

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

[REDACTED]

Plaintiff,

-against-

GHISLAINE MAXWELL,

Defendant.

Case No.:
15-cv-07433-RWS

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CONFIDENTIAL

Continued Videotaped Deposition of
GHISLAINE MAXWELL, the Defendant herein,
taken pursuant to subpoena, was held at
the law offices of Boies, Schiller &
Flexner, LLP, 575 Lexington Avenue, New
York, New York, commencing July 22,
2016, 9:04 a.m., on the above date,
before Leslie Fagin, a Court Reporter
and Notary Public in the State of New
York.

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38 LAURA A. MENNIGER, ESQUIRE
39
40 Also Present:
41
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THE VIDEOGRAPHER: This is DVD No. 1, Volume II, of the continued video recorded deposition of Ghislaine Maxwell in the matter [REDACTED] against Ghislaine Maxwell, in the United States District Court, Southern District of New York.

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This deposition is being held at [REDACTED] New York, New York, on July 22, 2016 at approximately 9:04 a.m.

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My name is Rodolfo Duran. I am the legal video specialist. The court reporter is Leslie Fagin, and we are both in association with Magna Legal Services.

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Will counsel please introduce themselves.

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MR. BOIES: This is David Boies, of Boies, Schiller & Flexner, counsel for plaintiff.

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MS. SCHULTZ: Meredith Schultz, from Boies Schiller & Flexner, counsel for plaintiff.

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MR. EDWARDS: Brad Edwards, also
representing the plaintiff, [REDACTED]

4

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MR. POTTINGER: Stan Pottinger,
also representing the plaintiff.

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MR. CASSELL: Paul Cassell, from
Salt Lake City, Utah, also representing

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MR. PAGLIUCA: Jeff Pagliuca and
Laura Menninger, on behalf of Ms.
Maxwell.

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And Ms. McCawley has also entered
the room, and we have an assistant from
Boies Schiller from the Fort Lauderdale
office here today as well today.

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THE VIDEOGRAPHER: Will the court
reporter please swear in the witness.

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G H I S L A I N E M A X W E L L,
called as a witness, having been duly
sworn by a Notary Public, was
examined and testified as follows:

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EXAMINATION BY

MR. BOIES:

25

Q. Good morning, Ms. Maxwell. When

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2 MR. PAGLIUCA: Why don't we both
3 stop making speeches.

4 BY MR. BOIES:

5 Q. Ms. Maxwell, let me use the term
6 that your lawyer used of sexual activities.
7 We've been talking about intercourse and
8 we've been talking about oral sex.

9 Did you engage in any sexual
10 activities with Mr. Epstein other than sexual
11 intercourse and oral sex?

12 MR. PAGLIUCA: Objection to form
13 and foundation.

14 A. Can you ask the question again,
15 please?

16 Q. Sure.

17 Did you engage in any sexual
18 activities with Mr. Epstein other than what
19 you have referred to as sexual intercourse
20 and oral sex?

21 A. No.

22 Q. Did you engage in any sexual
23 activities with anyone other than Mr. Epstein
24 at his home in New York?

25 MR. PAGLIUCA: Objection to form

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2 and foundation.

3 A. No.

4 Q. As you understand the term sexual
5 activities, what does that encompass?

6 A. In what context are you asking?
7 I'm not sure I understand the question.
8 "Sexual activities" meaning kissing or
9 something?

10 Q. Kissing, touching with hands or
11 mouths or other parts of your body.

12 A. That would form sexual activity.

13 Q. Using sexual activity in that
14 sense, did you engage in sexual activities
15 with anyone other than Mr. Epstein at his
16 home in New York?

17 MR. PAGLIUCA: Objection to form
18 and foundation.

19 A. No.

20 Q. Whenever I use the term sexual
21 activities, I will be using it in the way we
22 just defined it. Do you understand that?

23 A. Yes.

24 Q. Did you engage in sexual activities
25 with anyone other than Mr. Epstein at Mr.

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2 Epstein's home in Palm Beach?

3 MR. PAGLIUCA: Objection to form
4 and foundation.

5 A. I did.

6 Q. With whom?

7 A. I don't actually have a name.

8 Q. Did you know the name at the time?

9 A. At the time I did.

10 Q. When was this?

11 A. Sometime in the '90s, the late '90s
12 and early 2000s.

13 Q. Was there more than one person with
14 whom you engaged in sexual activities other
15 than Mr. Epstein at Mr. Epstein's home in
16 Palm Beach? If the question is unclear, I
17 will rephrase it.

18 A. Yes.

19 Q. How many people other than
20 Mr. Epstein were there with whom you engaged
21 in sexual activities at Mr. Epstein's home in
22 Palm Beach?

23 A. A few.

24 Q. How many?

25 A. I don't have a number.

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2 Q. Approximately?

3 A. A few.

4 Q. More than ten?

5 A. A few is a few.

6 Q. Is a few more than ten?

7 A. A few is not more than ten.

8 Q. Is a few more than five, as you use
9 the term?

10 A. No.

11 Q. So it would be fewer than five
12 people?

13 A. It's a few people.

14 Q. But I'm saying, I'm trying to get
15 an understanding of what you mean by a few?

16 A. I understand that.

17 Q. And as you use the term few, can
18 that include more than five people?

19 A. I just said it's five or less and
20 it's a few. I'm not prepared to characterize
21 a number because I just don't have a number.

22 Q. Do you remember the names of any of
23 the people with whom you engaged in sexual
24 activities at Mr. Epstein's home in Palm
25 Beach?

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2 MR. PAGLIUCA: Objection to form
3 and foundation.

4 A. I do not.

5 Q. Can you describe any of the people
6 with whom you engaged in sexual activities at
7 Mr. Epstein's home in Palm Beach?

8 MR. PAGLIUCA: Objection to form
9 and foundation.

10 A. The description that I have is
11 somebody who is roughly my age, and I recall
12 a blond and I recall a brunette, and that's
13 pretty much what I recall.

14 Q. And the people that you recall as
15 people with whom you engage in sexual
16 activities at Mr. Epstein's home in Palm
17 Beach, male or female or both?

18 A. Female.

19 Q. Where in Mr. Epstein's home in Palm
20 Beach were you when you engaged in sexual
21 activities with the females that you have
22 referred to?

23 MR. PAGLIUCA: Objection to form
24 and foundation.

25 A. Master bedroom.

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2 only area that the witness was precluded
3 from talking about in the first
4 deposition. So that's where we're at.

5 MR. BOIES: I think that directly
6 misreads the judge's order, including
7 where it says: Defendant is ordered to
8 answer questions relating to defendant's
9 own sexual activity with or involving
10 Jeffrey Epstein, with or involving
11 plaintiff, with or involving underage
12 females, involving or including massage
13 with individuals defendant knew to be or
14 believed might become known to Epstein.

15 MR. PAGLIUCA: All of it is
16 preceded by the word sexual activity.

17 MR. BOIES: I think your point of
18 view is an interesting one, but we will
19 see what the judge rules on it.

20 BY MR. BOIES:

21 Q. The women that you have described
22 as joining you and Mr. Epstein in three-way
23 sexual activities, were these people who you
24 believed were professional masseuses?

25 MR. PAGLIUCA: Objection to form

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2 and foundation.

3 A. No.

4 Q. Did any of the women that you have
5 said engaged with you and Mr. Epstein in
6 three-way sexual activities give Mr. Epstein
7 massages?

8 MR. PAGLIUCA: Objection to form
9 and foundation.

10 A. I don't know.

11 Q. Did any of them give you massages?

12 A. No.

13 Q. Did you engage in any sexual
14 activities with either of these two people
15 that you've identified as the blond and the
16 brunette in the Virgin Islands?

17 MR. PAGLIUCA: Objection to form
18 and foundation. Asked and answered.

19 A. No.

20 Q. Were they ever in the Virgin
21 Islands?

22 MR. PAGLIUCA: Objection to form
23 and foundation.

24 A. No.

25 Q. Did you ever see any of the women

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2 with whom you and Mr. Epstein engaged in
3 three-way sexual activities outside of Mr.
4 Epstein's Palm Beach home?

5 A. Not that I recall.

6 Q. Had you met either of them prior to
7 the time that you and Mr. Epstein engaged in
8 the three-way sexual activities with them?

9 A. I don't recall.

10 Q. Had you met them before the date,
11 is what I'm asking you?

12 MR. PAGLIUCA: You already asked
13 that and she answered it.

14 A. I don't recall.

15 Q. When you and Mr. Epstein were
16 engaged in sexual activity that included
17 these other women, were any devices or sex
18 toys used as part of the sexual activity?

19 A. No.

20 Q. Were you ever involved in sexual
21 activities in Mr. Epstein's Palm Beach house
22 that included the use of sex toys or any kind
23 of mechanical or other device?

24 MR. PAGLIUCA: Objection to form
25 and foundation.

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2 A. No.

3 Q. Were you ever involved in sexual
4 activities in any of Mr. Epstein's properties
5 other than Palm Beach that included the use
6 of sex toys or any kind of mechanical or
7 other device?

8 A. No.

9 Q. Were you aware of the presence of
10 sex toys or devices used in sexual activities
11 in Mr. Epstein's Palm Beach house?

12 MR. PAGLIUCA: Objection to form
13 and foundation.

14 A. No, not that I recall.

15 Q. Were you aware that there were sex
16 toys or devices used in sexual activities in
17 Mr. Epstein's New York house?

18 A. No.

19 Q. Were you aware that there were sex
20 toys or devices used in sexual activities in
21 Mr. Epstein's property in the Virgin Islands?

22 MR. PAGLIUCA: Objection to form
23 and foundation.

24 A. No.

25 Q. Were you aware whether or not there

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2 were sex toys or devices used in sexual
3 activities in Mr. Epstein's property in the
4 Virgin Islands?

5 MR. PAGLIUCA: Objection to form
6 and foundation.

7 A. No.

8 Q. Do you know whether Mr. Epstein
9 possessed sex toys or devices used in sexual
10 activities?

11 MR. PAGLIUCA: Objection to form
12 and foundation.

13 A. No.

14 Q. Did you ever assist Mr. Epstein in
15 obtaining sex toys or devices used in sexual
16 activities?

17 MR. PAGLIUCA: Objection to form
18 and foundation.

19 A. No.

20 Q. In the 1990s and 2000s, did you
21 ever have possession of or use sex toys or
22 devices used in sexual activities?

23 A. No.

24 Q. Did you, in the 1990s and 2000s,
25 engage in sexual activities other than

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2 intercourse with women other than what you
3 have testified to already?

4 MR. PAGLIUCA: First of all, I
5 object to the form and foundation and
6 it's also outside of the court's order
7 because it's unclear as you question,
8 and I specifically direct you to the
9 last line of the court's order: Sexual
10 activity of third parties who bear no
11 knowledge or relation to key events,
12 individuals or locations in this case.

13 MR. BOIES: This simply asks yes or
14 no, and I think that it is an
15 appropriate question given some of the
16 witness' prior answers, but there is no
17 point in debating it, because if you
18 instruct her not to answer, the judge
19 will decide whether it's appropriate.

20 MR. PAGLIUCA: I'm just telling you
21 if you tie it to something in this case,
22 I will let her answer.

23 MR. BOIES: Are you instructing her
24 not to answer?

25 MR. PAGLIUCA: Yes, unless you tie

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2 it to something in the case.

3 MR. BOIES: I think it's tied, but
4 if you instruct her not to answer, it
5 goes into the --

6 MR. PAGLIUCA: Meat grinder.

7 BY MR. BOIES:

8 Q. At any time in any of Mr. Epstein's
9 properties, did you engage in sexual
10 activities with any woman other than when you
11 had three-way sexual activities with
12 Mr. Epstein?

13 MR. PAGLIUCA: Object to the form.

14 A. Can you repeat the question?

15 Q. At any time, in any of Mr.
16 Epstein's properties, did you engage in
17 sexual activities with any woman other than
18 when you had three-way sexual activities with
19 Mr. Epstein?

20 MR. PAGLIUCA: Same objection.

21 A. No.

22 Q. Other than yourself and the blond
23 and brunette that you have identified as
24 having been involved in three-way sexual
25 activities, with whom did Mr. Epstein have

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2 sexual activities?

3 MR. PAGLIUCA: Objection to form
4 and foundation.

5 A. I wasn't aware that he was having
6 sexual activities with anyone when I was with
7 him other than myself.

8 Q. I want to be sure that I'm clear.
9 Is it your testimony that in the 1990s and
10 2000s, you were not aware that Mr. Epstein
11 was having sexual activities with anyone
12 other than yourself and the blond and
13 brunette on those few occasions when they
14 were involved with you?

15 A. That is my testimony, that is
16 correct.

17 Q. Do you remember testifying earlier
18 today that Mr. Epstein had, on a number of
19 occasions, tried to have you join in
20 three-way sexual activities with women other
21 than the blond and brunette that you
22 identified?

23 MR. PAGLIUCA: Objection to form
24 and foundation.

25 A. I don't know who he was wanting me

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2 to have a three-way with. It was in general
3 he wanted to have a three-way. It was
4 nothing specific talked about.

5 Q. Is it your testimony that other
6 than the blond and brunette that you have
7 referred to, you don't know of any particular
8 person with whom he wanted you and he to have
9 sex with?

10 A. Correct.

11 Q. But he talked to you generally
12 about wanting to do that?

13 A. Correct.

14 Q. And it is your testimony that you
15 believed that you were the only person that
16 he was having sex with or engaging in sexual
17 activities with other than on these few
18 occasions, this blond and brunette, is that
19 correct?

20 MR. PAGLIUCA: Object to the form.

21 Asked and answered.

22 A. That's what I said.

23 Q. Is that still what you say?

24 A. Yeah, that is still what I say.

25 Q. Do you know the reporter by the

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2 ever see [REDACTED]

3 A. I don't recall ever seeing her.

4 Q. Did [REDACTED] ever engage in any
5 sexual activity with you?

6 A. No.

7 Q. Did [REDACTED] ever engage in any
8 sexual activity with Mr. Epstein?

9 A. I wouldn't know. I would assume
10 not, but I don't know.

11 Q. Do you have any reason to believe
12 that Mr. Epstein engaged in any sexual
13 activity with [REDACTED]?

14 MR. PAGLIUCA: Objection to form
15 and foundation.

16 A. I wouldn't know.

17 Q. Did you ever give a massage to
18 anyone other than Mr. Epstein at any of Mr.
19 Epstein's properties?

20 A. First of all, I never said I gave
21 Mr. Epstein a massage.

22 Q. I will ask that question if you
23 want, but I was focusing on people other than
24 Mr. Epstein right now.

25 A. I don't give massages.

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2 Q. Let's just tie that down. It is
3 your testimony that you've never given
4 anybody a massage?

5 A. I have not given anyone a massage.

6 Q. You never gave Mr. Epstein a
7 massage, is that your testimony?

8 A. That is my testimony.

9 Q. You never gave [REDACTED] a
10 massage is your testimony?

11 A. I never gave [REDACTED] a
12 massage.

13 Q. Did you, or to your knowledge,
14 Mr. Epstein pay for [REDACTED] to go to
15 Thailand?

16 MR. PAGLIUCA: Objection to form
17 and foundation.

18 A. I am not aware.

19 Q. Do you know whether [REDACTED]
20 went to Thailand?

21 A. I have no knowledge of anything
22 like that.

23 Q. Did you ever give anyone
24 instructions as to how to give a massage?

25 MR. PAGLIUCA: Objection to form

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2 closed.

3 If there are questions that I have
4 instructed the witness not to answer and
5 it later turns out the judge disagrees
6 with my characterization, we will be
7 back to revisit it, but we are done as
8 far as I'm concerned.

9 MR. BOIES: The deposition is not
10 closed. There are a number of
11 instructions not to answer. I think it
12 is a fair point that if the court were
13 to conclude that none of the questions
14 that have been instructed need to be
15 answered, we're not going to be
16 continuing the deposition, barring some
17 additional information coming to light.

18 MR. PAGLIUCA: I think we agree
19 then.

20 THE VIDEOGRAPHER: The time is 2:51
21 p.m., and we are going off the record.

22 (Time noted: 2:51 p.m.)

23

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25