to make  
16 sure I get -- you know, the question is: How much can I  
17 remember and I'm trying to make sure I get -- get it all  
18 in.

19 And so the flight logs were produced from  
20 Dave Rogers. And so Dave Rogers produced some flight  
21 logs, and some of the flights that he produced logs for  
22 coincided with the logs that Mr. Dershowitz had provided  
23 to the Palm Beach Police Department, and there were  
24 inconsistencies. And so that, again, aroused my  
25 suspicion that maybe Mr. Dershowitz when he had --

1                   MR. SCOTT: I just got a call from a lawyer  
2 on the screen. His -- his phone is not working,  
3 Epstein's lawyer, Darren Indyke.

4                   MR. SIMPSON: Why don't --

5                   MR. SCAROLA: Do you want to take a break for  
6 a second?

7                   MR. SIMPSON: Well, why don't -- well, why  
8 don't we let him finish his answer?

9                   MR. SCAROLA: Let him finish the answer.

10                  MR. SCOTT: Yeah, let's do that. You're  
11 right.

12                  MR. SCAROLA: Although it may take a while.

13                  THE WITNESS: It -- it's, I mean, the  
14 question --

15                  MR. SCAROLA: Yeah. But let's --

16                  MR. SCOTT: I don't care.

17                  MR. SCAROLA: Okay. Let's -- let's go ahead  
18 and finish.

19                  MR. SCOTT: Let's go ahead and finish the  
20 answer. We heard this much.

21                  MR. SCAROLA: Good. Thank you.

22                  THE WITNESS: Okay. So there --

23                  MR. SCOTT: I don't want to break him on a  
24 roll.

25                  MR. SCAROLA: Thanks.

1                   THE WITNESS: Right. No, I mean, I want to  
2 make -- I want to make clear that there was a lot  
3 of information that I was relying on in filing  
4 this pleading, and -- and, of course, the later  
5 pleading. So we are on the subject of flight  
6 logs.

7                   Flight logs showed that the flight logs  
8 Mr. Dershowitz had produced to Detective Recarey  
9 were incomplete and inaccurate. And so that led  
10 to concern on my part that Mr. Dershowitz had had  
11 an opportunity to sanitize the flight logs,  
12 had -- had -- had provided incomplete production,  
13 you know, obviously, very important production  
14 that the Palm Beach Police Department was looking  
15 at.

16                   Then we got some additional flight logs from  
17 Dave Rogers. And what those flight logs  
18 showed -- first off, let's talk again about  
19 the -- the production of those flight logs.

20                   My recollection is that Dave Rogers's flight  
21 logs were provided by Bruce Reinhart who was a  
22 former Assistant U.S. Attorney who had been  
23 inside the Southern District of Florida Office at  
24 a time when the Epstein case was the subject of  
25 regular discussion in that office.

1                   And then he had gone to work for some kind of  
2 a -- a law firm or private operation that was  
3 located adjacent to Mr. Epstein's business. And  
4 so, now, Reinhart, who appeared to be being paid  
5 by Mr. Epstein, and certainly was adjacent to  
6 Mr. Epstein's business office, was producing  
7 these flight logs.

8                   So that, again, aroused suspicion that the  
9 flight logs that were being produced would have  
10 been sanitized or inaccurate.

11                  But even -- I mean, you know, I think the  
12 problem with -- you know, you can't sanitize  
13 everything. That would be too suspicious. And  
14 so what -- what was -- was -- what was evident on  
15 these flight logs was, for example, approximately  
16 ten flights by Mr. Dershowitz with Tatiana has --  
17 has been discussed; with Maxwell; with Jeffrey  
18 Epstein. One of them had one female, which,  
19 again, in the context that I was looking at,  
20 seemed to be a potential code word for  
21 underage -- underage girl.

22                  And so those flight logs showed, you know,  
23 again, close association and travel with --  
24 with -- with -- with Mr. Dershowitz, and  
25 Mr. Epstein.

1                   Another thing that I had, and I will not  
2 reveal any privileged communications here or any  
3 confidential information, but on December 30th, I  
4 was aware that one of the preeminent lawyers in  
5 the United States, David Boies, had agreed to  
6 represent Virginia Roberts. And given the vast  
7 amount of business that -- that, you know, tries  
8 to get in the door --

9                   MR. SIMPSON: Could I interrupt? I mean, I  
10 think we are going towards a waiver here.

11                   MS. McCAWLEY: Yeah. No, no, no, I do not --

12                   MR. SIMPSON: We can't have testimony  
13 about --

14                   MS. McCAWLEY: Yeah.

15                   MR. SIMPSON: -- this is one of the most  
16 respected people in the country, or lawyers in  
17 the country, and then you won't answer the  
18 questions --

19                   THE WITNESS: Okay.

20                   MR. SIMPSON: -- you said not to answer.

21                   MS. McCAWLEY: Oh. Well, describing David  
22 Boies in general --

23                   MR. SIMPSON: I agree with the description.

24                   MS. McCAWLEY: -- doesn't constitute a  
25 waiver.

1                   MR. SIMPSON: He's a distinguished lawyer.

2                   MR. SCAROLA: And I don't think we are  
3                   getting beyond anything that is a matter of  
4                   public record.

5                   MR. SIMPSON: I just -- I --

6                   MS. McCAWLEY: But I appreciate you --

7                   MR. SIMPSON: Be aware of waiver.

8                   MS. McCAWLEY: -- letting me know that.

9                   THE WITNESS: All right. I will be -- I will  
10                  not waive anything, and if I start to do that, I  
11                  would certainly request the opportunity to -- to  
12                  retract what I'm doing, but I was aware -- since  
13                  the issue is, well, what's in the public record,  
14                  I was aware that, you know, probably the most  
15                  significant United States Supreme Court case  
16                  argued in the last 20 years was Bush versus Gore,  
17                  which was a case that essentially determined who  
18                  was going to be President of the most powerful  
19                  country in the world.

20                  There were two attorneys who argued that case  
21                  in front of the United States Supreme Court, and  
22                  arguing for the Democratic Presidential  
23                  Candidate, Al Gore, was David Boies.

24                  He had put his credibility on the line in  
25                  arguing the Bush versus Gore case, and without

going into any confidential communications or trying to waive in any way, I knew that David Boies had agreed to represent Virginia Roberts, which gave me additional confidence in the fact that I was also representing this young woman in her effort to bring sex traffickers to justice, and those who had sexually abused her to justice.

And so those are things that come to mind immediately as -- let me just take a second and see if there were other things regarding Dershowitz that -- that come immediately -- immediately to mind.

Oh, one of the things was in the Jane Doe 102 complaint, which alleged academicians that had -- that had abused -- sexually abused Jane Doe 3, there -- there were -- so that raises a question, obviously, of who were the academicians that Bob Josefberg had identified?

I can't recall, actually. Let me -- the record should be clear, I can't recall immediately whether it was singular or plural. It may have been plural, but if it's singular, I don't want to suggest that there were other academicians, but at least one academician had sexually abused Jane Doe 3, according to the

complaint that had been filed by Bob Josefsberg.

There were two things that were of interest to that: One was that Mr. Epstein, the man that I wasn't able to get information from because he was invoking the Fifth, had refused or declined to file an answer to that complaint.

Rather than deny the allegations, he had, ultimately, it's my understanding -- I don't have inside information and I'm not trying to waive any information, but my understanding is that rather than answer the complaint, he settled the case through the payment of some kind of compensation that Jane Doe 102 found desirable for dropping her claim.

The other thing that I found interesting is that Josefberg's partner, I believe it is, Miss Ezell, had been to some of the depositions of, for example, I believe Juan Alessi and Alfredo Rodriguez. And I believe at least one of those, and perhaps both of those. And she had asked questions about Alan Dershowitz in those depositions, but had not asked questions about other academics in those depositions.

So that led me to conclude that Bob Josefberg and his outstanding law firm had

1 identified Alan Dershowitz as someone who had  
2 information relevant -- and let's be clear, that  
3 this is not a lawsuit about some contract dispute  
4 or something -- that he was someone who had  
5 information relevant to the sexual abuse of  
6 underage girls and, indeed, they were asking  
7 questions about what information -- what  
8 information he might have.

9 Another -- I know, I remember now, there's a  
10 whole other line of things that -- that I had in  
11 mind at the time, and I think since you want to  
12 test my memory -- I'm not -- let me be clear.  
13 I'm not claiming I have a superb memory. I have  
14 an average memory, but this is a subject that's  
15 very important to me, and so I've worked, you  
16 know, very hard to get all the information.

17 I would like to take a break.

18 MR. SCAROLA: Sure. Take a break.

19 THE VIDEOGRAPHER: We are going off the video  
20 record, 3:27 p.m.

21 (Thereupon, a recess was taken.)

22 THE VIDEOGRAPHER: We are back on the video  
23 record, 3:41 p.m.

24 THE WITNESS: I want to continue my answer.  
25 I'm sorry. I got emotional there for a moment.

1 I want to do a good job for Virginia Roberts  
2 on -- on representing all the -- the evidence  
3 that is available to support her.

4 The next thing that I was thinking of was,  
5 all right, then the question is: Well, what does  
6 Mr. Dershowitz have to say about all this? So I  
7 started to look at the information on that as  
8 well.

9 In 2009, there had been a deposition request  
10 sent to Mr. Dershowitz, and I -- I saw a document  
11 showing that that had actually been served on --  
12 on him, and, you know, to the extent that what I  
13 saw was a -- I think a receipt from the process  
14 server, or something along those lines, so I saw  
15 attempt to contact him in -- in 2009.

16 And then I saw an additional attempt to  
17 contact him in 2011. Mr. Scarola had sent him a  
18 note and there was, you know, some back and  
19 forth. The -- the one note that -- that jumped  
20 out to me was one in which Mr. Scarola had  
21 written to Mr. Dershowitz, I think the phrase  
22 was: Multiple witnesses have placed you in the  
23 presence of Jeffrey Epstein and underage girls; I  
24 would like to depose you about those subjects.

25 And the answer that came back was not, well,

1 let me clear all of that misunderstanding up.  
2 You know, that's -- frankly, if I had gotten  
3 something like that, that's what I would have  
4 said.

5 The answer that came back was -- from  
6 Mr. Dershowitz was something along the lines of,  
7 if I remember correctly, well, tell me what  
8 you -- you -- tell me what you want to know and  
9 I'll decide whether to cooperate, was I think  
10 the phrase that was used. And -- and so there  
11 was an attempt, you know, a 2009 attempt, a 2011  
12 attempt to get information from Mr. Dershowitz.

13 Then there was another subpoena without  
14 deposition for -- for documents. You know, we  
15 have heard a lot about records in this case that  
16 could prove innocence. There was a records  
17 request to Mr. Dershowitz in 2013. And, again,  
18 my understanding was that there was no -- you  
19 know, no documents were provided on that.

20 And so those -- I had that information.  
21 Another bit of information that I had was that in  
22 2011, I believe in early April -- this is not  
23 attorney/client privileged information from  
24 Virginia Roberts. This is a telephone call that  
25 she placed from Australia where she had been

1                   essentially forced into hiding by Jeffrey  
2 Epstein. She managed to escape and was hiding  
3 out in -- in Australia, and that she would --  
4 that somehow, you know, Mr. Scarola and  
5 Mr. Edwards were able to reach her and there was  
6 a telephone call that was made.

7                   And in that telephone call she identified  
8 Alan Dershowitz as someone who would have  
9 relevant information about Jeffrey Epstein and  
10 the sexual abuse of underage girls.

11                  And so I had that information as well. So  
12 that, as I understand, the question was: What  
13 could I recall off the top of my head with regard  
14 to the factual basis for information connecting  
15 Mr. Dershowitz with the sexual abuse of minor  
16 girls, plural, and that, sitting here at this  
17 moment, is the best that I can recall for the  
18 information along those lines.

19 BY MR. SIMPSON:

20 Q. Was that answer --

21                  MR. SCAROLA: Excuse me. Before -- before  
22 you go on to another subject, Professor Cassell  
23 is entitled to refresh his recollection to give  
24 you a complete response. So why don't you go  
25 ahead and do that now. Make sure you've covered

1 everything.

2 MR. SIMPSON: I'm -- I think I get to ask the  
3 questions, but I was going to ask the same  
4 question.

5 MR. SCAROLA: Wonderful. We are on the same  
6 page.

7 BY MR. SIMPSON:

8 Q. Mr. Cassell, you -- you mentioned that you  
9 had something that you had prepared --

10 A. Yes.

11 Q. -- that would summarize --

12 A. Right.

13 Q. -- your knowledge.

14 A. Right.

15 Q. And now that you have exhausted your  
16 recollection, could you produce that and let's just mark  
17 it --

18 A. Yeah, sure.

19 Q. -- as an exhibit?

20 MR. SIMPSON: We are up to Exhibit 3, I  
21 believe. Cassell 3.

22 THE WITNESS: Right. Now, there -- there are  
23 two parts to this --

24 MR. SIMPSON: Can we mark it first and  
25 then --

1                   THE WITNESS: Yeah. I just want the record  
2 to be clear, that I'm only looking -- there's --  
3 there's a pre-December 30th section and a  
4 post-December 30th section, so the top part is  
5 the -- is what I was working off of.

6 BY MR. SIMPSON:

7                   Q. Okay.

8                   A. Now, underneath this is -- you know, if you  
9 have questions about what happened after December 30th.

10                  Q. So you're -- you're prepared to produce the  
11 entire document, but you're clarifying? I don't -- I  
12 don't want to ask you -- if you're going to use it in  
13 your testimony, then we will mark the whole thing.

14                  MR. SCAROLA: Mark the whole thing. You can  
15 use it.

16                  MR. SIMPSON: Mark the whole thing and I'll  
17 ask you about it.

18                  THE WITNESS: That would be great.  
19                  Absolutely.

20                  MR. SIMPSON: All right. I'm going to ask  
21 the court reporter to mark as Cassell Exhibit 3,  
22 a one-page document that the witness has just  
23 handed to me. It's mostly typed. It has some  
24 handwriting on it.

25                  (Cassell I.D. Exhibit No. 3 - one-page

1 document produced by the witness was marked for  
2 identification.)

3 THE WITNESS: All right. So let me -- if I  
4 could look at this to see if it -- the top  
5 portion of it to see if it refreshes my  
6 recollection about --

7 BY MR. SIMPSON:

8 Q. Could I just see it for one second?

9 A. Sure. Absolutely.

10 Q. All right. Yeah. Let me just clarify one  
11 point before you do that.

12 A. Yes, sir.

13 Q. In your answer, were you referring to the  
14 evidence you could recall or the information you could  
15 recall that supported your allegations as to both  
16 Virginia Roberts and other minors, or were you treating  
17 those separately?

18 A. No, I was not treating those separately. I  
19 was -- for me, there's a common -- what -- what the law  
20 refers to as a common scheme or plan in a --

21 Q. Okay.

22 A. -- a criminal conspiracy for international  
23 trafficking that involved not just a single girl, but  
24 multiple girls. So the answer was -- was with respect  
25 to -- to multiple girls.

1           Q. Okay. So I may have some questions to  
2 distinguish further between those two --

3           A. Yes.

4           Q. -- but is it fair to say that -- and I  
5 realize you're going to refresh your recollection, but  
6 that you had exhausted your recollection of the basis  
7 for the allegation in this Exhibit 2, the motion to join  
8 as to both Miss Roberts and other minors?

9           A. Yes.

10          Q. Okay. So then, now, take a look at that and  
11 tell me if there's anything there that refreshes your  
12 recollection as to something that you have not yet told  
13 me about.

14          A. So this refreshes my recollection. Sarah  
15 Kellen. I think I referred to her as Miss Kellen.  
16 Sarah Kellen was the first name.

17                   Nadia Marcinkova, Nadia was the first name  
18 there. Adrianna Mucinska was the full name of those --  
19 that's the second echelon of the -- of the -- of the  
20 criminal conspiracy.

21                   Oh, this refreshes my recollection that  
22 Jeffrey Epstein had answered some questions in the civil  
23 litigation. He provided, for example, names of -- of  
24 some people who were involved, but he took the Fifth  
25 when asked -- he took -- he provided names of some

1 people who would have relevant information in the civil  
2 cases, but when asked in deposition about  
3 Mr. Dershowitz, he took the Fifth.

4 So I -- I found it significant that for some  
5 people, he was willing to answer questions, but with  
6 regard to Mr. Dershowitz, he took his -- he invoked his  
7 Fifth Amendment right against compelled  
8 self-incrimination presumably because revealing what he  
9 knew about Mr. Dershowitz would, you know, cause  
10 criminal -- criminal charges potentially to be filed  
11 against him.

12 There was a common scheme or plan, and I'll  
13 elaborate on that in a moment, but yeah, one of -- so  
14 this was another point. I mentioned that -- that there  
15 had been three efforts to get information from  
16 Mr. Dershowitz by way of a 2009 deposition request, a  
17 2011 deposition request, and further follow-up  
18 correspondence from counsel on that, and a 2013 document  
19 request all propounded to Mr. Dershowitz that had not  
20 gone answered.

21 Yeah, and this was -- yeah, I'm sorry, this  
22 slipped my mind at the time -- but when -- when we saw  
23 Mr. Dershowitz not responding to these answers, you  
24 know, maybe the mail didn't get delivered to him or  
25 something like that. I don't -- I suppose that's, you

1 know, a theoretical possibility.

2                   But -- but the reason I ruled out that  
3 possibility, first, it didn't seem likely; but secondly,  
4 there was a pattern of Mr. Epstein's associates evading  
5 efforts to get information from them.

6                   And so let me just go back to the earliest  
7 instance of that. According to the Chief of Police in  
8 the Palm Beach -- of the Palm Beach Police Department,  
9 Mr. Dershowitz had said that he would make available  
10 Mr. Epstein for questions about the -- the sex, you  
11 know, abuse that was going on. And, you know,  
12 Mr. Dershowitz had said to the Palm Beach Police  
13 Department, yeah, we will make him available; no, we got  
14 to reschedule it; you know, and then another time,  
15 reschedule, another time. And so there were multiple --  
16 according to the Chief of Police, there had been  
17 multiple, you know, requests to interview Mr. Epstein  
18 and Mr. Dershowitz had repeatedly said: Oh, yeah, we  
19 will schedule that, and then it hadn't happened.

20                   Now, obviously, there could have been a  
21 situation there where, you know, an emergency had come  
22 up for Mr. Epstein and he wasn't able to make a schedule  
23 or something like that. But what I saw was a -- was a  
24 pattern of offers to -- to meet and then withdrawals,  
25 and that seemed to me to be a deliberately calculated

1 strategy to sort of stall the investigation to say:  
2 Well, we will get you Epstein; oh, we can't meet now;  
3 oh, we will get it now -- and then -- and so forth.

4 And one of the things that I noted from all  
5 that was that Mr. Dershowitz, as Mr. Epstein's attorney,  
6 never ultimately produced Epstein for a meeting with the  
7 Palm Beach Police Department, having made another offer.

8 Now, obviously, something could have happened  
9 there. I mean, I don't -- you know, I don't know what  
10 was the communications and so forth, but as an attorney  
11 trying to get information and unable to do that, I had  
12 to make some reasonable inferences.

13 And so one of the inferences I began to draw  
14 was that this was a stall tactic by Mr. Dershowitz, and  
15 in my view, potentially, an unethical one, but I  
16 don't -- I don't think we need to get into that in this  
17 litigation.

18 What I saw was a stall tactic going on,  
19 and -- and the reason I think it was a stall tactic, as  
20 we are sitting here now in, what is it, October of 2015,  
21 and Mr. Epstein has never been willing to answer  
22 questions about his sexual abuse of these girls.

23 And this was back in around -- what was it?  
24 I guess it would be 2005, 2006, you know, roughly a  
25 decade ago, Mr. Dershowitz was offering to make Epstein

1 available. And then that never happened, and given the  
2 ten-year pattern that -- that developed -- I guess I  
3 should go back. I'm sorry. Let me correct my answer.

4 We should go back to December 30th, 2014. So  
5 there -- there appeared to be about an eight-year period  
6 of time during which Mr. Epstein had refused to answer  
7 any questions about his sexual abuse of girls and yet,  
8 Mr. Dershowitz said, oh, it's just a scheduling issue  
9 and -- and we will get the Palm Beach Police Department  
10 to -- to, you know, to meet and -- and learn all this.

11 The other thing that I'm -- that I'm seeing  
12 here, so now there's -- there's -- Mr. Dershowitz had  
13 been involved in concealing Mr. Epstein from the Palm  
14 Beach Police Department, but there were others that had  
15 done similar sorts of things.

16 So one of them was a Ghislaine Maxwell. I  
17 will just call her Glenn Maxwell. I think that's kind  
18 of the nickname I understand she goes by.

19 So Glenn Maxwell -- remember, she is -- she  
20 is the one, you know, I think the record is clear, in --  
21 in -- in litigation that, you know, an allegation has  
22 been made that she was the one that -- that brought  
23 Virginia Roberts into the -- into the sex trafficking,  
24 and was heavily involved with -- you know, on all the --  
25 not all the flights, but on many of the flights with

1 Jeffrey Epstein where -- where this seemed to be going  
2 on and was very close to Epstein, staying at the mansion  
3 frequently.

4 And so she would, obviously, be -- I guess if  
5 you have Epstein at the -- the top of the -- you know,  
6 the kingpin of the operation, Maxwell would be, you  
7 know, a close second or certainly at, you know, the  
8 higher echelon.

9 So, obviously, someone who would have, you  
10 know, very significant information about, you know, the  
11 sex trafficking, who were the other people that the --  
12 the girls were being trafficked to, what kind of abuse  
13 was going on, you know, what kinds of sex toys were  
14 being used to abuse them, because I think it was in her  
15 room or -- or adjacent to her room that many of these --  
16 these devices were located, and so she would have had  
17 very significant information to provide.

18 And so in connection with the civil cases  
19 that some of the girls had filed against Mr. Epstein,  
20 her deposition was set, in fact, by my co-counsel,  
21 Mr. Edwards, and then there was some haggling over a  
22 confidentiality agreement, you know, what are we  
23 gonna -- and that had all been worked out, and then she  
24 was set for a deposition and finally agreed, you know,  
25 to a deposition.

1                   And just shortly, you know, I think a couple  
2 of days before that deposition, she canceled. And well,  
3 she didn't cancel. Her -- her attorney called to cancel  
4 the deposition and represented that Miss Maxwell was  
5 outside the United States of America and had no plans to  
6 return back to the United States.

7                   And so, at that point, the deposition was --  
8 was not able to go forward. But it turned out that she  
9 had not left the United States for an extended period of  
10 time. She was spotted later at a wedding of a prominent  
11 person in New York.

12                  And so that was Maxwell fitting into this  
13 pattern of, you know, Epstein was being told -- you  
14 know, the Palm Beach Police Department being told by  
15 Dershowitz that Epstein will answer your questions, and  
16 then, you know, not -- not getting information, Maxwell  
17 evading the deposition.

18                  Jean Luc Brunel was another person who seemed  
19 to be very much involved in -- in trafficking the girls,  
20 and it was the same situation. A deposition was set to  
21 try to get answers, you know, who is involved, which  
22 girls are involved, what are their names, what's --  
23 what's going on?

24                  And so Brunel's deposition is set and then  
25 he -- he finagles out of it too. I don't recall exactly

1 what his excuse was, but, you know, evaded the  
2 deposition and, in fact, later information came to light  
3 he was hiding out in, you know, in the mansion of  
4 Epstein while he's claiming he's unavailable for -- for  
5 deposition.

6 So -- so this pattern of Mr. Dershowitz, you  
7 know, where there were three attempts to obtain  
8 information from him, if that's all I had, I guess that  
9 would have been one thing. But what I had was a pattern  
10 of people who were implicated in this sex trafficking  
11 ring evading questions, you know, quite in violation of  
12 court orders and depositions and things -- I shouldn't  
13 say court order -- in violation of the deposition  
14 notices that were being sent and agreements being made,  
15 you know, through counsel.

16 And then in addition to that, I had this, so  
17 why -- why would you think that, you know, there's this  
18 sex trafficking, you know, ring going on? It sounds  
19 kind of farfetched.

20 Well -- well, one of the things that I had  
21 available to me on December 30th was a photograph that  
22 was widely available on the Internet, and that  
23 photograph depicted three people.

24 It depicted Glenn Maxwell, Prince Andrew, and  
25 Virginia Roberts, and the -- at the time that it looked

1 like Virginia Roberts was an underage girl. She was not  
2 dressed in formal attire. And Prince Andrew had his arm  
3 around her, I think if memory serves, and right next --  
4 smiling in the background is Miss Maxwell, and it  
5 appeared that that was a private residence, presumably  
6 in London, close to Buckingham Palace where -- where  
7 Prince Andrew lived.

8                   And so here was Prince Andrew with this  
9 underage girl with Glenn Maxwell, the -- the right-hand  
10 girl, if that's the right expression -- I probably  
11 should say -- strike that -- right-hand woman of --  
12 of -- of Mr. Epstein -- that were there and somebody had  
13 taken the photograph.

14                   Given the surrounding circumstances, I  
15 thought perhaps Mr. Epstein had taken the photograph.  
16 So that would have shown Virginia Roberts's sexual abuse  
17 was not confined just to Florida, not confined to the  
18 New York mansion; it would have -- it would have  
19 presumably continued into London where one of, you know,  
20 the highest, most powerful persons in the governmental  
21 structure that -- that exists in England was now  
22 involved in -- in sexual abuse.

23                   And so that created grave concern about, how  
24 far did this sex trafficking ring reach; what were their  
25 connections; what were their abilities to influence, you

1 know, law enforcement agencies in those countries, you  
2 know, in England, or law enforcement agencies in this  
3 country, through -- through power that, you know,  
4 somebody at that level, fifth I think in line to the  
5 British Throne, would have, you know, presumably access  
6 to levers of power that other people might not -- might  
7 not have.

8 And so that is the -- I believe is the -- the  
9 information that I had available to me on December 30th  
10 involving not just Virginia Roberts, but the entire sex  
11 trafficking organization.

12 Q. Okay. And that -- just to clarify again, it  
13 exhausts your refreshed recollection as to both the  
14 information you were relying on as to the allegations  
15 about Virginia Roberts, and as to the allegations about  
16 other minors; is that right?

17 A. Correct.

18 Q. So I don't have to ask you separately about  
19 Roberts?

20 A. That's right. No, and I gave you a heads-up,  
21 that was going to be a long answer.

22 Q. You made Mr. Dershowitz look like an amateur.

23 If I could --

24 MR. SCAROLA: I'm sorry. Like a what?

25 MR. SIMPSON: Amateur, at the long answers.

1                   IN THE CIRCUIT COURT OF THE SEVENTEENTH  
2                   JUDICIAL CIRCUIT IN AND FOR  
3                   BROWARD COUNTY, FLORIDA

4

5                   CASE NO. CACE 15-000072

6

7                   BRADLEY J. EDWARDS and PAUL G. CASSELL,

8

9                   Plaintiffs/Counterclaim Defendants,

10

11                   vs.

12

13                   ALAN M. DERSHOWITZ,

14

15                   Defendant/Counterclaim Plaintiff.

16

17

18                   VIDEOTAPED DEPOSITION OF

19

20                   PAUL G. CASSELL

21

22                   TAKEN ON BEHALF OF THE DEFENDANT

23

24                   VOLUME II, PAGES 152 to 335

25

26                   Saturday, October 17, 2015

27

28                   8:32 a.m. - 12:14 p.m.

29

30                   425 North Andrews Avenue  
31                   Suite 2  
32                   Fort Lauderdale, Florida 33301

33

34                   Theresa Tomaselli, RMR

1                   perfectly clear.

2 BY MR. SIMPSON:

3                   Q. My question, Mr. Cassell, is: You reviewed  
4 the flight logs, correct?

5                   A. Correct.

6                   Q. You reviewed them in some detail, correct?

7                   A. Correct.

8                   Q. Is there any entry on those flight lines --  
9 logs that you read as putting Professor Dershowitz and  
10 Miss Roberts on the same plane?

11                  A. No.

12                  Q. And so your testimony about questions about  
13 the completeness and accuracy of those flight logs goes  
14 to whether the logs are -- let me rephrase that.

15                  The answer that you gave about your question  
16 as -- your views as to the completeness of the flight  
17 logs and whether they may have been changed in some  
18 ways, goes to whether those logs are conclusive, not  
19 whether they, in fact, support Professor Dershowitz's  
20 testimony that he was not on a plane with Virginia  
21 Roberts?

22                  MR. SCAROLA: I'm going to object to the form  
23 of the question as vague and ambiguous. I don't  
24 understand it.

25                  THE WITNESS: And I won't give a long answer,

1                   but I -- I think, as I previously indicated, you  
2                   can't just look at the face of these documents  
3                   without -- with -- you know, against the context  
4                   of an international sex trafficking ring that's  
5                   trying to cover up what it's doing. You can't  
6                   just look at documents and assume that they are  
7                   100 percent accurate without that -- having that  
8                   context in mind.

9                   BY MR. SIMPSON:

10                  Q. And so am I right, that on the face of the  
11                  flight logs, there's nothing showing Virginia Roberts  
12                  and Professor Dershowitz on the same plane?

13                  A. That's correct.

14                  Q. And -- go on.

15                  And so do I understand correctly that your  
16                  position is that the flight logs may not be complete or  
17                  may have been changed, but you do not dispute, that on  
18                  their face, they support Professor Dershowitz's  
19                  testimony?

20                  MR. SCAROLA: Objection.

21                  MS. McCAWLEY: Objection.

22                  MR. SCAROLA: Compound.

23                  THE WITNESS: Could you just aggregate that?

24                  BY MR. SIMPSON:

25                  Q. You follow the objections very well.