

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

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.

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.

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 20th day of May 2010 via U.S. Mail and email transmittal to all those on the attached service list.

**Farmer, Jaffe, Weissing,
Edwards, Fistos & Lehrman, P.L.**
425 N. Andrews Ave., Suite 2
Fort Lauderdale, FL 33301

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By: 

BRADLEY J. EDWARDS
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