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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

-vs-

VOLUME I OF II

JEFFREY EPSTEIN,

Defendant.

Related cases:

08-80232, 08-08380, 08-80381, 08-80994
08-80993, 08-80811, 08-80893, 09-80469
09-80591, 09-80656, 09-80802, 09-81092

VIDEO-CONFERENCED AND VIDEOTAPED DEPOSITION OF {

JANE DOE NO. 2

Wednesday, March 3, 2010

10:02 - 6:19 p.m.

250 Australian Avenue South
Suite 1500
West Palm Beach, Florida 33401

Reported By:

Cynthia Hopkins, RPR, FPR
Notary Public, State of Florida
Prose Court Reporting
Job No.: 1325

EXHIBIT B

Page 199

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1 either by phone or by mail?

2 A. By mail. I got mail that's, I think that's
3 how I kept in contact with everyone. I don't, I don't
4 think I had conversations with them on the phone about
5 it.

6 Q. Okay. Did she ask you whether you had,
7 "she," the agent, ever ask you whether you had had
8 telephone, any telephone conversations with
9 Mr. Epstein?

10 A. I don't think she asked me that.

11 Q. Okay. And just let me ask just a couple
12 of questions. Is, is -- you never gave Mr. Epstein
13 or anyone on his behalf your phone number, did you?

14 A. Yes, I did.

15 Q. To whom did you give your phone number?

16 A. The lady downstairs, his assistant.

17 Q. All right.

18 A. Or whatever she is.

19 Q. No one, Mr. -- you have never spoken with
20 Mr. Epstein by phone, correct?

21 A. Correct.

22 Q. Okay. He has never texted you nor have
23 you ever texted him, correct?

24 A. Correct.

25 Q. You have never communicated to him,

1 BY MR. CRITTON:

2 Q. The only contact you had with Mr. Epstein
3 at his home or with him or someone working on his
4 behalf, other than me as his attorney or Dr. Hall,
5 who did a medical examination on you -- I forgot the
6 question. I have to start again.

7 Other than myself who represents
8 Mr. Epstein and other than Dr. Hall who did an
9 examination of you, you've had no contact either
10 with Mr. Epstein or with anyone who has been acting
11 on his behalf at any time other than that one
12 occasion in December of '04; is that correct?

13 A. Correct.

14 Q. With the FBI, did you ever get a letter
15 from them or from the Department of Justice, the
16 United States Attorney's Office, at any time?

17 A. I believe so. They were keeping me updated.

18 Q. Okay. And at some point did you learn
19 that Mr. Epstein was, had pled guilty to state
20 offenses and was serving time in jail?

21 A. Yes.

22 Q. Okay. How did you learn that?

23 A. Through the, the letters that I got like once
24 every couple of months or once year.

25 Q. And in any of the letters that you ever

1 communicated with Mr. Epstein or anyone on his
2 behalf over the Internet, either to or from,
3 correct?

4 A. Correct.

5 Q. You have not used your computer Facebook,
6 a social networking site, to communicate with
7 Mr. Epstein or anyone on his behalf, correct?

8 A. Correct.

9 Q. Okay. And if I may just so it's correct
10 you have never texted or no one on behalf -- strike
11 that. You have had no contact by phone, text,
12 Internet, computer with Mr. Epstein or anyone acting
13 on Mr. Epstein's behalf, correct?

14 MR. HOROWITZ: Form.

15 THE WITNESS: Correct.

16 BY MR. CRITTON:

17 Q. Okay. Did, the only contact that you ever
18 had with Mr. Epstein or really anyone on his behalf
19 was that one-time visit in the latter part of
20 December of 2004, correct?

21 A. Well, Dr. Hall and now you.

22 Q. But that's a different issue. Back in the
23 time period --

24 MR. HOROWITZ: That's a good answer.

1 received from the, either the FBI or the United
2 State's Attorney's office, did they ever tell you
3 you had the ability to bring a civil lawsuit for
4 money damages against Mr. Epstein?

5 MR. HOROWITZ: Form.

6 THE WITNESS: I'm not sure. I don't know
7 actually.

8 BY MR. CRITTON:

9 Q. And how did -- again I don't want to know
10 any -- is the first lawyer that you met from the law
11 firm that your, that your, that you currently
12 employ, is that Mr. Herman?

13 A. Correct.

14 Q. Okay. And where did you first meet
15 Mr. Herman?

16 A. My mother contacted him.

17 Q. Okay. And how did she get in contact with
18 him, do you know?

19 A. I believe she read about one of the other
20 girls that had come out and talked and spoke about her
21 day with Mr. Epstein, and then she wanted me to talk to
22 somebody as well.

23 Q. Is this someone who had filed a lawsuit
24 against Mr. Epstein --

25 MR. HOROWITZ: Form.

	Page 38	Page 40
1	Q. Okay. Where does Nicole Davis live?	1 Q. I get to ask the questions. I'll let your
2	A. What do you -- are you going to follow her or	2 lawyer at a break tell you why I get to ask or not
3	something?	3 ask questions. Okay? There should be no reason
4	Q. I just ask a question.	4 that you or anyone else should be scared for their
5	A. She lives in La Mancha.	5 lives.
6	Q. Where does she live, please? She lives in	6 A. I would hope not.
7	La Mancha? Is that a housing area?	7 Q. Is your brother married, Joseph?
8	A. It's a neighborhood.	8 A. Yeah.
9	Q. Do you know what her address is?	9 Q. You say you told your, your best friend
10	A. 110 Prado Street.	10 Nicole Davis what had happened at Mr. Epstein's
11	Q. P-r-a-d-o?	11 house. When did you tell Nicole Davis that? Did
12	A. Yes.	12 you tell her that day that you came back from
13	Q. West Palm Beach?	13 Mr. Epstein's home?
14	A. Yes.	14 MR. HOROWITZ: Object to the form.
15	Q. Do you know what Michelle -- or I'm sorry,	15 THE WITNESS: No. I told her the next
16	Nicole Davis' phone number is?	16 day.
17	A. Her house phone number is 795-4371.	17 BY MR. CRITTON:
18	Q. And are you still best friends with	18 Q. Do you recall the exact date you were at
19	Nicole Davis?	19 Mr. Epstein's home?
20	A. Yes.	20 A. No.
21	Q. Have you seen her since you've been down	21 Q. Okay. You went to Mr. Epstein's home on
22	here?	22 one occasion, correct?
23	A. No.	23 A. Yes.
24	Q. Do you plan to see her before you return	24 Q. Do you remember the year it was in?
25	home to Tennessee?	25 A. 2004.
	Page 39	Page 41
1	A. Yes.	1 Q. Do you remember --
2	Q. When are you going to see her, tonight?	2 A. Eleventh grade.
3	A. I haven't gotten that far.	3 Q. Do you remember the month?
4	Q. How long do you plan to be in Florida now	4 A. I believe it was in December, near Christmas
5	that you're down here?	5 time.
6	A. A couple of days, a week.	6 Q. So, if I understand, when you left
7	Q. Okay. Where are you staying?	7 Mr. Epstein's home -- and I'll just use late
8	A. At my brother's house.	8 December of '04; is that okay with you?
9	Q. Natural brother or step-brother's?	9 A. Yeah.
10	A. Natural brother.	10 Q. When you went to his home, you didn't say
11	Q. What's his name?	11 anything about your experience to Ms. Doe No. 3; is
12	A. Joseph.	12 that correct?
13	Q. Where does he live?	13 MR. HOROWITZ: Form.
14	A. I have no idea.	14 THE WITNESS: I told her one thing that he
15	Q. I'm sorry?	15 tried fingering me, and she said that it was
16	A. He lives on E Road. I don't know his address.	16 okay, that she, that that happened to her
17	Q. In West Palm Beach?	17 friend.
18	A. Yes. Why do you need to know where I'm	18 BY MR. CRITTON:
19	staying? I don't think that's relevant to this. That	19 Q. And did she -- when she said it was okay,
20	is not -- I don't want to be scared for my life.	20 did it seem, at least to Ms. Doe No. 3, that that
21	Q. There would be no reason that you would be	21 was no big deal?
22	scared for your life.	22 A. Yes.
23	A. Well, why --	23 Q. Okay. Did Ms. Doe No. 3 tell you, either
24	Q. Okay.	24 before or after you went to Mr. Epstein's home, that
25	A. -- is the reason for you to ask where I'm at?	25 she had been with Mr. Epstein personally?

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1	A. No.	1	Is Jane Doe No. 3 the one who took you to
2	Q. Okay. Did she ever express to you any	2	Mr. Epstein's home?
3	type of emotion, anger, being upset based upon her	3	A. Correct.
4	having been to Mr. Epstein's home, what, whatever	4	Q. Was she -- was anyone else there with you
5	her experience had been?	5	at the time? When I say "anyone else," did anyone
6	A. No.	6	else of your friends or acquaintances go with you to
7	Q. Okay. When you told her that he tried to	7	Mr. Epstein's home on that one occasion in December,
8	finger you, did you, did she -- other than saying,	8	late December of 2004?
9	okay, yeah, that happened with another friend of	9	A. No.
10	hers, did she say anything else?	10	Q. Okay. Do you remember, did you know a
11	A. She said that he thought -- that if he thought	11	girl named Jane Doe No. 4, Doe No. 4?
12	I was pretty, he would want me to come back again. And	12	A. I know -- I know of her. I know of her, but
13	I told her that I wasn't going to ever go back there.	13	I, I don't know her really.
14	Q. Okay. Did, did she -- at least, she	14	Q. Okay. Do you remember Jane Doe No. 4
15	meaning Jane Doe No. 3, did she give at least --	15	being there with you?
16	well, let me strike that.	16	A. No.
17	Did Jane Doe No. 3 express to you that	17	Q. So, it was, did Ms. Doe No. 3 pick you up
18	she, that Ms. Doe No. 3, would like you to come back	18	in her car?
19	or may want you to come back, I mean prior to your	19	A. Yes.
20	saying that's not something that I want to do?	20	Q. And on the way to Mr. Epstein's -- and I'm
21	MR. HOROWITZ: Form.	21	going to come back to this a little later, but just
22	THE WITNESS: Did she -- are you asking,	22	so I get a couple of facts squared in my mind, is
23	did she want me to -- did she ask me if she	23	either on the way to Mr. Epstein's or after you left
24	wanted me to go back there?	24	Mr. Epstein's; that is, the entire time you spent
25		25	with Jane Doe No. 3, did she ever say or express any

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1	BY MR. CRITTON:	1	concern that she had ever had being at Mr. Epstein's
2	Q. Yeah.	2	home or being around Mr. Epstein's home?
3	A. (Non verbal response.)	3	MR. HOROWITZ: Form.
4	Q. Yes?	4	THE WITNESS: No.
5	A. Yes.	5	BY MR. CRITTON:
6	Q. Okay. Did, did anything about your	6	Q. Okay. Did she, during the time you were
7	experience -- well, let me strike that.	7	with her on the trip over, when you were in the
8	Did Ms. -- did Jane Doe No. 3 express to	8	house, when you left the house, did Jane Doe No. 3
9	you any type of concern about your having been at	9	appear to you in any way to be anxious or, or
10	Mr. Epstein's home based on your experience?	10	nervous or unhappy; that is, did you see anything in
11	MR. HOROWITZ: Form.	11	her demeanor that, that looked to be uneasy in any
12	THE WITNESS: Did she seem concerned?	12	way?
13	BY MR. CRITTON:	13	MR. HOROWITZ: Form.
14	Q. Yeah.	14	THE WITNESS: Not really.
15	A. No.	15	BY MR. CRITTON:
16	Q. Okay. Did she say anything that would	16	Q. Did Jane Doe No. 3 say to you anything
17	have led you to the, to the -- led you to an	17	along the lines of, like, this is no big deal, you
18	impression that she somehow had been emotionally	18	know, something like that?
19	traumatized at all by Mr. Epstein?	19	A. No.
20	MR. HOROWITZ: Form.	20	Q. Okay. Was Jane Doe No. 3 paid when you --
21	THE WITNESS: Not really.	21	let me strike that.
22	BY MR. CRITTON:	22	Do you have any knowledge as to what Jane
23	Q. Okay. Did she appear to you to be	23	Doe No. 3, whether Jane Doe No. 3 received any money
24	uncomfortable; that is, when you went to	24	for your having come to Mr. Epstein's home?
25	Mr. Epstein's home with her -- let me strike that.	25	A. Yes.

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1 Q. How much was she paid?	1 the privilege.
2 A. \$100.	2 MR. CRITTON: I, I disagree.
3 Q. Did she have to share that with anyone to	3 MR. HOROWITZ: Don't answer.
4 your knowledge?	4 MR. CRITTON: Okay. We disagree on that.
5 A. No.	5 Let's move on.
6 Q. Okay. Did you, when you -- and were you	6 BY MR. CRITTON:
7 aware when you left Mr. Epstein's home that she	7 Q. Okay. Have, have you told anyone other
8 received \$100?	8 than your lawyers you would like to sue Jane Doe
9 A. I had to give it to her.	9 No. 3 because you hold her responsible for taking
10 Q. Okay. Were you -- did she tell you before	10 you to Jeffrey Epstein's home?
11 you went to Mr. Epstein's home that she would	11 A. I've thought about it. I don't -- I didn't
12 receive money?	12 say anything to anyone.
13 A. No.	13 Q. Okay.
14 Q. Okay. Do you think Jane Doe No. 3 shares	14 A. I already got my revenge with her.
15 responsibility for having taken you to Mr. Epstein's	15 Q. How did you get your revenge with her,
16 home?	16 Jane Doe No. 3?
17 MR. HOROWITZ: Form.	17 A. We got into an argument and a fight --
18 THE WITNESS: Yes.	18 Q. About what? Oh, I'm sorry, I didn't mean
19 BY MR. CRITTON:	19 to -- that's another rule, or a pro, process here,
20 Q. Okay. Have you ever expressed to anyone	20 is if you interrupt me on a question, and I haven't
21 other than your lawyers that you think Jane Doe	21 finished my question, I am going to say, hold on,
22 No. 3 should be sued because she -- but for Jane Doe	22 Ms. Doe No. 2, let me finish my question so you
23 No. 3 taking you to Mr. Epstein's home, you never	23 understand what I'm asking.
24 would have met him?	24 If I interrupt you with one of your
25 MR. HOROWITZ: Form.	25 answers and you hesitate and I start with another

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1 THE WITNESS: Your question is, do I think	1 question, tell me you haven't finished and I'll let
2 Jane Doe No. 3 should be sued for taking me	2 you finish. Okay?
3 there?	3 A. Okay.
4 BY MR. CRITTON:	4 Q. You said you got into a fight with Jane
5 Q. Yeah. Because but, but for Jane Doe	5 Doe No. 3?
6 No. 3, you would have never heard of Mr. Epstein,	6 A. Yes.
7 would you?	7 Q. Okay. And what was the fight about?
8 MR. HOROWITZ: Form.	8 A. To her, it was about a boy. I'm not even sure
9 THE WITNESS: I would have never heard of	9 what it was about. She just wanted to come after me,
10 him if she hadn't come up to me and mentioned	10 and for me it was more of, of, like, I don't like you,
11 him, yeah --	11 and I want you to know that I never want you to hurt
12 BY MR. CRITTON:	12 anybody and that she was wrong.
13 Q. Okay.	13 Q. Okay. I didn't understand your answer.
14 A. -- but...	14 From your perspective -- well, let me strike that.
15 Q. Have you ever considered suing Jane Doe	15 When did the fight occur with Jane Doe No. 3?
16 No. 3 for having taken you there?	16 A. Going -- summer of going into 12th grade.
17 MR. HOROWITZ: Form. I am going to assert	17 Q. Which would have been the summer of 2005,
18 a privilege. That would be work product.	18 or the August-ish 2005?
19 MR. CRITTON: I'm, I'm just asking her --	19 A. Yeah.
20 MR. HOROWITZ: No, I, I get that, but her,	20 Q. Okay. And you say it's Jane Doe No. 3's
21 you're asking -- hold on a second. You're	21 view -- and how do you know what Jane Doe No. 3's
22 asking her what her legal theories are, and it	22 view of the fight was?
23 overlaps with what -- as her counsel, we	23 A. Because she kept calling me a slut and saying
24 infiltrate our legal opinions, and I don't	24 that, that I was hanging out with this guy that she
25 think you can separate the two. I am asserting	25 liked, that I didn't like, but...

<p style="text-align: right;">Page 34</p> <p>1 Q. All right. Now, you said when you looked 2 at the police report you noticed -- I'm going to 3 come back to this later, but just so I have a basic 4 understanding. What did you see in the police 5 report that was different from what you 6 understood -- or let me strike that.</p> <p>7 What did you see in the police report that 8 stood out to you that you indicated that you had 9 forgotten?</p> <p>10 A. The fact that he unsnapped my bra and was 11 touching me on my breasts.</p> <p>12 Q. Okay. Anything else?</p> <p>13 A. That his fingers went slightly inside my 14 vagina.</p> <p>15 Q. And you -- is that something when you 16 saw -- You can take a break anytime you want.</p> <p>17 THE VIDEOGRAPHER: Going off the record at 18 10:33.</p> <p>19 (A brief recess taken.)</p> <p>20 THE VIDEOGRAPHER: We're back on the 21 record at 10:38 a.m.</p> <p>22 BY MR. CRITTON:</p> <p>23 Q. Jane Doe No. 2, you indicated that the, in 24 reviewing the police report you were talking about 25 the areas of the police report that reminded you, or</p>	<p style="text-align: right;">Page 36</p> <p>1 BY MR. CRITTON: 2 Q. All right. And was there anything else 3 that saw in the police officer's recordation; that 4 is, what he put on the page, of what you purportedly 5 said to him at that time that you -- that refreshed 6 your recollection in some way about what happened at 7 Mr. Epstein's, that, that prior to yesterday was not 8 in your recollection?</p> <p>9 A. Those were the only two things.</p> <p>10 Q. All right. Now, if the police officer -- 11 you indicated that Item 1 is, is that he unsnapped 12 your bra and touched your breasts, correct?</p> <p>13 A. Correct.</p> <p>14 Q. And when you say "he" -- had that not been 15 in the police report, is that something that you, at 16 least as of yesterday, you didn't remember?</p> <p>17 MR. HOROWITZ: Form, improper 18 hypothetical.</p> <p>19 THE WITNESS: I remember it being worse 20 than what I keep telling everybody had 21 happened, because I don't want people to think, 22 think that some old man touched me like that 23 and was allowed to get away with it and 24 everything was okay.</p>
<p style="text-align: right;">Page 35</p> <p>1 when you saw them you now recall that this, these 2 two events may have happened; one is, you say he, 3 he, I assume you mean Mr. Epstein, unsnapped your 4 bra and touched your breasts, is item 1, correct, if 5 I understood you?</p> <p>6 A. Correct.</p> <p>7 Q. And the second is you say you think his 8 fingers may have slightly gone inside or touched you 9 inside your, your vagina; is that correct?</p> <p>10 A. I don't think. I know.</p> <p>11 Q. Well, with regard to anything else that 12 you saw in the police report that, as you've 13 described, quote/unquote, reminded you or called -- 14 made you able to recall what occurred at 15 Mr. Epstein's home as you sit here today now?</p> <p>16 A. What was the question?</p> <p>17 Q. Okay. Was there anything else that you 18 saw from the police report that you indicate; that 19 is, the police -- let me strike that.</p> <p>20 Just so it's clear, it's, the police 21 report is not what you said, it's what a police 22 officer recorded in his or her report that you said 23 to them; is that correct?</p> <p>24 MR. HOROWITZ: Form.</p> <p>25 THE WITNESS: Yes. That's correct.</p>	<p style="text-align: right;">Page 37</p> <p>1 BY MR. CRITTON: 2 Q. Well, what do you -- what do you mean, 3 he's been allowed to get away with it?</p> <p>4 A. No matter what I say or do, nothing is going 5 to happen to him. And that's the only thing that I 6 want.</p> <p>7 Q. What --</p> <p>8 A. I want him to know that what he did was wrong 9 and to never ever do that to anybody, because nobody 10 deserves to feel the way that I deserve -- that I felt 11 that day. I would never want anyone to have to go 12 through that.</p> <p>13 Q. Okay. And did -- that day you were at 14 Mr. Epstein's home, when you left did you express 15 just what you did on the video camera and to the 16 court reporter here, did you express that to your 17 close personal friend, Jane Doe No. 3?</p> <p>18 A. Close personal was not -- she was not close 19 and personal. She was a girl that I went to school 20 with. I did not express that to her because she was the 21 person that had brought me there. I expressed that same 22 statement to my best friend, the only person in this 23 entire world that I told.</p> <p>24 Q. Who was that?</p> <p>25 A. My friend Nicole Davis.</p>

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<p>1 The police talked to you about a year 2 later, which would have been in approximately 3 December of '05? 4 A. Yes. 5 Q. Between the time that you went to 6 Mr. Epstein's home and the police talked to you in 7 December of '05, had you, other than speaking with 8 Nicole Davis, had you spoken -- had you told anyone 9 else what purportedly happened to you at 10 Mr. Epstein's home? 11 MR. HOROWITZ: Form. 12 THE WITNESS: I told Mitch Burgher, 13 because I had worked with him at Publix, that 14 she did some bad things and that she wasn't a 15 good person. 16 BY MR. CRITTON: 17 Q. "She" meaning Jane Doe No. 3? 18 A. Yes. 19 Q. Okay. And what did he say? 20 A. He just couldn't believe. I didn't tell him 21 like the full-on story. I just told him some of the 22 things that happened and how she had lied to me about 23 everything. And then he was, you know, very comforting, 24 gave me a hug and said, you know, that was wrong, she 25 should have never done that, you know.</p>	<p>1 you? 2 A. Yes. 3 Q. Did you ever talk to the FBI? 4 A. Yes. 5 Q. All right. What did you tell Mitch 6 happened? What did you tell him about Jane Doe 7 No. 3 and what happened at Mr. Epstein's? 8 A. About the note and about how she -- 9 Q. The note? 10 A. The note that she wrote to me in class about 11 what she, how she wanted me to go and give just old guys 12 a massage and you get like \$200. And I said, okay. 13 It's right around Christmastime. I have eight people in 14 my family that I have to get presents for, you know. 15 And, and then she said if I ever told anybody that she 16 would punch me in the face or beat me up, and -- 17 Q. Did she say something like, I'll beat your 18 ass or something like that? 19 A. Yeah. 20 Q. That's what she said? 21 A. Yeah. 22 Q. All right. So she basically gave you a 23 note and said, do you have an interest in going to 24 a -- to give a massage to this old -- an old guy or 25 guys?</p>
<p>1 Q. Are you aware of anyone else that Jane Doe 2 No. 3 ever took to Mr. Epstein's home? 3 A. I heard of a girl, but I don't, I don't know 4 her name. I heard of a girl going there and the boys 5 were all talking to me at school saying how they can't 6 believe some girl went there and she was young and she 7 did things to him. And I thought at first they were 8 talking about me, and then it ended up they said this 9 other girl's name, and I was like, who's that, and then 10 that was it. And that's all I heard. 11 Q. Okay. So you don't know anyone else who 12 ever went to Mr. Epstein's home, any other females 13 that went? 14 A. I now know that a couple of girls were the 15 recruiters. 16 Q. Who? 17 A. I've heard of that Jane Doe No. 4. I don't 18 know her last name. I know of a girl Jane Doe No. 103 19 and Haley Robson. 20 Q. With Mitch Burgher, what did you tell -- 21 did you tell Mitch within a few days -- well, let me 22 strike that. When did you tell Mitch about Jane Doe 23 No. 3 and what she had done? 24 A. It was weeks afterward. 25 Q. But before the Palm Beach Police talked to</p>	<p>1 A. She said it's in the -- you know, it's in a 2 place where there's a bunch of old guys and there's 3 young girls. You don't need experience, and you just 4 give them a massage and they pay good money just to have 5 you massage them. 6 Q. This is what Jane Doe No. 3 told you in 7 the note? 8 A. Yeah. 9 Q. And then she said, if you tell anybody, 10 I'm going to beat you up or I'll beat your ass? 11 A. Yeah. 12 Q. Okay. And was Jane Doe No. 3 a friend of 13 yours at the time? 14 A. She was -- she sat next to me in classes, and 15 she -- I'd known her since middle school and high 16 school. 17 Q. What was Jane Doe No. 3's reputation; that 18 is, was she someone who was -- like, did you 19 consider her a truthful person? 20 MR. HOROWITZ: Form. 21 THE WITNESS: She was just more of -- 22 like, she hung out with more of, like, the 23 cooler girls and she, she -- I just, I just 24 personally didn't really want to hang out with 25 her until high school we hung out in the same</p>
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<p style="text-align: right;">Page 212</p> <p>1 either by phone or by mail?</p> <p>2 A. By mail. I got mail that's, I think that's</p> <p>3 how I kept in contact with everyone. I don't, I don't</p> <p>4 think I had conversations with them on the phone about</p> <p>5 it.</p> <p>6 Q. Okay. Did she ask you whether you had,</p> <p>7 "she," the agent, ever ask you whether you had had</p> <p>8 telephone, any telephone conversations with</p> <p>9 Mr. Epstein?</p> <p>10 A. I don't think she asked me that.</p> <p>11 Q. Okay. And just let me ask just a couple</p> <p>12 of questions. Is, is -- you never gave Mr. Epstein</p> <p>13 or anyone on his behalf your phone number, did you?</p> <p>14 A. Yes, I did.</p> <p>15 Q. To whom did you give your phone number?</p> <p>16 A. The lady downstairs, his assistant.</p> <p>17 Q. All right.</p> <p>18 A. Or whatever she is.</p> <p>19 Q. No one, Mr.-- you have never spoken with</p> <p>20 Mr. Epstein by phone, correct?</p> <p>21 A. Correct.</p> <p>22 Q. Okay. He has never texted you nor have</p> <p>23 you ever texted him, correct?</p> <p>24 A. Correct.</p> <p>25 Q. You have never communicated to him,</p>	<p style="text-align: right;">Page 214</p> <p>1 BY MR. CRITTON:</p> <p>2 Q. The only contact you had with Mr. Epstein</p> <p>3 at his home or with him or someone working on his</p> <p>4 behalf, other than me as his attorney or Dr. Hall,</p> <p>5 who did a medical examination on you -- I forgot the</p> <p>6 question. I have to start again.</p> <p>7 Other than myself who represents</p> <p>8 Mr. Epstein and other than Dr. Hall who did an</p> <p>9 examination of you, you've had no contact either</p> <p>10 with Mr. Epstein or with anyone who has been acting</p> <p>11 on his behalf at any time other than that one</p> <p>12 occasion in December of '04; is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. With the FBI, did you ever get a letter</p> <p>15 from them or from the Department of Justice, the</p> <p>16 United State's Attorney's Office, at any time?</p> <p>17 A. I believe so. They were keeping me updated.</p> <p>18 Q. Okay. And at some point did you learn</p> <p>19 that Mr. Epstein was, had pled guilty to state</p> <p>20 offenses and was serving time in jail?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. How did you learn that?</p> <p>23 A. Through the, the letters that I got like once</p> <p>24 every couple of months or once year.</p> <p>25 Q. And in any of the letters that you ever</p>
<p style="text-align: right;">Page 213</p> <p>1 communicated with Mr. Epstein or anyone on his</p> <p>2 behalf over the Internet, either to or from,</p> <p>3 correct?</p> <p>4 A. Correct.</p> <p>5 Q. You have not used your computer Facebook,</p> <p>6 a social networking site, to communicate with</p> <p>7 Mr. Epstein or anyone on his behalf, correct?</p> <p>8 A. Correct.</p> <p>9 Q. Okay. And if I may just so it's correct</p> <p>10 you have never texted or no one on behalf -- strike</p> <p>11 that. You have had no contact by phone, text,</p> <p>12 Internet, computer with Mr. Epstein or anyone acting</p> <p>13 on Mr. Epstein's behalf, correct?</p> <p>14 MR. HOROWITZ: Form.</p> <p>15 THE WITNESS: Correct.</p> <p>16 BY MR. CRITTON:</p> <p>17 Q. Okay. Did, the only contact that you ever</p> <p>18 had with Mr. Epstein or really anyone on his behalf</p> <p>19 was that one-time visit in the latter part of</p> <p>20 December of 2004, correct?</p> <p>21 A. Well, Dr. Hall and now you.</p> <p>22 Q. But that's a different issue. Back in the</p> <p>23 time period --</p> <p>24 MR. HOROWITZ: That's a good answer.</p> <p>25</p>	<p style="text-align: right;">Page 215</p> <p>1 received from the, either the FBI or the United</p> <p>2 State's Attorney's office, did they ever tell you</p> <p>3 you had the ability to bring a civil lawsuit for</p> <p>4 money damages against Mr. Epstein?</p> <p>5 MR. HOROWITZ: Form.</p> <p>6 THE WITNESS: I'm not sure. I don't know</p> <p>7 actually.</p> <p>8 BY MR. CRITTON:</p> <p>9 Q. And how did -- again I don't want to know</p> <p>10 any -- is the first lawyer that you met from the law</p> <p>11 firm that your, that your, that you currently</p> <p>12 employ, is that Mr. Herman?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. And where did you first meet</p> <p>15 Mr. Herman?</p> <p>16 A. My mother contacted him.</p> <p>17 Q. Okay. And how did she get in contact with</p> <p>18 him, do you know?</p> <p>19 A. I believe she read about one of the other</p> <p>20 girls that had come out and talked and spoke about her</p> <p>21 day with Mr. Epstein, and then she wanted me to talk to</p> <p>22 somebody as well.</p> <p>23 Q. Is this someone who had filed a lawsuit</p> <p>24 against Mr. Epstein --</p> <p>25 MR. HOROWITZ: Form.</p>

5 (Pages 212 to 215)

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1 would that be generally -- well, let me see. When
 2 you saw Dr. Kliman that was about a year ago, I
 3 think his visit with you. And I actually, I think I
 4 have the date someplace. It was, I think it was on
 5 December 4th of '08. I'll represent to you that's
 6 at least what his records reflect. Okay?

7 A. Okay.

8 Q. Which is a little over a year ago. So at
 9 the time you were seeing Dr. Kliman, were you using
 10 or smoking pot generally a couple of times, two or
 11 three times a week?

12 A. Yes.

13 Q. Okay. And has that been true since you
 14 saw Dr. Kliman up through the current date?

15 A. Yes.

16 Q. And even at home, do you smoke -- well,
 17 let me strike that. Do you smoke pot at home?

18 A. Not in my parents' house.

19 Q. Okay. Do they smoke pot?

20 A. No.

21 Q. Do, does your brother Michael or your half
 22 sister, do they smoke pot with you?

23 A. My brother, no. My sister, yes.

24 Q. Okay. And is she one of the people that
 25 you smoke with or you have over, say, in the last

1 times a week on that, I would say, a regular basis;
 2 would that be a fair statement?

3 A. Yes.

4 Q. And I assume that's a choice that you
 5 make. You obviously like it, so you smoke it?

6 A. Yes.

7 Q. All right. And you don't attribute that
 8 to anything other than you like to smoke pot?

9 MR. HOROWITZ: Form.

10 THE WITNESS: What is "attribute to
 11 anything"?

12 BY MR. CRITTON:

13 Q. That is, attribute is, is, there is, out
 14 in California, maybe other states, they have
 15 medicinal marijuana, and so people who have severe
 16 symptoms associated with possibly cancer or
 17 something else, they are allowed under the law to
 18 smoke pot. So, they would attribute -- they may not
 19 like to smoke pot. They may be against smoking pot,
 20 but because marijuana helps alleviate their
 21 symptoms, it would be they take pot or use pot, and
 22 they attribute it, because they have cancer, it
 23 helps them feel better. All right. So they,
 24 that -- there's a reason for it.

25 If I understand your testimony, is, is,

1 six months?

2 A. Yes.

3 Q. Okay. And how do you purchase it? Are
 4 you currently employed?

5 A. Yes.

6 Q. Okay. And are you the one who purchases
 7 it, or do you and Kris, Kristen both purchase it and
 8 share it?

9 MR. HOROWITZ: Form.

10 THE WITNESS: I purchase it, and I share
 11 it with people.

12 BY MR. CRITTON:

13 Q. Okay. For how long a time period have you
 14 used pot on a two-or-three-times-a-week basis?

15 A. Probably since 12th grade.

16 Q. And I assume when you started using pot,
 17 or let's see, 12th grade would have made you about
 18 17 or 18 at the time?

19 A. Uh-huh.

20 Q. Yes?

21 A. Yes.

22 Q. And you're now?

23 A. Twenty-two.

24 Q. Twenty-two. So, for about the last four
 25 or five years, you've been smoking pot two to three

1 you smoke pot and you started in the 12th grade at
 2 age 17-ish because you like it, and because you like
 3 it you have continued to use it. Is that a fair
 4 statement?

5 MR. HOROWITZ: Form.

6 THE WITNESS: It helps me relax; take my
 7 mind off of things.

8 BY MR. CRITTON:

9 Q. Okay. But it's a choice you make either
 10 to smoke pot or not smoke pot?

11 A. Yes.

12 Q. All right. Is there anything else you
 13 lied or misrepresented to Dr. Kliman about with
 14 regard to amount of drug use --

15 MR. HOROWITZ: Form.

16 BY MR. CRITTON:

17 Q. -- other than your reference to marijuana.

18 A. No.

19 Q. Everything else you told Dr. Kliman about,
 20 drug use or any other aspect, was true --

21 MR. HOROWITZ: Form.

22 THE WITNESS: Yes.

23 BY MR. CRITTON:

24 Q. -- is that correct?

25 A. Yes.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

-vs-

VOLUME I OF II

JEFFREY EPSTEIN,

Defendant.

Related cases:

08-80232, 08-08380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092

VIDEOTAPED DEPOSITION OF

JANE DOE NO. 3

Friday, February 19, 2010
10:07 - 5:09 p.m.

250 Australian Avenue
Suite 1500
West Palm Beach, Florida 33401

Reported By:

Cynthia Hopkins, RPR, FPR
Notary Public, State of Florida
Prose Court Reporting Services
Job No.: 1298

ce-JE-16/05

1 BY MR. CRITTON:

2 Q. All right. Let me go back to J.L., okay.
 3 At the time that Mr. Epstein, at least based on what
 4 you testified earlier today, is because Mr. Epstein
 5 did touch your breasts -- well, in fact, I should
 6 probably clear up one thing. He only touched you in
 7 the vaginal area, from what you've testified to
 8 today, is over your boy shorts, correct?

9 A. Yes.

10 Q. And you have said that there was never any
 11 penetration?

12 A. Correct.

13 Q. Okay. You never touched any of his
 14 private parts, true?

15 A. Correct.

16 Q. Okay. You never had any kind of
 17 intercourse?

18 A. No.

19 Q. All right. Never had oral sex?

20 A. No.

21 Q. He to you, you to him, correct?

22 A. No.

23 Q. Any type of other -- no type of sexual
 24 contact whatsoever?

25 MR. MERMELSTEIN: Objection, form.

1 BY MR. CRITTON:

2 Q. That is, your, your sexual organ with one
 3 of his sexual organs; that never occurred, correct?

4 A. You're asking me if I've had sex with him?

5 Q. No. None of your sexual organs ever came
 6 in contact with his sexual organs, true?

7 A. Correct.

8 Q. All right. So, again, what -- based on
 9 what you told Haley that he did touch your breasts,
 10 and that you did take your shirt and your skirt off
 11 but left on your bra and your boy shorts, that you
 12 were in shock and emotionally disturbed at what
 13 happened within -- at the time, and then you told
 14 Haley within an hour how upset you were, you also
 15 took Jane Doe No. 2 there, correct?

16 A. Yes.

17 Q. All right. And was Jane Doe No. 2 a good
 18 friend of yours, then?

19 A. Yes.

20 Q. All right. So despite this, I'd say,
 21 shocking incident to you, you were willing to expose
 22 your friend Jane Doe No. 2 as well to, at least
 23 based on your testimony, to this shocking,
 24 disturbing experience that you had had, true?

25 MR. MERMELSTEIN: Form.

1 THE WITNESS: Yes.

2 BY MR. CRITTON:

3 Q. Okay. And what kind of a friend, at least
 4 with Jane Doe No. 2, what kind of a friend exposes
 5 another good friend to a shocking, disturbing,
 6 emotionally disturbing event?

7 MR. MERMELSTEIN: Form, argumentative,
 8 rhetorical.

9 BY MR. CRITTON:

10 Q. Why did you do that?

11 A. I don't know.

12 Q. Okay. You also did that to J., J.L.,
 13 correct?

14 A. Yes.

15 Q. Okay. Why did you do that with J.L.?

16 A. I don't know.

17 MR. CRITTON: Let's go about ten more
 18 minutes, and we'll take a break. Okay?

19 MR. MERMELSTEIN: All right. Is that
 20 okay?

21 THE WITNESS: (Witness nods head.)

22 MR. MERMELSTEIN: Okay.

23 BY MR. CRITTON:

24 Q. Did you tell J.L. what had occurred? Did
 25 you tell her what you had told Haley Robson?

1 A. Not exactly.

2 Q. But did you tell her she might be asked to
 3 take off her clothes?

4 A. And that you don't have to, yes.

5 Q. All right. And you said you, you may be
 6 asked to take off your clothes, but you don't have
 7 to?

8 A. Yes.

9 Q. Okay. And did you say he might try to
 10 touch you, but if he does, just tell him you're not
 11 comfortable?

12 MR. MERMELSTEIN: Form.

13 THE WITNESS: Can you --

14 BY MR. CRITTON:

15 Q. Yeah. Did you, did you tell her as well,
 16 is if he tries to touch you, just tell him you don't
 17 feel comfortable?

18 MR. MERMELSTEIN: Form.

19 THE WITNESS: I told her if he tries to do
 20 anything, you can say no.

21 BY MR. CRITTON:

22 Q. Okay. And, and then he will stop?

23 A. Yes.

24 Q. Okay. And did you tell Jane Doe No. 2 the
 25 same thing --

		Page 194	Page 196
1	A. Yes.	1	Q. Because she didn't tell you anything.
2	Q. So you met them both about the same time,	2	A. Correct.
3	a year or two before June of '04?	3	Q. Okay. And I think she, is she the one,
4	A. Yeah.	4	J.L. the one that you fought over the boyfriend?
5	Q. Okay. And again, after you, at any time	5	A. No, it's Jane Doe No. 2.
6	from the time that you first talked with -- or Jane	6	Q. Okay. That's Jane Doe No. 2. Okay.
7	Doe No. 4 knew that you were going to Mr. Epstein's,	7	J.L. and you are still acquaintances?
8	did she ever appear to you to have any emotional or	8	A. Yes.
9	psychological issues? And I know you're not a	9	Q. Okay. And J.L. -- and Jane Doe No. 2, she
10	psychiatrist or psychologist or a counselor, but did	10	never said that anything inappropriate happened with
11	she ever express any issues with you, emotional	11	Mr. Epstein, nor did she express any anger with you,
12	kinds of issues?	12	correct?
13	A. I don't remember.	13	A. Correct.
14	Q. Okay. Nothing stands out anyway?	14	Q. Okay. And whatever parting you had was
15	A. Right.	15	over, what's his name, Mr. Brook?
16	Q. All right. Same with Jane Doe No. 7, did	16	A. Uh-huh, yes.
17	she ever express any type of emotional issues that	17	Q. John Brook, is that correct?
18	she was having, any kind of psychological trauma	18	A. Yes.
19	that she had experienced or that she wanted to share	19	Q. All right. Did you know -- let me talk to
20	with you? Did you ever note it -- either did they	20	you about Jane Doe No. 7 just a little bit. Did you
21	share -- did Jane Doe No. 7 either share it with	21	know -- what did you know about -- so you had been
22	you, or did you observe something that concerned you	22	around Jane Doe No. 7 for about a year or two before
23	at all about her?	23	you first went to Mr. Epstein's. Did you ever know
24	MR. MERMELSTEIN: Form.	24	any of her boyfriends?
25	THE WITNESS: No.	25	A. No.
		Page 195	Page 197
1	BY MR. CRITTON:	1	Q. Jane Doe No. 7, was she your age?
2	Q. How about Jane Doe No. 2, did she ever	2	A. Older.
3	express any emotional trauma or concerns or	3	Q. And did she, did Jane Doe No. 7 ever --
4	psychological types of issues to you --	4	were you, did you do -- well, let me start again.
5	MR. MERMELSTEIN: Form.	5	What was Jane Doe No. 7's, what was, were
6	BY MR. CRITTON:	6	her interests in school -- well, strike that.
7	Q. -- as a result of being at Mr. Epstein's?	7	That's a bad question, too.
8	MR. MERMELSTEIN: Form.	8	Were you both from the same school?
9	THE WITNESS: No.	9	A. Yes.
10	BY MR. CRITTON:	10	Q. Okay. Royal Palm High?
11	Q. Okay. Did she ever tell you -- well, let	11	A. Yes.
12	me strike that.	12	Q. All right. And was she popular in school?
13	Did Jane Doe No. 2, after she went to	13	A. Yes.
14	Mr. Epstein's, did she ever say anything to you?	14	Q. I guess it's in the eyes of the beholder,
15	A. No.	15	but you would have considered to be a popular
16	Q. Okay. Did J.L.?	16	person?
17	A. No.	17	A. Would I?
18	Q. Okay. So after J.L. went to	18	Q. Have considered Jane Doe No. 7 to be like
19	Mr. Epstein's, she never -- after you took her	19	a popular person.
20	there, she never said anything to you about what had	20	A. Yes.
21	happened or what had occurred?	21	Q. Okay. Very social?
22	A. Correct.	22	A. Yes.
23	Q. Okay. She never told you anything	23	Q. Okay. And this would have been both
24	inappropriate occurred.	24	before and after she saw Mr. Epstein?
25	A. Correct.	25	A. Yes.

5 (Pages 194 to 197)

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