

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,
Plaintiff,

-vs-

JEFFREY EPSTEIN,
Defendant.

Related cases:

08-80232, 08-08380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092

DEPOSITION OF [REDACTED]

Friday, February 12, 2010
2:09 - 2:52 p.m.

250 Australian Avenue
Suite 1500
West Palm Beach, Florida 33401

Reported By:
Cynthia Hopkins, RPR, FPR
Notary Public, State of Florida
Prose Court Reporting Services
Job No.: 1231

[REDACTED] PROSE COURT REPORTING AGENCY, INC. [REDACTED]

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EFTA00724010

1 APPEARANCES:
 2 On behalf of the Plaintiff:
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 10 On behalf of the Defendant:
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 14 Suite 400
 15 West Palm Beach, Florida 33401
 16 Phone: [REDACTED]
 17 E-mail: [REDACTED]

NO EXHIBITS MARKED

1 me know and I will explain it for you.
 2 A. Okay.
 3 Q. If you want to take a break during the
 4 deposition, just let me know and you can take a
 5 break. If during the deposition you recall
 6 something and you think you need to correct an
 7 answer or supplement an answer that you have already
 8 given me, just let me know and you can do it.
 9 There's no tricks.
 10 A. Okay.
 11 Q. It's a pretty informal procedure. If you
 12 need something, just let me know.
 13 Are you represented by a lawyer today?
 14 A. He's my lawyer's witness.
 15 Q. What?
 16 A. As a witness, he is my lawyer.
 17 Q. So, Mr. Mermelstein is your lawyer?
 18 A. Yes, sir.
 19 Q. Do you know Jane Doe No. 4?
 20 A. Yes.
 21 Q. When did you first meet Jane Doe No. 4?
 22 A. October '08 or September '08, I think.
 23 Q. And what were the circumstances when you
 24 met her?
 25 A. We was dating.

PROCEEDINGS

1
 2 ---
 3 Deposition taken before Cynthia Hopkins,
 4 Registered Professional Reporter and Florida
 5 Professional Reporter, and Notary Public in and for
 6 the State of Florida at Large, in the above cause.
 7 ---

8 Thereupon, [REDACTED]
 9 [REDACTED]
 10 having been first duly sworn or affirmed, was
 11 examined and testified as follows:

12 DIRECT EXAMINATION
 13 BY MR. LUTTIER:
 14 Q. Can you tell us your name, please.
 15 A. [REDACTED]
 16 Q. Mr. [REDACTED], have you ever been deposed
 17 before?
 18 A. Excuse me?
 19 Q. This process, have you ever had a
 20 deposition taken before?
 21 A. No.
 22 Q. Okay. You understand you're under oath?
 23 A. Yes.
 24 Q. I am going to be asking you questions. If
 25 you don't understand one of my questions, just let

1 Q. I mean how did you run into her?
 2 A. I met her with some of her friends at a
 3 restaurant, like a restaurant bar.
 4 Q. Do you remember what restaurant bar it
 5 was?
 6 A. Tiki bar.
 7 Q. [REDACTED]?
 8 A. [REDACTED].
 9 Q. Do you remember who the friends were?
 10 A. I think one of her friends was [REDACTED] that was
 11 it.
 12 Q. Would that be [REDACTED]?
 13 A. Uh-huh.
 14 MR. MERMELSTEIN: You have to answer yes
 15 or no. You have to answer verbally because she
 16 is taking everything down.
 17 THE WITNESS: Okay.
 18 MR. MERMELSTEIN: So, if you say uh-huh or
 19 nod your head, it doesn't work.
 20 THE WITNESS: Okay.
 21 BY MR. LUTTIER:
 22 Q. What is your date of birth?
 23 A. [REDACTED]
 24 Q. So, that makes you how old?
 25 A. [REDACTED].

2 (Pages 2 to 5)

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1 Q. [REDACTED] You ever been married?
 2 A. No.
 3 Q. Getting ready to get married?
 4 A. Considering.
 5 Q. I am not going to tell what Jane Doe No. 4
 6 said.
 7 A. Yes.
 8 Q. Do you plan on getting married to Jane Doe
 9 No. 4?
 10 A. Yes.
 11 Q. Okay. Any time frame?
 12 A. No.
 13 Q. Then can I assume from that that your
 14 relationship and hers is pretty good?
 15 A. Yes.
 16 Q. You had a couple of rocky bumps in the
 17 road?
 18 A. Yes.
 19 Q. There was a [REDACTED] thing in the
 20 past?
 21 A. What was that?
 22 Q. There was a [REDACTED]?
 23 A. Yes, sir.
 24 Q. Has that an all been smoothed over?
 25 MR. MERMELSTEIN: Objection to form.

1 THE WITNESS: Yes.
 2 MR. MERMELSTEIN: If I make an objection,
 3 it's to the form of the question just for the
 4 record. You've got to answer the question
 5 unless I tell you not to.
 6 THE WITNESS: Okay.
 7 BY MR. LUTTIER:
 8 Q. Have, have you spent any time with [REDACTED]
 9 [REDACTED] and Jane Doe No. 4 together since you first
 10 met her?
 11 A. Yeah, yes.
 12 Q. Is [REDACTED] still someone that comes around
 13 a lot?
 14 A. No.
 15 Q. Do you know why?
 16 A. No.
 17 Q. Do you know who Jane Doe No. 4's best
 18 friend is now?
 19 A. She's got a couple of friends in [REDACTED]. Do
 20 you want the name?
 21 Q. Yeah.
 22 A. [REDACTED] and Jane Doe No. 7 probably.
 23 Q. [REDACTED] And would that be [REDACTED]?
 24 A. Yes.
 25 Q. Are these people -- well, I should ask you

1 this, do you all live together right now?
 2 A. Me and Jane Doe No. 4?
 3 Q. Yes.
 4 A. Yes.
 5 Q. Where do you live?
 6 A. In [REDACTED]
 7 Q. What's the address?
 8 A. [REDACTED]
 9 Q. Is that an apartment?
 10 A. Yeah.
 11 Q. Is that one that you have been in?
 12 A. It's a condo. I own it.
 13 Q. Condo.
 14 A. Yeah.
 15 Q. And were you living there before you met
 16 Jane Doe No. 4?
 17 A. Yes.
 18 Q. And after you met her in and around
 19 September of '08, did there come a time that she
 20 moved in?
 21 A. Was there what?
 22 Q. Did there come a time that she moved in
 23 with you after September of '08?
 24 A. Yes.
 25 Q. And do you know about when that was?

1 A. After [REDACTED] I think. It was right before
 2 summer.
 3 Q. That would be when she [REDACTED] from [REDACTED]
 4 [REDACTED]
 5 A. Yes.
 6 Q. Was she still at [REDACTED] when you were dating
 7 her initially?
 8 A. Yes.
 9 Q. Let's see. If it's September of '08, did
 10 she still have [REDACTED]?
 11 A. It was her [REDACTED]
 12 Q. Her [REDACTED]. Okay. So, you would have
 13 been dating her since September of '08 until June of
 14 '09? Did you go down and watch her [REDACTED] and
 15 stuff like that?
 16 A. A couple times.
 17 Q. Did you grow up [REDACTED]?
 18 A. Yes.
 19 Q. Where did you go to school?
 20 A. [REDACTED] High School.
 21 Q. How would you describe your relationship
 22 with Jane Doe No. 4?
 23 A. Now everything is good.
 24 Q. Any problems that you've identified?
 25 A. Now?

1 Q. Yes. What were they? What were the
 2 general problems that led to the [REDACTED]
 3 incident?
 4 A. There was a lot of anger and confusion and
 5 emotional, you know, a lot of stuff from the past and a
 6 lot of emotional, you know, stress and problems.
 7 Q. And was that anger and confusion on her
 8 part or on your part?
 9 A. Was it what?
 10 Q. Anger and confusion on her part or on your
 11 part? Was she the one that was angry with you, or
 12 were you the one that was angry and confused?
 13 A. She was.
 14 Q. And how did you get all that resolved?
 15 A. We went to a counselor. My, I have a family
 16 counselor we go to like my parents and, you know, it's
 17 for relationships as well, helps out. She was just able
 18 to talk to someone and let it, you know, out what was
 19 bothering her.
 20 Q. Is this a [REDACTED] or something?
 21 A. Huh? Yeah. [REDACTED], yes.
 22 Q. And were you going to Mr. [REDACTED] before
 23 you ever met Jane Doe No. 4?
 24 A. No.
 25 Q. How is it that you first came to go to

1 A. At least seven times.
 2 Q. Over about what period of time?
 3 A. What is it now? February. Before Christmas
 4 probably. Let's see. No, like November and December.
 5 Q. So, this would have been after the
 6 [REDACTED] incidence?
 7 A. What, that we went there?
 8 Q. Yeah.
 9 A. Unh-unh, before. No, before.
 10 Q. The [REDACTED] incident was
 11 [REDACTED] So do you think you started
 12 going there before [REDACTED]
 13 A. Yes.
 14 Q. Okay. How far before that?
 15 A. Probably a couple of months.
 16 Q. And how many sessions do you think you had
 17 before [REDACTED]
 18 A. Five.
 19 Q. With what degree of frequency were you
 20 going before [REDACTED]
 21 A. Like weekly.
 22 Q. Okay. Hour sessions?
 23 A. Yeah, yes.
 24 Q. What were the issues that were being
 25 discussed as they related just to you and her?

1 him?
 2 A. My mother. It's our family history like
 3 started going there after I met Jane Doe No. 4 and me
 4 and her went.
 5 Q. Were you going to him after you met Jane
 6 Doe No. 4 for issues that you had with your family?
 7 A. Yes.
 8 Q. And was she initially going with you in
 9 what we would call a supportive role just going
 10 along with you while you talked about your issues in
 11 your family?
 12 A. Yes.
 13 Q. And when she went did she just ride up to
 14 the office with you, or did she actually go in and
 15 meet with you and the counselor?
 16 A. She came in.
 17 Q. Okay. When she came in with those, with
 18 you on those sessions, were those sessions just
 19 concerning issues that you had with your family?
 20 A. Just everything pretty much.
 21 Q. Were there any issues about you and her
 22 that were discussed when she went with you?
 23 A. Yes.
 24 Q. How many times did you and she go
 25 together?

1 A. Well, just her issues and problems that she
 2 has, you know, regarding her past.
 3 Q. What were those?
 4 A. Just a lot of anger she had built up, and she
 5 needed to let it out and talk to someone.
 6 Q. Anger built up about what?
 7 A. Her past.
 8 Q. Anything in particular about her past?
 9 A. I didn't really get into everything. Like,
 10 she went by herself too, you know.
 11 Q. Did she go by herself prior to
 12 [REDACTED]
 13 A. Yes.
 14 Q. Are you sure of that fact? The reason I
 15 ask you is we took Mr. [REDACTED] deposition and his
 16 records don't indicate visits prior to [REDACTED]
 17 [REDACTED]?
 18 A. That she never went there?
 19 Q. No. Prior to that date. He has got
 20 records of visits after that date.
 21 A. Before.
 22 Q. Okay. So, you know because you can relate
 23 it to the [REDACTED]?
 24 A. I would have to check my records and my, like,
 25 copies of my checks like when I wrote them. I can't

4 (Pages 10 to 13)

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1 recall the exact date, you know.
 2 Q. So, did you go alone sometimes to him?
 3 A. We would both go together and sometimes she
 4 would go first and sometimes we would go together.
 5 Q. Were you working on issues of conflict
 6 between the two of you?
 7 A. Some of that and the other with her.
 8 Q. I know, but were you guys having problems?
 9 I mean you guys were squabbling about something?
 10 A. Just normal relationship issues, you know.
 11 Q. Did you, did you ask her to go up there
 12 with you?
 13 A. We both agreed on it.
 14 Q. Okay. What is it that made the two of
 15 you -- what was it that was the issue that made the
 16 two of you say let's go see this guy?
 17 A. So, we can, you know, work out, work on our
 18 relationship, and so she could, you know, be happy and
 19 talk about her problems.
 20 Q. Was there anything specific? For example,
 21 I am just going to give you a hypothetical. Let's
 22 say you had a habit of coming home and throwing your
 23 laundry on the floor and that drove her nuts so you
 24 guys would fight about that. So, you said we're
 25 going to go see this guy and we're going to say,

1 A. Unh-unh.
 2 Q. It was just that the two of you would
 3 argue from time to time?
 4 A. Yeah. It was basically, basically that, yeah.
 5 Q. When people use the word "basically," I am
 6 always suspicious because that indicates to me that
 7 there is something else.
 8 A. Yeah. That's why we went there for, for the
 9 relationship and for, you know, so she could talk to
 10 someone about what was, you know, what's bothering her.
 11 Q. So, do you -- had something occurred that
 12 you would come to the conclusion there must be
 13 something bothering her?
 14 A. When she would drink, she was just -- anger
 15 was built up in her, you know.
 16 Q. Now, so was it that you made the
 17 observation that when she drank she was, for lack of
 18 a better term, an angry drunk? She would get angry
 19 when she drank?
 20 A. She would take everything out on me.
 21 Q. Okay. All right. You would be the bad
 22 guy?
 23 A. Pretty much.
 24 Q. Can you give me sort of an example of what
 25 would happen?

1 yeah, we're going to see this guy because I used to
 2 have a habit about throwing my laundry on the floor
 3 and it upset her. And that's what I'm talking
 4 about.
 5 A. It wasn't really about that.
 6 Q. Well, I was using that as a --
 7 A. Yeah. I know but nothing like that.
 8 Q. Did you guys find yourselves fighting
 9 about things?
 10 A. Yeah. We argued about things, you know.
 11 Q. What kinds of things did you argue about?
 12 A. You know like when we would fight, you know,
 13 just arguments. I can't recall exactly.
 14 Q. I mean did she say you drank too much for
 15 example?
 16 A. No.
 17 Q. Was there a drug use problem?
 18 A. No.
 19 Q. Somebody said somebody used drugs?
 20 A. No.
 21 Q. You wanted to go out too much?
 22 A. No.
 23 Q. You stayed out too late?
 24 A. No.
 25 Q. Anything specific?

1 A. Well, when she drank, she would just -- I mean
 2 the only way she knew how to let it out was like go out
 3 and drink and, you know, then she would think about her
 4 past and let everything out on me, you know.
 5 Q. Would it be situations where the two of
 6 you would be going out and drinking together, or she
 7 would go out and drink and come home and unleash on
 8 you?
 9 A. Together.
 10 Q. So, you and she would go out to a bar or
 11 something and start drinking?
 12 A. Everything would be fine and good and then as
 13 soon as -- later that night that's when it would start,
 14 you know.
 15 Q. And there was at least the one time where
 16 it was a physical confrontation?
 17 A. Was it what?
 18 Q. At least one time it was a physical
 19 confrontation?
 20 A. Well, just a bad argument. And I mean, I
 21 never touched her or nothing like that, you know.
 22 Q. No. Well, I was referring to the [REDACTED]
 23 [REDACTED] thing but she touched you?
 24 A. Yeah. She might have [REDACTED] yeah.
 25 Q. How long was it into your relationship

1 that you noticed that when she drank she got angry?
 2 A. Well, when we started getting serious like
 3 after, like before Christmas like when, you know, we
 4 knew each other better and started caring about each
 5 other more and getting serious.
 6 Q. Was that after the [REDACTED]
 7 incident in [REDACTED]?
 8 A. Before.
 9 Q. Okay. All right. So, then it had to be
 10 two or three months before Christmas?
 11 A. Uh-huh.
 12 Q. So, when the incident --
 13 A. Yes.
 14 Q. So, when the incident of [REDACTED]
 15 happened on [REDACTED], you-all had gotten
 16 into a deeper, more serious relationship?
 17 A. Yes.
 18 Q. And you had been going to counseling
 19 because she would get angry when she drank?
 20 A. Yes.
 21 Q. Had she ever hit you up until that point
 22 in time?
 23 A. No.
 24 Q. And how was her anger vented to you?
 25 A. Huh?

1 A. No.
 2 Q. No. So, she would just come home and tell
 3 you you were an asshole?
 4 A. Come home and after drinking, and that's what
 5 would happen.
 6 Q. How much drinking were we talking about?
 7 Would she be drunk?
 8 A. Yes.
 9 Q. Was one of the problems the quantity of
 10 alcohol being consumed?
 11 A. Maybe like liquor, you know.
 12 Q. I mean was one of the things, look, you
 13 need to cut back on the alcohol because when you
 14 drink you're, it's not fun?
 15 A. Yeah. Beer, I mean she drinks beer, you know,
 16 she wasn't as bad, you know. But the liquor is when it
 17 really came out.
 18 Q. So she -- did you observe then during that
 19 relationship that you thought maybe she had an
 20 alcohol problem?
 21 A. I didn't think that she had an alcohol problem
 22 I just thought that she had a lot of things built up and
 23 she needed to talk to someone. Just like, you know,
 24 people, a lot of people have problems and they need to
 25 talk to someone and get help with what's bothering them.

1 Q. By that I mean would she be yelling and
 2 screaming at you?
 3 A. Yes. Just saying mean and nasty things.
 4 Q. Nasty things like what?
 5 A. Like name calling and, you know, just saying
 6 rude things; name calling and saying rude things.
 7 Q. What kind of names would she call you?
 8 A. Well, just bringing up stuff from like -- it
 9 didn't, stuff that didn't make sense. She would just
 10 say, you know, like, I am an asshole or stuff like that.
 11 And she would just, when she drank, you know, all the
 12 anger -- I don't even know, it just came out on me
 13 because I was the only one there and that's how she knew
 14 how to let it out.
 15 Q. And anymore than calling you an asshole?
 16 A. Just, you know, I can't recall exactly, you
 17 know, what she called me, what she said.
 18 Q. Would she accuse you of specific conduct
 19 or doing specific things?
 20 A. No.
 21 Q. For example, I am not saying this happened
 22 but this is an example: She would get drunk and you
 23 would come home and she would be mad and she would
 24 say, you know, you were looking at other girls in
 25 the bar, that kind of thing?

1 Q. After going to this counselor, did she cut
 2 back on the amount of alcohol she drank?
 3 A. Yes.
 4 Q. Does she drink now less than she did then?
 5 A. Yes.
 6 Q. Do you think that's been helpful?
 7 A. Yes.
 8 Q. Any belief by her that you had a problem
 9 drinking too much alcohol?
 10 A. (Witness shakes head.)
 11 Q. Anybody ever accuse you of drinking too
 12 much alcohol?
 13 A. No.
 14 Q. Have you ever had a problem with alcohol?
 15 A. No.
 16 Q. When you would go out were you sober when
 17 you came back?
 18 A. Sometimes.
 19 Q. Can I assume that when you guys went out
 20 at least one of you were sober?
 21 A. Yes. I was driving but I had a drink or two.
 22 Q. But she would be as they would say "a
 23 couple of sheets to the wind"?
 24 A. Yes.
 25 Q. All right. Did you attempt to get her to

1 cut back on the drinking before you started going to
2 the counselor?
3 A. Yes.
4 Q. And is that what drove you to the
5 counselor initially, not you individually but the
6 two of you together?
7 A. What, the drinking?
8 Q. Yeah.
9 A. Yes. That, the drinking and the, just the,
10 you know, normal relationship issues, you know, that and
11 basically, yeah, the drinking.
12 Q. Okay. In other words a person said, look,
13 this alcohol is creating a problem; we have to
14 figure out a way to get that under control. Is that
15 a fair statement?
16 A. It wasn't all about the, about that, no.
17 Q. Well, was the result of going about that
18 and then the counselor dug in a little bit to try to
19 find out what was going on?
20 A. It wasn't about just the drinking. It was
21 about her past, you know, and why she would drink so
22 much.
23 Q. Okay.
24 A. You know, and why she was doing the things she
25 was doing.

1 Q. Other than drinking, what else was she
2 doing?
3 A. Just, other than drinking, that's it. That's
4 all she does.
5 Q. Did you ever ask her why she drank so
6 much?
7 A. No. She's just young, and when I was that
8 young, I drank a lot, too.
9 Q. What's your age difference? Let's see.
10 You're [REDACTED]; she's [REDACTED]?
11 A. She's [REDACTED].
12 Q. So, she never said anything to you about
13 why she drank or why she got angry at you after she
14 drank?
15 A. She never said anything. She never said why
16 she drank. Like, she would start off normal, you know,
17 and then after a while just she never -- she don't, she
18 didn't remember what she was saying, you know. She
19 don't even recall.
20 Q. Can I assume that you have some experience
21 with being around people that have too much to drink
22 that you acquired during your lifetime?
23 A. Do I?
24 Q. Yeah.
25 A. Have I been around a bunch of people that

1 drink?
2 Q. Right.
3 A. Yes.
4 Q. So, you have an idea of when people get
5 drunk?
6 A. Yes.
7 Q. And when they can't remember things they
8 did the night before?
9 A. Yes.
10 Q. That's generally an indication that they
11 had too much to drink?
12 A. Yes.
13 Q. And she was drinking at a level where she
14 wouldn't remember what went on?
15 A. Not all the time.
16 Q. But sometimes?
17 A. Couple times.
18 Q. And when, how much drinking are we talking
19 about? If you would go out, for instance, to a bar,
20 are we talking about drinking two or three drinks or
21 are you talking about we would be there for four or
22 five hours?
23 A. Like five drinks and then some shots, you
24 know, probably four drinks depending on what she was
25 drinking, either wine or sometimes beer or alcohol,

1 liquor.
2 Q. Plus shots?
3 A. Well, yeah, we would have a few shots, yes.
4 Q. Was there ever any particular incident
5 that happened when she was drunk that sort of caused
6 you to say, look, stop, we have got to do something
7 about this?
8 A. When she was drunk?
9 Q. Yes.
10 A. Yes. I mean, the only time that like when I
11 said that, you know, I said, well, wait until the next
12 day so we can talk normally, you know, and then you know
13 what we're talking about and you remember what you're
14 talking about, because when people drink or when people
15 are intoxicated, they don't, you know, remember what
16 they say or what they do or you know.
17 Q. Okay. So, when you went with her and had
18 sessions with this fellow, those sessions that
19 concerned your relationship, what did she tell the
20 counselor?
21 A. I wasn't in, I wasn't in there maybe one time
22 with her when she went for her personal matter, you
23 know.
24 Q. So, she kept that with the counselor?
25 That was between them?

1 A. Yes.
 2 Q. Did she ever share that with you?
 3 A. No.
 4 Q. Did she ever tell you whatever the problem
 5 was?
 6 A. Well, I mean like you can read stuff online
 7 about, you know, what went on, and that's all I pretty
 8 much know.
 9 Q. Are we talking about this fellow Jeffrey
 10 Epstein?
 11 A. Yes.
 12 Q. Is that -- what you keep saying her past
 13 and stuff, is that what you're referring to?
 14 A. Yes.
 15 Q. Is there anything other than her
 16 involvement with Mr. Epstein?
 17 A. No.
 18 Q. What has she herself told you about her
 19 involvement with Mr. Epstein?
 20 A. I mean, I read stuff online and like I really
 21 don't know everything, you know.
 22 Q. Is your only knowledge --
 23 A. I don't really want to, you know, like right
 24 now.
 25 Q. Is your only knowledge what you read

1 online?
 2 A. Yes.
 3 Q. That would be newspaper articles?
 4 A. Yes.
 5 Q. How about any of these friends that you
 6 said that she had, Jane Doe No. 7 comes to mind,
 7 would they talk to you at all?
 8 A. No.
 9 Q. Do you know whether or not Jane Doe No. 7
 10 had an experience with Mr. Epstein?
 11 A. Do what?
 12 Q. Do you know whether or not her friend,
 13 Jane Doe No. 7, had any interaction with
 14 Mr. Epstein?
 15 A. No.
 16 Q. Okay. So, you grew up locally, went to
 17 local high, played ball in school?
 18 A. Yes.
 19 Q. What did you play?
 20 A. [REDACTED]
 21 Q. For [REDACTED] High?
 22 A. I didn't play for [REDACTED]. I played [REDACTED]
 23 for [REDACTED] High.
 24 Q. Okay. What position?
 25 A. I played like [REDACTED] and played

1 [REDACTED] for a little bit.
 2 Q. Okay. Did you go away to college
 3 anywhere?
 4 A. I went to [REDACTED] for a semester and then came
 5 back.
 6 Q. I understand that.
 7 A. I went and got my [REDACTED]. I was
 8 a [REDACTED] for five years and then I had a chance
 9 to decide to open up my own business, you know, [REDACTED]
 10 [REDACTED] and [REDACTED] and stuff like that.
 11 Q. And that's you, in that business now is
 12 you and your brother?
 13 A. Correct, yes.
 14 Q. What's the age difference between you and
 15 your brother?
 16 A. [REDACTED].
 17 Q. Is he older or are you older?
 18 A. I'm older.
 19 Q. So, you're guiding your younger brother
 20 through the business?
 21 A. Yes.
 22 Q. I assume he grew up locally and did he go
 23 to [REDACTED] High too?
 24 A. Yes.
 25 Q. All right. So, you went through the usual

1 high school, post high school stuff. Does anything
 2 about Jane Doe No. 4's past color your opinion or
 3 feeling towards her at all?
 4 A. No.
 5 Q. I mean you feel about her, you don't hold
 6 her past against her or anything like that?
 7 A. No.
 8 Q. As a matter of fact do you, do you not
 9 even care to know about her past?
 10 A. I would, I would like to, you know,
 11 eventually.
 12 Q. What do you know about her past? You knew
 13 she played [REDACTED] right? She was a high school
 14 athlete?
 15 A. Yeah. Played [REDACTED] went to [REDACTED]
 16 [REDACTED]. Grew up out there in [REDACTED]
 17 Q. Got a scholarship at --
 18 A. Real smart.
 19 Q. -- [REDACTED]
 20 A. Smart.
 21 Q. You knew she had to be a pretty good
 22 athlete to get a scholarship.
 23 A. Yes.
 24 Q. And you played pretty good ball for a high
 25 school student; you knew what that would require?

1 A. Yes.
 2 Q. And she's smart?
 3 A. Yes.
 4 Q. Were you an academically inclined
 5 individual in high school?
 6 A. Average.
 7 Q. Okay. She was a hard worker, you figured
 8 that out?
 9 A. Yes.
 10 Q. Okay. So, she kind of kept whatever she
 11 was talking to this counselor about between he and
 12 you. Did you ever have discussions with her about
 13 any changes in her conduct or did it just kind of
 14 take place?
 15 A. About what?
 16 Q. Any changes in her conduct or did she just
 17 start to change?
 18 A. You mean now?
 19 Q. Yeah. From the time you guys first
 20 started going until now.
 21 A. Yeah. I mean, yes. She, she's changed, you
 22 know. Everything's, you know, everything is getting
 23 better, you know.
 24 Q. In [REDACTED] when you had the [REDACTED]
 25 [REDACTED] incident --

1 A. We hadn't had any problems.
 2 Q. What led to that? Was that following a
 3 night out drinking?
 4 A. Yes.
 5 Q. And I gather from reading [REDACTED]
 6 [REDACTED] that you were unhappy with her and thought
 7 maybe she should go someplace other than your
 8 apartment?
 9 A. Yes.
 10 Q. And it appeared from [REDACTED]
 11 that she had a different idea?
 12 A. Yes.
 13 Q. She was a little more physical about
 14 wanting to stay at the apartment?
 15 A. Yes.
 16 Q. And did you and her go back to the
 17 counselor after that incident?
 18 A. Yes.
 19 Q. How long was it -- I know they took her to
 20 [REDACTED] for a [REDACTED]. When she [REDACTED]
 21 did she come back and move in with you?
 22 A. No.
 23 Q. How long were you and she apart so to
 24 speak?
 25 A. Couple of weeks.

1 Q. And then did she come back and start
 2 living with you again?
 3 A. Slowly, you know, hanging out because we had a
 4 [REDACTED]
 5 Q. You had to wait for that to get resolved?
 6 A. Yeah.
 7 Q. You told the [REDACTED]
 8 [REDACTED]
 9 A. Yes.
 10 Q. So, they decided not to eventually?
 11 A. Yes.
 12 Q. Okay. She drinks less now than she did?
 13 A. Yes.
 14 Q. She doesn't get angry at you anymore?
 15 A. No.
 16 Q. I am going to guess she doesn't call you
 17 an asshole very much, occasionally, not a lot?
 18 A. Sometimes. No.
 19 Q. And my guess is you don't call her any of
 20 those names?
 21 A. No.
 22 Q. Okay. Nice lady?
 23 A. Huh?
 24 Q. Nice lady?
 25 A. Jane Doe No. 4?

1 Q. I said she's a nice lady.
 2 A. Yes.
 3 MR. MERMELSTEIN: Objection to form.
 4 BY MR. LUTTIER:
 5 Q. What's your hope that you and she will get
 6 married and have a family?
 7 A. Yes, one day.
 8 Q. Okay. Do you want to have kids?
 9 A. Yes.
 10 Q. You guys have talked about that?
 11 A. Yes.
 12 Q. Something she wants to do?
 13 A. Yes.
 14 Q. You're happy at your business?
 15 A. Yes.
 16 Q. Does she do a little bit of work at your
 17 business?
 18 A. She helps me.
 19 Q. And do you know what her plans are?
 20 A. She, I think she wants to get her [REDACTED] and
 21 move forward from there.
 22 Q. She wants to [REDACTED] still?
 23 A. Yes.
 24 Q. And you're going to support her in trying
 25 to do that?

1 A. Yes.
 2 Q. You think that's a good thing?
 3 A. Yes.
 4 Q. Does she have your complete support in
 5 doing whatever she wants to do?
 6 A. Yes.
 7 Q. Okay. What has she ever told you about
 8 Jeffrey Epstein or her involvement with him?
 9 A. What has she told me?
 10 Q. Yep.
 11 A. Not, not that much. I mean, I have read a lot
 12 of it online, what happened and what was going on and
 13 stuff he was doing. And we really, really didn't
 14 discuss it too much besides what I saw online.
 15 Q. Does it really matter to you to find out
 16 the particulars?
 17 A. Yes, it mattered.
 18 Q. Did she tell you for what period of time
 19 she was interacting with Mr. Epstein?
 20 A. I just know it was when she was underage.
 21 Q. Did you know that she continuing to go
 22 after she was 18?
 23 A. Huh?
 24 Q. Did you know she continued to go after she
 25 was 18?

1 A. No.
 2 Q. Has she ever mentioned to you in any way
 3 Mr. Epstein in any conversation?
 4 A. Just when she had to go to her, to go to court
 5 and just deal with her lawyers and her deposition she
 6 has to go to, stuff like that.
 7 Q. Like today?
 8 A. Earlier this morning and last night.
 9 Q. Her lawyer is -- is Mr. Mermelstein her
 10 lawyer?
 11 A. I guess.
 12 Q. Okay. And what does she just tell you
 13 she's got to go take a depo and that's the substance
 14 of the conversation?
 15 A. Pretty much, yeah. She said she had to go in
 16 one time, one more time.
 17 Q. Okay. Have you ever been out with her
 18 anywhere in public and not when there is drinking
 19 going on but seen anything unusual about her, her
 20 having any kind of physical problems or reactions or
 21 anything?
 22 A. No.
 23 Q. Do you know of any physical problems that
 24 she has?
 25 A. No.

1 Q. Mentally does she seem okay?
 2 A. Yes.
 3 Q. Do you know of any defect that she has at
 4 all?
 5 A. No.
 6 Q. When was the last time you and she went to
 7 see this counselor?
 8 A. She goes. I haven't been. I haven't been
 9 able to make it up there.
 10 Q. When was the last time you went?
 11 A. Before Christmas I think.
 12 Q. Okay. I took her deposition this morning
 13 and she said that since November, which is the last
 14 time the therapist had a record of her going, she's
 15 been one time when she was driving from [REDACTED]
 16 down [REDACTED] and went by his office and went in to look
 17 at his aquarium.
 18 A. Okay.
 19 Q. Do you know of any visits other than that?
 20 A. No. I mean, I don't, sometimes I don't even
 21 know she goes, you know, because I am real busy at work
 22 and she's busy, you know.
 23 Q. Do you pay for when she goes or does she
 24 pay?
 25 A. No, she pays.

1 Q. Okay.
 2 A. I mean, I have paid before, you know.
 3 Q. Were you ever in any session with her with
 4 this counselor where Jeffrey Epstein's name ever
 5 came up?
 6 A. She might have mentioned like her -- she might
 7 have mentioned something but I wasn't in there for all
 8 the details.
 9 Q. You have been dating now for a year and a
 10 half or so?
 11 A. Uh-huh.
 12 Q. When I asked you earlier if there was
 13 anything about her past that you wanted to know you
 14 said a couple of different things in response. One
 15 time you said, yeah, you would want to know.
 16 A. Yeah.
 17 Q. What is it about her past that you would
 18 want to know?
 19 A. About her past? One day I would like to sit
 20 down with her and talk to her about everything, you
 21 know, that went on with her.
 22 Q. Her, specifically her and Epstein?
 23 A. Yeah.
 24 Q. Do you know a guy by the name of [REDACTED]
 25 [REDACTED]?

1 A. Yes.
 2 Q. How much do you know about him?
 3 A. Not much. I just know she dated him.
 4 Q. Did she ever indicate to you whether she,
 5 herself, had been a victim of [REDACTED] in
 6 the past; that is somebody has committed acts of
 7 [REDACTED] on her?
 8 A. Huh? No.
 9 Q. Did she ever mention to this counselor any
 10 of that?
 11 A. I don't recall. I can't remember if she did.
 12 I just know she dated him and that's pretty much it. I
 13 didn't really get into all the details of them.
 14 Q. Did you ever look him up online?
 15 A. Have I?
 16 Q. Yes. Yes.
 17 A. Yes.
 18 Q. What did you find out about him?
 19 A. Piece of crap. I don't know. He's just -- I
 20 saw it's like he got arrested and stuff. Just curious.
 21 Q. If you-all live together, you-all sleep in
 22 the same bed?
 23 A. Yes.
 24 Q. Do you have any problems, sleep problems
 25 going to bed at night?

1 want to change about her?
 2 A. No.
 3 Q. Have you met her parents?
 4 A. Yes.
 5 Q. Where did you meet her parents?
 6 A. At one of her [REDACTED] and when they come
 7 in town to visit.
 8 Q. Do they come over to your place?
 9 A. Yes.
 10 Q. Get along well with them?
 11 A. Yes.
 12 Q. And she's been to your parents?
 13 A. Yes.
 14 Q. And they get along well with her?
 15 A. Yes.
 16 Q. When was the -- what is the most amount of
 17 time you spend with Jane Doe No. 7?
 18 A. Randomly, rarely.
 19 Q. I mean does she, for example, does she
 20 have her girlfriends come over and they are at home
 21 when you get home and stuff like that?
 22 A. Sometimes. We normally do everything
 23 together.
 24 Q. So, do you work six days a week?
 25 A. Sometimes on Saturdays. Normally five.

1 A. What?
 2 Q. Do you have any sleep problems? Are you
 3 one of those guys that goes to bed and gets to sleep
 4 right way?
 5 A. Sometimes I have problems sleeping. But most
 6 likely when I'm out, I'm out. I work. I work hard,
 7 come home, eat. Sometimes I pass out. Sometimes I stay
 8 up late.
 9 Q. What are your observations about her sleep
 10 habits?
 11 A. Her sleep habits are pretty good.
 12 Q. Is your sexual relationship satisfactory
 13 to you?
 14 A. Yes.
 15 Q. Has she indicated to you that your sexual
 16 relationships are satisfactory to her?
 17 A. Yes. She says, yes.
 18 Q. Any complaints from her?
 19 A. No.
 20 Q. That is I say any complaints, I mean any
 21 complaints about you or any complaints about her?
 22 A. No.
 23 Q. Voiced by her?
 24 A. No.
 25 Q. Is there anything about her that you would

1 Q. Okay. And what are your recreational
 2 pursuits? You're outdoors type people?
 3 A. Fishing, boating, diving, surfing.
 4 Q. And does, does Jane Doe No. 7 ever go
 5 along with you on those things?
 6 A. She has been on the boat a couple times or one
 7 time I think.
 8 Q. And what kind of -- have you and Jane Doe
 9 No. 4 taken vacations together?
 10 A. Yes.
 11 Q. And where, what kind of places have you
 12 gone?
 13 A. Went to the [REDACTED] and the
 14 [REDACTED]
 15 Q. Have a good time?
 16 A. Yes.
 17 Q. Have a fun time when you're on vacation
 18 when you go?
 19 A. Yes.
 20 Q. Does she make you happy?
 21 A. Jane Doe No. 4?
 22 Q. Yes.
 23 A. Yes.
 24 Q. And as far as you can tell, you make her
 25 happy?

1 A. Yes.
 2 Q. Has she ever given you a list of
 3 complaints about you?
 4 A. No.
 5 Q. Okay. Did she tell you she loves you?
 6 A. Yes.
 7 Q. You tell her you love her?
 8 A. Yes.
 9 Q. Has she ever complained to you that she's
 10 had any kind of physical problems during the day?
 11 A. No.
 12 Q. Ever complain about flashbacks or anything
 13 like that?
 14 A. No.
 15 Q. Ever complain about an inability to get to
 16 sleep?
 17 A. No.
 18 Q. What, if anything, do you know about any
 19 drug usage in the past by her?
 20 A. No, none at all.
 21 Q. Do you know a girl by the name or a woman
 22 by the name of [REDACTED]?
 23 A. Yes.
 24 Q. And have you met her?
 25 A. Yes.

1 Q. Where have you met her?
 2 A. I think we, when we went out one night. Jane
 3 Doe No. 4 introduced me to her. We ran into her that
 4 was it.
 5 Q. So, you met her one time?
 6 A. Yes.
 7 Q. So, have you ever observed anything that
 8 appears to be any kind of problem with Jane Doe No.
 9 4?
 10 A. Have I ever observed --
 11 MR. MERMELSTEIN: Objection to form.
 12 MR. LUTTIER: Yeah. Anything you thought
 13 was a problem.
 14 MR. MERMELSTEIN: You can answer if you
 15 understand the question.
 16 THE WITNESS: Have I ever observed
 17 anything that what?
 18 MR. LUTTIER: -- you thought was a problem
 19 with Jane Doe No. 4.
 20 THE WITNESS: That I thought was a
 21 problem?
 22 MR. LUTTIER: Yeah.
 23 THE WITNESS: No.
 24 BY MR. LUTTIER:
 25 Q. For instance, you never come home and

1 found her sitting in the corner crying
 2 uncontrollably or something like that?
 3 A. She's been upset, you know, like after her
 4 seeing the counselor and stuff like that.
 5 Q. Okay. And if she goes to see the
 6 counselor, she might come back upset for a while?
 7 A. Yes.
 8 Q. And then she is fine the next day?
 9 A. Somewhat, that I could see.
 10 Q. Does she ever tell you what she was upset
 11 about after coming back from the counselor?
 12 A. Not in details, just discussing her past.
 13 Q. When you say discussing her past --
 14 A. Jeffrey.
 15 Q. Is that generally what she says is
 16 discussing her past?
 17 A. Yes.
 18 Q. Does she define whether it's necessarily
 19 limited just to Mr. Epstein or whether it includes
 20 things like [REDACTED] and a few other things?
 21 A. Just Epstein.
 22 Q. When did you first find out she was
 23 bringing a lawsuit against Mr. Epstein?
 24 A. I can't remember.
 25 Q. Was it early on in your relationship?

1 A. Probably halfway or something.
 2 Q. Do you know who else knows that she is a
 3 Plaintiff bringing a lawsuit against Mr. Epstein?
 4 A. No. Her family, that's it.
 5 Q. And she's never had any discussion with
 6 you about Jeff Epstein?
 7 A. Just not in detail about what -- not much.
 8 Q. Okay. If she's does, will you just tell
 9 her, forget about it, don't worry about it?
 10 A. I just told her it's not her fault and, you
 11 know, pretty much what you said. I mean, can't dwell on
 12 it, you know, talk about it and let it out.
 13 MR. LUTTIER: I don't have any other
 14 questions.
 15 MR. MERMELSTEIN: I don't have any either.
 16 THE WITNESS: That's it?
 17 MR. LUTTIER: Yeah.
 18 THE COURT REPORTER: Do you want to order
 19 this?
 20 MR. LUTTIER: Yes.
 21 THE COURT REPORTER: Would you like a
 22 copy?
 23 MR. MERMELSTEIN: Yes, I will get a copy.
 24 Thanks. Okay.
 25 (Witness excused.)

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(Deposition was concluded.)

1 CERTIFICATE
2 THE STATE OF FLORIDA
3 COUNTY OF PALM BEACH
4

5 I, Cynthia Hopkins, Registered Professional
6 Reporter, Florida Professional Reporter, and Notary
7 Public in and for the State of Florida at large, do
8 hereby certify that I was authorized to and did
9 report said deposition in stenotype; and that the
10 foregoing pages are a true and correct transcription
11 of my shorthand notes of said deposition.

12 I further certify that said deposition was
13 taken at the time and place hereinabove set forth
14 and that the taking of said deposition was commenced
15 and completed as hereinabove set out.

16 I further certify that I am not attorney or
17 counsel of any of the parties, nor am I a relative
18 or employee of any attorney or counsel of party
19 connected with the action, nor am I financially
20 interested in the action.

21 The foregoing certification of this transcript
22 does not apply to any reproduction of the same by
23 any means unless under the direct control and/or
24 direction of the certifying reporter.

25 Dated this 22nd day of February, 2010.

Cynthia J. Hopkins
Cynthia Hopkins, RPR, FPR

Job #1231

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CERTIFICATE OF OATH
THE STATE OF FLORIDA
COUNTY OF PALM BEACH

I, the undersigned authority, certify that
[redacted] personally appeared before me and
was duly sworn on the 12th day of February,
2010.

Dated this 22nd day of February, 2010.

Cynthia J. Hopkins 

Cynthia Hopkins, RPR, FPR
Notary Public - State of Florida
My Commission Expires: February 25, 2011
My Commission No.: DD 643788

Job #1231

1 DATE: February 22, 2010
2 TO: [redacted] Job #1231
3 STUART S. MERMELSTEIN, ESQUIRE
4 MERMELSTEIN & HOROWITZ, P.A.
5 18205 Biscayne Boulevard
6 Suite 2218
7 Miami, Florida 33160

8 IN RE: Jane Doe No. 2 vs. Jeffrey Epstein

9 CASE NO.: 08-cv-80119-MARRA/JOHNSON

10 Please take notice that on Friday, the 12th of
11 February, 2010, you gave your deposition in the
12 above-referred matter. At that time, you did not
13 waive signature. It is now necessary that you sign
14 your deposition.

15 Please call our office at the below-listed
16 number to schedule an appointment between the hours
17 of 9:00 a.m. and 4:30 p.m., Monday through Friday,
18 at the Esquire office located nearest you.

19 If you do not read and sign the deposition
20 within a reasonable time, the original, which has
21 already been forwarded to the ordering attorney, may
22 be filed with the Clerk of the Court. If you wish
23 to waive your signature, sign your name in the blank
24 at the bottom of this letter and return it to us.

25 Very truly yours, *Cynthia J. Hopkins*

Cynthia Hopkins, RPR, FPR

I do hereby waive my signature.

cc: Via transcript: Mark Lutier, Esquire
Stuart Mermelstein, Esquire

File copy

CERTIFICATE

THE STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby certify that I have read the foregoing deposition by me given, and that the statements contained herein are true and correct to the best of my knowledge and belief, with the exception of any corrections or notations made on the errata sheet, if one was executed.

Dated this ____ day of _____, 2010.

Job #1231

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ERRATA SHEET

IN RE: JANE DOE NO. 2 VS. JEFFREY EPSTEIN

CR: Cynthia Hopkins

DEPOSITION OF: _____

TAKEN: February 12, 2010

JOB NO.: 1231

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE

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Please forward the original signed errata sheet to this office so that copies may be distributed to all parties.

Under penalty of perjury, I declare that I have read my deposition and that it is true and correct subject to any changes in form or substance entered here.

DATE: _____

SIGNATURE OF DEPONENT: _____

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