

Jane Doe #7

v.

Jeffrey Epstein

AFFIDAVIT OF RICHARD C.W. HALL, M.D.

STATE OF FLORIDA

COUNTY OF SEMINOLE

On this day personally appeared before me, the undersigned authority, Richard C.W. Hall, M.D., who, being by me first duly sworn under oath deposes and says:

1. My name is Richard C.W. Hall, M.D. I am over the age of majority, and make this affidavit and declaration upon the basis of personal knowledge of the factual matters contained herein.
2. I have maintained a private practice in psychiatry and forensic psychiatry since 1996.
3. I, also, currently serve as a Courtesy Clinical Professor of Psychiatry at the University of Florida, College of Medicine, Gainesville, Florida; Affiliate Professor, Dept of Psychiatry and Behavioral Medicine, University of South Florida; and Professor of Psychiatry, Department of Medical Education, University of Central Florida College Medicine.
4. I received my undergraduate degree from the Johns Hopkins University and

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medical degree from the University of Florida College of Medicine, Gainesville, Florida.

5. I served as a Lieutenant Commander in the United States Navy, where I researched and evaluated biological and neurochemical factors associated with the onset of psychiatric disorders and served as a representative to the Joint Services Task Force planning *Operation Homecoming*, the return of POW's from Vietnam.

6. I have previously served as an assistant clinical professor at the University of South Florida College of Medicine, directed one of the ten model mental health centers in the United States, and served as a medical consultant to the Kennedy Space Center.

7. I am a former member of the academic faculty at the University of Texas, in Houston, Texas where I served as Assistant Professor and then Associate Professor of Psychiatry and Internal Medicine, Director of Clinical Research, Director of Residency Training, Chief of the Consultation/Liaison Service, and Chief Psychiatrist at the M.D. Anderson Cancer Hospital in Houston.

8. I, also, have served as a Professor of Internal Medicine and Psychiatry at the Medical College of Wisconsin where I was appointed Chief of Psychiatry at the Milwaukee County and Froedtert Hospitals.

9. In addition, I have served as a Professor of Psychiatry and Internal Medicine and Associate Dean at the University of Tennessee College of Medicine, Memphis.

10. The amended complaint filed by Jane Doe #7 against Jeffrey Epstein makes

sensitive allegations of sexual assault and abuse upon a minor and seek damages in excess of \$50 million. Jane Doe #7 alleges confusion, shame, humiliation, embarrassment, and severe psychological and emotional injuries. It is further alleged that she suffered, and will continue to suffer, severe and permanent traumatic injuries, including mental, psychological, and emotional damages.

11. She alleges the intentional infliction of emotional distress and that Mr. Epstein's conduct caused severe emotional distress, severe mental anguish and pain.

12. She further alleges that she has suffered personal injury including mental, psychological and emotional damage.

13. Plaintiff's counsel has retained an expert witness, Dr. Kliman of the Psychological Trauma Center, a division of Preventive Psychiatry Associates Medical Group, Inc., of San Francisco, California, of which Gilbert W. Kliman, MD, is the medical director.

14. While all pertinent medical history has been withheld, on October 4, 2005, Plaintiff did provide a statement to the police, which directly conflicts with the allegations in her complaint. Medical records would assist with the veracity (or lack thereof) of her statements and the allegations in the complaint. Plaintiff told the police on October 4, 2005 that she was introduced to Epstein by [REDACTED] when she was approximately 17. (Police Statement, page 1) [REDACTED] allegedly told her that the first time you go it's

just like a massage and she said "well, like, well the more you go supposedly, the more like, he expects, and like flirting with girls and that's what kind of scared her." (Police Statement, page 2) She also states that the second time she went to Epstein's, she gave him a massage and that she had her clothes on. (Police Report, pages 2 & 4) Plaintiff claims she thought Epstein might be leaning towards wanting her to take her clothes off, or touching her but Epstein never did because she was so shy. (Police Statement, pages 2 & 3) She also told police that when she massaged Epstein, he was not naked (Police Statement, page 3), he never removed his towel (Police Statement, page 3), she did not take her clothes off (Police Statement, page 4), Epstein did not touch her inappropriately (Police Statement, page 3), he did not masturbate (Police Statement, page 5), and they did not touch each other's private areas (Police Statement, page 3). Further, she claims in the report not to have returned to Epstein's home after the second visit. (Police Report, page 3)

15. Her allegations in the complaint are in complete opposite when compared to the police report. For instance, the complaint alleges: (a) during the first massage, Epstein sexually assaulted her and masturbated (Complaint, Paragraph 13); and (b) Plaintiff returned on many occasions to the Palm Beach mansion to provide Epstein with massages for money. On those occasions, Epstein engaged in sexual contact and activity with Plaintiff, which included, among other things, Epstein touching Jane's breasts, placing a vibrator on her vagina and masturbating himself. This sexual abuse continued over a

period of approximately 18 to 24 months (Complaint, Paragraph 14). In stark contrast to the statement she gave to the police, she now claims in her answers to interrogatories that she went to Epstein's home between 8-10 times (Interrogatory, #15) and that she brought friends on two separate occasions and was paid \$200 per friend (Interrogatory, #17). In fact, she denies in her answers to interrogatories that she even provided a recorded statement to the police (Interrogatory, #22). In addition, on Tape 2, pages 11, 12 & 20, she claims that Epstein was aggressive, grabbed her butt, tried to feel parts of her, masturbated under the towel and pulled her bra and exposed her nipples and touched her breasts, which is totally inconsistent with her statement to the police.

16. For further elaboration of Jane Doe #7's history and background, access to all available records is crucial if one is to fully understand the impact of any of these events on her subsequent behavior and proportion the impact of specific events, if any, or her current and future level of function.

17. In Dr. Kliman's initial replenishment retainer agreement and fee schedule (date 7/18/08), in a heading entitled "Regarding Full Disclosure," Dr. Kliman notes that prior to deposition, counsel will make every effort necessary to provide experts with information requested by the experts including: 1) a list of all depositions, statements, declarations, and motions in the case, 2) a copy of any requested items, and 3) most importantly, a list of all medical, clinical, school, and work records known to the attorney

in the case.

18. Dr. Kliman notes on page 8 of his contract opinion formation that he will not form opinions, give reports, or testify in certain circumstances. These include circumstances where he has reason to believe a retaining attorney has "available important and relevant documents which are being deliberately withheld from us." "We define such as documents in possession of retaining attorney, which we have requested or that we have stated would ordinarily be part of medical opinion formation on the topics concerning, which our input is requested." We request the same.

19. It is critical for an IME examiner to be able to make a cogent assessment of any plaintiff and to understand their medical, social, academic, psychological and psychiatric condition/state prior to any act of alleged victimization. There are a number of variables that combine to determine the effects of such alleged victimization, including the type and character of the alleged assault, and key victim variables such as demographics, psychological reactions at the time of the trauma, previous psychiatric or psychological history, previous victimization history, current or previous psychological difficulties, and general personality dynamics and coping style, as well as sociocultural factors such as drug use/abuse; poverty; social inequity and/or inadequate social support; any previous history of abuse within or outside the family; whether individuals were abused by strangers, acquaintances or family members; and whether there was any history of indiscriminate

behavior that may have placed them at increased risk. It is important to know if there had been previous sexual conduct, contact with police or welfare agencies, alcohol or drug use/abuse, voluntary sexual activity, contraceptive use, genital infections, or apparent indifference to previous abuse.

20. It is also essential to understand the plaintiff's level of emotional support, whether any significant psychiatric illnesses were present, whether they were taking any medications (prescribed or non-prescribed), whether there had been previous suicide attempts, thoughts, plans, etc.

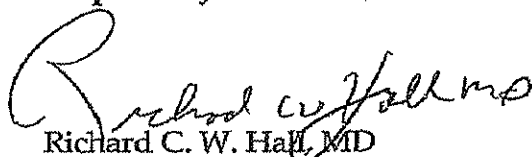
21. Knowledge of plaintiff's relationships to her family and familial factors, including social disadvantage, family instability, impaired parent/child relationship, and parental adjustment difficulties is also critical.

22. It is, therefore, crucial that the independent medical examiner has available to him a full and complete record that includes medical, previous legal, social, criminal, academic, psychological and psychiatric records/data; psychological tests; laboratory tests; and clinical, hospital, physician records. These, in essence, are the same and similar records that plaintiff's expert witness (Dr. Kliman) feels are essential for him to do an appropriate evaluation. To obtain the necessary information, it will be necessary to identify the plaintiff by name. Such identification will not humiliate the plaintiff since all we are requesting is pertinent information as noted above relative to their past medical and psychiatric histories



and conduct. We would concur and request of the court that the same and such other similar information be made available to us to conduct our examination.

Respectfully submitted,

  
Richard C. W. Hall, MD

Courtesy Clinical Professor of Psychiatry, University of Florida, College of Medicine

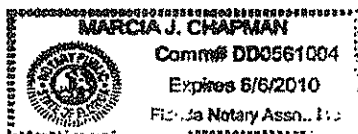
Affiliate Professor, Department of Psychiatry and Behavioral Medicine, University of South Florida

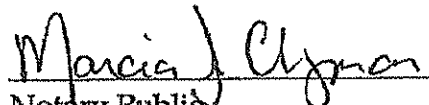
Professor of Psychiatry, Department of Medical Education, University of Central Florida  
College of Medicine

STATE OF FLORIDA  
COUNTY OF SEMINOLE

BEFORE ME, the undersigned authority, personally appeared RICHARD C.W. HALL, M.D., who is (✓) personally known to me or ( ) who has produced \_\_\_\_\_ as identification, and who did take an oath, deposes and says that the attached Affidavit is true and correct to the best of his knowledge and belief.

SWORN TO AND SUBSCRIBED before me on this 4<sup>th</sup> day of August, 2009.



  
Notary Public  
Printed Name: Marcia J Chapman  
My Commission Expires: