

# EXHIBIT 5 PART 1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

JANE DOE NO. 2,  
Plaintiff,  
vs.  
JEFFREY EPSTEIN  
Defendant

Related Cases:

VIDEOTAPED DEPOSITION OF JEFFREY EDWARD EPSTEIN  
VOLUME I  
(Pages 1 - 189)

Monday, March 8, 2010  
301 Clematis Street  
Suite 3000  
West Palm Beach, Florida 33401  
10:05 a.m. - 6:17 p.m.

Reported By:  
Vicki L. Lima, Court Reporter  
Notary Public, State of Florida  
Universal Legal Reporting  
Phone - (954) 712-2600  
Job #92076-A

APPEARANCES:

On behalf of the Plaintiffs, Jane Doe 2 through 8:  
ADAM HOROWITZ, ESQUIRE  
JESSICA D. ARBOUR, ESQUIRE  
MERMELSTEIN & HOROWITZ, P.A.  
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Suite 2218  
Miami, Florida 33160

On behalf of the Plaintiffs, Jane Doe, L.M. and E.W.:  
BRAD EDWARDS, ESQUIRE  
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EDWARDS, FISTOS & LEHRMAN, P.L.  
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On behalf of the Plaintiff, Jane Doe 103:  
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On behalf of the Defendant and Witness:  
MICHAEL J. PIKE, ESQUIRE  
BURMAN, CRITTON, LUTTIER & COLEMAN  
303 Banyan Boulevard  
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JACK A. GOLDBERGER, ESQUIRE  
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ALSO PRESENT:  
Alex Ayala, Videographer

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## EXAMINATION INDEX

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## PROCEEDINGS

Videotaped deposition taken before Vicki L. Lima, Court Reporter, and Notary Public in and for the State of Florida at Large, in the above cause.

THE VIDEOGRAPHER: We are now on the record. This is the videotaped deposition of Jeffrey Epstein, taken in the matter of Jane Doe Number 2 vs. Jeffrey Epstein, Case Number 08-CV-80119.

We are here at 301 Clematis Street, Suite 3000, West Palm Beach, Florida 33401. It is Monday, March 8th, 2010. The time is 10:05. The court reporter is Vicki Lima. The videographer is Alex Ayala.

Will counsel please introduce themselves?

MR. HOROWITZ: Sure. My name is Adam Horowitz from Mermelstein & Horowitz, counsel for Plaintiffs Jane Doe 2 through 8. And just for record purpOses, the deposition is taken -- being taken in those cases as well.

MR. PIKE: Please introduce yourself.

MS. ARBOUR: Jessica Arbour, Mermelstein & Horowitz.

MR. EDWARDS: Brad Edwards. I represent Jane

1 Doe. It's also been cross-noticed in that case as  
 2 well, but I think it's styled in the Jane Doe 2  
 3 case.

4 MS. EZELL: Katherine Ezell. I represent Jane  
 5 Doe 103.

6 MR. PIKE: Michael Pike on behalf of Jeffrey  
 7 Epstein.

8 THE VIDEOGRAPHER: Will the court reporter  
 9 please swear in the witness?

10 THE REPORTER: Raise your right hand, please.  
 11 ---

12 THEREUPON:

13 JEFFREY EDWARD EPSTEIN  
 14 having been first duly sworn or affirmed, was examined  
 15 and testified as follows:

16 THE WITNESS: Yes, ma'am.

17 DIRECT EXAMINATION

18 BY MR. HOROWITZ:

19 Q Please tell us your full name?

20 A Jeffrey Edward Epstein.

21 Q And is your date of birth January 20, 1953?

22 A Yes.

23 Q Okay. And I guess that makes you 57 years old  
 24 at the present time?

25 A Correct.

1 Q And you are, sir, a registered sex offender in  
 2 the State of Florida?

3 A Correct.

4 Q Okay. How long have you been a sex offender in  
 5 the State of Florida?

6 MR. PIKE: Form.

7 THE WITNESS: I registered on -- in, I believe,  
 8 '08, July of '08.

9 BY MR. HOROWITZ:

10 Q Okay. Are you married?

11 A No.

12 Q Have you ever been married?

13 A No.

14 Q Are you engaged?

15 A No.

16 Q Have you ever been engaged?

17 MR. PIKE: Form.

18 THE WITNESS: On advice of counsel, I'm going  
 19 to assert my Fifth Amendment Right as to that.

20 BY MR. HOROWITZ:

21 Q Are you suffering from any physical illness or  
 22 injury today that would prevent you from sitting for a  
 23 full day of deposition?

24 A No.

25 Q Your hearing is okay?

1 A What's that? Yes.

2 Q Okay. No back or neck pain at the present  
 3 time?

4 A No.

5 Q Do you have a girlfriend at the present time?  
 6 MR. PIKE: Form.

7 THE WITNESS: On advice of counsel, I'm going  
 8 to assert my Fifth Amendment Right.

9 BY MR. HOROWITZ:

10 Q Do you have a driver's license in any state?

11 A Yes.

12 Q In what state?

13 A The United States Virgin Islands.

14 Q Okay. How long have you had a driver's license  
 15 in the Virgin Islands?

16 A I believe twelve years.

17 Q Okay. Have you ever had a driver's license in  
 18 the State of Florida?

19 A Yes, sir.

20 Q Okay. And during what years did you have a  
 21 driver's license in the State of Florida?

22 A I don't remember.

23 Q Okay. What address appears on your driver's  
 24 license in the Virgin Islands?

25 MR. PIKE: Form.

1 THE WITNESS: I don't remember.

2 BY MR. HOROWITZ:

3 Q Is it the address that you reside in?

4 MR. PIKE: Form.

5 THE WITNESS: On advice of counsel, I am going  
 6 to assert my Fifth Amendment Right.

7 BY MR. HOROWITZ:

8 Q Okay. Did you review any documents in  
 9 preparation for today's deposition?

10 A No.

11 Q Okay. Did you meet with your attorneys  
 12 concerning this deposition at any time before it  
 13 started?

14 A At any time I've -- over the past couple of  
 15 months, but not specifically with this deposition.

16 Q Okay. I'm asking about -- concerning this  
 17 deposition?

18 A No.

19 Q Okay. In June of 2008, you pled guilty to two  
 20 felonies; is that correct?

21 A Correct.

22 Q Okay. One of those felonies involved procuring  
 23 a person under the age of 18 for prostitution, correct?

24 A Yes.

25 Q You pled guilty to that charge, correct?

1 A That's correct.  
 2 Q Okay. And you were represented by legal  
 3 counsel at the time of your plea?  
 4 A That's correct.  
 5 Q Okay. In that particular charge the person  
 6 under the age of 18 who you allegedly procured for  
 7 prostitution, was a female, correct?  
 8 A On advice of counsel, I am going to have to  
 9 assert my Fifth Amendment, Sixth Amendment and  
 10 Fourteenth Amendment Right.  
 11 Q In June of 2008, you also pled guilty to a  
 12 felony charge of solicitation of a prostitute, correct?  
 13 A No, solicitation of prostitution, correct.  
 14 Q Okay. And to make sure we're on the same page,  
 15 in June of 2008, you pled guilty to a felony of  
 16 solicitation of prostitution, correct?  
 17 A Yes.  
 18 Q Okay. And you were represented by counsel at  
 19 the time of that guilty plea as well?  
 20 A Yes, sir.  
 21 Q Okay. And you were sentenced in Palm Beach  
 22 County for both of those felonies, correct?  
 23 A That's correct.  
 24 Q Okay. You actually served your time in Palm  
 25 Beach County?

1 A That's correct.  
 2 Q Okay. And at the time of your sentence, did  
 3 the Judge advise you as to what your sentence would be?  
 4 A I believe so.  
 5 Q You were there when the Judge entered the  
 6 sentence?  
 7 MR. PIKE: Form.  
 8 THE WITNESS: Yes.  
 9 BY MR. HOROWITZ:  
 10 Q Okay. Your sentence included jail time; is  
 11 that right?  
 12 A That's correct.  
 13 Q Okay. And the sentence you received was twelve  
 14 months, followed by six months; is that correct?  
 15 A I believe so.  
 16 Q Uh-huh. And was it at -- as part of that  
 17 sentence, that you were designated as a sex offender?  
 18 MR. PIKE: Form.  
 19 THE WITNESS: As a result of that sentence.  
 20 BY MR. HOROWITZ:  
 21 Q You were designated as a sex offender?  
 22 A That's correct.  
 23 Q Okay. So that would have been that June/July  
 24 2008 time frame?  
 25 A I believe so.

1 Q Okay. Do you register your home address as  
 2 part of your sex offender designation?  
 3 MR. PIKE: Form.  
 4 THE WITNESS: I believe so.  
 5 BY MR. HOROWITZ:  
 6 Q Okay. What address do you provide as your home  
 7 address as part of your sex offender registration?  
 8 MR. PIKE: Form.  
 9 THE WITNESS: On advice of counsel, I will have  
 10 to assert my Fifth Amendment, Sixth Amendment and  
 11 Fourteenth Amendment Right.  
 12 BY MR. HOROWITZ:  
 13 Q Okay. Do you tell the State of Florida where  
 14 you live as part of your sex offender registration?  
 15 A Do I tell the State of Florida?  
 16 Q Any department within the State of Florida  
 17 where you live as part of your sex offender  
 18 registration?  
 19 A I believe so.  
 20 Q What address do you tell them that you live in?  
 21 MR. PIKE: Form, same objection.  
 22 THE WITNESS: And I am going to assert my Fifth  
 23 Amendment, Sixth Amendment and Fourteenth Amendment  
 24 Rights.  
 25 BY MR. HOROWITZ:

1 Q Do you tell any departments of the State of  
 2 Florida what vessels or vehicles you own as part of your  
 3 sex offender registration?  
 4 A My sex offender registration will speak for  
 5 itself, but I believe so. I don't remember.  
 6 Q Okay. What vehicles or vessels do you inform  
 7 the State of Florida that you own or have an interest in  
 8 as part of your sex offender registry?  
 9 MR. PIKE: Form, same objection.  
 10 THE WITNESS: I don't recall.  
 11 THE REPORTER: What did you say?  
 12 THE WITNESS: I don't recall.  
 13 BY MR. HOROWITZ:  
 14 Q If you know, are there locations that you  
 15 cannot live in because of your status as a sex  
 16 offender?  
 17 A I believe I --  
 18 MR. PIKE: Form.  
 19 THE WITNESS: -- I believe I can live in any  
 20 location.  
 21 BY MR. HOROWITZ:  
 22 Q Any location?  
 23 A Yes, sir.  
 24 Q If you know, are there places you cannot work  
 25 because of your status as a sex offender?

<p>1 MR. PIKE: Form.</p> <p>2 THE WITNESS: I don't believe so.</p> <p>3 BY MR. HOROWITZ:</p> <p>4 Q If you know, are there people that you cannot</p> <p>5 come into contact with because of your status as a sex</p> <p>6 offender?</p> <p>7 MR. PIKE: Form.</p> <p>8 THE WITNESS: I do not know.</p> <p>9 BY MR. HOROWITZ:</p> <p>10 Q Okay. Since being sentenced -- strike that.</p> <p>11 As part of your sentence, are you forbidden</p> <p>12 from having sexual contact with minors?</p> <p>13 MR. PIKE: Form, argumentative.</p> <p>14 THE WITNESS: I'm sorry?</p> <p>15 BY MR. HOROWITZ:</p> <p>16 Q As part of your sentence, are you forbidden</p> <p>17 from having sexual contact with minors?</p> <p>18 MR. PIKE: Same objection.</p> <p>19 THE WITNESS: I don't know -- I believe that</p> <p>20 sexual contact with minors is against the law, so I</p> <p>21 would assume so.</p> <p>22 BY MR. HOROWITZ:</p> <p>23 Q Okay. As part of registering as a sex</p> <p>24 offender, do you have to provide the State of Florida</p> <p>25 with your business address?</p>	<p>Page 13</p> <p>1 information?</p> <p>2 A It's done at the Stockade in Palm Beach County.</p> <p>3 Q Okay. So since being released, you travel to</p> <p>4 the Stockade to provide that information?</p> <p>5 A On advice of counsel, I am going to assert my</p> <p>6 Fifth Amendment, Fourteen Amendment and Sixth Amendment</p> <p>7 Right.</p> <p>8 THE VIDEOGRAPHER: Sorry to interrupt. I need</p> <p>9 to go off the record for a second because of</p> <p>10 sound.</p> <p>11 MR. HOROWITZ: All right.</p> <p>12 THE VIDEOGRAPHER: Time off the record 10:14.</p> <p>13 (Thereupon, a short break was taken.)</p> <p>14 THE VIDEOGRAPHER: Time on the record 10:15.</p> <p>15 BY MR. HOROWITZ:</p> <p>16 Q Sir, as part of your sentence in 2008, you also</p> <p>17 had to provide a DNA sample to the court; is that</p> <p>18 correct?</p> <p>19 MR. PIKE: Form.</p> <p>20 THE WITNESS: That's correct.</p> <p>21 BY MR. HOROWITZ:</p> <p>22 Q And per the sentence in the summer of 2008, you</p> <p>23 were to be under community control after your time in</p> <p>24 jail; is that correct?</p> <p>25 MR. PIKE: Form.</p>
<p>Page 14</p> <p>1 A Yes, I believe so.</p> <p>2 Q Okay. And what business address do you provide</p> <p>3 the State of Florida --</p> <p>4 MR. PIKE: Form.</p> <p>5 BY MR. HOROWITZ:</p> <p>6 Q -- as part of your registry with the -- as a</p> <p>7 sex offender?</p> <p>8 THE WITNESS: On advice of counsel, I am going</p> <p>9 to assert my Fifth Amendment, Fourteen Amendment</p> <p>10 and Sixth Amendment Right.</p> <p>11 BY MR. HOROWITZ:</p> <p>12 Q How many vehicles do you tell the State of</p> <p>13 Florida that you own as part of your registration as a</p> <p>14 sex offender?</p> <p>15 A I don't know. I -- I don't know. I don't</p> <p>16 recall.</p> <p>17 Q With respect to those matters that you -- you</p> <p>18 do know that you provide to the State of Florida --</p> <p>19 A Yes.</p> <p>20 Q -- who provides that information, meaning you</p> <p>21 or someone on your behalf?</p> <p>22 MR. PIKE: Form.</p> <p>23 THE WITNESS: I do.</p> <p>24 BY MR. HOROWITZ:</p> <p>25 Q Okay. And where do you send in that</p>	<p>Page 16</p> <p>1 THE WITNESS: That's correct.</p> <p>2 BY MR. HOROWITZ:</p> <p>3 Q Are you still under community control?</p> <p>4 A Yes, sir.</p> <p>5 Q Okay. When does that end?</p> <p>6 A July 21st --</p> <p>7 Q 2010?</p> <p>8 A -- July 10 -- yes, 2010.</p> <p>9 Q July 21st, 2010, your community control</p> <p>10 ceases?</p> <p>11 A That's correct.</p> <p>12 Q Okay. Do you have a community control</p> <p>13 officer?</p> <p>14 A Yes, sir.</p> <p>15 Q What is his or her name?</p> <p>16 A Miss Elkins, Officer Elkins.</p> <p>17 Q How often do you see Miss Elkins in person?</p> <p>18 A At least twice a week.</p> <p>19 Q Okay. How much time do you spend with Miss</p> <p>20 Elkins when you see her?</p> <p>21 A It varies --</p> <p>22 Q And --</p> <p>23 A -- up to an hour each time.</p> <p>24 Q Okay. And the typical occasion which you come</p> <p>25 face-to-face with Miss Elkins, what -- what -- what do</p>

4 (Pages 13 to 16)

<p style="text-align: right;">Page 17</p> <p>1 you do?</p> <p>2 MR. PIKE: Form.</p> <p>3 THE WITNESS: I talk to Miss Elkins.</p> <p>4 BY MR. HOROWITZ:</p> <p>5 Q What do you talk about?</p> <p>6 A If there's -- my schedule. I -- I prepare a</p> <p>7 schedule for Miss Elkins.</p> <p>8 Q Okay. A written schedule?</p> <p>9 A Yes, sir.</p> <p>10 Q Okay. And you do that every week, or twice a</p> <p>11 week?</p> <p>12 A Every week.</p> <p>13 Q Okay. When was the last time you provided Miss</p> <p>14 Elkins with a copy of your schedule?</p> <p>15 A Last Monday.</p> <p>16 Q Okay. What is Miss Elkins' first name?</p> <p>17 A I don't know.</p> <p>18 Q Okay. And so do you drive or get driven to the</p> <p>19 Stockade to see Miss Elkins?</p> <p>20 A Yes.</p> <p>21 Q Okay. And has that been true since you were</p> <p>22 released from jail?</p> <p>23 MR. PIKE: Form.</p> <p>24 THE WITNESS: No.</p> <p>25 BY MR. HOROWITZ:</p>	<p style="text-align: right;">Page 19</p> <p>1 A Basically, yes.</p> <p>2 Q And that takes up to an hour?</p> <p>3 A Yes.</p> <p>4 Q Okay. Anything else that you talk about other</p> <p>5 than your schedule with either Miss Sloan or your --</p> <p>6 your current -- Miss Elkins?</p> <p>7 A Not that I can recall.</p> <p>8 Q And it takes an hour approximately to talk</p> <p>9 about your schedule?</p> <p>10 MR. PIKE: Asked and answered.</p> <p>11 THE WITNESS: Up to an hour.</p> <p>12 BY MR. HOROWITZ:</p> <p>13 Q Up to an hour?</p> <p>14 A Yes.</p> <p>15 Q Up to an hour?</p> <p>16 A Yes.</p> <p>17 Q Okay. Is anyone else with you when you meet --</p> <p>18 when you met with Miss Elkins or Miss Sloan?</p> <p>19 MR. PIKE: Form.</p> <p>20 THE WITNESS: Which time?</p> <p>21 BY MR. HOROWITZ:</p> <p>22 Q Typically. It -- do you go alone?</p> <p>23 A It's -- it's -- it's in the office.</p> <p>24 MR. PIKE: Same objection.</p> <p>25 THE WITNESS: It's at the probation office.</p>
<p style="text-align: right;">Page 18</p> <p>1 Q Okay. For how long have you been seeing Miss</p> <p>2 Elkins one to two times per week?</p> <p>3 A Miss Elkins was -- had replaced my former</p> <p>4 probation officer, which is Carmine Sloan (phonetic),</p> <p>5 about a month ago.</p> <p>6 Q Okay. Did you have a -- another probation</p> <p>7 officer before Carmine Sloan?</p> <p>8 A No, sir.</p> <p>9 Q Okay. And when Carmine Sloan was your</p> <p>10 probation officer, were you also seeing -- were you</p> <p>11 seeing him one to two times a week?</p> <p>12 A It's her, but yes.</p> <p>13 Q Okay. And were you providing Miss Sloan with a</p> <p>14 -- a written schedule?</p> <p>15 A Yes.</p> <p>16 Q Okay. Other than providing Miss Sloan with a</p> <p>17 written schedule, what else -- what else do you talk</p> <p>18 about?</p> <p>19 A Just my daily activities.</p> <p>20 Q Well, what do you tell her about your daily</p> <p>21 activities?</p> <p>22 A Where I will be. Just my schedule. Where I</p> <p>23 will be.</p> <p>24 Q Okay. Is that the subject matter each time</p> <p>25 that you go see her?</p>	<p style="text-align: right;">Page 20</p> <p>1 BY MR. HOROWITZ:</p> <p>2 Q Okay. Is anyone within earshot such that they</p> <p>3 can hear your conversation?</p> <p>4 A I don't know.</p> <p>5 Q Okay. Do you travel to go see Miss Elkins or</p> <p>6 Miss Sloan with anybody else?</p> <p>7 MR. PIKE: Form.</p> <p>8 THE WITNESS: On advice of counsel, I am going</p> <p>9 to assert my Fifth Amendment, Sixth Amendment and</p> <p>10 Fourteenth Amendment Right.</p> <p>11 BY MR. HOROWITZ:</p> <p>12 Q Other than the probation officer, whether it be</p> <p>13 Miss Sloan or Miss Elkins, is there anyone else from</p> <p>14 their office that is present when you meet with them?</p> <p>15 MR. GOLDBERGER: From their office, did you</p> <p>16 say?</p> <p>17 MR. HOROWITZ: Yes.</p> <p>18 THE WITNESS: Maybe a couple of times, maybe</p> <p>19 another probation officer.</p> <p>20 BY MR. HOROWITZ:</p> <p>21 Q Okay. And who is that?</p> <p>22 A I don't know.</p> <p>23 Q Is there anything else, other than your written</p> <p>24 schedule, that you provide to Miss Elkins or Miss Sloan</p> <p>25 during the course of your community control?</p>

5 (Pages 17 to 20)

<p style="text-align: right;">Page 21</p> <p>1 A Not that I can recall.    2 Q Okay. What sort of things would we find on    3 that schedule?    4 MR. PIKE: Form.    5 THE WITNESS: Where I intend to be.    6 BY MR. HOROWITZ:    7 Q Okay. So it would have a physical location --    8 MR. PIKE: Form.    9 BY MR. HOROWITZ:    10 Q -- such as "office," or would it say an    11 address?    12 A It just might say "office." It might say an    13 address.    14 Q Okay. What addresses do you provide Miss Sloan    15 or Miss Elkins as your address when you are providing    16 your written schedule?    17 MR. PIKE: Form.    18 MR. GOLDBERGER: Form.    19 THE WITNESS: On advice of counsel, I am going    20 to have to assert my Fifth Amendment, Sixth    21 Amendment and Fourteenth Amendment Right.    22 BY MR. HOROWITZ:    23 Q Other than telling Miss Elkins and Miss Sloan    24 that you're at the office, where else do you tell them    25 that you will be?</p>	<p style="text-align: right;">Page 23</p> <p>1 A Yes.    2 Q Well, where do they travel to to see you?    3 MR. PIKE: Form.    4 THE WITNESS: On advice of counsel, I am going    5 to assert my Fifth Amendment, Sixth Amendment and    6 Fourteenth Amendment Right.    7 BY MR. HOROWITZ:    8 Q Okay. Other than your own office, are there    9 any other locations where you have met Miss Sloan or    10 Miss Elkins to discuss your schedule?    11 A My probation office.    12 Q Other than the probation office, are there any    13 other locations where you've met them?    14 A On advice of counsel, I am going to assert my    15 Sixth Amendment, Fourteenth Amendment and Fifth    16 Amendment Right.    17 BY MR. HOROWITZ:    18 Q Okay. Do you anticipate that you'll be seeing    19 Miss Elkins one to two times per week until your    20 community control expires?    21 A Yes.    22 Q You were also ordered at the time of your    23 sentence to have no contact, direct or indirect, with    24 various girls; is that correct?    25 MR. PIKE: Form, confusing.</p>
<p style="text-align: right;">Page 22</p> <p>1 MR. PIKE: Same objection.    2 THE WITNESS: I am going to have to assert my    3 Fifth Amendment, Fourteenth Amendment and Sixth    4 Amendment Right.    5 BY MR. HOROWITZ:    6 Q Does the schedule -- written schedule that you    7 provide to Miss Elkins and Miss Sloan simply say a    8 location, or do you also describe your activities?    9 A Just the location.    10 Q Okay. Other than "office," what other    11 locations do you from time to time provide to Miss    12 Elkins or Miss Sloan?    13 MR. PIKE: Form.    14 THE WITNESS: I'm going -- I am going to, on    15 advice of counsel, assert my Fifth Amendment, Sixth    16 Amendment and Fourteenth Amendment Right.    17 BY MR. HOROWITZ:    18 Q Okay. Does your community control officer --    19 is that -- is that the correct term, "community control    20 officer"?"    21 MR. PIKE: Form.    22 THE WITNESS: I believe so.    23 BY MR. HOROWITZ:    24 Q Okay. Does your community control officer ever    25 make unannounced visits to your home?</p>	<p style="text-align: right;">Page 24</p> <p>1 THE WITNESS: I'm sorry, I don't understand the    2 question.    3 BY MR. HOROWITZ:    4 Q Sure. At the time of your sentence -- we    5 talked about that a few times already, that was in    6 June/July of 2008?    7 A Uh-huh.    8 Q My question is: Isn't it true you were ordered    9 at that time to have no contact, direct or indirect,    10 with various girls?    11 MR. PIKE: Objection.    12 THE WITNESS: I don't recall.    13 BY MR. HOROWITZ:    14 Q Do you know --    15 A I don't recall.    16 Q Do you know whether the Judge announced that in    17 Court to you on the date of your sentence?    18 A I don't recall.    19 Q Do you recall a document saying that you were    20 directed to have no contact, direct or indirect, with    21 various girls as part of your criminal sentence?    22 MR. PIKE: Form.    23 THE WITNESS: I believe that was much later.    24 BY MR. HOROWITZ:    25 Q Okay. At some point -- that happened later?</p>

1 A That's correct.

2 Q Okay. What do you understand to be the terms  
3 of this no-contact order that you believe you were  
4 provided at a later date?

5 MR. PIKE: Form.

6 MR. GOLDBERGER: If you know.

7 THE WITNESS: Just to have no affirmative  
8 contact --

9 MR. GOLDBERGER: Be specific.

10 THE WITNESS: -- with -- with -- with three  
11 specific girls.

12 MR. HOROWITZ: Let me just nip this in the  
13 bud. A witness --

14 MR. GOLDBERGER: I -- I am just trying to help  
15 you along here.

16 MR. HOROWITZ: Okay.

17 MR. GOLDBERGER: No problem. You can -- you  
18 can ask the questions, and it will take an hour  
19 later. I'm trying to get you an answer that you  
20 want.

21 MR. HOROWITZ: I appreciate that. If I -- and  
22 if I'm having a hard time, that's my problem. Not  
23 yours.

24 MR. GOLDBERGER: Okay.

25 MR. HOROWITZ: But what I was addressing was

1 now, I'm just trying to help you along.

2 MR. HOROWITZ: I appreciate that.

3 MR. GOLDBERGER: That's the only reason I did  
4 it.

5 MR. HOROWITZ: All right. I'm going to put  
6 this on the record again. The local rules provide  
7 that in a deposition in a civil case one witness,  
8 one attorney who can object, period. It doesn't  
9 say if there is also a criminal case, two attorneys  
10 can speak. So if Mr. Epstein wanted to hire an  
11 attorney familiar with his criminal case for his  
12 civil case, he could have done so. If he didn't,  
13 that was at his own peril. So I'm just going to  
14 ask you to refrain, and I'm just going to put you  
15 on notice that if you -- if you interject an  
16 objection --

17 MR. GOLDBERGER: Uh-huh.

18 MR. HOROWITZ: -- I'll seek the relief from the  
19 Court, and that's -- that's it, but --

20 MR. GOLDBERGER: That's fine. And I'm going to  
21 continue to do so, and if you want to adjourn at  
22 this point, we can do that. But if I think it's an  
23 issue relevant to my representation of him on a  
24 pending criminal case, I'm going to do so, okay?

25 MR. HOROWITZ: Okay.

1 not your assistance, but the fact that you're  
2 speaking up, and you're familiar with the local  
3 rules.

4 MR. PIKE: Yeah, let me --

5 MR. HOROWITZ: No, no, no.

6 MR. PIKE: I know. I understand.

7 MR. HOROWITZ: No, no --

8 MR. PIKE: Listen, we have got a -- we've got a  
9 long day ahead of us, so let's move along.

10 MR. HOROWITZ: This is -- this is in the  
11 interest of efficiency.

12 MR. PIKE: Okay. Let's go.

13 MR. HOROWITZ: Per witness, one attorney, okay?  
14 I don't care who it is, but it can only be one of  
15 you.

16 MR. GOLDBERGER: Okay. So here's the deal: I  
17 represent Mr. Epstein on his criminal cases. If I  
18 feel it is important for me to interject on issues  
19 relevant to his criminal case, I'll do so.

20 Mr. Pike has taken the -- the lead role in  
21 representing Mr. Epstein civilly.

22 MR. HOROWITZ: Well --

23 MR. GOLDBERGER: If there are issues relevant  
24 to the criminal case, I'm going to interject.

25 As far as your concern about what just occurred

1 MR. GOLDBERGER: And you'll -- you're free to  
2 seek whatever relief you want.

3 MR. PIKE: And -- and let me -- let me put  
4 something on the record, since you chose to do so.  
5 One, this is -- this proceeding has a quasi-  
6 criminal component to it, and your questions today,  
7 Mr. Horowitz, are interjected in a manner in an  
8 attempt to cause Mr. Epstein to waive his Fifth  
9 Amendment Right, along with his Sixth and his  
10 Fourteenth which are incorporated therein. So the  
11 fact that Mr. Goldberger is here making sure that  
12 his client and my mutual client maintain and  
13 preserve those privileges that are afforded under  
14 the United States Constitution, he will continue to  
15 do that today, okay?

16 Now, we're here to answer your questions.  
17 We're here to move forward with the depo. We'd  
18 like to do that. If you'd like to adjourn to take  
19 this up with the Court today, we could do that as  
20 well, but it was -- it's your choice.

21 MR. HOROWITZ: Okay.

22 MR. PIKE: Okay?

23 BY MR. HOROWITZ:

24 Q One girl that you were ordered to have no  
25 contact with is Jane Doe 2, correct?

<p style="text-align: center;">Page 29</p> <p>1       MR. PIKE: Form.</p> <p>2       THE WITNESS: I don't know.</p> <p>3    BY MR. HOROWITZ:</p> <p>4       Q   Another girl that you were ordered to have no</p> <p>5    contact with is Jane Doe 4, correct?</p> <p>6       MR. PIKE: Form.</p> <p>7       THE WITNESS: No, I don't -- you -- you've</p> <p>8   asked me a question regarding a criminal case?</p> <p>9       MR. HOROWITZ: Correct.</p> <p>10      THE WITNESS: So regarding my criminal case, I</p> <p>11   believe the answers to the both of those questions</p> <p>12   are no.</p> <p>13    BY MR. HOROWITZ:</p> <p>14      Q   Okay. I have some more questions about your</p> <p>15   criminal case.</p> <p>16      A   Okay.</p> <p>17      Q   Another girl that you were ordered to have no</p> <p>18   contact with as a result of your -- following your</p> <p>19   sentence is Jane Doe 6; is that correct?</p> <p>20      MR. PIKE: Form.</p> <p>21      THE WITNESS: I don't believe so.</p> <p>22    BY MR. HOROWITZ:</p> <p>23      Q   Okay. And another girl that you were ordered</p> <p>24   to have no contact with as a result of your criminal</p> <p>25   case is Jane Doe 7, correct?</p>	<p style="text-align: center;">Page 31</p> <p>1       and Fourteenth Amendment Right.</p> <p>2       MR. HOROWITZ: Okay. I mentioned seven girls'</p> <p>3    names. I'll just put them on the record so you</p> <p>4   know what seven girls I'm talking about.</p> <p>5       THE WITNESS: Okay.</p> <p>6       MR. HOROWITZ: Jane Doe 5, Jane Doe 8, Jane Doe</p> <p>7   6, Jane Doe 2, Jane Doe 3, Jane Doe 7.</p> <p>8    BY MR. HOROWITZ:</p> <p>9       Q   Is it your testimony today that you were not</p> <p>10   ordered as a result of a criminal case to have no</p> <p>11   contact with them?</p> <p>12      MR. PIKE: Form.</p> <p>13      THE WITNESS: That's my best recollection.</p> <p>14    BY MR. HOROWITZ:</p> <p>15      Q   Okay. And, therefore, since you have no</p> <p>16   recollection of being ordered, you've made no</p> <p>17   affirmative attempt to have no contact with them; is</p> <p>18   that correct?</p> <p>19      MR. PIKE: Form, asked and answered. I am</p> <p>20   going to instruct him not to answer that question.</p> <p>21   If you want to rephrase it, go ahead.</p> <p>22      MR. HOROWITZ: Are you going to accept --</p> <p>23   accept his advice?</p> <p>24      MR. PIKE: Yeah.</p> <p>25      THE WITNESS: Yes.</p>
<p style="text-align: center;">Page 30</p> <p>1       A   I don't believe so.</p> <p>2       Q   Okay. Another girl that you were ordered to</p> <p>3   have no contact with is Jane Doe 5?</p> <p>4       MR. PIKE: Form.</p> <p>5       THE WITNESS: As far as my criminal case, I</p> <p>6   don't believe so.</p> <p>7    BY MR. HOROWITZ:</p> <p>8       Q   Okay. Another girl you were ordered to have no</p> <p>9   contact with is Jane Doe 8, correct?</p> <p>10      MR. PIKE: Form.</p> <p>11      THE WITNESS: I'm sorry, who?</p> <p>12      MR. HOROWITZ: Jane Doe 8.</p> <p>13      THE WITNESS: I don't believe so.</p> <p>14    BY MR. HOROWITZ:</p> <p>15      Q   Okay. Another girl you were ordered to have no</p> <p>16   contact with is Jane Doe 3, correct?</p> <p>17      MR. PIKE: Same objection.</p> <p>18      THE WITNESS: I don't believe so.</p> <p>19    BY MR. HOROWITZ:</p> <p>20      Q   Okay. Are you aware of the names of any girls</p> <p>21   who you were ordered to have no contact with as part of</p> <p>22   your criminal case?</p> <p>23      MR. PIKE: Form.</p> <p>24      THE WITNESS: On the advice of counsel, I am</p> <p>25   going to assert my Fifth Amendment, Sixth Amendment</p>	<p style="text-align: center;">Page 32</p> <p>1       BY MR. HOROWITZ:</p> <p>2       Q   Okay. Have you made any affirmative attempt to</p> <p>3   have no contact with Jane Doe 5, Jane Doe 8, Jane Doe 6,</p> <p>4   Jane Doe 2, Jane Doe 3, Jane Doe 4 or Jane Doe 7?</p> <p>5       MR. PIKE: Form, lack of predicate and</p> <p>6   foundation.</p> <p>7       THE WITNESS: And on the advice of counsel, I</p> <p>8   am going to assert my Fifth Amendment, Sixth</p> <p>9   Amendment and Fourteenth Amendment Right.</p> <p>10    BY MR. HOROWITZ:</p> <p>11      Q   Have you at any time known the names of the</p> <p>12   girls that you were directed to have no contact with --</p> <p>13      MR. PIKE: Same objection.</p> <p>14    BY MR. HOROWITZ:</p> <p>15      Q   -- in the criminal case?</p> <p>16      A   Known the names?</p> <p>17      Q   Known, known.</p> <p>18      A   I was told that in fact some of your -- the</p> <p>19   cases that were filed against me by your firm, a firm</p> <p>20   whose partner was disbarred for his conduct, and in fact</p> <p>21   Mr. Edwards sitting there with his firm who is called by</p> <p>22   the U.S. Attorney to be the largest fraud in South</p> <p>23   Florida's history -- I believe these girls have always</p> <p>24   been -- and I believe the ladies and gentlemen of the</p> <p>25   jury will eventually be aware that these girls have</p>

<p style="text-align: right;">Page 33</p> <p>1 filed the claim many years after they alleged and even 2 associated with firms whose partners have been disbarred 3 and is part -- one of his partners is currently in jail, 4 yes.</p> <p>5 Q Okay. Are you suggesting that a partner of 6 mine was disbarred? Is that your testimony?</p> <p>7 MR. PIKE: Form.</p> <p>8 THE WITNESS: Yes, that's -- I believe that's 9 my understanding.</p> <p>10 BY MR. HOROWITZ:</p> <p>11 Q Okay. Are you suggesting that my clients 12 fabricated their claims against you after coming into 13 contact with an attorney who you believe was 14 disciplined?</p> <p>15 MR. PIKE: Form.</p> <p>16 THE WITNESS: You know, I'd really like to 17 answer that question, and hopefully some day I 18 will. I think the answer is pretty obvious to you 19 and the other people in this room, but, however, 20 today, Mr. Horowitz, I am going to, on the advice 21 of counsel, have to assert my Fifth Amendment, 22 Sixth Amendment and Fourteenth Amendment Right, 23 though I would like to -- and I'm sure you and the 24 ladies and gentlemen understand, I'd like to answer 25 that question.</p>	<p style="text-align: right;">Page 35</p> <p>1 Q Are you suggesting that somehow the Plaintiffs 2 fabricated their allegations because of their 3 association with these lawyers?</p> <p>4 MR. PIKE: Form.</p> <p>5 THE WITNESS: In fact, according to the 6 newspapers, the attorney who's -- who is currently 7 sitting in jail, Mr. Edwards' partner, was accused 8 of fabricating many cases not only against people 9 like me, but others, of the sexual nature, very 10 similar to the ones you've filed.</p> <p>11 BY MR. HOROWITZ:</p> <p>12 Q Okay. As to my clients -- I'm not asking about 13 anybody else's clients. As to my client, are you 14 suggesting that they fabricated any aspect of their 15 dealings with you as a result of their dealings with 16 their attorney, or some remote dealings with 17 Mr. Rothstein? Is that -- is that your testimony?</p> <p>18 A I think that answer --</p> <p>19 MR. PIKE: Form, predicate, foundations, sorry.</p> <p>20 THE WITNESS: I think that answer is pretty 21 obvious. But, however, on advice of counsel, I 22 cannot answer any questions today that are relevant 23 to this law -- to these lawsuits. I would like 24 to. I'm sure everybody knows that I would like 25 to. You know I would like to. But today, on the</p>
<p style="text-align: right;">Page 34</p> <p>1 BY MR. HOROWITZ:</p> <p>2 Q Well, you mentioned an attorney who you believe 3 was disciplined, and you mentioned an attorney who you 4 believe --</p> <p>5 A I don't believe I said "disciplined." I think 6 you -- I said "disbarred."</p> <p>7 Q Disbarred, okay.</p> <p>8 A Is that correct?</p> <p>9 Q No, it's wrong, but that was your words.</p> <p>10 A He was not disbarred?</p> <p>11 Q I'm not allowed to testify to those --</p> <p>12 A Oh, I'm sorry.</p> <p>13 Q I didn't create these rules.</p> <p>14 A I thought he was disbarred. I think the paper 15 said he was disbarred.</p> <p>16 Q Okay. You mentioned that an attorney was 17 disbarred, and another attorney --</p> <p>18 A Your partner was disbarred. Not an attorney, 19 correct?</p> <p>20 Q You mentioned that my partner was disbarred, 21 and that's your testimony?</p> <p>22 A Yes.</p> <p>23 Q And you mentioned that another attorney 24 committed fraud?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 36</p> <p>1 advice of counsel, I am going to have to assert my 2 Fifth Amendment, Sixteenth -- sorry -- Sixth 3 Amendment and Fourteenth Amendment Rights as 4 guaranteed by the Constitution.</p> <p>5 And if I don't follow their advice and I prefer 6 -- I would actually prefer to answer the question, 7 but if I don't follow their advice, I am going to 8 risk losing my counsel, which is a violation. So I 9 am going to have to assert those rights today.</p> <p>10 MR. PIKE: Okay. And just for the record --</p> <p>11 MR. HOROWITZ: Move to strike the 12 non-responsive portion.</p> <p>13 MR. PIKE: Just for the record, let's try to go 14 -- take turns for the court reporter's benefit. 15 Finish your answer --</p> <p>16 THE WITNESS: Okay.</p> <p>17 MR. PIKE: -- finish your question, before both 18 of you continue to talk to -- over each other, 19 thanks.</p> <p>20 BY MR. HOROWITZ:</p> <p>21 Q Mr. Epstein, if I heard you right, you said 22 that your attorneys have advised you that your -- you 23 could not answer these questions without waiving the 24 Fifth, Sixth and Fourteenth Amendment; is that right?</p> <p>25 MR. PIKE: Form. I am going to instruct him</p>

<p style="text-align: right;">Page 37</p> <p>1 not to answer that question because the way it's 2 phrased attempts to elicit attorney-client 3 communications.</p> <p>4 BY MR. HOROWITZ:</p> <p>5 Q Did I paraphrase you correctly?</p> <p>6 A No, you did not.</p> <p>7 Q Okay. Well, sir, are you -- are you testifying 8 that Jane Doe 2 falsified a lawsuit because of her 9 association with a lawyer?</p> <p>10 MR. PIKE: Form, predicate, foundation.</p> <p>11 THE WITNESS: I would really like to answer 12 that question, but today, and just today at least 13 on the advice of counsel, I cannot, because they 14 have advised me that if I do, I risk losing their 15 counsel, but as I think it is going to be pretty 16 obvious, I would like to answer that question, but 17 on the advice of counsel, I am going to assert my 18 Fifth, Sixth and Fourteenth Amendment Right as 19 provided by the U.S. Constitution.</p> <p>20 BY MR. HOROWITZ:</p> <p>21 Q Well, Mr. Epstein, if you continue to laugh at 22 any of my questions, shake your head, nod, it's my 23 intention to inform the Court and file a motion that 24 you've waived your Fifth Amendment Right.</p> <p>25 MR. PIKE: All right. First of all, that's --</p>	<p style="text-align: right;">Page 39</p> <p>1 just said about his Constitutional Rights. He said 2 he would be losing his Sixth Amendment Right to 3 effective representation. Do you understand -- is 4 that what you said, sir?</p> <p>5 MR. PIKE: Form.</p> <p>6 THE WITNESS: Correct.</p> <p>7 BY MR. HOROWITZ:</p> <p>8 Q Okay. Okay. When you say your Sixth Amendment 9 Right to effective representation, who -- representation 10 by who? Who -- who are you talking about?</p> <p>11 MR. PIKE: Form. I'm going to instruct him not 12 to answer that question.</p> <p>13 BY MR. HOROWITZ:</p> <p>14 Q Are you suggesting that your attorneys would 15 not represent you if -- if you didn't assert your Sixth 16 Amendment Right?</p> <p>17 MR. PIKE: Same objection. I'm going to 18 instruct him not to answer that question, attorney- 19 client.</p> <p>20 BY MR. HOROWITZ:</p> <p>21 Q How do you ensure that you have no contact with 22 the various girls you've been ordered to have no contact 23 with?</p> <p>24 MR. PIKE: Form, predicate, foundation.</p> <p>25 THE WITNESS: On advice of counsel, I am going</p>
<p style="text-align: right;">Page 38</p> <p>1 that's argumentative and it's harassing, and you 2 don't have a question on the table, so let's -- 3 let's --</p> <p>4 MR. HOROWITZ: Why are you interrupting me?</p> <p>5 MR. PIKE: Because -- because this deposition 6 is not going to be utilized as a -- as a means to 7 harass my client. Ask your questions, you'll get 8 your answers, and let's move forward.</p> <p>9 BY MR. HOROWITZ:</p> <p>10 Q I'm going to ask that you not shake your head, 11 nod or laugh at my questions. Because if you do, it 12 will be at your own peril, because I'm -- I will file a 13 motion to have your Fifth Amendment Rights waived.</p> <p>14 MR. PIKE: I'm going to move to strike --</p> <p>15 MR. HOROWITZ: Okay.</p> <p>16 MR. PIKE: -- your two last statements, 17 Mr. Horowitz. Let's get on with the deposition.</p> <p>18 BY MR. HOROWITZ:</p> <p>19 Q When you said that you must accept the advice 20 of your attorney or risk waiving your Constitutional 21 Rights, what advice were you talking about?</p> <p>22 MR. PIKE: Form. I'm going to instruct him not 23 to answer that question. He's asserting his 24 Constitutional Rights.</p> <p>25 MR. HOROWITZ: And I want to explore what he</p>	<p style="text-align: right;">Page 40</p> <p>1 to have to assert my Fifth Amendment, Sixth 2 Amendment and Fourteenth Amendment Rights as 3 guaranteed by the U.S. Constitution, though I would 4 like to answer that question.</p> <p>5 BY MR. HOROWITZ:</p> <p>6 Q With respect to those girls whom you've been 7 ordered to have no contact with, have you had any 8 contact, direct or indirect, with them since receiving 9 that order?</p> <p>10 MR. PIKE: Same objection; form, predicate and 11 foundation.</p> <p>12 THE WITNESS: I would like to answer that 13 question, however, today my -- I have been informed 14 that I cannot answer any questions that may be 15 relevant to your lawsuit. So I'm going to assert 16 my Fifth Amendment, Sixth Amendment and Fourteenth 17 Amendment Right. Excuse me, could I use the 18 restroom?</p> <p>19 MR. HOROWITZ: Yes.</p> <p>20 THE VIDEOGRAPHER: Time off the record 10:35. 21 (Thereupon, a short break was taken.)</p> <p>22 THE VIDEOGRAPHER: Time on the record 10:42.</p> <p>23 BY MR. HOROWITZ:</p> <p>24 Q As a result of your criminal sentence, how many 25 girls were you ordered to have no contact with?</p>

1 MR. PIKE: Form.  
 2 THE WITNESS: Three.  
 3 BY MR. HOROWITZ:  
 4 Q Okay. And what are their names?  
 5 MR. PIKE: Form.  
 6 THE WITNESS: I believe it was Jane Doe 103,  
 7 A.D. and S.G.  
 8 MR. HOROWITZ: Can you read that back?  
 9 THE REPORTER: A.H. --  
 10 MR. HOROWITZ: No, I don't think that's right.  
 11 That's not what he said.  
 12 (The pending answer was read back by the court  
 13 reporter.)  
 14 MR. HOROWITZ: Thank you.  
 15 BY MR. HOROWITZ:  
 16 Q Is it your testimony, sir, that those are the  
 17 only three girls who, as a result of a criminal case  
 18 against you, you've been ordered to have no contact  
 19 with?  
 20 MR. PIKE: Form.  
 21 THE WITNESS: That's correct.  
 22 BY MR. HOROWITZ:  
 23 Q Okay. With respect to S.G., do you acknowledge  
 24 that she has been to your home?  
 25 MR. PIKE: Form.

1 THE WITNESS: Sorry?  
 2 BY MR. HOROWITZ:  
 3 Q With respect to S.G., do you acknowledge she  
 4 has been to your home?  
 5 MR. PIKE: Same objection.  
 6 THE WITNESS: On advice of counsel -- I would  
 7 like to answer all your questions today,  
 8 Mr. Horowitz. I'm sorry your partner that was  
 9 disbarred is not here, because I would like to  
 10 answer his questions because I believe he was the  
 11 one who represented S.G. So I would like to see  
 12 Mr. Herman at some point when he gets --  
 13 potentially gets his license back. But, though I  
 14 would like to answer your questions in more detail,  
 15 on advice of counsel, I am going to have to assert  
 16 my Fifth, Sixth and Fourteenth Amendment Rights  
 17 under the U.S. Constitution. I would like to  
 18 answer the question, but my counsel has told me  
 19 that I risk losing their representation if I do,  
 20 so, therefore, I'm going to have to assert those  
 21 rights.  
 22 BY MR. HOROWITZ:  
 23 Q With respect to S.G., do you acknowledge that  
 24 she has -- she went to your home when she was a child?  
 25 MR. PIKE: Form.

1 THE WITNESS: Again, I would like to answer  
 2 that question, and I'm sure you know I would like  
 3 to answer that question. I'm sure your partner  
 4 that was disbarred while he represented S.G., I  
 5 believe, or her parents, or he claimed he  
 6 represented one parent, and the other parent sued  
 7 him or tried to bring a lawsuit against your  
 8 partner -- I would like to answer any questions  
 9 with respect to S.G., but today on advice of  
 10 counsel, I'm not going to be able to do that  
 11 because they've advised me I must assert my Fifth,  
 12 Sixth and Fourteenth Amendment Right --  
 13 MR. HOROWITZ: Okay.  
 14 THE WITNESS: -- so therefore -- excuse me, I  
 15 am going -- should I finish?  
 16 MR. PIKE: Yes.  
 17 THE WITNESS: So, therefore -- though I would  
 18 like to answer that question and -- I am going to  
 19 have to assert those rights.  
 20 MR. HOROWITZ: Okay. Move to strike the  
 21 non-responsive -- the non-responsive portion of the  
 22 answer.  
 23 BY MR. HOROWITZ:  
 24 Q Do you acknowledge, sir, that with respect to  
 25 S.G. during her childhood, you paid her for sexual

1 contact?  
 2 MR. PIKE: Form.  
 3 THE WITNESS: Again, I would like to answer  
 4 that question, but as most of your other questions  
 5 here today, and I -- I understand that your partner  
 6 who represented this S.G. was disbarred, but at  
 7 some point in future I would like to answer that.  
 8 Today, unfortunately, I am going to have to assert  
 9 my Fifth, Sixth and Fourteenth Amendment Rights  
 10 under the U.S. Constitution because my counsel has  
 11 advise me that, though I would like to answer that  
 12 question, I cannot today.  
 13 BY MR. HOROWITZ:  
 14 Q Are you suggesting, sir, that S.G. fabricated  
 15 or embellished her allegations because of her  
 16 association with a disbarred attorney?  
 17 MR. PIKE: Form, move to strike,  
 18 mischaracterizes the witness' testimony.  
 19 THE WITNESS: Can you repeat the question?  
 20 BY MR. HOROWITZ:  
 21 Q Are you suggesting that S.G. either fabricated  
 22 or embellished her -- her allegations because of any  
 23 association she had with an attorney who's been  
 24 disbarred?  
 25 MR. PIKE: Same objection.

1 THE WITNESS: It's not an attorney who's been  
 2 disbarred. I believe I said it's your partner that  
 3 was disbarred when -- after representing S.G., and  
 4 I would like -- though I would like to answer those  
 5 questions in detail, today I have been advised by  
 6 counsel that I cannot answer any questions that may  
 7 be relevant to your lawsuits --

8 MR. HOROWITZ: All right.

9 THE WITNESS: -- and -- excuse me.

10 MR. HOROWITZ: Go ahead, finish.

11 THE WITNESS: Thank you. And, though I would  
 12 like to answer the questions, and I know you keep  
 13 trying to strike my answer with respect to S.G.'s  
 14 representation by your former partner, Jeffrey  
 15 Herman, who was disbarred, who held press  
 16 conferences to try to make a big -- so he tried to  
 17 embarrass me as best as he could, I'm -- I would  
 18 like to answer those questions, but I cannot on  
 19 advice of counsel.

20 BY MR. HOROWITZ:

21 Q Okay. And do you feel that because my partner,  
 22 Jeffrey Herman, was an attorney involved in S.G.'s case,  
 23 that somehow the allegations she's made against you are  
 24 fabricated or embellished?

25 A I'd let -- the ladies and gentlemen of the jury

1 because Jeffrey Herman was involved in the  
 2 representation of S.G., that her allegations of abuse by  
 3 you are fabricated or embellished?

4 MR. PIKE: Form, predicate, foundation.

5 THE WITNESS: I would very much like to answer

6 the question regarding S.G. -- which

7 embellishments, as you've described them, or

8 fabrications -- at the same time she met your

9 partner that was later disbarred. However, as of

10 today, though I would like to answer those

11 questions -- and I think those answers are pretty

12 obvious -- I am going to have to assert my Fifth

13 Amendment, Sixth Amendment and Fourteenth Amendment

14 Rights under the U.S. Constitution.

15 And, though I think again those -- that answer  
 16 is obvious, and will be obvious to most people here  
 17 on the jury, my attorneys have advised me I cannot  
 18 answer that question today.

19 BY MR. HOROWITZ:

20 Q Okay. You told us that in addition to S.G.,  
 21 you were also ordered to have no contact with Jane Doe  
 22 103 and A.D.; is that correct?

23 A Excuse me, yes.

24 Q And when did you receive such an order?

25 MR. PIKE: Form.

1 will make that decision, I'm sure. I can't -- I would  
 2 like to answer those questions. I would really like to  
 3 answer -- I think those answers are obvious, frankly.  
 4 But today, on advice of counsel, I'm not going to be  
 5 able to answer those questions. I am going --

6 Q Well --

7 A Mr. Horowitz, I would like to finish my answer,  
 8 please. Is that okay?

9 Q Well, you keep repeating yourself.

10 THE WITNESS: Mr. Pike?

11 MR. PIKE: Go ahead and finish.

12 Please allow -- allow the witness to finish his  
 13 answer.

14 THE WITNESS: So let's start -- should -- could  
 15 you repeat the question, please?

16 MR. HOROWITZ: Yes.

17 (The pending question was read back by the  
 18 court reporter.)

19 MR. HOROWITZ: That wasn't exactly the  
 20 question, but I'll -- let me ask it again. Maybe  
 21 it will be smoother, and just try and follow what  
 22 it is I'm asking.

23 THE WITNESS: I'm trying my best.

24 BY MR. HOROWITZ:

25 Q Do you believe, as we sit here today, that

1 THE WITNESS: I don't recall.

2 BY MR. HOROWITZ:

3 Q Okay. Was it -- if I heard you correctly, it  
 4 was in association with your criminal case?

5 A That's correct.

6 Q Okay. And with respect to Jane Doe 103, do you  
 7 acknowledge that she has been to your home?

8 MR. PIKE: Form.

9 THE WITNESS: Again, I would like to answer  
 10 most of your questions. However, today, as I've  
 11 answered most -- almost all of your questions and  
 12 will continue to answer, on advice of counsel, I  
 13 believe, this question, I have to assert my Fifth  
 14 Amendment, Fourteenth Amendment and Sixth Amendment  
 15 Rights under the U.S. Constitution.

16 BY MR. HOROWITZ:

17 Q Okay. And -- are you done?

18 A (No verbal response).

19 Q Do you acknowledge that Jane Doe 103 came to  
 20 your home for sexual contact during her childhood, and  
 21 that you paid her for those services?

22 MR. PIKE: Form, predicate, foundation,  
 23 argumentative.

24 THE WITNESS: I'd -- I would like to answer  
 25 that question. I think those questions will all

<p style="text-align: right;">Page 49</p> <p>1 have obvious answers and not -- however, today, I    2 am going to have to assert my Fifth Amendment,    3 Sixth Amendment and Fourteenth Amendment Rights    4 under the U.S. Constitution, because, though I    5 would like to answer that question, my attorneys    6 have advised me that I cannot -- today cannot    7 answer any questions that may be relevant to this    8 lawsuit.</p> <p>9 BY MR. HOROWITZ:</p> <p>10 Q Okay. You also told us -- provided this name    11 of A.D. Do you acknowledge that A.D. was paid by you    12 for sexual contact during her childhood?</p> <p>13 MR. PIKE: Form, predicate, foundation,    14 argument.</p> <p>15 THE WITNESS: I would like to answer that    16 question, as I would like to answer most of your    17 other questions here today, but I, unfortunately,    18 am going to have to answer that one, as I've    19 answered most of your other questions, which is    20 unfortunately today, I cannot answer any question    21 that may be relevant to this lawsuit on advice of    22 counsel. I must assert my Fifth Amendment, Sixth    23 Amendment and Fourteenth Amendment Right under the    24 U.S. Constitution.</p> <p>25 BY MR. HOROWITZ:</p>	<p>1 his doctors and as well as his prescriptions,    2 correct? You're aware of that?</p> <p>3 MR. PIKE: I recall that order, but I don't    4 recall -- I don't recall -- if you have the -- if    5 you have the answers, then you can provide them to    6 me, and maybe I would be better situated to allow    7 the client to answer or not answer the questions.    8 I saw your associate reaching for something. So    9 maybe -- maybe you do have them, you can refresh my    10 recollection.</p> <p>11 MR. HOROWITZ: Well, I'm just going to ask the    12 witness -- I'm not here to refresh his    13 recollection. I want his --</p> <p>14 MR. PIKE: Or mine.</p> <p>15 MR. HOROWITZ: Or yours.</p> <p>16 MR. PIKE: Right.</p> <p>17 MR. HOROWITZ: I want his testimony on today's    18 date as to the truth.</p> <p>19 MR. PIKE: Okay. Well, I'm going to instruct    20 him not to answer that question right now. Let's    21 --</p> <p>22 MR. HOROWITZ: You guys want to talk among    23 yourselves?</p> <p>24 MR. PIKE: Sure. I'm still going to maintain    25 the objection it's also attorney-client and work</p>
<p style="text-align: right;">Page 50</p> <p>1 Q When in the future do you presently intend to    2 stop asserting your Fifth, Sixth and Fourteenth    3 Amendment Rights, if any, and intend to start answering    4 these questions?</p> <p>5 MR. PIKE: Form. I am going to instruct him    6 not to answer that question, attorney-client.</p> <p>7 BY MR. HOROWITZ:</p> <p>8 Q Do you intend at trial to start answering these    9 questions?</p> <p>10 MR. PIKE: Same objection. I am going to    11 instruct him not to answer, attorney-client.</p> <p>12 BY MR. HOROWITZ:</p> <p>13 Q At the time of your sentence you told us --    14 which was in the summer of 2008, did you have a private    15 psychologist --</p> <p>16 MR. PIKE: Form.</p> <p>17 BY MR. HOROWITZ:</p> <p>18 Q -- named Dr. Alexander?</p> <p>19 MR. PIKE: Form. I am going to instruct him    20 not to answer that question as well because the    21 Judge has already ruled that Mr. Epstein's medical    22 history is not an element in any of these cases.</p> <p>23 MR. HOROWITZ: Well, despite -- you -- you --    24 you're aware we have a court order in which    25 Mr. Epstein was required to provide us the names of</p>	<p style="text-align: right;">Page 52</p> <p>1 product.</p> <p>2 BY MR. HOROWITZ:</p> <p>3 Q What -- are -- are you under the care of any    4 physicians at the present time other than Dr. Alexander?</p> <p>5 MR. PIKE: Form, predicate, foundation and    6 mischaracterizes, I believe, my objection.</p> <p>7 THE WITNESS: I would like to answer that    8 question, as I would like to answer most of your    9 other questions here today, but today I am going to    10 have to assert my Fifth Amendment, Sixth Amendment    11 and Fourteenth Amendment Rights under the advice --    12 on advice of counsel.</p> <p>13 BY MR. HOROWITZ:</p> <p>14 Q All right. What doctors have you been under    15 the care of in the past five years?</p> <p>16 MR. PIKE: Form.</p> <p>17 THE WITNESS: I am going to have to assert my    18 Fifth Amendment, Sixth Amendment and Fourteenth    19 Amendment Rights on advice of counsel, though I    20 would like to answer these questions.</p> <p>21 MR. HOROWITZ: Okay. I mean, you -- you could    22 -- you can tell your client to do what you want,    23 but, I mean, we have a specific court order.</p> <p>24 MR. PIKE: Do you have a copy of it with you?</p> <p>25 MR. HOROWITZ: During the break I'll get you a</p>

13 (Pages 49 to 52)

<p style="text-align: right;">Page 53</p> <p>1 copy.</p> <p>2 MR. PIKE: I mean, if you have a copy of an</p> <p>3 order, and you want to refresh my recollection --</p> <p>4 since the Fifth Amendment and the Sixth Amendment</p> <p>5 and the Fourteenth Amendment are highly technical</p> <p>6 Constitutional Amendments, if you wish to ask my</p> <p>7 client questions based upon an order, I would ask</p> <p>8 that you simply provide me with the order</p> <p>9 beforehand, and then we can make this a much easier</p> <p>10 process. We're here for you, Adam.</p> <p>11 MR. HOROWITZ: Thanks. I'm pretty sure the</p> <p>12 Court gave you a copy of the order, but -- but it's</p> <p>13 okay. We can move on. During the break we'll</p> <p>14 address it.</p> <p>15 MR. PIKE: No -- well, wait a second --</p> <p>16 MR. HOROWITZ: During the break we'll address</p> <p>17 it.</p> <p>18 MR. PIKE: -- I am not going to banter with</p> <p>19 you, and nor am I going to accept this type of</p> <p>20 laughing from the corner show over there</p> <p>21 (indicating). Listen, the fact remains is this:</p> <p>22 There have been several orders. That of which I</p> <p>23 was the initial author of the -- of the motions</p> <p>24 that resulted in the positive orders, reflective of</p> <p>25 the Fifth, Sixth and Fourteenth Amendment. So it</p>	<p style="text-align: right;">Page 55</p> <p>1 medications that you have been prescribed or have taken</p> <p>2 in the past five years?</p> <p>3 A On advice of counsel, I am going to have to</p> <p>4 assert my Fifth Amendment, Sixth Amendment and</p> <p>5 Fourteenth Amendment Rights, though I would like to</p> <p>6 answer that question.</p> <p>7 Q Okay. Is it true, sir, that a -- a girl named</p> <p>8 Jane Doe 2 came to your Palm Beach home in late 2004?</p> <p>9 A Is she someone you represent?</p> <p>10 Q Do you -- do you -- do you not know the answer?</p> <p>11 A I do not know the name.</p> <p>12 Q Okay. Do you know we're here on a case called</p> <p>13 Jane Doe 2 vs. Jeffrey Epstein?</p> <p>14 MR. PIKE: Form.</p> <p>15 THE WITNESS: Yes.</p> <p>16 BY MR. HOROWITZ:</p> <p>17 Q And you've seen that on the deposition notice?</p> <p>18 A Yes.</p> <p>19 Q Are you suggesting that you -- you do not know</p> <p>20 who Jane Doe 2 is?</p> <p>21 MR. PIKE: Form.</p> <p>22 THE WITNESS: I've seen it on the allegation --</p> <p>23 on your complaint today.</p> <p>24 BY MR. HOROWITZ:</p> <p>25 Q Okay. So we have the answer to that question?</p>
<p style="text-align: right;">Page 54</p> <p>1 is: If you have some of those orders, which are</p> <p>2 probably ten plus, bring them to me, and I will</p> <p>3 read them, and we will make this deposition go</p> <p>4 forward a lot easier.</p> <p>5 BY MR. HOROWITZ:</p> <p>6 Q All right. Are you -- have you been prescribed</p> <p>7 any medications in the past five years?</p> <p>8 MR. PIKE: Form.</p> <p>9 THE WITNESS: It's the same answer. I would</p> <p>10 like to answer that question, as I would like to</p> <p>11 answer most of your other questions here today.</p> <p>12 However, I've been advised by counsel that at least</p> <p>13 today I cannot answer those questions, and I must</p> <p>14 assert my Fifth Amendment, Sixth Amendment and</p> <p>15 Fourteenth Amendment Right.</p> <p>16 BY MR. HOROWITZ:</p> <p>17 Q So you -- you told us in a sworn interrogatory</p> <p>18 answer that you were prescribed Lipitor, and that you</p> <p>19 take -- you take Lipitor. Are there other medications</p> <p>20 that you receive, for instance, to treat you for a</p> <p>21 sexual disorder?</p> <p>22 MR. PIKE: Form. I am going to instruct him</p> <p>23 not to answer that question as phrased.</p> <p>24 BY MR. HOROWITZ:</p> <p>25 Q Other than Lipitor, are there any other</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. PIKE: Form.</p> <p>2 THE WITNESS: I see it's on the complaint.</p> <p>3 BY MR. HOROWITZ:</p> <p>4 Q You've been a Defendant in that lawsuit for the</p> <p>5 past two years?</p> <p>6 A I don't know the time.</p> <p>7 Q Do you know who the Plaintiff is, Jane Doe 2?</p> <p>8 MR. PIKE: Form.</p> <p>9 THE WITNESS: I read the complaint.</p> <p>10 BY MR. HOROWITZ:</p> <p>11 Q Okay. All right. My -- my earlier question to</p> <p>12 you was: Isn't it true that a girl named Jane Doe 2 --</p> <p>13 A Uh-huh.</p> <p>14 Q -- came to your Palm Beach home in -- in late</p> <p>15 2004?</p> <p>16 A I -- again, I understand that Jane Doe 2 was</p> <p>17 represented by your partner, Jeffrey Herman, who was</p> <p>18 disbarred by The Florida Bar Association. I believe she</p> <p>19 was represented by Mr. Herman prior to his disbarment.</p> <p>20 I believe he represented her in a -- in some type of</p> <p>21 press conference in association with other firms later</p> <p>22 where other partners have gone to jail for representing</p> <p>23 claims of a sexual nature against people like me and</p> <p>24 others, and the U.S. Attorney called one of the other</p> <p>25 firms involved in this the largest fraud in Florida --</p>

<p style="text-align: right;">Page 57</p> <p>1 in South Florida's history. But separate from that, 2 unfortunately today, I am going to have to assert my 3 Fifth Amendment, Fourteen Amendment and Sixth Amendment 4 Rights on the advice of counsel.</p> <p>5 MR. HOROWITZ: Okay. Move to strike that.</p> <p>6 BY MR. HOROWITZ:</p> <p>7 Q Do you believe that Jane Doe 2's lawsuit 8 against you was either fabricated, falsified or 9 embellished due to any association she had with an 10 attorney who was suspended or disbarred, as you say?</p> <p>11 MR. PIKE: Form.</p> <p>12 THE WITNESS: Again?</p> <p>13 BY MR. HOROWITZ:</p> <p>14 Q Do you believe that Jane Doe 2's lawsuit was 15 either fabricated or embellished because of her 16 association with any attorney?</p> <p>17 MR. PIKE: Form.</p> <p>18 THE WITNESS: I would like to tell you my 19 beliefs. I would like to give you an answer to 20 that question. I would like to -- I'm sure the 21 jury is going to want to explain -- understand that 22 she was represented by an attorney that was 23 disbarred at the time when this lawsuit, I believe, 24 got filed. Later he was disbarred. Today I would 25 like to answer that question, but however, today on</p>	<p style="text-align: right;">Page 59</p> <p>1 home?</p> <p>2 MR. PIKE: Form.</p> <p>3 THE WITNESS: Can you tell me who those people 4 are? Are those two of your clients?</p> <p>5 MR. HOROWITZ: Yes, two of the three people I 6 mentioned are my clients.</p> <p>7 BY MR. HOROWITZ:</p> <p>8 Q Are -- are -- are -- are -- are you denying 9 that those girls were in your home?</p> <p>10 A I'm asking you for clarification.</p> <p>11 Q Okay. Do you want me to repeat the question?</p> <p>12 A Do I understand the question that two of your 13 clients have suggested one of your clients brought the 14 other client?</p> <p>15 Q Okay. Let me back up.</p> <p>16 A Sorry. Is that -- is that --</p> <p>17 Q My questions aren't suggesting anything. They're asking a question. Do you understand that?</p> <p>18 A I understand that.</p> <p>19 Q Okay. My question is: Is it true that in late 20 2004 --</p> <p>21 A Yes.</p> <p>22 Q -- S.K. received a telephone call wherein she 23 was told that Jane Doe 3 was bringing Jane Doe 2 to your 24 home?</p>
<p style="text-align: right;">Page 58</p> <p>1 advice of counsel I cannot, and I am going to have 2 to assert on their advice my Fifth Amendment, Sixth 3 Amendment and Fourteenth Amendment Rights under the 4 U.S. Constitution or risk losing their counsel.</p> <p>5 MR. PIKE: Let me take a break really quick. I 6 need a 60-second break.</p> <p>7 THE VIDEOGRAPHER: Time off the record 10:59. (Thereupon, a short break was taken.)</p> <p>9 THE VIDEOGRAPHER: Time on the record 11:06.</p> <p>10 BY MR. HOROWITZ:</p> <p>11 Q Sir, between 2001 and 2006 did you instruct 12 S.K. to place telephone calls to arrange for girls under 13 the age of 18 to come to your home for your sexual 14 gratification?</p> <p>15 MR. PIKE: Form.</p> <p>16 THE WITNESS: Though I would like to answer 17 that question, today, on advice of counsel, I am 18 going to have to assert my Fifth Amendment, Sixth 19 Amendment and Fourteenth Amendment Rights under the 20 U.S. Constitution. And, though I'd really much 21 like to answer that question, today, I cannot.</p> <p>22 BY MR. HOROWITZ:</p> <p>23 Q Is it true, sir, that in late 2004 S.K received 24 a telephone call wherein she was told that a girl named 25 Jane Doe 3 was bringing a girl named Jane Doe 2 to your</p>	<p style="text-align: right;">Page 60</p> <p>1 MR. PIKE: Form.</p> <p>2 THE WITNESS: I'd like to answer that question, 3 but unfortunately, today, at least, I am going to 4 have to answer that like I've answered many of your 5 other questions. Unfortunately, I have to answer 6 -- on advice of counsel, I am going to have to 7 assert my Fifth Amendment, Sixth Amendment and 8 Fourteenth Amendment Rights under the U.S. 9 Constitution because I've been told that I cannot 10 answer any questions that may be relevant to any of 11 your lawsuits, or -- and if I do, I risk losing my 12 representation.</p> <p>13 BY MR. HOROWITZ:</p> <p>14 Q Okay. Did you instruct S.K. to communicate by 15 telephone to arrange for Jane Doe 2 to come to your home 16 for your own sexual gratification?</p> <p>17 MR. PIKE: Form.</p> <p>18 THE WITNESS: Who? I'm sorry, what was the 19 name again?</p> <p>20 BY MR. HOROWITZ:</p> <p>21 Q This is about the fifth time I mentioned her 22 name. Her name is Jane Doe 2.</p> <p>23 A Uh-huh.</p> <p>24 MR. PIKE: Same objection.</p> <p>25 THE WITNESS: I'd like to answer that question,</p>

<p>1 as I would like to answer most of your other  2 questions here today, Mr. Horowitz. However, on  3 advice of counsel, they have instructed me that I  4 cannot answer any questions that may be relevant to  5 any of your multiple lawsuits. So, though I would  6 like to answer it today, I am going to have to  7 assert my Fifth Amendment, Sixth Amendment and  8 Fourteenth Amendment Rights as provided by the U.S.  9 Constitution.</p> <p>10 BY MR. HOROWITZ:</p> <p>11 Q I am going to stick with the line of questions  12 involving Jane Doe 2, so I'm just going to ask that you  13 keep that name in your head, okay? Jane Doe 2; you got  14 that?</p> <p>15 A I'll try.</p> <p>16 Q Okay. Thank you. Did you inform S.K. that  17 Jane Doe 2 would be giving you a massage that was sexual  18 in nature?</p> <p>19 MR. PIKE: Form.</p> <p>20 THE WITNESS: I have -- I'm going to have to  21 answer that question -- though I would like to  22 answer that question today, I am going to have to  23 assert my Fifth Amendment, Sixth Amendment and  24 Fourteenth Amendment Rights, because on advice of  25 counsel I cannot answer that question no matter how</p>	<p>1 have to respond the same way I've responded to most  2 of your other questions here today, which is on  3 advice of my counsel, I am going to have to assert  4 my Fifth Amendment, Sixth Amendment and Fourteenth  5 Amendment Rights as provided by the U.S.  6 Constitution. And, though I would like to answer  7 that question, if I do so, I risk losing my  8 counsel's representation.</p> <p>9 BY MR. HOROWITZ:</p> <p>10 Q Was it your intent during the course of Jane  11 Doe 2's visit to your home, that you would persuade,  12 induce or entice her to engage in sexual activity?</p> <p>13 MR. PIKE: Form.</p> <p>14 THE WITNESS: Again, I would like to answer  15 that question, as I would like to answer most of  16 your other questions here today. However, on  17 advice of my counsel, I cannot answer those  18 questions today, so I am going to have to assert my  19 Fifth Amendment, Sixth Amendment and Fourteenth  20 Amendment Rights as provided by the U.S.  21 Constitution. And, though I would like to answer  22 it, and I think -- I am going to have to assert  23 those rights.</p> <p>24 BY MR. HOROWITZ:</p> <p>25 Q Okay. During the course of Jane Doe 2's visit</p>
<p>1 much I actually want to today. So, unfortunately,  2 I'll have to assert those rights.</p> <p>3 BY MR. HOROWITZ:</p> <p>4 Q Did you observe S.K. speaking by telephone to  5 arrange for Jane Doe 2 to come to your home to give you  6 a sexual massage?</p> <p>7 MR. PIKE: Form.</p> <p>8 THE WITNESS: Again, I'm going to have to  9 answer that the way I've answered your other  10 questions, Mr. Horowitz, which is, though I would  11 like to answer that question today, on advice of  12 counsel, I cannot answer any questions that may be  13 relevant to any of your lawsuits. Therefore, I  14 must assert my Fifth Amendment, Sixth Amendment and  15 Fourteenth Amendment Rights as provided by the U.S.  16 Constitution. And if I don't answer that way, I  17 risk losing my counsel's representation.</p> <p>18 BY MR. HOROWITZ:</p> <p>19 Q Did S.K. tell you that she confirmed by  20 telephone that Jane Doe 2 would be coming to your home  21 at a specific time to give you a massage?</p> <p>22 MR. PIKE: Form.</p> <p>23 THE WITNESS: Though I would like to answer all  24 of your questions here today, and I would like to  25 answer that question specifically, I am going to</p>	<p>1 to your home, did you, in fact, persuade, induce or  2 entice her to engage in sexual activity with you?</p> <p>3 MR. PIKE: Form.</p> <p>4 THE WITNESS: Though I would like to answer  5 that question, as I would like to answer most of  6 your other questions here today, on advice of  7 counsel, I am not going to be able to answer those  8 questions here today. They've advised me I must  9 assert my Fourth -- excuse me -- Fifth -- excuse me  10 -- Sixth and Fourteenth Amendment Rights as  11 provided by the U.S. Constitution. And if I don't  12 do so, I potentially risk losing their  13 representation, so though I'd like to answer it, I  14 must not.</p> <p>15 BY MR. HOROWITZ:</p> <p>16 Q Okay. At no point did Jane Doe 2 tell you that  17 she was 18 or older, correct?</p> <p>18 MR. PIKE: Form.</p> <p>19 THE WITNESS: Again, I would like to answer --  20 I'd really like to answer that question. However,  21 I cannot, because on advice of counsel, I've been  22 advised that I must assert my Fifth Amendment,  23 Fourteenth Amendment and Sixth Amendment Rights as  24 provided by the U.S. constitution. And if I don't  25 do so, I potentially risk losing their</p>

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<p>1 representation, though I would like to answer that 2 question.</p> <p>3 BY MR. HOROWITZ:</p> <p>4 Q In your own mind, you didn't believe that when 5 Jane Doe 2 came to your home that she was 18 or older, 6 correct?</p> <p>7 MR. PIKE: Form.</p> <p>8 THE WITNESS: I'd really like to answer that 9 question. I'd really like to answer most of your 10 other questions here today. But however, on the 11 advice of counsel, they've advised me I must assert 12 my Fifth Amendment, Sixth Amendment and Fourteenth 13 Amendment Rights as provided by the Constitution, 14 and have asked me or instructed me, not to answer 15 any questions that may be relevant to this 16 lawsuit. So, though I would like to answer it, I 17 cannot.</p> <p>18 BY MR. HOROWITZ:</p> <p>19 Q Okay. Jane Doe 2 told you that she attended 20 Royal Palm Beach High School when she came to your home, 21 correct?</p> <p>22 MR. PIKE: Form.</p> <p>23 THE WITNESS: I would like to answer that 24 question, as I would like to answer every one of 25 your questions here today. However, on advice of</p>	<p>1 MR. PIKE: Form. 2 THE WITNESS: I'd like to answer that 3 question. I would like to answer that question, as 4 I've had -- I would like to answer most of your 5 other questions here today. However, upon advice 6 of counsel, I have been instructed that I must 7 assert my Fifth Amendment, Sixth Amendment and 8 Fourteenth Amendment Rights as provided by the U.S. 9 constitution. And though I would like to answer 10 that question, I cannot.</p> <p>11 BY MR. HOROWITZ:</p> <p>12 Q During Jane Doe 2's visit to your home in 2004, 13 did you instruct Jane Doe 2 to pinch your nipples and 14 rub your chest?</p> <p>15 MR. PIKE: Form.</p> <p>16 THE WITNESS: I'd like to answer that question 17 here today, like I'd like to answer most of your 18 other questions here today, but, unfortunately, I 19 am going to respond, as I've responded to virtually 20 all of your questions, which is on advice of 21 Counsel today, at least today, I cannot answer 22 those questions, but must assert my Fifth 23 Amendment, Sixth Amendment and Fourteenth Amendment 24 Right as provided by the U.S. Constitution. And 25 therefore, though I would like to answer it, I am</p>
Page 66	Page 68
<p>1 counsel, I cannot. And, though I would like to, I 2 must assert my Fifth Amendment, the Sixth Amendment 3 and Fourteenth Amendment Rights as provided by the 4 U.S. Constitution. And if I don't do so, I risk 5 losing their representation. Though I would like 6 to answer, but today I cannot.</p> <p>7 BY MR. HOROWITZ:</p> <p>8 Q During Jane Doe 2's visit to your home in 2004, 9 you were nude in front of her; isn't that right, sir?</p> <p>10 MR. PIKE: Form.</p> <p>11 THE WITNESS: I would like to answer that 12 question, as I would like to answer most of your 13 other questions here today. But my answer is going 14 to be virtually the same as I've had to answer most 15 of your other questions, which is on advice of 16 counsel, I cannot answer those questions. I must 17 assert my Fifth Amendment, Sixth Amendment and 18 Fourteenth Amendment Rights as provided by the U.S. 19 Constitution. And if I don't do so, I've been told 20 I lose risking -- excuse me -- I risk losing their 21 representation, and so therefore, I cannot answer 22 that question.</p> <p>23 BY MR. HOROWITZ:</p> <p>24 Q During Jane Doe 2's visit to your home in 2004, 25 did you instruct her to remove all of her clothing?</p>	<p>1 going to be required by my counsel not to.</p> <p>2 BY MR. HOROWITZ:</p> <p>3 Q During Jane Doe 2's visit to your home in 2004, 4 did you ask her questions about her sexual experiences 5 and preferences?</p> <p>6 MR. PIKE: Form.</p> <p>7 THE WITNESS: Though I would like to answer 8 your question here today, Mr. Horowitz, as I would 9 like to answer most of your other questions here 10 today, my counsel has advised me I must assert my 11 Sixth Amendment, Fourteenth Amendment and Fifth 12 Amendment Rights. And if I don't follow their 13 advice, I risk losing their representation, so 14 therefore, I'd going to have to assert those 15 rights, though I prefer to answer the question.</p> <p>16 BY MR. HOROWITZ:</p> <p>17 Q During Jane Doe 2's visit to your home in 2004, 18 did you unfasten her bra and rub her breasts?</p> <p>19 MR. PIKE: Form.</p> <p>20 THE WITNESS: Though I'd like to answer that 21 question -- I would like to answer all your 22 questions here today, I'm going to have to respond 23 as I've done to mostly all your other questions 24 here today, Mr. Horowitz, which is on advice of my 25 counsel, they've advised me I must assert my Sixth</p>

1 Amendment Rights, my Fifth Amendment Rights and my  
 2 Fourteenth Amendment Rights under the U.S.  
 3 Constitution. And if I don't do so, and I answer  
 4 your question, which I would like to do, I risk  
 5 losing their representation, so, therefore, I must  
 6 just simply assert those rights.

7 THE VIDEOGRAPHER: Three minutes of tape  
 8 remaining.

9 MR. HOROWITZ: Okay. Thanks.

10 BY MR. HOROWITZ:

11 Q During Jane Doe 2's visit to your home in 2004,  
 12 did you rub Jane Doe 2's vagina?

13 MR. PIKE: Form.

14 THE WITNESS: I'd like to answer that question,  
 15 however, today, at least today, my counsel has  
 16 advised me that I cannot answer any questions that  
 17 may be relevant to your lawsuits --

18 BY MR. HOROWITZ:

19 Q During --

20 A -- and --

21 Q Sorry.

22 A Excuse me.

23 Q Go ahead.

24 A And, though I would like to answer each and  
 25 every one of your questions, I am going to have to

1 respond as I've responded to most of your other  
 2 questions here today, Mr. Horowitz, which is I am going  
 3 to have to assert my Sixth Amendment, Fourteenth  
 4 Amendment and Fifth Amendment Rights as provided by the  
 5 U.S. Constitution. I've been advised by counsel that if  
 6 I don't do so, I risk losing their representation.

7 Though I would like to answer, I cannot.

8 Q During Jane Doe 2's visit to your home in 2004,  
 9 did you insert your fingers into Jane Doe 2's vagina?

10 MR. PIKE: Form.

11 THE WITNESS: I would like to answer that  
 12 question. I would like to answer all your  
 13 questions here today. However, on advice of  
 14 counsel, they've advised me I must assert my Fifth  
 15 Amendment, Sixth Amendment and Fourteenth Amendment  
 16 Rights as provided by the U.S. Constitution. And,  
 17 though I would like to answer that question, I  
 18 cannot here today --

19 THE VIDEOGRAPHER: I need to --

20 THE WITNESS: -- sorry -- but

21 MR. PIKE: If you need to finish, go ahead.

22 THE WITNESS: -- based on my counsel's advice.

23 THE VIDEOGRAPHER: Time off the record 11:59 --

24 11:19.

25 (Thereupon, a short break was taken.)

1 THE VIDEOGRAPHER: Time on the record 11:29.

2 This is Tape 2.

3 BY MR. HOROWITZ:

4 Q Sir, during Jane Doe 2's visit to your home in  
 5 2004, did you masturbate in front of her?

6 MR. PIKE: Form.

7 THE WITNESS: Mr. Horowitz, I would like to  
 8 answer every one of your questions here today. I  
 9 specifically would like to answer that question.  
 10 However, on advice counsel, they've advised me I am  
 11 going to have to assert my Fifth Amendment, Sixth  
 12 Amendment and Fourteenth Rights as provided by the  
 13 U.S. Constitution. And if I don't follow their  
 14 advice, I risk losing their representation, so  
 15 therefore, I am going to have to assert those  
 16 rights.

17 BY MR. HOROWITZ:

18 Q During Jane Doe 2's visit to your home in 2004,  
 19 did you ejaculate in front of her?

20 MR. PIKE: Form.

21 THE WITNESS: I'd like to answer that  
 22 question. I'd like to answer most of your other  
 23 questions here today, but I am going to have to  
 24 respond, as I've responded to most of your other  
 25 questions here today, which is my counsel has

1 advised me at least today -- excuse me -- I cannot  
 2 answer any questions that may be relevant to this  
 3 lawsuit. And I -- if I do not follow their advice,  
 4 I risk losing their representation. Therefore, I  
 5 am going to have to assert those rights and not  
 6 respond today.

7 BY MR. HOROWITZ:

8 Q During Jane Doe 2's visit to your home in 2004,  
 9 did you tell her that she had a very hard clit as you  
 10 were rubbing it?

11 A What?

12 MR. PIKE: Form.

13 BY MR. HOROWITZ:

14 Q A hard clit.

15 MR. PIKE: Same objection.

16 THE WITNESS: I would like to respond to that  
 17 question. I would like to answer that question.  
 18 However, I am going to have to respond, as I've  
 19 responded to most of your other questions here  
 20 today, because my -- on advice of my counsel,  
 21 they've advised me I must assert my Sixth Amendment  
 22 Rights, my Fifth Amendment Rights and my Fourteenth  
 23 Amendment rights as provided by the Constitution.  
 24 And if I don't do so, and I answer that question, I  
 25 risk losing their representation. So therefore,

<p style="text-align: right;">Page 73</p> <p>1       unfortunately, Mr. Horowitz, though I would like to 2       answer it, I cannot today. 3    BY MR. HOROWITZ: 4       Q   Did you have sexual contact with Jane Doe 2 at 5       your Palm Beach home in late 2004? 6       MR. PIKE: Form, predicate, foundation. 7       THE WITNESS: I'd very much like to answer that 8       question, as I would like to answer most of your 9       other questions here today. However, just like 10      I've answered for most of your other questions, on 11      advice of my counsel today, they've advised me that 12      I must assert my Sixth Amendment, Fifth Amendment 13      and Fourteenth Amendment Rights as provided by the 14      U.S Constitution. And, though I would like to 15      answer it, if I do so, I risk losing their 16      representation; therefore, I must not respond. 17      Thank you. 18    BY MR. HOROWITZ: 19       Q   During Jane Doe 2's visit to your home in 2004, 20      did you pay her \$200 after you had sexual contact with 21      her? 22       MR. PIKE: Form. 23       THE WITNESS: Could you repeat the question for 24      me? 25    BY MR. HOROWITZ:</p>	<p style="text-align: right;">Page 75</p> <p>1       answer, and because -- if I answer, they've advised 2       me I risk losing their representation. 3    BY MR. HOROWITZ: 4       Q   You never asked Jane Doe 2 for permission to 5       touch her breasts and genitals, correct? 6       MR. PIKE: Form. 7       THE WITNESS: I would like to answer each one 8       of your questions today, each one. However, on my 9       advice of my counsel, they've advised me I cannot 10      answer any questions that may be relevant to your 11      lawsuit, or her lawsuit, or the lawsuit -- I guess 12      it's the lawsuit brought by the same -- one of your 13      partners originally whose become disbarred. I 14      would like to answer it; however, I cannot. On the 15      advice of counsel, I must assert my Sixth 16      Amendment, Fourteenth Amendment and Fifth Amendment 17      Rights as provided by the Constitution, because 18      they've advised me that if I answer those 19      questions, I risk losing their representation. 20      MR. HOROWITZ: Okay. Move to strike. 21    BY MR. HOROWITZ: 22       Q   And isn't it true that Jane Doe 2 indicated to 23      you that she did not want you to touch her? 24       A   I would like to answer -- 25       MR. PIKE: Form.</p>
<p style="text-align: right;">Page 74</p> <p>1       Q   During Jane Doe 2's visit to your home in 2004, 2       did you pay her \$200 after you had sexual contact with 3       her? 4       MR. PIKE: Form. 5       THE WITNESS: I would like to answer that 6       question -- is she saying I paid her \$200? Is that 7       in the allegation? 8       MR. HOROWITZ: I'm just asking the questions. 9       THE WITNESS: I know. I'm asking you to 10      clarify. Is that -- is it -- is it in the -- in 11      the complaint? 12      MR. HOROWITZ: I'm not allowed to answer your 13      questions today. 14      THE WITNESS: I'm sorry. 15      MR. HOROWITZ: I wish I could. 16      THE WITNESS: I'm sorry. I wish you could 17      too. I'm sure the jury would like you to answer 18      some of my questions, but today, I'll answer that 19      question -- unfortunately, I would like to respond 20      to every one of your questions, every single one, 21      however, today, on advice of counsel, I cannot. 22      And, though I would like to answer each one of your 23      questions, on the advice of my counsel, I am going 24      to have to assert my Sixth Amendment, Fifth 25      Amendment and Fourteenth Amendment Rights not to</p>	<p style="text-align: right;">Page 76</p> <p>1       THE WITNESS: Excuse me? 2       MR. PIKE: Go ahead. 3       THE WITNESS: I'm sorry. I would like to 4       answer every one of your questions today, every 5       one. However, on advice of my counsel, I cannot 6       answer any questions that may be relevant to any of 7       your lawsuits. And so today, on advice of counsel, 8       I must assert my Sixth Amendment, Fifth Amendment 9       and Fourteenth Amendment Rights as provided by the 10      Constitution, because if I answer these questions, 11      I risk -- they tell me, I risk losing their 12      representation. 13    BY MR. HOROWITZ: 14       Q   All right. Isn't it true that you touched Jane 15      Doe 2's breasts and genitals after she indicated she did 16      not want you to touch her? 17       MR. PIKE: Form. 18       THE WITNESS: I would like to answer that 19      question, as well as each and every question you've 20      asked me here today regarding each and one of your 21      lawsuits. However, today, on the advice of 22      counsel, I am going to have to assert my Sixth 23      Amendment, Fifth Amendment and Fourteenth Amendment 24      Rights as provided by the Constitution. And, 25      though I would like to answer that question, as all</p>

1 the other questions today, I am going to have to  
 2 assert those rights because I've been advised that  
 3 not doing so, I might risk losing their counsel.

4 BY MR. HOROWITZ:

5 Q Did you try to persuade Jane Doe 2 that it was  
 6 okay for to you touch her breasts and genitals?

7 MR. PIKE: Form.

8 THE WITNESS: I'd like to answer every one of  
 9 your questions here today, every one. However, on  
 10 advice of counsel, they've advised me that I cannot  
 11 answer any questions that may be relevant to any of  
 12 your lawsuits. Therefore, I am going to have to  
 13 assert my Sixth Amendment, Fourteenth Amendment and  
 14 Fifth Amendment Rights as provided by the  
 15 Constitution because, though I would like to answer  
 16 those questions -- that question, as well as all  
 17 the other questions you've asked me here today, I  
 18 cannot do so on advice of counsel.

19 BY MR. HOROWITZ:

20 Q Sir, you don't deny that you sexually abused  
 21 Jane Doe 2, do you?

22 MR. PIKE: Form.

23 THE WITNESS: I would like to answer that  
 24 question. I'd really like to answer that  
 25 question. However, I cannot on advice of counsel,

1 Q Put out of your mind anything else you may  
 2 register. Focus on my question to you.

3 A I am going to try.

4 Q Did you pay Jane Doe 3 for bringing Jane Doe 2  
 5 to your home in late 2004?

6 MR. PIKE: Form.

7 THE WITNESS: Did I pay Jane Doe 3, Jane Doe  
 8 2's friend? Is that -- I'm sorry. Is that --

9 BY MR. HOROWITZ:

10 Q Do you know them to be friends?

11 A I'm asking you, sorry.

12 Q I'm not allowed --

13 A You're not allowed to testify. You can't  
 14 testify that they're friends, okay. I'm sorry. I would  
 15 like to answer those questions, Mr. Horowitz. I'm sure  
 16 the ladies and gentlemen of the jury -- these questions  
 17 -- these answers are pretty obvious. However, on advice  
 18 of counsel, I'm not going to be able to answer those  
 19 questions today. And, though I would like to, I'm going  
 20 to have to assert my Fifth Amendment, Sixth Amendment  
 21 and Fourteenth Amendment Rights as provided by the  
 22 Constitutions because my counsel has told me that if I  
 23 don't do so, I risk losing their -- potentially risk  
 24 losing their representation. So, though I would like to  
 25 answer that question, as I understand it, I cannot.

1 because they told me that I cannot answer any  
 2 questions that may be relevant to any of your  
 3 lawsuits here today. And if I do so, I risk losing  
 4 their representation, so, unfortunately, Mr.  
 5 Horowitz, I am going to have to assert those  
 6 rights.

7 BY MR. HOROWITZ:

8 Q Did you pay Jane Doe 3 for bringing Jane Doe 2  
 9 to your home in late 2004?

10 MR. PIKE: Form.

11 THE WITNESS: Who?

12 MR. HOROWITZ: Jane Doe 3. I may ask you a few  
 13 more questions about her name, so just kind of hold  
 14 that name in your head.

15 THE WITNESS: So it's now not Jane Doe 2?

16 MR. HOROWITZ: Well --

17 THE WITNESS: Are these two friends? I mean,  
 18 these are two friends here supposedly?

19 MR. HOROWITZ: I'm not allowed to answer.

20 THE WITNESS: Oh, you can't, sorry. I guess  
 21 one friend supposedly brought the other  
 22 acquaintance --

23 BY MR. HOROWITZ:

24 Q My question -- my question --

25 A Sorry. Okay. Sorry. What's your question?

1 BY MR. HOROWITZ:

2 Q Okay. Did you instruct S.K. to take Jane Doe  
 3 2's name and number for the purpose of calling her to  
 4 come to your house for more sexual activity?

5 MR. PIKE: Form.

6 THE WITNESS: I'd like to answer that question,  
 7 as I'd like to answer most of your other questions  
 8 that you've asked me here today. However, based on  
 9 advice of counsel, they've advised me I cannot  
 10 answer any questions that may become relevant to  
 11 any of your lawsuits. So, though I would like to  
 12 answer the question, Mr. Horowitz, I cannot because  
 13 my counsel has advised me that if I do, I risk  
 14 losing their representation. So, unfortunately,  
 15 today I cannot answer that question.

16 BY MR. HOROWITZ:

17 Q Okay. So you've asserted the Fifth Amendment  
 18 as to -- privilege as to my questions about Jane Doe 2.  
 19 Is there any reason a jury should not infer from your  
 20 response that you sexually abused Jane Doe 2?

21 MR. PIKE: Object to the form of that question,  
 22 and I'm going to instruct him not to answer simply  
 23 because the way the question is worded, it could  
 24 get into attorney-client communications and  
 25 potentially work product. I'm not quite sure I

<p style="text-align: right;">Page 81</p> <p>1 understand the question. So if you'd rephrase it, 2 possibly, if you can.</p> <p>3 BY MR. HOROWITZ:</p> <p>4 Q You've asserted a Fifth Amendment privilege to 5 various questions I've asked you about Jane Doe 2. My 6 question is: Is there any reason in your mind, absent 7 anything you've spoken to with your attorney about, why 8 the jury should not infer from your assertion of the 9 Fifth Amendment privilege, that you in fact sexually 10 abused Jane Doe 2?</p> <p>11 MR. PIKE: Form.</p> <p>12 THE WITNESS: Well, I believe, Mr. Horowitz, 13 the Fifth Amendment is by the Supreme Court's 14 ruling. It's, in fact, used to protect the 15 innocent, as well as certain people that might be 16 not guilty. So in response to that question, with 17 the fact that Jane Doe 2 -- the jury will 18 understand that Jane Doe 2's lawsuit brought by a 19 partner of yours who's been disbarred, constant -- 20 after, in fact, he brought the lawsuit, well -- the 21 jury, I have a strange feeling will -- sorry -- the 22 jury, I believe, will understand that my taking the 23 Fifth Amendment is only as a result of my counsel 24 advising me today that I must do so, because if I 25 don't do so, I risk losing their representation,</p>	<p style="text-align: right;">Page 83</p> <p>1 representation.</p> <p>2 BY MR. HOROWITZ:</p> <p>3 Q Okay. I am going to be asking you some 4 questions about Jane Doe 3. She's the Plaintiff in -- 5 identified as Jane Doe Number 3. I just want you to 6 keep her name in your head so -- for this series of 7 questions, okay?</p> <p>8 A Yes.</p> <p>9 Q Sir, isn't it true that a girl named Jane Doe 3 10 came to your Palm Beach home on multiple occasions in 11 2004?</p> <p>12 MR. PIKE: Form.</p> <p>13 THE WITNESS: I understand that Jane Doe 3 was 14 the girl you mentioned before who was friendly with 15 Jane Doe 2. So the two friends, I believe, you're 16 just suggesting -- now, there was a question -- oh, 17 I'm asking you to testify. I'd like to answer the 18 questions about Jane Doe 3. I'd like to answer the 19 questions about your former other client you talked 20 about, Jane Doe 2, the two friends, but I cannot 21 based on my advice of counsel just today at least. 22 Though I would like to respond in detail, I am 23 going to have to assert on their opinion -- their 24 advice, the Sixth Amendment, Fifth Amendment and 25 Fourteenth Amendment Rights as provided by the U.S.</p>
<p style="text-align: right;">Page 82</p> <p>1 though I'd like to answer each and every one of 2 your questions.</p> <p>3 BY MR. HOROWITZ:</p> <p>4 Q In this case are you asserting the Fifth 5 Amendment privilege because you are in fact innocent?</p> <p>6 MR. PIKE: Form.</p> <p>7 THE WITNESS: Do you want me to answer that 8 question?</p> <p>9 MR. PIKE: Form. It's -- it's the same 10 objection.</p> <p>11 THE WITNESS: I would like to answer that 12 question. As I said before, your partner who's 13 been disbarred after filing this lawsuit, 14 Mr. Edwards who's sitting there whose partner, in 15 fact, is sitting in jail for filing lawsuits of a 16 sexual nature against people like me and others. 17 Though I would like to answer every one of your 18 questions, every single one, my counsel has advised 19 me at least today that any question that may be 20 relevant to this lawsuit, I must assert my Sixth 21 Amendment, Fourteenth Amendment and Fifth Amendmen 22 Rights, and, though I would like to answer that 23 question, as well as every other question you've 24 asked here today, I am going to have to assert 25 those rights, or lose -- risk losing their</p>	<p style="text-align: right;">Page 84</p> <p>1 Constitution. And, though I would like to answer 2 each and every one of your questions, I cannot do 3 so here today.</p> <p>4 BY MR. HOROWITZ:</p> <p>5 Q Did you ever instruct a girl named H.R. to 6 bring underage girls to your home for your sexual 7 pleasure?</p> <p>8 MR. PIKE: Form.</p> <p>9 THE WITNESS: I'd like to answer each and every 10 one of your questions here today, Mr. Horowitz, 11 regarding these lawsuits that you and your 12 disbarred partner -- your partner who's been 13 disbarred after bringing these lawsuits has 14 brought. However, though I'd like to answer that 15 question, as you probably understand, my counsel 16 who has advised me at least today, that I cannot 17 answer any questions that may become relevant or 18 may be relevant to this lawsuit, and they've 19 advised me I must assert my Sixth Amendment, Fifth 20 Amendment and Fourteenth Amendment Rights as 21 provided by the U.S. Constitution, or risk losing 22 their representation, so unfortunately, I must 23 respond that way.</p> <p>24 BY MR. HOROWITZ:</p> <p>25 Q Did you ever pay H.R. to bring you other</p>

<p style="text-align: right;">Page 85</p> <p>1 underage girls for your sexual pleasure?</p> <p>2 MR. PIKE: Form.</p> <p>3 THE WITNESS: Can you give me the question</p> <p>4 again? I'm sorry.</p> <p>5 BY MR. HOROWITZ:</p> <p>6 Q H.R., the -- in your mind, do you know who that</p> <p>7 is?</p> <p>8 A I'm listening.</p> <p>9 Q Well, that's my question -- it was a question.</p> <p>10 A I'm sorry, what was the question?</p> <p>11 Q Do you know who H.R. -- I mean, in your mind,</p> <p>12 you can picture who that is, right?</p> <p>13 MR. PIKE: Form, move to strike.</p> <p>14 THE WITNESS: I'm going up --</p> <p>15 MR. HOROWITZ: It's a question.</p> <p>16 MR. PIKE: What is the question?</p> <p>17 BY MR. HOROWITZ:</p> <p>18 Q Do you -- in your mind, can you picture -- when</p> <p>19 I say "H.R.", do you know who I'm talking about?</p> <p>20 MR. PIKE: Form.</p> <p>21 THE WITNESS: I would like to answer each and</p> <p>22 every one of your questions brought here today</p> <p>23 under these lawsuits filed by you and your partner</p> <p>24 that was disbarred, but on advice of counsel here</p> <p>25 today, Mr. Horowitz, I'm going to have to assert my</p>	<p style="text-align: right;">Page 87</p> <p>1 as before, who's the friend of all of the girls you</p> <p>2 keep talking about; is that what you're saying?</p> <p>3 BY MR. HOROWITZ:</p> <p>4 Q Is that your testimony?</p> <p>5 A This is your testimony -- I'm sorry -- this is</p> <p>6 your -- I'm trying to understand the question.</p> <p>7 Unfortunately, I would like to answer that</p> <p>8 question. However, on advice of counsel here today,</p> <p>9 they've informed me that I must assert my Sixth</p> <p>10 Amendment, Fourteenth Amendment and Fifth Amendment</p> <p>11 Rights.</p> <p>12 Though I would like to answer each and every</p> <p>13 one of your questions, I am going to have to respond to</p> <p>14 that question the same way I've responded to mostly each</p> <p>15 one of your other questions here today and refuse to</p> <p>16 testify.</p> <p>17 BY MR. HOROWITZ:</p> <p>18 Q In 2004 did you receive a phone call from H.R.</p> <p>19 In which she informed you that she was bringing Jane Doe</p> <p>20 3 to your home for you to engage in sexual activity?</p> <p>21 MR. PIKE: Form.</p> <p>22 THE WITNESS: Did I receive a call?</p> <p>23 MR. HOROWITZ: That's my question.</p> <p>24 THE WITNESS: I would like to answer that</p> <p>25 question, however, on advice of counsel, I cannot</p>
<p style="text-align: right;">Page 86</p> <p>1 Sixth Amendment, Fourteenth Amendment and Fifth</p> <p>2 Amendment Rights. Though I would like to answer</p> <p>3 each and every one of your questions, I cannot do</p> <p>4 so today.</p> <p>5 BY MR. HOROWITZ:</p> <p>6 Q Did you ever pay H.R. to bring you underage</p> <p>7 girls for your sexual pleasure?</p> <p>8 MR. PIKE: Form.</p> <p>9 THE WITNESS: I would like to answer each one</p> <p>10 of your questions that you've been posing to me</p> <p>11 today. Unfortunately, my counsel has advised me</p> <p>12 that today I must assert any of my rights under the</p> <p>13 Sixth Amendment, Fifth Amendment and Fourteenth</p> <p>14 Amendment to any questions that may become relevant</p> <p>15 to this lawsuit brought by you and your firm and</p> <p>16 your partner who's been disbarred. But I would</p> <p>17 like to answer that question. However, today I</p> <p>18 cannot.</p> <p>19 BY MR. HOROWITZ:</p> <p>20 Q Between 2000 -- strike that.</p> <p>21 In 2004 and 2005, did you pay Jane Doe 3 to</p> <p>22 bring other minor girls to your home for your own sexual</p> <p>23 gratification?</p> <p>24 MR. PIKE: Form.</p> <p>25 THE WITNESS: This is Jane Doe 3, the same girl</p>	<p style="text-align: right;">Page 88</p> <p>1 because they've told me I must assert my Sixth</p> <p>2 Amendment, Fourteenth Amendment and Fifth Amendment</p> <p>3 Rights to any question that may become relevant to</p> <p>4 one of your lawsuits. So, though I would like to</p> <p>5 answer that question, as the other questions you've</p> <p>6 asked, I must assert those rights here today.</p> <p>7 BY MR. HOROWITZ:</p> <p>8 Q Sir, if you shake your head after I ask a</p> <p>9 question, should we infer that you're saying "no" to my</p> <p>10 question?</p> <p>11 MR. PIKE: Form. I am going to instruct him</p> <p>12 not to answer that question. It -- I'm -- I'm not</p> <p>13 quite sure that you -- what you're trying to do</p> <p>14 here is you're asking a -- a question. His -- his</p> <p>15 answer is his answer, and it's a verbal answer, and</p> <p>16 you know the rules of deposition where nods of the</p> <p>17 head, shakes of the head, um-hum and un-huns are</p> <p>18 not understood by the court reporter. So his</p> <p>19 answer is his verbal response, and no such gesture</p> <p>20 should be interpreted in a manner that would</p> <p>21 benefit your case, Mr. Horowitz.</p> <p>22 MR. HOROWITZ: Okay. Well, the video will --</p> <p>23 will -- will be played, and persons who view the</p> <p>24 video will -- will determine from themselves -- for</p> <p>25 themselves --</p>

<p style="text-align: right;">Page 89</p> <p>1 MR. PIKE: Absolutely.    2 MR. HOROWITZ: -- what to infer from nodding --    3 MR. PIKE: But he's not --    4 THE REPORTER: Wait --    5 MR. HOROWITZ: -- or shaking of the head.    6 MR. PIKE: I'm sorry. Correct, but he's not    7 going to answer that question.    8 MR. HOROWITZ: Okay.    9 BY MR. HOROWITZ:    10 Q Did you instruct S.K. to communicate by    11 telephone with H.R. for the purpose of arranging for    12 underage girls to come to your home to engage in sexual    13 activity?    14 MR. PIKE: Form.    15 THE WITNESS: I would like to answer each and    16 every one of your questions posed today about the    17 various lawsuits brought by you and your disbarred    18 partner -- your partner who was disbarred after    19 they filed these lawsuits. However, on advice of    20 counsel, they've told me I must assert my Sixth    21 Amendment, Fifth Amendment and Fourteenth Amendment    22 Rights as provided by the U.S. Constitution, or if    23 I testify I risk losing their representation. So,    24 though I would like to answer each one of your    25 questions, Mr. Horowitz, I cannot do so today.</p>	<p style="text-align: right;">Page 91</p> <p>1 they've advised that I must assert my Sixth    2 Amendment Rights, my Fourteenth Amendment Rights    3 and my Fifth Amendment rights as provided by the    4 U.S. Constitution. And, though I would like to    5 answer these questions brought by you -- you, your    6 disbarred partner, or Mr. Edwards' firm whose    7 partner sits in jail for -- for what the U.S.    8 Attorney calls a criminal enterprise, I would like    9 nothing more than to answer that question, but    10 today I am going to have to assert those rights.    11 BY MR. HOROWITZ:    12 Q Did you observe S.K. speaking with H.R. by    13 telephone and arranging for Jane Doe 3 to come to your    14 home for a massage?    15 MR. PIKE: Form, predicate, foundation.    16 THE WITNESS: I will much -- I'd very much like    17 to answer that question, like most of your other    18 questions here today; however, upon advice of    19 counsel, they've advised me I must assert my Sixth    20 Amendment, Fifth Amendment and Fourteenth Amendment    21 Rights as provided by the U.S. Constitution. And,    22 though I would like to answer each and every one of    23 your questions brought by you, your firm, your    24 partner that was disbarred after bringing these    25 claims, Mr. Edwards' firm that's been accused of</p>
<p style="text-align: right;">Page 90</p> <p>1 BY MR. HOROWITZ:    2 Q Did you call -- did you instruct S.K. to call    3 Jane Doe 3 by telephone to arrange for you to get a    4 massage?    5 MR. PIKE: Form.    6 THE WITNESS: Mr. Horowitz, I'd like to answer    7 each and every one of your questions, but I am    8 going to have to respond today like I've responded    9 to most of your other questions asked here today.    10 I am going -- by -- on the advice of counsel, I am    11 going to have to assert my Sixth Amendment,    12 Fourteenth Amendment and Fifth Amendment rights no    13 to answer any questions brought by you, your firm,    14 your partner that was disbarred from the Florida    15 Bar after bringing these lawsuits, and I am going    16 to have to refuse to answer that question, I'm    17 sorry.    18 BY MR. HOROWITZ:    19 Q Did you inform S.K. that the massage Jane Doe 3    20 was to give you would be sexual in nature?    21 MR. PIKE: Form.    22 THE WITNESS: I would like to answer that    23 question, but unfortunately, I am going to have to    24 answer that question as I've answered most of your    25 other questions here today. On advice of counsel,</p>	<p style="text-align: right;">Page 92</p> <p>1 creating and fabricating cases of a sexual nature    2 against me and other people, I cannot answer that    3 question today.    4 BY MR. HOROWITZ:    5 Q Did S.K. tell you that she confirmed by    6 telephone that Jane Doe 3 would be coming to your home    7 at a specific time to give you a massage?    8 MR. PIKE: Form.    9 THE WITNESS: I'd like to answer that question    10 Mr. Horowitz, as I'd like to answer most of your    11 other questions posed here today, but as I've    12 responded to mostly all your questions here today,    13 on advice of counsel, they've advised me I must    14 assert my Sixth Amendment, Fifth Amendment and    15 Fourteenth Amendment Rights provided by the U.S.    16 Constitution.    17 MR. HOROWITZ: Uh-huh.    18 THE WITNESS: And if I don't do so, I risk    19 losing their representation. And, though your firm    20 and its partner that was disbarred after bringing    21 these cases, Mr. Edwards's firm, his partner sits    22 in the jail accused of -- of the largest fraud in    23 South Florida's history, I would like nothing more    24 than to answer that question, but I must follow the    25 advice of counsel, or they've told me I risk losing</p>

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<p>1       their representation.</p> <p>2    BY MR. HOROWITZ:</p> <p>3    Q   Since you've mentioned my partner who you</p> <p>4    describe as disbarred and you also mentioned</p> <p>5    Mr. Rothstein's involvement, are you suggesting that</p> <p>6    Jane Doe 3 fabricated her allegations of abuse after</p> <p>7    coming into contact with one of these attorneys?</p> <p>8    A   I want --</p> <p>9    MR. PIKE: Form.</p> <p>10   THE WITNESS: I believe the jury will decide</p> <p>11   that. I believe the jury will decide that</p> <p>12   Mr. Rothstein, Mr. Edwards' partner who sits in</p> <p>13   jail, accused by the U.S. Attorney of the largest</p> <p>14   fraud in South Florida's history for crafting cases</p> <p>15   of a sexual nature, crafting, fabricating -- it's</p> <p>16   not my words -- it's words in the paper -- against</p> <p>17   people like me and others, to try to get as much</p> <p>18   money as they could according to the newspapers.</p> <p>19   I'm sorry, but I would like to answer that question</p> <p>20   asked to me before, but I cannot under advice of</p> <p>21   counsel, who've told me I must in response to any</p> <p>22   questions that may be relevant to your lawsuit,</p> <p>23   today at least, to assert my Sixth Amendment,</p> <p>24   Fourteenth Amendment and Fifth Amendment Rights</p> <p>25   under the U.S. Constitution. May I take a break or</p>	<p>1       would like to answer every one of your questions;</p> <p>2    however, my counsel has told me I cannot today, so</p> <p>3    I must assert those rights, or risk losing their</p> <p>4    representation.</p> <p>5    BY MR. HOROWITZ:</p> <p>6    Q   Sir, are you testifying that my partner was</p> <p>7    sued by a -- a former client?</p> <p>8    A   I don't remember -- I don't recall -- I believe</p> <p>9    the -- S.G.'s parents, who the first was initially --</p> <p>10   this is according to the newspapers -- your -- Mr.</p> <p>11   Herman's clients, I believe. The other -- the parent --</p> <p>12   the person who he represented said that in fact he never</p> <p>13   represented her, but I don't have the full details.</p> <p>14   BY MR. HOROWITZ:</p> <p>15   Q   But are you -- are you suggesting that he was</p> <p>16   sued by her -- by a former client?</p> <p>17   A   I did not.</p> <p>18   Q   Pardon me?</p> <p>19   A   No, I did not.</p> <p>20   Q   Okay. During the course of Jane Doe 3's first</p> <p>21   visit to your home, did you in fact persuade, induce or</p> <p>22   entice her to engage in sexual activity with you?</p> <p>23   A   I just answered that question, didn't I?</p> <p>24   MR. PIKE: Form.</p> <p>25   THE WITNESS: Wasn't that the question I just</p>
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<p>1       a rest?</p> <p>2    MR. HOROWITZ: Yes.</p> <p>3    THE WITNESS: Okay. Thank you.</p> <p>4    THE VIDEOGRAPHER: Time off the record 11:52.</p> <p>5    (Thereupon, a short break was taken.)</p> <p>6    THE VIDEOGRAPHER: Time on the record 12:00.</p> <p>7    BY MR. HOROWITZ:</p> <p>8    Q   Sir, we have been discussing Jane Doe 3. Was</p> <p>9    it your intent during the course of Jane Doe 3's first</p> <p>10   visit to your home that you would persuade, induce or</p> <p>11   entice her to engage in sexual activity?</p> <p>12   MR. PIKE: Form.</p> <p>13   THE WITNESS: I'd like to answer that question,</p> <p>14   as I'd like to answer every one of your questions</p> <p>15   here today, Mr. Horowitz; however, on advice of</p> <p>16   counsel, I've been informed I must assert my Sixth</p> <p>17   Amendment, Fourteenth Amendment and Fifth Amendmen</p> <p>18   Rights as provided by the U.S. Constitution. And,</p> <p>19   though I'd like to answer the questions provide --</p> <p>20   asked by you, unfortunately, your -- the person who</p> <p>21   filed the lawsuits on your firm's behalf, your</p> <p>22   partner, Jeffrey Herman, who's been disbarred after</p> <p>23   they filed this lawsuit, sued by one of your other</p> <p>24   clients -- one of the girls' parents because he</p> <p>25   brought a lawsuit -- some -- some craziness -- I</p>	<p>1       answered?</p> <p>2    BY MR. HOROWITZ:</p> <p>3    Q   No. My earlier question was: Was it your</p> <p>4    intent to engage in sexual activity. My question now,</p> <p>5    it's a very specific one --</p> <p>6    A   Okay.</p> <p>7    Q   -- during the course of Jane Doe 3's first</p> <p>8    visit to your home, did you in fact persuade, induce or</p> <p>9    entice her to engage in sexual activity?</p> <p>10   A   I'd like to answer that question. I'd like to</p> <p>11   answer every one of your questions here today,</p> <p>12   Mr. Horowitz, and I think the answer is pretty obvious;</p> <p>13   however, I cannot, because under advice of counsel,</p> <p>14   they've advised me I must assert Fifth Amendment, Sixth</p> <p>15   Amendment and Fourteenth Amendment Rights as provided by</p> <p>16   the Constitution. And if I choose to answer, I risk</p> <p>17   losing that representation no matter how much I'd like</p> <p>18   to answer that question.</p> <p>19   Q   At no time did Jane Doe 3 tell you that she was</p> <p>20   18 or older, correct?</p> <p>21   MR. PIKE: Form.</p> <p>22   THE WITNESS: I'd like to answer every one of</p> <p>23   your questions. I'd like to answer that question</p> <p>24   specifically. However, sitting here today, I've</p> <p>25   been advised by my counsel that I cannot answer any</p>

24 (Pages 93 to 96)

1 questions that may be relevant to your -- one of  
 2 your lawsuits. And, though it was brought, I  
 3 believe, your partner that was later disbarred and  
 4 had some association with Mr. Edwards who's sitting  
 5 there with his partner who sits in jail accused of  
 6 one of the largest frauds in South Florida's  
 7 history. The U.S. Attorney accused his firm while  
 8 he's sitting there accused of being a criminal  
 9 enterprise, I'd like to answer each one of your  
 10 questions; however, my counsel has advised me today  
 11 that I must assert my Sixth Amendment, Fourteenth  
 12 Amendment and Fifth Amendment Rights, so  
 13 unfortunately, I cannot.

14 BY MR. HOROWITZ:

15 Q Okay. In your own mind, when Jane Doe 3 was at  
 16 your home, you didn't believe that she was 18 or older,  
 17 did you?

18 MR. PIKE: Form.

19 THE WITNESS: I'd like to answer each one of  
 20 your questions, Mr. Horowitz, here today, but  
 21 unfortunately I'm going to have to respond to that  
 22 question, as I've responded to most of your other  
 23 questions here today, which is that at least for  
 24 today, my counsel has advised me that I cannot  
 25 answer any questions that may be relevant to any

1 was disbarred?

2 MR. PIKE: Form.

3 THE WITNESS: I would let the jury decide that  
 4 fact. My suggestions -- I'd like to answer every  
 5 one of your questions here today. I'd like to  
 6 respond regarding the -- her attorney that was  
 7 disbarred. I'd like to answer questions with  
 8 respect to Mr. Edwards' partner who sits in jail  
 9 for crafting cases of a sexual nature, making  
 10 allegations against people like me and others;  
 11 however today, on advice of counsel, Mr. Horowitz,  
 12 I am going to have to assert my -- under -- under  
 13 advice of counsel, I am going to have assert my  
 14 Sixth Amendment, Fourteenth Amendment and Fifth  
 15 Amendment Rights, and I'm told that if I choose to  
 16 answer that question, I risk losing their  
 17 representation, so unfortunately, I cannot answer  
 18 that today.

19 BY MR. HOROWITZ:

20 Q Is it your contention today that Scott  
 21 Rothstein fabricated Jane Doe 3's lawsuit?

22 MR. PIKE: Form.

23 MR. HOROWITZ: I would like to answer that  
 24 question. I would like to answer -- I believe your  
 25 partner, Mr. Herman, was disbarred after filing the

1 one of your lawsuits brought by your firm and your  
 2 partner whose -- who was disbarred after they  
 3 brought these lawsuits, or the questions Mr.  
 4 Edwards might pose via his partner sitting in jail,  
 5 or a new jail according to the newspapers, accused  
 6 of the largest fraud in South Florida's history for  
 7 crafting cases of sexual nature against people like  
 8 me and others. So, though I'd like to answer that  
 9 question, as your other questions, unfortunately, I  
 10 am going to have to assert my Fifth Amendment,  
 11 Sixth Amendment and Fourteenth Amendment Rights as  
 12 provided by the U.S. Constitution.

13 BY MR. HOROWITZ:

14 Q Do you base your assertion of the Fifth  
 15 Amendment privilege on the fact that Jane Doe 3's  
 16 attorney was supposedly disbarred?

17 THE REPORTER: "Jane Doe 3's attorney was" --

18 MR. HOROWITZ: "Supposedly disbarred."

19 MR. PIKE: I am going to object. That could  
 20 get into attorney-client work product information.  
 21 I am going to instruct him not to answer that  
 22 question, Mr. Horowitz.

23 BY MR. HOROWITZ:

24 Q Are you -- are you suggesting that Jane Doe 3  
 25 is lying because, in your mind, she has an attorney who

1 lawsuit. I'd like to answer every one of your  
 2 questions here today; however, on advice of my  
 3 counsel, I'm told that I must assert my Sixth  
 4 Amendment, Fourteenth Amendment and Fifth Amendment  
 5 Rights, and if I choose to answer that question, I  
 6 risk losing their representation. So, though I  
 7 would like to answer that question, as you probably  
 8 understand, I cannot do so today.

9 BY MR. HOROWITZ:

10 Q When Jane Doe 3 was at your home, she told you  
 11 she attended Royal Palm Beach High School, didn't she?

12 MR. PIKE: Form.

13 THE WITNESS: I'd like to answer every one of  
 14 your questions here today, Mr. -- Horowitz, right,  
 15 Horowitz?

16 MR. HOROWITZ: (Nods head).

17 THE WITNESS: However, on advice of counsel, I  
 18 cannot answer those questions. They've asked me to  
 19 assert my Sixth Amendment, Fourteenth Amendment and  
 20 Fifth Amendment Rights. And if I choose to answer,  
 21 I risk losing their representation. Though your  
 22 partner after filing this lawsuit was disbarred  
 23 from the Florida Bar, the -- your -- the man  
 24 sitting to your right, his partner sits in jail  
 25 accused of the largest fraud in South Florida's

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<p>1 history for crafting --</p> <p>2 MR. HOROWITZ: Uh-huh.</p> <p>3 THE WITNESS: -- cases of a sexual nature</p> <p>4 against me and people like me. I would like to</p> <p>5 answer those questions, but unfortunately today, I</p> <p>6 cannot do so.</p> <p>7 BY MR. HOROWITZ:</p> <p>8 Q You were nude in front of Jane Doe 3 in 2004,</p> <p>9 weren't you?</p> <p>10 MR. PIKE: Form.</p> <p>11 MR. HOROWITZ: I'd like to answer each and</p> <p>12 every one of your questions here today, Mr.</p> <p>13 Horowitz; however, on the advice of my counsel, I</p> <p>14 cannot. They've advised me I must assert my Sixth</p> <p>15 Amendment Rights, Sixth Amendment, Fourteenth</p> <p>16 Amendment and Fifth Amendment Rights, so that to</p> <p>17 any question that might be relevant to any of your</p> <p>18 lawsuits crafted by your partner, who I believe has</p> <p>19 been disbarred since filing the lawsuits, and</p> <p>20 Mr. Edwards sitting there with his partner, Mr.</p> <p>21 Rothstein, who's currently sitting in jail for</p> <p>22 crafting cases of a sexual nature against people</p> <p>23 like me and others, I'd like to answer each and</p> <p>24 every one of your questions; however today, my --</p> <p>25 on advice of counsel, I cannot do so.</p>	<p>1 BY MR. HOROWITZ:</p> <p>2 Q In 2004 did you instruct Jane Doe 3 to pinch</p> <p>3 your nipples and rub your chest?</p> <p>4 MR. PIKE: Form.</p> <p>5 THE WITNESS: I'd like to answer that</p> <p>6 question. I'd like to answer that question very</p> <p>7 much. However, on advice of counsel, they've</p> <p>8 instructed me that I cannot answer any questions</p> <p>9 today that may be relevant to any of your lawsuits</p> <p>10 filed by you, your partner, Jeffrey Herman, that</p> <p>11 was disbarred by the Florida Bar Association after</p> <p>12 filing these lawsuits, questions posed by Mr.</p> <p>13 Edwards and his firm whose partner sits in jail</p> <p>14 accused by the U.S. Attorney of perpetrating the</p> <p>15 largest fraud in U.S. history by fabricating --</p> <p>16 totally fabricating cases against people like me</p> <p>17 and others. Though I would like to answer those</p> <p>18 questions, I am going to have to assert my Sixth</p> <p>19 Amendment, Fourteenth Amendment and Fifth Amendment</p> <p>20 Rights as advice of -- upon advice of counsel.</p> <p>21 BY MR. HOROWITZ:</p> <p>22 Q In 2004 did you ask Jane Doe 3 questions about</p> <p>23 her sexual experience and preferences?</p> <p>24 MR. PIKE: Form.</p> <p>25 THE WITNESS: I'd like to answer that</p>
<p style="text-align: center;">Page 102</p> <p>1 BY MR. HOROWITZ:</p> <p>2 Q In 2004 did you instruct Jane Doe 3 to remove</p> <p>3 her clothing?</p> <p>4 MR. PIKE: Form.</p> <p>5 MR. HOROWITZ: Can you repeat the question?</p> <p>6 BY MR. HOROWITZ:</p> <p>7 Q Remember we -- we have been talking about Jane</p> <p>8 Doe 3.</p> <p>9 A I'm doing my best.</p> <p>10 Q In 2004 did you instruct Jane Doe 3 to remove</p> <p>11 her clothing?</p> <p>12 MR. PIKE: Form.</p> <p>13 THE WITNESS: I would like to answer that</p> <p>14 question. I would like to answer each and every</p> <p>15 one of your other questions here today. However,</p> <p>16 upon advice of my counsel, they've advised me I</p> <p>17 must assert my Sixth Amendment, Fourteenth</p> <p>18 Amendment and Fifth Amendment Rights. So, though</p> <p>19 I'd like to answer these questions posed by you --</p> <p>20 your partner who's been disbarred, Mr. Edwards'</p> <p>21 partner who sits in jail for crafting lawsuits of a</p> <p>22 sexual nature against people like me and others --</p> <p>23 so, though I would like to answer those questions</p> <p>24 with great specificity, I cannot under the advice</p> <p>25 of counsel, so therefore, I'm sorry.</p>	<p style="text-align: center;">Page 104</p> <p>1 question. I'd like to answer every question you've</p> <p>2 asked here today. However, upon advice of counsel,</p> <p>3 they've advised me I must assert my Sixth</p> <p>4 Amendment, Fifth Amendment and Fourteenth Amendment</p> <p>5 Rights -- so that cases brought by attorneys like</p> <p>6 you and your partner, Jeffrey Herman, who held a</p> <p>7 press conference on the streets outside Palm Beach,</p> <p>8 he was brought -- then later disbarred by the</p> <p>9 Florida Bar Association -- I'd like to answer every</p> <p>10 one of your questions. However, today, on advice</p> <p>11 of counsel, I cannot.</p> <p>12 BY MR. HOROWITZ:</p> <p>13 Q In 2004 did you touch Jane Doe 3's breasts for</p> <p>14 your own sexual gratification?</p> <p>15 MR. PIKE: Form.</p> <p>16 THE WITNESS: I'd like to answer each and every</p> <p>17 one of your questions posed today, Mr. Horowitz.</p> <p>18 However, at least today upon advice of counsel, I</p> <p>19 -- I cannot answer those questions, and I -- and I</p> <p>20 must assert, on advice of my counsel, my Sixth</p> <p>21 Amendment, Fifth Amendment and Fourteenth Amendment</p> <p>22 Rights under the U.S. Constitution. And though</p> <p>23 this lawsuit brought by you and your partner who's</p> <p>24 been disbarred by the Florida Bar Association after</p> <p>25 bringing this lawsuit, sitting next to Mr. Edwards</p>

<p style="text-align: right;">Page 105</p> <p>1 whose partner sits in jail for bringing cases of a    2 sexual nature, fabricated cases of a sexual nature,    3 and fleecing investors out of millions of dollars    4 in South Florida, I'd like to answer each and every    5 one of your questions. However today, I cannot do    6 so upon advice of counsel.</p> <p>7 BY MR. HOROWITZ:</p> <p>8 Q In 2004 did you touch Jane Doe 3's buttocks for    9 your own sexual gratification?</p> <p>10 MR. PIKE: Form.</p> <p>11 THE WITNESS: I'd like to answer that    12 question. I'd very much like to answer that    13 question, like all the other questions you've asked    14 here today, questions posed by your firm, your    15 partner, Jeffrey Herman, whose been disbarred by    16 the Florida Bar Association after bringing this    17 case, Mr. Edwards' partner, Scott Rothstein, whose    18 purpose was -- according to the U.S. Attorney, ran    19 with Mr. Edwards and part of the firm, the largest    20 fraud -- one of the largest frauds in South    21 Florida's history for fabricating cases, misleading    22 investors, fleecing unsuspecting investors out of    23 millions of dollars by fabricating cases of a    24 sexual nature against people like me and others.    25 However, my counsel today has advised me that I</p>	<p style="text-align: right;">Page 107</p> <p>1 Q In 2004 did you try to insert your fingers into    2 Jane Doe 3's vagina?</p> <p>3 MR. PIKE: Form.</p> <p>4 THE WITNESS: I'd like to answer that    5 question. I'd like to answer every one of your    6 questions here today; however, my counsel has    7 advised me that I cannot answer any questions that    8 may be relevant to any of your lawsuits brought by    9 you and your disbarred partner, Jeffrey Herman, or    10 the questions by Mr. Edwards' partner, Scott -- his    11 firm, Scott Rothstein's firm, who -- Scott    12 Rothstein sits in jail for fabricating cases of a    13 sexual nature -- excuse me --</p> <p>14 MR. HOROWITZ: Continue.</p> <p>15 THE WITNESS: So, though I'd like to answer    16 that question, as I'd like to answer each and every    17 one of your questions today, I cannot do so on --    18 upon advice of counsel.</p> <p>19 BY MR. HOROWITZ:</p> <p>20 Q In 2004 did you masturbate in front of Jane Doe    21 3?</p> <p>22 MR. PIKE: Form.</p> <p>23 THE WITNESS: I'd like to answer each and every    24 one of your questions, especially that one today;    25 however, my counsel has advised me that I must</p>
<p style="text-align: right;">Page 106</p> <p>1 cannot answer those questions -- any questions that    2 may be relevant to any of your lawsuits. So,    3 though I would like to answer that question today,    4 I am going to have to rely on my counsel's advice.</p> <p>5 BY MR. HOROWITZ:</p> <p>6 Q In 2004 did you rub Jane Doe 3's vagina?</p> <p>7 MR. PIKE: Form.</p> <p>8 THE WITNESS: Excuse me. I'd like to answer    9 that question, as I would like to answer mostly    10 every question you've asked me here today; however,    11 upon advice of counsel, I cannot answer that    12 question. They've advised me I must assert my    13 Sixth Amendment, Fifth Amendment and Fourteenth    14 Amendment Rights against self -- excuse me, against    15 -- under the U.S. Constitution. And though your    16 partner, Jeffrey Herman, was disbarred after filing    17 this lawsuit, Mr. Edwards' partner sits in jail for    18 fabricating cases of a sexual nature, fleecing    19 unsuspecting Florida investors and others out of    20 millions of dollars for cases of a sexual nature    21 with -- I'd like to answer your questions; however,    22 if I -- I'm told that if I do so, I risk losing my    23 counsel's representation; therefore, I must accept    24 their advise.</p> <p>25 BY MR. HOROWITZ:</p>	<p style="text-align: right;">Page 108</p> <p>1 assert my Sixth Amendment, Fourteenth Amendment and    2 Fifth Amendment Rights, not to answer that    3 question. I'd like to answer it, though your    4 partner who brought this lawsuit has been disbarred    5 after bringing the lawsuit. Mr. Edwards' partner    6 who sits next to you, his partner sits in jail for    7 fabricating cases of a sexual nature against people    8 like me, fleecing people out of millions of dollars    9 because this is about -- about -- of money. Just a    10 money, money case. I'd like to answer those    11 questions, Mr. Horowitz. However, my counsel today    12 has said, I cannot answer any questions today that    13 may be relevant to this lawsuit, and I must accept    14 their advice, or risk losing their representation.</p> <p>15 BY MR. HOROWITZ:</p> <p>16 Q In 2004 did you ejaculate in front of Jane Doe    17 3?</p> <p>18 MR. PIKE: Form.</p> <p>19 THE WITNESS: I'd like to answer that question.    20 However, today my counsel has advised me that I    21 cannot answer any questions that may be relevant to    22 your lawsuits, and I'm going to have to answer that    23 question as I've answered most of your other    24 questions here today. This is no different than    25 the other questions I've had to answer where my</p>

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1 counsel has advised me that I have to take these  
 2 rights, but I prefer to answer, but if I do so, I  
 3 risk losing their representation. And, though  
 4 posed by you and your partner, Jeffrey Herman, that  
 5 was disbarred after filing these lawsuits, sitting  
 6 next to Mr. Edwards, whose partner sits in jail  
 7 accused of the largest -- perpetrating the largest  
 8 -- one of the largest frauds in South Florida's  
 9 history, accused by the U.S. Attorney of being a --  
 10 his firm of being a criminal enterprise, I'd like  
 11 to answer each and every one of your questions;  
 12 however, today under the advice of counsel, I  
 13 cannot.

14 BY MR. HOROWITZ:

15 Q Did you have sexual contact with Jane Doe 3  
 16 during a massage in 2004?

17 MR. PIKE: Form.

18 THE WITNESS: I'd like to answer that question,  
 19 as I'd like to answer each and every one of your  
 20 other questions here today. However, upon the  
 21 advice of counsel, I cannot. And they've asked me  
 22 that -- they've required me to assert my Sixth  
 23 Amendment, Fourteenth Amendment and Fifth Amendmen  
 24 Rights as provided by the U.S. Constitution.  
 25 Though your firm's partner sits disbarred --

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1 Jeffrey Herman is disbarred after he brought this  
 2 case, Mr. Edwards' partner sits in jail accused by  
 3 the Attorney of perpetrating the largest fraud  
 4 in U.S. or south Florida's history for fabricating  
 5 cases of a sexually charged nature against me and  
 6 people like me. So, though I would like to answer  
 7 your questions with specificity, Mr. Horowitz, I  
 8 cannot do so here today upon advice of counsel.

9 BY MR. HOROWITZ:

10 Q During her first visit in 2004 to your home,  
 11 did you pay \$200 to Jane Doe 3 after you had sexual  
 12 contact with her?

13 MR. PIKE: Form.

14 THE WITNESS: I'd like to answer that  
 15 question. I'd really like to answer that  
 16 question. I cannot do so, however, because my  
 17 counsel has told me that I cannot answer any  
 18 questions relevant -- that may be relevant to any  
 19 of your lawsuits filed by you and your partner,  
 20 Jeffrey Herman, who was disbarred -- disbarred by  
 21 the Florida Bar Association after filing these  
 22 lawsuits, or Mr. Edwards' partner who sits in jail  
 23 accused of perpetrating one of the largest frauds  
 24 in South Florida's history, fleecing South Florida  
 25 investors of millions of dollars by crafting,

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1 fabricating and falsely creating cases of a sexual  
 2 nature against people like me and others in order  
 3 to simply gain money. So, though I'd like to  
 4 answer your questions, Mr. Horowitz, I am going to  
 5 have to answer this question, as I've answered most  
 6 of your questions here today, which is on the  
 7 advice of counsel I cannot answer.

8 BY MR. HOROWITZ:

9 Q You never asked Jane Doe 3 for permission to  
 10 touch her breasts and genitals, did you?

11 MR. PIKE: Form, asked and answered.

12 THE WITNESS: I'd like to answer that question,  
 13 as I would like to answer most of your other  
 14 questions here today. However, upon advice of my  
 15 counsel -- excuse me -- they've instructed me that  
 16 I must assert my Sixth Amendment, Fourteenth  
 17 Amendment and Fifth Amendment Rights of -- provided  
 18 by the U.S. Constitution. And, though you, your  
 19 partner, Jeffrey Herman -- excuse me -- who was  
 20 disbarred by the Florida Bar Association after  
 21 filing this case and your other cases, or Mr.  
 22 Edwards' partner who sits in jail -- sits in jail,  
 23 accused of perpetrating one of the largest frauds  
 24 in Florida's history by maliciously fabricating  
 25 cases of a sexual nature against me and other

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1 people like me. So as you might imagine, I would  
 2 like to answer these questions, but like the other  
 3 questions I've asked -- I've answered here today, I  
 4 am going to have to accept my attorney's counsel or  
 5 risk losing their representation.

6 BY MR. HOROWITZ:

7 Q In fact, sir, Jane Doe 3 indicated to you that  
 8 she did not want you to touch her breasts; isn't that  
 9 correct?

10 MR. PIKE: Form.

11 THE WITNESS: I'd like to answer all your  
 12 questions here today, Mr. Horowitz. I would really  
 13 like to answer that question specifically.  
 14 However, as I sit here today, my counsel has  
 15 advised me that I must assert my Sixth Amendment  
 16 Rights, my Fourteenth Amendment Rights and my Fifth  
 17 Amendment Rights as provided by the U.S.  
 18 Constitution. So, though you and your partner,  
 19 Jeffrey Herman, who filed this lawsuit, held a  
 20 press conference in Palm Beach months before he  
 21 became disbarred -- disbarred -- he's no longer an  
 22 attorney is my understanding now, but he was  
 23 disbarred by the Florida -- the Florida Bar  
 24 Association, or Mr. Edwards' partner who sits in  
 25 jail accused of fabricating cases strictly to get

28 (Pages 109 to 112)

<p>1 money from Florida investors, from Florida people,  2 I'd like to answer each and every one of your  3 questions, Mr. Horowitz, but today, on advice of  4 counsel, I cannot.</p> <p>5 BY MR. HOROWITZ:</p> <p>6 Q Sir, you touched Jane Doe 3's breasts, buttocks  7 and genitals while she was still a minor after she told  8 you she did not want you to touch her; isn't that right?</p> <p>9 MR. PIKE: Form, asked and answered.</p> <p>10 THE WITNESS: I'd like to answer each and every  11 one of your questions today, Mr. Horowitz,  12 however, upon advice of my counsel I cannot.  13 They've asked me -- they've required me to assert  14 my Sixth Amendment, Fourteenth Amendment and Fifth  15 Amendment Rights as provided by the U.S.  16 Constitution to any questions that may be relevant,  17 or may become relevant to this lawsuit. So, though  18 your partner was disbarred after you filed this  19 claim, or your firm filed this claim, Mr. Edwards  20 who sits next to you, his partner sits in jail, so  21 I'd like to answer each one of these questions.  22 However, today, on the advice of counsel, I cannot.</p> <p>23 BY MR. HOROWITZ:</p> <p>24 Q Did you try to persuade Jane Doe 3 that it was  25 okay for you to touch her breasts and genitals?</p>	<p>1 like in response to most of your other questions  2 here today, I cannot. On the advice of counsel,  3 they've told me I must accept their advice or risk  4 losing their representation. They've advised me  5 that I must assert my Sixth Amendment, Fourteenth  6 Amendment and Fifth Amendment rights. So, though  7 your partner, Jeffrey Herman, was disbarred after  8 filing these cases, disbarred, no longer an  9 attorney, Mr. Edwards' partner who sits to your  10 right, his partner sits in, I believe, Saint Lucie  11 Jail according to today -- today's newspaper,  12 accused of perpetrating the largest fraud in South  13 Florida history against people like me, crafting,  14 fabricating, malicious sexually charged -- cases of  15 a sexually charged nature in order to fleece  16 investors, I would like to answer that question.  17 However today, I must accept my client's --  18 attorney's advice.</p> <p>19 BY MR. HOROWITZ:</p> <p>20 Q Mr. Epstein, did you instruct S.K. to take Jane  21 Doe 3's name and telephone number for the purpose of  22 calling her home -- strike that.</p> <p>23 Did you instruct S.K. to take Jane Doe 3's name  24 and telephone number for the purpose of calling Jane Doe  25 3 to come to your home for sexual activity?</p>
<p>Page 114</p> <p>1 MR. PIKE: Form.</p> <p>2 THE WITNESS: I would like to answer each and  3 every one of your questions here today,  4 Mr. Horowitz, however, upon advice of counsel, I'm  5 -- they've required me to assert my Fourteenth  6 Amendment, Sixth Amendment and Fifth Amendment  7 Rights as provided by the U.S. Constitution. So,  8 although I would like to answer that question, and  9 respond to questions posed by you, for, I guess,  10 your partner, Mr. Herman, who has been disbarred by  11 the Florida Bar Association after filing these  12 cases, disbarred, or Mr. Edwards' partner who sits  13 next to you, has filed other cases where his  14 partner sits in jail for fabricating cases, trying  15 to get money from Florida investors, I'd like to  16 answer each one of your questions here today Mr.  17 Horowitz, but upon advice of counsel, they've  18 advised me that if I do so, I risk losing their  19 representation, so I must accept their advice.</p> <p>20 BY MR. HOROWITZ:</p> <p>21 Q Mr. Epstein, you don't deny that you sexually  22 abused Jane Doe 3 when she was a child, do you?</p> <p>23 MR. PIKE: Form.</p> <p>24 THE WITNESS: I would like to answer every one  25 of your questions here today, Mr. Horowitz, but</p>	<p>Page 116</p> <p>1 MR. PIKE: Form, asked and answered.</p> <p>2 THE WITNESS: I would like to answer every one  3 of your questions, Mr. Horowitz, posed here today.  4 Unfortunately, I guess, your -- your other partner  5 who filed these lawsuits has been disbarred in the  6 interim by the Florida Bar Association, so he's not  7 here today. However, I'd like to answer those  8 questions, but my counsel has told me that I have  9 to assert my Sixth Amendment, Fifth Amendment and  10 Fourteenth Amendment Rights as provided by the U.S.  11 constitution. So, though I would like to answer  12 your questions, Mr. Edwards' questions whose  13 partner sits in jail for perpetrating one of the  14 largest frauds in South Florida's history, accused  15 by the U.S. Attorney -- his firm accused by the  16 U.S. Attorney is now -- the firm is bankrupt by  17 perpetrating the -- one of the largest frauds in  18 South Florida's history and being called a criminal  19 enterprise by the current South Florida's U.S.  20 Attorney, I would like to answer every one of your  21 question, very much so, however, my -- on advice of  22 counsel, I cannot do so here today.</p> <p>23 BY MR. HOROWITZ:</p> <p>24 Q Sir, is there any reason in your mind that a  25 jury should not infer from your assertion of the Fifth</p>