

Jane Doe #4

v.

Jeffrey Epstein

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

STATE OF FLORIDA

COUNTY OF SEMINOLE

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

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

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

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

4. I received my undergraduate degree from the Johns Hopkins University and

"D"

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

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

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

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

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

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

10. The amended complaint filed by Jane Doe #4 against Jeffrey Epstein makes

sensitive allegations of sexual assault and abuse upon a minor and seek damages in excess of \$50 million. Jane Doe #4 alleges confusion, shame, humiliation, embarrassment, and severe psychological and emotional injuries. It is further alleged that she suffered, and will continue to suffer, severe and permanent traumatic injuries, including mental, psychological, and emotional damages.

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

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

13. Plaintiff's counsel has retained an expert witness, Dr. Kliman of the Psychological Trauma Center, a division of Preventive Psychiatry Associates Medical Group, Inc., of San Francisco, California, of which Gilbert W. Kliman, MD, is the medical director. Dr. Kliman's initial records indicate the following concerning Jane Doe #4.

14. Plaintiff reports a history of alcohol use and an ex-boyfriend who drank alcohol and used pills that were "a form of oxycodine [sic] a form of heroine [sic]." (Page 18, tape 1)

15. Plaintiff reports obtaining a restraining order against her ex-boyfriend, stating that he would spit in her face, push her, and was abusive. (Page 20, tape 1)

16. Plaintiff reports talking with two psychiatrists at age 16 or 17 due to family

issues and boyfriend issues. (Pages 2 and 3, tape 3). In the tapes, she makes no mention of telling the psychiatrists of her alleged encounters with Epstein. Moreover, while Plaintiff denies recruiting other girls, on page 24 of the Palm Beach Police Report, Plaintiff said she left a note for Epstein that indicated "for a good time call [Plaintiff] and [friend]" and left the girls' phone numbers.

17. Plaintiff noted that while in high school a friend, Chris, died in a motor vehicle accident, that she was in shock from his death, and that she got over it after about 1 ½ to 2 years, but that it still bothers her. (Page 4, GK Contemp notes)

18. Plaintiff noted that a close friend, Jen, died in a motor vehicle accident and that she was in shock for two months. (Page 4, GK Contemp notes)

19. Plaintiff reported, "I probably went there over 50 times." (Page 3, tape 4)

20. Plaintiff was arrested at age 17 for DUI on 3/09/05. (Police Offense Report)

21. On 10/31/04, fight occurred between plaintiff and Preston [REDACTED] in back of cab. Plaintiff (age 17) had been drinking. Police were called for theft of cab fare. Upon arriving at residence, police found plaintiff in home with no shirt on. Plaintiff refused to cooperate with police and threatened to kill herself. [REDACTED] was arrested for violation of protective order. (Police Offense Report)

22. On 2/28/02, plaintiff was charged with shoplifting bras from Burdines and was issued a juvenile referral form. (Police Offense Report)

23. On 9/21/04, a protective order was filed against Preston [REDACTED] after an incident on 9/20/04 in which he accused her of cheating on him. He then began choking her, threw her against a wall, and yelled at plaintiff. He dumped beer on her, threw cigarettes in her face, and slammed her into the ground. On a previous incident in August 2004, plaintiff reported they argued and Mr. [REDACTED] grabbed her by her arms and threw her to the ground outside her house. Plaintiff noted she was in fear because he has a violent history and has verbally threatened her friends, family and herself. (Petition for Injunction for Protection)

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

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

importantly, a list of all medical, clinical, school, and work records known to the attorney in the case.

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

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

acquaintances or family members; and whether there was any history of indiscriminate behavior that may have placed them at increased risk. It is important to know if there had been previous sexual conduct, contact with police or welfare agencies, alcohol or drug use/abuse, voluntary sexual activity, contraceptive use, genital infections, or apparent indifference to previous abuse.

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

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

30. It is, therefore, crucial that the independent medical examiner has available to him a full and complete record that includes medical, previous legal, social, criminal, academic, psychological and psychiatric records/data; psychological tests; laboratory tests; and clinical, hospital, physician records.

31. These, in essence, are the same or similar records that plaintiff's expert witness (Dr. Kliman) feels are essential for him to do an appropriate evaluation. To obtain the necessary information, it will be necessary to identify the plaintiff by name. Such

identification will not humiliate the plaintiff since all we are requesting is pertinent information as noted above relative to their past medical and psychiatric histories and conduct. We would concur and request of the court that the same and/or similar information be made available to us to conduct our examination.

Respectfully submitted,

Richard C. W. Hall MD
Richard C. W. Hall, MD

Courtesy Clinical Professor of Psychiatry, University of Florida, College of Medicine
Affiliate Professor, Department of Psychiatry and Behavioral Medicine, University of South Florida
Professor of Psychiatry, Department of Medical Education, University of Central Florida College of Medicine

STATE OF FLORIDA
COUNTY OF SEMINOLE

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

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

Marcia J. Chapman
Notary Public
Printed Name: MARCIA J. CHAPMAN
My Commission Expires:

