

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS, individually, and
L.M., individually,

Defendant,

2012 FEB - 1 PM 4:12
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CIVIL

FILED

**DEFENDANT/COUNTER-PLAINTIFF, BRADLEY J. EDWARDS, RESPONSE IN
OPPOSITION TO JEFFERY EPSTEIN'S MOTION FOR A PROTECTIVE ORDER
RELATING TO HIS DEPOSITION AND IN SUPPORT OF EDWARDS' MOTINO TO
COMPEL AND IMPOSE SANCTIONS**

Defendant/Counterplaintiff, Bradley J. Edwards (hereinafter EDWARDS), by and through his undersigned attorneys, respectfully responds in opposition to Plaintiff/Counterdefendant, Jeffrey Epstein's (hereinafter EPSTEIN) motion for a protective order and to terminate his deposition. The motion is frivolous and should be denied.

EPSTEIN has filed a Complaint against EDWARDS that alleges that EDWARDS filed lawsuits making "unfounded . . . sexual allegations" and pleading "a cause of action for RICO when there was no good faith basis for doing so." EPSTEIN's Complaint further alleges that much of the discovery EDWARDS took in support of these lawsuits "had no legitimate purpose." In prior filings with this Court, EDWARDS has painstakingly detailed under oath the good faith basis for every claim he brought and every step he took in the prosecution of those claims. In defense of the lawsuit against him, EDWARDS is now obviously entitled to ask

Edwards adv. Epstein

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Response in Opposition to Epstein's Motion for Protective Order Relating to his Deposition and in Support of Edwards' Motion to Compel and Impose Sanctions

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EPSTEIN whether the lawsuits were, far from being “unfounded,” in fact entirely well-founded and whether there was, in fact, a “good faith basis” for a RICO claim. EDWARDS is now obviously allowed to explore the legitimate purposes underlying his discovery in those cases – specifically, whether his discovery efforts were reasonably calculated to lead to admissible evidence by showing that he, in fact, would have uncovered admissible evidence through those discovery efforts had his cases not been voluntarily settled by EPSTEIN. Accordingly, EPSTEIN’s baseless motion should be denied and EPSTEIN should be directed to begin to answer relevant questions about both the lawsuit that he chose to file and prosecute against EDWARDS and the pending, closely related counterclaims.

FACTUAL BACKGROUND

Plaintiff/Counterdefendant, EPSTEIN has filed a Second Amended Complaint against EDWARDS. The complaint challenges EDWARDS’ professionalism as an attorney representing girls who had been sexually abused.

In particular, the Complaint charges EDWARDS with “making unfounded and highly charged sexual allegations” in the lawsuits he and his co-counsel filed on behalf of clients. Second Amended Complaint at 2 (emphasis added). The Complaint specifically advances an “abuse of process” claim against EDWARDS, namely that EDWARDS “made illegal, improper, and perverted use of the civil process” by doing such things as “filing a state court action on behalf of L.M. against [EPSTEIN] seeking damages” (§ 30). EPSTEIN goes on to allege that “EDWARDS knew or should have known that highly-charged sexual allegations in [his] complaint that EPSTEIN forced L.M. to have ‘oral sex’ with him were false” (§ 30(b)).

EPSTEIN also contends that EDWARDS “made illegal, improper and perverted use of the civil process” by conducting “unreasonable and unnecessary ‘discovery,’ [and] making unfounded allegations” (§ 32)). Among the improper discovery EPSTEIN alleges that EDWARDS engaged in without “legitimate purpose” was asking three of EPSTEIN’s jet pilots about sexual activities on EPSTEIN’s aircraft (§ 32(1)); sending letters asking for deposition dates for the deposition of TV personality Donald Trump, law professor Alan Dershowitz, magician David Copperfield, and other individuals who were without any knowledge of relevant evidence about EPSTEIN’s sex offenses (§ 32(2)); subpoenaing EPSTEIN’s sex therapist (§ 32(5)); attempting to plead a civil RICO action against EPSTEIN for organizing a criminal enterprise bringing young girls to EPSTEIN to molest “when there was no good faith basis for doing so” (§ 32(9)); and filing without sufficient evidence a motion alleging EPSTEIN was going to transfer assets outside the country to avoid paying damages to his sexual assault victims (§ 32(10)).

In response to EPSTEIN’s Complaint, EDWARDS has filed a Second Amended Counterclaim against EPSTEIN. The counterclaim alleges (among many other things) that “[lacking any substantive defense to the claims against him, EPSTEIN sought to avoid his compensatory and punitive liability and to deter cooperation in the ongoing criminal investigation [of EPSTEIN’s sex offenses] by employing the extraordinary financial resources at his disposal to intimidate his [sexual assault] victims and their legal counsel into abandoning their legitimate claims or resolving those claims for substantially less than their just value” (Counterclaim ¶ 6). The counterclaim specifically alleges an abuse of process claim, namely

that "every motion [made by EPSTEIN], every request for production, every subpoena issued, and every deposition taken . . . was intended with respect to EDWARDS solely and exclusively to advance EPSTEIN's efforts at extortion" (Counterclaim ¶ 16). The counterclaim also raises a malicious prosecution claim, alleging that EPSTEIN's entire Complaint against EDWARDS was "false and unsupported by any reasonable belief or suspicion that [its allegations] were true" (Counterclaim ¶ 29).

On January 25, 2012, EDWARDS' attorney began taking EPSTEIN's deposition. (A copy of the transcript of the deposition is attached as Exhibit "A"). EPSTEIN answered a question about his name. EPSTEIN answered a question about his addresses. Then EPSTEIN, in typical EPSTEIN fashion, proceeded to give essentially no information in answers to many other questions asked of him. Among the relevant questions that EPSTEIN refused to answer were:

- Do you now or have you ever had a sexual preference for minors? (p. 6)
- Have you ever discussed your sex-related arrest or conviction with any reporter or news media representative? (p. 12)
- Have you ever discussed your sex-related activities with minors in the State of Florida with any reporter or news media representative? (p. 13)
- Do you know who LM is? (p. 21).

Although he had answered very few questions – and even though he is the Plaintiff who chose to enter the legal system by filing his Complaint -- EPSTEIN then terminated his deposition, purportedly to get further "direction" from the Court. EDWARDS' counsel then stated:

So that the record is clear, it is my intention to ask very specific questions about every factual allegation included in every claim brought by Mr. Edwards on behalf of every victim in every case in which it is alleged that Mr. Edwards has abusively prosecuted that claim. I want to know about the connection between Mr. Epstein and each one of those alleged victims. I want to know about every individual who had information concerning the events that are alleged in those complaints, every individual who was in a position to have possibly had information about the events alleged in those complaints. I want to ask this witness about every person whose deposition was taken and scheduled to be taken, the relationship of those persons to Mr. Epstein, knowledge that those persons may have with respect to Mr. Epstein's activities with minors, other crimes committed by Mr. Epstein as part of an ongoing and continuous course of conduct supportive of claims for punitive damages against Mr. Epstein and supportive of RICO claims against him. And had this deposition been permitted to continue, we would have covered each of those areas and substantially more.

DISCUSSION

I. EDWARDS Is Entitled to Take Broad Discovery In Deposing EPSTEIN.

Before turning to the specific questions that EDWARDS is entitled to ask of EPSTEIN, it is important to review the current procedural posture of this case. EPSTEIN has chosen to invoke the legal system by filing a Complaint against attorney EDWARDS. Accordingly, just like any other civil plaintiff, EPSTEIN must answer questions about his case or suffer the consequences of the application of the well-established "sword-shield doctrine"—the dismissal of his claims.

Under the Florida rules, EDWARDS is entitled to ask any and all questions reasonably calculated to lead to the discovery of admissible evidence. Considering the substance of the claims EPSTEIN is making against EDWARDS in his totally bogus lawsuit that all relate to discovery that was conducted by EDWARDS in the sexual molestation claims against EPSTEIN,

the questions asked by EDWARDS' counsel in the deposition of EPSTEIN would likely result in direct admissible evidence – far exceeding the liberal threshold of reasonably calculated to lead to the discovery of admissible evidence.

II. EDWARDS Is Entitled to Ask EPSTEIN Questions About Whether the Clients' Claims Against EPSTEIN Were "Well-Founded."

Remarkably, EPSTEIN takes the position that he can file a lawsuit against EDWARDS alleging that EDWARDS improperly filed "unfounded" sexual abuse claims (Second Amended Complaint at 2) but then he need not answer any questions about whether the abuse claims were, indeed, well-founded! His position is absolutely absurd. Once EPSTEIN filed an "abuse of process" claim against EDWARDS – for example, that EDWARDS "made illegal, improper, and perverted use of the civil process" by doing such things as "filing a state court action on behalf of L.M. against [EPSTEIN] seeking damages" (§ 30) – EDWARDS was entitled to depose EPSTEIN about those issues. It was entirely proper, for instance, for EDWARDS to ask about why EPSTEIN considers L.M.'s sexual abuse law suits to be somehow "improper." Of course, if EPSTEIN sexually abused L.M., there would be nothing "improper" about an attorney filing a sexual abuse claim against EPSTEIN. Indeed, an attorney with an obligation to zealously represent his clients would be neglecting his duties if he did anything other than file such a claim.

EPSTEIN's motion for a protective order claims that these questions had no other purpose than to be somehow "sexually harassing." Motion for a Protective Order at 4. But the motion itself demonstrates the absurdity of EPSTEIN's position. EPSTEIN's Motion for a

Protective Order describes Epstein's lawsuit as involving a claim that "EDWARDS filed the federal case of L.M. v. EPSTEIN . . . with 145 counts and knew . . . that the highly-charged sexual allegations were false" Id. at 2 (emphasis added). This claim against EDWARDS obviously means that EDWARDS is able to ask EPSTEIN whether each and every one of these 145 counts were or were not "false" – i.e., whether EPSTEIN sexually abused L.M. on 145 specifically identified dates. That is precisely what EDWARDS was in the process of beginning to do in EPSTEIN's deposition . . . at least before EPSTEIN walked out.

In his pleading, EPSTEIN appears to exhibit some squeamishness about sexual matters, claiming that "questions related to sexual conduct and criminal misconduct are not (and were not) designed to, and would not, provide any information relevant to the" case. Motion for Protective Order at 5. But EPSTEIN's complaint directly and repeatedly belies the idea that this case should be litigated without sexual activities being discussed. Apparently EPSTEIN believes he should be allowed to file a complaint making all kinds of false allegations about EDWARDS and the discovery EDWARDS conducted in the various sexual abuse cases brought on behalf of several of EPSTEIN's child victims, yet have the court hand-cuff EDWARDS so as to not permit EDWARDS to disprove those false allegations made by EPSTEIN nor allow EDWARDS to prove the valid allegations outlined in his counter-claim. While that may be what would work best for EPSTEIN, that is simply not at all how our system works.

Nor does it make any difference, as EPSTEIN seems to suggest, that he might choose to invoke the Fifth Amendment rather than provide direct answers to some of these questions. It is not harassment to ask relevant questions, which a plaintiff in a civil case then refuses to answer.

To the contrary, the plaintiff's answers can be used against him through adverse inferences. See, e.g., *In re J.E.B.*, 971 So.2d 187, 188 (Fla.App. 2 Dist. 2007) (citing *Baxter v. Palmigiano*, 425 U.S. 308 (1976) ("[T]he Fifth Amendment does not forbid adverse inferences against parties to civil actions when they refuse to testify in response to probative evidence offered against them[.]")). For all these reasons, EPSTEIN's motion for a protective order to prevent EDWARDS from asking questions about whether the sexual assault cases against him were well-founded should be denied.

III. EDWARDS Is Entitled to Ask Questions About Whether There Was a Basis for His Client's RICO Claims Against EPSTEIN.

As a separate and independent reason for completely rejecting EPSTEIN's motion for a protective order, EDWARDS was entitled to ask EPSTEIN questions about his clients' RICO claims against EDWARDS. EPSTEIN's complaint against EDWARDS alleges that "EDWARDS filed motions in the EPSTEIN Actions attempting to plead a cause of action for RICO [Racketeering Influenced and Corrupt Organizations] when there was no good faith basis for doing so." Second Amended Complaint at 32(9). EDWARDS is accordingly entitled to ask questions about whether there was a "basis" for the RICO claims against EPSTEIN.

A bit of background about the complaints and the RICO claims may be useful. For each of his three clients, EDWARDS filed complaints alleging basic sexual assault claims, such as sexual battery in violation of Florida Statutes §800.04 and procuring a minor for prostitution in

violation of Florida Statutes § 796.03. Such claims involve single acts of sexual abuse directed against EDWARDS' clients.

EDWARDS, however, went further than allege just simple, isolated acts of sexual abuse by EPSTEIN. Instead, EDWARDS filed detailed RICO claims under, as appropriate, state and federal law. These RICO claims alleged that it was no accident that young girls like his clients L.M., E.W. and Jane Doe ended up in EPSTEIN's mansion where he sexually abused them. Instead, the RICO claims contended that EPSTEIN ran an entire criminal organization that was designed to satisfy his sexual appetite for attractive young (white) girls under the age of eighteen.

The organization operated as follows:

The enterprise was not a mere informal conspiracy, but had a definite hierarchical structure. Defendant, Jeffrey Epstein, served informally but effectively as the leader, C.E.O. or "boss" of this organization, directing his underlings how to recruit and procure young girls for his sexual activities and when to bring the girls to his mansion. Defendant Jeffrey Epstein's key "lieutenant" in the organization was defendant Sarah Kellen, who served as both his scheduler and a recruiter/procurer of the girls. This was an important function, as the recruiting was necessary to satisfy Defendant Jeffrey Epstein's desire to abuse a large number of different minor girls with different (albeit similar) physical attributes and the scheduling was necessary to insure that the minor girls would be brought to Defendant Jeffrey Epstein's mansion to be sexually abused and prostituted at a time when Defendant Jeffrey Epstein was there (but not at the same time, when they might learn of other girls' identities and possibly become emboldened to report his activities to law enforcement).

L.M. v. Jeffrey Epstein, Case No. 502008-CA-028051 XXXXMB AD (15th Cir. Fla.). The RICO Complaint specifically alleged that EPSTEIN procured dozens of girls to be sexually abused in this way. (For the convenience of the Court, a copy of the complaint by L.M. raising a RICO claim is attached to this response as Exhibit "B".)

It is these RICO allegations that EPSTEIN is now alleging EDWARDS filed "when there was no good faith basis for doing so." Second Amended Complaint at ¶ 32(9). To defend himself against this allegation, EDWARDS must now obviously establish that there was a "good faith basis" for the RICO claims. EDWARDS intends to establish that good faith basis by (among other things) showing that each and every allegation in the RICO Complaint was true. For example, with regard to the allegations quoted above, EDWARDS is now entitled to ask whether EPSTEIN was (in the words of the RICO allegation) "directing his underlings how to recruit and procure young girls for his sexual activities and when to bring the girls to his mansion." As another example, EDWARDS is now entitled to ask whether EPSTEIN was (in the words of the RICO allegation) arranging for "girls . . . [to] be brought to [his] mansion to be sexually abused and prostituted at a time when [he] was there (but not at the same time, when they might learn of other girls' identities and possibly become emboldened to report his activities to law enforcement)." Finally, since the RICO allegations contain general allegations about EPSTEIN running a criminal organization, all deposition questions about EPSTEIN's criminal organization procuring young girls for him are obviously proper and should be allowed.

As this Court knows, all of EPSTEIN's preposterous claims pretending to demonstrate some "abuse of process" are based on the allegation that EDWARDS' discovery tactics, including the filing of RICO counts, were allegedly done to further Scott Rothstein's Ponzi scheme. To highlight the level of bad-faith to which EPSTEIN stoops to make this allegation that EDWARDS' filing of the RICO count was somehow in furtherance of Rothstein's schemes and not done for proper purposes, each of the original three complaints that included a RICO

count are attached. The Court will quickly notice something that EPSTEIN and his army of attorneys have known all along to be true – each of these complaints was filed in 2008, while EDWARDS was a sole practitioner, months before knowing Rothstein or joining the Rothstein firm. (the complaint filed on behalf of L.M. was already referenced above as Exhibit “B”; E.W. v. Jeffrey Epstein and Sarah Kellen, 50 2008 CA 028051XXXXMB AD (15th Cir. Fla.) Exhibit “C”; Jane Doe v. Jeffrey Epstein, 08-80893-CIV-Marra/Johnson, (United States District Court Southern District of Florida) Exhibit “D”).

IV. EDWARDS Is Entitled to Ask Questions About Whether He Was Pursuing Productive Lines of Discovery.

EPSTEIN also contends that EDWARDS “made illegal, improper and perverted use of the civil process” by conducting “unreasonable and unnecessary ‘discovery,’ [and] making unfounded allegations” (¶ 32)). By making such allegations, EPSTEIN is obviously opening himself up for questions about what the discovery would have revealed and whether the discovery involved “unfounded” allegations.

As a specific example, EPSTEIN alleges that EDWARDS engaged in discovery without “legitimate purpose” by asking three of EPSTEIN’s jet pilots about sexual activities on EPSTEIN’s aircraft. Second Amended Complaint at ¶ 32(1). To defend against this allegation, EDWARDS is now entitled to ask EPSTEIN whether he was sexually abusing young girls on EPSTEIN’s airplane. Obviously, if EPSTEIN was engaged in such abuse – which he was, that would have been highly relevant to the RICO claim that EDWARDS was pursuing for his

clients, and even more importantly, it would have been relevant to the punitive damages claims that were brought by each of EPSTEIN's sexual abuse victims.

As another specific example, EPSTEIN alleges that EDWARDS had no "legitimate purpose" in requesting to depose TV personality Donald Trump, law professor Alan Dershowitz, magician David Copperfield, and other individuals. Second Amended Complaint at ¶ 32(2). Clearly EDWARDS is now entitled to ask EPSTEIN whether these individuals possessed knowledge about EPSTEIN sexually abusing young girls and whether these individuals had knowledge of how EPSTEIN was procuring these young girls to abuse. In fact, in this case, the statement of Virginia Roberts was taken wherein she describes being constantly abused while serving as EPSTEIN's travel-along underage sex slave for years. She clearly indicates in her statement that EPSTEIN abused underage children everywhere, including his airplanes, and that EPSTEIN's pilots and certain other individuals, including Dershowitz, had information relevant to EPSTEIN's repeated abuse of underage girls.

As yet another example, EPSTEIN alleges that EDWARDS had no basis for filing a motion alleging EPSTEIN was going to transfer assets outside the country to avoid paying damages to his sexual assault victims. Second Amended Complaint at ¶ 32(10). To defend against this allegation, EDWARDS is now entitled to ask whether EPSTEIN was afraid of being held liable on the numerous claims being filed against him and whether, as a result, he began liquidating assets and moving funds to off-shore bank accounts, placing assets in the names of others, or transferring property, money or assets to other hidden places.

The fact is that EPSTEIN, and his counsel, know that each of the discovery efforts that EDWARDS took in prosecuting claims on behalf of his clients, about which they are currently complaining, were taken in good faith and for proper purposes. EPSTEIN and his counsel know that there was no good faith basis for the lawsuit filed and prosecuted against EDWARDS. EPSTEIN knows that there is no support for his ever-changing theory of abuse of process. EPSTEIN knows that each act he has taken in prosecuting this frivolous action against EDWARDS, including the filing of the original complaint and each amendment, the filing of motions, serving of subpoenas, taking of depositions, continually misrepresenting facts to this Court, and continually disseminating the various versions of his baseless action to many other people in the legal community, was done in bad faith. Each act that EPSTEIN has taken has been with the most malicious intent possible, and only to satisfy one of his improper ulterior motives, which include but cannot be limited to: intimidating and harassing EDWARDS, attempting to damage and tarnish EDWARDS' reputation, invading EDWARDS' privacy, causing EDWARDS to lose valuable time and expense, extorting EDWARDS through bullying tactics, attempting to force EDWARDS into abandoning his legitimate counter-claim needed to vindicate himself, and to inflict as much stress and emotional pain as possible as a means of getting revenge against EDWARDS. It is clear that EPSTEIN wants revenge for EDWARDS' successfully prosecuting EPSTEIN for his molestation of children, for vigorously pursuing an action in Federal Court to overturn EPSTEIN's Non-Prosecution Agreement, for informing authorities of EPSTEIN's probation violations, and for exposing EPSTEIN's criminal enterprise that worked in concert to molest dozens of underage children.

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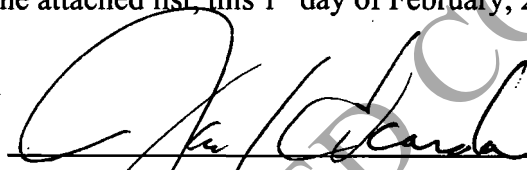
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For all these reasons, EDWARDS is now clearly entitled to ask EPSTEIN about the discovery that was going on in the civil cases and whether it was going to produce highly relevant information to support the claims of EDWARDS' three clients.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Fax and U.S. Mail to all counsel on the attached list, this 1st day of February, 2012.



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Case No.: 502009CA040800XXXXMBAG

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Support of Edwards' Motion to Compel and Impose Sanctions

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IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO. 502009CA040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff(s),

vs.

SCOTT ROTHSTEIN, individually,
BRADLEY J. EDWARDS, individually,
and L.M., individually,

Defendant(s).

VIDEOTAPED DEPOSITION OF JEFFREY EPSTEIN

January 25, 2012
9:34 a.m. - 10:03 a.m.

SEARCY, DENNEY, SCAROLA, BARNHART & SHIPLEY, PA
2139 Palm Beach Lakes Boulevard
West Palm Beach Florida 33409

Stenographically Reported By:
Tammy Nestor, RPR

APPEARANCES:

ON BEHALF OF PLAINTIFF:

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THE VIDEOGRAPHER: Today's date is
January 25, 2012. The time is approximately
9:34 a.m. This is the videotaped deposition of
Jeffrey Epstein in the matter of Epstein versus
Edwards.

This deposition is being conducted at 2139
Palm Beach Lakes Boulevard, West Palm Beach,
Florida.

The court reporter is Tammy Nestor of
Phipps Reporting. The videographer is Chris
Kennedy of Legal Video Services, Inc. in
association with Phipps Reporting.

And will the counsel please announce
appearances for the record.

MR. SCAROLA: My name is Jack Scarola.
I'm counsel for Brad Edwards. Brad is also
present.

MR. KNIGHT: Christopher Knight on behalf
of Jeffrey Epstein.

MR. GOLDBERGER: Jack Goldberger on behalf
of Jeffrey Epstein.

MR. INDYKE: Darren Indyke on behalf of
Jeffrey Epstein.

MR. ACKERMAN: Joseph Ackerman on behalf
of Jeffrey Epstein.

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By Mr. Scarola

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EXHIBIT

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JEFFREY EPSTEIN

Was called as a witness and after being duly sworn on oath was
examined and testified as follows:

EXAMINATION

BY MR. SCAROLA:

Q Would you please state your full name and
your current residence address?

A I'm Jeffrey Edward Epstein. And my
residence address is 6100 Red Hook Boulevard in
Virgin Islands.

Q Do you maintain any other residences
presently?

A I have vacation homes in New Mexico, Palm
Beach, New York, and Paris.

Q Would you give us the address of each,
please.

A Yes. New York is 9 East 71st Street. New
Mexico is Zorro Ranch Road. Paris is 22 Avenue
Foch, F-O-C-H. And where else? Palm Beach is 358
El Brillo Way.

THE VIDEOGRAPHER: Pardon me, sir.

THE WITNESS: Yes.

THE VIDEOGRAPHER: Excuse me. Do you have
your mike on? Thanks.

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1 **BY MR. SCAROLA:**
 2 **Q** Do you now or have you ever had a sexual
 3 addiction?
 4 **MR. KNIGHT:** I'm going to instruct him not
 5 to answer the question. That's outside of the
 6 area of this abuse of process lawsuit.
 7 And just to let you know, he's here to
 8 answer all the questions you want relative to
 9 the abuse of process. The judge has been pretty
 10 clear relative to the discovery regarding any of
 11 the prior sexual allegations, et cetera. And
 12 just so we don't waste your time or our time,
 13 I'll be consistent on that per what the judge
 14 has previously discussed regarding discovery.
 15 **MR. SCAROLA:** Well, you and I have a very
 16 different understanding of what the court's
 17 prior rulings have been. But we'll let the
 18 court deal with that.
 19 **BY MR. SCAROLA:**
 20 **Q** Do you now or have you ever had a sexual
 21 preference for minors?
 22 **MR. KNIGHT:** Same.
 23 **BY MR. SCAROLA:**
 24 **Q** Have you ever acted on a sexual preference
 25 for minors?
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1 **MR. KNIGHT:** Same.
 2 **BY MR. SCAROLA:**
 3 **Q** Have you ever informed anyone other than
 4 your legal counsel that you have a sexual preference
 5 for minors?
 6 **MR. KNIGHT:** Same.
 7 **BY MR. SCAROLA:**
 8 **Q** Have you ever informed anyone other than
 9 your legal counsel that you have acted on a sexual
 10 preference for minors?
 11 **MR. KNIGHT:** Same.
 12 **BY MR. SCAROLA:**
 13 **Q** Have you ever sought or received
 14 evaluation, counseling, or treatment for any form of
 15 sexual addiction?
 16 **MR. KNIGHT:** Same.
 17 **BY MR. SCAROLA:**
 18 **Q** Have you ever sought or received
 19 evaluation, counseling, or treatment for any
 20 sex-related issue?
 21 **MR. KNIGHT:** Same.
 22 **BY MR. SCAROLA:**
 23 **Q** Have you ever retained the services of a
 24 consultant to assist in changing your public image
 25 following your arrest on sex-related charges?
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1 **MR. KNIGHT:** Same.
 2 **BY MR. SCAROLA:**
 3 **Q** Have you ever discussed with anyone
 4 undertaking an effort to change your public image
 5 following your arrest for and conviction of a
 6 sex-related crime?
 7 **MR. KNIGHT:** Same.
 8 **BY MR. SCAROLA:**
 9 **Q** Have you ever been convicted of a crime?
 10 **A** Yes.
 11 **Q** What was the crime of which you were
 12 convicted?
 13 **A** Two counts, one soliciting prostitution,
 14 and procuring a minor for prostitution.
 15 **Q** Did you, in fact, commit those acts?
 16 **MR. GOLDBERGER:** I can invoke the Fifth
 17 Amendment privilege for you or you can invoke
 18 it yourself. I prefer you invoke the
 19 privilege.
 20 **THE WITNESS:** I'm going to invoke my Fifth
 21 Amendment right.
 22 **BY MR. SCAROLA:**
 23 **Q** How many times have you solicited for
 24 prostitution?
 25 **A** I'm going invoke my Fifth Amendment right.
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1 **Q** How many times have you solicited a minor
 2 for prostitution?
 3 **A** Same answer.
 4 **Q** How many times have you solicited for
 5 prostitution in the State of Florida?
 6 **A** Same answer.
 7 **Q** How many times have you solicited a minor
 8 for prostitution in the State of Florida?
 9 **A** Same answer.
 10 **Q** How many times have you solicited for
 11 prostitution in the Virgin Islands?
 12 **MR. KNIGHT:** Can we stop it here just for
 13 a second? Can we go off the record for one
 14 minute?
 15 **THE VIDEOGRAPHER:** The time is 9:39. We
 16 are going off the record.
 17 (Thereupon, a discussion was held off the
 18 record.)
 19 **MR. SCAROLA:** I would like you to take it
 20 down, please.
 21 **MR. KNIGHT:** Fine.
 22 **MR. SCAROLA:** And we'll go back on the
 23 record. Thank you.
 24 **THE VIDEOGRAPHER:** Stand by.
 25 **MR. KNIGHT:** I'm wondering if you have any
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1 intention to ask any questions, and you may be,
2 any questions outside of this clearly harassing
3 area relative to issues that are outside of the
4 four corners of the complaint or whether this
5 is just going to be a continuance of questions
6 of this witness that have no other means of
7 advancing this lawsuit but only have means of
8 doing other things of which I won't -- I don't
9 care to list them here. Do you plan to go into
10 other areas?

11 **MR. SCAROLA:** I am -- I am planning on
12 taking a very thorough and comprehensive
13 deposition of Mr. Epstein.

14 **MR. KNIGHT:** Are you asking -- planning to
15 ask any questions that are not sexual or
16 criminal in nature?

17 **MR. SCAROLA:** Oh, I'm sure there will be
18 many that you would probably not consider
19 sexual or criminal in nature, but I don't know.

20 **MR. KNIGHT:** Let's proceed for a little
21 while, see what we can do, because certainly we
22 have taken the time out to come up here,
23 people's schedules have been made, et cetera,
24 people have traveled long distances, but we may
25 have to quit and go to the court.

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1 for prostitution with respect to the claim on which
2 you were convicted?

3 A Same answer.

4 **Q Who is the minor that you solicited for**
5 **prostitution with respect to the claim on which you**
6 **pled guilty?**

7 A Same answer.

8 **Q Did you, in fact, plead guilty to**
9 **soliciting for prostitution?**

10 **MR. KNIGHT:** Asked and answered.

11 **THE WITNESS:** Yes, sir.

12 **BY MR. SCAROLA:**

13 **Q Did you, in fact, plead guilty to**
14 **soliciting a minor for prostitution?**

15 A No.

16 **Q Where was it that you solicited for**
17 **prostitution in the manner -- in the matter in which**
18 **you pled guilty?**

19 A Same answer.

20 **Q When was it that you solicited for**
21 **prostitution in the matter in which you pled guilty?**

22 A Same answer.

23 **Q Have you ever discussed your sex-related**
24 **arrest or conviction with any reporter or news media**
25 **representative?**

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1 **BY MR. SCAROLA:**

2 **Q Have you ever solicited for prostitution**
3 **in the Virgin Islands?**

4 A Same answer.

5 **Q That is that the -- you are invoking your**
6 **Fifth Amendment --**

7 A Yes.

8 **Q -- right?**

9 A Yes, Mr. Scarola.

10 **Q Have you ever solicited for prostitution**
11 **in New York?**

12 A Same answer.

13 **Q Have you ever solicited for prostitution**
14 **in New Mexico?**

15 A Same answer.

16 **Q Have you ever solicited for prostitution**
17 **in Paris?**

18 A Same answer.

19 **Q Have you ever solicited for prostitution**
20 **anywhere at any time?**

21 A Same answer.

22 **Q Have you ever solicited a minor for**
23 **prostitution anywhere at any time?**

24 A Same answer.

25 **Q Who is the prostitute that you solicited**

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1 **MR. KNIGHT:** I'm going to instruct you not
2 to answer the question.

3 **MR. SCAROLA:** And what is the basis of
4 that instruction?

5 **MR. KNIGHT:** What is the basis?

6 **MR. SCAROLA:** Yes.

7 **MR. KNIGHT:** What does it have to do with
8 this lawsuit? It's for no other reason other
9 than to harass him. There are plenty of areas
10 you can go into which are reasonable. We are
11 here.

12 **MR. SCAROLA:** So the objection is
13 relevancy, is that correct?

14 **MR. KNIGHT:** No, it goes beyond relevancy.

15 **MR. SCAROLA:** Well, what is it then?

16 **MR. KNIGHT:** Well, it is harassing. It is
17 used -- it is being used to intimidate the
18 witness. It is being used for various
19 different reasons. And I believe it is
20 improper.

21 **BY MR. SCAROLA:**

22 **Q Have you ever discussed your sex-related**
23 **activities with minors in the State of Florida with**
24 **any reporter or news media representative?**

25 **MR. KNIGHT:** Same instruction. We are

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1 going to take a quick break if we can go off
2 the record.

3 **THE VIDEOGRAPHER:** The time is 9:30 --
4 9:40. We are going off the record.

5 (Thereupon, a recess was taken at
6 9:43 a.m.)

7 **THE VIDEOGRAPHER:** The time is 9:50 a.m.
8 We are back on the record.

9 **MR. KNIGHT:** As I mentioned earlier, we
10 are here to answer questions relevant to the
11 lawsuit that is at issue.

12 Relative to your question earlier and the
13 instruction not to answer, I do believe it was
14 appropriate, but I'm going to have
15 Mr. Goldberger address what he believes the --
16 is the -- our client is entitled to, but at the
17 same time, there are other issues we want to put
18 on the record.

19 I will allow you to ask more questions, but
20 if it's going to stay on this line, we may have
21 to adjourn.

22 **MR. GOLDBERGER:** Okay. This is Jack
23 Goldberger. A couple issues. First, as to the
24 questions that, Mr. Scarola, you asked
25 concerning conversations that Mr. Epstein may

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1 that your client has filed an action to set
2 aside the non-prosecution agreement that
3 Mr. Epstein is a party to.

4 **MR. SCAROLA:** Would you please mark this
5 as Exhibit No. 1 to this deposition.

6 **MR. KNIGHT:** As soon as you get the
7 sticker on it, I'll look at that one.

8 (Thereupon, Deposition Exhibit No. 1 was
9 marked for identification.)

10 **THE VIDEOGRAPHER:** Is someone's phone by a
11 microphone or in their pocket?

12 **MR. GOLDBERGER:** I am.

13 **THE VIDEOGRAPHER:** If you can put it to
14 the side, please.

15 **MR. GOLDBERGER:** I'm all the way over
16 here.

17 **MR. KNIGHT:** Mine is off.

18 **MR. GOLDBERGER:** I'll shut it off.

19 **MR. KNIGHT:** Okay. Thank you.

20 **BY MR. SCAROLA:**

21 **Q** You have been handed a copy of what's been
22 marked as Exhibit No. 1 to this deposition. It is a
23 copy of Plaintiff's Third Amended Complaint in a
24 case styled LM versus Jeffrey Epstein.

25 Have you seen this document before?

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1 or may not have had with, I believe you couched
2 it as news reporters or news media, he would be
3 invoking Fifth Amendment privileges as to those
4 questions in addition to the objection raised
5 by Mr. Knight.

6 **MR. KNIGHT:** I'm withdrawing the
7 instruction.

8 **MR. GOLDBERGER:** Okay. All right. Anyhow
9 he's invoking Fifth Amendment privileges as to
10 that line of questioning.

11 As to the total line of questioning where
12 you are asking Mr. Epstein about sex-related
13 issues, as you know, your client, Mr. Edwards,
14 has filed a lawsuit in federal court where he is
15 seeking to overturn the non-prosecution
16 agreement that Mr. Epstein is a party to.

17 I believe that you are asking these
18 questions in an effort to further Mr. Edwards'
19 attempts to set aside that non-prosecution
20 agreement, and I think it serves no purpose
21 other than to assist your client in that
22 lawsuit. And I just think it's totally outside
23 the realm of the discovery that is allowed in
24 this case. And I'm simply not going to allow my
25 client to answer those questions given the fact

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1 **A** Not to the best of my recollection, no.

2 **Q** Do you recall having been sued by Bradley
3 Edwards on behalf of an individual who was
4 identified by the initials LM?

5 **A** Yes, sir.

6 **Q** And is this one of the cases that you
7 contend was abusively prosecuted by Bradley Edwards?

8 **A** I'm not sure if this is the exact
9 complaint.

10 **Q** Well, is this the case?

11 **A** I don't know.

12 **Q** Which case is it that you contend Bradley
13 Edwards abusively prosecuted against you?

14 **A** It was the LM case. I don't know if this
15 is the specific case.

16 **Q** Well, I want you to assume that there was
17 only one LM case that was filed by Bradley Edwards
18 against you.

19 **A** That's correct.

20 **Q** Do you have any recollection that is at
21 odds with that assumption?

22 **A** Yes, I do.

23 **Q** You have a recollection that there was, in
24 fact, a federal court case as well as a state court
25 case, correct?

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1 A Correct.
 2 Q All right. Now, is it your --
 3 A I believe that's --
 4 Q Is it your contention --
 5 MR. KNIGHT: Finish your answer. Did you
 6 finish your answer?
 7 THE WITNESS: That's all right.
 8 BY MR. SCAROLA:
 9 Q Is it your contention that Bradley --
 10 MR. KNIGHT: And any time you want to
 11 finish your answer, please do so.
 12 THE WITNESS: Sure.
 13 BY MR. SCAROLA:
 14 Q Is it your contention that Bradley Edwards
 15 abusively prosecuted the state court case on behalf
 16 of LM?
 17 A I don't know. Sorry.
 18 Q Is it your contention that Bradley Edwards
 19 abusively prosecuted the federal court case on
 20 behalf of LM?
 21 MR. KNIGHT: Objection, asks for legal
 22 conclusions. Obviously there were lawsuits
 23 that were raised in this case.
 24 MR. SCAROLA: You don't need to make a
 25 speaking objection --

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1 MR. KNIGHT: Okay.
 2 MR. SCAROLA: -- that's intended to coach
 3 the witness, Mr. Knight.
 4 MR. KNIGHT: I'm going to object.
 5 MR. SCAROLA: So if you say you are
 6 objecting on the basis that it calls for a
 7 legal conclusion, that's fine. And now I would
 8 like the witness's answer unless you are
 9 instructing him not to answer.
 10 MR. KNIGHT: I'm not instructing him not
 11 to answer.
 12 BY MR. SCAROLA:
 13 Q Okay. Then would you please answer the
 14 question?
 15 A I'm sorry. Would you repeat it?
 16 Q Yes, sir. Is it your contention that
 17 Bradley Edwards abusively prosecuted the federal
 18 court action on behalf of LM?
 19 A Yes, sir.
 20 Q How?
 21 A Bradley Edwards filed a 234-count federal
 22 complaint in conjunction with his partner Scott
 23 Rothstein to enable his partners at RRA to defraud
 24 south Florida investors of millions of dollars.
 25 His partner Scott Rothstein and his partner

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1 Mr. Adler have -- excuse me, Mr. Rothstein has now in
 2 deposition admitted that they needed to file a complaint to
 3 show investors that there was real action, in
 4 Mr. Rothstein's words, going on in federal court. The
 5 investors had not been able to find a filed complaint and
 6 had complained to Mr. Rothstein that there was no filed
 7 complaints two days, excuse me, before Mr. Edwards filed
 8 the federal complaint for 234.
 9 Q Were you ever served with that complaint?
 10 A Not to the best of my recollection.
 11 Q So one contention is that Mr. Edwards
 12 abusively prosecuted a federal court action on
 13 behalf of LM with which you were never served,
 14 correct?
 15 A I had -- I was notified that the case was,
 16 in fact, filed.
 17 Q But you were never served with the case,
 18 correct?
 19 A I was notified that the case was filed.
 20 Q But you were never served with the case,
 21 correct?
 22 A Not to the best of my recollection.
 23 Q Okay. What damage did you incur as a
 24 consequence of the filing of a complaint with which
 25 you were never served?

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1 A I incurred many legal -- much legal fees,
 2 many legal fees, in fact, to try to figure out
 3 why -- what was going on and, in fact, getting
 4 prepared to defend the case though I had not yet
 5 been served.
 6 Q Were the allegations in the federal
 7 complaint on behalf of LM any different than the
 8 allegations in the state court case on behalf of LM?
 9 A I don't recall.
 10 Q Did you, in fact, engage in any sexual
 11 conduct with LM?
 12 A I'm sorry, but I'm sure -- the jury is
 13 going to recognize this is simply meant to harass
 14 me, and I'll have to take the Fifth Amendment since
 15 your client, Mr. Edwards, is trying to overturn my
 16 prosecution agreement.
 17 Q How many times did you engage in sexual
 18 conduct with LM?
 19 A I'm going to have to invoke my Fifth
 20 Amendment right again, sir.
 21 Q Do you know who LM is?
 22 A Again I'm going to assert my right.
 23 MR. KNIGHT: We are going to go off the
 24 record and take another break.

THE VIDEOGRAPHER: The time is 9:58. We
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1 are going off the record.
 2 (Thereupon, a recess was taken at
 3 9:58 a.m.)
 4 **THE VIDEOGRAPHER:** The time is 10:00. We
 5 are on the record.
 6 **MR. KNIGHT:** Okay. We have asked on
 7 several occasions that you ask questions that
 8 are relevant to the lawsuit at bar. There have
 9 been some questions that were getting to it.
 10 You are back into the sexual stuff which we
 11 feel is inappropriate, and also relative to the
 12 issues that were raised by Mr. Goldberger.
 13 As such, we are going to recess and ask
 14 further direction from the court on what is
 15 allowable and what is not allowable in this
 16 deposition.
 17 **MR. SCAROLA:** So you are terminating the
 18 deposition at this time?
 19 **MR. KNIGHT:** We are recessing the
 20 deposition to get direction from the court.
 21 **MR. SCAROLA:** Until when?
 22 **MR. KNIGHT:** We will find out what the
 23 court says.
 24 **MR. SCAROLA:** When? Are you contacting
 25 the judge right now?

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1 Mr. Epstein as part of an ongoing and continuous
 2 course of conduct supportive of claims for
 3 punitive damages against Mr. Epstein and
 4 supportive of RICO claims against him.
 5 And had this deposition been permitted to
 6 continue, we would have covered each of those
 7 areas and substantially more.
 8 **MR. KNIGHT:** Thank you.
 9 **THE VIDEOGRAPHER:** The time is 10:03. We
 10 are going off the record.
 11 (Thereupon, the deposition was adjourned at
 12 10:03 a.m.)
 13 ---
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1 **MR. KNIGHT:** I am not. We are going to
 2 file an appropriate motion and we are going to
 3 take it to the judge and see what he does.
 4 Thank you.
 5 **MR. SCAROLA:** So that the record is clear,
 6 it is my intention to ask very specific
 7 questions about every factual allegation
 8 included in every claim brought by Mr. Edwards
 9 on behalf of every victim in every case in
 10 which it is alleged that Mr. Edwards has
 11 abusively prosecuted that claim.
 12 I want to know about the connection between
 13 Mr. Epstein and each one of those alleged
 14 victims. I want to know about every individual
 15 who had information concerning the events that
 16 are alleged in those complaints, every
 17 individual who was in a position to have
 18 possibly had information about the events
 19 alleged in those complaints.
 20 I want to ask this witness about every
 21 person whose deposition was taken and scheduled
 22 to be taken, the relationship of those persons
 23 to Mr. Epstein, knowledge that those persons may
 24 have with respect to Mr. Epstein's activities
 25 with minors, other crimes committed by

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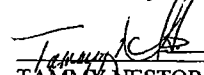
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STATE OF FLORIDA
 COUNTY OF BROWARD

I, TAMMY NESTOR, Registered Professional
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 did stenographically report the foregoing deposition of
 JEFFREY EPSTEIN, that a review of the transcript was
 requested, and that the transcript is a true record of
 my stenographic notes

I further certify that I am not a relative,
 employee, attorney, or counsel of any of the parties,
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Dated this 25th day of January 2012.


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STATE OF FLORIDA
COUNTY OF BROWARD

I, the undersigned authority, certify that
JEFFREY EPSTEIN personally appeared before me and was
duly sworn.

Witness my hand and official seal this 25th
day of January 2012.

Tammy Nestor

Tammy Nestor, Court Reporter
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In Re: Epstein v Edwards
Case No. 502009CA040800XXXXMBAG
JEFFREY EPSTEIN
January 25, 2012

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Under penalties of perjury, I declare that I have read
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DATE JEFFREY EPSTEIN

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ATTN: CHRISTOPHER E. KNIGHT, ESQUIRE

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IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CIVIL DIVISION

CASE NO.: 50 2008 CA 028051 XXXXMB AB

L.M.,

Plaintiff,

vs.

JEFFREY EPSTEIN,

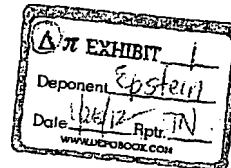
Defendant.

PLAINTIFF'S THIRD AMENDED COMPLAINT

Plaintiff, L.M., by and through her undersigned counsel, sues the Defendant, Jeffrey Epstein, and alleges:

GENERAL ALLEGATIONS AS TO ALL COUNTS

1. This is an action in an amount in excess of \$15,000.00, exclusive of interest and costs and is within the jurisdictional limits of this Court.
2. This Complaint is brought under a fictitious name in order to protect the identity of the plaintiff because this Complaint makes allegations of a sensitive sexual nature.
3. At all times material to this cause of action, the plaintiff, L.M. (hereinafter referred to as "Plaintiff"), was a resident of Palm Beach County, Florida.
4. At all times material to this cause of action, Defendant, Jeffrey Epstein, had a residence located at 358 El Brillo Way, West Palm Beach, Palm Beach County, Florida.



5. Defendant, Jeffrey Epstein, is currently a citizen of the State of Florida, as he currently resides at 358 El Brillo Way, West Palm Beach, Florida where he is currently under community control as a condition of his sentence in criminal case number 06CF009454AMB.

6. At all times material to this cause of action, Defendant, Jeffrey Epstein, was an adult male born in 1953.

7. All of the allegations within this Complaint occurred in West Palm Beach, Florida.

8. Upon information and belief, Defendant, Jeffrey Epstein, has demonstrated a sexual preference and obsession for minor girls.

9. Defendant, Jeffrey Epstein, along with numerous assistants, developed a plan, scheme, and criminal enterprise that included an elaborate system wherein the then minor Plaintiff was brought to Defendant Jeffrey Epstein's residence by the Defendant's employees, recruiters, and assistants. When the assistants and employees left the then minor Plaintiff and other minor girls alone in a room at the defendant's mansion, Defendant, Jeffrey Epstein, himself would appear, remove his clothing, and direct the then minor Plaintiff to remove her clothing. He would then perform one or more lewd, lascivious, and sexual acts, including, but not limited to, masturbation, touching of the then minor Plaintiff's sexual organs, using vibrators or sexual toys on the then minor Plaintiff, coercing the then minor Plaintiff into sexual acts with himself or others, and digitally penetrating the then minor Plaintiff. He would then pay the plaintiff for engaging in this sexual activity.

10. The plaintiff was first brought to Defendant, Jeffrey Epstein's mansion in 2002 when she was a thirteen or fourteen-year old.

11. The then minor Plaintiff was a vulnerable child without adequate parental support at all times material to this Complaint. The defendant, Jeffrey Epstein, a wealthy financier with a lavish home, significant wealth, and a network of assistants and employees, used his resources and his influence over a vulnerable minor child to engage in a systematic pattern of sexually exploitive behavior.

12. Beginning in approximately July 2002 and continuing until approximately September 2005, Defendant, Jeffrey Epstein, coerced, induced and/or enticed the impressionable, vulnerable, and economically deprived then minor Plaintiff to commit various acts of sexual misconduct. These acts included, but were not limited to, fondling and inappropriate and illegal sexual touching of the then minor Plaintiff, forcing or inducing the then minor Plaintiff into sexual misconduct, masturbation of Defendant, Jeffrey Epstein, in the presence of the then minor Plaintiff, handling and fondling of the then minor Plaintiff's sexual organs, and encouraging the then minor Plaintiff to become involved in prostitution; Defendant, Jeffrey Epstein, committed numerous criminal sexual offenses against the then minor Plaintiff including, but not limited to, sexual battery, solicitation of prostitution, molestation, coercing a minor into prostitution, contributing to the delinquency of a minor, and the commission of lewd and lascivious acts upon the person of the then minor Plaintiff.

13. In addition to the direct sexual abuse and molestation of the then minor Plaintiff, Defendant, Jeffrey Epstein, instructed, coerced and otherwise induced the then

18. In acting in the manner described in paragraphs 1 through 15, Defendant, Jeffrey Epstein, violated a duty to refrain from committing criminal actions against Plaintiff that proximately caused damages to Plaintiff.

19. In committing various crimes against Plaintiff, Defendant violated penal statutes that were designed to protect a class of persons, of which Plaintiff is a member, against a particular type of harm.

20. Particularly, the Florida Statutes which Epstein violated include, but may not be limited to:

A. Chapter 800.04(4-7) – Lewd or lascivious offenses; Defendant Epstein engaged in sexual activity with Plaintiff when Plaintiff was less than 16 years of age, and also encouraged or enticed her at that time to become involved in prostitution or some other act of sexual activity; Defendant also violated this statute by touching in a lewd or lascivious manner the breasts, genitals, genital area or buttocks, or the clothing covering them, of Plaintiff at a time when Plaintiff was less than 16 years old, or enticed Plaintiff at that time to so touch Epstein. Epstein masturbated in the presence of Plaintiff when Plaintiff was less than 16 years of age.

B. Section 827.04 – Contributing to the delinquency of a child; Defendant induced or endeavored to induce by act, threat, command, or persuasion, the then minor Plaintiff to commit or perform acts, follow a course of conduct, and live in a manner that caused or tended to cause Plaintiff to become or remain delinquent, when he committed the acts described in paragraphs 12-15 above against Plaintiff.

minor Plaintiff to bring him numerous other minor children for the purposes of further satisfying his deviant sexual attraction to minors. Defendant, Jeffrey Epstein, used his money, wealth and power to unduly and improperly manipulate and influence the then minor Plaintiff to bring him these other minor girls in exchange for money. This influence led the then minor Plaintiff away from the life of an adolescent teenage child and into a delinquent lifestyle.

14. The above-described acts took place in Palm Beach County, Florida at the residence of the Defendant, Jeffrey Epstein. Any assertions by Defendant, Jeffrey Epstein, that he was unaware of the age of the then minor Plaintiff are belied by his actions and rendered irrelevant by the provisions of applicable Florida Statutes concerning the sexual exploitation and abuse of a minor child. The defendant, Jeffrey Epstein, at all times material to this cause of action, knew and should have known of the Plaintiff's minority.

15. The above-described acts were perpetrated upon the person of the then minor Plaintiff on numerous occasions.

COUNT I

Negligence Per Se, violation of criminal statutes

16. The plaintiff adopts and realleges paragraphs 1 through 15 above.

17. Defendant, Jeffrey Epstein, negligently injured Plaintiff, and/or failed to understand or appreciate that his conduct as alleged herein would injure Plaintiff, on numerous occasions between approximately July 2002 and approximately September 2005.

C. Section 796.03 – Procuring a minor for prostitution; Defendant procured for prostitution, or caused to be prostituted, Plaintiff when Plaintiff was under the age of 18.

D. Section 796.07 – Prohibiting prostitution; Defendant owned, maintained and operated a place, to wit: his home located at 358 El Brillo Way, West Palm Beach, Palm Beach County, Florida, for the purpose of lewdness or prostitution, he received minors into his house for the purpose of lewdness or prostitution, and directed, took, transported, or offered or agreed to transport Plaintiff to and from his house with the reasonable belief that the purpose of such directing, taking, or transporting was lewdness or prostitution;

E. Section 796.045 – Sex trafficking; Defendant knowingly recruited, enticed, harbored, transported, or obtained Plaintiff, knowing that coercion would be used to cause Plaintiff to engage in prostitution;

F. Section 796.04 – Forcing, compelling, or coercing another to become a prostitute; Defendant coerced Plaintiff to become a prostitute; and

G. Section 39.01 (67) – Sexual abuse of a child; Defendant intruded into the genitals of Plaintiff, when Plaintiff was a child, and touched her genitals or intimate parts, he intentionally masturbated in front of her, he intentionally exposed his genitals in her presence, and encouraged Plaintiff to engage in prostitution.

21. As to each of the above referenced criminal statutes, Plaintiff was a member of the class of persons intended to be protected, the injury was of the type the

statute intended to protect, and the injuries suffered by Plaintiff proximately resulted from the violation of the criminal statute.

22. As a direct and proximate result of Defendant, Jeffrey Epstein's acts on Plaintiff, the plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the plaintiff will in the future suffer additional medical and psychological expenses. The plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the plaintiff, L.M., demands judgment against the defendant, Jeffrey Epstein, for compensatory damages, punitive damages, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT II

Intentional Sexual Tort Per Se in Violation of Criminal Statutes

23. The plaintiff adopts and realleges paragraphs 1 through 15 above.

24. Defendant, Jeffrey Epstein, intentionally injured Plaintiff sexually on numerous occasions between approximately July 2002 and approximately September

2005, and further sexually exploited her and contributed to her delinquency during that time.

25. In sexually abusing, battering and exploiting Plaintiff in the manner described in paragraphs 1 through 15, Defendant, Jeffrey Epstein, violated a duty to refrain from committing criminal actions against Plaintiff that proximately caused damages to Plaintiff.

26. In committing various crimes against Plaintiff, Defendant violated penal statutes that were designed to protect a class of persons, of which Plaintiff is a member, against a particular type of harm.

27. Particularly, the Florida Statutes which Epstein violated include, but may not be limited to:

A. Chapter 800.04(4-7) – Lewd or lascivious offenses; Defendant Epstein engaged in sexual activity with Plaintiff when Plaintiff was less than 16 years of age, and also encouraged or enticed her at that time to become involved in prostitution or some other act of sexual activity; Defendant also violated this statute by touching in a lewd or lascivious manner the breasts, genitals, genital area or buttocks, or the clothing covering them, of Plaintiff at a time when Plaintiff was less than 16 years old, or enticed Plaintiff at that time to so touch Epstein. Epstein masturbated in the presence of Plaintiff when Plaintiff was less than 16 years of age.

B. Section 827.04 – Contributing to the delinquency of a child; Defendant induced or endeavored to induce by act, threat, command, or persuasion, the then minor Plaintiff to commit or perform acts, follow a course of conduct, and live in

a manner that caused or tended to cause Plaintiff to become or remain delinquent, when he committed the acts described in paragraphs 12-15 above against Plaintiff.

C. Section 796.03 – Procuring a minor for prostitution; Defendant procured for prostitution, or caused to be prostituted, Plaintiff when Plaintiff was under the age of 18.

D. Section 796.07 – Prohibiting prostitution; Defendant owned, maintained and operated a place, to wit: his home located at 358 El Brillo Way, West Palm Beach, Palm Beach County, Florida, for the purpose of lewdness or prostitution, he received minors into his house for the purpose of lewdness or prostitution, and directed, took, transported, or offered or agreed to transport Plaintiff to and from his house with the reasonable belief that the purpose of such directing, taking, or transporting was lewdness or prostitution;

E. Section 796.045 – Sex trafficking; Defendant knowingly recruited, enticed, harbored, transported, or obtained Plaintiff, knowing that coercion would be used to cause Plaintiff to engage in prostitution;

F. Section 796.04 – Forcing, compelling, or coercing another to become a prostitute; Defendant coerced Plaintiff to become a prostitute; and

G. Section 39.01 (67) – Sexual abuse of a child; Defendant intruded into the genitals of Plaintiff, when Plaintiff was a child, and touched her genitals or intimate parts, he intentionally masturbated in front of her, he intentionally exposed his genitals in her presence, and encouraged Plaintiff to engage in prostitution.

28. As to each of the above referenced criminal statutes, Plaintiff was a member of the class of persons intended to be protected, the injury was of the type the statute intended to protect, and the injuries suffered by Plaintiff proximately resulted from the violation of the criminal statute.

29. As a direct and proximate result of Defendant, Jeffrey Epstein's criminal acts on Plaintiff, the plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor plaintiff incurred medical and psychological expenses and the plaintiff will in the future suffer additional medical and psychological expenses. The plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the plaintiff will continue to suffer these losses in the future.

WHEREFORE, the plaintiff, L.M., demands judgment against the defendant, Jeffrey Epstein, for compensatory damages, punitive damages, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT III

Cause of Action Pursuant to Florida Statute 796.09
Against Defendant, Jeffrey Epstein

30. The plaintiff adopts and realleges paragraphs 1 through 15 above.

31. The allegations contained herein in Count II are a separate and distinct legal remedy.

32. Defendant, Jeffrey Epstein, was a wealthy and powerful man, and Plaintiff was an economically disadvantaged and impressionable minor.

33. Defendant, Jeffrey Epstein, used his vast wealth and power to coerce Plaintiff into prostitution and/or coerced her to remain in prostitution.

34. Defendant, Jeffrey Epstein, coerced Plaintiff into prostitution in one or more of the following ways:

- A. Domination of her mind and body through exploitive techniques;
- B. Inducement;
- C. Promise of greater financial rewards;
- D. Exploitation of a condition of developmental disability, cognitive limitation, affective disorder, and/or substance dependency;
- E. Exploitation of human needs for food, shelter or affection;
- F. Exploitation of underprivileged and vulnerable economic condition or situation;
- G. Use of a system of recruiting other similarly situated minor girls to further coerce and induce Plaintiff into the lifestyle of prostitution; and
- H. Exploitation through demonstration of abundant wealth and power to impress a young and vulnerable then minor Plaintiff and to coerce her into prostitution.

35. As a direct and proximate result of the offenses committed by Defendant, Jeffrey Epstein, against Plaintiff pursuant to Florida Statutes §796.09, the plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the plaintiff will in the future suffer additional medical and psychological expenses. The plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the plaintiff, L.M., demands judgment against the defendant, Jeffrey Epstein, for compensatory damages, punitive damages, attorney's fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT IV
Intentional Infliction of Emotional Distress
Against Defendant, Jeffrey Epstein

36. The plaintiff adopts and realleges paragraphs 1 through 15 above.

37. The defendant, Jeffrey Epstein's conduct towards the then minor plaintiff was intentional and reckless and was outrageous in character, and so extreme in degree, going beyond all bounds of decency.

38. The defendant, Jeffrey Epstein's intentional, deliberate and reckless conduct caused severe emotional distress to the plaintiff. Defendant, at the time he committed these numerous sexual assaults on Plaintiff, had a specific intent to harm the then minor Plaintiff and his conduct did so harm the plaintiff.

39. As a direct and proximate result of the defendant, Jeffrey Epstein's intentional and reckless conduct, the plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with the defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the plaintiff will in the future suffer additional medical and psychological expenses. The plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the plaintiff will continue to suffer these losses in the future.

WHEREFORE, the plaintiff, L.M., demands judgment against the defendant, Jeffrey Epstein, for compensatory damages, punitive damages, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT IV
Battery

40. The plaintiff, L.M., repeats and realleges paragraphs 1 through 15 above.

41. On numerous occasions, Defendant Epstein did in fact intentionally touch Plaintiff, L.M., on her person against her will and/or without her legal consent.

42. Defendant Epstein battered Plaintiff sexually, in that he touched her in intimate areas of her body and person in an offensive manner while she was a minor child, and therefore the touchings were without legal consent.

43. Defendant Epstein touched her in intimate areas of her body on dozens of occasions between approximately July 2002 and September 2005.

44. The conduct described in this count constitutes battery against the person of the then minor Plaintiff.

45. As a direct and proximate result of Defendant, Jeffrey Epstein's battery on Plaintiff, the plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of her childhood, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. Plaintiff has suffered a loss of income, a loss of the capacity to earn income in the

future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

WHEREFORE, Plaintiff, demands judgment against the defendant, Jeffrey Epstein, for compensatory damages, punitive damages, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been provided this 2nd day of May 2010 via U.S. Mail and email transmittal to all those on the attached service list.

Farmer, Jaffe, Weissing,
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By: _____

BRADLEY J. EDWARDS
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NOT A CERTIFIED COPY

09-22783

IN THE CIRCUIT COURT OF THE 15th
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CIVIL DIVISION

CASE NO.: 50 2008 CA 028051 XXXXMB AD

L.M.,

Plaintiff,

vs.

JEFFREY EPSTEIN and
SARAH KELLEN,

Defendants.

AMENDED COMPLAINT

Plaintiff, L.M., by and through her undersigned counsel, sues the Defendants, Jeffrey Epstein and Sarah Kellen, and alleges:

1. This is an action in an amount in excess of \$15,000.00, exclusive of interest and costs and is within the jurisdictional limits of this Court.
2. This Complaint is brought under a fictitious name in order to protect the identity of the Plaintiff because this Complaint makes allegations of sexual assault and child abuse of a then minor.
3. At all times material to this cause of action, the Plaintiff, L.M. (hereinafter referred to as "Plaintiff"), was a resident of Palm Beach County, Florida.

COPY

4. At all times material to this cause of action, Defendant, Jeffrey Epstein, had a residence located at 358 El Brillo Way, West Palm Beach, Palm Beach County, Florida.

5. Defendant, Jeffrey Epstein, is currently a citizen of the State of Florida, as he currently resides in West Palm Beach, Florida at the Palm Beach County Jail and has the intention to remain in Florida. This is substantiated by the residence that he maintains at 358 El Brillo Way, West Palm Beach, Florida where he spends the majority of his time, and intentions to remain at that address permanently are further evidenced by his statements to the Court during his State Plea colloquy on June 30, 2008, case number 06CF009454AMB, taken before the Honorable Judge Dale Pucillo, wherein he indicated that after his release from the Palm Beach County Jail he intends to reside permanently at his home at 358 El Brillo Way, West Palm Beach, Florida, and he plans to work in West Palm Beach, Florida as well.

6. At all times material to this cause of action, Defendant, Jeffrey Epstein, was an adult male born in 1953.

7. Defendant, Sarah Kellen, is a citizen and resident of the State of New York.

8. At all times material to this cause of action, Defendant, Sarah Kellen, was an adult female.

9. At all times material to this cause of action, the Defendants, Jeffrey Epstein and Sarah Kellen, owed a duty unto Plaintiff to treat her in a non-negligent manner and to not commit intentional or tortious or illegal acts against her.

10. All of the allegations within this Complaint occurred in West Palm Beach, Florida.

FACTUAL ALLEGATIONS

11 Upon information and belief, Defendant, Jeffrey Epstein, has demonstrated a sexual preference and obsession for minor girls.

12. Defendant, Jeffrey Epstein, assisted by Defendant, Sarah Kellen, developed a plan, scheme, and criminal enterprise that included an elaborate system wherein the then minor Plaintiff was brought to the Defendant, Jeffrey Epstein's residence by the Defendant's employees, recruiters, and assistants, including Defendant, Sarah Kellen. When the assistants and employees left the then minor Plaintiff and other minor girls alone in a room at the Defendant's mansion, Defendant, Jeffrey Epstein, himself would appear, remove his clothing, and direct the then minor Plaintiff to remove her clothing. He would then perform one or more lewd, lascivious, and sexual acts, including, but not limited to, masturbation, touching of the then minor Plaintiff's sexual organs, using vibrators or sexual toys on the then minor Plaintiff, coercing the then minor Plaintiff into sexual acts with himself or others, and digitally penetrating the then minor Plaintiff. He would then pay the Plaintiff for engaging in this sexual activity.

13. The Plaintiff was first brought to Defendant, Jeffrey Epstein's mansion in 2002 when she was a fourteen-year old in middle school.

14. The Defendant, Jeffrey Epstein, a wealthy financier with a lavish home, significant wealth, and a network of assistants and employees, including Defendant, Sarah Kellen, used his resources and his influence over a vulnerable minor child to engage in a systematic pattern of sexually exploitive behavior.

15. Beginning in approximately July 2002 and continuing until approximately September 2005, Defendant, Jeffrey Epstein, coerced, induced and/or enticed the impressionable,

vulnerable, and economically deprived then minor Plaintiff to commit various acts of sexual misconduct. These acts included, but were not limited to, fondling and inappropriate and illegal sexual touching of the then minor Plaintiff, sexual misconduct and masturbation of Defendant, Jeffrey Epstein, in the presence of the then minor Plaintiff, and encouraging the then minor Plaintiff to become involved in prostitution; Defendant, Jeffrey Epstein, committed numerous criminal sexual offenses against the then minor Plaintiff including, but not limited to, sexual battery, solicitation of prostitution, procurement of a minor for the purposes of prostitution, and lewd and lascivious assaults upon the person of the then minor Plaintiff.

16. In addition to the direct sexual abuse and molestation of the then minor Plaintiff, Defendant, Jeffrey Epstein, instructed, coerced and otherwise induced the then minor Plaintiff to bring him numerous other minor children for the purposes of further satisfying his deviant sexual attraction to minors. Defendant, Jeffrey Epstein, used his money, wealth and power to unduly and improperly manipulate and influence the then minor Plaintiff to bring him these other minor girls in exchange for money. This influence led the then minor Plaintiff away from the life of a middle school aged child and into a delinquent lifestyle.

17. The acts referenced above in paragraphs 12 through 16, committed by Defendant, Jeffrey Epstein, against the then minor Plaintiff were committed in violation of numerous criminal State statutes condemning the sexual exploitation of minor children, prostitution, sexual performances by a child, lewd and lascivious assaults, sexual battery, contributing to the delinquency of a minor and other crimes, specifically including, but not limited to, those criminal offenses outlined in Chapters 794, 800, and 827 of the Florida Statutes, as well as those

designated in Florida Statutes §796.03, §796.07, §796.045, §796.04, §796.09, §39.01, §450.151, and §827.04.

18. The above-described acts took place in Palm Beach County, Florida at the residence of the Defendant, Jeffrey Epstein. Any assertions by Defendants, Jeffrey Epstein and Sarah Kellen, that they were unaware of the age of the then minor Plaintiff are belied by their actions and rendered irrelevant by the provisions of applicable Florida Statutes concerning the sexual exploitation and abuse of a minor child. The Defendants, Jeffrey Epstein and Sarah Kellen, at all times material to this cause of action, knew and should have known of the Plaintiff's minority.

19. The above-described acts were perpetrated upon the person of the then minor Plaintiff on numerous occasions.

20. In June 2008, in the Fifteenth Judicial Circuit in Palm Beach County, Florida, Defendant, Jeffrey Epstein, entered pleas of "guilty" to various Florida state crimes involving the solicitation of minors for prostitution and the procurement of minors for the purposes of prostitution.

21. As a condition of that plea, and in exchange for the Federal Government not prosecuting Defendant, Jeffrey Epstein, for numerous federal offenses, Defendant, Jeffrey Epstein, additionally entered into an agreement with the Federal Government acknowledging that the Plaintiff was a victim of his conduct.

22. The Plaintiff is included in the list of victims identified by the Federal Government as victims of the Defendant, Jeffrey Epstein's illegal conduct. Defendant, Jeffrey

Epstein, is thus estopped by his plea and agreement with the Federal Government from denying the acts alleged in this Complaint, and must effectively admit liability to the Plaintiff.

COUNT I

**Sexual Exploitation, Sexual Abuse and/or Sexual Assault of a Minor
Against Defendant, Jeffrey Epstein**

23. The Plaintiff adopts and realleges paragraphs 1 through 22 above.

24. Defendant, Jeffrey Epstein, tortiously assaulted Plaintiff sexually on numerous occasions between approximately July 2002 and approximately September 2005, and further sexually exploited her and contributed to her delinquency during that time. Defendant's tortious acts were intentional and these acts are described in the preceding paragraphs.

25. In sexually abusing, assaulting and exploiting Plaintiff in the manner described in paragraphs 1 through 22, Defendant, Jeffrey Epstein, violated a duty to refrain from committing criminal actions that proximately caused damages to Plaintiff. A violation of any criminal statute constitutes a breach of that duty and also negligence per se. The Florida Statutes which Epstein violated include, but may not be limited to:

- A. Chapters 794 – Sexual Battery;
- B. Chapter 800 – Lewdness; Indecent exposure;
- C. Section 827.04 – Contributing to the delinquency of a child;
- D. Section 827.071 – Sexual performance by a child;
- E. Section 796.03 – Procuring a minor for prostitution;
- F. Section 796.07 – Crimes against prostitution;
- G. Section 796.045 – Sex trafficking;

- H. Section 796.04 – Forcing, compelling, or coercing another to become a prostitute;
- I. Section 450.151 – Hiring or employing minor; infliction of pain and suffering; and
- J. Section 39.01 (67) – Sexual abuse of a child

26. As a direct and proximate result of Defendant, Jeffrey Epstein's assaults and acts of exploitation on Plaintiff, the Plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff will in the future suffer additional medical and psychological expenses. The Plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, L.M., demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT II

Cause of Action Pursuant to Florida Statute 796.09 Against Defendant, Jeffrey Epstein

- 27. The Plaintiff adopts and realleges paragraphs 1 through 22 above.
- 28. The allegations contained herein in Count II are a separate and distinct legal remedy.

29. Defendant, Jeffrey Epstein, was a wealthy and powerful man, and Plaintiff was an economically disadvantaged and impressionable minor.

30. Defendant, Jeffrey Epstein, used his vast wealth and power to coerce Plaintiff into prostitution and/or coerced her to remain in prostitution.

31. Defendant, Jeffrey Epstein, coerced Plaintiff into prostitution in one or more of the following ways:

- A. Domination of her mind and body through exploitive techniques;
- B. Inducement;
- C. Promise of greater financial rewards;
- D. Exploitation of a condition of developmental disability, cognitive limitation, affective disorder, and/or substance dependency;
- E. Exploitation of human needs for food, shelter or affection;
- F. Exploitation of underprivileged and vulnerable economic condition or situation;
- G. Use of a system of recruiting other similarly situated minor girls to further coerce and induce Plaintiff into the lifestyle of prostitution; and
- H. Exploitation through demonstration of abundant wealth and power to impress a young and vulnerable then minor Plaintiff and to coerce her into prostitution.

32. As a direct and proximate result of the offenses committed by Defendant, Jeffrey Epstein, against Plaintiff pursuant to Florida Statutes §796.09, the Plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of

dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff will in the future suffer additional medical and psychological expenses. The Plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, L.M., demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, attorney's fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT III

Intentional Infliction of Emotional Distress Against Defendant, Jeffrey Epstein

33. The Plaintiff adopts and realleges paragraphs 1 through 22 above.

34. The Defendant, Jeffrey Epstein's conduct towards the then minor Plaintiff was intentional and reckless.

35. The Defendant, Jeffrey Epstein, deliberately and recklessly inflicted mental suffering upon the then minor Plaintiff.

36. The Defendant, Jeffrey Epstein's conduct was outrageous in character, and so extreme in degree, going beyond all bounds of decency.

37. The Defendant, Jeffrey Epstein's intentional, deliberate and reckless conduct caused severe emotional distress to the Plaintiff. Defendant, at the time he committed these

numerous sexual assaults on Plaintiff, had a specific intent to harm the then minor Plaintiff and his conduct did so harm the Plaintiff.

38. As a direct and proximate result of the Defendant, Jeffrey Epstein's intentional and reckless conduct, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with the Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff will in the future suffer additional medical and psychological expenses. The Plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, L.M., demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT IV

Civil Remedy for Criminal Practices **Against Defendants, Jeffrey Epstein and Sarah Kellen**

39. The Plaintiff adopts and realleges paragraphs 1 through 22 above.

40. The allegations contained herein in Count IV are a separate and distinct legal remedy.

41. The Defendants, Jeffrey Epstein and Sarah Kellen, participated in an enterprise, or conspired or endeavored to so participate, through a pattern of criminal activity in violation of Florida Statutes §772.103(3)-(4).

42. Defendants, Jeffrey Epstein's and Sarah Kellen's enterprise included, at a minimum, a group of individuals associated in fact to assist Defendant, Jeffrey Epstein, in recruiting and procuring minor girls and obtaining criminal gratification of his illegal sexual interest in minor girls.

43. The persons constituting the enterprise included a group of individuals associated in fact. These individuals include Defendants, Jeffrey Epstein and Sarah Kellen, and Nadia Marcinkova, as well as other persons unknown at this time.

44. The criminal enterprise had a definite structure. The enterprise operated together on a continuing basis, with largely the same personnel for a common purpose.

45. The shared purpose of the enterprise was to satisfy Defendant, Jeffrey Epstein's illegal interest in having sexual activities with minor girls.

46. The enterprise was not a mere informal conspiracy, but had a definite hierarchical structure. Defendant, Jeffrey Epstein, served informally but effectively as the leader, C.E.O. or "boss" of this organization, directing his underlings how to recruit and procure young girls for his sexual activities and when to bring the girls to his mansion. Defendant, Jeffrey Epstein's key "lieutenant" in the organization was Defendant, Sarah Kellen, who served as both his scheduler and a recruiter/procurer of the girls. This was an important function, as the recruiting was necessary to satisfy Defendant, Jeffrey Epstein's desire to abuse a large number of different minor girls with different (albeit similar) physical attributes and the scheduling was necessary to

insure that the minor girls would be brought to Defendant, Jeffrey Epstein's mansion to be sexually abused and prostituted at a time when Defendant, Jeffrey Epstein was there (but not at the same time, when they might learn of other girls' identities and possibly become emboldened to report his activities to law enforcement).

47. Scheduling was also necessary to ensure secrecy, so that as few persons as possible were aware that minor girls were coming at unusual hours to Defendant, Jeffrey Epstein's mansion.

48. Defendant, Sarah Kellen, also needed (directly or indirectly) to make transportation arrangements for many of the girls, as they were often too young to drive themselves to and from the mansion. Nadia Marcinkova also served as a recruiter and helped Defendant, Jeffrey Epstein, satisfy his criminal sexual desires by, on occasion, directly participating in sexual abuse and prostitution of the minor girls.

49. Defendant, Jeffrey Epstein, Defendant, Sarah Kellen, and Nadia Marcinkova all took steps to conceal the existence of the enterprise and to discourage the girls from reporting the sexual abuse and prostitution to law enforcement or other authority figures. Defendant, Jeffrey Epstein, also used otherwise-legitimate business activities to help further the purpose of the criminal enterprise. These apparently legitimate activities provided "cover" for Defendant, Jeffrey Epstein, Defendant, Sarah Kellen, and their associates to commit the crimes.

50. Defendant, Jeffrey Epstein, also maintained the appearance of an upstanding and prominent banker and investor to discourage the minor girls from reporting the abuse to law enforcement. By projecting an image of financial power (and, relatedly, strong political connections to prominent politicians and current and former government officials and personal

connections to prominent scientists), Defendant, Jeffrey Epstein, hoped to discourage the minor girls from reporting what he was doing to them by making it appear that they would not be believed. These business activities helped Defendant, Jeffrey Epstein, secure the financial resources to commit the crimes against the minor girls and to pay for prostituting them.

51. For example, the activities paid for maintaining the mansion where the girls were abused and paid for the cellular telephones and other means of communications that were used to recruit and procure the girls. The business activities also helped to provide the funds to pay Defendant, Sarah Kellen, and Nadia Marcinkova large sums of money to participate in the illegal enterprise and make payments to the girls for performing sexual acts.

52. This enterprise produced a course of conduct that lead to a pattern of criminal activity involving more than 100 instances of sexual abuse and prostitution of minor girls. This enterprise was the vehicle for Defendant, Jeffrey Epstein, assisted by Defendant, Sarah Kellen, to commit his crimes against Plaintiff and other minor girls and operated on a continuing basis from at least as early as June 2002 to November 2005 (and, in regard to witness tampering and harassment, through at least early 2008). The enterprise enabled Defendant, Jeffrey Epstein, to sexually abuse and prostitute the Plaintiff on numerous occasions.

53. The usual and daily activities of the criminal enterprise included scheduling meetings, activities, and other events for Defendant, Jeffrey Epstein – including scheduling “private time” in his mansion for Defendant, Jeffrey Epstein, to commit sexual crimes against minor girls. Defendant, Sarah Kellen, served as Defendant, Jeffrey Epstein’s scheduler, scheduling both otherwise-lawful activities to provide “cover” for Defendant, Jeffrey Epstein, as well as the illegal sexual activities.

54. The exact frequency with which the sexual crimes took place varied and is not known; however, when Defendant, Jeffrey Epstein, was in West Palm Beach, Florida, it often occurred on a weekly or daily basis (and, in some instances, took place on several times during a single day).

55. The scheduling was designed to secure a private place in Defendant, Jeffrey Epstein's mansion when few other persons would be present at the mansion, so as to reduce the chance of detection of Defendant, Jeffrey Epstein's sexual abuse and prostitution as well as to make it more difficult for the minor girls to report his actions to law enforcement or other authorities.

56. The usual activities of the enterprise also included maintaining the mansion and securing means of communication (i.e., cellular telephones) to recruit minor girls and procure them for prostitution. The activities further included arranging transportation for the girls to and from the mansion if it was necessary.

57. The enterprise also attempted to make Defendant, Jeffrey Epstein, appear to be an upstanding and law-abiding member of the community and a successful businessperson. The enterprise served as the usual way in which Defendant, Jeffrey Epstein, would obtain sexual gratification.

58. The criminal acts of Defendants, Jeffrey Epstein and Sarah Kellen, occurred repeatedly over a substantial period of time and were not isolated events.

59. Defendant, Jeffrey Epstein, assisted by Defendant, Sarah Kellen, committed repeated (more than 20) criminal acts of sexual abuse against Plaintiff from approximately July 2002 to September 2005.

60. In addition, since November 2005 and through the early part of 2008 (and perhaps later), Defendant, Jeffrey Epstein, and others acting at his direction have attempted to discourage the victims of his crimes from reporting his crimes and cooperating with law enforcement. For example, persons acting at the direction of Defendant, Jeffrey Epstein, have aggressively attempted to "interview" the victims or to "tail" the victims in their cars. They also harassed a victim shortly before she was to testify at a grand jury investigating Defendant, Jeffrey Epstein. These efforts have been made not for legitimate investigative reasons but rather for the purpose of discouraging the victims from cooperating with law enforcement (and, in at least one case, the investigating grand jury) and from filing civil lawsuits to vindicate their rights.

61. The Defendants, Jeffrey Epstein and Sarah Kellen, participated in this pattern of criminal activity by engaging in at least two of the following acts of criminal misconduct with the same or similar intents, results, accomplices, victims, and methods of commission within a five year period:

A. Procuring for prostitution, or causing to be prostituted, any person who is under the age of 18 years in violation of Florida Statutes Chapter 796;

B. Forcing, compelling, or coercing another to become a prostitute in violation of Florida Statutes §796.04;

C. Acts of battery in violation of Florida Statutes Chapter 784; and

D. Sexual performance or exploitation of a child in violation of Florida Statutes §827.071.

62. Under the plan, scheme, and enterprise, Defendant, Jeffrey Epstein, paid employees and underlings to repeatedly find and bring him minor girls in order for the

Defendant, Jeffrey Epstein, to solicit, induce, coerce, entice, compel or force such girls to engage in acts of prostitution and sexual misconduct.

63. The Plaintiff was the victim of the Defendants, Jeffrey Epstein's and Sarah Kellen's plan, scheme, and enterprise. The Plaintiff was called on the telephone and transported by various individuals, including Defendant, Sarah Kellen, to the Defendant, Jeffrey Epstein's residence, where she was placed in a room along with the Defendant, Jeffrey Epstein, enticed to commit acts of prostitution, battery, and sexual exploitation. The Defendant, Jeffrey Epstein, conspired with Defendant, Sarah Kellen, and his other assistants and employees and various adults and minor children in order to accomplish his enterprise of seeking out, gaining access to, and exploiting minor children such as the Plaintiff.

64. After introducing Plaintiff into prostitution, Defendant, Jeffrey Epstein, assisted by Defendant, Sarah Kellen, enticed Plaintiff to remain in prostitution and be a part of his deviant sexual lifestyle through exploitive techniques, such as offering additional money to Plaintiff in exchange for her bringing him additional minor girls to sexually abuse and commit sexual crimes against.

65. As a direct and proximate result of Defendant, Jeffrey Epstein's assaults and acts of exploitation on Plaintiff, as assisted by Defendant, Sarah Kellen, the Plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, assisted by Defendant, Sarah Kellen, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and

psychological expenses and the Plaintiff will in the future suffer additional medical and psychological expenses. The Plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, under the provisions of Florida Statutes Chapter 772, the Plaintiff demands judgment against the Defendants, Jeffrey Epstein and Sarah Kellen, for compensatory damages, treble damages, costs and attorneys' fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been provided by facsimile and United States mail to: Robert D. Critton, Esquire and Michael J. Pike, Esquire, Burman, Critton, et al., Attorneys for Defendant, 515 North Flagler Drive, Suite 400, West Palm Beach, Florida 33401, this 23rd day of December, 2008.

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By: 

Brad Edwards
Florida Bar #542075

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CIVIL DIVISION

CASE NO.:

2008 CA 02 80 58 XXXXNB

E.W.,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

COPY
RECEIVED FOR FILING

SEP 11 2008

SHARON R. BOCK
CLERK & COMPTROLLER
CIRCUIT CIVIL DIVISION

COMPLAINT

Plaintiff, E.W., by and through her undersigned counsel, sues the Defendant, Jeffrey Epstein, and alleges:

1. This is an action in an amount in excess of \$15,000.00, exclusive of interest and costs and is within the jurisdictional limits of this Court.
2. This Complaint is brought under a fictitious name in order to protect the identity of the Plaintiff because this Complaint makes allegations of sexual assault and child abuse of a then minor.
3. At all times material to this cause of action, the Plaintiff, E.W. (hereinafter referred to as "Plaintiff"), was a resident of Palm Beach County, Florida.
4. At all times material to this cause of action, the Defendant, Jeffrey Epstein, had a residence located at 358 El Brillo Way, West Palm Beach, Palm Beach County, Florida.

5. Defendant, Jeffrey Epstein, is currently a citizen of the State of Florida, as he currently resides in West Palm Beach, Florida at the Palm Beach County Jail and has the intention to remain in Florida. This is substantiated by the residence that he maintains at 358 El Brillo Way, West Palm Beach, Florida where he spends the majority of his time, and intentions to remain at that address permanently are further evidenced by his statements to the Court during his State Plea colloquy on June 30, 2008, case number 06CF009454AMB, taken before the Honorable Judge Dale Pucillo, wherein he indicated that after his release from the Palm Beach County Jail he intends to reside permanently at his home at 358 El Brillo Way, West Palm Beach, Florida, and he plans to work in West Palm Beach, Florida as well.

6. At all times material to this cause of action, the Defendant, Jeffrey Epstein, was an adult male born in 1953.

7. At all times material, the Defendant, Jeffrey Epstein, owed a duty unto Plaintiff to treat her in a non-negligent manner and to not commit intentional or tortious or illegal acts against her.

8. All of the allegations within this Complaint occurred in West Palm Beach, Florida.

FACTUAL ALLEGATIONS

9. Upon information and belief, the Defendant, Jeffrey Epstein, has demonstrated a sexual preference and obsession for minor girls.

10. The Defendant, Jeffrey Epstein, developed a plan, scheme, and criminal enterprise that included an elaborate system wherein the then minor Plaintiff was brought to the Defendant,

Jeffrey Epstein's residence by the Defendant's employees, recruiters, and assistants. When the assistants and employees left the then minor Plaintiff and other minor girls alone in a room at the Defendant's mansion, the Defendant, Jeffrey Epstein, himself would appear, remove his clothing, and direct the then minor Plaintiff to remove her clothing. He would then perform one or more lewd, lascivious, and sexual acts, including, but not limited to, masturbation, touching of the then minor Plaintiff's sexual organs, coercing or forcing the then minor Plaintiff to perform oral sex on him, using vibrators or sexual toys on the then minor Plaintiff, coercing the then minor Plaintiff into sexual acts with himself or others, and digitally penetrating the then minor Plaintiff. He would then pay the Plaintiff for engaging in this sexual activity.

11. The Plaintiff was first brought to the Defendant, Jeffrey Epstein's mansion in 2002 when she was a fourteen-year old in middle school.

12. The then minor Plaintiff was a vulnerable child without adequate parental support at all times material to this Complaint. The Defendant, Jeffrey Epstein, a wealthy financier with a lavish home, significant wealth, and a network of assistants and employees, used his resources and his influence over a vulnerable minor child to engage in a systematic pattern of sexually exploitive behavior.

13. Beginning in approximately August 2002 and continuing until approximately September 2005, the Defendant, Jeffrey Epstein, coerced, induced and/or enticed the impressionable, vulnerable, and economically deprived then minor Plaintiff to commit various acts of sexual misconduct. These acts included, but were not limited to, fondling and inappropriate and illegal sexual touching of the then minor Plaintiff, forcing the then minor Plaintiff into oral sex, sexual misconduct and masturbation of the Defendant, Jeffrey Epstein, in

the presence of the then minor Plaintiff, handling and fondling of the then minor Plaintiff's sexual organs for the purpose of masturbation, and encouraging the then minor Plaintiff to become involved in prostitution; Defendant, Jeffrey Epstein, committed numerous criminal sexual offenses against the then minor Plaintiff including, but not limited to, sexual battery, solicitation of prostitution, coercing a minor into a life of prostitution, and lewd and lascivious assaults upon the person of the then minor Plaintiff.

14. In addition to the direct sexual abuse and molestation of the then minor Plaintiff, Defendant, Jeffrey Epstein, instructed, coerced and otherwise induced the then minor Plaintiff to bring him numerous other minor children for the purposes of further satisfying his deviant sexual attraction to minors. Defendant, Jeffrey Epstein, used his money, wealth and power to unduly and improperly manipulate and influence the then minor Plaintiff to bring him these other minor girls in exchange for money. This influence led the then minor Plaintiff away from the life of a middle school aged child and into a delinquent lifestyle.

15. The acts referenced above in paragraphs 10 through 14, committed by Defendant, Jeffrey Epstein, against the then minor Plaintiff were committed in violation of numerous criminal State statutes condemning the sexual exploitation of minor children, prostitution, sexual performances by a child, lewd and lascivious assaults, sexual battery, contributing to the delinquency of a minor and other crimes, specifically including, but not limited to, those criminal offenses outlined in Chapters 794, 800, 827 and 847 of the Florida Statutes, as well as those designated in Florida Statutes §796.03, §796.07, §796.045, §796.04, §796.09, §39.01, and §827.04.

16. The above-described acts took place in Palm Beach County, Florida at the residence of the Defendant, Jeffrey Epstein. Any assertions by the Defendant, Jeffrey Epstein, that he was unaware of the age of the then minor Plaintiff are belied by his actions and rendered irrelevant by the provisions of applicable Florida Statutes concerning the sexual exploitation and abuse of a minor child. The Defendant, Jeffrey Epstein, at all times material to this cause of action, knew and should have known of the Plaintiff's minority.

17. The above-described acts were perpetrated upon the person of the then minor Plaintiff on numerous occasions.

18. In June 2008, in the Fifteenth Judicial Circuit in Palm Beach County, Florida, the Defendant, Jeffrey Epstein, entered pleas of "guilty" to various Florida state crimes involving the solicitation of minors for prostitution and the procurement of minors for the purposes of prostitution.

19. As a condition of that plea, and in exchange for the Federal Government not prosecuting the Defendant, Jeffrey Epstein, for numerous federal offenses, Defendant, Jeffrey Epstein, additionally entered into an agreement with the Federal Government acknowledging that E.W. was a victim of his conduct.

20. The Plaintiff is included in the list of victims identified by the Federal Government as victims of the Defendant, Jeffrey Epstein's illegal conduct. The Defendant, Jeffrey Epstein, is thus estopped by his plea and agreement with the Federal Government from denying the acts alleged in this Complaint, and must effectively admit liability to the Plaintiff.

COUNT I

Sexual Exploitation, Sexual Abuse and/or Sexual Assault of a Minor

21. The Plaintiff repeats and realleges paragraphs 1 through 20 above.

22. Defendant, Jeffrey Epstein, tortiously assaulted Plaintiff sexually on numerous occasions between approximately August 2002 and approximately September 2005, and further sexually exploited her and contributed to her delinquency during that time. Defendant's acts were outrageous, egregious, intentional, unlawful, offensive and harmful.

23. The sexual assaults were in violation of the numerous state statutes described in paragraph 15 above, and the assaults and acts of exploitation were committed by Defendant, Jeffrey Epstein, willfully and maliciously.

24. As a direct and proximate result of Defendant, Jeffrey Epstein's assaults on the Plaintiff, the Plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff will in the future suffer additional medical and psychological expenses. The Plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, E.W., demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, attorney's fees, and such other and further relief as this

Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT II

Cause of Action Pursuant to Florida Statute 796.09

25. The Plaintiff adopts and realleges paragraphs 1 through 20 above.
26. The allegations contained herein in Count II are a separate and distinct legal remedy.
27. Defendant, Jeffrey Epstein, was a wealthy and powerful man, and Plaintiff was an economically disadvantaged and impressionable minor.
28. Defendant, Jeffrey Epstein, used his vast wealth and power to coerce Plaintiff into prostitution and/or coerced her to remain in prostitution.
29. Defendant, Jeffrey Epstein, coerced Plaintiff into prostitution in one or more of the following ways:
 - A. Domination of her mind and body through exploitive techniques;
 - B. Inducement;
 - C. Promise of greater financial rewards;
 - D. Exploitation of a condition of developmental disability, cognitive limitation, affective disorder, and/or substance dependency;
 - E. Exploitation of human needs for food, shelter or affection;
 - F. Exploitation of underprivileged and vulnerable economic condition or situation;

G. Use of a system of recruiting other similarly situated minor girls to further coerce and induce Plaintiff into the lifestyle of prostitution; and

H. Exploitation through demonstration of abundant wealth and power to impress a young and vulnerable then minor Plaintiff and to coerce her into prostitution.

30. As a direct and proximate result of the offenses committed by Defendant, Jeffrey Epstein, against Plaintiff pursuant to Florida Statutes §769.09, the Plaintiff has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff will in the future suffer additional medical and psychological expenses. The Plaintiff has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, E.W., demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, attorney's fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT III

Intentional Infliction of Emotional Distress

31. The Plaintiff adopts and realleges paragraphs 1 through 20 above.

32. The Defendant, Jeffrey Epstein's conduct towards the then minor Plaintiff was intentional and reckless.

33. The Defendant, Jeffrey Epstein, deliberately and recklessly inflicted mental suffering upon the then minor Plaintiff.

34. The Defendant, Jeffrey Epstein's conduct was outrageous in character, and so extreme in degree, going beyond all bounds of decency.

35. The Defendant, Jeffrey Epstein's intentional, deliberate and reckless conduct caused severe emotional distress to the Plaintiff. Defendant, at the time he committed these numerous sexual assaults on Plaintiff, had a specific intent to harm the then minor Plaintiff and his conduct did so harm the Plaintiff.

36. As a direct and proximate result of the Defendant, Jeffrey Epstein's intentional and reckless conduct, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with the Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff will in the future suffer additional medical and psychological expenses. The Plaintiff has suffered a loss of income, a loss of the capacity to

earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, E.W., demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, attorney's fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT IV

Civil Remedy for Criminal Practices

37. The Plaintiff realleges paragraphs 1 through 20 above.

38. The allegations contained herein in Count IV are a separate and distinct legal remedy.

39. The Defendant, Jeffrey Epstein, participated in an enterprise, or conspired or endeavored to so participate, through a pattern of criminal activity in violation of Florida Statutes §772.103(3)-(4).

40. The Defendant, Jeffrey Epstein, participated in this pattern of criminal activity by engaging in at least two of the following acts of criminal misconduct with the same or similar intents, results, accomplices, victims, and methods of commission within a five year period:

A. Procuring for prostitution, or causing to be prostituted, any person who is under the age of 18 years in violation of Florida Statutes Chapter 796;

B. Forcing, compelling, or coercing another to become a prostitute in violation of Florida Statutes §796.04;

C. Acts of battery in violation of Florida Statutes Chapter 784;

- D. Act of lewdness in violation of Florida Statutes Chapter 800;
- E. Sexual performance or exploitation of a child in violation of Florida Statutes §827.071; and
- F. Other crimes involving contributing to the delinquency of a child, sexual abuse of a child, and coercing a child into prostitution.

41. Under the Defendant, Jeffrey Epstein's plan, scheme, and enterprise, the Defendant, Jeffrey Epstein, paid employees and underlings to repeatedly find and bring him minor girls in order for the Defendant to solicit, induce, coerce, entice, compel or force such girls to engage in acts of prostitution and sexual misconduct.

42. The Plaintiff was the victim of the Defendant, Jeffrey Epstein's plan, scheme, and enterprise. The Plaintiff was called on the telephone and transported by various individuals to the Defendant, Jeffrey Epstein's residence, where she was placed in a room along with the Defendant, enticed to commit acts of prostitution, battery, and sexual exploitation. The Defendant, Jeffrey Epstein, conspired with his assistants and employees and various adults and minor children in order to accomplish his enterprise of seeking out, gaining access to, and exploiting minor children such as the Plaintiff.

43. After introducing Plaintiff into prostitution, he enticed her to remain in prostitution and be a part of his deviant sexual lifestyle through exploitive techniques, such as offering additional money to Plaintiff in exchange for her bringing him additional minor girls to sexually abuse and commit sexual crimes against.

WHEREFORE, under the provisions of Florida Statutes Chapter 772, the Plaintiff demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, treble

damages, costs and attorneys' fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

DATED this 10th day of September, 2008.

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FILED by <u>RB</u> D.C. ELECTRONIC
AUGUST 13, 2008
STEVEN M. LARIMORE CLERK U.S. DIST. CT. S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: *08CV80893 KAM/LR*

JANE DOE,

Plaintiff

08-80893-Civ-MARRA/JOHNSON

vs.

JEFFREY EPSTEIN,

Defendant

FILED by <u>RB</u> D.C.
AUG 13 2008
STEVEN M. LARIMORE CLERK U.S. DIST. CT. S.D. OF FLA. - W.F.B.

COMPLAINT

Parties, Jurisdiction and Venue

COMES NOW the Plaintiff, Jane Doe, and brings this Complaint against the Defendant, Jeffrey Epstein, and states as follows:

1. This is an action for damages in an amount in excess of \$50,000,000.00, exclusive of interest and costs.

2. This Complaint is brought under a fictitious name in order to protect the identity of the Plaintiff, Jane Doe, because this Complaint makes allegations of sexual assault and child abuse of a then minor.

3. At all times material to this cause of action, the Plaintiff, Jane Doe, was a resident of Palm Beach County, Florida.

4. At all times material to this cause of action, the Defendant, Jeffrey Epstein, was a resident of the State of New York.

5. At all times material to this cause of action, the Defendant, Jeffrey Epstein, had a residence located in Palm Beach County, Florida.

EXHIBIT D

1/03

6. At all times material to this cause of action, the Defendant, Jeffrey Epstein, was an adult male born in 1953.

7. This Court has jurisdiction of this action and the claim set forth herein pursuant to 28 U.S.C. §1332(a) as the matter in controversy exceeds \$75,000.00, exclusive of interest and costs and is between citizens of different states.

8. This Court has venue of this action pursuant to 28 U.S.C. §1391(a) as a substantial part of the events or omissions giving rise to the claim occurred in this district.

9. At all times material, the Defendant, Jeffrey Epstein, owed a duty unto Plaintiff, Jane Doe, to treat her in a non-negligent manner and to not commit intentional or tortious or illegal acts against her.

Factual Allegations

10. Upon information and belief, the Defendant, Jeffrey Epstein, has demonstrated a sexual preference and obsession for minor girls. He engaged in a plan, scheme, and enterprise in which he gained access to economically disadvantaged and other minor girls, such as the Plaintiff, Jane Doe, sexually assaulted these girls, and/or coerced them to engage in prostitution, and in return gave these minor girls money.

11. The Defendant's plan, scheme, and enterprise included an elaborate system wherein the then minor Plaintiff and other minor girls were brought to the Defendant, Jeffrey Epstein's residence by the Defendant's employees and assistants. When the assistants and employees left the then minor Plaintiff and other minor girls alone in a room at the Defendant's mansion, the Defendant, Jeffrey Epstein, himself would appear, remove his clothing, and direct the then minor Plaintiff to remove her clothing. He would then perform one or more lewd,

lascivious, and sexual acts, including, but not limited to, masturbation, touching of the then minor Plaintiff's sexual organs, using vibrators or sexual toys on the then minor Plaintiff, and digitally penetrating the then minor Plaintiff.

12. The Plaintiff, Jane Doe, was first brought to the Defendant, Jeffrey Epstein's mansion in early 2003, when she was a fourteen-year old in middle school.

13. The Defendant, Jeffrey Epstein, a wealthy financier with a lavish home, significant wealth, and a network of assistants and employees, used his resources and his influence over a vulnerable minor child to engage in a systematic pattern of sexually exploitive behavior.

14. Beginning in approximately February 2003 and continuing until approximately June 2005, the Defendant coerced and enticed the impressionable, vulnerable, and economically deprived then minor Plaintiff to commit various acts of sexual misconduct. These acts included, but were not limited to, fondling and inappropriate and illegal sexual touching of the then minor Plaintiff, sexual misconduct and masturbation of the Defendant, Jeffrey Epstein, in the presence of the then minor Plaintiff, and encouraging the then minor Plaintiff to become involved in prostitution; Defendant, Jeffrey Epstein, committed numerous criminal sexual offenses against the then minor Plaintiff including, but not limited to, sexual battery, solicitation of prostitution, procurement of a minor for the purposes of prostitution, and lewd and lascivious assaults upon the person of the then minor Plaintiff.

15. Defendant, Jeffrey Epstein, used his money, wealth and power to unduly and improperly manipulate and influence the then minor Plaintiff.

16. The acts referenced above in paragraphs 10 and 15, committed by Defendant, Jeffrey Epstein, against the then minor Plaintiff, Jane Doe, were committed in violation of

numerous criminal State and Federal statutes condemning the sexual exploitation of minor children, prostitution, sexual performances by a child, lewd and lascivious assaults, sexual battery, contributing to the delinquency of a minor and other crimes., specifically including, but not limited to, those crimes designated in 18 USC §2241, §2242, §2243, §2421, and §2423, criminal offenses outlined in Chapter 800 of the Florida Statutes, as well as those designated in Florida Statutes §796.03, §796.07, §796.045, §796.04, §39.01, and §827.04.

17. The above-described acts took place in Palm Beach County, Florida at the residence of the Defendant, Jeffrey Epstein. Any assertions by the Defendant, Jeffrey Epstein, that he was unaware of the age of the then minor Plaintiff are belied by his actions and rendered irrelevant by the provisions of applicable Florida Statutes concerning the sexual exploitation and abuse of a minor child. The Defendant, Jeffrey Epstein, at all times material to this cause of action, knew and should have known of the Plaintiff, Jane Doe's minority.

18. The above-described acts were perpetrated upon the person of the then minor Plaintiff regularly and on dozens of occasions.

19. In June 2008, in the Fifteenth Judicial Circuit in Palm Beach County, Florida, the Defendant, Jeffrey Epstein, entered pleas of "guilty" to various Florida state crimes involving the solicitation of minors for prostitution and the procurement of minors for the purposes of prostitution.

20. As a condition of that plea, and in exchange for the Federal Government not prosecuting the Defendant, Jeffrey Epstein, for numerous federal offenses, Defendant, Jeffrey Epstein, additionally entered into an agreement with the Federal Government to the following: "Any person, who while a minor, was a victim of an offense enumerated in Title 18, United States Code, Section 2255, will have the same rights to proceed under section 2255 as she would

have had, if Mr. Epstein had been tried federally and convicted of an enumerated offense. For purposes of implementing this paragraph, the United States shall provide Mr. Epstein's attorneys with a list of individuals whom it was prepared to name in an indictment as victims of an enumerated offense by Mr. Epstein. Any judicial authority interpreting this provision, including any authority determining evidentiary burdens if any a Plaintiff must meet, shall consider that it is the intent of the parties to place these identified victims in the same position as they would have been had Mr. Epstein been convicted at trial. No more; no less".

21. The Defendant, Jeffrey Epstein, is thus estopped by his plea and agreement with the Federal Government from denying the acts alleged in this Complaint, and must effectively admit liability to the Plaintiff, Jane Doe.

COUNT I

Sexual Exploitation, Sexual Abuse and/or Sexual Assault of a Minor

22. The Plaintiff, Jane Doe, repeats and realleges paragraphs 1 through 21 above.

23. Defendant, Jeffrey Epstein, tortiously assaulted Plaintiff, Jane Doe, sexually on dozens of occasions between approximately February 2003 and approximately June 2005, and further sexually exploited her and contributed to her delinquency during that time. Defendant's acts were outrageous, egregious, intentional, unlawful, offensive and harmful.

24. The sexual assaults were in violation of the numerous state and federal statutes described in paragraph 16 above, and the assaults and acts of exploitation were committed by Defendant, Jeffrey Epstein, willfully and maliciously.

25. As a direct and proximate result of Defendant, Jeffrey Epstein's assaults on the Plaintiff, Jane Doe, the Plaintiff has in the past suffered, and will in the future suffer, physical

injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff, Jane Doe, will in the future suffer additional medical and psychological expenses. The Plaintiff, Jane Doe, has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff, Jane Doe, will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, Jane Doe, demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, punitive damages, attorney's fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT II

Cause of Action Pursuant to 18 USC §2255

26. The Plaintiff, Jane Doe, adopts and realleges paragraphs 1 through 25 above.
27. The allegations contained herein in Count II are a separate and distinct legal remedy.
28. As a condition of the Defendant, Jeffrey Epstein's criminal plea, and in exchange for the Federal Government not prosecuting the Defendant for numerous federal offenses, the Defendant, Jeffrey Epstein, additionally entered into an agreement with the Federal Government to the following: "Any person, who while a minor, was a victim of an offense enumerated in

Title 18, United States Code, Section 2255, will have the same rights to proceed under section 2255 as she would have had, if Mr. Epstein had been tried federally and convicted of an enumerated offense. For purposes of implementing this paragraph, the United States shall provide Mr. Epstein's attorneys with a list of individuals whom it was prepared to name in an indictment as victims of an enumerated offense by Mr. Epstein. Any judicial authority interpreting this provision, including any authority determining evidentiary burdens if any a Plaintiff must meet, shall consider that it is the intent of the parties to place these identified victims in the same position as they would have been had Mr. Epstein been convicted at trial. No more; no less".

29. The Plaintiff, Jane Doe, was a victim of one or more offenses enumerated in Title 18, United States Code, Section 2255, and as such asserts a cause of action against the Defendant, Jeffrey Epstein, pursuant to this Section of the United States Code and the agreement between the Defendant, Jeffrey Epstein, and the United States Government.

30. Pursuant to the agreement, the Defendant, Jeffrey Epstein, is in the same position as if he had been tried and convicted of the sexual offenses committed against the Plaintiff, Jane Doe, and as such he must effectively admit liability unto the Plaintiff, Jane Doe.

31. As a direct and proximate result of the offenses enumerated in Title 18, United States Code, Section 2255, being committed against the then minor Plaintiff, the Plaintiff, Jane Doe, has in the past suffered, and will in the future suffer, physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and

psychological expenses and the Plaintiff, Jane Doe, will in the future suffer additional medical and psychological expenses. The Plaintiff, Jane Doe, has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff, Jane Doe, will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, Jane Doe, demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, punitive damages, attorney's fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT III

Intentional Infliction of Emotional Distress

32. The Plaintiff, Jane Doe, adopts and realleges paragraphs 1 through 25 above.

33. The Defendant, Jeffrey Epstein's conduct towards the then minor Plaintiff was intentional and reckless.

34. The Defendant, Jeffrey Epstein, deliberately and recklessly inflicted mental suffering upon the then minor Plaintiff.

35. The Defendant, Jeffrey Epstein's conduct was outrageous in character, and so extreme in degree, going beyond all bounds of decency.

36. The Defendant, Jeffrey Epstein's intentional, deliberate and reckless conduct caused severe emotional distress to the Plaintiff, Jane Doe. Defendant, at the time he committed these numerous sexual assaults on Plaintiff, Jane Doe, had a specific intent to harm the then minor Plaintiff and his conduct did so harm the Plaintiff.

37. As a direct and proximate result of the Defendant, Jeffrey Epstein's intentional and reckless conduct, the Plaintiff, Jane Doe, has in the past suffered and in the future will continue to suffer physical injury, pain and suffering, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and other damages associated with Defendant, Jeffrey Epstein, controlling, manipulating and coercing her into a perverse and unconventional way of life for a minor. The then minor Plaintiff incurred medical and psychological expenses and the Plaintiff, Jane Doe, will in the future suffer additional medical and psychological expenses. The Plaintiff, Jane Doe, has suffered a loss of income, a loss of the capacity to earn income in the future, and a loss of the capacity to enjoy life. These injuries are permanent in nature and the Plaintiff, Jane Doe, will continue to suffer these losses in the future.

WHEREFORE, the Plaintiff, Jane Doe, demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, punitive damages, attorney's fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

COUNT IV

Civil Remedy for Criminal Practices

38. The Plaintiff realleges paragraphs 1 through 25 above.

39. The allegations contained herein in Count IV are a separate and distinct legal remedy.

40. The Defendant, Jeffrey Epstein, participated in an enterprise, or conspired or endeavored to so participate, through a pattern of criminal activity in violation of Florida Statutes §772.103(3)-(4).

41. The Defendant, Jeffrey Epstein, participated in this pattern of criminal activity by engaging in at least two of the following acts of criminal misconduct with the same or similar intents, results, accomplices, victims, and methods of commission within a five year period:

- (a) Procuring for prostitution, or causing to be prostituted, any person who is under the age of 18 years in violation of Florida Statutes Chapter 796;
- (b) Acts of battery in violation of Florida Statutes Chapter 784;
- (c) Commercial sexual exploitation of a child in violation of Florida Statutes §827.071.

42. Under the Defendant, Jeffrey Epstein's plan, scheme, and enterprise, the Defendant, Jeffrey Epstein, paid employees and underlings to repeatedly find and bring him minor girls in order for the Defendant to solicit, induce, coerce, entice, compel or force such girls to engage in acts of prostitution and sexual misconduct.

43. The Plaintiff, Jane Doe, was the victim of the Defendant, Jeffrey Epstein's plan, scheme, and enterprise. The Plaintiff, Jane Doe, was called on the telephone and transported by various individuals to the Defendant, Jeffrey Epstein's residence, where she was placed in a room along with the Defendant, enticed to commit acts of prostitution, battery, and sexual exploitation. The Defendant, Jeffrey Epstein, conspired with his assistants and employees and various adults and minor children in order to accomplish his enterprise of seeking out, gaining access to, and exploiting minor children such as the Plaintiff, Jane Doe.

WHEREFORE, under the provisions of Florida Statutes Chapter 772, the Plaintiff, Jane Doe, demands judgment against the Defendant, Jeffrey Epstein, for compensatory damages, treble damages, costs and attorneys' fees, and such other and further relief as this Court deems just and proper, and hereby demands trial by jury on all issues triable as of right by a jury.

Dated: August 12, 2008

Respectfully submitted,

THE LAW OFFICE OF BRAD EDWARDS &
ASSOCIATES, LLC



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Telephone: 954-414-8033
Facsimile: 954-924-1530

JS 44 (Rev. 2/08)

CIVIL COVER SHEET

AUGUST 13, 2008

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

NOTICE: Attorneys MUST indicate All Re-file

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

I. (a) PLAINTIFFS

DOE, JANE

DEFENDANTS

EPSTEIN, JEFFREY

(b) County of Residence of First Listed Plaintiff Palm Beach
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Palm Beach
(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Law Office of Brad Edwards & Associates, LLC
2028 Harrison Street, Suite 202
Hollywood, Florida 33020
Brad Edwards, Esquire 954/414-8033

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT
LAND INVOLVED.

Attorneys (If Known)

FILED by D.C.

AUG 13 2008

(d) Check County Where Action Arose: ☐ MIAMI-DADE ☐ MONROE ☐ BROWARD ☒ PALM BEACH ☐ MARTIN ☐ ST. LUCIE ☐ FLORIDA ☐ KEEOCHOBEE

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- | | | | |
|---|--|---|---|
| Plaintiff | DEF | Plaintiff | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 3 <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 <input type="checkbox"/> 3 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 4 <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 <input type="checkbox"/> 4 | Foreign Nation | <input type="checkbox"/> 5 <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 MIA (1395M) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(a)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSJ (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities Employment <input type="checkbox"/> 446 Amer. w/Disabilities Other <input type="checkbox"/> 448 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus: General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

V. ORIGIN

- (Place an "X" in One Box Only)
- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Re-filed (see VI below) ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S).

(See Instructions second page):

a) Re-filed Case ☐ YES ☒ NOb) Related Cases ☒ YES ☐ NO

08-80119; 08-80232;

08-80380; 08-80381;

08-80804; 08-80736

JUDGE Kenneth A. Marra

DOCKET NUMBER

VII. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity):

18 USC 2255

Sexual Exploitation and Other Abuse of Child

LENGTH OF TRIAL via 14 days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ 50,000,000

CHECK YES only if defendant in complaint:

JURY DEMAND: ☒ Yes ☐ No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

SIGNATURE OF ATTORNEY OF RECORD

DATE

August 12, 2008

FOR OFFICE USE ONLY

AMOUNT 350.00 RECEIPT #IFF 0

724605