

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

[REDACTED]

Plaintiff,

v.

DARREN K. INDYKE and RICHARD D. KAHN
in their capacities as the executors of the ESTATE
OF JEFFREY EDWARD EPSTEIN, and
GHISLAINE MAXWELL,

Defendants.

Case No. 1:19-cv-10475-LGS-DCF

**PLAINTIFF [REDACTED] RESPONSES AND OBJECTIONS TO
DEFENDANTS DARREN K. INDYKE AND RICHARD D. KAHN'S
FIRST SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and subject to the following instructions and definitions, Plaintiff [REDACTED] by and through her undersigned counsel, submit these Responses and Objections to Defendants' First Set of Interrogatories (the "Interrogatories") served on March 10, 2020.

DEFINITIONS

The following definitions are used herein:

1. "Duplicative" means that the Interrogatory seeks the same information in another Interrogatory.
2. "Overly broad" means that the Interrogatory seeks information that is not relevant to the issues involved in the pending action and is not proportional to the needs of the case.
3. "Unduly burdensome" means that a complete and sufficient response cannot be provided without undertaking an unreasonably complex or onerous investigation or incurring the expenditure of unreasonable time or expense.

SUBJECT TO PROTECTIVE ORDER PARAGRAPHS 7, 8, 9, 10, 15, and 17

4. “Vague” means ambiguous or not specified with reasonable particularity.

GENERAL OBJECTIONS

Plaintiff asserts the following General Objections to the Interrogatories, each of which is incorporated into the Specific Objections and Responses set forth below. No response to any Interrogatory is, or shall be deemed to be, a waiver of Plaintiff’s General Objections.

1. Plaintiff’s objections and responses to the Interrogatories are made without waiving Plaintiff’s right to object on any ground at any time to other discovery requests or other discovery procedures involving or relating to the subject matter of the Interrogatories or these responses.

2. Plaintiff objects to the Interrogatories to the extent they purport to impose requirements or obligations in addition to or different from those imposed by the Federal Rules of Civil Procedure, the Local Rules of the Southern District of New York, or Judge Schofield’s or Judge Freeman’s Individual Rules and Practices.

3. Any objection to any of the Interrogatories is not an admission that Plaintiff has any information or documents responsive to a particular Interrogatory.

4. Plaintiff objects to the Interrogatories, and to each Definition and specific Interrogatory contained therein, insofar as they seek information and documents not in Plaintiff’s possession, custody, or control. In responding to the Interrogatories, Plaintiff will not attempt to provide information or documents that are unavailable or outside of Plaintiff’s possession, custody or control. Plaintiff also objects to the extent the Interrogatories seek information or documents, which by reason of public filing, prior production, or otherwise, are already in Defendants’ possession or are readily accessible to Defendants.

5. Plaintiff objects to the Interrogatories to the extent they seek information that Defendants can obtain from sources that are more convenient, less burdensome, or less expensive.

6. Plaintiff objects to the Interrogatories, including the Definitions and Instructions,

to the extent they are vague, ambiguous, irrelevant, overly broad, and/or unduly burdensome, including to the extent they seek “all” information concerning the subject matter referenced therein.

7. Plaintiff further objects to the Interrogatories, including the Instructions contained therein, to the extent that the burden of deriving an answer from other sources of discovery will be substantially the same for Defendants as it is for Plaintiff.

8. To the extent the Interrogatories call for the production of information or documents that are protected from disclosure by the attorney-client privilege, physician-patient privilege, the attorney work product protection, a joint defense or common-interest privilege, and/or doctrine or any other applicable privilege, immunity or exemption, including materials prepared in anticipation of litigation, no such privileged or protected information will be disclosed in response to these Interrogatories. Any inadvertent production or disclosure of a document that is properly the subject of a claim of privilege or protection shall not be deemed a waiver, in whole or in part, of any privilege or protection. Any document subject to a privilege or other protection, if inadvertently produced, shall be returned by Defendants immediately upon the request of Plaintiff. Any information derived from any inadvertently produced document subject to a proper claim of privilege or other protection shall not be used by Defendants in any manner.

9. Plaintiff objects to producing information or documents that she is prohibited from disclosing by contract, order, statute, rule, regulation, or law, including but not limited to any applicable data privacy laws.

10. Plaintiff further objects to the Interrogatories, including the Instructions contained therein, to the extent that they are unreasonably cumulative, duplicative or redundant of one another or any other discovery request propounded by Defendants in this Action.

11. Plaintiff further objects to the Interrogatories, including the Instructions contained therein, to the extent that they are vague and ambiguous, overly broad, unduly burdensome, lacking in particularity or unreasonable, or otherwise seek the discovery of information that is neither relevant to the claims or defenses of any party to this Action nor reasonably calculated to lead to the discovery of admissible evidence

12. Plaintiff objects to the Interrogatories, including the Definitions and Instructions, to the extent they contain unwarranted factual or legal conclusions, allegations, or claims. A response by Plaintiff that she will produce information in response to any Interrogatory is not an admission or representation that any factual or legal conclusions, allegations, or claims in any such Interrogatory or in the Definitions or Instructions are warranted, true or accurate. In responding to the Interrogatories, Plaintiff does not waive or intend to waive, but rather reserves, the right to object on all appropriate grounds to the introduction of any evidence covered or referred to in these Interrogatories.

13. Plaintiff objects to the Definitions to the extent they purport to impose obligations beyond those permitted by the Federal Rules of Civil Procedure, the Local Rules of the Southern District of New York, or Judge Schofield's or Judge Freeman's Individual Rules and Practices.

14. Plaintiff's responses are based solely on facts reasonably known to Plaintiff at the time of responding to these Interrogatories. Plaintiff reserves the right to supplement, amend, or otherwise modify these responses.

15. For any Interrogatory to which Plaintiff objects on grounds of vagueness, Plaintiff will read, object, and/or respond to the Interrogatory according to her own good faith interpretation of the Interrogatory, to the extent possible.

16. In responding to these Interrogatories, Plaintiff does not waive or intend to waive,

but rather expressly reserves, the right to object on all appropriate grounds to the introduction of any evidence covered or referred to in the specific responses below. Plaintiff's responses are not intended to constitute an admission that any matters inquired into or any responses provided are in any way relevant to any issue or admissible in this litigation.

17. Plaintiff's failure to object to any Interrogatory on a particular ground or grounds shall not be construed as a waiver of her rights to object on any additional grounds. Plaintiff reserves the right to revise, amend, supplement, correct, clarify, or add to these responses and objections. Plaintiff also reserves the right to use or rely on, at any time, subsequently discovered information or information omitted from these responses and objections as a result of mistake, error, oversight, or inadvertence.

SPECIFIC OBJECTIONS AND RESPONSES

INTERROGATORY NO. 1:

Identify all persons with knowledge of information concerning the subject matter of this litigation, and the subject matter of their knowledge.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if set forth fully herein. Subject to and without waiver of the foregoing General Objections, Plaintiff provided information responsive to this Interrogatory in her Rule 26 Disclosures, dated January 23, 2020.

INTERROGATORY NO. 2:

Identify and describe the computation of each category of damages for which you seek recovery in this litigation.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if set forth fully herein.

Subject to and without waiver of the foregoing General Objections, Plaintiff is in the process of obtaining expert analysis on the issue of damages and will produce information responsive to this Interrogatory at a later date.

INTERROGATORY NO. 3:

Identify the existence, custodian and location of, and generally describe, all documents and communications concerning the subject matter of this litigation.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if set forth fully herein. Plaintiff specifically objects to this Interrogatory as overly broad and unduly burdensome. Specifically, the burden of identifying or producing responsive information outweighs any marginal relevance the information might have. The Interrogatory is unduly burdensome as it does not qualify or otherwise define “subject matter of this litigation” or provide any applicable time period, and a complete response as to “all documents and communications concerning the subject matter of this litigation” cannot be undertaken without incurring significant time and expense.

Subject to and without waiver of the foregoing General and Specific Objections, Plaintiff has undertaken an effort to collect all documents concerning the subject matter of this litigation and to produce those documents to Defendants. To the extent additional custodians or locations are identified, Plaintiff will provide all responsive documents to Defendants as soon as practicable.

INTERROGATORY NO. 4:

Identify each employee of, agent of, or other individual associated with Decedent with whom you communicated or interacted; and identify the date of, and describe the nature of, each such communication or interaction.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if set forth fully herein. Plaintiff specifically objects to this Interrogatory as overly broad and unduly burdensome. The Interrogatory is overly broad insofar as it does not provide any applicable time period. The Interrogatory is unduly burdensome insofar as it asks for overly specific information about conversations that may have occurred orally.

Subject to and without waiver of the foregoing General and Specific Objections, and without waiving her right to amend her response to this interrogatory at a later date, Plaintiff may have communicated or interacted with the following individuals associated with Decedent:

- Ghislaine Maxwell;
- [REDACTED]
- Members of Decedent's house staff at 9 East 71st Street, New York, New York; and
- Members of Decedent's house staff at 49 Zorro Ranch Road, Stanley, New Mexico.

INTERROGATORY NO. 5:

Describe with particularity all duties owed to you by Decedent.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if set forth fully herein. Plaintiff specifically objects to this Interrogatory as vague and overly broad. Specifically, the Interrogatory is vague in that it does not provide any definition or context for the term "duties." The Interrogatory is also overly broad in that it does not provide a relevant time period.

Subject to and without waiver of the foregoing General and Specific Objections, at a minimum, Decedent owed Plaintiff a duty not to cause her any harm, including but not limited to not sexually assaulting her, not sexually trafficking her, and not falsely imprisoning her.

INTERROGATORY NO. 6:

Identify and describe with particularity each act or omission on the part of Decedent that you allege constitutes a breach of a duty owed to you. For each act or omission identified, identify the date of the alleged act or omission, all persons with knowledge of the facts set forth in your response to this interrogatory, and all documents evidencing or otherwise concerning the information set forth in your response to this interrogatory.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Plaintiff specifically objects to this Interrogatory as duplicative and vague. Specifically, the Interrogatory is duplicative, in part, of Interrogatories 1 and 3. The Interrogatory is vague in that it does not provide any definition or context for the term “duty.”

Subject to and without waiver of the foregoing General and Specific Objections, and without waiving the right to amend her response to this interrogatory at a later date, Decedent sexually assaulted Plaintiff. Decedent touched Plaintiff's body without her consent in a movie theater in New York, in a movie theater in New Mexico, and at his home in New Mexico. To Plaintiff's knowledge, the following individuals have knowledge of the facts set forth in this response: (1) [REDACTED], (2) [REDACTED] and (3) Ghislaine Maxwell.

INTERROGATORY NO. 7:

Identify and describe with particularity each act or omission on the part of Decedent that you allege constitutes a violation of New York Penal Law § 130. For each act or omission identified, identify the date of the alleged act or omission, all persons with knowledge of the facts set forth in your response to this interrogatory, and all documents evidencing or otherwise concerning the information set forth in your response to this interrogatory.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Subject to and without waiver of the foregoing General Objections, and without waiving the right to amend the response to this interrogatory at a later date, Decedent committed forcible touching in violation of Article 130.52 against Plaintiff. Decedent inappropriately touched Plaintiff's body without her consent in a movie theater in New York, in a movie theater in New Mexico, and at his home in New Mexico. To Plaintiff's knowledge, the following individuals have knowledge of the facts set forth in this response: (1) [REDACTED], (2) [REDACTED] and (3) Ghislaine Maxwell.

INTERROGATORY NO. 8:

Identify with particularity each act or omission on the part of Decedent that you allege constitutes a tort. For each act or omission identified, identify the date of the alleged act or omission, the tort you allege the act or omission constitutes, all persons with knowledge of the information set forth in your response to this interrogatory, and all documents evidencing or otherwise concerning such information.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Subject to and without waiver of the foregoing General Objections, and without waiving the right to amend her response to this interrogatory at a later date, Plaintiff identified the acts or omissions constituting the torts of battery, false imprisonment, and intentional infliction of emotional distress in her Complaint. To Plaintiff's knowledge, the following individuals have knowledge of the facts set forth in this response: (1) [REDACTED] (2) [REDACTED] and (3) Ghislaine Maxwell.

INTERROGATORY NO. 9:

Identify all persons other than Decedent who have ever committed or attempted to commit sexual misconduct or offenses against or otherwise concerning you, including, without limitation, any unwelcome behavior of a sexual nature, sexual abuse, sexual assault, threats or intimidation of a sexual nature, or sexual exploitation, regardless of whether the misconduct or offenses involved physical touching. For each person identified, identify the misconduct or offense committed, and the date and location of the misconduct or offense.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Plaintiff specifically objects to this Interrogatory as seeking information that is irrelevant to the conduct underlying in this litigation. Plaintiff further objects to this request because it invades her privacy.

Subject to and without waiver of the foregoing General and Specific Objections, Plaintiff states that no person other than Decedent and Ghislaine Maxwell has ever committed or attempted to commit a sexual offense against Plaintiff.

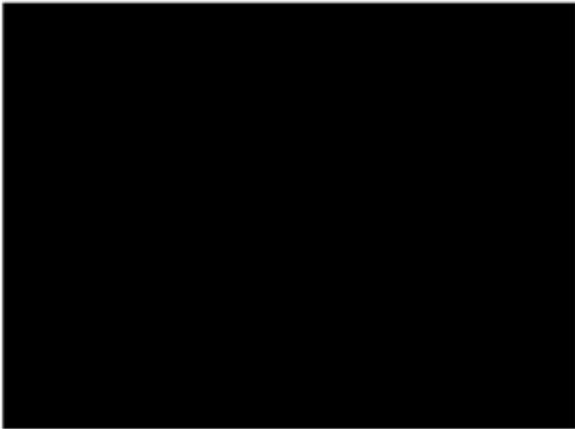
INTERROGATORY NO. 10:

Identify all medical procedures and consultations you received, including the dates of each procedure and consultation, the locations of each procedure and consultation, and the identities of all medical providers who conducted or otherwise participated in each procedure and consultation. The relevant time period for this interrogatory is the date on which you first learned of Decedent through the date of your responses to these interrogatories.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Plaintiff objects to this Interrogatory to the extent it seeks information protected by the physician-patient privilege. Plaintiff further objects to this Interrogatory as overly broad to the extent that it seeks information concerning medical procedures unrelated to the conduct underlying this litigation. The relevant time period for this Interrogatory is also overly broad. Plaintiff further objects to the Interrogatory as vague as to the terms “medical procedures,” “consultations,” and “medical providers.”

Subject to and without waiver of the foregoing General and Specific Objections, Plaintiff has seen the following medical providers on multiple occasions in connection with Decedent’s conduct:



INTERROGATORY NO. 11:

Regardless of date and the relation (or lack thereof) to Decedent’s acts and omissions alleged in the Complaint or otherwise, identify all medical procedures and consultations you received evidencing or otherwise concerning the following conditions:

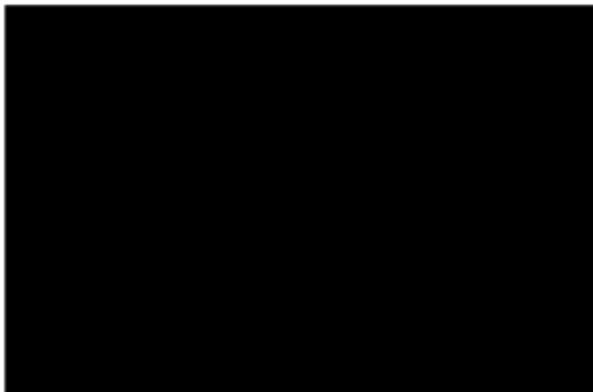
- a. an eating disorder,
- b. emotional distress,
- c. psychological or psychiatric trauma,

- d. mental anguish,
- e. humiliation,
- f. confusion,
- g. embarrassment,
- h. loss of self-esteem,
- i. loss of dignity,
- j. loss of enjoyment of life,
- k. pain,
- l. suffering, or
- m. any condition that would require surgery to correct.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Plaintiff objects to this Interrogatory to the extent it seeks information protected by the physician-patient privilege. Plaintiff further objects to this Interrogatory as overly broad insofar as it seeks information that is not proportional to the needs of this litigation and has no relation to Decedent's conduct. Plaintiff further objects to the Interrogatory as duplicative of Interrogatory 10. Plaintiff further objects to the Interrogatory as vague as to the terms "medical procedures" and "consultations."

Subject to and without waiver of the foregoing General and Specific Objections, Plaintiff has seen the following medical providers on multiple occasions in connection with Decedent's conduct:



INTERROGATORY NO. 12:

State whether you have ever experienced the same or similar conditions and damages, for which you seek recovery from Defendants in this litigation, as a result of acts or omissions by persons other than Decedent. If you answer this interrogatory in the affirmative: identify each such person; describe the acts or omissions that resulted in the damages; identify the dates and locations of such acts and omissions; and describe the damages that resulted.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Plaintiff specifically objects to this Interrogatory as vague as to the phrase “the same or similar conditions and damages.” Plaintiff further objects to this Interrogatory as seeking information that is irrelevant to the conduct underlying in this litigation. Plaintiff further objects to this Interrogatory because it invades her privacy.

Subject to and without waiver of the foregoing General and Specific Objections, Plaintiff states that she has never experienced the same or similar conditions and damages, for which Plaintiff seeks recovery from Defendants in this litigation, as a result of acts or omissions by persons other than Defendants.

INTERROGATORY NO. 13:

Identify all things of value you received from Decedent, including a description of the thing, the date on which you received the thing, and the person who tendered the thing to you.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Plaintiff specifically objects to this Interrogatory as vague as to the phrase “things of value.”

Plaintiff further objects to this Interrogatory as seeking information that is irrelevant to the conduct underlying in this litigation.

Subject to and without waiver of the foregoing General and Specific Objections, and without waiving the right to amend the response to this interrogatory at a later date, Plaintiff received the following items and services from Decedent: (1) a ticket to a Broadway show; (2) a pair of cowboy boots; (3) an educational trip to [REDACTED] with [REDACTED] (4) a flight to New Mexico; and (5) a flight to New York City.

INTERROGATORY NO. 14:

Identify all documents and communications upon which you intend to rely in this litigation, including but not limited to in the course of depositions, in support of any motion, and at any hearing or trial.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Subject to and without waiver of the foregoing General Objections, Plaintiff will identify exhibits and testimony in advance of trial, on a timeline to be set by the Court.

INTERROGATORY NO. 15:

Identify all documents and communications evidencing or otherwise concerning damages and everything else for which you seek recovery in this litigation, including but not limited to damages you allege in your Complaint, medical fees, attorneys' fees and lost wages.

RESPONSE:

Plaintiff refers to and incorporates her General Objections as if fully set forth fully herein. Subject to and without waiver of the foregoing General Objections, Plaintiff will produce

documents concerning the damages that Decedent caused her, in response to Request Nos. 8, 9, 13, 14, and 19 of the Defendants' First Request for Production of Documents.

Dated: April 16, 2020

Respectfully Submitted,



SUBJECT TO PROTECTIVE ORDER PARAGRAPHS 7, 8, 9, 10, 15, and 17

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the above and foregoing Responses and Objections to Defendants Darren K. Indyke and Richard D. Kahn's First Set of Interrogatories has been provided by electronic mail to all counsel of record identified below, on this 16th day of April, 2020.

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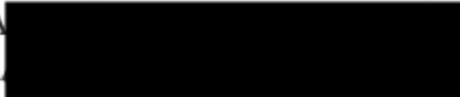


**VERIFICATION OF ANSWERS TO
INTERROGATORIES**

Upon penalty of perjury, I, Annie Farmer, declare that I have read the foregoing interrogatories, and the answers provided thereto are true and correct, to the best of my knowledge and belief.

2020

Dated: A



Name: Annie Farmer