

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, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092.

VIDEOTAPED DEPOSITION OF JEFFREY EDWARD EPSTEIN
VOLUME I
(Pages 1 - 189)

Monday, March 8, 2010
301 Clematis Street
Suite 3000
West Palm Beach, Florida 33401
10:05 [REDACTED] - 6:17 [REDACTED].

Reported By:
Vicki L. Lima, Court Reporter
Notary Public, State of Florida
Universal Legal Reporting
Phone - [REDACTED]
Job #92076-A

UNIVERSAL COURT REPORTING

[REDACTED] ([REDACTED] ([REDACTED]))

1
2 APPEARANCES:
3
4 On behalf of the Plaintiffs, Jane Doe 2 through 8:
5 ADAM HOROWITZ, ESQUIRE
6 JESSICA D. ARBOUR, ESQUIRE
7 MERMELSTEIN & HOROWITZ, P
8 18205 Biscayne Boulevard
9 Suite 2218
10 Miami, Florida 33160
11 On behalf of the Plaintiffs, Jane Doe, I and E.W.:
12 BRAD EDWARDS, ESQUIRE
13 FARMER, JAFFE, WEISSING,
14 EDWARDS, FISTOS & LEHRMAN, P
15 425 North Andrews Avenue
16 Suite 2
17 Fort Lauderdale, Florida 33301
18 On behalf of the Plaintiff, Jane Doe 103:
19 KATHERINE W. EZELL, ESQUIRE
20 PODHURST ORSECK
21 City National Bank Building
22 25 West Flagler Street
23 Suite 800
24 Miami, Florida 33130
25 On behalf of the Defendant and Witness:
MICHAEL J. PIKE, ESQUIRE
BURMAN, CRITTON, LUTTIER & COLEMAN
303 Banyan Boulevard
Suite 400
West Palm Beach, Florida 33401
JACK A. GOLDBERGER, ESQUIRE
ATTERBURY, GOLDBERGER & WEISS, P
One Clearlake Centre
250 Australian Avenue South
Suite 1400
West Palm Beach, Florida 33401
ALSO PRESENT:
Alex Ayala, Videographer

1 PROCEEDINGS
2 ---
3 Videotaped deposition taken before Vicki L. Lima, Court
4 Reporter, and Notary Public in and for the State of
5 Florida at Large, in the above cause.
6 ---
7 THE VIDEOGRAPHER: We are now on the record.
8 This is the videotaped deposition of Jeffrey
9 Epstein, taken in the matter of Jane Doe Number 2
10 vs. Jeffrey Epstein, Case Number 08-CV-80119.
11 We are here at 301 Clematis Street, Suite 3000,
12 West Palm Beach, Florida 33401. It is Monday,
13 March 8th, 2010. The time is 10:05. The court
14 reporter is Vicki Lima. The videographer is Alex
15 Ayala.
16 Will counsel please introduce themselves?
17 MR. HOROWITZ: Sure. My name is Adam Horowitz
18 from Mermelstein & Horowitz, counsel for Plaintiffs
19 Jane Doe 2 through 8. And just for record
20 purposes, the deposition is taken -- being taken in
21 those cases as well.
22 MR. PIKE: Please introduce yourself.
23 MS. ARBOUR: Jessica Arbour, Mermelstein &
24 Horowitz.
25 MR. EDWARDS: Brad Edwards. I represent Jane

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6
7 JEFFREY EDWARD EPSTEIN
8 DIRECT BY MR. HOROWITZ 5
9
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15 ---
16 NO EXHIBITS MARKED
17 ---
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1 Doe. It's also been cross-noticed in that case as
2 well, but I think it's styled in the Jane Doe 2
3 case.
4 MS. EZELL: Katherine Ezell. I represent Jane
5 Doe 103.
6 MR. PIKE: Michael Pike on behalf of Jeffrey
7 Epstein.
8 THE VIDEOGRAPHER: Will the court reporter
9 please swear in the witness?
10 THE REPORTER: Raise your right hand, please.
11 ---
12 THEREUPON:
13 JEFFREY EDWARD EPSTEIN
14 having been first duly sworn or affirmed, was examined
15 and testified as follows:
16 THE WITNESS: Yes, ma'am.
17 DIRECT EXAMINATION
18 BY MR. HOROWITZ:
19 Q Please tell us your full name?
20 A Jeffrey Edward Epstein.
21 Q And is your date of birth January 20, 1953?
22 A Yes.
23 Q Okay. And I guess that makes you 57 years old
24 at the present time?
25 A Correct.



1 Q And you are, sir, a registered sex offender in
 2 the State of Florida?
 3 A Correct.
 4 Q Okay. How long have you been a sex offender in
 5 the State of Florida?
 6 MR. PIKE: Form.
 7 THE WITNESS: I registered on -- in, I believe,
 8 '08, July of '08.
 9 BY MR. HOROWITZ:
 10 Q Okay. Are you married?
 11 A No.
 12 Q Have you ever been married?
 13 A No.
 14 Q Are you engaged?
 15 A No.
 16 Q Have you ever been engaged?
 17 MR. PIKE: Form.
 18 THE WITNESS: On advice of counsel, I'm going
 19 to assert my Fifth Amendment Right as to that.
 20 BY MR. HOROWITZ:
 21 Q Are you suffering from any physical illness or
 22 injury today that would prevent you from sitting for a
 23 full day of deposition?
 24 A No.
 25 Q Your hearing is okay?

1 THE WITNESS: I don't remember.
 2 BY MR. HOROWITZ:
 3 Q Is it the address that you reside in?
 4 MR. PIKE: Form.
 5 THE WITNESS: On advice of counsel, I am going
 6 to assert my Fifth Amendment Right.
 7 BY MR. HOROWITZ:
 8 Q Okay. Did you review any documents in
 9 preparation for today's deposition?
 10 A No.
 11 Q Okay. Did you meet with your attorneys
 12 concerning this deposition at any time before it
 13 started?
 14 A At any time I've -- over the past couple of
 15 months, but not specifically with this deposition.
 16 Q Okay. I'm asking about -- concerning this
 17 deposition?
 18 A No.
 19 Q Okay. In June of 2008, you pled guilty to two
 20 felonies; is that correct?
 21 A Correct.
 22 Q Okay. One of those felonies involved procuring
 23 a person under the age of 18 for prostitution, correct?
 24 A Yes.
 25 Q You pled guilty to that charge, correct?

1 A What's that? Yes.
 2 Q Okay. No back or neck pain at the present
 3 time?
 4 A No.
 5 Q Do you have a girlfriend at the present time?
 6 MR. PIKE: Form.
 7 THE WITNESS: On advice of counsel, I'm going
 8 to assert my Fifth Amendment Right.
 9 BY MR. HOROWITZ:
 10 Q Do you have a driver's license in any state?
 11 A Yes.
 12 Q In what state?
 13 A The United States Virgin Islands.
 14 Q Okay. How long have you had a driver's license
 15 in the Virgin Islands?
 16 A I believe twelve years.
 17 Q Okay. Have you ever had a driver's license in
 18 the State of Florida?
 19 A Yes, sir.
 20 Q Okay. And during what years did you have a
 21 driver's license in the State of Florida?
 22 A I don't remember.
 23 Q Okay. What address appears on your driver's
 24 license in the Virgin Islands?
 25 MR. PIKE: Form.

1 A That's correct.
 2 Q Okay. And you were represented by legal
 3 counsel at the time of your plea?
 4 A That's correct.
 5 Q Okay. In that particular charge the person
 6 under the age of 18 who you allegedly procured for
 7 prostitution, was a female, correct?
 8 A On advice of counsel, I am going to have to
 9 assert my Fifth Amendment, Sixth Amendment and
 10 Fourteenth Amendment Right.
 11 Q In June of 2008, you also pled guilty to a
 12 felony charge of solicitation of a prostitute, correct?
 13 A No, solicitation of prostitution, correct.
 14 Q Okay. And to make sure we're on the same page,
 15 in June of 2008, you pled guilty to a felony of
 16 solicitation of prostitution, correct?
 17 A Yes.
 18 Q Okay. And you were represented by counsel at
 19 the time of that guilty plea as well?
 20 A Yes, sir.
 21 Q Okay. And you were sentenced in Palm Beach
 22 County for both of those felonies, correct?
 23 A That's correct.
 24 Q Okay. You actually served your time in Palm
 25 Beach County?

1 A That's correct.
 2 Q Okay. And at the time of your sentence, did
 3 the Judge advise you as to what your sentence would be?
 4 A I believe so.
 5 Q You were there when the Judge entered the
 6 sentence?
 7 MR. PIKE: Form.
 8 THE WITNESS: Yes.
 9 BY MR. HOROWITZ:
 10 Q Okay. Your sentence included jail time; is
 11 that right?
 12 A That's correct.
 13 Q Okay. And the sentence you received was twelve
 14 months, followed by six months; is that correct?
 15 A I believe so.
 16 Q Uh-huh. And was it at -- as part of that
 17 sentence, that you were designated as a sex offender?
 18 MR. PIKE: Form.
 19 THE WITNESS: As a result of that sentence.
 20 BY MR. HOROWITZ:
 21 Q You were designated as a sex offender?
 22 A That's correct.
 23 Q Okay. So that would have been that June/July
 24 2008 time frame?
 25 A I believe so.

1 Q Okay. Do you register your home address as
 2 part of your sex offender designation?
 3 MR. PIKE: Form.
 4 THE WITNESS: I believe so.
 5 BY MR. HOROWITZ:
 6 Q Okay. What address do you provide as your home
 7 address as part of your sex offender registration?
 8 MR. PIKE: Form.
 9 THE WITNESS: On advice of counsel, I will have
 10 to assert my Fifth Amendment, Sixth Amendment and
 11 Fourteenth Amendment Right.
 12 BY MR. HOROWITZ:
 13 Q Okay. Do you tell the State of Florida where
 14 you live as part of your sex offender registration?
 15 A Do I tell the State of Florida?
 16 Q Any department within the State of Florida
 17 where you live as part of your sex offender
 18 registration?
 19 A I believe so.
 20 Q What address do you tell them that you live in?
 21 MR. PIKE: Form, same objection.
 22 THE WITNESS: And I am going to assert my Fifth
 23 Amendment, Sixth Amendment and Fourteenth Amendment
 24 Rights.
 25 BY MR. HOROWITZ:

1 Q Do you tell any departments of the State of
 2 Florida what vessels or vehicles you own as part of your
 3 sex offender registration?
 4 A My sex offender registration will speak for
 5 itself, but I believe so. I don't remember.
 6 Q Okay. What vehicles or vessels do you inform
 7 the State of Florida that you own or have an interest in
 8 as part of your sex offender registry?
 9 MR. PIKE: Form, same objection.
 10 THE WITNESS: I don't recall.
 11 THE REPORTER: What did you say?
 12 THE WITNESS: I don't recall.
 13 BY MR. HOROWITZ:
 14 Q If you know, are there locations that you
 15 cannot live in because of your status as a sex
 16 offender?
 17 A I believe I --
 18 MR. PIKE: Form.
 19 THE WITNESS: -- I believe I can live in any
 20 location.
 21 BY MR. HOROWITZ:
 22 Q Any location?
 23 A Yes, sir.
 24 Q If you know, are there places you cannot work
 25 because of your status as a sex offender?

1 MR. PIKE: Form.
 2 THE WITNESS: I don't believe so.
 3 BY MR. HOROWITZ:
 4 Q If you know, are there people that you cannot
 5 come into contact with because of your status as a sex
 6 offender?
 7 MR. PIKE: Form.
 8 THE WITNESS: I do not know.
 9 BY MR. HOROWITZ:
 10 Q Okay. Since being sentenced -- strike that.
 11 As part of your sentence, are you forbidden
 12 from having sexual contact with minors?
 13 MR. PIKE: Form, argumentative.
 14 THE WITNESS: I'm sorry?
 15 BY MR. HOROWITZ:
 16 Q As part of your sentence, are you forbidden
 17 from having sexual contact with minors?
 18 MR. PIKE: Same objection.
 19 THE WITNESS: I don't know -- I believe that
 20 sexual contact with minors is against the law, so I
 21 would assume so.
 22 BY MR. HOROWITZ:
 23 Q Okay. As part of registering as a sex
 24 offender, do you have to provide the State of Florida
 25 with your business address?



1 A Yes, I believe so.
 2 Q Okay. And what business address do you provide
 3 the State of Florida --
 4 MR. PIKE: Form.
 5 BY MR. HOROWITZ:
 6 Q -- as part of your registry with the -- as a
 7 sex offender?
 8 THE WITNESS: On advice of counsel, I am going
 9 to assert my Fifth Amendment, Fourteen Amendment
 10 and Sixth Amendment Right.
 11 BY MR. HOROWITZ:
 12 Q How many vehicles do you tell the State of
 13 Florida that you own as part of your registration as a
 14 sex offender?
 15 A I don't know. I -- I don't know. I don't
 16 recall.
 17 Q With respect to those matters that you -- you
 18 do know that you provide to the State of Florida --
 19 A Yes.
 20 Q -- who provides that information, meaning you
 21 or someone on your behalf?
 22 MR. PIKE: Form.
 23 THE WITNESS: I do.
 24 BY MR. HOROWITZ:
 25 Q Okay. And where do you send in that

1 information?
 2 A It's done at the Stockade in Palm Beach County.
 3 Q Okay. So since being released, you travel to
 4 the Stockade to provide that information?
 5 A On advice of counsel, I am going to assert my
 6 Fifth Amendment, Fourteen Amendment and Sixth Amendment
 7 Right.
 8 THE VIDEOGRAPHER: Sorry to interrupt. I need
 9 to go off the record for a second because of
 10 sound.
 11 MR. HOROWITZ: All right.
 12 THE VIDEOGRAPHER: Time off the record 10:14.
 13 (Thereupon, a short break was taken.)
 14 THE VIDEOGRAPHER: Time on the record 10:15.
 15 BY MR. HOROWITZ:
 16 Q Sir, as part of your sentence in 2008, you also
 17 had to provide a DNA sample to the court; is that
 18 correct?
 19 MR. PIKE: Form.
 20 THE WITNESS: That's correct.
 21 BY MR. HOROWITZ:
 22 Q And per the sentence in the summer of 2008, you
 23 were to be under community control after your time in
 24 jail; is that correct?
 25 MR. PIKE: Form.

1 THE WITNESS: That's correct.
 2 BY MR. HOROWITZ:
 3 Q Are you still under community control?
 4 A Yes, sir.
 5 Q Okay. When does that end?
 6 A July 21st --
 7 Q 2010?
 8 A -- July 10 -- yes, 2010.
 9 Q July 21st, 2010, your community control
 10 ceases?
 11 A That's correct.
 12 Q Okay. Do you have a community control
 13 officer?
 14 A Yes, sir.
 15 Q What is his or her name?
 16 A Miss Elkins, Officer Elkins.
 17 Q How often do you see Miss Elkins in person?
 18 A At least twice a week.
 19 Q Okay. How much time do you spend with Miss
 20 Elkins when you see her?
 21 A It varies --
 22 Q And --
 23 A -- up to an hour each time.
 24 Q Okay. And the typical occasion which you come
 25 face-to-face with Miss Elkins, what -- what -- what do

1 you do?
 2 MR. PIKE: Form.
 3 THE WITNESS: I talk to Miss Elkins.
 4 BY MR. HOROWITZ:
 5 Q What do you talk about?
 6 A If there's -- my schedule. I -- I prepare a
 7 schedule for Miss Elkins.
 8 Q Okay. A written schedule?
 9 A Yes, sir.
 10 Q Okay. And you do that every week, or twice a
 11 week?
 12 A Every week.
 13 Q Okay. When was the last time you provided Miss
 14 Elkins with a copy of your schedule?
 15 A Last Monday.
 16 Q Okay. What is Miss Elkins' first name?
 17 A I don't know.
 18 Q Okay. And so do you drive or get driven to the
 19 Stockade to see Miss Elkins?
 20 A Yes.
 21 Q Okay. And has that been true since you were
 22 released from jail?
 23 MR. PIKE: Form.
 24 THE WITNESS: No.
 25 BY MR. HOROWITZ:



1 Q Okay. For how long have you been seeing Miss
 2 Elkins one to two times per week?
 3 A Miss Elkins was -- had replaced my former
 4 probation officer, which is Carmine Sloan (phonetic),
 5 about a month ago.
 6 Q Okay. Did you have a -- another probation
 7 officer before Carmine Sloan?
 8 A No, sir.
 9 Q Okay. And when Carmine Sloan was your
 10 probation officer, were you also seeing -- were you
 11 seeing him one to two times a week?
 12 A It's her, but yes.
 13 Q Okay. And were you providing Miss Sloan with a
 14 -- a written schedule?
 15 A Yes.
 16 Q Okay. Other than providing Miss Sloan with a
 17 written schedule, what else -- what else do you talk
 18 about?
 19 A Just my daily activities.
 20 Q Well, what do you tell her about your daily
 21 activities?
 22 A Where I will be. Just my schedule. Where I
 23 will be.
 24 Q Okay. Is that the subject matter each time
 25 that you go see her?

1 A Basically, yes.
 2 Q And that takes up to an hour?
 3 A Yes.
 4 Q Okay. Anything else that you talk about other
 5 than your schedule with either Miss Sloan or your --
 6 your current -- Miss Elkins?
 7 A Not that I can recall.
 8 Q And it takes an hour approximately to talk
 9 about your schedule?
 10 MR. PIKE: Asked and answered.
 11 THE WITNESS: Up to an hour.
 12 BY MR. HOROWITZ:
 13 Q Up to an hour?
 14 A Yes.
 15 Q Up to an hour?
 16 A Yes.
 17 Q Okay. Is anyone else with you when you meet --
 18 when you met with Miss Elkins or Miss Sloan?
 19 MR. PIKE: Form.
 20 THE WITNESS: Which time?
 21 BY MR. HOROWITZ:
 22 Q Typically. It -- do you go alone?
 23 A It's -- it's -- it's in the office.
 24 MR. PIKE: Same objection.
 25 THE WITNESS: It's at the probation office.

1 BY MR. HOROWITZ:
 2 Q Okay. Is anyone within earshot such that they
 3 can hear your conversation?
 4 A I don't know.
 5 Q Okay. Do you travel to go see Miss Elkins or
 6 Miss Sloan with anybody else?
 7 MR. PIKE: Form.
 8 THE WITNESS: On advice of counsel, I am going
 9 to assert my Fifth Amendment, Sixth Amendment and
 10 Fourteenth Amendment Right.
 11 BY MR. HOROWITZ:
 12 Q Other than the probation officer, whether it be
 13 Miss Sloan or Miss Elkins, is there anyone else from
 14 their office that is present when you meet with them?
 15 MR. GOLDBERGER: From their office, did you
 16 say?
 17 MR. HOROWITZ: Yes.
 18 THE WITNESS: Maybe a couple of times, maybe
 19 another probation officer.
 20 BY MR. HOROWITZ:
 21 Q Okay. And who is that?
 22 A I don't know.
 23 Q Is there anything else, other than your written
 24 schedule, that you provide to Miss Elkins or Miss Sloan
 25 during the course of your community control?

1 A Not that I can recall.
 2 Q Okay. What sort of things would we find on
 3 that schedule?
 4 MR. PIKE: Form.
 5 THE WITNESS: Where I intend to be.
 6 BY MR. HOROWITZ:
 7 Q Okay. So it would have a physical location --
 8 MR. PIKE: Form.
 9 BY MR. HOROWITZ:
 10 Q -- such as "office," or would it say an
 11 address?
 12 A It just might say "office." It might say an
 13 address.
 14 Q Okay. What addresses do you provide Miss Sloan
 15 or Miss Elkins as your address when you are providing
 16 your written schedule?
 17 MR. PIKE: Form.
 18 MR. GOLDBERGER: Form.
 19 THE WITNESS: On advice of counsel, I am going
 20 to have to assert my Fifth Amendment, Sixth
 21 Amendment and Fourteenth Amendment Right.
 22 BY MR. HOROWITZ:
 23 Q Other than telling Miss Elkins and Miss Sloan
 24 that you're at the office, where else do you tell them
 25 that you will be?

1 MR. PIKE: Same objection.
2 THE WITNESS: I am going to have to assert my
3 Fifth Amendment, Fourteenth Amendment and Sixth
4 Amendment Right.

5 BY MR. HOROWITZ:

6 Q Does the schedule -- written schedule that you
7 provide to Miss Elkins and Miss Sloan simply say a
8 location, or do you also describe your activities?

9 A Just the location.

10 Q Okay. Other than "office," what other
11 locations do you from time to time provide to Miss
12 Elkins or Miss Sloan?

13 MR. PIKE: Form.

14 THE WITNESS: I'm going -- I am going to, on
15 advice of counsel, assert my Fifth Amendment, Sixth
16 Amendment and Fourteenth Amendment Right.

17 BY MR. HOROWITZ:

18 Q Okay. Does your community control officer --
19 is that -- is that the correct term, "community control
20 officer"?

21 MR. PIKE: Form.

22 THE WITNESS: I believe so.

23 BY MR. HOROWITZ:

24 Q Okay. Does your community control officer ever
25 make unannounced visits to your home?

1 THE WITNESS: I'm sorry, I don't understand the
2 question.

3 BY MR. HOROWITZ:

4 Q Sure. At the time of your sentence -- we
5 talked about that a few times already, that was in
6 June/July of 2008?

7 A Uh-huh.

8 Q My question is: Isn't it true you were ordered
9 at that time to have no contact, direct or indirect,
10 with various girls?

11 MR. PIKE: Objection.

12 THE WITNESS: I don't recall.

13 BY MR. HOROWITZ:

14 Q Do you know --

15 A I don't recall.

16 Q Do you know whether the Judge announced that in
17 Court to you on the date of your sentence?

18 A I don't recall.

19 Q Do you recall a document saying that you were
20 directed to have no contact, direct or indirect, with
21 various girls as part of your criminal sentence?

22 MR. PIKE: Form.

23 THE WITNESS: I believe that was much later.

24 BY MR. HOROWITZ:

25 Q Okay. At some point -- that happened later?

1 A Yes.

2 Q Well, where do they travel to to see you?

3 MR. PIKE: Form.

4 THE WITNESS: On advice of counsel, I am going
5 to assert my Fifth Amendment, Sixth Amendment and
6 Fourteenth Amendment Right.

7 BY MR. HOROWITZ:

8 Q Okay. Other than your own office, are there
9 any other locations where you have met Miss Sloan or
10 Miss Elkins to discuss your schedule?

11 A My probation office.

12 Q Other than the probation office, are there any
13 other locations where you've met them?

14 A On advice of counsel, I am going to assert my
15 Sixth Amendment, Fourteenth Amendment and Fifth
16 Amendment Right.

17 BY MR. HOROWITZ:

18 Q Okay. Do you anticipate that you'll be seeing
19 Miss Elkins one to two times per week until your
20 community control expires?

21 A Yes.

22 Q You were also ordered at the time of your
23 sentence to have no contact, direct or indirect, with
24 various girls; is that correct?

25 MR. PIKE: Form, confusing.

1 A That's correct.

2 Q Okay. What do you understand to be the terms
3 of this no-contact order that you believe you were
4 provided at a later date?

5 MR. PIKE: Form.

6 MR. GOLDBERGER: If you know.

7 THE WITNESS: Just to have no affirmative
8 contact --

9 MR. GOLDBERGER: Be specific.

10 THE WITNESS: -- with -- with -- with three
11 specific girls.

12 MR. HOROWITZ: Let me just nip this in the
13 bud. A witness --

14 MR. GOLDBERGER: I -- I am just trying to help
15 you along here.

16 MR. HOROWITZ: Okay.

17 MR. GOLDBERGER: No problem. You can -- you
18 can ask the questions, and it will take an hour
19 later. I'm trying to get you an answer that you
20 want.

21 MR. HOROWITZ: I appreciate that. If I -- and
22 if I'm having a hard time, that's my problem. Not
23 yours.

24 MR. GOLDBERGER: Okay.

25 MR. HOROWITZ: But what I was addressing was

1 not your assistance, but the fact that you're
 2 speaking up, and you're familiar with the local
 3 rules.
 4 MR. PIKE: Yeah, let me --
 5 MR. HOROWITZ: No, no, no.
 6 MR. PIKE: I know. I understand.
 7 MR. HOROWITZ: No, no --
 8 MR. PIKE: Listen, we have got a -- we've got a
 9 long day ahead of us, so let's move along.
 10 MR. HOROWITZ: This is -- this is in the
 11 interest of efficiency.
 12 MR. PIKE: Okay. Let's go.
 13 MR. HOROWITZ: Per witness, one attorney, okay?
 14 I don't care who it is, but it can only be one of
 15 you.
 16 MR. GOLDBERGER: Okay. So here's the deal: I
 17 represent Mr. Epstein on his criminal cases. If I
 18 feel it is important for me to interject on issues
 19 relevant to his criminal case, I'll do so.
 20 Mr. Pike has taken the -- the lead role in
 21 representing Mr. Epstein civilly.
 22 MR. HOROWITZ: Well --
 23 MR. GOLDBERGER: If there are issues relevant
 24 to the criminal case, I'm going interject.
 25 As far as your concern about what just occurred

1 now, I'm just trying to help you along.
 2 MR. HOROWITZ: I appreciate that.
 3 MR. GOLDBERGER: That's the only reason I did
 4 it.
 5 MR. HOROWITZ: All right. I'm going to put
 6 this on the record again. The local rules provide
 7 that in a deposition in a civil case one witness,
 8 one attorney who can object, period. It doesn't
 9 say if there is also a criminal case, two attorneys
 10 can speak. So if Mr. Epstein wanted to hire an
 11 attorney familiar with his criminal case for his
 12 civil case, he could have done so. If he didn't,
 13 that was at his own peril. So I'm just going to
 14 ask you to refrain, and I'm just going to put you
 15 on notice that if you -- if you interject an
 16 objection --
 17 MR. GOLDBERGER: Uh-huh.
 18 MR. HOROWITZ: -- I'll seek the relief from the
 19 Court, and that's -- that's it, but --
 20 MR. GOLDBERGER: That's fine. And I'm going to
 21 continue to do so, and if you want to adjourn at
 22 this point, we can do that. But if I think it's an
 23 issue relevant to my representation of him on a
 24 pending criminal case, I'm going to do so, okay?
 25 MR. HOROWITZ: Okay.

1 MR. GOLDBERGER: And you'll -- you're free to
 2 seek whatever relief you want.
 3 MR. PIKE: And -- and let me -- let me put
 4 something on the record, since you chose to do so.
 5 One, this is -- this proceeding has a quasi-
 6 criminal component to it, and your questions today,
 7 Mr. Horowitz, are interjected in a manner in an
 8 attempt to cause Mr. Epstein to waive his Fifth
 9 Amendment Right, along with his Sixth and his
 10 Fourteenth which are incorporated therein. So the
 11 fact that Mr. Goldberger is here making sure that
 12 his client and my mutual client maintain and
 13 preserve those privileges that are afforded under
 14 the United States Constitution, he will continue to
 15 do that today, okay?
 16 Now, we're here to answer your questions.
 17 We're here to move forward with the depo. We'd
 18 like to do that. If you'd like to adjourn to take
 19 this up with the Court today, we could do that as
 20 well, but it was -- it's your choice.
 21 MR. HOROWITZ: Okay.
 22 MR. PIKE: Okay?
 23 BY MR. HOROWITZ:
 24 Q One girl that you were ordered to have no
 25 contact with is Jane Doe 2, correct?

1 MR. PIKE: Form.
 2 THE WITNESS: I don't know.
 3 BY MR. HOROWITZ:
 4 Q Another girl that you were ordered to have no
 5 contact with is Jane Doe 4, correct?
 6 MR. PIKE: Form.
 7 THE WITNESS: No, I don't -- you -- you've
 8 asked me a question regarding a criminal case?
 9 MR. HOROWITZ: Correct.
 10 THE WITNESS: So regarding my criminal case, I
 11 believe the answers to the both of those questions
 12 are no.
 13 BY MR. HOROWITZ:
 14 Q Okay. I have some more questions about your
 15 criminal case.
 16 A Okay.
 17 Q Another girl that you were ordered to have no
 18 contact with as a result of your -- following your
 19 sentence is Jane Doe 6; is that correct?
 20 MR. PIKE: Form.
 21 THE WITNESS: I don't believe so.
 22 BY MR. HOROWITZ:
 23 Q Okay. And another girl that you were ordered
 24 to have no contact with as a result of your criminal
 25 case is Jane Doe 7, correct?



1 A I don't believe so.
 2 Q Okay. Another girl that you were ordered to
 3 have no contact with is Jane Doe 5?
 4 MR. PIKE: Form.
 5 THE WITNESS: As far as my criminal case, I
 6 don't believe so.
 7 BY MR. HOROWITZ:
 8 Q Okay. Another girl you were ordered to have no
 9 contact with is Jane Doe 8, correct?
 10 MR. PIKE: Form.
 11 THE WITNESS: I'm sorry, who?
 12 MR. HOROWITZ: Jane Doe 8.
 13 THE WITNESS: I don't believe so.
 14 BY MR. HOROWITZ:
 15 Q Okay. Another girl you were ordered to have no
 16 contact with is Jane Doe 3, correct?
 17 MR. PIKE: Same objection.
 18 THE WITNESS: I don't believe so.
 19 BY MR. HOROWITZ:
 20 Q Okay. Are you aware of the names of any girls
 21 who you were ordered to have no contact with as part of
 22 your criminal case?
 23 MR. PIKE: Form.
 24 THE WITNESS: On the advice of counsel, I am
 25 going to assert my Fifth Amendment, Sixth Amendment

1 and Fourteenth Amendment Right.
 2 MR. HOROWITZ: Okay. I mentioned seven girls'
 3 names. I'll just put them on the record so you
 4 know what seven girls I'm talking about.
 5 THE WITNESS: Okay.
 6 MR. HOROWITZ: Jane Doe 5, Jane Doe 8, Jane Doe
 7 6, Jane Doe 2, Jane Doe 3, Jane Doe 7.
 8 BY MR. HOROWITZ:
 9 Q Is it your testimony today that you were not
 10 ordered as a result of a criminal case to have no
 11 contact with them?
 12 MR. PIKE: Form.
 13 THE WITNESS: That's my best recollection.
 14 BY MR. HOROWITZ:
 15 Q Okay. And, therefore, since you have no
 16 recollection of being ordered, you've made no
 17 affirmative attempt to have no contact with them; is
 18 that correct?
 19 MR. PIKE: Form, asked and answered. I am
 20 going to instruct him not to answer that question.
 21 If you want to rephrase it, go ahead.
 22 MR. HOROWITZ: Are you going to accept --
 23 accept his advice?
 24 MR. PIKE: Yeah.
 25 THE WITNESS: Yes.

1 BY MR. HOROWITZ:
 2 Q Okay. Have you made any affirmative attempt to
 3 have no contact with Jane Doe 5, Jane Doe 8, Jane Doe 6,
 4 Jane Doe 2, Jane Doe 3, Jane Doe 4 or Jane Doe 7?
 5 MR. PIKE: Form, lack of predicate and
 6 foundation.
 7 THE WITNESS: And on the advice of counsel, I
 8 am going to assert my Fifth Amendment, Sixth
 9 Amendment and Fourteenth Amendment Right.
 10 BY MR. HOROWITZ:
 11 Q Have you at any time known the names of the
 12 girls that you were directed to have no contact with --
 13 MR. PIKE: Same objection.
 14 BY MR. HOROWITZ:
 15 Q -- in the criminal case?
 16 A Known the names?
 17 Q Known, known.
 18 A I was told that in fact some of your -- the
 19 cases that were filed against me by your firm, a firm
 20 whose partner was disbarred for his conduct, and in fact
 21 Mr. Edwards sitting there with his firm who is called by
 22 the U.S. Attorney to be the largest fraud in South
 23 Florida's history -- I believe these girls have always
 24 been -- and I believe the ladies and gentlemen of the
 25 jury will eventually be aware that these girls have

1 filed the claim many years after they alleged and even
 2 associated with firms whose partners have been disbarred
 3 and is part -- one of his partners is currently in jail,
 4 yes.
 5 Q Okay. Are you suggesting that a partner of
 6 mine was disbarred? Is that your testimony?
 7 MR. PIKE: Form.
 8 THE WITNESS: Yes, that's -- I believe that's
 9 my understanding.
 10 BY MR. HOROWITZ:
 11 Q Okay. Are you suggesting that my clients
 12 fabricated their claims against you after coming into
 13 contact with an attorney who you believe was
 14 disciplined?
 15 MR. PIKE: Form.
 16 THE WITNESS: You know, I'd really like to
 17 answer that question, and hopefully some day I
 18 will. I think the answer is pretty obvious to you
 19 and the other people in this room, but, however,
 20 today, Mr. Horowitz, I am going to, on the advice
 21 of counsel, have to assert my Fifth Amendment,
 22 Sixth Amendment and Fourteenth Amendment Right,
 23 though I would like to -- and I'm sure you and the
 24 ladies and gentlemen understand, I'd like to answer
 25 that question.



1 BY MR. HOROWITZ:
 2 Q Well, you mentioned an attorney who you believe
 3 was disciplined, and you mentioned an attorney who you
 4 believe --
 5 A I don't believe I said "disciplined." I think
 6 you -- I said "disbarred."
 7 Q Disbarred, okay.
 8 A Is that correct?
 9 Q No, it's wrong, but that was your words.
 10 A He was not disbarred?
 11 Q I'm not allowed to testify to those --
 12 A Oh, I'm sorry.
 13 Q I didn't create these rules.
 14 A I thought he was disbarred. I think the paper
 15 said he was disbarred.
 16 Q Okay. You mentioned that an attorney was
 17 disbarred, and another attorney --
 18 A Your partner was disbarred. Not an attorney,
 19 correct?
 20 Q You mentioned that my partner was disbarred,
 21 and that's your testimony?
 22 A Yes.
 23 Q And you mentioned that another attorney
 24 committed fraud?
 25 A Yes.

1 advice of counsel, I am going to have to assert my
 2 Fifth Amendment, Sixteenth -- sorry -- Sixth
 3 Amendment and Fourteenth Amendment Rights as
 4 guaranteed by the Constitution.
 5 And if I don't follow their advice and I prefer
 6 -- I would actually prefer to answer the question,
 7 but if I don't follow their advice, I am going to
 8 risk losing my counsel, which is a violation. So I
 9 am going to have to assert those rights today.
 10 MR. PIKE: Okay. And just for the record --
 11 MR. HOROWITZ: Move to strike the
 12 non-responsive portion.
 13 MR. PIKE: Just for the record, let's try to go
 14 -- take turns for the court reporter's benefit.
 15 Finish your answer --
 16 THE WITNESS: Okay.
 17 MR. PIKE: -- finish your question, before both
 18 of you continue to talk to -- over each other,
 19 thanks.
 20 BY MR. HOROWITZ:
 21 Q Mr. Epstein, if I heard you right, you said
 22 that your attorneys have advised you that your -- you
 23 could not answer these questions without waiving the
 24 Fifth, Sixth and Fourteenth Amendment; is that right?
 25 MR. PIKE: Form. I am going to instruct him

1 Q Are you suggesting that somehow the Plaintiffs
 2 fabricated their allegations because of their
 3 association with these lawyers?
 4 MR. PIKE: Form.
 5 THE WITNESS: In fact, according to the
 6 newspapers, the attorney who's -- who is currently
 7 sitting in jail, Mr. Edwards' partner, was accused
 8 of fabricating many cases not only against people
 9 like me, but others, of the sexual nature, very
 10 similar to the ones you've filed.
 11 BY MR. HOROWITZ:
 12 Q Okay. As to my clients -- I'm not asking about
 13 anybody else's clients. As to my client, are you
 14 suggesting that they fabricated any aspect of their
 15 dealings with you as a result of their dealings with
 16 their attorney, or some remote dealings with
 17 Mr. Rothstein? Is that -- is that your testimony?
 18 A I think that answer --
 19 MR. PIKE: Form, predicate, foundations, sorry.
 20 THE WITNESS: I think that answer is pretty
 21 obvious. But, however, on advice of counsel, I
 22 cannot answer any questions today that are relevant
 23 to this law -- to these lawsuits. I would like
 24 to. I'm sure everybody knows that I would like
 25 to. You know I would like to. But today, on the

1 not to answer that question because the way it's
 2 phrased attempts to elicit attorney-client
 3 communications.
 4 BY MR. HOROWITZ:
 5 Q Did I paraphrase you correctly?
 6 A No, you did not.
 7 Q Okay. Well, sir, are you -- are you testifying
 8 that Jane Doe 2 falsified a lawsuit because of her
 9 association with a lawyer?
 10 MR. PIKE: Form, predicate, foundation.
 11 THE WITNESS: I would really like to answer
 12 that question, but today, and just today at least
 13 on the advice of counsel, I cannot, because they
 14 have advised me that if I do, I risk losing their
 15 counsel, but as I think it is going to be pretty
 16 obvious, I would like to answer that question, but
 17 on the advice of counsel, I am going to assert my
 18 Fifth, Sixth and Fourteenth Amendment Right as
 19 provided by the U.S. Constitution.
 20 BY MR. HOROWITZ:
 21 Q Well, Mr. Epstein, if you continue to laugh at
 22 any of my questions, shake your head, nod, it's my
 23 intention to inform the Court and file a motion that
 24 you've waived your Fifth Amendment Right.
 25 MR. PIKE: All right. First of all, that's --



1 that's argumentative and it's harassing, and you
2 don't have a question on the table, so let's --
3 let's --

4 MR. HOROWITZ: Why are you interrupting me?

5 MR. PIKE: Because -- because this deposition
6 is not going to be utilized as a -- as a means to
7 harass my client. Ask your questions, you'll get
8 your answers, and let's move forward.

9 BY MR. HOROWITZ:

10 Q I'm going to ask that you not shake your head,
11 nod or laugh at my questions. Because if you do, it
12 will be at your own peril, because I'm -- I will file a
13 motion to have your Fifth Amendment Rights waived.

14 MR. PIKE: I'm going to move to strike --

15 MR. HOROWITZ: Okay.

16 MR. PIKE: -- your two last statements,
17 Mr. Horowitz. Let's get on with the deposition.

18 BY MR. HOROWITZ:

19 Q When you said that you must accept the advice
20 of your attorney or risk waiving your Constitutional
21 Rights, what advice were you talking about?

22 MR. PIKE: Form. I'm going to instruct him not
23 to answer that question. He's asserting his
24 Constitutional Rights.

25 MR. HOROWITZ: And I want to explore what he

1 to have to assert my Fifth Amendment, Sixth
2 Amendment and Fourteenth Amendment Rights as
3 guaranteed by the U.S. Constitution, though I would
4 like to answer that question.

5 BY MR. HOROWITZ:

6 Q With respect to those girls whom you've been
7 ordered to have no contact with, have you had any
8 contact, direct or indirect, with them since receiving
9 that order?

10 MR. PIKE: Same objection; form, predicate and
11 foundation.

12 THE WITNESS: I would like to answer that
13 question, however, today my -- I have been informed
14 that I cannot answer any questions that may be
15 relevant to your lawsuit. So I'm going to assert
16 my Fifth Amendment, Sixth Amendment and Fourteenth
17 Amendment Right. Excuse me, could I use the
18 restroom?

19 MR. HOROWITZ: Yes.

20 THE VIDEOGRAPHER: Time off the record 10:35.
21 (Thereupon, a short break was taken.)

22 THE VIDEOGRAPHER: Time on the record 10:42.

23 BY MR. HOROWITZ:

24 Q As a result of your criminal sentence, how many
25 girls were you ordered to have no contact with?

1 just said about his Constitutional Rights. He said
2 he would be losing his Sixth Amendment Right to
3 effective representation. Do you understand -- is
4 that what you said, sir?

5 MR. PIKE: Form.

6 THE WITNESS: Correct.

7 BY MR. HOROWITZ:

8 Q Okay. Okay. When you say your Sixth Amendment
9 Right to effective representation, who -- representation
10 by who? Who -- who are you talking about?

11 MR. PIKE: Form. I'm going to instruct him not
12 to answer that question.

13 BY MR. HOROWITZ:

14 Q Are you suggesting that your attorneys would
15 not represent you if -- if you didn't assert your Sixth
16 Amendment Right?

17 MR. PIKE: Same objection. I'm going to
18 instruct him not to answer that question, attorney-
19 client.

20 BY MR. HOROWITZ:

21 Q How do you ensure that you have no contact with
22 the various girls you've been ordered to have no contact
23 with?

24 MR. PIKE: Form, predicate, foundation.

25 THE WITNESS: On advice of counsel, I am going

1 MR. PIKE: Form.

2 THE WITNESS: Three.

3 BY MR. HOROWITZ:

4 Q Okay. And what are their names?

5 MR. PIKE: Form.

6 THE WITNESS: I believe it was Jane Doe-103,
7 [REDACTED] and [REDACTED].

8 MR. HOROWITZ: Can you read that back?

9 THE REPORTER: [REDACTED] --

10 MR. HOROWITZ: No, I don't think that's right.
11 That's not what he said.

12 (The pending answer was read back by the court
13 reporter.)

14 MR. HOROWITZ: Thank you.

15 BY MR. HOROWITZ:

16 Q Is it your testimony, sir, that those are the
17 only three girls who, as a result of a criminal case
18 against you, you've been ordered to have no contact
19 with?

20 MR. PIKE: Form.

21 THE WITNESS: That's correct.

22 BY MR. HOROWITZ:

23 Q Okay. With respect to [REDACTED], do you acknowledge
24 that she has been to your home?

25 MR. PIKE: Form.

1 THE WITNESS: Sorry?
 2 BY MR. HOROWITZ:
 3 Q With respect to [REDACTED], do you acknowledge she
 4 has been to your home?
 5 MR. PIKE: Same objection.
 6 THE WITNESS: On advice of counsel -- I would
 7 like to answer all your questions today,
 8 Mr. Horowitz. I'm sorry your partner that was
 9 disbarred is not here, because I would like to
 10 answer his questions because I believe he was the
 11 one who represented [REDACTED]. So I would like to see
 12 Mr. Herman at some point when he gets --
 13 potentially gets his license back. But, though I
 14 would like to answer your questions in more detail,
 15 on advice of counsel, I am going to have to assert
 16 my Fifth, Sixth and Fourteenth Amendment Rights
 17 under the U.S. Constitution. I would like to
 18 answer the question, but my counsel has told me
 19 that I risk losing their representation if I do,
 20 so, therefore, I'm going to have to assert those
 21 rights.
 22 BY MR. HOROWITZ:
 23 Q With respect to [REDACTED], do you acknowledge that
 24 she has -- she went to your home when she was a child?
 25 MR. PIKE: Form.

1 contact?
 2 MR. PIKE: Form.
 3 THE WITNESS: Again, I would like to answer
 4 that question, but as most of your other questions
 5 here today, and I -- I understand that your partner
 6 who represented this [REDACTED] was disbarred, but at
 7 some point in future I would like to answer that.
 8 Today, unfortunately, I am going to have to assert
 9 my Fifth, Sixth and Fourteenth Amendment Rights
 10 under the U.S. Constitution because my counsel has
 11 advise me that, though I would like to answer that
 12 question, I cannot today.
 13 BY MR. HOROWITZ:
 14 Q Are you suggesting, sir, that [REDACTED] fabricated
 15 or embellished her allegations because of her
 16 association with a disbarred attorney?
 17 MR. PIKE: Form, move to strike,
 18 mischaracterizes the witness' testimony.
 19 THE WITNESS: Can you repeat the question?
 20 BY MR. HOROWITZ:
 21 Q Are you suggesting that [REDACTED] either fabricated
 22 or embellished her -- her allegations because of any
 23 association she had with an attorney who's been
 24 disbarred?
 25 MR. PIKE: Same objection.

1 THE WITNESS: Again, I would like to answer
 2 that question, and I'm sure you know I would like
 3 to answer that question. I'm sure your partner
 4 that was disbarred while he represented [REDACTED], I
 5 believe, or her parents, or he claimed he
 6 represented one parent, and the other parent sued
 7 him or tried to bring a lawsuit against your
 8 partner -- I would like to answer any questions
 9 with respect to [REDACTED], but today on advice of
 10 counsel, I'm not going to be able to do that
 11 because they've advised me I must assert my Fifth,
 12 Sixth and Fourteenth Amendment Right --
 13 MR. HOROWITZ: Okay.
 14 THE WITNESS: -- so therefore -- excuse me, I
 15 am going -- should I finish?
 16 MR. PIKE: Yes.
 17 THE WITNESS: So, therefore -- though I would
 18 like to answer that question and -- I am going to
 19 have to assert those rights.
 20 MR. HOROWITZ: Okay. Move to strike the
 21 non-responsive -- the non-responsive portion of the
 22 answer.
 23 BY MR. HOROWITZ:
 24 Q Do you acknowledge, sir, that with respect to
 25 [REDACTED], during her childhood, you paid her for sexual

1 THE WITNESS: It's not an attorney who's been
 2 disbarred. I believe I said it's your partner that
 3 was disbarred when -- after representing [REDACTED], and
 4 I would like -- though I would like to answer those
 5 questions in detail, today I have been advised by
 6 counsel that I cannot answer any questions that may
 7 be relevant to your lawsuits --
 8 MR. HOROWITZ: All right.
 9 THE WITNESS: -- and -- excuse me.
 10 MR. HOROWITZ: Go ahead, finish.
 11 THE WITNESS: Thank you. And, though I would
 12 like to answer the questions, and I know you keep
 13 trying to strike my answer with respect to [REDACTED]'s
 14 representation by your former partner, Jeffrey
 15 Herman, who was disbarred, who held press
 16 conferences to try to make a big -- so he tried to
 17 embarrass me as best as he could, I'm -- I would
 18 like to answer those questions, but I cannot on
 19 advice of counsel.
 20 BY MR. HOROWITZ:
 21 Q Okay. And do you feel that because my partner,
 22 Jeffrey Herman, was an attorney involved in [REDACTED]'s case,
 23 that somehow the allegations she's made against you are
 24 fabricated or embellished?
 25 A I'd let -- the ladies and gentlemen of the jury

1 will make that decision, I'm sure. I can't -- I would
 2 like to answer those questions. I would really like to
 3 answer -- I think those answers are obvious, frankly.
 4 But today, on advice of counsel, I'm not going to be
 5 able to answer those questions. I am going --
 6 Q Well --
 7 A Mr. Horowitz, I would like to finish my answer,
 8 please. Is that okay?
 9 Q Well, you keep repeating yourself.
 10 THE WITNESS: Mr. Pike?
 11 MR. PIKE: Go ahead and finish.
 12 Please allow -- allow the witness to finish his
 13 answer.
 14 THE WITNESS: So let's start -- should -- could
 15 you repeat the question, please?
 16 MR. HOROWITZ: Yes.
 17 (The pending question was read back by the
 18 court reporter.)
 19 MR. HOROWITZ: That wasn't exactly the
 20 question, but I'll -- let me ask it again. Maybe
 21 it will be smoother, and just try and follow what
 22 it is I'm asking.
 23 THE WITNESS: I'm trying my best.
 24 BY MR. HOROWITZ:
 25 Q Do you believe, as we sit here today, that

1 because Jeffrey Herman was involved in the
 2 representation of [REDACTED], that her allegations of abuse by
 3 you are fabricated or embellished?
 4 MR. PIKE: Form, predicate, foundation.
 5 THE WITNESS: I would very much like to answer
 6 the question regarding [REDACTED] -- which
 7 embellishments, as you've described them, or
 8 fabrications -- at the same time she met your
 9 partner that was later disbarred. However, as of
 10 today, though I would like to answer those
 11 questions -- and I think those answers are pretty
 12 obvious -- I am going to have to assert my Fifth
 13 Amendment, Sixth Amendment and Fourteenth Amendment
 14 Rights under the U.S. Constitution.
 15 And, though I think again those -- that answer
 16 is obvious, and will be obvious to most people here
 17 on the jury, my attorneys have advised me I cannot
 18 answer that question today.
 19 BY MR. HOROWITZ:
 20 Q Okay. You told us that in addition to [REDACTED],
 21 you were also ordered to have no contact with Jane Doe
 22 103 and [REDACTED]; is that correct?
 23 A Excuse me, yes.
 24 Q And when did you receive such an order?
 25 MR. PIKE: Form.

1 THE WITNESS: I don't recall.
 2 BY MR. HOROWITZ:
 3 Q Okay. Was it -- if I heard you correctly, it
 4 was in association with your criminal case?
 5 A That's correct.
 6 Q Okay. And with respect to Jane Doe 103, do you
 7 acknowledge that she has been to your home?
 8 MR. PIKE: Form.
 9 THE WITNESS: Again, I would like to answer
 10 most of your questions. However, today, as I've
 11 answered most -- almost all of your questions and
 12 will continue to answer, on advice of counsel, I
 13 believe, this question, I have to assert my Fifth
 14 Amendment, Fourteenth Amendment and Sixth Amendment
 15 Rights under the U.S. Constitution.
 16 BY MR. HOROWITZ:
 17 Q Okay. And -- are you done?
 18 A (No verbal response).
 19 Q Do you acknowledge that Jane Doe 103 came to
 20 your home for sexual contact during her childhood, and
 21 that you paid her for those services?
 22 MR. PIKE: Form, predicate, foundation,
 23 argumentative.
 24 THE WITNESS: I'd -- I would like to answer
 25 that question. I think those questions will all

1 have obvious answers and not -- however, today, I
 2 am going to have to assert my Fifth Amendment,
 3 Sixth Amendment and Fourteenth Amendment Rights
 4 under the U.S. Constitution, because, though I
 5 would like to answer that question, my attorneys
 6 have advised me that I cannot -- today cannot
 7 answer any questions that may be relevant to this
 8 lawsuit.
 9 BY MR. HOROWITZ:
 10 Q Okay. You also told us -- provided this name
 11 of [REDACTED]. Do you acknowledge that [REDACTED] was paid by you
 12 for sexual contact during her childhood?
 13 MR. PIKE: Form, predicate, foundation,
 14 argument.
 15 THE WITNESS: I would like to answer that
 16 question, as I would like to answer most of your
 17 other questions here today, but I, unfortunately,
 18 am going to have to answer that one, as I've
 19 answered most of your other questions, which is
 20 unfortunately today, I cannot answer any question
 21 that may be relevant to this lawsuit on advice of
 22 counsel. I must assert my Fifth Amendment, Sixth
 23 Amendment and Fourteenth Amendment Right under the
 24 U.S. Constitution.
 25 BY MR. HOROWITZ:

1 Q When in the future do you presently intend to
2 stop asserting your Fifth, Sixth and Fourteenth
3 Amendment Rights, if any, and intend to start answering
4 these questions?

5 MR. PIKE: Form. I am going to instruct him
6 not to answer that question, attorney-client.

7 BY MR. HOROWITZ:

8 Q Do you intend at trial to start answering these
9 questions?

10 MR. PIKE: Same objection. I am going to
11 instruct him not to answer, attorney-client.

12 BY MR. HOROWITZ:

13 Q At the time of your sentence you told us --
14 which was in the summer of 2008, did you have a private
15 psychologist --

16 MR. PIKE: Form.

17 BY MR. HOROWITZ:

18 Q -- named Dr. Alexander?

19 MR. PIKE: Form. I am going to instruct him
20 not to answer that question as well because the
21 Judge has already ruled that Mr. Epstein's medical
22 history is not an element in any of these cases.

23 MR. HOROWITZ: Well, despite -- you -- you --
24 you're aware we have a court order in which
25 Mr. Epstein was required to provide us the names of

1 product.

2 BY MR. HOROWITZ:

3 Q What -- are -- are you under the care of any
4 physicians at the present time other than Dr. Alexander?

5 MR. PIKE: Form, predicate, foundation and
6 mischaracterizes, I believe, my objection.

7 THE WITNESS: I would like to answer that
8 question, as I would like to answer most of your
9 other questions here today, but today I am going to
10 have to assert my Fifth Amendment, Sixth Amendment
11 and Fourteenth Amendment Rights under the advice --
12 on advice of counsel.

13 BY MR. HOROWITZ:

14 Q All right. What doctors have you been under
15 the care of in the past five years?

16 MR. PIKE: Form.

17 THE WITNESS: I am going to have to assert my
18 Fifth Amendment, Sixth Amendment and Fourteenth
19 Amendment Rights on advice of counsel, though I
20 would like to answer these questions.

21 MR. HOROWITZ: Okay. I mean, you -- you could
22 -- you can tell your client to do what you want,
23 but, I mean, we have a specific court order.

24 MR. PIKE: Do you have a copy of it with you?

25 MR. HOROWITZ: During the break I'll get you a

1 his doctors and as well as his prescriptions,
2 correct? You're aware of that?

3 MR. PIKE: I recall that order, but I don't
4 recall -- I don't recall -- if you have the -- if
5 you have the answers, then you can provide them to
6 me, and maybe I would be better situated to allow
7 the client to answer or not answer the questions.
8 I saw your associate reaching for something. So
9 maybe -- maybe you do have them, you can refresh my
10 recollection.

11 MR. HOROWITZ: Well, I'm just going to ask the
12 witness -- I'm not here to refresh his
13 recollection. I want his --

14 MR. PIKE: Or mine.

15 MR. HOROWITZ: Or yours.

16 MR. PIKE: Right.

17 MR. HOROWITZ: I want his testimony on today's
18 date as to the truth.

19 MR. PIKE: Okay. Well, I'm going to instruct
20 him not to answer that question right now. Let's
21 --

22 MR. HOROWITZ: You guys want to talk among
23 yourselves?

24 MR. PIKE: Sure. I'm still going to maintain
25 the objection it's also attorney-client and work

1 copy.

2 MR. PIKE: I mean, if you have a copy of an
3 order, and you want to refresh my recollection --
4 since the Fifth Amendment and the Sixth Amendment
5 and the Fourteenth Amendment are highly technical
6 Constitutional Amendments, if you wish to ask my
7 client questions based upon an order, I would ask
8 that you simply provide me with the order
9 beforehand, and then we can make this a much easier
10 process. We're here for you, Adam.

11 MR. HOROWITZ: Thanks. I'm pretty sure the
12 Court gave you a copy of the order, but -- but it's
13 okay. We can move on. During the break we'll
14 address it.

15 MR. PIKE: No -- well, wait a second --

16 MR. HOROWITZ: During the break we'll address
17 it.

18 MR. PIKE: -- I am not going to banter with
19 you, and nor am I going to accept this type of
20 laughing from the corner show over there
21 (indicating). Listen, the fact remains is this:
22 There have been several orders. That of which I
23 was the initial author of the -- of the motions
24 that resulted in the positive orders, reflective of
25 the Fifth, Sixth and Fourteenth Amendment. So it



1 is: If you have some of those orders, which are
2 probably ten plus, bring them to me, and I will
3 read them, and we will make this deposition go
4 forward a lot easier.

5 BY MR. HOROWITZ:

6 Q All right. Are you -- have you been prescribed
7 any medications in the past five years?

8 MR. PIKE: Form.

9 THE WITNESS: It's the same answer. I would
10 like to answer that question, as I would like to
11 answer most of your other questions here today.
12 However, I've been advised by counsel that at least
13 today I cannot answer those questions, and I must
14 assert my Fifth Amendment, Sixth Amendment and
15 Fourteenth Amendment Right.

16 BY MR. HOROWITZ:

17 Q So you -- you told us in a sworn interrogatory
18 answer that you were prescribed Lipitor, and that you
19 take -- you take Lipitor. Are there other medications
20 that you receive, for instance, to treat you for a
21 sexual disorder?

22 MR. PIKE: Form. I am going to instruct him
23 not to answer that question as phrased.

24 BY MR. HOROWITZ:

25 Q Other than Lipitor, are there any other

1 MR. PIKE: Form.

2 THE WITNESS: I see it's on the complaint.

3 BY MR. HOROWITZ:

4 Q You've been a Defendant in that lawsuit for the
5 past two years?

6 A I don't know the time.

7 Q Do you know who the Plaintiff is, Jane Doe 2?

8 MR. PIKE: Form.

9 THE WITNESS: I read the complaint.

10 BY MR. HOROWITZ:

11 Q Okay. All right. My -- my earlier question to
12 you was: Isn't it true that a girl named Jane Doe 2 --

13 A Uh-huh.

14 Q -- came to your Palm Beach home in -- in late
15 2004?

16 A I -- again, I understand that Jane Doe 2 was
17 represented by your partner, Jeffrey Herman, who was
18 disbarred by The Florida Bar Association. I believe she
19 was represented by Mr. Herman prior to his disbarment.
20 I believe he represented her in a -- in some type of
21 press conference in association with other firms later
22 where other partners have gone to jail for representing
23 claims of a sexual nature against people like me and
24 others, and the U.S. Attorney called one of the other
25 firms involved in this the largest fraud in Florida --

1 medications that you have been prescribed or have taken
2 in the past five years?

3 A On advice of counsel, I am going to have to
4 assert my Fifth Amendment, Sixth Amendment and
5 Fourteenth Amendment Rights, though I would like to
6 answer that question.

7 Q Okay. Is it true, sir, that a -- a girl named
8 Jane Doe 2 came to your Palm Beach home in late 2004?

9 A Is she someone you represent?

10 Q Do you -- do you -- do you not know the answer?

11 A I do not know the name.

12 Q Okay. Do you know we're here on a case called
13 Jane Doe 2 vs. Jeffrey Epstein?

14 MR. PIKE: Form.

15 THE WITNESS: Yes.

16 BY MR. HOROWITZ:

17 Q And you've seen that on the deposition notice?

18 A Yes.

19 Q Are you suggesting that you -- you do not know
20 who Jane Doe 2 is?

21 MR. PIKE: Form.

22 THE WITNESS: I've seen it on the allegation --
23 on your complaint today.

24 BY MR. HOROWITZ:

25 Q Okay. So we have the answer to that question?

1 in South Florida's history. But separate from that,
2 unfortunately today, I am going to have to assert my
3 Fifth Amendment, Fourteen Amendment and Sixth Amendment
4 Rights on the advice of counsel.

5 MR. HOROWITZ: Okay. Move to strike that.

6 BY MR. HOROWITZ:

7 Q Do you believe that Jane Doe 2's lawsuit
8 against you was either fabricated, falsified or
9 embellished due to any association she had with an
10 attorney who was suspended or disbarred, as you say?

11 MR. PIKE: Form.

12 THE WITNESS: Again?

13 BY MR. HOROWITZ:

14 Q Do you believe that Jane Doe 2's lawsuit was
15 either fabricated or embellished because of her
16 association with any attorney?

17 MR. PIKE: Form.

18 THE WITNESS: I would like to tell you my
19 beliefs. I would like to give you an answer to
20 that question. I would like to -- I'm sure the
21 jury is going to want to explain -- understand that
22 she was represented by an attorney that was
23 disbarred at the time when this lawsuit, I believe,
24 got filed. Later he was disbarred. Today I would
25 like to answer that question, but however, today on



1 advice of counsel I cannot, and I am going to have
2 to assert on their advice my Fifth Amendment, Sixth
3 Amendment and Fourteenth Amendment Rights under the
4 U.S. Constitution or risk losing their counsel.

5 MR. PIKE: Let me take a break really quick. I
6 need a 60-second break.

7 THE VIDEOGRAPHER: Time off the record 10:59.
8 (Thereupon, a short break was taken.)

9 THE VIDEOGRAPHER: Time on the record 11:06.

10 BY MR. HOROWITZ:

11 Q Sir, between 2001 and 2006 did you instruct
12 [REDACTED] to place telephone calls to arrange for girls under
13 the age of 18 to come to your home for your sexual
14 gratification?

15 MR. PIKE: Form.

16 THE WITNESS: Though I would like to answer
17 that question, today, on advice of counsel, I am
18 going to have to assert my Fifth Amendment, Sixth
19 Amendment and Fourteenth Amendment Rights under the
20 U.S. Constitution. And, though I'd really much
21 like to answer that question, today, I cannot.

22 BY MR. HOROWITZ:

23 Q Is it true, sir, that in late 2004 [REDACTED] received
24 a telephone call wherein she was told that a girl named
25 Jane Doe 3 was bringing a girl named Jane Doe 2 to your

1 home?

2 MR. PIKE: Form.

3 THE WITNESS: Can you tell me who those people
4 are? Are those two of your clients?

5 MR. HOROWITZ: Yes, two of the three people I
6 mentioned are my clients.

7 BY MR. HOROWITZ:

8 Q Are -- are -- are -- are -- are you denying
9 that those girls were in your home?

10 A I'm asking you for clarification.

11 Q Okay. Do you want me to repeat the question?

12 A Do I understand the question that two of your
13 clients have suggested one of your clients brought the
14 other client?

15 Q Okay. Let me back up.

16 A Sorry. Is that -- is that --

17 Q My questions aren't suggesting anything.
18 They're asking a question. Do you understand that?

19 A I understand that.

20 Q Okay. My question is: Is it true that in late
21 2004 --

22 A Yes.

23 Q -- [REDACTED] received a telephone call wherein she
24 was told that Jane Doe 3 was bringing Jane Doe 2 to your
25 home?

1 MR. PIKE: Form.

2 THE WITNESS: I'd like to answer that question,
3 but unfortunately, today, at least, I am going to
4 have to answer that like I've answered many of your
5 other questions. Unfortunately, I have to answer
6 -- on advice of counsel, I am going to have to
7 assert my Fifth Amendment, Sixth Amendment and
8 Fourteenth Amendment Rights under the U.S.
9 Constitution because I've been told that I cannot
10 answer any questions that may be relevant to any of
11 your lawsuits, or -- and if I do, I risk losing my
12 representation.

13 BY MR. HOROWITZ:

14 Q Okay. Did you instruct [REDACTED] to communicate by
15 telephone to arrange for Jane Doe 2 to come to your home
16 for your own sexual gratification?

17 MR. PIKE: Form.

18 THE WITNESS: Who? I'm sorry, what was the
19 name again?

20 BY MR. HOROWITZ:

21 Q This is about the fifth time I mentioned her
22 name. Her name is Jane Doe 2.

23 A Uh-huh.

24 MR. PIKE: Same objection.

25 THE WITNESS: I'd like to answer that question,

1 as I would like to answer most of your other
2 questions here today, Mr. Horowitz. However, on
3 advice of counsel, they have instructed me that I
4 cannot answer any questions that may be relevant to
5 any of your multiple lawsuits. So, though I would
6 like to answer it today, I am going to have to
7 assert my Fifth Amendment, Sixth Amendment and
8 Fourteenth Amendment Rights as provided by the U.S.
9 Constitution.

10 BY MR. HOROWITZ:

11 Q I am going to stick with the line of questions
12 involving Jane Doe 2, so I'm just going to ask that you
13 keep that name in your head, okay? Jane Doe 2; you got
14 that?

15 A I'll try.

16 Q Okay. Thank you. Did you inform [REDACTED] that
17 Jane Doe 2 would be giving you a massage that was sexual
18 in nature?

19 MR. PIKE: Form.

20 THE WITNESS: I have -- I'm going to have to
21 answer that question -- though I would like to
22 answer that question today, I am going to have to
23 assert my Fifth Amendment, Sixth Amendment and
24 Fourteenth Amendment Rights, because on advice of
25 counsel I cannot answer that question no matter how

1 much I actually want to today. So, unfortunately,
2 I'll have to assert those rights.

3 BY MR. HOROWITZ:

4 Q Did you observe [REDACTED] speaking by telephone to
5 arrange for Jane Doe 2 to come to your home to give you
6 a sexual massage?

7 MR. PIKE: Form.

8 THE WITNESS: Again, I'm going to have to
9 answer that the way I've answered your other
10 questions, Mr. Horowitz, which is, though I would
11 like to answer that question today, on advice of
12 counsel, I cannot answer any questions that may be
13 relevant to any of your lawsuits. Therefore, I
14 must assert my Fifth Amendment, Sixth Amendment and
15 Fourteenth Amendment Rights as provided by the U.S.
16 Constitution. And if I don't answer that way, I
17 risk losing my counsel's representation.

18 BY MR. HOROWITZ:

19 Q Did [REDACTED] tell you that she confirmed by
20 telephone that Jane Doe 2 would be coming to your home
21 at a specific time to give you a massage?

22 MR. PIKE: Form.

23 THE WITNESS: Though I would like to answer all
24 of your questions here today, and I would like to
25 answer that question specifically, I am going to

1 have to respond the same way I've responded to most
2 of your other questions here today, which is on
3 advice of my counsel, I am going to have to assert
4 my Fifth Amendment, Sixth Amendment and Fourteenth
5 Amendment Rights as provided by the U.S.
6 Constitution. And, though I would like to answer
7 that question, if I do so, I risk losing my
8 counsel's representation.

9 BY MR. HOROWITZ:

10 Q Was it your intent during the course of Jane
11 Doe 2's visit to your home, that you would persuade,
12 induce or entice her to engage in sexual activity?

13 MR. PIKE: Form.

14 THE WITNESS: Again, I would like to answer
15 that question, as I would like to answer most of
16 your other questions here today. However, on
17 advice of my counsel, I cannot answer those
18 questions today, so I am going to have to assert my
19 Fifth Amendment, Sixth Amendment and Fourteenth
20 Amendment Rights as provided by the U.S.
21 Constitution. And, though I would like to answer
22 it, and I think -- I am going to have to assert
23 those rights.

24 BY MR. HOROWITZ:

25 Q Okay. During the course of Jane Doe 2's visit

1 to your home, did you, in fact, persuade, induce or
2 entice her to engage in sexual activity with you?

3 MR. PIKE: Form.

4 THE WITNESS: Though I would like to answer
5 that question, as I would like to answer most of
6 your other questions here today, on advice of
7 counsel, I am not going to be able to answer those
8 questions here today. They've advised me I must
9 assert my Fourth -- excuse me -- Fifth -- excuse me
10 -- Sixth and Fourteenth Amendment Rights as
11 provided by the U.S. Constitution. And if I don't
12 do so, I potentially risk losing their
13 representation, so though I'd like to answer it, I
14 must not.

15 BY MR. HOROWITZ:

16 Q Okay. At no point did Jane Doe 2 tell you that
17 she was 18 or older, correct?

18 MR. PIKE: Form.

19 THE WITNESS: Again, I would like to answer --
20 I'd really like to answer that question. However,
21 I cannot, because on advice of counsel, I've been
22 advised that I must assert my Fifth Amendment,
23 Fourteenth Amendment and Sixth Amendment Rights as
24 provided by the U.S. constitution. And if I don't
25 do so, I potentially risk losing their

1 representation, though I would like to answer that
2 question.

3 BY MR. HOROWITZ:

4 Q In your own mind, you didn't believe that when
5 Jane Doe 2 came to your home that she was 18 or older,
6 correct?

7 MR. PIKE: Form.

8 THE WITNESS: I'd really like to answer that
9 question. I'd really like to answer most of your
10 other questions here today. But however, on the
11 advice of counsel, they've advised me I must assert
12 my Fifth Amendment, Sixth Amendment and Fourteenth
13 Amendment Rights as provided by the Constitution,
14 and have asked me or instructed me, not to answer
15 any questions that may be relevant to this
16 lawsuit. So, though I would like to answer it, I
17 cannot.

18 BY MR. HOROWITZ:

19 Q Okay. Jane Doe 2 told you that she attended
20 [REDACTED] when she came to your home,
21 correct?

22 MR. PIKE: Form.

23 THE WITNESS: I would like to answer that
24 question, as I would like to answer every one of
25 your questions here today. However, on advice of

1 counsel, I cannot. And, though I would like to, I
2 must assert my Fifth Amendment, the Sixth Amendment
3 and Fourteenth Amendment Rights as provided by the
4 U.S. Constitution. And if I don't do so, I risk
5 losing their representation. Though I would like
6 to answer, but today I cannot.

7 BY MR. HOROWITZ:

8 Q During Jane Doe 2's visit to your home in 2004,
9 you were nude in front of her; isn't that right, sir?

10 MR. PIKE: Form.

11 THE WITNESS: I would like to answer that
12 question, as I would like to answer most of your
13 other questions here today. But my answer is going
14 to be virtually the same as I've had to answer most
15 of your other questions, which is on advice of
16 counsel, I cannot answer those questions. I must
17 assert my Fifth Amendment, Sixth Amendment and
18 Fourteenth Amendment Rights as provided by the U.S.
19 Constitution. And if I don't do so, I've been told
20 I lose risking -- excuse me -- I risk losing their
21 representation, and so therefore, I cannot answer
22 that question.

23 BY MR. HOROWITZ:

24 Q During Jane Doe 2's visit to your home in 2004,
25 did you instruct her to remove all of her clothing?

1 MR. PIKE: Form.

2 THE WITNESS: I'd like to answer that
3 question. I would like to answer that question, as
4 I've had -- I would like to answer most of your
5 other questions here today. However, upon advice
6 of counsel, I have been instructed that I must
7 assert my Fifth Amendment, Sixth Amendment and
8 Fourteenth Amendment Rights as provided by the U.S.
9 constitution. And though I would like to answer
10 that question, I cannot.

11 BY MR. HOROWITZ:

12 Q During Jane Doe 2's visit to your home in 2004,
13 did you instruct Jane Doe 2 to pinch your nipples and
14 rub your chest?

15 MR. PIKE: Form.

16 THE WITNESS: I'd like to answer that question
17 here today, like I'd like to answer most of your
18 other questions here today, but, unfortunately, I
19 am going to respond, as I've responded to virtually
20 all of your questions, which is on advice of
21 Counsel today, at least today, I cannot answer
22 those questions, but must assert my Fifth
23 Amendment, Sixth Amendment and Fourteenth Amendment
24 Right as provided by the U.S. Constitution. And
25 therefore, though I would like to answer it, I am

1 going to be required by my counsel not to.

2 BY MR. HOROWITZ:

3 Q During Jane Doe 2's visit to your home in 2004,
4 did you ask her questions about her sexual experiences
5 and preferences?

6 MR. PIKE: Form.

7 THE WITNESS: Though I would like to answer
8 your question here today, Mr. Horowitz, as I would
9 like to answer most of your other questions here
10 today, my counsel has advised me I must assert my
11 Sixth Amendment, Fourteenth Amendment and Fifth
12 Amendment Rights. And if I don't follow their
13 advice, I risk losing their representation, so
14 therefore, I'd going to have to assert those
15 rights, though I prefer to answer the question.

16 BY MR. HOROWITZ:

17 Q During Jane Doe 2's visit to your home in 2004,
18 did you unfasten her bra and [REDACTED]?

19 MR. PIKE: Form.

20 THE WITNESS: Though I'd like to answer that
21 question -- I would like to answer all your
22 questions here today, I'm going to have to respond
23 as I've done to mostly all your other questions
24 here today, Mr. Horowitz, which is on advice of my
25 counsel, they've advised me I must assert my Sixth

1 Amendment Rights, my Fifth Amendment Rights and my
2 Fourteenth Amendment Rights under the U.S.
3 Constitution. And if I don't do so, and I answer
4 your question, which I would like to do, I risk
5 losing their representation, so, therefore, I must
6 just simply assert those rights.

7 THE VIDEOGRAPHER: Three minutes of tape
8 remaining.

9 MR. HOROWITZ: Okay. Thanks.

10 BY MR. HOROWITZ:

11 Q During Jane Doe 2's visit to your home in 2004,
12 did you rub Jane Doe 2's vagina?

13 MR. PIKE? Form.

14 THE WITNESS: I'd like to answer that question,
15 however, today, at least today, my counsel has
16 advised me that I cannot answer any questions that
17 may be relevant to your lawsuits --

18 BY MR. HOROWITZ:

19 Q During --

20 A -- and --

21 Q Sorry.

22 A Excuse me.

23 Q Go ahead.

24 A And, though I would like to answer each and
25 every one of your questions, I am going to have to

1 respond as I've responded to most of your other
2 questions here today, Mr. Horowitz, which is I am going
3 to have to assert my Sixth Amendment, Fourteenth
4 Amendment and Fifth Amendment Rights as provided by the
5 U.S. Constitution. I've been advised by counsel that if
6 I don't do so, I risk losing their representation.
7 Though I would like to answer, I cannot.

8 Q During Jane Doe 2's visit to your home in 2004,
9 did you [REDACTED]?

10 MR. PIKE: Form.

11 THE WITNESS: I would like to answer that
12 question. I would like to answer all your
13 questions here today. However, on advice of
14 counsel, they've advised me I must assert my Fifth
15 Amendment, Sixth Amendment and Fourteenth Amendment
16 Rights as provided by the U.S. Constitution. And,
17 though I would like to answer that question, I
18 cannot here today --

19 THE VIDEOGRAPHER: I need to --

20 THE WITNESS: -- sorry -- but

21 MR. PIKE: If you need to finish, go ahead.

22 THE WITNESS: -- based on my counsel's advice.

23 THE VIDEOGRAPHER: Time off the record 11:59 --

24 11:19.

25 (Thereupon, a short break was taken.)

1 THE VIDEOGRAPHER: Time on the record 11:29.
2 This is Tape 2.

3 BY MR. HOROWITZ:

4 Q Sir, during Jane Doe 2's visit to your home in
5 2004, did you masturbate in front of her?

6 MR. PIKE: Form.

7 THE WITNESS: Mr. Horowitz, I would like to
8 answer every one of your questions here today. I
9 specifically would like to answer that question.
10 However, on advice counsel, they've advised me I am
11 going to have to assert my Fifth Amendment, Sixth
12 Amendment and Fourteenth Rights as provided by the
13 U.S. Constitution. And if I don't follow their
14 advice, I risk losing their representation, so
15 therefore, I am going to have to assert those
16 rights.

17 BY MR. HOROWITZ:

18 Q During Jane Doe 2's visit to your home in 2004,
19 did you ejaculate in front of her?

20 MR. PIKE: Form.

21 THE WITNESS: I'd like to answer that
22 question. I'd like to answer most of your other
23 questions here today, but I am going to have to
24 respond, as I've responded to most of your other
25 questions here today, which is my counsel has

1 advised me at least today -- excuse me -- I cannot
2 answer any questions that may be relevant to this
3 lawsuit. And I -- if I do not follow their advice,
4 I risk losing their representation. Therefore, I
5 am going to have to assert those rights and not
6 respond today.

7 BY MR. HOROWITZ:

8 Q During Jane Doe 2's visit to your home in 2004,
9 did you tell her that [REDACTED]
10 [REDACTED]?

11 A What?

12 MR. PIKE: Form.

13 BY MR. HOROWITZ:

14 Q A hard clit.

15 MR. PIKE: Same objection.

16 THE WITNESS: I would like to respond to that
17 question. I would like to answer that question.
18 However, I am going to have to respond, as I've
19 responded to most of your other questions here
20 today, because my -- on advice of my counsel,
21 they've advised me I must assert my Sixth Amendment
22 Rights, my Fifth Amendment Rights and my Fourteenth
23 Amendment rights as provided by the Constitution.
24 And if I don't do so, and I answer that question, I
25 risk losing their representation. So therefore,

1 unfortunately, Mr. Horowitz, though I would like to
2 answer it, I cannot today.

3 BY MR. HOROWITZ:

4 Q Did you have sexual contact with Jane Doe 2 at
5 your Palm Beach home in late 2004?

6 MR. PIKE: Form, predicate, foundation.

7 THE WITNESS: I'd very much like to answer that
8 question, as I would like to answer most of your
9 other questions here today. However, just like
10 I've answered for most of your other questions, on
11 advice of my counsel today, they've advised me that
12 I must assert my Sixth Amendment, Fifth Amendment
13 and Fourteenth Amendment Rights as provided by the
14 U.S. Constitution. And, though I would like to
15 answer it, if I do so, I risk losing their
16 representation; therefore, I must not respond.
17 Thank you.

18 BY MR. HOROWITZ:

19 Q During Jane Doe 2's visit to your home in 2004,
20 did you pay her \$200 after you had sexual contact with
21 her?

22 MR. PIKE: Form.

23 THE WITNESS: Could you repeat the question for
24 me?

25 BY MR. HOROWITZ:

1 Q During Jane Doe 2's visit to your home in 2004,
 2 did you pay her \$200 after you had sexual contact with
 3 her?
 4 MR. PIKE: Form.
 5 THE WITNESS: I would like to answer that
 6 question -- is she saying I paid her \$200? Is that
 7 in the allegation?
 8 MR. HOROWITZ: I'm just asking the questions.
 9 THE WITNESS: I know. I'm asking you to
 10 clarify. Is that -- is it -- is it in the -- in
 11 the complaint?
 12 MR. HOROWITZ: I'm not allowed to answer your
 13 questions today.
 14 THE WITNESS: I'm sorry.
 15 MR. HOROWITZ: I wish I could.
 16 THE WITNESS: I'm sorry. I wish you could
 17 too. I'm sure the jury would like you to answer
 18 some of my questions, but today, I'll answer that
 19 question -- unfortunately, I would like to respond
 20 to every one of your questions, every single one,
 21 however, today, on advice of counsel, I cannot.
 22 And, though I would like to answer each one of your
 23 questions, on the advice of my counsel, I am going
 24 to have to assert my Sixth Amendment, Fifth
 25 Amendment and Fourteenth Amendment Rights not to

1 THE WITNESS: Excuse me?
 2 MR. PIKE: Go ahead.
 3 THE WITNESS: I'm sorry. I would like to
 4 answer every one of your questions today, every
 5 one. However, on advice of my counsel, I cannot
 6 answer any questions that may be relevant to any of
 7 your lawsuits. And so today, on advice of counsel,
 8 I must assert my Sixth Amendment, Fifth Amendment
 9 and Fourteenth Amendment Rights as provided by the
 10 Constitution, because if I answer these questions,
 11 I risk -- they tell me, I risk losing their
 12 representation.
 13 BY MR. HOROWITZ:
 14 Q All right. Isn't it true that you touched [REDACTED]
 [REDACTED] after she indicated she did
 16 not want you to touch her?
 17 MR. PIKE: Form.
 18 THE WITNESS: I would like to answer that
 19 question, as well as each and every question you've
 20 asked me here today regarding each and one of your
 21 lawsuits. However, today, on the advice of
 22 counsel, I am going to have to assert my Sixth
 23 Amendment, Fifth Amendment and Fourteenth Amendment
 24 Rights as provided by the Constitution. And,
 25 though I would like to answer that question, as all

1 answer, and because -- if I answer, they've advised
 2 me I risk losing their representation.
 3 BY MR. HOROWITZ:
 4 Q You never asked Jane Doe 2 for permission to
 5 [REDACTED], correct?
 6 MR. PIKE: Form.
 7 THE WITNESS: I would like to answer each one
 8 of your questions today, each one. However, on my
 9 advice of my counsel, they've advised me I cannot
 10 answer any questions that may be relevant to your
 11 lawsuit, or her lawsuit, or the lawsuit -- I guess
 12 it's the lawsuit brought by the same -- one of your
 13 partners originally whose become disbarred. I
 14 would like to answer it; however, I cannot. On the
 15 advice of counsel, I must assert my Sixth
 16 Amendment, Fourteenth Amendment and Fifth Amendment
 17 Rights as provided by the Constitution, because
 18 they've advised me that if I answer those
 19 questions, I risk losing their representation.
 20 MR. HOROWITZ: Okay. Move to strike.
 21 BY MR. HOROWITZ:
 22 Q And isn't it true that Jane Doe 2 indicated to
 23 you that she did not want you to touch her?
 24 A I would like to answer --
 25 MR. PIKE: Form.

1 the other questions today, I am going to have to
 2 assert those rights because I've been advised that
 3 not doing so, I might risk losing their counsel.
 4 BY MR. HOROWITZ:
 5 Q Did you try to persuade Jane Doe 2 that it was
 6 okay for to [REDACTED]?
 7 MR. PIKE: Form.
 8 THE WITNESS: I'd like to answer every one of
 9 your questions here today, every one. However, on
 10 advice of counsel, they've advised me that I cannot
 11 answer any questions that may be relevant to any of
 12 your lawsuits. Therefore, I am going to have to
 13 assert my Sixth Amendment, Fourteenth Amendment and
 14 Fifth Amendment Rights as provided by the
 15 Constitution because, though I would like to answer
 16 those questions -- that question, as well as all
 17 the other questions you've asked me here today, I
 18 cannot do so on advice of counsel.
 19 BY MR. HOROWITZ:
 20 Q Sir, you don't deny that you sexually abused
 21 Jane Doe 2, do you?
 22 MR. PIKE: Form.
 23 THE WITNESS: I would like to answer that
 24 question. I'd really like to answer that
 25 question. However, I cannot on advice of counsel,

1 because they told me that I cannot answer any
 2 questions that may be relevant to any of your
 3 lawsuits here today. And if I do so, I risk losing
 4 their representation, so, unfortunately, Mr.
 5 Horowitz, I am going to have to assert those
 6 rights.
 7 BY MR. HOROWITZ:
 8 Q Did you pay Jane Doe 3 for bringing Jane Doe 2
 9 to your home in late 2004?
 10 MR. PIKE: Form.
 11 THE WITNESS: Who?
 12 MR. HOROWITZ: Jane Doe 3. I may ask you a few
 13 more questions about her name, so just kind of hold
 14 that name in your head.
 15 THE WITNESS: So it's now not Jane Doe 2?
 16 MR. HOROWITZ: Well --
 17 THE WITNESS: Are these two friends? I mean,
 18 these are two friends here supposedly?
 19 MR. HOROWITZ: I'm not allowed to answer.
 20 THE WITNESS: Oh, you can't, sorry. I guess
 21 one friend supposedly brought the other
 22 acquaintance --
 23 BY MR. HOROWITZ:
 24 Q My question -- my question --
 25 A Sorry. Okay. Sorry. What's your question?

1 Q Put out of your mind anything else you may
 2 register. Focus on my question to you.
 3 A I am going to try.
 4 Q Did you pay Jane Doe 3 for bringing Jane Doe 2
 5 to your home in late 2004?
 6 MR. PIKE: Form.
 7 THE WITNESS: Did I pay Jane Doe 3, Jane Doe
 8 2's friend? Is that -- I'm sorry. Is that --
 9 BY MR. HOROWITZ:
 10 Q Do you know them to be friends?
 11 A I'm asking you, sorry.
 12 Q I'm not allowed --
 13 A You're not allowed to testify. You can't
 14 testify that they're friends, okay. I'm sorry. I would
 15 like to answer those questions, Mr. Horowitz. I'm sure
 16 the ladies and gentlemen of the jury -- these questions
 17 -- these answers are pretty obvious. However, on advice
 18 of counsel, I'm not going to be able to answer those
 19 questions today. And, though I would like to, I'm going
 20 to have to assert my Fifth Amendment, Sixth Amendment
 21 and Fourteenth Amendment Rights as provided by the
 22 Constitutions because my counsel has told me that if I
 23 don't do so, I risk losing their -- potentially risk
 24 losing their representation. So, though I would like to
 25 answer that question, as I understand it, I cannot.

1 BY MR. HOROWITZ:
 2 Q Okay. Did you instruct S [redacted] to take Jane Doe
 3 2's name and number for the purpose of calling her to
 4 come to your house for more sexual activity?
 5 MR. PIKE: Form.
 6 THE WITNESS: I'd like to answer that question,
 7 as I'd like to answer most of your other questions
 8 that you've asked me here today. However, based on
 9 advice of counsel, they've advised me I cannot
 10 answer any questions that may become relevant to
 11 any of your lawsuits. So, though I would like to
 12 answer the question, Mr. Horowitz, I cannot because
 13 my counsel has advised me that if I do, I risk
 14 losing their representation. So, unfortunately,
 15 today I cannot answer that question.
 16 BY MR. HOROWITZ:
 17 Q Okay. So you've asserted the Fifth Amendment
 18 as to -- privilege as to my questions about Jane Doe 2.
 19 Is there any reason a jury should not infer from your
 20 response that you sexually abused Jane Doe 2?
 21 MR. PIKE: Object to the form of that question,
 22 and I'm going to instruct him not to answer simply
 23 because the way the question is worded, it could
 24 get into attorney-client communications and
 25 potentially work product. I'm not quite sure I

1 understand the question. So if you'd rephrase it,
 2 possibly, if you can.
 3 BY MR. HOROWITZ:
 4 Q You've asserted a Fifth Amendment privilege to
 5 various questions I've asked you about Jane Doe 2. My
 6 question is: Is there any reason in your mind, absent
 7 anything you've spoken to with your attorney about, why
 8 the jury should not infer from your assertion of the
 9 Fifth Amendment privilege, that you in fact sexually
 10 abused Jane Doe 2?
 11 MR. PIKE: Form.
 12 THE WITNESS: Well, I believe, Mr. Horowitz,
 13 the Fifth Amendment is by the Supreme Court's
 14 ruling. It's, in fact, used to protect the
 15 innocent, as well as certain people that might be
 16 not guilty. So in response to that question, with
 17 the fact that Jane Doe 2 -- the jury will
 18 understand that Jane Doe 2's lawsuit brought by a
 19 partner of yours who's been disbarred, constant --
 20 after, in fact, he brought the lawsuit, well -- the
 21 jury, I have a strange feeling will -- sorry -- the
 22 jury, I believe, will understand that my taking the
 23 Fifth Amendment is only as a result of my counsel
 24 advising me today that I must do so, because if I
 25 don't do so, I risk losing their representation,

1 though I'd like to answer each and every one of
 2 your questions.
 3 BY MR. HOROWITZ:
 4 Q In this case are you asserting the Fifth
 5 Amendment privilege because you are in fact innocent?
 6 MR. PIKE: Form.
 7 THE WITNESS: Do you want me to answer that
 8 question?
 9 MR. PIKE: Form. It's -- it's the same
 10 objection.
 11 THE WITNESS: I would like to answer that
 12 question. As I said before, your partner who's
 13 been disbarred after filing this lawsuit,
 14 Mr. Edwards who's sitting there whose partner, in
 15 fact, is sitting in jail for filing lawsuits of a
 16 sexual nature against people like me and others.
 17 Though I would like to answer every one of your
 18 questions, every single one, my counsel has advised
 19 me at least today that any question that may be
 20 relevant to this lawsuit, I must assert my Sixth
 21 Amendment, Fourteenth Amendment and Fifth Amendment
 22 Rights, and, though I would like to answer that
 23 question, as well as every other question you've
 24 asked here today, I am going to have to assert
 25 those rights, or lose -- risk losing their

1 representation.
 2 BY MR. HOROWITZ:
 3 Q Okay. I am going to be asking you some
 4 questions about Jane Doe 3. She's the Plaintiff in --
 5 identified as Jane Doe Number 3. I just want you to
 6 keep her name in your head so -- for this series of
 7 questions, okay?
 8 A Yes.
 9 Q Sir, isn't it true that a girl named Jane Doe 3
 10 came to your Palm Beach home on multiple occasions in
 11 2004?
 12 MR. PIKE: Form.
 13 THE WITNESS: I understand that Jane Doe 3 was
 14 the girl you mentioned before who was friendly with
 15 Jane Doe 2. So the two friends, I believe, you're
 16 just suggesting -- now, there was a question -- oh,
 17 I'm asking you to testify. I'd like to answer the
 18 questions about Jane Doe 3. I'd like to answer the
 19 questions about your former other client you talked
 20 about, Jane Doe 2, the two friends, but I cannot
 21 based on my advice of counsel just today at least.
 22 Though I would like to respond in detail, I am
 23 going to have to assert on their opinion -- their
 24 advice, the Sixth Amendment, Fifth Amendment and
 25 Fourteenth Amendment Rights as provided by the U.S.

1 Constitution. And, though I would like to answer
 2 each and every one of your questions, I cannot do
 3 so here today.
 4 BY MR. HOROWITZ:
 5 Q Did you ever instruct a girl named [REDACTED] to
 6 bring underage girls to your home for your sexual
 7 pleasure?
 8 MR. PIKE: Form.
 9 THE WITNESS: I'd like to answer each and every
 10 one of your questions here today, Mr. Horowitz,
 11 regarding these lawsuits that you and your
 12 disbarred partner -- your partner who's been
 13 disbarred after bringing these lawsuits has
 14 brought. However, though I'd like to answer that
 15 question, as you probably understand, my counsel
 16 who has advised me at least today, that I cannot
 17 answer any questions that may become relevant or
 18 may be relevant to this lawsuit, and they've
 19 advised me I must assert my Sixth Amendment, Fifth
 20 Amendment and Fourteenth Amendment Rights as
 21 provided by the U.S. Constitution, or risk losing
 22 their representation, so unfortunately, I must
 23 respond that way.
 24 BY MR. HOROWITZ:
 25 Q Did you ever pay [REDACTED] to bring you other

1 underage girls for your sexual pleasure?
 2 MR. PIKE: Form.
 3 THE WITNESS: Can you give me the question
 4 again? I'm sorry.
 5 BY MR. HOROWITZ:
 6 Q [REDACTED], the -- in your mind, do you know who that
 7 is?
 8 A I'm listening.
 9 Q Well, that's my question -- it was a question.
 10 A I'm sorry, what was the question?
 11 Q Do you know who [REDACTED] -- I mean, in your mind,
 12 you can picture who that is, right?
 13 MR. PIKE: Form, move to strike.
 14 THE WITNESS: I'm going up --
 15 MR. HOROWITZ: It's a question.
 16 MR. PIKE: What is the question?
 17 BY MR. HOROWITZ:
 18 Q Do you -- in your mind, can you picture -- when
 19 I say "[REDACTED]", do you know who I'm talking about?
 20 MR. PIKE: Form.
 21 THE WITNESS: I would like to answer each and
 22 every one of your questions brought here today
 23 under these lawsuits filed by you and your partner
 24 that was disbarred, but on advice of counsel here
 25 today, Mr. Horowitz, I'm going to have to assert my

1 Sixth Amendment, Fourteenth Amendment and Fifth
 2 Amendment Rights. Though I would like to answer
 3 each and every one of your questions, I cannot do
 4 so today.
 5 BY MR. HOROWITZ:
 6 Q Did you ever pay [REDACTED] to bring you underage
 7 girls for your sexual pleasure?
 8 MR. PIKE: Form.
 9 THE WITNESS: I would like to answer each one
 10 of your questions that you've been posing to me
 11 today. Unfortunately, my counsel has advised me
 12 that today I must assert any of my rights under the
 13 Sixth Amendment, Fifth Amendment and Fourteenth
 14 Amendment to any questions that may become relevant
 15 to this lawsuit brought by you and your firm and
 16 your partner who's been disbarred. But I would
 17 like to answer that question. However, today I
 18 cannot.
 19 BY MR. HOROWITZ:
 20 Q Between 2000 -- strike that.
 21 In 2004 and 2005, did you pay Jane Doe 3 to
 22 bring other minor girls to your home for your own sexual
 23 gratification?
 24 MR. PIKE: Form.
 25 THE WITNESS: This is Jane Doe 3, the same girl

1 as before, who's the friend of all of the girls you
 2 keep talking about; is that what you're saying?
 3 BY MR. HOROWITZ:
 4 Q Is that your testimony?
 5 A This is your testimony -- I'm sorry -- this is
 6 your -- I'm trying to understand the question.
 7 Unfortunately, I would like to answer that
 8 question. However, on advice of counsel here today,
 9 they've informed me that I must assert my Sixth
 10 Amendment, Fourteenth Amendment and Fifth Amendment
 11 Rights.
 12 Though I would like to answer each and every
 13 one of your questions, I am going to have to respond to
 14 that question the same way I've responded to mostly each
 15 one of your other questions here today and refuse to
 16 testify.
 17 BY MR. HOROWITZ:
 18 Q In 2004 did you receive a phone call from [REDACTED].
 19 In which she informed you that she was bringing Jane Doe
 20 3 to your home for you to engage in sexual activity?
 21 MR. PIKE: Form.
 22 THE WITNESS: Did I receive a call?
 23 MR. HOROWITZ: That's my question.
 24 THE WITNESS: I would like to answer that
 25 question, however, on advice of counsel, I cannot

1 because they've told me I must assert my Sixth
 2 Amendment, Fourteenth Amendment and Fifth Amendment
 3 Rights to any question that may become relevant to
 4 one of your lawsuits. So, though I would like to
 5 answer that question, as the other questions you've
 6 asked, I must assert those rights here today.
 7 BY MR. HOROWITZ:
 8 Q Sir, if you shake your head after I ask a
 9 question, should we infer that you're saying "no" to my
 10 question?
 11 MR. PIKE: Form. I am going to instruct him
 12 not to answer that question. It -- I'm -- I'm not
 13 quite sure that you -- what you're trying to do
 14 here is you're asking a -- a question. His -- his
 15 answer is his answer, and it's a verbal answer, and
 16 you know the rules of deposition where nods of the
 17 head, shakes of the head, um-hum and un-huns are
 18 not understood by the court reporter. So his
 19 answer is his verbal response, and no such gesture
 20 should be interpreted in a manner that would
 21 benefit your case, Mr. Horowitz.
 22 MR. HOROWITZ: Okay. Well, the video will --
 23 will -- will be played, and persons who view the
 24 video will -- will determine from themselves -- for
 25 themselves --

1 MR. PIKE: Absolutely.
 2 MR. HOROWITZ: -- what to infer from nodding --
 3 MR. PIKE: But he's not --
 4 THE REPORTER: Wait --
 5 MR. HOROWITZ: -- or shaking of the head.
 6 MR. PIKE: I'm sorry. Correct, but he's not
 7 going to answer that question.
 8 MR. HOROWITZ: Okay.
 9 BY MR. HOROWITZ:
 10 Q Did you instruct [REDACTED] to communicate by
 11 telephone with [REDACTED] for the purpose of arranging for
 12 underage girls to come to your home to engage in sexual
 13 activity?
 14 MR. PIKE: Form.
 15 THE WITNESS: I would like to answer each and
 16 every one of your questions posed today about the
 17 various lawsuits brought by you and your disbarred
 18 partner -- your partner who was disbarred after
 19 they filed these lawsuits. However, on advice of
 20 counsel, they've told me I must assert my Sixth
 21 Amendment, Fifth Amendment and Fourteenth Amendment
 22 Rights as provided by the U.S. Constitution, or if
 23 I testify I risk losing their representation. So,
 24 though I would like to answer each one of your
 25 questions, Mr. Horowitz, I cannot do so today.

1 BY MR. HOROWITZ:
 2 Q Did you call -- did you instruct [REDACTED] to call
 3 Jane Doe 3 by telephone to arrange for you to get a
 4 massage?
 5 MR. PIKE: Form.
 6 THE WITNESS: Mr. Horowitz, I'd like to answer
 7 each and every one of your questions, but I am
 8 going to have to respond today like I've responded
 9 to most of your other questions asked here today.
 10 I am going -- by -- on the advice of counsel, I am
 11 going to have to assert my Sixth Amendment,
 12 Fourteenth Amendment and Fifth Amendment rights not
 13 to answer any questions brought by you, your firm,
 14 your partner that was disbarred from the Florida
 15 Bar after bringing these lawsuits, and I am going
 16 to have to refuse to answer that question, I'm
 17 sorry.
 18 BY MR. HOROWITZ:
 19 Q Did you inform [REDACTED] that the massage Jane Doe 3
 20 was to give you would be sexual in nature?
 21 MR. PIKE: Form.
 22 THE WITNESS: I would like to answer that
 23 question, but unfortunately, I am going to have to
 24 answer that question as I've answered most of your
 25 other questions here today. On advice of counsel,

1 creating and fabricating cases of a sexual nature
 2 against me and other people, I cannot answer that
 3 question today.
 4 BY MR. HOROWITZ:
 5 Q Did [REDACTED] tell you that she confirmed by
 6 telephone that Jane Doe 3 would be coming to your home
 7 at a specific time to give you a massage?
 8 MR. PIKE: Form.
 9 THE WITNESS: I'd like to answer that question
 10 Mr. Horowitz, as I'd like to answer most of your
 11 other questions posed here today, but as I've
 12 responded to mostly all your questions here today,
 13 on advice of counsel, they've advised me I must
 14 assert my Sixth Amendment, Fifth Amendment and
 15 Fourteenth Amendment Rights provided by the U.S.
 16 Constitution.
 17 MR. HOROWITZ: Uh-huh.
 18 THE WITNESS: And if I don't do so, I risk
 19 losing their representation. And, though your firm
 20 and its partner that was disbarred after bringing
 21 these cases, Mr. Edwards's firm, his partner sits
 22 in the jail accused of -- of the largest fraud in
 23 South Florida's history, I would like nothing more
 24 than to answer that question, but I must follow the
 25 advice of counsel, or they've told me I risk losing

1 they've advised that I must assert my Sixth
 2 Amendment Rights, my Fourteenth Amendment Rights
 3 and my Fifth Amendment rights as provided by the
 4 U.S. Constitution. And, though I would like to
 5 answer these questions brought by you -- you, your
 6 disbarred partner, or Mr. Edwards' firm whose
 7 partner sits in jail for -- for what the U.S.
 8 Attorney calls a criminal enterprise, I would like
 9 nothing more than to answer that question, but
 10 today I am going to have to assert those rights.
 11 BY MR. HOROWITZ:
 12 Q Did you observe [REDACTED] speaking with [REDACTED] by
 13 telephone and arranging for Jane Doe 3 to come to your
 14 home for a massage?
 15 MR. PIKE: Form, predicate, foundation.
 16 THE WITNESS: I will much -- I'd very much like
 17 to answer that question, like most of your other
 18 questions here today; however, upon advice of
 19 counsel, they've advised me I must assert my Sixth
 20 Amendment, Fifth Amendment and Fourteenth Amendment
 21 Rights as provided by the U.S. Constitution. And,
 22 though I would like to answer each and every one of
 23 your questions brought by you, your firm, your
 24 partner that was disbarred after bringing these
 25 claims, Mr. Edwards' firm that's been accused of

1 their representation.
 2 BY MR. HOROWITZ:
 3 Q Since you've mentioned my partner who you
 4 describe as disbarred and you also mentioned
 5 Mr. Rothstein's involvement, are you suggesting that
 6 Jane Doe 3 fabricated her allegations of abuse after
 7 coming into contact with one of these attorneys?
 8 A I want --
 9 MR. PIKE: Form.
 10 THE WITNESS: I believe the jury will decide
 11 that. I believe the jury will decide that
 12 Mr. Rothstein, Mr. Edwards' partner who sits in
 13 jail, accused by the U.S. Attorney of the largest
 14 fraud in South Florida's history for crafting cases
 15 of a sexual nature, crafting, fabricating -- it's
 16 not my words -- it's words in the paper -- against
 17 people like me and others, to try to get as much
 18 money as they could according to the newspapers.
 19 I'm sorry, but I would like to answer that question
 20 asked to me before, but I cannot under advice of
 21 counsel, who've told me I must in response to any
 22 questions that may be relevant to your lawsuit,
 23 today at least, to assert my Sixth Amendment,
 24 Fourteenth Amendment and Fifth Amendment Rights
 25 under the U.S. Constitution. May I take a break or

1 a rest?
 2 MR. HOROWITZ: Yes.
 3 THE WITNESS: Okay. Thank you.
 4 THE VIDEOGRAPHER: Time off the record 11:52.
 5 (Thereupon, a short break was taken.)
 6 THE VIDEOGRAPHER: Time on the record 12:00.

7 BY MR. HOROWITZ:
 8 Q Sir, we have been discussing Jane Doe 3. Was
 9 it your intent during the course of Jane Doe 3's first
 10 visit to your home that you would persuade, induce or
 11 entice her to engage in sexual activity?

12 MR. PIKE: Form.
 13 THE WITNESS: I'd like to answer that question,
 14 as I'd like to answer every one of your questions
 15 here today, Mr. Horowitz; however, on advice of
 16 counsel, I've been informed I must assert my Sixth
 17 Amendment, Fourteenth Amendment and Fifth Amendment
 18 Rights as provided by the U.S. Constitution. And,
 19 though I'd like to answer the questions provide --
 20 asked by you, unfortunately, your -- the person who
 21 filed the lawsuits on your firm's behalf, your
 22 partner, Jeffrey Herman, who's been disbarred after
 23 they filed this lawsuit, sued by one of your other
 24 clients -- one of the girls' parents because he
 25 brought a lawsuit -- some -- some craziness -- I

1 answered?
 2 BY MR. HOROWITZ:
 3 Q No. My earlier question was: Was it your
 4 intent to engage in sexual activity. My question now,
 5 it's a very specific one --
 6 A Okay.
 7 Q -- during the course of Jane Doe 3's first
 8 visit to your home, did you in fact persuade, induce or
 9 entice her to engage in sexual activity?

10 A I'd like to answer that question. I'd like to
 11 answer every one of your questions here today,
 12 Mr. Horowitz, and I think the answer is pretty obvious;
 13 however, I cannot, because under advice of counsel,
 14 they've advised me I must assert Fifth Amendment, Sixth
 15 Amendment and Fourteenth Amendment Rights as provided by
 16 the Constitution. And if I choose to answer, I risk
 17 losing that representation no matter how much I'd like
 18 to answer that question.

19 Q At no time did Jane Doe 3 tell you that she was
 20 18 or older, correct?

21 MR. PIKE: Form.
 22 THE WITNESS: I'd like to answer every one of
 23 your questions. I'd like to answer that question
 24 specifically. However, sitting here today, I've
 25 been advised by my counsel that I cannot answer any

1 would like to answer every one of your questions;
 2 however, my counsel has told me I cannot today, so
 3 I must assert those rights, or risk losing their
 4 representation.

5 BY MR. HOROWITZ:
 6 Q Sir, are you testifying that my partner was
 7 sued by a -- a former client?
 8 A I don't remember -- I don't recall -- I believe
 9 the -- [REDACTED]'s parents, who the first was initially --
 10 this is according to the newspapers -- your -- Mr.
 11 Herman's clients, I believe. The other -- the parent --
 12 the person who he represented said that in fact he never
 13 represented her, but I don't have the full details.

14 BY MR. HOROWITZ:
 15 Q But are you -- are you suggesting that he was
 16 sued by her -- by a former client?
 17 A I did not.
 18 Q Pardon me?
 19 A No, I did not.
 20 Q Okay. During the course of Jane Doe 3's first
 21 visit to your home, did you in fact persuade, induce or
 22 entice her to engage in sexual activity with you?

23 A I just answered that question, didn't I?
 24 MR. PIKE: Form.
 25 THE WITNESS: Wasn't that the question I just

1 questions that may be relevant to your -- one of
 2 your lawsuits. And, though it was brought, I
 3 believe, your partner that was later disbarred and
 4 had some association with Mr. Edwards who's sitting
 5 there with his partner who sits in jail accused of
 6 one of the largest frauds in South Florida's
 7 history. The U.S. Attorney accused his firm while
 8 he's sitting there accused of being a criminal
 9 enterprise, I'd like to answer each one of your
 10 questions; however, my counsel has advised me today
 11 that I must assert my Sixth Amendment, Fourteenth
 12 Amendment and Fifth Amendment Rights, so
 13 unfortunately, I cannot.

14 BY MR. HOROWITZ:
 15 Q Okay. In your own mind, when Jane Doe 3 was at
 16 your home, you didn't believe that she was 18 or older,
 17 did you?

18 MR. PIKE: Form.
 19 THE WITNESS: I'd like to answer each one of
 20 your questions, Mr. Horowitz, here today, but
 21 unfortunately I'm going to have to respond to that
 22 question, as I've responded to most of your other
 23 questions here today, which is that at least for
 24 today, my counsel has advised me that I cannot
 25 answer any questions that may be relevant to any



1 one of your lawsuits brought by your firm and your
 2 partner whose -- who was disbarred after they
 3 brought these lawsuits, or the questions Mr.
 4 Edwards might pose via his partner sitting in jail,
 5 or a new jail according to the newspapers, accused
 6 of the largest fraud in South Florida's history for
 7 crafting cases of sexual nature against people like
 8 me and others. So, though I'd like to answer that
 9 question, as your other questions, unfortunately, I
 10 am going to have to assert my Fifth Amendment,
 11 Sixth Amendment and Fourteenth Amendment Rights as
 12 provided by the U.S. Constitution.

13 BY MR. HOROWITZ:

14 Q Do you base your assertion of the Fifth
 15 Amendment privilege on the fact that Jane Doe 3's
 16 attorney was supposedly disbarred?

17 THE REPORTER: "Jane Doe 3's attorney was" --

18 MR. HOROWITZ: "Supposedly disbarred."

19 MR. PIKE: I am going to object. That could
 20 get into attorney-client work product information.
 21 I am going to instruct him not to answer that
 22 question, Mr. Horowitz.

23 BY MR. HOROWITZ:

24 Q Are you -- are you suggesting that Jane Doe 3
 25 is lying because, in your mind, she has an attorney who

1 lawsuit. I'd like to answer every one of your
 2 questions here today; however, on advice of my
 3 counsel, I'm told that I must assert my Sixth
 4 Amendment, Fourteenth Amendment and Fifth Amendment
 5 Rights, and if I choose to answer that question, I
 6 risk losing their representation. So, though I
 7 would like to answer that question, as you probably
 8 understand, I cannot do so today.

9 BY MR. HOROWITZ:

10 Q When Jane Doe 3 was at your home, she told you
 11 she attended [REDACTED] didn't she?

12 MR. PIKE: Form.

13 THE WITNESS: I'd like to answer every one of
 14 your questions here today, Mr. -- Horowitz, right,
 15 Horowitz?

16 MR. HOROWITZ: (Nods head).

17 THE WITNESS: However, on advice of counsel, I
 18 cannot answer those questions. They've asked me to
 19 assert my Sixth Amendment, Fourteenth Amendment and
 20 Fifth Amendment Rights. And if I choose to answer,
 21 I risk losing their representation. Though your
 22 partner after filing this lawsuit was disbarred
 23 from the Florida Bar, the -- your -- the man
 24 sitting to your right, his partner sits in jail
 25 accused of the largest fraud in South Florida's

1 was disbarred?

2 MR. PIKE: Form.

3 THE WITNESS: I would let the jury decide that
 4 fact. My suggestions -- I'd like to answer every
 5 one of your questions here today. I'd like to
 6 respond regarding the -- her attorney that was
 7 disbarred. I'd like to answer questions with
 8 respect to Mr. Edwards' partner who sits in jail
 9 for crafting cases of a sexual nature, making
 10 allegations against people like me and others;
 11 however today, on advice of counsel, Mr. Horowitz,
 12 I am going to have to assert my -- under -- under
 13 advice of counsel, I am going to have assert my
 14 Sixth Amendment, Fourteenth Amendment and Fifth
 15 Amendment Rights, and I'm told that if I choose to
 16 answer that question, I risk losing their
 17 representation, so unfortunately, I cannot answer
 18 that today.

19 BY MR. HOROWITZ:

20 Q Is it your contention today that Scott
 21 Rothstein fabricated Jane Doe 3's lawsuit?

22 MR. PIKE: Form.

23 MR. HOROWITZ: I would like to answer that
 24 question. I would like to answer -- I believe your
 25 partner, Mr. Herman, was disbarred after filing the

1 history for crafting --

2 MR. HOROWITZ: Uh-huh.

3 THE WITNESS: -- cases of a sexual nature
 4 against me and people like me. I would like to
 5 answer those questions, but unfortunately today, I
 6 cannot do so.

7 BY MR. HOROWITZ:

8 Q You were nude in front of Jane Doe 3 in 2004,
 9 weren't you?

10 MR. PIKE: Form.

11 MR. HOROWITZ: I'd like to answer each and
 12 every one of your questions here today, Mr.
 13 Horowitz; however, on the advice of my counsel, I
 14 cannot. They've advised me I must assert my Sixth
 15 Amendment Rights, Sixth Amendment, Fourteenth
 16 Amendment and Fifth Amendment Rights, so that to
 17 any question that might be relevant to any of your
 18 lawsuits crafted by your partner, who I believe has
 19 been disbarred since filing the lawsuits, and
 20 Mr. Edwards sitting there with his partner, Mr.
 21 Rothstein, who's currently sitting in jail for
 22 crafting cases of a sexual nature against people
 23 like me and others, I'd like to answer each and
 24 every one of your questions; however today, my --
 25 on advice of counsel, I cannot do so.



1 BY MR. HOROWITZ:
 2 Q In 2004 did you instruct Jane Doe 3 to remove
 3 her clothing?
 4 MR. PIKE: Form.
 5 MR. HOROWITZ: Can you repeat the question?
 6 BY MR. HOROWITZ:
 7 Q Remember we -- we have been talking about Jane
 8 Doe 3.
 9 A I'm doing my best.
 10 Q In 2004 did you instruct Jane Doe 3 to remove
 11 her clothing?
 12 MR. PIKE: Form.
 13 THE WITNESS: I would like to answer that
 14 question. I would like to answer each and every
 15 one of your other questions here today. However,
 16 upon advice of my counsel, they've advised me I
 17 must assert my Sixth Amendment, Fourteenth
 18 Amendment and Fifth Amendment Rights. So, though
 19 I'd like to answer these questions posed by you --
 20 your partner who's been disbarred, Mr. Edwards'
 21 partner who sits in jail for crafting lawsuits of a
 22 sexual nature against people like me and others --
 23 so, though I would like to answer those questions
 24 with great specificity, I cannot under the advice
 25 of counsel, so therefore, I'm sorry.

1 BY MR. HOROWITZ:
 2 Q In 2004 did you instruct Jane Doe 3 to pinch
 3 your nipples and rub your chest?
 4 MR. PIKE: Form.
 5 THE WITNESS: I'd like to answer that
 6 question. I'd like to answer that question very
 7 much. However, on advice of counsel, they've
 8 instructed me that I cannot answer any questions
 9 today that may be relevant to any of your lawsuits
 10 filed by you, your partner, Jeffrey Herman, that
 11 was disbarred by the Florida Bar Association after
 12 filing these lawsuits, questions posed by Mr.
 13 Edwards and his firm whose partner sits in jail
 14 accused by the U.S. Attorney of perpetrating the
 15 largest fraud in U.S. history by fabricating --
 16 totally fabricating cases against people like me
 17 and others. Though I would like to answer those
 18 questions, I am going to have to assert my Sixth
 19 Amendment, Fourteenth Amendment and Fifth Amendment
 20 Rights as advice of -- upon advice of counsel.
 21 BY MR. HOROWITZ:
 22 Q In 2004 did you ask Jane Doe 3 questions about
 23 her sexual experience and preferences?
 24 MR. PIKE: Form.
 25 THE WITNESS: I'd like to answer that

1 question. I'd like to answer every question you've
 2 asked here today. However, upon advice of counsel,
 3 they've advised me I must assert my Sixth
 4 Amendment, Fifth Amendment and Fourteenth Amendment
 5 Rights -- so that cases brought by attorneys like
 6 you and your partner, Jeffrey Herman, who held a
 7 press conference on the streets outside Palm Beach,
 8 he was brought -- then later disbarred by the
 9 Florida Bar Association -- I'd like to answer every
 10 one of your questions. However, today, on advice
 11 of counsel, I cannot.
 12 BY MR. HOROWITZ:
 13 Q In 2004 did you [REDACTED] for
 14 your own sexual gratification?
 15 MR. PIKE: Form.
 16 THE WITNESS: I'd like to answer each and every
 17 one of your questions posed today, Mr. Horowitz.
 18 However, at least today upon advice of counsel, I
 19 -- I cannot answer those questions, and I -- and I
 20 must assert, on advice of my counsel, my Sixth
 21 Amendment, Fifth Amendment and Fourteenth Amendment
 22 Rights under the U.S. Constitution. And though
 23 this lawsuit brought by you and your partner who's
 24 been disbarred by the Florida Bar Association after
 25 bringing this lawsuit, sitting next to Mr. Edwards

1 whose partner sits in jail for bringing cases of a
 2 sexual nature, fabricated cases of a sexual nature,
 3 and fleecing investors out of millions of dollars
 4 in South Florida, I'd like to answer each and every
 5 one of your questions. However today, I cannot do
 6 so upon advice of counsel.
 7 BY MR. HOROWITZ:
 8 Q In 2004 did you touch [REDACTED] for
 9 your own sexual gratification?
 10 MR. PIKE: Form.
 11 THE WITNESS: I'd like to answer that
 12 question. I'd very much like to answer that
 13 question, like all the other questions you've asked
 14 here today, questions posed by your firm, your
 15 partner, Jeffrey Herman, whose been disbarred by
 16 the Florida Bar Association after bringing this
 17 case, Mr. Edwards' partner, Scott Rothstein, whose
 18 purpose was -- according to the U.S. Attorney, ran
 19 with Mr. Edwards and part of the firm, the largest
 20 fraud -- one of the largest frauds in South
 21 Florida's history for fabricating cases, misleading
 22 investors, fleecing unsuspecting investors out of
 23 millions of dollars by fabricating cases of a
 24 sexual nature against people like me and others.
 25 However, my counsel today has advised me that I

1 cannot answer those questions -- any questions that
2 may be relevant to any of your lawsuits. So,
3 though I would like to answer that question today,
4 I am going to have to rely on my counsel's advice.

5 BY MR. HOROWITZ:

6 Q In 2004 did you rub [REDACTED]?

7 MR. PIKE: Form.

8 THE WITNESS: Excuse me. I'd like to answer
9 that question, as I would like to answer mostly
10 every question you've asked me here today; however,
11 upon advice of counsel, I cannot answer that
12 question. They've advised me I must assert my
13 Sixth Amendment, Fifth Amendment and Fourteenth
14 Amendment Rights against self -- excuse me, against
15 -- under the U.S. Constitution. And though your
16 partner, Jeffrey Herman, was disbarred after filing
17 this lawsuit, Mr. Edwards' partner sits in jail for
18 fabricating cases of a sexual nature, fleecing
19 unsuspecting Florida investors and others out of
20 millions of dollars for cases of a sexual nature
21 with -- I'd like to answer your questions; however,
22 if I -- I'm told that if I do so, I risk losing my
23 counsel's representation; therefore, I must accept
24 their advice.

25 BY MR. HOROWITZ:

1 assert my Sixth Amendment, Fourteenth Amendment and
2 Fifth Amendment Rights, not to answer that
3 question. I'd like to answer it, though your
4 partner who brought this lawsuit has been disbarred
5 after bringing the lawsuit. Mr. Edwards' partner
6 who sits next to you, his partner sits in jail for
7 fabricating cases of a sexual nature against people
8 like me, fleecing people out of millions of dollars
9 because this is about -- about -- of money. Just a
10 money, money case. I'd like to answer those
11 questions, Mr. Horowitz. However, my counsel today
12 has said, I cannot answer any questions today that
13 may be relevant to this lawsuit, and I must accept
14 their advice, or risk losing their representation.

15 BY MR. HOROWITZ:

16 Q In 2004 did you ejaculate in front of Jane Doe
17 3?

18 MR. PIKE: Form.

19 THE WITNESS: I'd like to answer that question.
20 However, today my counsel has advised me that I
21 cannot answer any questions that may be relevant to
22 your lawsuits, and I'm going to have to answer that
23 question as I've answered most of your other
24 questions here today. This is no different than
25 the other questions I've had to answer where my

1 Q In 2004 did you try to insert your fingers into
2 [REDACTED]?

3 MR. PIKE: Form.

4 THE WITNESS: I'd like to answer that
5 question. I'd like to answer every one of your
6 questions here today; however, my counsel has
7 advised me that I cannot answer any questions that
8 may be relevant to any of your lawsuits brought by
9 you and your disbarred partner, Jeffrey Herman, or
10 the questions by Mr. Edwards' partner, Scott -- his
11 firm, Scott Rothstein's firm, who -- Scott
12 Rothstein sits in jail for fabricating cases of a
13 sexual nature -- excuse me --

14 MR. HOROWITZ: Continue.

15 THE WITNESS: So, though I'd like to answer
16 that question, as I'd like to answer each and every
17 one of your questions today, I cannot do so on --
18 upon advice of counsel.

19 BY MR. HOROWITZ:

20 Q In 2004 did you masturbate in front of Jane Doe
21 3?

22 MR. PIKE: Form.

23 THE WITNESS: I'd like to answer each and every
24 one of your questions, especially that one today;
25 however, my counsel has advised me that I must

1 counsel has advised me that I have to take these
2 rights, but I prefer to answer, but if I do so, I
3 risk losing their representation. And, though
4 posed by you and your partner, Jeffrey Herman, that
5 was disbarred after filing these lawsuits, sitting
6 next to Mr. Edwards, whose partner sits in jail
7 accused of the largest -- perpetrating the largest
8 -- one of the largest frauds in South Florida's
9 history, accused by the U.S. Attorney of being a --
10 his firm of being a criminal enterprise, I'd like
11 to answer each and every one of your questions;
12 however, today under the advice of counsel, I
13 cannot.

14 BY MR. HOROWITZ:

15 Q Did you have sexual contact with Jane Doe 3
16 during a massage in 2004?

17 MR. PIKE: Form.

18 THE WITNESS: I'd like to answer that question,
19 as I'd like to answer each and every one of your
20 other questions here today. However, upon the
21 advice of counsel, I cannot. And they've asked me
22 that -- they've required me to assert my Sixth
23 Amendment, Fourteenth Amendment and Fifth Amendment
24 Rights as provided by the U.S. Constitution.
25 Though your firm's partner sits disbarred --

1 Jeffrey Herman is disbarred after he brought this
2 case, Mr. Edwards' partner sits in jail accused by
3 the 1 Attorney of perpetrating the largest fraud
4 in U.S. or south Florida's history for fabricating
5 cases of a sexually charged nature against me and
6 people like me. So, though I would like to answer
7 your questions with specificity, Mr. Horowitz, I
8 cannot do so here today upon advice of counsel.

9 BY MR. HOROWITZ:

10 Q During her first visit in 2004 to your home,
11 did you pay \$200 to Jane Doe 3 after you had sexual
12 contact with her?

13 MR. PIKE: Form.

14 THE WITNESS: I'd like to answer that
15 question. I'd really like to answer that
16 question. I cannot do so, however, because my
17 counsel has told me that I cannot answer any
18 questions relevant -- that may be relevant to any
19 of your lawsuits filed by you and your partner,
20 Jeffrey Herman, who was disbarred -- disbarred by
21 the Florida Bar Association after filing these
22 lawsuits, or Mr. Edwards' partner who sits in jail
23 accused of perpetrating one of the largest frauds
24 in South Florida's history, fleecing South Florida
25 investors of millions of dollars by crafting,

1 people like me. So as you might imagine, I would
2 like to answer these questions, but like the other
3 questions I've asked -- I've answered here today, I
4 am going to have to accept my attorney's counsel or
5 risk losing their representation.

6 BY MR. HOROWITZ:

7 Q In fact, sir, Jane Doe 3 indicated to you that
8 she did not want you to [REDACTED]; isn't that
9 correct?

10 MR. PIKE: Form.

11 THE WITNESS: I'd like to answer all your
12 questions here today, Mr. Horowitz. I would really
13 like to answer that question specifically.
14 However, as I sit here today, my counsel has
15 advised me that I must assert my Sixth Amendment
16 Rights, my Fourteenth Amendment Rights and my Fifth
17 Amendment Rights as provided by the U.S.
18 Constitution. So, though you and your partner,
19 Jeffrey Herman, who filed this lawsuit, held a
20 press conference in Palm Beach months before he
21 became disbarred -- disbarred -- he's no longer an
22 attorney in my understanding now, but he was
23 disbarred by the Florida -- the Florida Bar
24 Association, or Mr. Edwards' partner who sits in
25 jail accused of fabricating cases strictly to get

1 fabricating and falsely creating cases of a sexual
2 nature against people like me and others in order
3 to simply gain money. So, though I'd like to
4 answer your questions, Mr. Horowitz, I am going to
5 have to answer this question, as I've answered most
6 of your questions here today, which is on the
7 advice of counsel I cannot answer.

8 BY MR. HOROWITZ:

9 Q You never asked Jane Doe 3 for permission to
10 [REDACTED] did you?

11 MR. PIKE: Form, asked and answered.

12 THE WITNESS: I'd like to answer that question,
13 as I would like to answer most of your other
14 questions here today. However, upon advice of my
15 counsel -- excuse me -- they've instructed me that
16 I must assert my Sixth Amendment, Fourteenth
17 Amendment and Fifth Amendment Rights of -- provided
18 by the U.S. Constitution. And, though you, your
19 partner, Jeffrey Herman -- excuse me -- who was
20 disbarred by the Florida Bar Association after
21 filing this case and your other cases, or Mr.
22 Edwards' partner who sits in jail -- sits in jail,
23 accused of perpetrating one of the largest frauds
24 in Florida's history by maliciously fabricating
25 cases of a sexual nature against me and other

1 money from Florida investors, from Florida people,
2 I'd like to answer each and every one of your
3 questions, Mr. Horowitz, but today, on advice of
4 counsel, I cannot.

5 BY MR. HOROWITZ:

6 Q Sir, you touched [REDACTED]
7 [REDACTED] while she was still a minor after she told
8 you she did not want you to touch her; isn't that right?

9 MR. PIKE: Form, asked and answered.

10 THE WITNESS: I'd like to answer each and every
11 one of your questions today, Mr. Horowitz,
12 however, upon advice of my counsel I cannot.
13 They've asked me -- they've required me to assert
14 my Sixth Amendment, Fourteenth Amendment and Fifth
15 Amendment Rights as provided by the U.S.
16 Constitution to any questions that may be relevant,
17 or may become relevant to this lawsuit. So, though
18 your partner was disbarred after you filed this
19 claim, or your firm filed this claim, Mr. Edwards
20 who sits next to you, his partner sits in jail, so
21 I'd like to answer each one of these questions.
22 However, today, on the advice of counsel, I cannot.

23 BY MR. HOROWITZ:

24 Q Did you try to persuade Jane Doe 3 that it was
25 okay for you to [REDACTED]?

1 MR. PIKE: Form.
 2 THE WITNESS: I would like to answer each and
 3 every one of your questions here today,
 4 Mr. Horowitz, however, upon advice of counsel, I'm
 5 -- they've required me to assert my Fourteenth
 6 Amendment, Sixth Amendment and Fifth Amendment
 7 Rights as provided by the U.S. Constitution. So,
 8 although I would like to answer that question, and
 9 respond to questions posed by you, for, I guess,
 10 your partner, Mr. Herman, who has been disbarred by
 11 the Florida Bar Association after filing these
 12 cases, disbarred, or Mr. Edwards' partner who sits
 13 next to you, has filed other cases where his
 14 partner sits in jail for fabricating cases, trying
 15 to get money from Florida investors, I'd like to
 16 answer each one of your questions here today Mr.
 17 Horowitz, but upon advice of counsel, they've
 18 advised me that if I do so, I risk losing their
 19 representation, so I must accept their advice.

20 BY MR. HOROWITZ:

21 Q Mr. Epstein, you don't deny that you sexually
22 abused Jane Doe 3 when she was a child, do you?

23 MR. PIKE: Form.

24 THE WITNESS: I would like to answer every one
25 of your questions here today, Mr. Horowitz, but

1 like in response to most of your other questions
 2 here today, I cannot. On the advice of counsel,
 3 they've told me I must accept their advice or risk
 4 losing their representation. They've advised me
 5 that I must assert my Sixth Amendment, Fourteenth
 6 Amendment and Fifth Amendment rights. So, though
 7 your partner, Jeffrey Herman, was disbarred after
 8 filing these cases, disbarred, no longer an
 9 attorney, Mr. Edwards' partner who sits to your
 10 right, his partner sits in, I believe, Saint Lucie
 11 Jail according to today -- today's newspaper,
 12 accused of perpetrating the largest fraud in South
 13 Florida history against people like me, crafting,
 14 fabricating, malicious sexually charged -- cases of
 15 a sexually charged nature in order to fleece
 16 investors, I would like to answer that question.
 17 However today, I must accept my client's --
 18 attorney's advice.

19 BY MR. HOROWITZ:

20 Q Mr. Epstein, did you instruct [REDACTED] to take Jane
21 Doe 3's name and telephone number for the purpose of
22 calling her home -- strike that.

23 Did you instruct [REDACTED] to take Jane Doe 3's name
24 and telephone number for the purpose of calling Jane Doe
25 3 to come to your home for sexual activity?

1 MR. PIKE: Form, asked and answered.
 2 THE WITNESS: I would like to answer every one
 3 of your questions, Mr. Horowitz, posed here today.
 4 Unfortunately, I guess, your -- your other partner
 5 who filed these lawsuits has been disbarred in the
 6 interim by the Florida Bar Association, so he's not
 7 here today. However, I'd like to answer those
 8 questions, but my counsel has told me that I have
 9 to assert my Sixth Amendment, Fifth Amendment and
 10 Fourteenth Amendment Rights as provided by the U.S.
 11 constitution. So, though I would like to answer
 12 your questions, Mr. Edwards' questions whose
 13 partner sits in jail for perpetrating one of the
 14 largest frauds in South Florida's history, accused
 15 by the U.S. Attorney -- his firm accused by the
 16 U.S. Attorney is now -- the firm is bankrupt by
 17 perpetrating the -- one of the largest frauds in
 18 South Florida's history and being called a criminal
 19 enterprise by the current South Florida's U.S.
 20 Attorney, I would like to answer every one of your
 21 question, very much so, however, my -- on advice of
 22 counsel, I cannot do so here today.

23 BY MR. HOROWITZ:

24 Q Sir, is there any reason in your mind that a
25 jury should not infer from your assertion of the Fifth

1 Amendment privilege, that you sexually abused Jane Doe 3
2 when she was a child?

3 MR. PIKE: Form, speculation, calls for a legal
4 conclusion.

5 THE WITNESS: The Supreme Court has said that
 6 the Fifth Amendment should be used by people who
 7 are innocent, Mr. Horowitz. That's one of the
 8 benefits of the Fifth Amendment. My counsel has
 9 advised me I cannot answer your questions here
 10 today, though I'd like to. I'm sure this -- these
 11 sort of embarrassing questions posed for the jury
 12 where your partner has been disbarred since filing
 13 this claim, or Mr. Edwards' partner who sits in
 14 jail probably for the rest of his life for crafting
 15 cases of a sexual nature to fleece people for -- of
 16 money, just money, money, money. His firm is
 17 bankrupt. So, yes, I'd like to answer these
 18 questions, and all your questions here today, but
 19 unfortunately, on advice of counsel, I cannot.

20 BY MR. HOROWITZ:

21 Q Sir, are you asserting your Fifth, Sixth and
22 Fourteenth Amendment privileges because you're
23 innocent? Is that what you're telling us?

24 MR. PIKE: Form.

25 THE WITNESS: I would like to answer every one

1 of your questions posed by you, your partner, Mr.
 2 Herman, who's been disbarred by the Florida Bar
 3 after filing this claim, Mr. Edwards' partner who
 4 sits in jail, his firm accused by the U.S. Attorney
 5 -- accused by the U.S. Attorney of being a criminal
 6 enterprise, for fleecing South Florida investors
 7 out of millions of dollars by crafting, malicious,
 8 fabricated cases of a sexual nature against people
 9 -- other people -- me and others, I would like to
 10 answer each and every one of your questions.
 11 However today, on advice of counsel, I cannot
 12 answer any of your questions that may be relevant
 13 to this lawsuit.

14 BY MR. HOROWITZ:

15 Q Sir, you know I also represent Jane Doe Number
16 4, do you understand that?

17 MR. PIKE: Form.

18 THE WITNESS: Yes.

19 BY MR. HOROWITZ:

20 Q Okay. Isn't it true, sir, that a girl named
21 Jane Doe 4 came to your Palm Beach home on multiple
22 occasions between 2003 and 2005?

23 A Could we take a break? Is that it?

24 Q I would like you to answer that question.

25 A Sorry. I'd like to answer that question. I'd

1 lunch. It is 12:35 right now. If you want to keep
 2 going for another 10 minutes, we'll go for another
 3 10 minutes, or if you want to just break now for 30
 4 minutes, go grab something to eat, and then come
 5 back.

6 MR. HOROWITZ: Yeah. I mean, this line of
7 questioning is going to be more than 10 minutes, so
8 I would suggest we take our break now.

9 MR. PIKE: You want to take lunch right now?

10 MR. HOROWITZ: Yeah.

11 MR. PIKE: Okay.

12 THE WITNESS: All right. Thank you.

13 THE VIDEOGRAPHER: Time off the record 12:30.
14 (Thereupon, a lunch break was taken.)

15 THE VIDEOGRAPHER: Time on the record 1:11.
16 This is Tape 3.

17 BY MR. HOROWITZ:

18 Q Mr. Epstein, did you pay [REDACTED] \$200 to bring a
19 girl named Jane Doe 4 to your home so that you could
20 engage Jane Doe 4 in sexual activity?

21 MR. PIKE: Form.

22 THE WITNESS: Mr. Horowitz, I'd like to answer
23 that. I am going to have to answer that question,
24 as I've answered most of your questions here today,
25 which is upon advice of counsel, I am going to have

1 like to answer every question you've posed here today
 2 about you -- about these girls you say came to my
 3 house. However, on advice of counsel, I cannot answer
 4 that question today. I have to assert, on the advice --
 5 my Sixth Amendment, Fifth Amendment and Fourteenth
 6 Amendment Rights.

7 I'd like to answer that question about Jane Doe
8 4, and I believe she was represented by your partner,
9 Jeffrey Herman, who after representing her was disbarred
10 by the Florida Bar Association.

11 Mr. Rothstein -- or Mr. Edwards' partner,
12 Mr. Rothstein, who sits in jail accused by the Florida
13 U.S. Attorney of running a criminal enterprise in
14 Mr. Edwards' firm, fabricating malicious cases to fleece
15 investors out of millions of dollars, fabricating cases
16 of a sexual nature, I would like to answer every one of
17 your questions here today. However, on advice of
18 counsel, I cannot do so.

19 MR. HOROWITZ: Did you want that break now?

20 THE WITNESS: Yes, please.

21 MR. PIKE: No, actually before we take a
22 break --

23 MR. HOROWITZ: Okay.

24 MR. PIKE: -- my understanding was, is that you
25 wanted to take a break around 12:30 or 12:45 for

1 to assert my Sixth Amendment, Fourteenth Amendment
2 and Fifth Amendment Right, though I'd like to
3 answer that question.

4 I'd also like to correct some of the -- a
5 previous statement I made regarding your partner
6 that he had been disbarred. I understand he wasn't
7 disbarred, but he was simply suspended for improper
8 behavior, suspended by the Florida Bar. So I would
9 like to make the correction that he's not totally
10 disbarred, but he's no longer practicing for the
11 time being. So -- but on advice of counsel, at
12 least with respect to this question, or any
13 question that may be relevant to this lawsuit, my
14 counsel has told me I must assert those rights.

15 BY MR. HOROWITZ:

16 Q Okay. And if I'm hearing you correct, your
17 testimony that Mr. Herman was disbarred is -- was
18 erroneous; is that right?

19 MR. PIKE: Form.

20 THE WITNESS: My testimony that your partner
21 who filed these lawsuits was disbarred seems to be
22 incorrect. He was -- according to what I was told,
23 he has only been disbarred for his greatly improper
24 behavior, but -- and so he -- one day he will, in
25 fact, be practicing law again in South Florida --

1 MR. HOROWITZ: Okay.
 2 THE WITNESS: -- unlike Mr. Edwards' partner
 3 who currently sits in jail for perpetrating one of
 4 the largest frauds in South Florida's history.
 5 BY MR. HOROWITZ:
 6 Q Okay. I'm glad we got that squared away.
 7 Did you pay Jane Doe 4 to bring other minor
 8 girls to your home for your own sexual gratification?
 9 MR. PIKE: Form.
 10 THE WITNESS: That question I believe would --
 11 is -- is -- I would like to answer that question.
 12 Unfortunately, my counsel has advised me that I
 13 cannot answer any questions today that may become
 14 relevant to any of your lawsuits filed by you and
 15 your currently suspended partner, suspended by the
 16 Florida Bar, or answer questions relevant to Mr.
 17 Edwards who is sitting on your right, his firm's
 18 partner who's sitting in jail for fabricating cases
 19 of a sexual nature against people like me and
 20 others.
 21 I'd like to answer -- as you might imagine, I'd
 22 like to answer these questions, but I risk losing
 23 my counsel if you do so, so I must accept their
 24 advice today.
 25 BY MR. HOROWITZ:

1 THE WITNESS: I'd like to answer that
 2 question. I'd like to answer every specific --
 3 every question you've asked me here today, but I am
 4 going to have to respond as I've done with most of
 5 your questions here today, Mr. Horowitz, which is
 6 that upon advice of counsel, I am going to have to
 7 assert my Sixth Amendment Rights, my Fourteenth
 8 Amendment Rights and my Fifth Amendment Rights.
 9 Though I'd like to answer the question, though I'm
 10 sure the jury will understand your partner has been
 11 suspended from practicing law in the State of
 12 Florida, Mr. Edwards' partner is in jail for
 13 fabricating cases of a sexual nature, so, though
 14 I'd like to answer that question as your other
 15 questions today with specificity, my counsel has
 16 advised me that if I do so, I risk losing their
 17 representation, so I must decline to answer.
 18 BY MR. HOROWITZ:
 19 Q Did you inform [REDACTED] that the massage Jane Doe 4
 20 was to give you would be sexual in nature?
 21 MR. PIKE: Form.
 22 THE WITNESS: I'd like to answer that question,
 23 just like I'd like to answer each and every one of
 24 your questions here today, Mr. Horowitz.
 25 Unfortunately, my counsel has advised me I cannot

1 Q Mr. Epstein, at any time before May 2005, did
 2 you receive a phone call from [REDACTED] that she was bringing
 3 Jane Doe 4 to your home so that Jane Doe 4 could give
 4 you a massage?
 5 MR. PIKE: Form.
 6 THE WITNESS: I'd like to answer that question,
 7 but unfortunately, I am going to have to answer
 8 that question as I've answered most of your
 9 questions here today, Mr. Horowitz, which is upon
 10 advice of counsel, they've told me I cannot answer
 11 your questions no matter how much I want to. They
 12 told me I have to assert my Sixth Amendment, Fifth
 13 Amendment and Fourteenth Amendment Rights.
 14 Though you're currently suspended -- I keep
 15 saying "disbarred," but I'm not a lawyer, so I
 16 don't really understand the difference between
 17 disbarred and suspended -- he seems to be only
 18 suspended by the Florida Bar, I -- I cannot answer
 19 that question today upon advice of counsel.
 20 BY MR. HOROWITZ:
 21 Q Okay. Sir, at any time before May 2005, did
 22 you instruct [REDACTED] to place a telephone call to [REDACTED], so
 23 that [REDACTED] could arrange for Jane Doe 4 to come to your
 24 home for sexual activity with you?
 25 MR. PIKE: Form.

1 answer any questions that may become relevant to
 2 this lawsuit, or any of the lawsuits filed by you,
 3 or your partner that's been suspended by the
 4 Florida Bar from practicing law in the State of
 5 Florida after he's had conferences, held public
 6 conferences accusing me of things, of Mr. Edwards'
 7 partner who sits in jail probably for the rest of
 8 his life for fabricating cases against people like
 9 me and others. So, though I'd like to answer that
 10 question, I'm going to have to answer that question
 11 as I've answered most of your questions here today,
 12 which is upon advice of counsel, I must refrain
 13 from answering.
 14 BY MR. HOROWITZ:
 15 Q Did you either observe or overhear [REDACTED]
 16 speaking with [REDACTED] making arrangements for Jane Doe 4 to
 17 come to your home for sexual activity?
 18 MR. PIKE: Form.
 19 THE WITNESS: I'd like to answer that
 20 question. I'd really like to answer that
 21 question. However, today, my counsel has advised
 22 me that I cannot. And they've advised me I must
 23 assert my rights under the Sixth Amendment,
 24 Fourteenth Amendment and Fifth Amendment of the
 25 U.S. constitution. So, though I'd like to answer

1 questions posed by you, your partner that's been
2 suspended by the Florida Bar after filing these
3 types of cases, cases against me, Mr. Edwards who
4 sits next to you, his partner in jail for filing
5 cases, fabricating cases of a sexually charged
6 nature against me and others. The U.S. Attorney
7 has accused his firm, his former firm, the firm he
8 left now because the firm went bankrupt, for being
9 a criminal enterprise, perpetrated one of the
10 largest frauds in South Florida's history, fleecing
11 investors out of millions and millions of dollars.
12 I'd like to answer each and every one of your
13 questions, but my counsel has advised me today that
14 I cannot.

15 BY MR. HOROWITZ:

16 Q Prior to May 2005 didn't you instruct Jane Doe
17 4 to place phone calls to you on your home phone in
18 order to schedule visits to your home?

19 MR. PIKE: Form.

20 THE WITNESS: I'd like to answer each one of
21 your questions here today, Mr. Horowitz, that
22 question specifically. However, my counsel has
23 advised me that today I cannot, and he advised me I
24 must assert my Sixth Amendment Rights, my
25 Fourteenth Amendment Rights and my Fifth Amendment

1 Rights. So, though I'd would like to answer
2 questions posed by you, your partner who has been
3 suspended by the Florida Bar, Mr. Edwards' partner,
4 Scott Rothstein, that many people have read about,
5 has perpetrated the largest fraud in Florida
6 history, specifically for fabricating such cases of
7 a sexual nature, fabricating malicious cases in
8 order to get money, money, money from people here
9 in South Florida. I'd like to answer each and
10 every one of your questions, however, upon advice
11 of my counsel, they've advised me today I cannot do
12 so.

13 BY MR. HOROWITZ:

14 Q Prior to May 2005 did you ever observe [REDACTED]
15 speaking with Jane Doe 4 by telephone to arrange for
16 Jane Doe 4 to come to your home so that Jane Doe 4 could
17 give you a massage?

18 THE WITNESS: May I -- excuse me, may I have a
19 moment with my attorney?

20 MR. HOROWITZ: Yes.

21 THE VIDEOGRAPHER: Time off the record 1:20.
22 (Thereupon, a short break was taken.)

23 THE VIDEOGRAPHER: Time on the record 1:23.

24 BY MR. HOROWITZ:

25 Q Mr. Epstein, you had a moment to speak with

1 counsel. Do you need me to repeat that question to
2 refresh your recollection?

3 A Yes, please.

4 Q Prior to May 2005 did you ever observe [REDACTED]
5 speaking with Jane Doe 4 by telephone to arrange for
6 Jane Doe 4 to come to your home to give you a massage?

7 A I would like to answer that question -- I
8 assume this is the Jane Doe 4 who in her testimony wrote
9 a note to me that said "for a good time, call Jane Doe
10 4." I assume that's the same Jane Doe 4.

11 Unfortunately, I'd like to answer all your questions
12 with specificity today, Mr. Horowitz. However, on
13 advice of counsel, I cannot.

14 Q "Good time" --

15 A Excuse me?

16 Q Continue, please.

17 A So, therefore, the -- and I represent -- I
18 understand you represent Jane Doe 4. I understand your
19 partner that's been suspended by the Florida Bar who
20 represented Jane Doe 4 in this case -- I'd like to
21 answer each one of your questions with respect to Jane
22 Doe 4. However, I cannot based on advice of counsel,
23 and I must assert at their request my Sixth Amendment,
24 Fifth Amendment and Fourteenth Amendment Rights under
25 the U.S. Constitution.

1 Q When is it that you believe Jane Doe 4 wrote
2 you the message you just referred to?

3 MR. PIKE: Form.

4 THE WITNESS: You know, I'd like to answer all
5 those questions with respect to the note that she
6 testified to that she wrote saying "for a good time
7 call Jane Doe 4." However, on advice of counsel, I
8 cannot answer any questions that may be relevant to
9 this lawsuit. I'd like to answer each one of your
10 questions, but as I've done with most of your other
11 questions here today, or those to be posed by
12 Mr. Edwards whose partner sits in jail probably for
13 the rest of his life to try to get money from
14 residents of South Florida, and the biggest fraud
15 in South Florida's history, called by the U.S.
16 attorney a criminal -- the firm is called a
17 criminal enterprise, and I'd like -- so I'd surely
18 like to answer your question, Mr. Horowitz,
19 regarding Jane Doe 4, and -- however, on advice of
20 counsel at least today, I cannot.

21 BY MR. HOROWITZ:

22 Q Sir, you said that Jane Doe 4 testified that
23 she had written a note to you. Is -- was that truthful
24 testimony? You acknowledged that she did write such a
25 note?

1 MR. PIKE: Form.
 2 THE WITNESS: Mr. Horowitz, I'd like to answer
 3 each and every one of your questions. However, on
 4 the advice of counsel, I can't answer any of your
 5 questions with respect to the note that she
 6 testified she wrote. I can't answer any questions
 7 separate from -- that may be relevant to your
 8 lawsuit. I can't answer any questions posed by
 9 you, the attorney sitting next to you whose partner
 10 sits in jail, your former partner suspended or --
 11 for improper behavior after filing this lawsuit,
 12 and suspended by the Florida Bar. I'd like to
 13 answer every question you ask. However today,
 14 Mr. Horowitz, I cannot because my counsel is
 15 telling me if I -- if I do, I risk losing their
 16 representation.
 17 BY MR. HOROWITZ:
 18 Q You've read the deposition transcript of Jane
 19 Doe 4; is that correct?
 20 MR. PIKE: Form.
 21 THE WITNESS: You know, again, Mr. Horowitz, I
 22 would like to answer every one of your questions;
 23 however, my counsel has told me I cannot. They
 24 told me I must assert my Fifth Amendment, Sixth
 25 Amendment and Fourteenth Amendment Rights under the

1 must assert my Sixth Amendment, Fourteenth
 2 Amendment and Fifth Amendment Rights. So then my
 3 -- I would like to answer questions posed by you.
 4 I know your partner could not be here since he was
 5 suspended by the Florida Bar after filing these
 6 cases, after holding press conferences he was
 7 suspended by the Florida Bar. Mr. Edwards, who
 8 sits on your right, his partner is sitting in jail,
 9 I'd like to answer every one of your questions.
 10 However, my counsel said at least today, I cannot.
 11 So I must accept their advice or risk losing their
 12 representation.
 13 BY MR. HOROWITZ:
 14 Q Did [REDACTED] tell you that she confirmed by
 15 telephone that Jane Doe 4 would be coming to your home
 16 at a specific time to give you a massage?
 17 MR. PIKE: Form.
 18 THE WITNESS: Again. I'm sorry, could you
 19 repeat the question?
 20 BY MR. HOROWITZ:
 21 Q Did [REDACTED] tell you that she had confirmed by
 22 telephone with Jane Doe 4 that Jane Doe 4 would be
 23 coming to your home at a particular time to receive a
 24 massage?
 25 MR. PIKE: Form.

1 U.S. Constitution. So in response to that
 2 question, as in response to most of your other
 3 questions here today, no matter how much I would
 4 like to answer those questions, answer those
 5 questions specifically with respect to Jane Doe 4
 6 and the -- your former partner -- wait -- as a
 7 current partner, you won't tell me -- but your
 8 partner who brought the lawsuit who the Florida Bar
 9 suspended for improper behavior, Mr. Edwards'
 10 partner who sits in jail for fabricating cases,
 11 stealing millions of dollars from unsuspecting
 12 Florida investors, I'd like to answer every one of
 13 your questions. However, my counsel told me today
 14 that I cannot answer any questions that may be
 15 relevant to the lawsuit.
 16 BY MR. HOROWITZ:
 17 Q Prior to May 2005 did you instruct [REDACTED] to get
 18 Jane Doe 4's phone number, so that [REDACTED] could
 19 communicate with Jane Doe 4 to schedule Jane Doe 4 for
 20 massages with you?
 21 MR. PIKE: Form.
 22 THE WITNESS: I'd like to answer that
 23 question. I would like to answer your other
 24 questions posed here today. However, my -- on
 25 advice of counsel, they've instructed me that I

1 THE WITNESS: I assume when you say "Jane Doe
 2 4," this is Jane Doe 4, a girl who testified that
 3 she wrote a note to me that said "for a good time,
 4 call Jane Doe 4." I assume that's the same Jane
 5 Doe 4. I'd like to answer all questions about Jane
 6 Doe 4, her notes, anything that she said. However,
 7 my attorneys told me I cannot, and they advised me
 8 I must assert my rights under the Sixth Amendment,
 9 Fourteenth Amendment and Fifth Amendment, though
 10 your partner who filed the lawsuit was suspended by
 11 the Florida Bar after filing the lawsuit, holding
 12 press conferences. Mr. Edwards' partner sits in
 13 jail for fabricating cases of a sexual nature
 14 against me and others. So, though I would like to
 15 answer those questions, as you might imagine,
 16 Mr. Horowitz, is I'd like to answer --
 17 unfortunately, as I've had to answer most of your
 18 questions here today, I cannot under advice of
 19 counsel.
 20 BY MR. HOROWITZ:
 21 Q Was it your intent during the course of Jane
 22 Doe 4's visits to your home that you would persuade,
 23 induce or entice her to engage in sexual activity with
 24 you?
 25 MR. PIKE: Form.

1 THE WITNESS: Well, I assume this the Jane Doe
2 4 who wrote a note to me, according to her
3 testimony that said, "for a good time, call Jane
4 Doe 4." I assume that's the same Jane Doe 4 you're
5 referring to.

6 Unfortunately, your partner couldn't be here
7 referring to it because he's been suspended by the
8 Florida Bar after filing Jane Doe 4's case.

9 Mr. Edwards' partner can't be here because he's
10 in jail for filing cases of a malicious nature, of
11 sexual cases, fabricated cases. The U.S. Attorney
12 Has referred to the entire firm as a criminal
13 enterprise, a criminal enterprise of the large --
14 purporting to have the largest fraud in South
15 Florida's history. So, though I would like to
16 answer each one of your questions, on advice of
17 Counsel today, I cannot.

18 BY MR. HOROWITZ:

19 Q During the course of Jane Doe 4's visits to
20 your home, did you in fact persuade, induce or entice
21 her to engage in sexual activity with you?

22 A I'd very much like to answer each one of your
23 questions here today, Mr. Horowitz. However, as I've
24 done for mostly all of your other questions, on advice
25 of counsel, they've told me I cannot answer those

1 questions. I'd love to answer the questions directly to
2 you.

3 I'd like to answer the questions to your
4 partner, Jeffrey Herman. Jeffrey Herman who was --
5 after he filed this Jane Doe 4 case against me -- was
6 suspended by the Florida Bar for improper behavior, or
7 Mr. Edwards' partner who sits in jail. I much prefer to
8 be talking to them. However, I cannot answer questions
9 to you, and on advice of counsel, I must assert my
10 rights, or risk losing their representation.

11 BY MR. HOROWITZ:

12 Q You knew that Jane Doe 4 was younger than 18
13 when she came to your home in 2003 and 2004, correct?

14 MR. PIKE: Form.

15 THE WITNESS: I'd like to answer that
16 question. I'd like to answer each and every one of
17 your questions. However, on advice of counsel,
18 they've instructed me that I cannot answer any
19 questions that may be relevant to any of your
20 lawsuits brought by either you, your partner that's
21 been suspended by the Florida Bar for improper
22 behavior, Mr. Edwards, who sits to your right,
23 whose partner sits in jail for bringing fabricated
24 cases of a sexual nature against people like me and
25 others, called -- his firm called a criminal

1 enterprise by the U.S. attorney for stealing
2 millions of dollars from South Florida residents.
3 I'd like to answer every one of your questions.

4 However, today, under advice of counsel, I cannot.

5 BY MR. HOROWITZ:

6 Q Jane Doe 4 told you that she attended [REDACTED]
7 [REDACTED] when she was in your home; is
8 that right?

9 MR. PIKE: Form.

10 THE WITNESS: I'd like to answer that
11 question. I'd like to answer every question you've
12 asked me here today. However, upon advice of
13 counsel at least today, I cannot, according to
14 their advice, answer any questions that may be
15 relevant to this lawsuit -- excuse me -- I would
16 prefer to have had your partner, Jeffrey Herman,
17 who -- who I actually believe filed the suit, but
18 he's been disbarred in the interim -- I'm sorry,
19 not disbarred. He's been suspended. I'm not
20 really sure what the difference is, but he's been
21 suspended from practicing law, while Mr. Edwards'
22 partner sits in jail for fabricating cases of a
23 sexual nature against people like me and others.
24 So, though I would like to answer that question, as
25 you probably understand, on the advice of counsel

1 today, I cannot.

2 BY MR. HOROWITZ:

3 Q Isn't it true, sir, that on multiple occasions
4 Jane Doe 4 discussed her activities at [REDACTED]
5 [REDACTED] with you?

6 MR. PIKE: Form.

7 THE WITNESS: Again?

8 BY MR. HOROWITZ:

9 Q Isn't it true, sir, that on multiple occasions
10 Jane Doe 4 discussed her activities at [REDACTED]
11 [REDACTED] with you?

12 MR. PIKE: Form.

13 THE WITNESS: [REDACTED] with
14 me?

15 MR. HOROWITZ: Yes.

16 THE WITNESS: I don't understand the question.

17 BY MR. HOROWITZ:

18 Q Okay. You know, in your mind, who Jane Doe 4
19 is, correct?

20 MR. PIKE: Form.

21 THE WITNESS: Jane Doe 4 is the one girl you
22 told -- I believe was the one who testified that
23 she wrote a note to me that said "for a good time,
24 call Jane Doe 4." Is that the Jane Doe 4 -- you
25 can't testify, I'm sorry. Yes, I believe that's

1 correct.

2 BY MR. HOROWITZ:

3 Q Is it your testimony that Jane Doe 4 did not
4 write such a note after a massage at your house?

5 MR. PIKE: Form.

6 THE WITNESS: Which question would you like me
7 to answer, the first one or --

8 MR. HOROWITZ: The one I just asked.

9 THE WITNESS: I'd like to answer every question
10 with respect to everything with respect to Jane Doe
11 4, every single thing. However, my attorneys today
12 told me that I cannot, and they instructed me to
13 assert the Sixth Amendment, Fourteenth and Fifth
14 Amendment.

15 BY MR. HOROWITZ:

16 Q Isn't it true that Jane Doe 4 regularly
17 discussed with you her activities at [REDACTED]
18 [REDACTED]?

19 MR. PIKE: Form.

20 THE WITNESS: My attorneys told me that, though
21 I'd like to answer that question, as I'd like to
22 answer all your other questions, I have to answer
23 it the same way I've answered the others, which is
24 asserting my Sixth Amendment, Fourteenth Amendment
25 and Fifth Amendment Rights.

1 BY MR. HOROWITZ:

2 Q Between 2003 and May 2005, did you ever
3 instruct Jane Doe 4 to remove her clothing?

4 MR. PIKE: Form.

5 THE WITNESS: Again, I would like to answer
6 every one of your questions, every one, every
7 specific one, but my attorneys have advised me that
8 today at least, I cannot answer any questions
9 relevant, or may be relevant to your lawsuit.

10 They've instructed me that I must assert my Sixth
11 Amendment, Fourteenth Amendment and Fifth Amendment
12 Rights. So, though I'd like to answer the
13 question, Mr. Horowitz, I cannot do so.

14 BY MR. HOROWITZ:

15 Q Between 2003 and May 2005, did you instruct
16 Jane Doe 4 to pinch your nipples --

17 MR. PIKE: Form.

18 BY MR. HOROWITZ:

19 Q -- and rub your chest?

20 MR. PIKE: Same objection.

21 THE WITNESS: Is it -- is it one or the other?

22 MR. HOROWITZ: It's both.

23 THE WITNESS: I see. No. I would --

24 BY MR. HOROWITZ:

25 Q No you did not, sir?

1 BY MR. HOROWITZ:

2 Q Jane Doe 4 told you she could not travel with
3 you over -- overseas because she was not yet 18; isn't
4 that true?

5 MR. PIKE: Form.

6 THE WITNESS: I'd like to answer that
7 question. I'd like to answer every one of your
8 questions. However, my attorneys today have
9 instructed me, at least for today, I can't answer
10 any questions that may become relevant to your --
11 one of your lawsuits brought by your firm and at --
12 your partner that's been suspended by the Florida
13 Bar.

14 BY MR. HOROWITZ:

15 Q Between 2003 and May 2005, were you ever nude
16 in front of Jane Doe 4?

17 MR. PIKE: Form.

18 THE WITNESS: I would like to answer that
19 question. I'd like to answer every one of your
20 questions here today. However, my attorneys, who
21 have advised me, that I cannot answer any questions
22 that may be relevant to this or any of your other
23 lawsuits brought by you and your partner that was
24 suspended from the practice of the law in Florida,
25 so I must respectfully decline.

1 A I said -- I'm sorry, I couldn't hear.

2 Q I thought you said "no" to my question?

3 A No. I'll -- I'll tell when my -- I said no.

4 I'd like to answer that question. I'd like to answer
5 every one of your questions. I'd like to answer each
6 and every one. However, my counsel today told me I
7 cannot. They told me I have to assert my Sixth
8 Amendment, Fourteenth and Fifth Amendment Rights. And
9 if I didn't, and if I chose to answer the question, I
10 would risk losing their representation. So at least for
11 today, I have to assert those rights.

12 BY MR. HOROWITZ:

13 Q Prior to June of 2005, did you ask Jane Doe 4
14 questions about her sexual experience and preferences?

15 MR. PIKE: Form.

16 THE WITNESS: I would be happy to answer that
17 question, if I could. My attorneys have told me I
18 can't. They've instructed me that I have to assert
19 my Sixth Amendment, Fourteenth Amendment and Fifth
20 Amendment Rights. I would like to answer the
21 question. However, they told me that if I do, I
22 risk losing their representation.

23 BY MR. HOROWITZ:

24 Q Prior to June 2005 did you [REDACTED]
25 [REDACTED]?

1 MR. PIKE: Form.
2 THE WITNESS: I'd like to answer that
3 question. I'd like to answer all your other
4 questions here today. However, my counsel has told
5 me, at least today, I cannot. I have -- they've
6 instructed me to assert my Fourteenth Amendment, my
7 Sixth Amendment and my Fifth Amendment Right. And
8 they told me that if I chose to answer, I would
9 risk losing their representation, so therefore, I
10 must respectfully decline to answer them.

11 BY MR. HOROWITZ:

12 Q Prior to June 2005 did you rub [REDACTED]
13 [REDACTED]?

14 MR. PIKE: Form.

15 THE WITNESS: I would like to answer that
16 question with specificity. However, my attorneys
17 have told me at least today that I must
18 respectfully decline and assert my Fifth Amendment,
19 Sixth Amendment and Fourteenth Amendment Right. I
20 would have preferred that your partner, who after
21 he filed the lawsuit, was suspended by the Florida
22 Bar for improper practice, or Mr. Edwards' partner,
23 who sits in jail, to have been here to at least ask
24 some of the questions, but my attorneys have told
25 me I cannot answer those questions today, sir.

1 BY MR. HOROWITZ:

2 Q Prior to June 2005 did you [REDACTED]
3 [REDACTED]?

4 MR. PIKE: Form.

5 A I'd like to answer that question. I'd very
6 much like to answer that question, but I cannot today,
7 because on advice of my counsel, they have told me that
8 I must assert my Sixth Amendment, Fourteenth Amendment
9 and Fifth Amendment Rights. And if I chose to answer,
10 if I did answer that question, I risk losing their
11 representation, so at least for that -- for today, I
12 must respectfully decline, sir.

13 BY MR. HOROWITZ:

14 Q Prior to June 2005 did you [REDACTED]
15 [REDACTED]s?

16 MR. PIKE: Form.

17 THE WITNESS: You know, I'd like to answer that
18 question. I would have preferred that either your
19 partner, who was here, would have been here, the
20 one who filed the lawsuit, who is suspended by the
21 Florida Bar, or Mr. Edwards' partner, Scott
22 Rothstein, who sits in jail, was to be here. I
23 would prefer to respond to them. However, today, I
24 cannot answer those questions based on advice of
25 counsel, so I must respectfully decline.

1 BY MR. HOROWITZ:

2 Q Prior to June 2005 did you [REDACTED]
3 [REDACTED]?

4 MR. PIKE: Form.

5 THE WITNESS: I'd like to answer that
6 question. I'd like to answer every question you've
7 asked here today. I'd like to respond to you -- to
8 your partner who's been suspended. I apologize,
9 before I said he was disbarred, but -- for improper
10 behavior after filing this lawsuit. On advice of
11 counsel, they've instructed me that I must assert
12 my Fourteenth Amendment, Fifth Amendment and Sixth
13 Amendment Rights to any question that may become
14 relevant to this lawsuit or risk losing their
15 representation, therefore, I would have to
16 respectfully, respectfully decline.

17 BY MR. HOROWITZ:

18 Q Prior to June 2005 did you give lingerie to
19 Jane Doe 4 to wear for you?

20 MR. PIKE: Form.

21 THE WITNESS: I would like to answer that
22 question. I would like to answer all your
23 questions. However, I am going to have to respond
24 to that question, as I responded to all your other
25 questions here today, Mr. Horowitz, which is on

1 advice of counsel, they've instructed me I must
2 assert my Sixth Amendment, Fourteenth Amendment and
3 Fifth Amendment Rights. And if I chose to answer,
4 which I prefer to do, that question, I risk losing
5 their representation.

6 BY MR. HOROWITZ:

7 Q Prior to June 2005 was Jane Doe 4 ever nude in
8 front of you at your request?

9 A I'd like to answer that question. I'd very
10 much like to answer that question. However, my
11 attorneys have counseled me that I cannot answer that
12 question or any question today that may be relevant to
13 one of the lawsuits that you've brought, or your partner
14 who has brought -- your partner who is suspended from
15 practice in Florida. So, though I would like to answer
16 the question, Mr. Horowitz, today under the advice of
17 counsel, I cannot.

18 Q Prior to June 2005 did you coerce Jane Doe 4
19 into [REDACTED]?

20 A Again, I'm sorry?

21 Q If -- if -- if -- if your attorney passing you
22 notes is -- is causing you to be distracted from
23 listening to my questions, I am -- I am going to ask
24 that you not do it.

25 A I -- I understand.

1 MR. PIKE: Fine.
 2 THE WITNESS: It was just the fact -- it wasn't
 3 that. It was, in fact, I had put my glasses on.
 4 BY MR. HOROWITZ:
 5 Q Your glasses were preventing you from hearing
 6 me?
 7 A Yes.
 8 MR. PIKE: First of all, you're not going to
 9 tell me how to communicate with my client. I'm
 10 trying not to take a break again, so that, you
 11 know, we don't -- we can keep going forward. If
 12 you'd like me to take a break, I can take another
 13 break right now.
 14 MR. HOROWITZ: Well, I'm not here to tell you
 15 how to do your job, but the Rules of Civil
 16 Procedure do, and what they say -- let me finish --
 17 is that "if you interrupt an examination to
 18 communicate with your clients, you can be
 19 sanctioned for it."
 20 MR. PIKE: Okay. Well, first of all,
 21 Mr. Horowitz, I didn't interrupt any examination.
 22 You interrupted the examination. I didn't say a
 23 word. So, let's just go ahead and proceed
 24 forward. The witness asked you to repeat the
 25 question, okay?

1 mentioned today. However, my counsel has told me I
 2 cannot answer any questions that may be relevant to
 3 the lawsuit. I'd like to answer that question
 4 directly to you, Mr. Edwards. Mr. Edwards'
 5 partner, unfortunately, is in jail, so I can't talk
 6 to him directly. Your partner has been suspended
 7 after filing a lawsuit against me. But, though I'd
 8 like to answer those questions, I risk losing their
 9 representation and waiving those rights, if I do
 10 so.
 11 BY MR. HOROWITZ:
 12 Q Prior to June 2005 did you masturbate in front
 13 of Jane Doe 4?
 14 MR. PIKE: Form.
 15 THE WITNESS: I'd like to answer that
 16 question. I'd like to answer all your other
 17 questions posed here today; however, I cannot do so
 18 on the advice of counsel. And they told me that if
 19 I do answer the questions, I may waive those
 20 rights, or risk losing their representation.
 21 BY MR. HOROWITZ:
 22 Q Prior to June 2005 did you ejaculate in front
 23 of Jane Doe 4?
 24 MR. PIKE: Form.
 25 THE WITNESS: I would like to answer that

1 As you are well aware we have hyper-technical
 2 Constitutional privileges at issue here. If I
 3 choose to communicate with my client regarding
 4 those privileges, I will communicate with him. If
 5 you'd like me to take breaks, I will do so. But
 6 once again, we're here to answer your questions,
 7 and I would like to just move forward.
 8 BY MR. HOROWITZ:
 9 Q Prior to June 2005 did you coerce Jane Doe 4
 10 into [REDACTED] ?
 11 MR. PIKE: Form.
 12 THE WITNESS: I'd like to answer that
 13 question. I cannot answer that question on advice
 14 of counsel, but I'd like to answer that question.
 15 My counsel has advised me that I must assert my
 16 Sixth Amendment, Fifth Amendment and Fourteenth
 17 Amendment Rights. And if I choose to answer that
 18 question, I risk waiving those rights, and risk
 19 losing their representation.
 20 BY MR. HOROWITZ:
 21 Q Prior to June 2005 did you [REDACTED]
 22 [REDACTED] ?
 23 MR. PIKE: Form.
 24 THE WITNESS: I'd like to answer that question
 25 about Jane Doe 4, and all the other girls you've

1 question about Jane Doe 4, the girl who wrote "for
 2 a good time, call" -- I -- from her testimony, "for
 3 a good time, call Jane Doe 4" or "call Jane Doe
 4 4." I'm not actually sure. You maybe could clue
 5 me in. However, my counsel has told me today that
 6 I -- I must assert my Sixth Amendment, Fourteenth
 7 Amendment and Fifth Amendment Rights as provided by
 8 the U.S. constitution. And, though I would like to
 9 answer each and every one of your questions, I
 10 cannot do so. I risk waive -- risk losing or
 11 waiving those rights and losing their
 12 representation.
 13 BY MR. HOROWITZ:
 14 Q Did Jane Doe 4 come to your Palm Beach home on
 15 multiple occasions between 2003 and May 2005 to give you
 16 massages during which you engaged her in sexual
 17 activity?
 18 MR. PIKE: Form.
 19 THE WITNESS: I'd like to answer each and every
 20 one of your questions posed here today. I would
 21 like to answer that question, and all the other
 22 questions you've asked about Jane Doe 4. However,
 23 upon advice of my counsel, they've instructed me to
 24 assert my Fourteenth Amendment Rights, my Sixth
 25 Amendment Rights and my Fifth Amendment Rights as

1 provided by the constitution. So, though I'd like
 2 to answer, I don't. I've been instructed that I
 3 risk waiving those rights and losing their
 4 representation.
 5 BY MR. HOROWITZ:
 6 Q Prior to May of 2005 did you pay Jane Doe 4
 7 \$200 after having had sexual contact with her?
 8 MR. PIKE: Form.
 9 THE WITNESS: Again?
 10 BY MR. HOROWITZ:
 11 Q Prior to May 2005 did you ever pay Jane Doe 4
 12 \$200 after having had sexual contact with her?
 13 MR. PIKE: Form.
 14 THE WITNESS: I'd like to answer that
 15 question. I'd like to answer every one of your
 16 questions posed here today. However, according to
 17 my counsel, he's asked me to assert my rights under
 18 the Fourteenth Amendment, the Sixth Amendment, the
 19 Fifth Amendment of the U.S. Constitution, and he's
 20 instructed me that no matter how much I'd like to
 21 answer these questions, that if I do so, I may
 22 waive those rights and risk losing his
 23 representation.
 24 BY MR. HOROWITZ:
 25 Q Did you try to persuade Jane Doe 4 that it was

1 advice of my counsel, they've told me that I must
 2 assert my Fourteenth Amendment Rights, my Sixth
 3 Amendment Rights and my Fifth Amendment Rights.
 4 And by not doing so, I may waive those rights or
 5 risk losing their representation. Adam, may I take
 6 a quick five minutes?
 7 MR. HOROWITZ: Sure.
 8 THE VIDEOGRAPHER: Time off the record 1:50.
 9 (Thereupon, a short break was taken.)
 10 THE VIDEOGRAPHER: Time on the record 2:00.
 11 BY MR. HOROWITZ:
 12 Q Prior to June 2005 you instructed Jane Doe 4 to
 13 call you at your Palm Beach home to confirm the specific
 14 dates and times you wanted her to come over for sexual
 15 activity, correct?
 16 MR. PIKE: Form.
 17 THE WITNESS: I'd like to answer that
 18 question. I'd like to answer every question you've
 19 asked me here today, but I'm going to have to
 20 respond the same way I've responded to most of your
 21 questions, Mr. Horowitz, which is on advice of
 22 counsel, I'm going to have to assert the Sixth
 23 Amendment, Fourteenth Amendment and Fifth Amendment
 24 Rights. Though I'd like to answer that question,
 25 as all your other questions, I'm informed that if I

1 okay that [REDACTED]
 2 while she was still a child?
 3 MR. PIKE: Form.
 4 THE WITNESS: I'd like to answer that
 5 question. I'd like to answer every question you've
 6 asked here today, every question. However, my
 7 counsel has instructed me at least today, I cannot
 8 answer those questions, and they've instructed me
 9 that I must assert my Fourteenth Amendment, Sixth
 10 Amendment and Fifth Amendment Rights as provided by
 11 the Constitution. And by not doing so, I may waive
 12 those rights or risk losing their representation.
 13 BY MR. HOROWITZ:
 14 Q Prior to June 2005 did you instruct [REDACTED] to
 15 communicate with Jane Doe 4 by telephone to schedule
 16 Jane Doe 4 to come to your Palm Beach home for sexual
 17 activity?
 18 MR. PIKE: Form.
 19 THE WITNESS: I'd like to answer that
 20 question. I'd like to answer all your questions.
 21 I wish your partner that had been suspended from
 22 practice after he filed Jane Doe 4's lawsuit, or
 23 Mr. Edwards' who's -- who sits next to you, whose
 24 partner sits in jail, I would like nothing more
 25 than to answer these questions today, but upon

1 do so, I risk waiving those rights and losing my
 2 representation.
 3 BY MR. HOROWITZ:
 4 Q Did you instruct Jane Doe 4 to lie to police
 5 investigators during their 2005 investigation into your
 6 criminal activities?
 7 MR. PIKE: Form.
 8 THE WITNESS: Did I instruct Jane Doe 4 to
 9 lie?
 10 MR. HOROWITZ: That's my question, yes.
 11 THE WITNESS: I'd like to answer that
 12 question. I'd like to answer every one of your
 13 questions here today. I'd like to answer questions
 14 of -- unfortunately, the -- I guess your partner
 15 that filed this lawsuit was suspended by the
 16 Florida Bar. I'd like to answer. However, my
 17 counsel has advised me at least today that I must
 18 assert my rights under the Fourteenth Amendment,
 19 Sixth Amendment and Fifth Amendment. And if I
 20 choose to answer that question, which I prefer to
 21 do, I risk losing their representation and waiving
 22 those rights, so I must respectfully decline.
 23 Sorry, Mr. Horowitz.
 24 BY MR. HOROWITZ:
 25 Q Are you suggesting that you have some

1 information that Jeffrey Herman was suspended from the
2 practice of law because he made false statements in a
3 lawsuit against you?

4 MR. PIKE: Form.

5 THE WITNESS: Jeffrey Herman was your partner.
6 Are you asking me why he was suspended? I'm sorry,
7 are you asking me --

8 BY MR. HOROWITZ:

9 Q I'm asking you why --

10 THE REPORTER: Wait a second.

11 THE WITNESS: Sorry. Are you asking why your
12 partner was suspended from the practice of law in
13 South Florida?

14 BY MR. HOROWITZ:

15 Q I'm asking you whether you have any information
16 or you're suggesting here today that his suspension of
17 practice of law had anything to do with you or the
18 lawsuits against you?

19 MR. PIKE: Form.

20 THE WITNESS: Am I suggesting that his
21 disbarment -- I'm sorry -- his suspension or -- I'm
22 sorry -- can you do it again? Was he disbarred or
23 suspended?

24 BY MR. HOROWITZ:

25 Q Are you suggesting today in your testimony

1 losing or waiving my rights and my counsel's
2 representation, so I must respectfully decline
3 today.

4 BY MR. HOROWITZ:

5 Q Did you instruct [REDACTED] to rent a car for Jane
6 Doe 4?

7 MR. PIKE: Form.

8 THE WITNESS: I'd like to answer that question
9 -- Jane Doe 4 -- have we moved from a different
10 person, I'm sorry?

11 MR. HOROWITZ: We're on Jane Doe 4.

12 THE WITNESS: Okay. I'd like to answer that
13 question. I'd like to answer every one of your
14 questions. However, my counsel has advised me, at
15 least today, that I cannot do so. I must assert my
16 Fourteenth Amendment, Fifth Amendment and Sixth
17 Amendment Rights.

18 BY MR. HOROWITZ:

19 Q Did you intend for Jane Doe 4 to use the car
20 that you rented for her, for her to come to your home to
21 give you sexual massages?

22 MR. PIKE: Form.

23 THE WITNESS: Did I intend a car that was
24 rented for Jane Doe 4 -- could you do the question
25 again?

1 that --

2 A Yeah.

3 Q -- his suspension had anything to do with you
4 or the lawsuits against you?

5 MR. PIKE: Form.

6 THE WITNESS: I'd like to answer that question,
7 but my counsel has advised me I cannot today. I
8 must assert the Fourteenth Amendment, Sixth
9 Amendment and Fifth Amendment Rights, though
10 obviously, I'd like to answer that question.

11 BY MR. HOROWITZ:

12 Q Did you instruct [REDACTED] to tell Jane Doe 4 to lie
13 to police investigators during their 2005 investigation
14 into your criminal activity?

15 MR. PIKE: Form.

16 THE WITNESS: I'd very much like to answer that
17 question. I'd very much like to answer all your
18 questions here today, but as I've done with most of
19 those questions, on advice of my counsel -- it's
20 been a long day so far -- I am going to have to
21 refrain from answering, at least today, to any
22 questions that may be relevant to any of your
23 lawsuits brought by you, your suspended partner,
24 Mr. Edwards and his partner who's in jail. So,
25 though I'd like to answer those questions, I risk

1 BY MR. HOROWITZ:

2 Q Sure. Did you intend for Jane Doe 4 to use the
3 car you rented for her to come to your home to give you
4 sexual massages?

5 MR. PIKE: Form.

6 THE WITNESS: You said I rented a car?

7 MR. HOROWITZ: I'm just asking the questions.

8 My --

9 THE WITNESS: I'm sorry, you have to ask the
10 question again.

11 BY MR. HOROWITZ:

12 Q Sure. Previously I asked you if you rented a
13 car, and you asserted the Fifth --

14 A I don't believe you did.

15 Q Okay. All right. Did you --

16 A You asked me if I instructed somebody --

17 Q That's right. You're correct. The car that
18 you instructed [REDACTED] to rent for Jane Doe 4. I'm talking
19 about that -- that vehicle, okay? Did you intend for
20 Jane Doe 4 to use that car to come to your home and give
21 you sexual massages?

22 MR. PIKE: Form.

23 THE WITNESS: I'd like to answer that
24 question. I'd like to answer every question about
25 Jane Doe 4 that you asked me here today. My

1 counsel has advised me that I may not. And they've
 2 instructed me that I am to assert my Fourteenth
 3 Amendment, Sixth Amendment, Fifth Amendment
 4 Rights. And, though I'd like to answer each one of
 5 your questions, my counsel has advised me that if I
 6 choose to do so, which is my preference, I risk
 7 waiving those rights and/or losing their
 8 representation.
 9 BY MR. HOROWITZ:
 10 Q Isn't it true that you and Jane Doe 4 watched a
 11 videotape of Jane Doe 4 and her boyfriend having sexual
 12 intercourse?
 13 MR. PIKE: Form.
 14 THE WITNESS: Can you describe this videotape
 15 to me?
 16 BY MR. HOROWITZ:
 17 Q Would that refresh your recollection?
 18 A I don't know. Would you want to tell me about
 19 it?
 20 Q My question for you is: Isn't it true that you
 21 and Jane Doe 4 watched a videotape of Jane Doe 4 and her
 22 boyfriend having intercourse? Does that refresh your
 23 recollection?
 24 MR. PIKE: Same objection, form.
 25 THE WITNESS: I'd like to answer that question

1 -- a videotape of her and her boyfriend having sex?
 2 MR. HOROWITZ: Yes.
 3 THE WITNESS: Okay. I'd like to answer that
 4 question, but my counsel has instructed me that I
 5 must assert my Fourteenth Amendment, Sixth
 6 Amendment and Fifth Amendment Rights. And, though
 7 it's obvious I'd like to answer that question, my
 8 attorneys have counseled me that I -- by doing so,
 9 I waive those rights, or risk losing their
 10 representation.
 11 May I get some -- a cup? Is this yours?
 12 MR. HOROWITZ: No.
 13 THE WITNESS: Okay.
 14 MR. HOROWITZ: It's mine.
 15 BY MR. HOROWITZ:
 16 Q Sir, you don't deny that you sexually abused
 17 Jane Doe 4, do you?
 18 MR. PIKE: Form, argumentative.
 19 THE WITNESS: I'd like to answer that question
 20 very much so. However, my counsel has advised me
 21 today that I must assert -- at least today, I must
 22 assert Sixth Amendment, Fourteenth Amendment and
 23 Fifth Amendment Rights. And by choosing to answer,
 24 I may waive those rights or risk losing their
 25 representation.

1 So, though your partner after he filed that
 2 Jane Doe 4 lawsuit was suspended from the practice
 3 of law by the Florida Bar, or some of these other
 4 cases brought by Mr. Edwards' firm who is sitting
 5 next to you, whose partner sits in jail for
 6 bringing cases of a sexual nature, accusing people
 7 fallaciously, maliciously, simply to get money, I'd
 8 like to answer each one of your questions, but
 9 today, unfortunately, I must respectfully decline.
 10 BY MR. HOROWITZ:
 11 Q Sir, are you asserting your Fifth Amendment,
 12 Sixth Amendment and Fourteenth Amendment Rights to
 13 protect your innocence, or conceal your guilt?
 14 MR. PIKE: Form. I'm going to instruct him not
 15 to answer that question.
 16 BY MR. HOROWITZ:
 17 Q Is there any reason that the jury should not
 18 infer that you did in fact have sexual contact with Jane
 19 Doe 4 when she was a child, given that you've asserted
 20 the Fifth Amendment?
 21 MR. PIKE: Form.
 22 THE WITNESS: The Fifth Amendment has been used
 23 many times to protect the innocent, especially
 24 people who've been falsely accused by people like
 25 your -- Mr. Edwards' partner, Scott Rothstein, who

1 sits in jail accused by the U.S. Attorney of
 2 running the biggest fraudulent scheme in South
 3 Florida's history, stealing millions of dollars
 4 from South Florida residents. The U.S. Attorney
 5 called his enterprise a criminal -- his firm,
 6 Mr. Edwards' firm, sitting next to you -- another
 7 one of the lawsuits, a criminal enterprise.
 8 I'd like to answer that question very
 9 specifically. However, my attorneys have counseled
 10 me that today I may not, and I may risk losing my
 11 rights, my waiver -- excuse me -- my rights, and
 12 risk losing my representation, if I choose to
 13 answer that question.
 14 BY MR. HOROWITZ:
 15 Q Okay. I don't want to know why other people
 16 assert the Fifth Amendment. I want to know why you're
 17 asserting it. Are you asserting it because you're an
 18 innocent man, or because you're a guilty man?
 19 MR. PIKE: Form.
 20 THE WITNESS: I'd love to answer that
 21 question. However, my attorneys have counseled me
 22 that I cannot and must assert my rights under the
 23 Sixth Amendment, Fourteenth and Fifth, even to that
 24 question. Though I would be more than happy to
 25 answer it, my attorneys have counseled me that by

1 doing so, I may waive those rights and risk losing
 2 their representation.
 3 BY MR. HOROWITZ:
 4 Q Okay. Sir, I'm going to ask you a few
 5 questions about a young woman named Jane Doe 5.
 6 A Yes. Okay.
 7 Q First name is Jane Doe 5.
 8 MR. PIKE: You said her last name was Jane Doe
 9 5?
 10 MR. HOROWITZ: Yes.
 11 BY MR. HOROWITZ:
 12 Q So you know her as Jane Doe 5?
 13 MR. PIKE: Form, mischaracterizes the witness'
 14 testimony, move to strike. Let's not play with
 15 words.
 16 BY MR. HOROWITZ:
 17 Q Do you recognize her name as [REDACTED] or Jane Doe
 18 5?
 19 A I don't recognize her name.
 20 Q Okay. Well, for the moment I would like you to
 21 hold on to that name, so -- because I'll be asking you a
 22 series of questions about it, okay?
 23 A Okay.
 24 Q Isn't it true that a girl named Jane Doe 5 came
 25 to your Palm Beach estate in approximately 2001 or

1 2002?
 2 MR. PIKE: Form.
 3 THE WITNESS: I'd like to answer that question
 4 with respect to Miss Jane Doe 5.
 5 Q I asked you the right -- I know you did write
 6 it down.
 7 A I know. But how did you pronounce it?
 8 Q Jane Doe 5.
 9 A Okay. However, my attorneys have counseled me
 10 that at least today I cannot answer questions that may
 11 become relevant to any of your lawsuits that you have
 12 filed with respect to these girls, or your partner filed
 13 before he became suspended by the Florida Bar for
 14 improper behavior.
 15 So, though I'd like to answer that question,
 16 Mr. Horowitz, as I would like to answer every one of
 17 your questions, at least today, I am going to have to
 18 assert the rights dictated to me by my counsel, either
 19 the Sixth Amendment, Fourteenth and -- or Fifth
 20 Amendment, or all of the above.
 21 I mean, I would like to answer each and every
 22 one of your questions. If I do so, I'm told that I risk
 23 waiving those rights, or losing their representation.
 24 BY MR. HOROWITZ:
 25 Q All right.

1 A Excuse me.
 2 Q In either 2001 or 2002, did [REDACTED] inform you
 3 that she had received a telephone call in which she was
 4 referred to an underage girl named Jane Doe 5 who would
 5 be willing to come to your home and give you a massage
 6 for money?
 7 MR. PIKE: Form.
 8 THE WITNESS: I'd like to answer that question,
 9 as I'd like to answer mostly every one of your
 10 questions here today. These questions, my
 11 attorneys have counseled me, I cannot answer today
 12 because -- as they may be relevant to the lawsuit.
 13 They have instructed me that I must assert my
 14 Sixth Amendment, Fourteenth Amendment and Fifth
 15 Amendment Rights, though I'd very much like to
 16 answer that question.
 17 BY MR. HOROWITZ:
 18 Q Did [REDACTED] inform you that she was provided with
 19 Jane Doe 5's telephone number?
 20 MR. PIKE: Form.
 21 THE WITNESS: Again?
 22 BY MR. HOROWITZ:
 23 Q Did [REDACTED] inform you that she was provided with
 24 Jane Doe 5's telephone number?
 25 A "Provided with" -- I -- I don't understand the

1 question.
 2 MR. PIKE: Form to that. And I know you're
 3 going to ask it again.
 4 THE WITNESS: Yes, he is.
 5 BY MR. HOROWITZ:
 6 Q Did -- I'll try and ask it as fundamentally as
 7 I can.
 8 A Okay.
 9 Q Did [REDACTED] inform you that she had Jane Doe 5's
 10 telephone number?
 11 A I'd like to answer that question. I've been
 12 have -- I'd like to answer every question you've asked
 13 here today. However, on advice of counsel, they've
 14 instructed me that I cannot answer that question today
 15 because it may be relevant to one of your lawsuits filed
 16 by either you, Mr. Edwards -- Mr. Edwards' partner who
 17 sits in jail, your partner who's been suspended from the
 18 Florida Bar.
 19 So, though I'd like to answer that question, at
 20 least today, my counsel said I risk waiving those rights
 21 under the Sixth, Fourteenth and Fifth, or risk losing
 22 their representation.
 23 Q Did you instruct [REDACTED] to call Jane Doe 5 to
 24 come to your home and give you a massage in 2001 or
 25 2002?

1 MR. PIKE: Form.
 2 THE WITNESS: This is the same Jane Doe 5 --
 3 whatever her name is?
 4 MR. HOROWITZ: Yes, keep that same person in
 5 your head.
 6 THE WITNESS: It's a little bit tough. I'd
 7 like to answer that question. I'd like to answer
 8 all your questions. However, today, my counsel has
 9 advised me that I cannot answer any questions that
 10 may be relevant to the lawsuit, and they've
 11 instructed me that I must assert my Fourteenth,
 12 Fifth and Sixth Amendment Rights.
 13 And by answering those questions, that I choose
 14 -- that prefer to do so today, they've instructed
 15 me that I may waive those rights, or risk losing
 16 their representation.
 17 BY MR. HOROWITZ:
 18 Q Did you inform [REDACTED] that the massage Jane Doe 5
 19 was to give you would be sexual in nature?
 20 MR. PIKE: Form.
 21 THE WITNESS: I'd like to answer each and every
 22 one of your questions. My counsel has advised me
 23 -- my counsel has advised me that I cannot today,
 24 and they've instructed me that I should assert my
 25 Fourteenth Amendment, Sixth Amendment and Fifth

1 telephone that Jane Doe 5 would be at your home at a
 2 specific time to give you a massage?
 3 MR. PIKE: Form.
 4 THE WITNESS: I'd like to answer that
 5 question. I'd like to answer every one of your
 6 questions posed here today, Mr. Horowitz. However,
 7 on advice of counsel, they've instructed me that I
 8 must assert my Fifth Amendment, Sixth Amendment and
 9 Fourteenth Amendment Right.
 10 BY MR. HOROWITZ:
 11 Q Was it your intent during the course of Jane
 12 Doe 5's visit to your home in either 2001 or 2002, that
 13 you would persuade, induce or entice her to engage in
 14 sexual activity?
 15 MR. PIKE: Form.
 16 THE WITNESS: It would give me great pleasure
 17 to be able to answer that question to you, as it --
 18 as all the other questions you've asked about these
 19 girls here today. My counsel has told me that I
 20 cannot answer those questions that may be relevant
 21 to any of the lawsuits brought by you, your partner
 22 that's been suspended or disbarred -- I'm not
 23 really sure what the difference is -- or
 24 Mr. Edwards' partner who sits in a Florida jail for
 25 fleecing people out of millions of dollars by

1 Amendment rights.
 2 And if I choose not to do so, I risk waiving
 3 those rights, or losing their representation. So,
 4 though I'd like to answer that question, I cannot.
 5 BY MR. HOROWITZ:
 6 Q Did you observe [REDACTED] speaking with Jane Doe 5
 7 on the telephone to arrange for Jane Doe 5 to come to
 8 your home for a massage?
 9 MR. PIKE: Form.
 10 THE WITNESS: I'd like to answer each one of
 11 your questions, Mr. Horowitz, each and every one
 12 that you've posed here today, but I am going to
 13 have to answer that question, as I've answered most
 14 of your other questions here today, which is my
 15 counsel has advised me, at least today, at least
 16 today, that I cannot answer those questions and
 17 must assert my Fourteenth Amendment Rights, Sixth
 18 Amendment Rights and Fifth Amendment Rights or --
 19 BY MR. HOROWITZ:
 20 Q Did --
 21 A I'm sorry.
 22 Q I'm sorry, go ahead.
 23 A -- or risk waiving those rights, or losing
 24 their representation.
 25 Q Did [REDACTED] tell you that she had confirmed by

1 crafting cases of a sexual nature against people
 2 like me and others, and those are -- though I'd
 3 like to answer those questions, my counsel has
 4 advised me, at least today, that I cannot.
 5 BY MR. HOROWITZ:
 6 Q During the course of Jane Doe 5's visit to your
 7 home in 2001 or 2002, did you, in fact, persuade, induce
 8 or entice her to engage in sexual activity with you?
 9 MR. PIKE: Form.
 10 THE WITNESS: Though I'd like to answer that
 11 question, as well as every other question you've
 12 asked me here today, I am going to respond in a
 13 similar fashion, which is my counsel, at least
 14 today, has told me I may not, may not respond, and
 15 must assert my rights under the Fourteenth, Sixth
 16 and Fifth Amendment.
 17 Though I'd like to respond to each question, my
 18 counsel has told me that if I choose to do so, I
 19 risk waiving those rights and losing their
 20 representation.
 21 BY MR. HOROWITZ:
 22 Q Did you pay for Jane Doe 5 to take a taxi to
 23 your home in either 2001 or 2002?
 24 MR. PIKE: Form.
 25 THE WITNESS: I'd like to answer each question

1 you've asked me here today. However, on advice of
2 counsel, they've asked -- they've instructed me to
3 assert my Fifth Amendment, Sixth Amendment and
4 Fourteenth Amendment Rights under the U.S.
5 Constitution.

6 Though I'd like to answer each question, I have
7 to respond, unfortunately, the same way I've
8 responded to mostly every one of your questions
9 here today, and assert those rights on counsel's
10 advice, or risk waiving those rights and losing
11 their representation.

12 BY MR. HOROWITZ:

13 Q During Jane Doe 5's visit to your home in
14 either 2001 or 2002, Jane Doe 5 told you she was under
15 18, didn't she?

16 MR. PIKE: Form.

17 THE WITNESS: I'd like to answer that
18 question. I'd like to answer every question you've
19 asked me here today. I'd like to answer the
20 questions posed by you, Mr. Edwards, your partner,
21 Mr. Herman, who unfortunately was suspended after
22 he filed these cases, Mr. Edwards's partner who's
23 sitting -- sitting in a jail for fabricating cases
24 of a sexual nature against people like me and
25 others for stealing money from people in South

1 MR. PIKE: Form.

2 THE WITNESS: I'd like to answer that
3 question. I'd like to answer every question you've
4 posed here today, but unfortunately, I am going to
5 have to respond the same way I've responded to most
6 of these other questions, which is my counsel has
7 advised me that at least today, I cannot answer
8 those questions. And if I choose to do so, I may
9 waive my rights, but I -- so I must assert them
10 under the Sixth, Fourteenth and Fifth Amendment.

11 BY MR. HOROWITZ:

12 Q During Jane Doe 5's visit to your home in 2001
13 or 2002, were you nude in front of Jane Doe 5?

14 A I'd like to answer --

15 MR. PIKE: Form.

16 THE WITNESS: -- that question. I'd like to
17 answer every question you've asked me here today.
18 But my counsel has advised me that I may not answer
19 any questions that may be relevant to your lawsuit,
20 Mr. Edwards' lawsuit, his partner's lawsuit who
21 sits -- his partner who sits in jail, and my
22 counsel has advised me that, though his partner
23 sits in jail for bringing fabricated cases of a
24 sexual nature against people like me and others,
25 that I still have to assert my rights under the

1 Florida.

2 I'd like to answer every question you've asked
3 me here today, Mr. Horowitz, but my counsel has
4 instructed me that I may not.

5 BY MR. HOROWITZ:

6 Q When Jane Doe 5 came to your home in either
7 2001 or 2002, she appeared to you to be under the age of
8 18; isn't that right?

9 MR. PIKE: Form.

10 THE WITNESS: I'd like to answer all your
11 questions. I'd like to answer each and every one
12 of your questions. However, my counsel has
13 instructed me that I may not answer any questions
14 that may be relevant to this lawsuit, or any of
15 your lawsuits brought by your firm, your suspended
16 partner or Mr. Edwards' firm, his partner who sits
17 in jail -- excuse me.

18 So, though I'd like to answer those questions,
19 I was told that -- by my counsel that if I choose
20 to do so, I risk waive -- risk waiving my right and
21 risk losing their representation.

22 BY MR. HOROWITZ:

23 Q During Jane Doe 5's visit to your home in 2001
24 and 2002, she told you she attended [REDACTED]
25 [REDACTED] isn't that right?

1 Sixth Amendment, Fifth -- Fourteenth Amendment and
2 Fifth Amendment; otherwise, I risk waiving those
3 rights, or losing their representation.

4 BY MR. HOROWITZ:

5 Q During the course of Jane Doe 5's visit to your
6 home in either 2001 or 2002, did you instruct Jane Doe 5
7 to remove all of her clothing?

8 MR. PIKE: Form.

9 THE WITNESS: I'd like to answer that
10 question. I'd like to answer every question you've
11 asked me here today with specificity. However, my
12 counsel has told me that I may not answer any
13 questions that may be relevant to this lawsuit,
14 must assert my rights under the Fourteenth, Sixth
15 and Fifth Amendment, so I must respectfully
16 decline, Mr. Horowitz.

17 BY MR. HOROWITZ:

18 Q During the course of Jane Doe 5's visit to your
19 home in 2001 or 2002, did you instruct Jane Doe 5 to
20 pinch your nipples and rub your chest?

21 MR. PIKE: Form.

22 THE WITNESS: Like all the other questions --
23 questions you've asked me here today, I'd love to
24 answer that question. I'd love to answer each and
25 every one of your questions here today, but my

1 counsel has told me I cannot. They've instructed
2 me that I have to assert my Fourteenth, Fifth and
3 Sixth Amendment Rights. And, though I'd like to
4 answer -- prefer to answer, that by doing so, I may
5 waive those rights, and risk -- and/or risk losing
6 their representation.

7 BY MR. HOROWITZ:

8 Q Okay. During the course of Jane Doe 5's visit
9 to your home in 2001 or 2002, isn't it true you asked
10 Jane Doe 5 questions about her sexual experience and
11 preferences?

12 MR. PIKE: Form.

13 THE WITNESS: I'd like to answer each and every
14 one of your question about Jane Doe 5 -- Jane Doe 5
15 and her claims. However, my attorneys have told me
16 I cannot, at least today, answer any of those
17 questions that may be relevant to the lawsuit that
18 you have filed, your suspended partner has filed,
19 Mr. Edwards has filed, his partner in jail has
20 filed.

21 Unfortunately, there's lots of things I cannot
22 answer questions to. My partner -- my counsel has
23 told me that I risk waiving my rights and losing
24 their representations, if I choose to do so.

25 BY MR. HOROWITZ:

1 that question very much. However, my counsel has
2 advised me I may not, today anyway, and I must
3 assert my right under the Sixth, Fourteenth or --
4 and/or Fifth Amendment.

5 And, though I'd like to answer that question
6 specifically -- I'd like to answer it to you, I'd
7 like to answer it to your partner who's not here
8 because he's been suspended from the practice of
9 law in South Florida after he filed this lawsuit.
10 I'd like to answer that question specifically to
11 Mr. Edwards' partner who remains in jail for
12 perpetrating a fraud on people in South Florida,
13 stealing money from them.

14 Unfortunately, under -- my counsel has told me
15 that I must respectfully decline and assert my
16 rights, or risk waiving those rights and losing
17 their representation.

18 THE WITNESS: I'm going to have to take a
19 break.

20 THE VIDEOGRAPHER: Going off the record. Time
21 off the record 2:25.

22 (Thereupon, a short break was taken.)

23 THE VIDEOGRAPHER: Time on the record 2:37.

24 This is Tape 4.

25 BY MR. HOROWITZ:

1 Q During the course of Jane Doe 5's visit to your
2 home in 2001 and 2002, did you remove Jane Doe 5's bra
3 and [REDACTED]?

4 MR. PIKE: Form.

5 THE WITNESS: The answer is: I'd like to
6 answer that question. I believe Jane Doe 5
7 testified that that was not the case, or you're
8 asking me a question that she testified to
9 something else? But, though I cannot answer those
10 questions, my counsel has advised me that I have to
11 assert my rights under the Fifth, Fourteenth and
12 Sixth Amendment. So, though I'd like to answer
13 that question, I may not.

14 BY MR. HOROWITZ:

15 Q Well, which version of events is true, that you
16 did touch her breasts, or that you did not touch her
17 breasts?

18 A Are you asking me whether she tells the truth
19 or not in her deposition? Is that the question?

20 Q My question is: Which version of events is
21 true, that she touched your breasts -- that [REDACTED]
22 [REDACTED]?

23 MR. PIKE: Form.

24 THE WITNESS: I'd like to answer that
25 question. As you might imagine I'd like to answer

1 Q Okay. We've been discussing Jane Doe 5 for
2 some time now. Okay. I'm going to ask you a few more
3 questions about her. During the course of Jane Doe 5's
4 visit to your home in 2001 and 2002, [REDACTED]
5 [REDACTED]?

6 MR. PIKE: Form, and assumes facts not in
7 evidence.

8 THE WITNESS: I'd like to answer that
9 question. I'd like to answer every question you've
10 asked me here today. But on advice of counsel,
11 they've instructed me, I must assert my Sixth
12 Amendment, Fourteenth Amendment and Fifth Amendment
13 Rights.

14 BY MR. HOROWITZ:

15 Q During the course of Jane Doe 5's visit to your
16 home in 2001 and 2002, [REDACTED]
17 [REDACTED]?

18 MR. PIKE: Form.

19 THE WITNESS: I'm afraid it's the same answer
20 as most of the other answers I've given here
21 today. Though I would like to answer these
22 questions with specificity, especially that
23 question, my counsel has advised me that I may not,
24 and must assert my rights under the Sixth
25 Amendment, Fourteenth and Fifth Amendment.

1 And if I chose to answer, which I prefer to do,
 2 they've advised me I may waive those rights, or
 3 risk losing their representation.
 4 BY MR. HOROWITZ:
 5 Q During the course of Jane Doe 5's visit to your
 6 home in 2001 and 2002, did -- [REDACTED]
 7 [REDACTED]?
 8 MR. PIKE: Form.
 9 THE WITNESS: I'd very much like to answer that
 10 question as well, Mr. Horowitz, but my attorneys
 11 have advised me today that I cannot, and I must
 12 assert my rights under the Sixth, Fifth and
 13 Fourteenth Amendments.
 14 Though it would -- I'd prefer to answer the
 15 question, they told me that if I choose to do so, I
 16 risk waiving those rights. I would prefer to have
 17 that conversation with your partner that was
 18 suspended or disbarred from the Florida Bar after
 19 filing the lawsuit on Jane Doe 5's behalf. I'd
 20 prefer to talk to Mr. Edwards' partner, if he was
 21 able to be here, except he's in jail for
 22 fabricating cases of a sexual nature against people
 23 like me. So, believe me, I'd like to answer those
 24 questions, but today my attorneys have told me I
 25 may not.

1 that was suspended or disbarred after he brought
 2 these lawsuits. So, though I'd like to answer the
 3 question, Mr. Horowitz, my attorneys have advised
 4 me, at least today, that I must assert my rights
 5 under the Sixth, Fourteenth and Fifteen -- Fifth
 6 Amendment, and I respectfully have to decline.
 7 BY MR. HOROWITZ:
 8 Q During the course of Jane Doe 5's visit to your
 9 home in 2001 or 2002, did you masturbate in her
 10 presence?
 11 MR. PIKE: Form.
 12 THE WITNESS: I'd very much like to answer
 13 every question, every single question regarding
 14 Jane Doe 5 and her claims. However, my attorneys
 15 have advised me, at least today, that I may not do
 16 so, and must assert my rights under the Sixth
 17 Amendment, Fourteenth and Fifth Amendment.
 18 And, though I would prefer to answer, they have
 19 advised me that if I choose to do so, I risk
 20 waiving those rights and risk losing their
 21 representation.
 22 BY MR. HOROWITZ:
 23 Q During the course of Jane Doe 5's visit to your
 24 home in 2001 or 2002, did you ejaculate in her presence?
 25 MR. PIKE: Form.

1 BY [REDACTED] HOROWITZ:
 2 Q During the course of Jane Doe 5's visit to your
 3 home in 2001 or 2002, [REDACTED]
 4 [REDACTED]?
 5 MR. PIKE: Form.
 6 THE WITNESS: I'd like to answer that
 7 THE VIDEOGRAPHER: Hold on. There's major
 8 static. Time off the record 2:40.
 9 (Thereupon, a short break was taken.)
 10 THE VIDEOGRAPHER: Time on the record 2:41.
 11 MR. HOROWITZ: Back on the record. I don't
 12 know that we did or did not get an answer to this
 13 question, so I'm going to repeat it. And if you
 14 have to repeat your answer, I apologize.
 15 MR. PIKE: Thank you.
 16 BY MR. HOROWITZ:
 17 Q During the course of Jane Doe 5's visit to your
 18 home in 2001 or 2002, [REDACTED]
 19 [REDACTED]?
 20 MR. PIKE: Form.
 21 THE WITNESS: I'd like to answer the questions
 22 about Jane Doe 5. However, my attorneys have told
 23 me that I may not answer any questions regarding
 24 anything that may be relevant to any of the
 25 lawsuits brought by you, your firm, your partner

1 THE WITNESS: Did I ejaculate in Miss Jane Doe
 2 5's presence? I'd like to answer that question and
 3 that all her claims -- however, today, my attorneys
 4 have counseled me that I may not.
 5 They've instructed me that I have to assert my
 6 Sixth Amendment, Fourteenth Amendment and Fifth
 7 Amendment Rights. Though I'd like to answer that
 8 question, I am going to have to respond as I've
 9 answered most of your other questions here today,
 10 which is by asserting those rights.
 11 BY MR. HOROWITZ:
 12 Q Did you have sexual contact with Jane Doe 5 in
 13 your Palm Beach home in either 2001 or 2002?
 14 MR. PIKE: Form.
 15 THE WITNESS: "Sexual contact"?
 16 MR. HOROWITZ: Yes.
 17 THE WITNESS: Can you tell me what you mean by
 18 that?
 19 BY MR. HOROWITZ:
 20 Q Contact, sexual -- of a sexual nature. Do you
 21 understand -- do you understand what that means?
 22 A I've asked you --
 23 Q Have you had sexual contact?
 24 A I've asked you to clarify what you mean,
 25 please.

1 Q Well, I'm going to use a broad definition,
2 okay?

3 A Yes.

4 Q That would involve touching someone's sexual
5 organs, someone else touching your [REDACTED]

6 [REDACTED]. Did you have any of those activities of a
8 sexual nature with Jane Doe 5?

9 MR. PIKE: Form.

10 THE WITNESS: I'd like to respond to every one
11 of Jane Doe 5's claims. However, today, my counsel
12 has advised me that I may not. So I am going to
13 have -- under their instructions have to assert my
14 Sixth Amendment, Fourteenth Amendment and Fifth
15 Amendment Rights. Though I'd like to answer that
16 question, I've been told that if I choose to do so,
17 I risks losing their representation and waiving
18 those rights.

19 BY MR. HOROWITZ:

20 Q During the course of Jane Doe 5's visit to your
21 home in 2001 or 2002, did you also [REDACTED]
22 [REDACTED] in the presence of Jane
23 Doe 5?

24 MR. PIKE: Form.

25 THE WITNESS: I'd like to respond to every one

1 of Miss Jane Doe 5's complaints or claims. My
2 attorneys have told me that, at least today, that I
3 may not do so today, and must assert my rights
4 under the Sixth Amendment, Fifth Amendment and
5 Fourteenth, and I have to respond the same way I've
6 responded to most of your -- my -- your other
7 questions posed here today.

8 BY MR. HOROWITZ:

9 Q Did you pay Jane Doe 5 \$200 after you had
10 sexual contact with her in your home?

11 MR. PIKE: Form.

12 THE WITNESS: I'd like to respond to every one
13 of Jane Doe 5's claims, but my attorneys have
14 advised me that at least today I must assert my
15 rights under the Fifth, Sixth and Fourteenth
16 Amendment. Though I'd like to answer that
17 question, I am going to have to respond similarly
18 that I've answered most of your other questions
19 here today. This is no different.

20 And I -- though I would -- I've been advised by
21 my attorneys, if I choose to answer, I risk waiving
22 my rights and/or risk losing their representation.

23 BY MR. HOROWITZ:

24 Q You never asked Jane Doe 5 for permission to
25 [REDACTED], correct?

1 MR. PIKE: Form.

2 THE WITNESS: I would like to respond to every
3 single one of your client's claims. My attorneys
4 have advised me at least today, I cannot answer any
5 questions that may be relevant to those claims.
6 And, though your partner who filed this lawsuit on
7 Miss Jane Doe 5's behalf was disbarred -- suspended
8 by the Florida Bar -- suspended by the Florida Bar
9 after filing this claim, or Mr. Edwards', who filed
10 similar claims, partner who sits in jail, I'd like
11 to answer every single question. However, today,
12 my attorneys told me that if I do so, choose to do
13 so, I risk waiving my rights and risk losing their
14 representation.

15 BY MR. HOROWITZ:

16 Q Mr. Epstein, Jane Doe 5 told you when she was
17 in your home that she did not want you to touch her
18 body, isn't that true?

19 MR. PIKE: Form.

20 THE WITNESS: I would very much like to answer
21 every question regarding Jane Doe 5's claims, but
22 today my attorneys have informed me that I may not
23 answer, and must assert my rights under the Sixth,
24 Fifth and Fourteenth Amendment. So, though I would
25 like to answer those questions, I -- my attorneys

1 have informed me that if I choose to do so, which
2 is my preference, I would risk losing their
3 representation and waiving my rights.

4 BY MR. HOROWITZ:

5 Q Mr. Epstein, you made sexual contact with Jane
6 Doe 5 after she indicated to you that she did not want
7 to be touched by you, isn't that right?

8 MR. PIKE: Form.

9 THE WITNESS: I'd like to answer each and every
10 one of your questions regarding Miss Jane Doe 5's
11 claims. However, my attorneys have advised me that
12 today at least, I may not answer those claims, and
13 must assert my rights under the Fourteenth
14 Amendment, Sixth Amendment and Fifth Amendment.

15 And, though as you might imagine, I would like
16 to answer those claims with -- questions with
17 specificity, my counsel has told me that if I
18 choose to do so, I waive -- I might risk losing
19 their representation and waive -- waiving some of
20 my rights.

21 BY MR. HOROWITZ:

22 Q Did you try to persuade Jane Doe 5 that it was
23 okay for you to [REDACTED] while she
24 was still a child?

25 (Videotaped deposition continued in Volume II.)

STATE OF FLORIDA)
COUNTY OF BROWARD)

I, the undersigned authority, certify that
Jeffrey Edward Epstein personally appeared before me and
was duly sworn.

WITNESS my hand and official seal this 22nd day
of March, 2010.

Vicki L. Lima, Court Reporter
Notary Public - State of Florida
Commission No: DD 882608
Expiration Date: May 26, 2013
Job #92076-A

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888 EAST LAS OLAS BOULEVARD, SUITE 508
FORT LAUDERDALE, FLORIDA 33301

March 22, 2010 Job #92076-A Volume I

Jeffrey Edward Epstein, witness
Michael J. Pike, Esquire
303 Banyan Boulevard, Suite 400
West Palm Beach, Florida 33401
RE: Jane Doe No. 2 vs. Jeffrey Epstein
CASE NO. 08-CV-80119-MARRA/JOHNSON

Dear Mr. Epstein:

Please take notice that on March 8, 2008, you
gave your deposition in the above-referenced matter. At
that time, you did not waive your signature. It is now
necessary that you sign your deposition.

As previously agreed to, the transcript will be
furnished to you through your counsel. Please read the
following instructions:

At Page 189, you will find an errata sheet. As
you read your deposition, any changes or corrections
that you wish to make should be noted on the errata
sheet, citing page and line number of said change. DO
NOT write on the transcript itself. Once you have read
the transcript and noted any changes, be sure to sign
and date the errata sheet and return these pages to us
at the address listed above. You need not return the
entire transcript.

If you do not read and sign the deposition
within thirty (30) days, the original, which has already
been forwarded to the ordering attorney, may be filed
with the Clerk of the Court. If you wish to waive your
signature, sign your name in the blank at the bottom of
this letter and return it to us.

Very truly yours,
Universal Legal Reporting,

Vicki L. Lima
Court Reporter - Notary Public

I do hereby waive my signature

CERTIFICATE

STATE OF FLORIDA)
COUNTY OF BROWARD)

I, Vicki L. Lima, Court Reporter, Notary Public
in and for the State of Florida at Large, do hereby
certify that the aforementioned witness was by me first
duly sworn to testify to the whole truth; that I was
authorized to and did report said deposition in
stenotype; and that the foregoing pages are a true and
correct transcription of my shorthand notes of said
deposition.

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

I further certify that I am not an attorney or
counsel of any of the parties, nor am I a relative or
employee of any attorney or counsel of any party
connected with this action, nor am I interested in the
action.

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

IN WITNESS WHEREOF, I have hereunto set my hand
this 22nd day of March, 2010.

Vicki L. Lima, Court Reporter
Notary Public - State of Florida
Commission No: DD 882608
Expiration Date: May 26, 2013
Job #92076-A

ERRATA SHEET

IN RE: Jane Doe No. 2 vs. Jeffrey Edward Epstein
DEPOSITION OF: Jeffrey Edward Epstein, Volume 1
TAKEN: March 8, 2010

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE
PAGE # LINE # CHANGE REASON

Table with 4 columns: PAGE #, LINE #, CHANGE, REASON. The table contains 20 rows of empty lines for recording corrections.

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

Job #92076-A