

Jane Doe #2
[REDACTED]

v.

Jeffrey Epstein

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

STATE OF FLORIDA

COUNTY OF SEMINOLE

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

1. My name is Richard C.W. Hall, M.D. I am over the age of majority, and make this affidavit and declaration upon the basis of personal knowledge of the factual matters contained herein.

2. I have maintained a private practice in psychiatry and forensic psychiatry since 1996.

3. I, also, currently serve as a Courtesy Clinical Professor of Psychiatry at the University of Florida, College of Medicine, Gainesville, Florida; Affiliate Professor, Dept of Psychiatry and Behavioral Medicine, University of South Florida; and Professor of Psychiatry, Department of Medical Education, University of Central Florida College of Medicine.

4. I received my undergraduate degree from the Johns Hopkins University and medical degree from the University of Florida College of Medicine, Gainesville, Florida.

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

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

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

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

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

10. The amended complaint filed by Jane Doe #2 against Jeffrey Epstein makes sensitive allegations of sexual assault and abuse upon a minor and seek damages in excess

of \$50 million. Jane Doe #2 alleges confusion, shame, humiliation, embarrassment, and severe psychological and emotional injuries. It is further alleged that she suffered, and will continue to suffer, severe and permanent traumatic injuries, including mental, psychological, and emotional damages.

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

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

13. Plaintiff's counsel has retained an expert witness, Dr. Kliman of the Psychological Trauma Center, a division of Preventative Psychiatry Associates Medical Group, Inc., of San Francisco, California, of which Gilbert W. Kliman, MD, is the medical director. Dr. Kliman's initial records indicate the following concerning Jane Doe #2.

14. The records available in this case at this time show that during the winter of 2003, plaintiff spent approximately one hour in defendant's house and 30-45 minutes alone with the defendant (Page 11, interrogatories). She denied that she was suffering from any physical infirmity, disability, disease, sickness, or psychiatric/psychological condition at the time of the incident (Answers to defendant's first interrogatories, page 7).

15. Plaintiff reports that she moved repetitively during her childhood. She reports she was born in Buffalo, New York; lived there until one year, family then moved

to Florida, a long process of moving back and forth twice to Virginia, twice to Florida, once to Tennessee (Page 1, transcript 12/4/08). "I was moving from Buffalo to Florida, then seven years in Florida til fourth grade til seventh grade in Virginia, then eighth to graduate high school, I was back in Florida, West Palm Beach, Royal Palm Beach High School. Then after high school, I moved back to Virginia myself because I knew my parents were moving to Tennessee and I didn't want to. My friends were in Virginia. Virginia for two years, then Midlothian, Virginia for two years. . ." (Page 2, transcript 12/4/08).

16. Plaintiff reports that she currently has a good relationship with her boyfriend and that she is living with two other couples in a house in Richmond. "I am hanging out and having fun . . ." "Now I am having more fun, bike riding with boyfriend and roommates and half pipe skateyard ramp in back yard, not just staying in the house, which I do if I am not working." (Page 2, transcript)

17. Plaintiff reports that her mom and dad were always talking about her, putting pressure on her, "so I shut myself away from the world." "I asked them if they want me to fail in Virginia and come home. . . I don't want to give them the satisfaction." "My family argues too much. It gives me headaches. (Page 2, transcript)

18. Prior to her meeting Mr. Epstein, she reports, "My family made me the person I am, not being paid attention to. . ." (Page 2, transcript).

19. Plaintiff reports that prior to seeing Mr. Epstein, [REDACTED] the friend who took

her, told her that she would be giving massages for money, didn't need experience, and told her to lie about her age. She reports that she was 17+ at the time, but it was clear that she had to be 18. "She said if anybody asks, you have to be 18." (Page 4, transcript) "I'll vouch for you that you are 18" (Page 4, transcript).

20. She reports she didn't advise her mother or her boyfriend of any distress (Pages 4 and 5, transcript). She notes that her parents divorced when she was three years of age. "I didn't have a father figure and this guy comes into my life and is totally weird and I had nobody to tell that to." (Page 6, transcript)

21. She reports that her father struck her little brothers and that her father had assaulted her mother and her stepfather then assaulted her father (Page 6, transcript). She notes that her stepfather was "a little violent with my mom. He had three kids of his own and mom had four and our whole life was whose kids did what, which were good and which were bad. It was so annoying . . . and he would get mad at me for random things, like if I told my sister something, he told me not to. He would spank me. . . and smack me across the face and kicked me out of the house when I was 17. This was before the Epstein thing, when I was about 16, almost 17, and then Epstein, when I was about to be 18" (Page 6, transcript 1).

22. Plaintiff reports that she is afraid of flying, that hurricanes scare her, and that her "property was torn up during a hurricane" (page 1, transcript 2, 12/4/08).

23. (Part 1, question 5 of Dr. Kliman's interrogatory and Page 1, transcript 2)

Plaintiff reports that she was sexually harassed by her stepbrother. "My stepbrother wanted me to sit on his lap when his friend left us alone. I'm not going to do anything. I said 'no, that's weird.' I had grown up with him and I think of him as a brother. That night, I forgot to lock one of my doors, which was a chain lock to the bathroom. . . I was about 16." (Prior to Epstein) "I was sleeping and felt something at the end of my bed, shins, grazing my leg, cracked my eyes open and I freaked out and he pretended to be confused 'where am I.' Then he walked between two doors and I had a weird feeling he didn't leave. . . I guess he ducked down and crawled around. . . I heard someone breathing and he tried to do it again. . . I said 'get out, get out of my room please.' I told my parents and they kicked him out for a day. He snuck back in the house and wasn't punished. . . Once I found him in my room naked under the covers. . . I had a feeling someone was in my room. . . I ran in and he was trying to get out of my bed to my closet. . . and he was naked. . . My pink sandals were out of place and my see-through underwear was missing for months. . . I told my parents and they kicked him out for a couple of days. I was distressed, scared of him. He was always running after me and no one could stop him. . . He is three years older than me, taller than me, and he has cerebral palsy, which they blame it on, that he doesn't know what he is doing." (Page 1, transcript 2) "He did something to my sister, touching her neck and hair when she was on the computer. She told me, which this was after he did that

to me." "He is a big part of why I am the way I am, too. He has beat up my mom and my sister and me. He has been in jail for hitting my mom. He threw her on the ground and kicked her in the face. The police got him. I was 16." (Pre-Epstein) (Page 2, transcript 2)

24. "I am so overprotective of everything and freaked out all the time. Always looking behind me. Someone will steal me. I am always paranoid now." (Page 2, transcript 2)

25. "I have been thinking of hurting myself three or four years, feeling like I was nobody and getting angry." (Page 2, transcript 2) "A good thing I started doing was writing poems. I was 15. It was about my family problems. I want to lock people out and have them come and find me." (Page 3, transcript 2)

26. Plaintiff reports she saw a counselor, Cathy Sloan, who was a private counselor that her mother had seen. "She talked to my mother about her problems because my stepdad was not as nice and mellow as he is now. He used to be angry and when he came home you would know you had to go in your room or go with your friends." Plaintiff reports that a female psychiatrist wished to prescribe medications for her, but that medicines made her face break out and that she didn't wish to take them. (Page 3, transcript 2) "Beginning when I first went to Cathy Sloan at age 18, they said I was bipolar. They said I have BPD (bipolar disorder) or OCD." (Page 3, transcript 2)

27. Plaintiff reports that before meeting Epstein, "I had two boyfriends that I had

sex with." (Page 4, transcript 2)

28. Plaintiff reports that she tried marijuana in the 12th grade and that it calms her down. (Page 5, transcript 2)

29. She notes that her mother would give her Xanax to calm her down and that a friend gave her amphetamines (Adderall) and that she could concentrate more and get things done easier. "I lived life more and had more energy." (Page 5, transcript 2) Dr. Kliman notes she has had no evaluation for attention deficit disorder, a condition that would have existed pre-Epstein. The plaintiff had to read things several times while in school to comprehend. (Page 5, transcript 2)

30. (Page 9, Tape 1, Dr. Kliman, 12/4/08) Plaintiff currently reports "I'm just hanging out right now, I'm having fun and I kind of like it" . . . "I feel free."

31. Plaintiff reports, "I just let people do whatever. I don't know what going through my mind actually at the time. So much is going through my mind. I'm not even thinking about what I should be doing." (Page 18, Tape 1)

32. Plaintiff reports that she had some understanding of what would happen when she saw Mr. Epstein. She notes that a school friend told her "I go to this place and I give people massages for money; and you don't have to have any experience. I was like 'wow . . . that sounds really weird. That sounds awesome, you know? What do you have to do?' And she basically told me in a note. . . She was like 'well if you show anybody this or if

you tell anybody... I'll beat your ass' and I was like thinking to myself; why would she get that mad about me telling somebody? What's wrong with what I'm going to do if she wants to beat me up if I say something to somebody?... So she wrote me that note and then she's like 'yea... the only thing is that everybody makes fun of me for it is that, it's like older guys.' I was like 'oh... that's not a problem. It's just an older person that you give a massage to;' and she was like 'yea, that's it' and then she picked me up from work one day and that's when I was working at Publix and she took me in her car down to Palm Beach City and we're; and she slowly started unraveling everything like everything that was supposed to happen, she started actually kind of telling me a little bit as soon as we got to his house or a little bit before it and she told me, you know," (at this point, plaintiff was interrupted by Dr. Kliman, who changed the subject). (Page 21, Tape 1)

33. Plaintiff reports that she knew that Mr. Epstein did not want anyone younger than 18. "She was like... 'all right, well if anybody asks you're 18 because you have to be 18 to be here; and they are going to ask probably for like name and your number or whatever just give that to them; but I'll vouch for you and say that you're 18.'" (Page 22, Tape 1)

34. (Tape 2, Dr. Kliman) Question, Dr. Kliman: "And did you tell her that you were 18?" Plaintiff "I don't... I don't remember if I told her I was 18 or if she already assumed because that's what the age of the girls that had been brought there are always

that age. Have to be that certain age, so I think Yolanda told her that I was 18 cause like I said I'm not really a good liar." (Page 1)

35. Plaintiff reported that her parents divorced when she was three. She reports that she could remember what was happening around the time of the divorce. "Just like all the violence kind of going on all around and my dad like running away from us and just moving to another state and not seeing him for a long period of time. So it's . . . it's already that I didn't have like a father figure. . ." (Page 9, tape 2) Dr. Kliman: "You did have a stepfather?" Plaintiff: "Yea, but he was more of always just yelling at me so I always in my room by myself or I was hanging out with my friends." (Page 9, tape 2)

36. Plaintiff reports that her father would hit her two brothers and that after the mother had found that he had significantly beaten one of the brothers on "his back and butt," the mother got angry. Her father hit her mother and the stepdad then hit her father. (Page 10, tape 2) She reports that her stepfather was also violent with her mother and that she grew up in a family of seven children (three of the stepfather's and four of her mother's). (Page 10, tape 2) She reports that the stepfather would spank her or hit her or send her to her room without dinner to punish her. On one occasion, she remembers, "he just came at me and smacked me across the face and then kicked me out of the house." [16+] (Page 11, tape 2) She believes this was about a year before the Epstein incident, when she was "almost 18." (Page 11, tape 2)

37. Plaintiff reports that while living in Loxahatchee, Florida, she was frightened during Hurricane Katrina and then another hurricane when she was approximately 18 or 19. She notes it was "a frightening, crazy time apparently." She reports that the hurricane scared her and that it was "really scary because our property was torn up... Huge tree that landed on our house, that broke our screen enclosure to our pool." (Pages 13 & 14, Tape 2)

38. Plaintiff reported (Part 1, question 5, Dr. Kliman's interrogatory) that she had a sexual assault by a family member or someone she knew. (Page 14, tape 2) She reported that "my stepbrother Cody, he wanted me to sit on his lap like when his friend, which was my boyfriend, had left us alone and we were like outside some kid's house waiting in the van, and I was outside on the ground and my stepbrother was sitting in the passenger's side with the door wide open talking to me and he was like 'why are you sitting on the floor, why don't you come sit on my lap?' and I was like 'because I'm fine right here,' and he was like... 'oh, I'm not going to do anything, it's okay, you can sit on my lap.' I was like 'no, that's weird cause you're my brother' and I've grown up with these boy since I was three. Since my dad left, so it's pretty much like they are my brothers and I think of them as that; and then it was the same night that he asked me to sit on his lap. That it was like 3:00 or 4:00 in the morning and I was sleeping and I forgot to lock one of my doors. I have two doors, one door that goes to the bathroom of my room and one that goes to the

hallway where everyone else's rooms are; and I always have like a chain lock on my bathroom door and I forgotten to lock that one because I always lock my room, everywhere I am always lock everything for some reason. I think because I'm scared that somebody is going to get to me while I'm asleep." (Fear of assault preceded encounter with Epstein) Plaintiff reported that she was 16 at this time. (Page 15, tape 2) She again describes the episode reported earlier about her brother being in her bedroom and notes that she did tell her parents and they put him out of the house. Subsequently, he was again found in her room, as noted earlier, naked under her covers and she believes that he was using her clothing. (Page 16, tape 2) Dr. Kliman asked if she experienced emotional distress that lasted more than that day and her reply was "yea, of course, I was scared of him." (Page 17, tape 2) "He was always like running after me and like he was always like the terror of my house and nobody could ever stop him, nobody could ever do anything. He pretty much just got fucked up all the time. Excuse me." She noted that her stepbrother is three years older than her, making him 19 at the time of these episodes. Plaintiff reports, "He did something to my sister. I guess he like I don't think he did anything sexual to her, but he was like touching her. . . she freaked out. . ." (Page 17, tape 2)

39. Plaintiff expressed her dissatisfaction at not being listened to by the sister, but after the stepbrother touched the sister she felt the sister paid attention. "Now you actually pay attention because it happens to you; but when I said something happened to me, you

know, nothing right? So I think that's a big part why I am the way I am sometimes too, just because they're . . . he's always been like that and he's always beat up my . . . he's like beat up my mom before a couple of times; he's beat up my sister; he's beat up me; he's been to jail a couple of times." (Again demonstrating plaintiff's fear of physical harm and inappropriate sexual contact prior to meeting Epstein.) Plaintiff reports that he was sent to jail for "hitting my mom; he like threw her on the ground and started kicking her in the face and stuff and then she called the cops on him and the police came and got him and then I think . . ." She reports she was around 16 at that time. (Prior to meeting Epstein)

(Page 18, tape 2)

40. Dr. Kliman inquired that since the stepbrother seemed to have a sexual interest in her and that he was found naked, did she think that had something to do with the way she was now. Her response was "a little bit of it." (Page 18, tape 2)

41. Dr. Kliman inquired about "why a little bit?" and her response was "well, just because a lot of things have happened too that have made me who I am, not necessarily just that one person. It just might be everything that has happened to me and I'm just so overprotective of everything and I'm just really freaked out most of the time. . . Like I am always looking behind me just because nobody ever looks behind them." (Page 18, tape 2)

42. Plaintiff reported that she does not have bad dreams or nightmares of the traumatic event with Epstein. (Page 20, tape 2) She reports that her bad dreams are what is

going on in her life at the moment. (Page 20, tape 2) In her dreams, she sees herself as angry at somebody and her beating them up in her dreams and that a lot of her dreams are about the boys that she is with. (Page 20, tape 2) In her dreams, she reports that she always beats up the girls who may be having a relationship with her boyfriend as well. (Page 21, tape 2) She reports that most of the dreams that she remembers are good dreams. (Page 1, Tape 3)

43. When questioned by Dr. Kliman about feeling that she is a horrible person and asked how long she had had those feelings, plaintiff's response was "when I started to get them . . . I don't . . . like I didn't really notice it at first until you started like reminding me of all these things and that everything that put into place . . ." [Indicating she is suggestible.] (Page 1, Tape 3)

44. In a response to a question about how long she had had trouble thinking about hurting herself, plaintiff responded "for three or four years probably." (Age 16 or 17) At that time, she felt she was a nobody and when she would get angry she would write poems. She notes that she began doing that when she was in the ninth grade at about age 15, that she would write about her family problems, and she would lock her doors and lock everyone out. She felt like she wanted someone to talk to her, but that nobody really would. . . "Nobody really ever wanted to because I had brothers and stuff and my mom was always too busy." "So I never really had anybody to talk to besides my friends. . . I

can't talk to my family when I'm mad because they don't understand because they don't even know me." (Page 2, tape 3)

45. She notes that when she saw a therapist, Cathy Sloan, who was seeing her mother because of problems with the stepfather, that they wanted her to confront the issues with the stepfather's anger. "... when he would come home from work, you would just; you know that you'd have to go to your room; like everybody would just disburse, leave and go and hide. . ." "They wanted her to talk to me because of the Epstein thing and because of my stepbrother and so I talked to her about all that. . . Then she wanted to go and get me on medication, and then . . . I'm not really about medications so I just never took the medication that they would prescribe to me. . ." "I've never really gotten help, but I've always wanted to get help. But I've just never fully gone 100% through with it I guess you could say." (Page 3, tape 3)

46. Dr. Kliman asked plaintiff, "All right, and you have thoughts of killing yourself?" Plaintiff: "I used to and that is why I started to write poems, cause I would just feel like there was nothing else that I do; and I would just feel like it is better if I wasn't around, then I wouldn't be causing anybody any problems. . ." "It's hard to be who everybody wants you to be all the time . ." (Page 6, tape 3)(The poem writing began prior to Epstein, at approximately age 15.)

47. Plaintiff reports that she had had sex with two boyfriends prior to Epstein.

(Page 9, tape 3) Plaintiff is easily influenced. . . . "I just have so much going on I just can't put things together unless people start talking to me and then I'm like . . . oh yea." (Page 10, tape 3)

48. Plaintiff reports that she is currently happy with her life and has met someone who she loves and whom she feels loves her. "I finally found somebody; now I'm kind of . . . really happy." "I met him in Virginia. His name is Josh. . . . Like love at first sight kind of thing." "He's so adorable, he's like . . . he talks to me and he looks at me different; and he looks at me like he cares about what I'm saying and he is listening and he really likes me. And that's the thing that I've never gotten out of any boyfriend is that they liked me for the way I am and the way that I will always be cause I'm always going to be the same person. . . . I think I love him too. . ." (Pages 11 & 12, tape 3)

49. Question: "When you have sex with Josh, do you have any interference from thoughts about Epstein." Reply: "No, no." (Pages 11 and 12, tape 3)

50. Plaintiff notes that she drank prior to the episode with Epstein. (Page 14, tape 3) She continued to drink afterward and increased her drinking. She reported that she blacked out a couple of times. She notes at times that her amnesia was not simply due to alcohol, but that she didn't remember some parts of what she did because "I didn't want to remember some of it." [Volitional.] (Page 14, tape 3)

51. Plaintiff reports that she has used cocaine and marijuana, with her first

marijuana use at age 18 or 19. (Page 16, tape 3) She notes that her mother had given her Xanax, a friend gave her Adderall, and her mother gave her Straterra. (Pages 18 and 19, tape 3)

52. She noted that she had difficulty in school. "I can't read something and actually understand it." "I actually have to like read it like at least twice." (Page 20, tape 3) She notes that she had difficulty in math and had to repeat algebra II while in the 12th grade. (Page 20, tape 3)

53. All of the above show that this plaintiff came from an unstable and disturbed home, had been subject to previous physical and sexual abuse, was fearful, isolated, and had had suicidal ideation prior to meeting Mr. Epstein. For further elaboration of her history and background, access to all available records is crucial if one is to fully understand the impact of any of these events on her subsequent behavior and proportion the impact of specific events, if any, or her current and future level of function.

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

in the case.

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

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

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

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

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

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

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

Richard C. W. Hall, MD
Respectfully submitted

Richard C. W. Hall, MD

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

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

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