

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and
PAUL G. CASSELL,

Plaintiffs / Counterclaim Defendants,

v.

ALAN M. DERSHOWITZ,

Defendant / Counterclaim Plaintiff.

DEFENDANT / COUNTERCLAIM PLAINTIFF ALAN DERSHOWITZ'S
MEMORANDUM IN OPPOSITION TO JANE DOE NO. 3'S
MOTION TO QUASH OR FOR PROTECTIVE ORDER

Defendant / Counterclaim Plaintiff Alan Dershowitz ("Dershowitz") respectfully submits this Memorandum in Opposition to the Motion to Quash or for Protective Order Regarding Subpoena filed by non-party Jane Doe No. 3 (the "Motion to Quash").

INTRODUCTION

The Motion to Quash presents Jane Doe No. 3 – who is a 31-year-old married woman – as though she were a minor who is being unwillingly dragged into a dispute not of her making and who would prefer to avoid public attention.¹ Nothing could be further from the truth.

This case began when Jane Doe No. 3 and her lawyers, Bradley J. Edwards ("Edwards") and Paul G. Cassell ("Cassell") (together, "Plaintiffs"), made a deliberate decision to file a pleading in a federal lawsuit accusing Dershowitz of committing a heinous crime: sexually

¹ Jane Doe No. 3 has no right to proceed anonymously as she has been identified publicly on several occasions and has made public statements to the media using her own name, as indicated by the exhibits that she submitted with the Motion to Quash. *See* Motion to Quash, Exs. 1-4. Nonetheless, Dershowitz will refer to her as "Jane Doe No. 3" until the Court orders otherwise.

abusing a minor. Jane Doe No. 3 and her attorneys made these allegations in public court pleadings and declarations, hoping to hide behind the litigation privilege to prevent Dershowitz from being able to hold them accountable for their false statements.

Jane Doe No. 3's outrageous allegations were obviously intended to generate publicity for herself and her lawyers – not to advance any legitimate interest. As alleged in Dershowitz's counterclaim, Plaintiffs alerted the media to the filing of Jane Doe No. 3's accusations to maximize the resulting publicity. The allegations had absolutely no relevance whatsoever to the lawsuit in which the pleadings and declarations were filed and gratuitously included the names of prominent people, including Prince Andrew. Jane Doe No. 3 also alleged that Jeffrey Epstein ("Epstein") "trafficked her for sexual purposes" to other powerful and prominent men, including prominent American politicians and world leaders, yet withheld the names of those individuals in a transparent effort to generate media interest in potential future revelations.

That the allegations were improper and irresponsible is not merely an assertion by Dershowitz; United States District Judge Marra has expressly held that the "lurid" allegations were "unnecessary," "immaterial," and "impertinent" to the federal lawsuit. *See* Ex. A, at 5. Judge Marra ordered the allegations stricken from the record and reminded the attorneys of their obligations under Rule 11 of the Federal Rules of Civil Procedure, which prohibits filings made for an improper purpose. *Id.* at 5-7. According to Judge Marra, "striking the lurid details from [the] submissions is sanction enough." *Id.* at 7.

As Jane Doe No. 3 and her lawyers undoubtedly expected and intended, their "unnecessary," "immaterial," and "impertinent" allegations resulted in a firestorm of publicity about Dershowitz's alleged misconduct. With Plaintiffs and Jane Doe No. 3 seeking to hide behind the litigation privilege and relying instead on the media to circulate the false accusations

under the protection of the fair reporting privilege, Dershowitz responded as best he could by telling the press repeatedly and forcefully that Jane Doe No. 3's allegations about him are completely and categorically false. Edwards and Cassell used their own "credibility" as lawyers and, in Cassell's case, as a former judge and a professor (he used the name of his law school name and address on the pleading), in an effort to enhance the credibility of Jane Doe No. 3's false accusations against Dershowitz. Dershowitz responded by expressing his opinion that Plaintiffs knew or should have known the allegations were false, or would have known they were false if they had done even minimal investigation into Jane Doe No. 3's story.

Edwards and Cassell then filed this action, alleging that Dershowitz committed the tort of defamation in making these statements to the media in order to defend himself. To prevail on their defamation claim and defeat Dershowitz's affirmative defenses, Plaintiffs must substantiate their allegation that Dershowitz made the statements to the media even though he "knew [the filing containing Jane Doe No. 3's outrageous allegations was] an entirely proper and well-founded pleading." *See* Compl. ¶ 17. In other words, Plaintiffs must prove both that the allegations asserted in the Joinder Motion were "well-founded" and that Dershowitz knew they were true. The testimony of Jane Doe No. 3 and the documents requested in the subpoena are at the very heart of this issue, which Edwards and Cassell have placed squarely in dispute. Although Jane Doe No. 3 is not a party to this case, she is, at bottom, the accuser making allegations of criminal misconduct, which Plaintiffs contend are true and which Dershowitz contends are complete fabrications. There simply is no basis for crediting Jane Doe No. 3's assertions of "irrelevance."

Jane Doe No. 3's argument that she should be excused from providing relevant discovery because Dershowitz is "abusing" the subpoena power by seeking information that is "highly

personal” and “confidential” is completely meritless and, indeed, disingenuous in light of her deliberate actions as an adult to seek publicity. As an adult, Jane Doe No. 3 has voluntarily submitted multiple sworn declarations and has given numerous media interviews in which she has described, at length and in lurid detail, the very same events that she is now contending are “highly personal” and “confidential.”

Indeed, Dershowitz has learned that, since the filing of the Motion to Quash, Jane Doe No. 3 gave a recorded interview to the ABC television network in which she detailed her alleged experiences as a “sex slave” for Epstein. That interview was intended to be broadcast on several national platforms, although it has yet to air. An organization that Dershowitz believes to be affiliated with Edwards has promoted the interview on its social media page. *See* Ex. B, at 11. The existence of the ABC interview had not been publicly disclosed previously, so the obvious inference is that the organization learned of it from Jane Doe No. 3 or her lawyers. Were Jane Doe No. 3 truly concerned for her privacy, she could have refrained from giving any media interviews and avoided rather than sought publicity.

As to the federal lawsuit, Judge Marra has already held that the allegations against Dershowitz (and Prince Andrew) were not entirely proper, as Plaintiffs have alleged, but rather should never have been included in Jane Doe No. 3’s pleadings at all. And, even if those allegations had some legitimate purpose, which Judge Marra held they did not, Jane Doe No. 3 and her lawyers could have made them in a sealed pleading. Instead, Jane Doe No. 3 (with Plaintiffs’ assistance) made these accusations in the most public manner possible – seeking out the limelight rather than hiding from it. In light of these deliberate choices by Jane Doe No. 3, and considering the issues in dispute in this action, Dershowitz’s need for the requested documents and testimony clearly outweighs any “privacy” interests that Jane Doe No. 3 could

conceivably assert. Indeed, by making her allegations publicly and by seeking publicity, Jane Doe No. 3 has waived any right to “confidentiality” or “personal privacy” that she may have had. A person cannot go to the press to publicize a topic, and then refuse to give relevant evidence to a court regarding that same topic based on “privacy” concerns. Swords may not be used as shields.

The subpoena is not a fishing expedition, nor does it represent any sort of abuse of the discovery process. Jane Doe No. 3, along with Plaintiffs, set off the chain of events that led to the filing of this lawsuit by making false and gratuitous allegations against Dershowitz, to which Dershowitz had a constitutional right to respond in the court of public opinion. If she had not voluntarily made these scurrilous allegations, or if they had been true, there would have been no statements by Dershowitz and no lawsuit. She must be compelled to submit to questioning about those scurrilous allegations, which are the crux of the claims and defenses at issue in this defamation action. Like any witness, she is entitled to be treated with dignity and respect during the discovery process, and will be so treated by Dershowitz’s counsel. But the notion that she is entitled to extraordinary protections, and to be excused from producing evidence that is central to this case, is frivolous. In particular, the Court should reject Jane Doe No. 3’s request to bar Dershowitz from attending her deposition because of her purported “fear” of being in his presence. That “fear” cannot be credited without also crediting Jane Doe No. 3’s false allegations of misconduct by Dershowitz, which would be entirely inappropriate at this stage given that Dershowitz is vigorously contesting those allegations.

For these reasons and as explained in detail below, the Court should deny the Motion to Quash and reject Jane Doe No. 3’s request for a protective order that imposes limitations on the subpoena.

FACTUAL BACKGROUND

This defamation action arises out of an underlying lawsuit that Edwards and Cassell filed against the United States (the “Government”) in the United States District Court for the Southern District of Florida (the “Federal Action”) more than eight years ago. In the Federal Action, Edwards and Cassell represent certain alleged victims of Epstein, a client of Dershowitz’s, who contend that the Government violated their rights under the Crime Victims’ Rights Act (the “CVRA”). Specifically, the two alleged victims – known as “Jane Doe No. 1” and “Jane Doe No. 2” – assert that the Government violated their rights under the CVRA by failing to consult with them before negotiating a non-prosecution agreement with Epstein, who allegedly subjected them to various sexual crimes when they were minors.

On December 30, 2014 – more than eight years after the Federal Action began – Edwards and Cassell filed a motion to allow a third alleged victim, Jane Doe No. 3, to join in the suit as an additional plaintiff (the “Joinder Motion”). *See* Counterclaim, at 12. The Joinder Motion alleges that Jane Doe No. 3 first met Epstein in 1999 and that Epstein “kept Jane Doe #3 as his sex slave from about 1999 through 2002, when she managed to escape to a foreign country.” *Id.* The Joinder Motion alleges that “Epstein also sexually trafficked the then-minor Jane Doe [No. 3], making her available for sex to politically-connected and financially-power people.” *Id.* In several paragraphs that Judge Marra has since ordered stricken from the record, the Joinder Motion then alleged that Epstein required Jane Doe No. 3 to have sexual relations with Dershowitz in certain specific locations, among other allegations of criminal conduct by Dershowitz. The Joinder Motion includes similar allegations against Prince Andrew, which Judge Marra has also ordered stricken because they should never have been included in the

pleading. Edwards and Cassell filed the Joinder Motion on behalf of Jane Doe No. 3 on the public docket in the Federal Action, without any accompanying motion to seal.

The Joinder Motion marked the first time that Jane Doe No. 3 (either directly or through her attorneys) publicly asserted any sort of allegations of misconduct against Dershowitz. To the best of Dershowitz's knowledge, Jane Doe No. 3 also had not previously communicated to any law enforcement officials or journalists that she had sex with Dershowitz. Certainly, no federal law enforcement agency, court or other objective investigator has ever investigated or acted on Jane Doe No. 3's belated accusations against Dershowitz.

Yet, the Federal Action is *not* the first forum in which Jane Doe No. 3 has made public statements about her interactions with Epstein and others as a minor. In 2011, Jane Doe No. 3 gave an extensive interview to the *Daily Mail*, a British tabloid publication, during which she "agreed to waive her anonymity" and provided a number of specific details about her alleged abuse at the hands of Epstein. *See* Ex. C. Dershowitz intends to ask in discovery if Jane Doe No. 3 was paid for this interview, which seems likely. The *Daily Mail* quotes Jane Doe No. 3 as stating that "I was training to be a prostitute for [Epstein] and his friends who shared his interest in young girls." *Id.* According to the *Daily Mail*, Jane Doe No. 3 was very descriptive during her interview about her time with Epstein. Indeed, Jane Doe No. 3 stated that she was "telling [the news publication] things that even my husband didn't know." *Id.* The tabloid newspaper specifically noted that "for reasons of taste, not all the details [provided by Jane Doe No. 3] can be included here." *Id.* A person interested in privacy or confidentiality does not give interviews for publication providing sordid detail of her alleged experiences, apparently in exchange for money!

Jane Doe No. 3 used a similar level of detail in the two sworn declarations she submitted in the Federal Action following the filing of the Joinder Motion. The declarations – each of which consisted of more than 60 separate paragraphs – provided many details about Jane Doe No. 3’s time with Epstein. The first declaration actually included multiple photographs purportedly of Jane Doe No. 3 as a minor, including one of Jane Doe No. 3 and Prince Andrew. With respect to Dershowitz, Jane Doe No. 3’s first declaration provided gratuitous (and completely false) details about six specific instances in which Jane Doe No. 3 purportedly had sexual intercourse with Dershowitz. Of course, Jane Doe No. 3 failed to identify the specific dates (or even the specific months or years) when these purported instances occurred. Jane Doe No. 3 also falsely averred that Dershowitz watched Epstein engage in sexual acts with her. As with the Joinder Motion, Plaintiffs filed Jane Doe No. 3’s declarations on the public docket in the Federal Action without any effort to seal the contents of the documents.

In response to the false and outrageous allegations asserted against him in the Federal Action and the subsequent media coverage of those allegations, Dershowitz also made a number of public statements defending his previously unblemished personal and professional reputations. Because Edwards and Cassell tried to exploit their credibility as lawyers and, in Cassell’s case, as a former judge and law professor, in an effort to bolster the credibility of the false accusations against Dershowitz, Dershowitz also expressed his constitutionally protected opinion that Edwards and Cassell acted improperly and deserved to be disbarred. Edwards and Cassell then filed this action, alleging that Dershowitz defamed them by “initiat[ing] a massive public media assault on the reputation and character of [Edwards] and [Cassell] accusing them of intentionally lying in their filing, of having leveled knowingly false accusations against [Dershowitz] without ever conducting any investigation of the credibility of the accusations and of having acted

unethically to the extent that their willful misconduct warranted and required disbarment” – even though Dershowitz “knew [the Joinder Motion] to be an entirely proper and well-founded pleading.” Compl. ¶ 17. Plaintiffs’ pleading thus placed at issue whether Dershowitz “knew” that Jane Doe No. 3’s allegations against him were “well-founded” (*i.e.*, true) and whether those allegations are, in fact, true.

Pursuant to the stipulated order entered by this Court on March 20, 2015 that appointed a Commissioner in the State of Colorado, Dershowitz served a subpoena for the production of documents and a videotaped deposition on Jane Doe No. 3. *See* Motion to Quash, Ex. 6. The subpoena seeks, among other things: (1) documents supporting Jane Doe No. 3’s allegations about Dershowitz in the Federal Action; (2) photographs and video of Jane Doe No. 3 with Dershowitz; (3) photographs, videos, and documents establishing that Jane Doe No. 3 was in the six locations identified in her declaration at the same time that Dershowitz also was in those six locations; (4) statements provided by, and notes from interviews given by, Jane Doe No. 3 referencing Dershowitz by name; (5) travel records, cell phone records, and diaries from the time period when Jane Doe No. 3 has proclaimed she was kept as a “sex slave” by Epstein; (6) drafts of any of Jane Doe No. 3’s declarations referencing Dershowitz by name; and (7) documents concerning any actual or potential book, television, or movie deals concerning Jane Doe No. 3’s allegations about being a “sex slave.” *Id.* In short, the subpoena seeks documents and information that are directly relevant to the issues Plaintiffs have placed in dispute in this defamation action by alleging that Dershowitz “knew” that Jane Doe No. 3’s accusations against him were “entirely proper” and “well-founded.”

Plaintiffs refused to accept service of the subpoena on behalf of Jane Doe No. 3, even though they represent her in connection with the Federal Action. Plaintiffs referred Dershowitz

to the law firm of Boies, Schiller & Flexner LLP (“BSF”), which is representing Jane Doe No. 3 for purposes of this action. BSF likewise declined to accept service on behalf of Jane Doe No. 3, which forced Dershowitz to seek the issuance of the subpoena through the commission process and ultimately to effect service on Jane Doe No. 3 in Colorado. After all that, Jane Doe No. 3’s lawyers asked Dershowitz to consent to having this Court resolve the Motion to Quash and for her deposition to be in Florida, which Dershowitz did. Jane Doe No. 3’s deposition and production of documents have been delayed by this unnecessary and inappropriate runaround.

On April 7, 2015, Judge Marra issued an order in the Federal Action striking the portions of the Joinder Motion and Jane Doe No. 3’s declarations referring to Dershowitz. *See Ex. A.* The court concluded that the allegations against Dershowitz, including the “lurid details” included in the Joinder Motion by Plaintiffs on behalf of Jane Doe No. 3, are “immaterial and impertinent” to the issues in dispute in the Federal Action and were “unnecessary” to resolving the Federal Action. Although he warned the attorneys of their obligations under Federal Rule of Civil Procedure 11, he ruled that striking these allegations was “sanction enough” for Edwards and Cassell. In a supplemental order also issued on April 7, 2015, Judge Marra ordered that the filings containing the stricken materials be restricted from public access. *See Ex. D.*

Since the filing of the Motion to Quash, ABC contacted Dershowitz and others and informed them that Jane Doe No. 3 has given an on-air interview about her time with Epstein as a minor that was intended to be broadcast to millions of viewers on a number of the television network’s programs. Although the interview was scheduled to be aired in April, it still has not aired.

MEMORANDUM OF LAW

I. The documents and testimony that Dershowitz seeks from Jane Doe No. 3 are directly relevant to this defamation action.

The thrust of Jane Doe No. 3's motion to quash is that Dershowitz is improperly using the defamation action to obtain backdoor discovery relating to the "different" matters at issue in the Federal Action. *See* Motion to Quash, at 8. In reality, however, the subpoena served on Jane Doe No. 3 seeks documents and testimony that are at the very crux of this action, as framed by Plaintiffs' own complaint. Moreover, the Federal Action is now over with respect to both Dershowitz and Jane Doe No. 3.

Under Rule 1.280 of the Florida Rules of Civil Procedure, "[p]arties may obtain discovery regarding any matter, not privileged, that is relevant to the subject matter of the pending action, whether it relates to the claim or defense of the party seeking discovery or the claim or defense of any other party[.]" Put differently, information is discoverable so long as it relates "to the issues involved in the litigation, as framed *in all pleadings*." *Diaz-Verson v. Walbridge Aldinger Co.*, 54 So. 3d 1007, 1011 (Fla. 2d DCA 2010); *see also Richard Mulholland & Assocs. v. Polverari*, 698 So. 2d 1269, 1270 (Fla. 2d DCA 1997) (a protective order is required only "when the pleadings indicate that the documents requested are not related to any pending claim or defense").

Jane Doe No. 3 contends that she should not have to testify or produce any documents in this case because the allegedly defamatory statements at issue "are statements about [Plaintiffs'] character as lawyers and do not directly involve non-party Jane Doe No. 3." Motion to Quash, at 3. This is simply wrong. The complaint expressly alleges that Dershowitz committed the tort of defamation by accusing Plaintiffs of having acted improperly by filing the Joinder Motion, even though Dershowitz "knew [the Joinder Motion] to be an entirely proper and well-founded

pleading.” Comp. ¶ 17. Thus, the face of the complaint asserts that Jane Doe No. 3’s accusations were “well-founded” and that Dershowitz “knew” they were true – allegations that necessarily establish that this case *does* directly involve Jane Doe No. 3 and the credibility of her accusations against Dershowitz.

The relevance of Jane Doe No. 3’s testimony and documents becomes even more apparent after considering what Plaintiffs must prove to prevail on their defamation claim and defeat Dershowitz’s affirmative defenses. Under Florida law and the First Amendment, a defamation plaintiff must establish the following elements: (1) publication; (2) falsity; (3) actor must act with knowledge or reckless disregard as to the falsity on a matter concerning a public official, or at least negligently on a matter concerning a private person; (4) actual damages; and (5) statement must be defamatory. *Jews For Jesus, Inc. v. Rapp*, 997 So. 2d 1098, 1106 (Fla. 2008). Because Plaintiffs are public figures or limited public figures, they must also prove that Dershowitz acted with actual malice in making his statements, *i.e.*, that Dershowitz “knew [the Joinder Motion] to be an entirely proper and well-founded pleading.” Comp. ¶ 17. The truth or falsity of the accusations to which Dershowitz responded is certainly relevant to Dershowitz’s knowledge of whether the allegations were proper and well-founded and his alleged “malice” in responding to them.

Testing this allegation requires discovery into the credibility of Jane Doe No. 3’s accusations against Dershowitz. Whether those allegations are true or false go directly to whether Dershowitz was properly defending his reputation or acting maliciously in his statements about Plaintiffs by vehemently denying Jane Doe No. 3’s allegations. The subpoena served on Jane Doe No. 3 is intended to accomplish precisely that goal. For example, the subpoena seeks “[a]ll documents that reference by name, Alan M. Dershowitz, which support

and/or confirm the allegations set forth in” Jane Doe No. 3’s declarations submitted in the Federal Action, as well as “[a]ny documents and information that support and/or confirm [Jane Doe No. 3’s] presence at the various locations named in [Jane Doe No. 3’s declaration] on the particular dates and times when [Dershowitz] was also present.” Similarly, the subpoena seeks Jane Doe No. 3’s diaries, cell phone records, and travel records during the time she asserts she was kept as Epstein’s “sex slave,” *i.e.*, 1999 to 2002 – all of which could contain information that undermines or contradicts her allegations about when and where she allegedly had sex with Dershowitz (and that likewise disproves Plaintiffs’ allegation that Dershowitz knew the Joinder Motion was a “well-founded pleading”).² This information also is relevant to whether Plaintiffs conducted an appropriate investigation, which would have included asking Jane Doe No. 3 for these documents and examining them to determine whether they support or undercut her allegations.

The subpoena also requests documents that go to Jane Doe No. 3’s general credibility – an issue that is directly relevant to the truth of Jane Doe No. 3’s allegations against Dershowitz, whether Dershowitz knew the Joinder Motion to be “well-founded,” and what type of investigation (if any) Plaintiffs conducted into Jane Doe No. 3’s allegations. For example, Jane Doe No. 3 has made statements to the media about meeting former President Clinton and former Vice President Gore on Epstein’s private island in the Caribbean. Dershowitz is entitled to explore the veracity of Jane Doe No. 3’s accounts of these meetings, because any inconsistencies are obviously relevant to Jane Doe No. 3’s credibility as a witness regarding her alleged

² Of course, if Plaintiffs or Jane Doe No. 3 were to identify and disclose the specific dates of the purported six instances when Jane Doe No. 3 allegedly had sex with Dershowitz, the scope of the requested discovery (as well as Plaintiffs’ own discovery requests) could easily be narrowed. To date, however, Plaintiffs and Jane Doe No. 3 have conspicuously refused to make any specific allegations of timing.

experiences as a “sex slave” for Epstein. That evidence is also directly relevant to the sufficiency of any investigation undertaken by Plaintiffs before filing the Joinder Motion. Dershowitz expects the evidence to show that Jane Doe No. 3’s public accounts of her alleged interactions with President Clinton and Vice President Gore are complete fabrications, just like her allegations against Dershowitz.

Similarly, Dershowitz has a right to explore Jane Doe No. 3’s potential book, movie, and television deals as a means of establishing her bias, as well as Plaintiffs’ (*i.e.*, whether the lawyers had a financial incentive to help sensationalize Jane Doe No. 3’s story by identifying Dershowitz by name in a public pleading). *See Steinger, Iscoe & Greene, P.A. v. GEICO Gen. Ins. Co.*, 103 So. 3d 200, 203 (Fla. 4th DCA 2012) (discovery aimed at obtaining evidence of a witness’s bias is permissible). Jane Doe No. 3 has discussed her allegations in public and in detail, naming some of the prominent people with whom Epstein allegedly forced her to have sex but pointedly withholding other names, presumably in order to “sell” them to a book publisher or the tabloids. She has also sought out publicity, including through her recent interview with ABC Television. The obvious inference to be drawn from Jane Doe No. 3’s behavior is that she and her lawyers are attempting to cash in on her alleged experiences by way of a book or movie deal or otherwise. Dershowitz is entitled to test that inference in discovery. And, as discussed in detail below, Jane Doe No. 3 has waived any confidentiality or privacy interests she may have in this type of information through her voluntary disclosures and public statements. No one is entitled to titillate the public by asserting to the media and in public filings that she had improper sexual relations with prominent public figures (naming some while saving others for potential future disclosure), while at the same time refusing to provide evidence on the same subject.

The cases relied upon by Jane Doe No. 3 in support of her relevance argument are inapposite because they involved attempts to obtain information that had no “possible relevance” to the issues in dispute. For example, in *Calvo v. Calvo*, 489 So. 2d 833, 834 (Fla. 3d DCA 1986), the Third District held that an ex-wife’s financial records had no “possible relevance” to her post-judgment action seeking to compel payments that the ex-husband owed under a previously entered final judgment dissolving their marriage. In *Toledo v. Publix Super Markets, Inc.*, 30 So. 3d 712 (Fla. 4th DCA 2010), the Fourth District held that a party cannot issue an indiscriminate request to the attorney of a non-party seeking the attorney’s entire client file in an unrelated litigation, absent some showing of how specific documents in that file might possibly be relevant. Here, by contrast, Dershowitz is seeking specific types of information from Jane Doe No. 3 and has established how that information is directly relevant to matters put at issue by this defamation action, as framed by the operative pleadings. The subpoena issued to Jane Doe No. 3 is in no way, shape, or form a fishing expedition.

II. Jane Doe No. 3’s “confidentiality” and “privacy” assertions cannot excuse her from testifying or producing documents given her repeated public statements about these issues.

Jane Doe No. 3 also attempts to use “confidentiality” as a shield to protect her from having to participate whatsoever in discovery. Specifically, Jane Doe No. 3 argues that it would be “oppressive and unreasonable” to force her to provide any testimony or documents about her time with Epstein because that topic is “highly personal and sensitive.” Motion to Quash, at 4. Jane Doe No. 3 therefore asks the Court to quash the subpoena in its entirety so that she is not “forc[ed]” to testify about her experiences at the hands of Epstein. *Id.*

Jane Doe No. 3’s assertions of “privacy” and “confidentiality” are untenable in light of what she and her lawyers have deliberately exposed to the public. Jane Doe No. 3 has made

public, detailed statements about her interactions with Epstein, as well as her purported encounters with Dershowitz during her self-described time as Epstein's "sex slave." Jane Doe No. 3 has even given lengthy interviews describing her experiences as a "sex slave" in such detail that not even a tabloid newspaper that paid for it was willing to print all of the remarks she voluntarily made about her alleged experiences. *See, e.g.,* Ex. C. Edwards and Cassell have also submitted numerous unsealed pleadings and declarations on behalf of Jane Doe No. 3 in the Federal Action that were available to the public (until Judge Marra appropriately struck those filings from the record as being lurid and impertinent). Jane Doe No. 3 made all of these voluntary statements as an adult, many years after she allegedly "escaped" from Epstein. She can hardly now say that such matters are so "personal" or "private" as to warrant an order from the Court that excuses her from testifying about facts within her personal knowledge.

"When confidential information is sought from a non-party, the trial court must determine whether the requesting party establishes a need for the information that outweighs the privacy rights of the non-party." *Westco, Inc. v. Scott Lewis' Gardening & Trimming, Inc.*, 26 So.3d 620, 622 (Fla. 4th DCA 2009). Assuming that the testimony and information sought in the subpoena is, in fact, "confidential" – a conclusion that is farfetched indeed given Jane Doe No. 3's penchant for discussing that information in the most public of ways, presumably for financial gain – Dershowitz has indisputably met his burden of establishing a need for that information. Dershowitz has no way to test the essential elements of Plaintiffs' defamation claim or certain of his affirmative defenses without questioning Jane Doe No. 3 about her false and outrageous allegations against him.

Moreover, by publicly discussing her experiences as a "sex slave" in general and by naming some of the people who allegedly abused her, and describing others without yet naming

them, Jane Doe No. 3 has waived any right to withhold additional information on the same subjects based on “confidentiality” or “privacy.” See *Berkeley v. Eisen*, 699 So. 2d 789, 791 (Fla. 4th DCA 1997) (voluntarily disclosing confidential information or otherwise taking “steps inconsistent with a reasonable expectation of privacy” results in a waiver of privacy rights). This is particularly true with respect to Jane Doe No. 3’s diaries, portions of which have already been published online by the *Daily Mail* and are in the public domain. See Ex. E. It is also true of her photographs and travel records, some of which she has voluntarily disclosed.

For these reasons, Jane Doe No. 3’s reliance on *Peisach v. Antuna*, 539 So. 2d 544, 547 (Fla. 3d DCA 1989), is misplaced. In *Peisach*, the Third District held that an ex-husband in a post-divorce custody dispute was not entitled to depose his ex-wife’s gynecologists because (1) those physicians were unlikely to have information about the ex-wife’s migraine headaches, which was the specific condition the ex-husband contended interfered with the ex-wife’s ability to care for the children; and (2) the ex-husband was already deposing the wife’s neurologist, who was “far more likely to shed light on the subject of migraine headaches than any testimony from a gynecologist.” Unlike in *Peisach*, there are no obvious alternative avenues to pursue to test the veracity of Jane Doe No. 3’s allegations against Dershowitz. Moreover, there was no suggestion in *Peisach* that the ex-wife had voluntarily disclosed the substance of her consultations with her gynecologists or otherwise acted in a manner that was inconsistent with her privacy interests.

In sum, there is no sound basis for excusing Jane Doe No. 3 from having to testify or produce documents in this action. Jane Doe No. 3, along with her lawyers, set in motion the events that led to this defamation action, and she should be compelled to submit to questioning and document production in accordance with Florida’s broad parameters for discovery and pursuant to fundamental principles of fairness. Holding otherwise would insulate false accusers

from being tested by the adversarial process and would impede the ability of parties such as Dershowitz who seek to prove the falsity of outrageous allegations against them. This would constitute a fundamental violation of principles of justice and due process, and would encourage false accusations.

III. Jane Doe No. 3's requested limitations on the subpoena *duces tecum* are unfounded and should be denied.

Jane Doe No. 3 alternatively argues that, if the Court does not quash the subpoena in its entirety, the Court should limit the scope of her document production. According to Jane Doe No. 3, the requests can be grouped into four objectionable categories: (1) documents that contain highly personal and sensitive information; (2) documents unrelated to this action; (3) documents that contain personal financial or other confidential information; and (4) "plainly privileged" communications between Jane Doe No. 3 and her lawyers. None of Jane Doe No. 3's objections have merit, and the Court should reject her request for a protective order.

First, Jane Doe No. 3's arguments with respect to Categories 1 and 3 fail for the reasons discussed above. Having publicly and repeatedly discussed her purported experiences as a minor with Epstein (and allegedly with Dershowitz) – including to the point of volunteering details that not even a tabloid would publish – Jane Doe No. 3 can hardly claim these issues are confidential or private. Jane Doe No. 3's actions in this regard constitute a waiver of any legitimate privacy and confidentiality interests she may have had with respect to these subject matters. In any event, Dershowitz has established that his need for the information outweighs any privacy interests held by Jane Doe No. 3.

Second, the so-called "Category 2" arguments represent another misguided attempt by Jane Doe No. 3 to contend that the subpoena seeks information that is not relevant to this action. Dershowitz is seeking documents and other materials that are relevant to the claims and defenses

in this action, as framed by the operative pleadings. In fact, it was Plaintiffs' improper filing of lurid statements about Dershowitz in the Federal Action that gave rise to this action. Jane Doe No. 3's attempt to distinguish the Federal Action as involving entirely "different" issues is unavailing.

With respect to Category 4, the only information that Jane Doe No. 3 specifically identifies as being "plainly privileged" is the request for "All documents concerning your retention of the law firm Boies, Schiller & Flexner LLP, including but not limited to: signed letter of retainer, retention agreement, explanation of fees, and/or any documents describing the scope of retention." Contrary to Jane Doe No. 3's unsupported assertions of privilege, a retainer letter between a client and her attorney generally is not protected by the attorney-client privilege, nor is other information relating to the financial arrangements between the attorney and the client. *See, e.g., Lawfinders Assocs., Inc. v. Legal Research Ctr., Inc.*, 193 F.3d 517, 518 (5th Cir. 1999) ("[T]he attorney-client privilege does not protect the type of information contained in the retainer letters."); *United States v. Davis*, 636 F.2d 1028, 1043-44 (5th Cir. 1981) (explaining that "[f]inancial transactions between the attorney and client, including the compensation paid by or on behalf of the client" generally are not protected by the attorney-client privilege).

Even if the information Dershowitz seeks in Request No. 25 were deemed to be "confidential" as distinguished from privileged, Dershowitz's need for the information requested outweighs any privacy interests held by Jane Doe No. 3 in her financial dealings with lawyers. The timing of Jane Doe No. 3's retention of BSF is relevant to determining when Jane Doe No. 3 first raised allegations against Dershowitz and Plaintiffs' corresponding investigation into those allegations.

Likewise, as noted above, information about movie deals, book deals, or other financial arrangements that could give Jane Doe No. 3 and her lawyers an incentive to invent sensational allegations like those she has made against Dershowitz are directly relevant and highly probative of Jane Doe No. 3's credibility.

Finally, and dispositively, any purported privilege for the financial relationship between Jane Doe No. 3 and BSF has plainly been waived. In particular, BSF has publicly stated that it is representing Jane Doe No. 3 on a pro bono basis, including in statements to *The American Lawyer*. See Ex. F. So too have Edwards and Cassell. In this way, Jane Doe No. 3 and BSF have sought an advantage by disclosing publicly the purported terms of BSF's engagement. Doing so works as a plain waiver of any privilege that might otherwise attach. *E.g.*, *Visual Scene, Inc. v. Pilkington Bros., PLC*, 508 So. 2d 437, 440 (Fla. 3d DCA 1987) (“[V]oluntary disclosure to a third party of the privileged material, being inconsistent with the confidential relationship, waives the privilege.”); *First Union Nat'l Bank of Fla. v. Whitener*, 715 So. 2d 979, 984 (Fla. 4th DCA 1998) (voluntary production of privileged information results in a waiver of privilege for all information on that same specific subject).

The Court should order Jane Doe No. 3 to produce all documents that are responsive to the subpoena or, at a minimum, present those documents to the Court for *in camera* review.

IV. The proposed “limitations” on Jane Doe No. 3’s deposition are not reasonable.

Jane Doe No. 3 also contends that if the Court is not prepared to excuse her from testifying altogether, the Court should issue a protective order that places the following extraordinary limitations on her deposition: (1) narrows the scope of testimony to preclude Dershowitz’s counsel from pursuing certain lines of questioning; (2) includes a “cautionary notice” to Dershowitz’s attorneys not to use derogatory terms in the deposition; (3) precludes

Dershowitz from being physically present for the deposition; and (4) requires the deposition to be taken at the offices of her counsel, BSF. None of Jane Doe No. 3's proposed modifications are warranted under Florida law.

First, the proposed "limitations" on Jane Doe No. 3's questioning would unreasonably narrow the scope of the deposition. Jane Doe No. 3 requests that she not be asked any questions "about [her] experiences as a sexually trafficked minor"; "about individuals that she was sexually trafficked to"; "about any rapes that occurred when she was a minor child"; or "about anything related to her sexual activity either as a minor or thereafter." Motion to Quash, at 12. As set forth above, these issues are directly relevant to the issues in dispute in this litigation – namely, whether Dershowitz made the purportedly defamatory statements while knowing that the Joinder Motion was "well-founded." Moreover, Jane Doe No. 3 has provided first-hand, public accounts regarding these very topics on several different occasions, including in an on-the-record interview that was published by a widely read British tabloid and in which she included details that not even a tabloid would publish them. The obvious inference is that Jane Doe No. 3 received payment for her "exclusive interview" to the tabloids, and in all events she voluntarily spoke to the media about the same experiences as to which Dershowitz seeks discovery. She can hardly claim "embarrassment" as a reason not to give important evidence within her knowledge in light of her previous volunteered and detailed public accounts of her time as a "sex slave." These voluntary disclosures necessarily constitute, as a matter of law, a waiver of any assertion of privacy. *See Berkeley*, 699 So. 2d at 791.

Second, Jane Doe No. 3 has not provided any support for her speculative assertions that Dershowitz's attorneys are likely to use harassing or derogatory language in a deposition, and the suggestion that they would do so insulting. The topics at issue (which Jane Doe No. 3 herself put

at issue) must be fully explored, but counsel for Dershowitz will of course treat the witness with courtesy and respect and will conduct the deposition in a manner that fully comports with the Florida Rules of Civil Procedure, as well as the Florida Rules of Professional Conduct. Moreover, it was she, through her lawyers, who made the most insulting and derogatory allegations against Dershowitz, which he has the right to challenge.

As explained below, Dershowitz is concerned about the conduct of the deposition from the other side, namely whether Jane Doe No. 3's counsel will improperly instruct the witness not to answer or otherwise coach the witness. To avoid any problems, Dershowitz requests that the Court appoint a Special Magistrate to preside over the deposition pursuant to Rule 1.490(b) of the Florida Rules of Civil Procedure and handle any disputes that may arise during the course of the deposition.³

Third, the Court may not, as a matter of law, preclude Dershowitz from being physically present at the deposition of Jane Doe No. 3. "It is a venerated principle that a party has a right to be present at an oral deposition." *Ferrigno v. Yoder*, 495 So. 2d 886, 888 (Fla. 2d DCA 1986) (citing *Cacace v. Associated Technicians, Inc.*, 144 So. 2d 82 (Fla. 3d DCA 1962) and further explaining that, although a court may properly exclude a party in some circumstances, that measure should be "ordered rarely indeed" because a party's right to be present at each stage of a lawsuit is "virtually sacrosanct" (internal quotation marks omitted)). Jane Doe No. 3's purported fear of being in close physical proximity to Dershowitz because he is an "incredibly powerful individual," Motion to Quash, at 5, is not the sort of "rare" circumstance that warrants an order precluding Dershowitz from attending the deposition in person.

³ The appointment of a Special Magistrate requires the consent of the parties. Accordingly, Dershowitz has asked counsel for Jane Doe No. 3 and counsel for Plaintiffs to consent to this request. That request is pending.

Dershowitz is 76 years old. He has been a professor (now emeritus) at Harvard Law School for decades and is a highly regarded attorney, who is bound to act and will act in accordance with professional standards, as he always has. Jane Doe No. 3 will be accompanied by counsel, as will Dershowitz. The notion that Jane Doe No. 3 is afraid to be in the same room with Dershowitz is a preposterous litigation tactic, and Dershowitz intends to challenge the truthfulness of that assertion if Jane Doe No. 3 makes it under oath.

Moreover, the whole premise for Jane Doe No. 3's request (and many of the other limitations on discovery sought in the Motion to Quash) is that her allegations against Dershowitz are true. The Court cannot and must not accept that premise, which Dershowitz contests in the strongest possible terms. This is especially true in light of the fact that none of Jane Doe No. 3's allegations have ever been investigated or corroborated by any law enforcement or objective investigators, and at least some of her allegations – especially those involving former President Clinton and Vice President Gore – are preposterous on their face.

Fourth, the Court should deny Jane Doe No. 3's request to conduct the deposition at the offices of her counsel, BSF. Because Jane Doe No. 3's lawyers refused to accept service of a subpoena and put Dershowitz to the trouble and expense of obtaining a commission and serving Jane Doe No. 3 in Colorado, Dershowitz could have insisted on taking the deposition in Colorado. Instead, the parties have agreed that Dershowitz will take the deposition of Jane Doe No. 3 in Florida. There is no reason that the deposition should not be taken at the office of the attorneys who noticed the deposition as is customary, absent agreement on some other mutually acceptable site in the Fort Lauderdale area.

REQUEST FOR APPOINTMENT OF SPECIAL MAGISTRATE

As set forth above, Dershowitz respectfully requests that the Court appoint a Special Magistrate to preside over the deposition of Jane Doe No. 3. Rule 1.490(b) provides that “[t]he court may appoint members of The Florida Bar as special magistrates for any particular service required by the court, and they shall be governed by all the provisions of law and rules relating to magistrates except they shall not be required to make oath or give bond unless specifically required by the order appointing them.” As noted previously, Dershowitz has asked counsel for Jane Doe No. 3 and counsel for Plaintiffs to consent to the appointment of a Special Magistrate. That request is pending.

CONCLUSION

The Court should deny the Motion to Quash because (1) the documents and testimony that Dershowitz seeks are relevant to this litigation; and (2) Dershowitz’s need for this information clearly outweighs Jane Doe No. 3’s privacy interests, which she has waived in any event given her voluntary statements to the press and the public about the very same issues. The Court also should deny Jane Doe No. 3’s request for a protective order because the proposed modifications to the subpoena are not reasonable. The Court should also enter a reference pursuant to Rule 1.490 that appoints a Special Magistrate to preside over the deposition of Jane Doe No. 3.

Dated: May 15, 2015

Respectfully Submitted,

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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-mail on **May 15, 2015** to: Jack Scarola, Esquire, Searcy Denny et al jsx@searcylaw.com and mep@searcylaw.com, counsel for Plaintiffs, and to Sigrid McCawley, Esquire, Boies Schiller & Flexner, counsel for Jane Doe No. 3, at smccawley@bsflp.com.

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EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:08-CV-80736-KAM

JANE DOE 1 and JANE DOE 2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

**ORDER DENYING PETITIONERS' MOTION TO JOIN UNDER RULE 21 AND
MOTION TO AMEND UNDER RULE 15**

This cause is before the Court on Jane Doe 3 and Jane Doe 4's Corrected Motion Pursuant to Rule 21 for Joinder in Action ("Rule 21 Motion") (DE 280), and Jane Doe 1 and Jane Doe 2's Protective Motion Pursuant to Rule 15 to Amend Their Pleadings to Conform to Existing Evidence and to Add Jane Doe 3 and Jane Doe 4 as Petitioners ("Rule 15 Motion") (DE 311). Both motions are ripe for review. For the following reasons, the Court concludes that they should be denied.

I. Background

This is an action by two unnamed petitioners, Jane Doe 1 and Jane Doe 2, seeking to prosecute a claim under the Crime Victims' Rights Act (CVRA), 18 U.S.C. § 3771. (DE 1). Generally, they allege that the respondent Government violated their rights under the CVRA by failing to consult with them before negotiating a non-prosecution agreement with Jeffrey Epstein, who subjected them to various sexual crimes while they were minors. (Id.). Petitioners initiated this action in July 2008. (Id.).

On December 30, 2014, two other unnamed victims, Jane Doe 3 and Jane Doe 4, moved to join as petitioners in this action pursuant to Federal Rule of Civil Procedure 21. (DE 280). Petitioners (Jane Doe 1 and Jane Doe 2) support the Rule 21 Motion. (Id. at 11). Jane Doe 3 and Jane Doe 4 argue that they “have suffered the same violations of their rights under the [CVRA] as the” Petitioners, and they “desire to join in this action to vindicate their rights as well.” (Id. at 1). The Government vehemently opposes joinder under Rule 21. (DE 290). The Government argues that Rule 15 is the proper procedural device for adding parties to an action, not Rule 21. (Id. at 1).

“[O]ut of an abundance of caution,” Petitioners filed a motion to amend their petition under Rule 15, conforming the petition to the evidence and adding Jane Doe 3 and Jane Doe 4 as petitioners. (DE 311 at 2). The Government opposes the Rule 15 Motion as well. (DE 314). Among other things, the Government argues that amending the petition to include Jane Doe 3 and Jane Doe 4 should be denied because of their undue delay in seeking to join the proceedings, and the undue prejudice that amendment will cause. (Id.).

After considering the parties’ submissions and the proposed amended petition, the Court finds that justice does not require amendment in this instance and exercises its discretion to deny the amendment.

II. Discussion

“The decision whether to grant leave to amend a complaint is within the sole discretion of the district court.” Laurie v. Ala. Ct. Crim. Apps., 256 F.3d 1266, 1274 (11th Cir. 2001). “The court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). Justice does not require amendment in several instances, “includ[ing] undue delay, bad faith, dilatory motive

on the part of the movant, . . . undue prejudice to the opposing party by virtue of allowance of the amendment, [and] futility of amendment.” Laurie, 256 F.3d at 1274 (quoting Foman v. Davis, 371 U.S. 178, 182 (1962)). In addition to considering the effect of amendment on the parties, the court must consider “the importance of the amendment on the proper determination of the merits of a dispute.” 6 Wright & Miller, Fed. Prac. & Fed. P. § 1488, p. 814 (3d ed. 2010). Justice does not require amendment where the addition of parties with duplicative claims will not materially advance the resolution of the litigation on the merits. See Herring v. Delta Air Lines, Inc., 894 F.2d 1020, 1024 (9th Cir. 1989).

A. Rule 21 Motion

Jane Doe 3 and Jane Doe 4’s first attempt to join in this proceeding was brought under Rule 21. (DE 280). “If parties seek to add a party under Rule 21, courts generally use the standard of Rule 15, governing amendments to pleadings, to determine whether to allow the addition.” 12 Wright & Miller, Fed. Prac. & Fed. P., p. 432 (3d ed. 2013); see also Galustian v. Peter, 591 F.3d 724, 729-30 (4th Cir. 2010) (collecting cases and noting that Rule 15(a) applies to amendments seeking to add parties); Frank v. U.S. West, Inc., 3 F.3d 1357, 1365 (10th Cir. 1993) (“A motion to add a party is governed by Fed. R. Civ. P. 15(a) . . .”).

Rule 21, “Misjoinder and Non-joinder of Parties,” provides the court with a tool for correcting the “misjoinder” of parties that would otherwise result in dismissal. Fed. R. Civ. P. 21. Insofar as Rule 21 “relates to the addition of parties, it is intended to permit the bringing in of a person, who through inadvertence, mistake or for some other reason, had not been made a party and whose presence as a party is later found necessary or desirable.” United States v. Com. Bank of N. Am., 31 F.R.D. 133, 135 (S.D.N.Y. 1962) (internal quotation marks omitted).

In their Rule 21 Motion, Jane Doe 3 and Jane Doe 4 do not claim that they were omitted from this proceeding due to any “inadvertence” or “mistake” by Petitioners; rather, they seek to join this proceeding as parties that could have been permissively joined in the original petition under Rule 20 (“Permissive Joinder of Parties”). As courts generally use the standards of Rule 15 to evaluate such circumstances, the Court will consider the joinder issue as presented in the Rule 15 Motion.¹ The Court will consider the arguments presented in the Rule 21 Motion as if they are set forth in the Rule 15 Motion as well. Because the arguments are presented in the Rule 15 Motion (and because the Court is denying the Rule 15 Motion on its merits, as discussed below), the Rule 21 Motion will be denied.

The Court also concludes that portions of the Rule 21 Motion and related filings should be stricken from the record. Pending for this Court’s consideration is a Motion for Limited Intervention filed by Alan M. Dershowitz, who seeks to intervene to “strike the outrageous and impertinent allegations made against him and [to] request[] a show cause order to the attorneys that have made them.” (DE 282 at 1). The Court has considered Mr. Dershowitz’s arguments, but it finds that his intervention is unnecessary as Federal Rule of Civil Procedure 12(f) empowers the Court “on its own” to “strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.” Fed. R. Civ. P. 12(f).

Petitioners’ Rule 21 Motion consists of relatively little argumentation regarding why the Court should permit them to join in this action: they argue that (1) they were sexually abused by

¹ The Court notes that, regardless of which motion it considers, the same standard governs the addition of parties under Rule 21 and Rule 15. See Goston v. Potter, No. 08-cv-478 FJS ATB, 2010 WL 4774238, at *5 (N.D.N.Y. 2010) (citing Bridgeport Music, Inc. v. Universal Music Grp., Inc., 248 F.R.D. 408, 412 (S.D.N.Y. 2008)).

Jeffrey Epstein, and (2) the Government violated their CVRA rights by concealing the non-prosecution agreement with them. (DE 280 at 3; see id. at 7-8). However, the bulk of the Rule 21 Motion consists of copious factual details that Jane Doe 3 and Jane Doe 4 “would prove” “[i]f allowed to join this action.” (Id. at 3, 7). Specifically, Jane Doe 3 proffers that she could prove the circumstances under which a non-party introduced her to Mr. Epstein, and how Mr. Epstein sexually trafficked her to several high-profile non-party individuals, “including numerous prominent American politicians, powerful business executives, foreign presidents, a well-known Prime Minister, and other world leaders.” (Id. at 3-6). She names several individuals, and she offers details about the type of sex acts performed and where they took place. (See id. at 5).²

At this juncture in the proceedings, these lurid details are unnecessary to the determination of whether Jane Doe 3 and Jane Doe 4 should be permitted to join Petitioners’ claim that the Government violated their rights under the CVRA. The factual details regarding with whom and where the Jane Does engaged in sexual activities are immaterial and impertinent to this central claim (i.e., that they were known victims of Mr. Epstein and the Government owed them CVRA duties), especially considering that these details involve non-parties who are not related to the respondent Government. These unnecessary details shall be stricken.

The original Rule 21 Motion (DE 279) shall be stricken in its entirety, as it is wholly superseded by the “corrected” version of the Rule 21 Motion (DE 280). From the corrected Rule 21 Motion, the Court shall strike all factual details regarding Jane Doe 3 between the following sentences: “The Government then concealed from Jane Doe #3 the existence of its NPA from

² Jane Doe 4’s proffer is limited to sexual acts between Mr. Epstein and herself. (See DE 280 at 7-8).

Jane Doe #3, in violation of her rights under the CVRA” (id. at 3); and “The Government was well aware of Jane Doe #3 when it was negotiating the NPA, as it listed her as a victim in the attachment to the NPA” (id. at 6). As none of Jane Doe 4’s factual details relate to non-parties, the Court finds it unnecessary to strike the portion of the Rule 21 Motion related to her circumstances. Regarding the Declaration in support of Petitioners’ response to Mr. Dershowitz’s motion to intervene (DE 291-1), the Court shall strike paragraphs 4, 5, 7, 11, 13, 15, 19 through 53, and 59, as they contain impertinent details regarding non-parties. Regarding the Declaration of Jane Doe 3 in support of the Rule 21 Motion (DE 310-1), the Court shall strike paragraphs 7 through 12, 16, 39, and 49, as they contain impertinent details regarding non-parties. Jane Doe 3 is free to reassert these factual details through proper evidentiary proof, should Petitioners demonstrate a good faith basis for believing that such details are pertinent to a matter presented for the Court’s consideration.

As mentioned, Mr. Dershowitz moves to intervene “for the limited purposes of moving to strike the outrageous and impertinent allegations made against him and requesting a show cause order to the attorneys that have made them.” (DE 282 at 1). As the Court has taken it upon itself to strike the impertinent factual details from the Rule 21 Motion and related filings, the Court concludes that Mr. Derschowitz’s intervention in this case is unnecessary. Accordingly, his motion to intervene will be denied as moot.³ Regarding whether a show cause order should

³ This also moots Mr. Dershowitz’s Motion for Leave to File Supplemental Reply in Support of Motion for Limited Intervention. (DE 317). Denying Mr. Dershowitz’s motion to intervene also renders moot Petitioners’ motion (DE 292) to file a sealed document supporting its response to Mr. Dershowitz’s motion. It will accordingly be denied as moot, and DE 293 (the sealed response) will be stricken from the record.

issue, the Court finds that its action of striking the lurid details from Petitioners' submissions is sanction enough. However, the Court cautions that all counsel are subject to Rule 11's mandate that all submissions be presented for a proper purpose and factual contentions have evidentiary support, Fed. R. Civ. P. 11(b)(1) and (3), and that the Court may, on its own, strike from any pleading "any redundant, immaterial, impertinent, or scandalous matter," Fed. R. Civ. P. 12(f).

B. Rule 15 Motion

Between their two motions (the Rule 21 Motion and Rule 15 Motion), Jane Doe 3 and Jane Doe 4 assert that "they desire to join in this action to vindicate their rights [under the CVRA] as well." (DE 280 at 1). Although Petitioners already seek the invalidation of Mr. Epstein's non-prosecution agreement on behalf of all "other similarly-situated victims" (DE 189 at 1; DE 311 at 2, 12, 15, 18-19), Jane Doe 3 and Jane Doe 4 argue that they should be fellow travelers in this pursuit, lest they "be forced to file a separate suit raising their claims" resulting in "duplicative litigation" (DE 280 at 11). The Court finds that justice does not require adding new parties this late in the proceedings who will raise claims that are admittedly "duplicative" of the claims already presented by Petitioners.

The Does' submissions demonstrate that it is entirely unnecessary for Jane Doe 3 and Jane Doe 4 to proceed as parties in this action, rather than as fact witnesses available to offer relevant, admissible, and non-cumulative testimony. (See, e.g., DE 280 at 2 (Jane Doe 3 and Jane Doe 4 "are in many respects similarly situated to the current victims"), 9 ("The new victims will establish at trial that the Government violated their CVRA rights in the same way as it violated the rights of the other victims."), 10 (Jane Doe 3 and Jane Doe 4 "will simply join in motions that the current victims were going to file in any event."), 11 (litigating Jane Doe 3 and

Jane Doe 4's claims would be "duplicative"); DE 298 at 1 n.1 ("As promised . . . Jane Doe No. 3 and Jane Doe No. 4 do not seek to expand the number of pleadings filed in this case. If allowed to join this action, they would simply support the pleadings already being filed by Jane Doe No. 1 and Jane Doe No. 2."); DE 311 at 5 n.3 ("[A]ll four victims (represented by the same legal counsel) intend to coordinate efforts and avoid duplicative pleadings."), 15 (Jane Doe 3 and Jane Doe 4 "challenge the same secret agreement i.e., the NPA that the Government executed with Epstein and then concealed from the victims. This is made clear by the proposed amendment itself, in which all four victims simply allege the same general facts.")). As the Does argue at length in their Rule 15 Motion, Jane Doe 1's original petition "specifically allege[s] that the Government was violating not only her rights but the rights of other similarly-situated victims." (DE 311 at 2). The Court fails to see why the addition of "other similarly-situated victims" is now necessary to "vindicate their rights as well." (DE 280 at 1).

Of course, Jane Doe 3 and Jane Doe 4 can participate in this litigated effort to vindicate the rights of similarly situated victims there is no requirement that the evidentiary proof submitted in this case come only from the named parties. Petitioners point out as much, noting that, regardless of whether this Court grants the Rule 15 Motion, "they will call Jane Doe No. 3 as a witness at any trial." (DE 311 at 17 n.7). The necessary "participation" of Jane Doe 3 and Jane Doe 4 in this case can be satisfied by offering their properly supported and relevant, admissible, and non-cumulative testimony as needed, whether through testimony at trial (see DE 280 at 9) or affidavits submitted to support the relevancy of discovery requests⁴ (see

⁴ The non-party Jane Does clearly understand how to submit affidavits. (See DEs 291-1, 310-1).

id. at 10). Petitioners do not contend that Jane Doe 3 and Jane Doe 4’s “participation in this case” can only be achieved by listing them as parties.

As it stands under the original petition, the merits of this case will be decided based on a determination of whether the Government violated the rights of Jane Doe 1, Jane Doe 2, and all “other similarly situated victims” under the CVRA. Jane Doe 3 and Jane Doe 4 may offer relevant, admissible, and non-cumulative evidence that advances that determination, but their participation as listed parties is not necessary in that regard. See Herring, 894 F.2d at 1024 (District court did not abuse its discretion by denying amendment where “addition of more plaintiffs . . . would not have affected the issues underlying the grant of summary judgment.”); cf. Arthur v. Stern, 2008 WL 2620116, at *7 (S.D. Tex. 2008) (Under Rule 15, “courts have held that leave to amend to assert a claim already at issue in [another lawsuit] should not be granted if the same parties are involved, the same substantive claim is raised, and the same relief is sought.”).⁵ And, as to Jane Doe 4 at least, adding her as a party raises unnecessary questions about whether she is a proper party to this action.⁶

Petitioners also admit that amending the petition to conform to the evidence by including references to the non-prosecution agreement itself is “unnecessary” as the “existing petition is broad enough to cover the developing evidence in this case.” (DE 311). The Court

⁵ The Court expresses no opinion at this time whether any of the attestations made by Jane Doe 3 and Jane Doe 4 in support of their motion will be relevant, admissible, and non-cumulative.

⁶ The Government contends that Jane Doe 4 is not a true “victim” in this case because she was not known at the time the Government negotiated the non-prosecution agreement, and accordingly she was not entitled to notification rights under the CVRA. (See DE 290 at 10). Any “duplicative” litigation filed by Jane Doe 4 would necessarily raise the issue of whether she has standing under the CVRA under these circumstances.

agrees, and it concludes that justice does not require amending the petition this late in the proceedings.

III. Conclusion

Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows: the Rule 21 Motion (DE 280) is **DENIED**; the Rule 15 Motion (DE 311) is **DENIED**; Intervenor Dershowitz's Motion for Limited Intervention (DE 282) and Motion for Leave to File Supplemental Reply in Support of Motion for Limited Intervention (DE 317) are **DENIED AS MOOT**; Petitioners' Motion to Seal (DE 292) is **DENIED AS MOOT**; the following materials are hereby **STRICKEN** from the record:

- DE 279, in its entirety.
- DE 280, all sentences between the following sentences: "The Government then concealed from Jane Doe #3 the existence of its NPA from Jane Doe #3, in violation of her rights under the CVRA" (DE 280 at 3); and "The Government was well aware of Jane Doe #3 when it was negotiating the NPA, as it listed her as a victim in the attachment to the NPA" (DE 280 at 6).
- DE 291-1, paragraphs 4, 5, 7, 11, 13, 15, 19 through 53, and 59.
- DE 310-1, paragraphs 7 through 12, 16, 39, and 49.
- DE 293, in its entirety.

DONE AND ORDERED in chambers at West Palm Beach, Palm Beach County, Florida, this 6th day of April, 2015.



KENNETH A. MARRA
United States District Judge

EXHIBIT B

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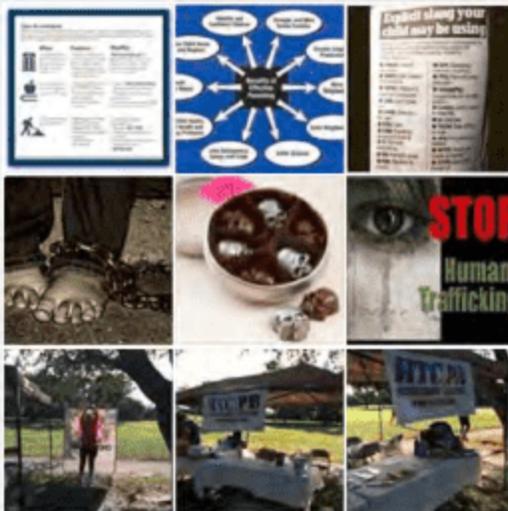
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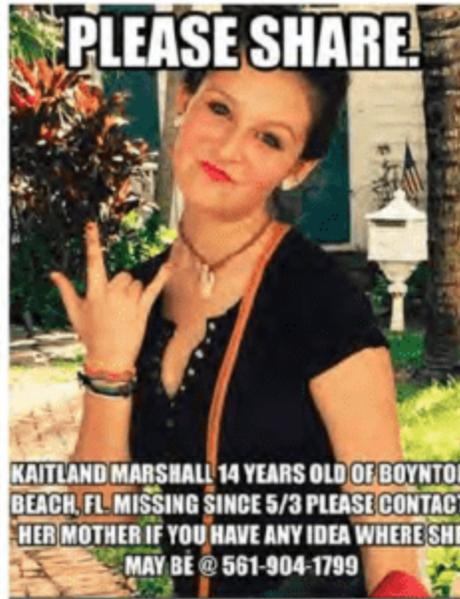


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Human Trafficking Coalition Of The Palm Beaches

shared a photo.

9 hrs ·

Another missing child... West Palm Beach.



Nikki Carter

URGENT: Ok fb we repost foolishness all the time....somebody's baby is missing. Let's join together and bring him home. He went missing last night at about 9:2...

[See More](#)

Like · Comment · Share



Human Trafficking Coalition Of The Palm Beaches

shared FDLE - Florida Department of Law Enforcement's photo.

9 hrs ·

I feel like I just keep sharing missing children. It's so sad to me how many children go missing per year. Please share and keep an eye for this little one.



FDLE - Florida Department of Law Enforcement

Miami-Dade PD asked us to share this information about Isabella Fernandez who has been missing since yesterday, May 7,

Please share this post!

Miami-Dade Police...

[See More](#)

Like · Comment · Share

Todd Shoemaker likes this.

HT Human Trafficking Coalition Of The Palm Beaches shared Crystal Lee Evans's post.

May 10 at 4:24pm ·

FOUND!

Missing

Hannah Zarrin

DOB	03/20/95	Sex	Female
Missing	05/20/15	Eyes	Blue
Hair	Black	Height	5'00"
Weight	110	Location	Wichita, KS
Missing From	Public Beach Gardens, FL		
Current Status	Missing		
Age Missing	18 yrs	Age Found	18 yrs

Hannah was with her boyfriend and the two were in public beach gardens Florida. Her name is printed and the last name is not with.

ANYONE HAVING INFORMATION SHOULD CONTACT
The National Center for Missing and Exploited Children
 1-800-4-A-KID (1-800-425-7539) or

John Reed (owner) Miami Office (Florida) 305-456-1588

Crystal Lee Evans added 30 new photos — 😊 feeling thankful with Jackie Smith and 17 others.

I just want you all to know that my daughter was found safe and C will be home soon, I also want to thank all of you her helping us look for her, I would love t...

[See More](#)

Like · Comment

Human Trafficking Coalition Of The Palm Beaches, Elizabeth Bennett Clawson,

Rogers Clawson and 4 others like this.

HT Human Trafficking Coalition Of The Palm Beaches

May 9 at 2:07pm ·

Missing from Palm Beach Gardens!!!



Have you seen this child? HANNAH ZARZA

Missing From: PALM BEACH GARDENS, FL. Missing Date: 05/05/2015. Hannah may still be in the local area or she may travel to Hollywood, Florida. Her nose is pierced and she has gauges in her ears.

WWW.MISSINGKIDS.COM

Like · Comment · Share

Human Trafficking Coalition Of The Palm Beaches and Todd Shoemaker like this.

HT Human Trafficking Coalition Of The Palm Beaches via Human Trafficking Awareness USA

May 9 at 5:25am ·



SAPD Human Trafficking: Det. Segura

Detective Segura of the SAPD's Vice Unit speaks on the public issues of human trafficking and how it destroys the lives of those it effects. Th...

YOUTUBE.COM

Like · Comment · Share

Human Trafficking Coalition Of The Palm Beaches likes this.

HT Human Trafficking Coalition Of The Palm Beaches

May 8 at 6:58am ·

Mother sais to not have previous legal problems

<http://www.palmbeachpost.com/.../cops-mom-traded-11-ye.../nkdQm/>



Cops: Mom traded 11-year-old for sex to get heroin

Mother sais to not have previous legal problems

WWW.PALMBEACHPOST.COM

Like · Comment · Share

HT Human Trafficking Coalition Of The Palm Beaches via Rescue Upstream

May 8 at 6:10am ·

Protecting children takes a community-wide effort. D2L's Stewards of Children, approaching one million trained nationwide, shows you how child

sexual abuse can be prevented and stopped. This program gives adults the tools to keep kids safe.

The next Stewards of Children community training will be held on Saturday, May 16th, from 9:30-11:30 am, at Journey Church West, 6201 S. Military Trail, Lake Worth. The cost is \$12.00 (payable by cash or check at the training) and includes an Interactive Workbook. For more information or to RSVP contact us at info@rescueupstream.com.



Like · Comment · Share

Todd Shoemaker likes this.

HT Human Trafficking Coalition Of The Palm Beaches via CBS 12 News

May 8 at 4:12am ·

Please share



Two girls missing overnight : 9 and 13-years-old

Isabella and Michelle Fernandez were last seen walking. Police think the girls...

CBS12.COM | BY SINCLAIR BROADCAST GROUP

Like · Comment · Share

Teresa Nightingale, Todd Shoemaker and Rogers Clawson like this.

34 shares

HT Human Trafficking Coalition Of The Palm Beaches via CBS 12 News

May 7 at 9:23pm ·



Video shows 13-year-old girl fighting off sexual predator

inside her home

SAN JOSE, Calif. – A brave 13-year-old girl saved her own life from a sexual...
CBS12.COM | BY SINCLAIR BROADCAST GROUP

Like · Comment · Share

Rona Heymann, Susan Rogers Daigle and 2 others like this.



Todd Shoemaker Wow! Glad she is safe.
2 · May 8 at 4:16am



Human Trafficking Coalition Of The Palm Beaches
shared Truckers Against Trafficking's post,
May 6 at 6:57am ·

PLEASE SHARE!



Truckers Against Trafficking added 2 new photos.

Boys are trafficked too, PLEASE SHARE!!! Warren is 16 and missing out of Everglades National Park, Florida and has been categorized as a High Risk Child (HRC) w...

[See More](#)

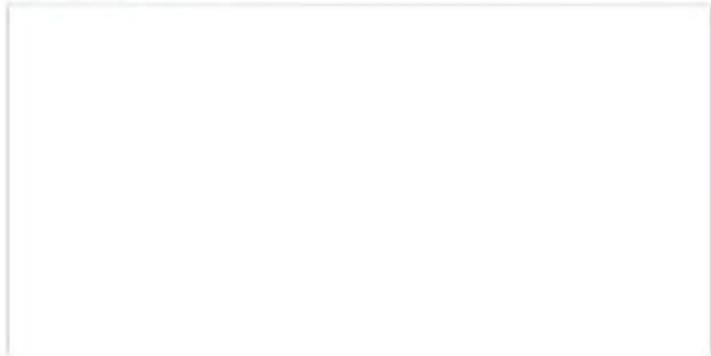
Like · Comment

Haley Marguerite, Susan Rogers Daigle, Judith Hinsch and 4 others like this.



Human Trafficking Coalition Of The Palm Beaches
May 4 at 10:15pm ·

This is a telling video...





Man Lures Children Away From Playground in Chilling Social Experiment

As a parent, you try to teach your child about safety and how important it is to avoid strangers, but are they listening? Do they really get it? Every parent's worst...

POPSUGAR.COM | BY ALESSIA SANTORO

Like · Comment · Share

Rogers Clawson likes this.

HT Human Trafficking Coalition Of The Palm Beaches shared Office for Victims of Crime's photo.
April 30 at 4:55am ·



Office for Victims of Crime

#OVCfunding Opportunity: We will make awards of up to \$600,000 to enhance the quality and quantity of specialized services available to assist victims of hum...

[See More](#)

Like · Comment · Share

HT Human Trafficking Coalition Of The Palm Beaches shared Human Trafficking Awareness USA's photo.
April 30 at 4:50am ·

We posted this a few weeks back after it was seen in Oklahoma... Now in Florida...



Human Trafficking Awareness USA

FLORIDA: (VIDEO) - New warning about Sex Trafficking in Florida

PARENTS BEWARE - A new warning for parents about a possible scam aimed at recruiting teens into ...

[See More](#)

Like · Comment · Share

HT Human Trafficking Coalition Of The Palm Beaches via WPBF 25 News

April 29 at 8:49pm ·



Delray Beach police search for man suspected of lurking around children

Delray Beach police say they are looking for a man who was reported lurking near...

WWW.WPBF.COM | BY TERRI PARKER

Like · Comment · Share

Todd Shoemaker likes this.

HT Human Trafficking Coalition Of The Palm Beaches via Truckers Against Trafficking

April 29 at 1:21pm ·

One of the most important rules of the pimping game is revealed in a book that's on the required-reading list for many Orange County vice squads and prosecutors.

"Most (prostitutes) have low self-esteem for a reason," observes pimp-turned-author Ken I.

"A pimp looks for that weakness. ... Then he uses those weaknesses to his advantage. Weakness is the best trait a person can find in someone they want to control. If you can't find a weakness, you have to create one. You have t... [See More](#)



Throwing the book at pimps

One of the most important rules of the pimping game is revealed in a book that's...
OCREGISTER.COM

Like · Comment · Share

Rosalie Weiss Alborg and Arlene Davidson like this.



Human Trafficking Coalition Of The Palm Beaches

shared Human Trafficking Awareness USA's photo.

April 29 at 3:16am ·



Human Trafficking Awareness USA

DADE COUNTY, FL: (VIDEO) - Man and Woman Charged in Sex Trafficking of Teen, Woman: Miami-Dade Police

A Miami-Dade man and woman are facing Human Trafficking ch...

[See More](#)

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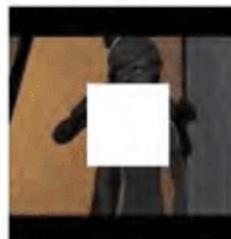
Erin Greer likes this.



Human Trafficking Coalition Of The Palm Beaches via Rescue Upstream

April 27 at 2:32pm ·

Watch this short new video and learn about human trafficking in its different forms. As awareness around this issue grows, so does our ability to fight it. Spread the word by sharing this with your friends and family.



Human Trafficking: It Happens Here

Although slavery is commonly thought to be a thing of the past, human trafficking still exists today throughout the United States and globally. Human traffic...

YOUTUBE.COM

Like · Comment · Share

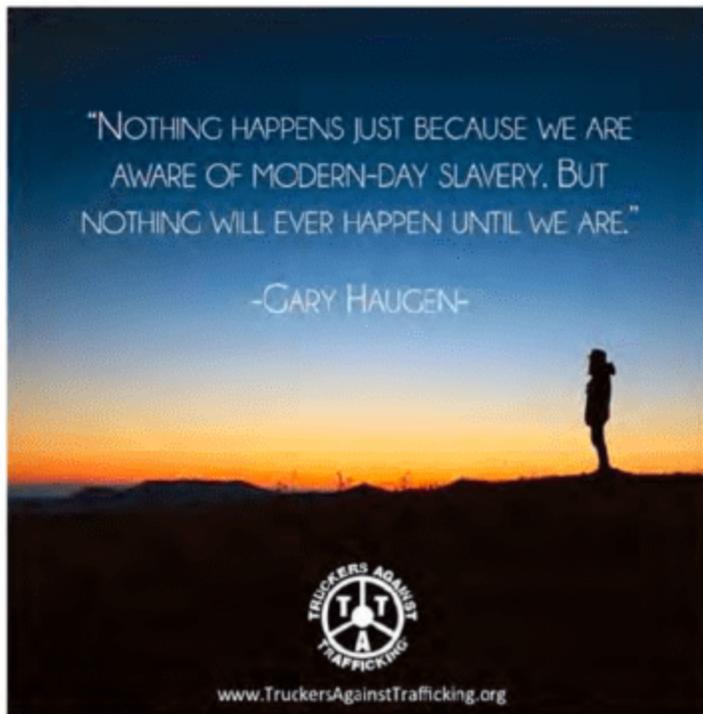
Human Trafficking Coalition Of The Palm Beaches, Erin Greer and Todd Shoemaker like this.

2 shares



Human Trafficking Coalition Of The Palm Beaches shared Truckers Against Trafficking's photo.

April 27 at 7:04am ·



Truckers Against Trafficking

Just a little Monday Motivation for you! Learn about it, Tell others about it, Then get involved in combating it,

Make the call, save lives! 1-888-3737-888

Like · Comment · Share

Human Trafficking Coalition Of The Palm Beaches, Nicole Monnin, Arlene Davidson and 3 others like this.

EARLIER IN 2015

HIGHLIGHTS ▾



Human Trafficking Coalition Of The Palm Beaches via CBS 12 News

April 23 at 3:57am ·



Registered sex offender steals school bus, tries to pick up children; police

EMERY COUNTY, Utah — KUTV Police arrested a registered sex offender driving...

CBS12.COM | BY SINCLAIR BROADCAST GROUP

Like · Comment · Share

Human Trafficking Coalition Of The Palm Beaches and Erin Greer like this.

1 share

HT Human Trafficking Coalition Of The Palm Beaches

April 21 at 10:57am ·

Brad Edwards/Virginia Roberts Story:

ABC airing of the Virginia Roberts interview –

This Thursday, April 23, during GMA 7 am – 9am (don't have specific time yet).

Thursday night on World News at 6:30

Thursday night on Nightline after Jimmy Kimmel at 12:35 am.

Again on Friday on GMA.

Hope you will all be able to tune-in!

Like · Comment

Human Trafficking Coalition Of The Palm Beaches likes this.

1 share

HT Human Trafficking Coalition Of The Palm Beaches

April 21 at 10:55am ·

CNN: Senate Majority Leader Mitch McConnell announced today that negotiators had reached a bipartisan deal on a bill to fight human trafficking, clearing the way for a vote to confirm attorney general nominee Loretta Lynch "hopefully in the next day or so."

Like · Comment

Human Trafficking Coalition Of The Palm Beaches and Elizabeth Bennett Clawson like this.

2 shares

HT Human Trafficking Coalition Of The Palm Beaches

shared Human Trafficking Awareness USA's photo.

April 21 at 3:41am ·



Human Trafficking Awareness USA

FROM Dept of Justice: FBI Needs Your Help - John Doe # 28

Images relevant to the investigation include those depicting the subject and the Child Victim inside a...

[See More](#)

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Human Trafficking Coalition Of The Palm Beaches, Todd Shoemaker and Christine Parsley like this.



Human Trafficking Coalition Of The Palm Beaches shared a link.

April 17 at 6:19am ·



Sex Trafficking: Should All Perpetrators Be Sentenced As Sex Offenders?

When I first began anti-trafficking advocacy in 2009, I believed any person convicted of human trafficking should face mandatory sentences, including registration as a...

Like · Comment · Share

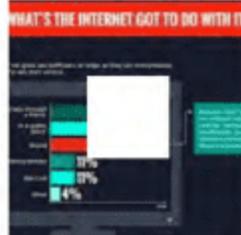
Human Trafficking Coalition Of The Palm Beaches likes this.

1 share



Human Trafficking Coalition Of The Palm Beaches via Human Trafficking Awareness USA

April 16 at 3:51am ·



Human Sex Trafficking Overview

YOUTUBE.COM

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Teresa Nightingale likes this.

2 shares

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Shocking moment woman is shot and



'I can't forgive you'. Tense moment



American teen who 'stuffed socialite



It has helped me save lives... and I've



Erin Andrews surfaces for first



Rosanne Barr, 62, reveals she is

Prince Andrew and the 17-year-old girl his sex offender friend flew to Britain to meet him

Site Web Enter your search

By SHARON CHURCHER
UPDATED: 08:02 EST, 2 March 2011

101

View comments

- Virginia Roberts reveals she is 'Jane Doe 102' in Jeffrey Epstein case
- Mother-of-three spent four years as millionaire's personal masseuse
- She describes being flown across world to meet Prince Andrew
- Epstein trained her 'as a prostitute for him and his friends'

As the UK's special representative for international trade, the Duke of York holds an important position, requiring sound judgement and widespread respect.

But those qualities have been thrown into question since photographs of Prince Andrew with his billionaire financier friend Jeffrey Epstein, a convicted child-sex offender who was jailed for 18 months for soliciting underage prostitutes, appeared last weekend.

Today, however, even more serious doubts are cast on his suitability after a woman at the centre of the Epstein case revealed to The Mail on Sunday that she had, as a 17-year-old employed by Epstein, been flown across the world to be introduced to the Prince.



First meeting: Prince Andrew puts his arms around 17-year-old Virginia, centre

On one of those occasions Virginia Roberts was subsequently paid \$15,000 (£9,400). Her shocking account of her four years as Epstein's personal masseuse is supported by court documents, an eyewitness, photographs and flight details of Epstein's private jets.

One picture, said to have been taken by Epstein during Andrew's first encounter with the girl in March 2001 and published today by The Mail on Sunday, shows the Prince with his arm around her waist.

This is not the first time the Duke of York's judgment and choice of associates have been questioned. He appears to relish the company of super-rich oil billionaires from the Middle East, North Africa and the former Soviet Union.

The peculiar sale of his former marital home to a Kazakh businessman for £15 million after it had languished unsold for five years at £12 million has never been satisfactorily explained.

In the recent leak of American diplomatic cables it was revealed that he had criticised an official corruption investigation into the huge Al-Yamamah arms deal between Britain and Saudi Arabia, while he is also said to be close to Salf Al-Islam Gaddafi, son of the beleaguered Libyan president, and may have had a role in the early release of Lockerbie bomber Abdelbaset Al Megrahi.

But it is Andrew's friendship with Epstein, whom he has known since at least 2000, and with Epstein's confidante Ghislaine Maxwell, daughter of the late disgraced newspaper baron Robert Maxwell, that gives most concern.

He was first seen with the pair on holiday in Thailand, and was pictured cavorting with Ghislaine at a Halloween fetish-themed party in Manhattan.

The photograph that appeared last weekend shows the prince strolling through Central Park with 58-year-old Epstein. Andrew was said to have spent four days at his New York mansion in December, when he was joined by other distinguished guests, including Woody Allen, at a dinner.

It is by no means the first New York soiree Andrew has attended as Epstein's guest.

A lengthy profile of the financier in Vanity Fair magazine some years ago reported that Andrew was a guest at a cocktail party thrown by Epstein and Maxwell packed with young Russian models. 'Some guests were horrified,' said the article's author, Vicky Ward.

It should not be forgotten that Epstein is a registered sex offender after recently completing his

While on the streets, I slept with men for money. I was a paedophile's dream

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Bruce Jenner wears a sports bra on motorcycle cruise while recovering from surgery amid gender transition
Ahead of his interview with Diane Sawyer



'Robert De Niro was a fat ahole and Eric Roberts was a monster and spit in my face': 'Cursed' Mariel Hemingway dishes on the men who hit on her**



Need a holiday? Angelina Jolie looks a little stressed as she takes the children to visit Brad Pitt on set
Recently had surgery to prevent cancer



Roseanne Barr, 62, reveals she is slowly going blind from Macular degeneration and glaucoma but says marijuana helps relieve symptoms



Split! Ariana Grande and Big Sean break up after only eight months of dating
The Love Me Harder crooner, 21, and the rapper, 27, are over



Harry Connick Jr's face and a baby-faced teenager who could be the next Justin Bieber: Why we're in love with American Idol
Sponsored

sentence for offences relating to child prostitution.

However, he avoided trial on more serious charges that carried a potential life sentence. And no one reading The Mail on Sunday's interview with the woman who was prepared to testify against him can be in any doubt of the seriousness of the charges.

Epstein, a Wall Street money manager who once counted Bill Clinton and Donald Trump among his friends, became the subject of an undercover investigation in 2005 after the stepmother of a 14-year old girl claimed she was paid \$200 (£125) to give him an 'erotic massage'.

The subsequent FBI probe uncovered at least 20 girls levelling sexual allegations against him. Eventually, Epstein struck a 'plea bargain' with prosecutors – a practice not permitted under British law – under which he was allowed to plead guilty to two relatively minor charges.

Police claim that his donations to politicians and his 'dream team' of influential lawyers deterred prosecutors from bringing more serious charges of sex-trafficking. The deal certainly kept the names of a lot of Epstein's famous friends out of an embarrassing court case.

However, an unusual part of the agreement was that Epstein's alleged victims were allowed to bring civil proceedings against him.

He has so far made 17 out-of-court settlements, and some cases are ongoing. One of these girls was to have been a key witness for the prosecution had the case gone to trial. She was just 15 years old when she was drawn into Epstein's exploitative world in 1998.

In her civil writ against him, under the pseudonym Jane Doe 102 she alleged that her duties included being 'sexually exploited by Epstein's adult male peers including royalty'.

Now, horrified by the evidence of Epstein and Andrew enjoying each other's company in New York, Jane Doe 102 has agreed to waive her anonymity and tell for the first time her deeply disturbing story.

Her real name is Virginia Roberts and she now lives in Australia, where she is a happily married mother of three.

Over the course of a week during which she spoke at length to The Mail on Sunday, she appeared sometimes vulnerable, and sometimes steely, but always quietly resolute and consistent.

Revisiting events from a past that she had hoped she had left behind, Virginia occasionally buried her face in her hands.

Some recollections – and, for reasons of taste, not all the details can be included here – caused her to flush with shame. 'I'm telling you things that even my husband didn't know,' she said.

Virginia, who has undergone counselling to try to come to terms with her past, is honest about her initiation into Epstein's depraved world.

She was a troubled teenager, whose slender figure, delicate complexion, hesitant voice and soulful blue eyes made her look young for her years.

Born in Sacramento, California, in August 1983, Virginia spent her early years on a small ranch on the West Coast of America.

This seemingly idyllic childhood ended when she was sexually molested by a man close to her family.

The fallout from that led to her parents temporarily splitting up. Blaming herself, Virginia began to get into trouble. Aged 11, she was sent to live with an aunt but repeatedly ran away.

Living on the streets, she was beaten up and slept with at least two older men in return for food. 'I was a paedophile's dream,' she says.

Three years later, she was reunited with her family and started a new life with her father who had moved to Palm Beach.

Florida, where he was maintenance manager at Donald Trump's country club, Mar-a-Lago.

Virginia got a part-time job as a changing room assistant – which is where, soon after her 15th birthday, she met Ghislaine Maxwell, who invited her to work as Epstein's personal masseuse.

'I was wearing my uniform – a white miniskirt and a skin-tight white polo top – when I was approached by Ghislaine,' Virginia says.

'I told her I wanted to become a masseuse and she said she worked for a very wealthy gentleman who was looking for a travelling masseuse.

I'd get training and be paid well.' Virginia's father gave his blessing, believing his daughter was being handed the opportunity to learn a skill and to work for a wealthy and respectable employer.

He drove her to Epstein's pink mansion on the Palm Beach waterfront – he also owns a nine-storey home in New York, the city's biggest private residence; a 7,500-acre ranch called Zorro in New Mexico and Little Saint James, a private 70-acre atoll in the US Virgin Islands.



A new life: Virginia, now a mother-of-three, in Australia



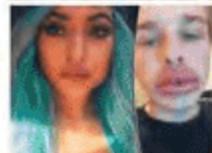
That looks awkward! Stone-faced Nicki Minaj avoids looking at Beyonce as they watch Drake onstage at Coachella. She didn't show any love

Troubled baseball star Josh Hamilton files for divorce from Real Housewives of Orange County spouse Katie following his drug relapse

Rise of Kylie Jenner: As 17-year-old poses in a sheer bodysuit at Coachella with rapper boyfriend Tyga, is she set to be the most successful of the clan?

Disturbing new 'Kylie Jenner challenge' sees teens suck shot glasses to blow up their lips to double their size... with disastrous results. A dangerous new craze

Body FOUR days after baby! Controversial lingerie model flaunts her underwear-clad figure less than a week after giving birth. Barely had a baby bump



AdChoices

Mad Max star Charlize Theron looks smokin' hot in racy plunging jumpsuit for magazine shoot. She's dating fellow actor Sean Penn

Kanye West slams perception that musicians control society 'like the Illuminati' as he covers the magazine that Kim 'broke the internet' with

'It has helped me save lives... and I've loved every minute of it.' John Travolta defends Scientology AGAIN as he tries to promote his new film

Jessica Chastain suits up in medieval attire as she and Chris Hemsworth shoot scenes amid ancient UK ruins for upcoming movie The Huntsman



Virginia says: 'Ghislaina said I was to start immediately and that someone would drive me home.

My father left and I was told to go upstairs.' She was led by another woman through Epstein's bedroom into a massage room where he lay face down naked on a table.

He started to interview Virginia. This was unconventional, but Virginia had no suspicions. Presumably, she thought, this was how the wealthy conducted their business.

Epstein elicited the information that Virginia had been a runaway, and was no longer a virgin.

Virginia was then told to start massaging Epstein, under the instructions of the woman who had shown her in. The massage quickly developed into a sexual encounter.

Virginia was uncomfortable, but reluctant to deny such important people. 'My face was red with embarrassment,' she says. 'But I felt under immense pressure to please them.

The whole time it was going on, they were promising me the world, that I'd travel with Jeffrey on his private jet and have a well-paid profession.' Afterwards, she was given two \$100 bills and told to return the next day.

That was the beginning of the four years she spent with Epstein.

For three of those years, she was under Florida's age of consent, which is 18.



Troubled teenager: Virginia on the billionaire's Zorro ranch in New Mexico in 2001

Virginia was fascinated by his life story: the son of a humble New York City parks worker, he was a teacher before becoming a Wall Street broker and friends with the upper echelons of the political, financial and academic establishment.

As a confused teenager, Virginia easily fell into the practice of sexually gratifying him for money.

He guaranteed her a minimum of \$200 each time she gave him what he called an 'erotic massage.'

Virginia said: 'I would always receive the money immediately. He would give me the cash from a wad he carried in a black duffel bag or an assistant paid me.

'And, because of the way Epstein had warped her sensibilities, every time she took the cash, Virginia felt even more indebted to him. Secretly, he was also preparing her for an even more disturbing role.

'Basically, I was training to be a prostitute for him and his friends who shared his interest in young girls,' she says: 'After about two years, he started to ask me to "entertain" his friends.'

It started when Epstein called Virginia at the Palm Beach apartment he had rented for her.

She recalls: 'He said, "I've got a good friend and I need you to fly to the island to entertain him, massage him and make him feel how you make me feel."

He didn't spell out what I had to do. He didn't have to. 'He'd trained me to do whatever a man wanted. I was shocked but I told myself he was sharing me around because he trusted me and I was special.

I was worried, but I would do anything to keep Jeffrey happy and to keep my place as his number one girl.

He would keep telling me how lucky I was with the life I was leading and the money I was making. It was easy to fall into his grasp.

'The way it usually worked was I'd be sent to meet a man on the private island Jeffrey owned in the Caribbean, or at his ranch in New Mexico, which was really isolated.' She was 'given' to men ranging in age from their 40s to their 60s.

They included a well-known businessman (whose pregnant wife was asleep in the next room), a world-renowned scientist, a respected liberal politician and a foreign head of state.

None appeared to think the arrangement was unusual. Virginia says there were many other girls in Epstein's circle and that she was paid extra money to help recruit them.

'They would lounge around the Palm Beach house, the ranch or the island, nude or topless,' she says. 'But I was one of the very few he trusted as "special" and chosen to "entertain" his friends.'

Virginia took the sedative Xanax to detach herself from sordid reality. 'It was an escape drug,' she says. 'It made me calm and helped me forget about what I had to do. I was up to eight pills a day.'

Epstein had no objection to Virginia's use of prescription drugs, no doubt recognising that they made her even more malleable. 'I didn't want to go back to the life I'd had before' she says.

Epstein had trained me to do whatever men wanted. I told myself I was special

'She would hide her drinking': Cast and crew of RHOBN 'divided' over Kim Richards' sobriety issues

Following her arrest at The Beverly Hills Hotel



Bobby Flay, 50, accused of cheating with assistant half his age as bitter divorce from Stephanie March gets uglier

Elyse Tirrell is 28



Calvin Harris opts for casual look as he touches down in London... while rumored girlfriend Taylor Swift was honored at the ACMAs



Kendall Jenner posts a VERY racy Instagram picture of a naked bottom (but don't worry Bruce, it's not your daughter's!) A provocative shot



Shirtless Calum Best and his bikini-clad girlfriend Ianthe Rose frolic on a beach as they enjoy a romantic sun-kissed getaway

Lindsay Lohan's ex



Selena Gomez shows off her new curves in a skimpy frilled bikini top and hotpants as she hits the beach in Mexico... ahead of her arrival back in LA



AdChoices

Kristen Stewart gets touchy-feely with her live-in gal pal Alicia Cargile as they celebrate star's 25th birthday at Coachella

Festival affection



'Happy 420!' Miley Cyrus smokes a bong in just pasties as sober Demi Lovato reflects on getting Joe Jonas high for the 'first time' on marijuana celebration



Not ready for her closeup! The Mindy Project's Julia Stiles is almost unrecognizable without makeup as she heads to a NYC salon

Actress was au naturel



From and proper: Maisie Williams goes sophisticated in a sheer prom dress at The Falling screening

Game Of Thrones star just turned 18 last week



'That made me totally obedient.' Despite the fact that Epstein was, essentially, her pimp, this life now seemed normal to Virginia. 'I felt that he and Ghislaine really cared for me,' she said.

'We'd do family things, like watch Sex And The City and eat popcorn. A lot of it was very glamorous. I met famous friends of his such as Al Gore and Heidi Klum and Naomi Campbell. He introduced me as his "travelling masseuse."

Some people mistook me for his daughter. 'When we were in New York or Palm Beach, Ghislaine and I would shop all day.

Jeffrey bought me jewellery – diamonds were his favourite – and wonderful furniture. He was paying me very well because I'd give him sex whenever he wanted it.'

She was, she says, delighted when Epstein invited her to accompany him on a six-week trip in 2001.

'He said we'd be going to Europe and North Africa to meet architects and interior decorators because he wanted to redo his New Mexico house.

I threw my arms around him and gave him a peck on the cheek.' They flew to Paris, then Spain, then Tangier.

Finally, they went to London. 'After we landed, we drove straight to Ghislaine's house,' says Virginia. 'I was given a small upstairs bedroom. The following morning, Ghislaine came in.

She was chirpy and jumped on the bed saying, "Get up, sleepyhead, You've got a big day. We've got to go shopping. You need a dress as you're going to dance with a Prince tonight."

'She said I needed to be "smiley" and bubbly because he was the Queen's son.

Ghislaine and I went to Burberry, where she bought me a £5,000 bag, and to a few other designer stores where we bought a couple of dresses, a pair of embroidered jeans and a pink singlet, perfume and make-up.

We got back to Ghislaine's house at around 4pm and I ran straight upstairs to shower and dress.

When I went downstairs, Ghislaine and Jeffrey were in the lounge. There was a knock at the door. Ghislaine led Andrew in and we kissed each other on the cheek. 'Ghislaine served tea from a porcelain pot and biscuits. She knew Sarah Ferguson and they talked fondly about Andrew's daughters.

Then Ghislaine asked Andrew how old he thought I was and he guessed 17 and they all laughed. Ghislaine made a joke that I was getting too old for Jeffrey.

She said, "He'll soon have to trade her in." It was widely known that he liked young girls.' The four of them went out to dinner and on to Tramp nightclub where, she says, Andrew danced with her.

'After about an hour-and-a-half, we drove back to Ghislaine's.

All of us went upstairs and I asked Jeffrey to snap a picture of me with the Prince. I wanted something to show my Mom. Ghislaine and Jeffrey left us after that, and later Andrew left.

In the morning, Ghislaine said, "You did well. He had fun". We flew straight back to the States.' The Mail on Sunday has confirmed that the tycoon's jet flew to Paris on March 6, 2001, continuing to Granada, Tangier and London, before returning to New York.

On the last leg of the trip, Virginia was paid about \$15,000 (£9,400) by Epstein. 'It was amazing money, more than I'd ever made on a trip with him before.

He didn't say there was any special reason, but I felt like I'd done everything he wanted. He was very pleased.'

There is no suggestion that there was any sexual contact between Virginia and Andrew, or that Andrew knew that Epstein paid her to have sex with his friends.

However, the Prince must have been aware of Epstein's conviction when he stayed with him in New York in December.

Virginia says she met Andrew for a second time around Easter 2001 at Epstein's Manhattan mansion.

'When I got to the mansion, I was told, "Get ready. You are meeting someone in the office" – which is what they called the library. Andrew was sitting there in a big leather armchair.

Ghislaine had just given him a present, a big toy that was his Spitting Image puppet. 'He was smiling ear-to-ear. He looked like a kid whose parents were taking him to Disney World.

A beautiful girl called Johanna Sjoberg who worked for Jeffrey was sitting on Andrew's knee. Ghislaine guided me over to Andrew and I think he recognised me, though I don't know if he remembered my name.



Counseling: Virginia at her mother's home at Palm Beach in 1998

I took eight pills a day to help me forget what I had to do. It made me calm.

'Please focus on my show': Conan O'Brien hits back at one of his show writers who went on Twitter rant about 'state of late night comedy'



Aaron Taylor-Johnson, 24, and Sam Taylor-Wood, 48, hold hands as they touch down in London ahead of the Avengers: Age Of Ultron premiere



Reality star Lauren Stoner shows off her incredible beach body in tiny black and white bikini as she hits Miami with friends. She heated up Miami



'I can't let myself hurt them': Bruce Jenner reveals his children are 'the only ones he's concerned with' in new clip from his tell-all Diane Sawyer interview



'It's killing for sport': Jurassic World trailer reveals Chris Pratt and Bryce Dallas Howard must stop genetically modified dinosaur that's eating tourists



'I am very proud': Taylor Swift's mother gives moving speech as she honors singer with ACM Milestone Award, a week after revealing cancer diagnosis



Elizabeth Olsen looks fresh faced as she touches down in London to promote anticipated Avengers sequel. Stars in Avengers: Age Of Ultron



Pregnant Kourtney Kardashian shows off her killer curves as she poses nude on KUWTK... as Kris Jenner scolds drunk Scott Disick. Doing a 'Demi Moore'



First plot details for Star Wars spin-off movie Rogue One starring British actress Felicity Jones are revealed at convention for the iconic franchise



'The Timberlakes are ready!' Justin shares the first photo of gorgeous baby Silas in mom Jessica Bielek's arms as they cheer on his basketball team



'I love you all': Zayn Malik breaks month long Twitter silence as he thanks fans in first tweets since quitting One Direction. He's gone solo



Delighted Harper Beckham grins broadly at LAX airport while in the arms of her doting dad David... with her three brothers in tow. David with his brood





Organiser: Ghislaire Maxwell looks on as Andrew put his arm around Virginia. Robert Maxwell's daughter invited her to work as Epstein's personal masseuse soon after her 15th birthday

We kissed on the cheek and Ghislaire placed me on his other knee,' Johanna spoke to The Mail on Sunday three years ago about this incident, which took place when she was 21.

She said: 'Ghislaire put the puppet's hand on Virginia's breast, then Andrew put his hand on my breast. It was a great joke. Everybody laughed.' After this, Virginia was paid, by Epstein, around \$400 (£250).

She met Andrew for the third and final time on Epstein's Caribbean island, Little Saint James. Virginia was never under the British legal age of consent when she met Andrew. She was 17 during the first two encounters and 18 at the third.

By now, however, Epstein, had started to hint that she was getting 'too old' for him.

But during one trip to the island, Epstein and Ghislaire made their most astonishing proposition, and one which repulsed her. 'They said Jeffrey wanted me to have his child,' she says.

'They said I was part of their family and I was beautiful, young, loyal and nurturing and would be a great mother.

They said I would have to sign a contract relinquishing rights to the child and consenting to Jeffrey having as many relationships as he liked. In return I would have my own mansion in Palm Beach and a large monthly payment, a percentage of his income.'

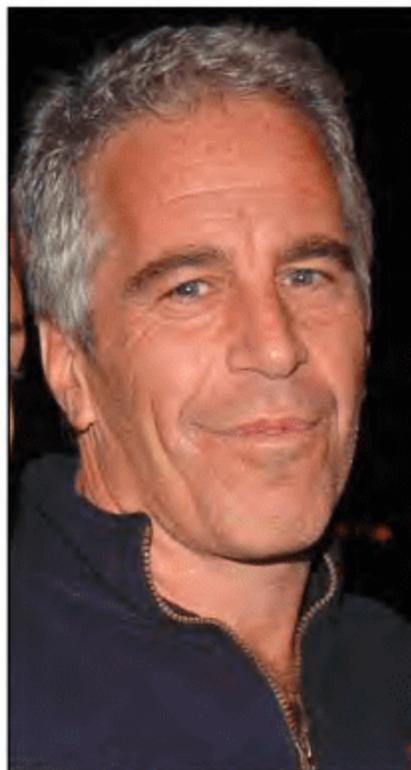
This, finally, was a wake-up call to Virginia and she began to see the way in which she had been groomed.

'It was a smack in the face,' she says. 'I finally realised this wasn't ever going to be a real relationship but I knew if I refused, I'd be thrown back on the streets. So I said, 'I'm too young, I want to get my massage credentials, then maybe we'll do it'.'

The tycoon took her at her word and, for her 19th birthday in August 2002, flew her to Thailand where he enrolled her in a massage course.

Shortly after arriving there, she met an Australian martial arts expert called Robert. They fell in love and, just ten days later, married in a Buddhist ceremony.

'I called Jeffrey and told him I'd fallen madly in love,' Virginia says, 'I was hoping he'd be delighted. But he said, "Have a nice life," and hung up on me.' The couple now have two sons, aged five and four, and a daughter who recently turned one.



Conviction: Jeffrey Epstein

Beckhams win battle to stay cool: David and Victoria get go ahead to install air-con to five bedrooms, gym and wine cellar at their \$47m mansion



Snakeskin on a plane! Lady Gaga slithers into LAX in reptile print coat... with her two precious puppies in tow She knows how to stand out of a crowd



Rita Ora goes from casual to glam as she changes out of patchwork jeans and into a lacy black dress for live TV performance British singer in NY



Kelly Clarkson hits the ACM Awards in a figure-hugging floral dress as she presents the Milestone prize to her 'legendary' mother-in-law Reba McEntire



She's a timeless beauty! New mother Blake Lively looks stunning in a scarlet gown as she attends The Age Of Adaline's NYC premiere



Blake Lively hits her movie's after-party in a sexy bodysuit (no wonder husband Ryan Reynolds jokes that he's jealous of her on-screen love interest)



'I prefer to look at a natural woman': Giorgio Armani says women should look towards Cate Blanchett for inspiration about growing old gracefully



The world's her oyster: Gisele Bundchen wears checked shirt and skinnies as she arrives in LA... following retirement from catwalk modelling



First class departure! Gwyneth Paltrow looks city chic in striped sweater and cropped jeans as she jets out of New York Jet-setting actress



First lady of country! Miranda Lambert wows at the ACM Awards in plunging gown and thigh-high slit as she leads the pack of country's biggest names



Hotel Hell! Gordon Ramsay reveals he caught hair lice from pillow case in Vermont... after initially blaming his daughter Celebrity chef's woes



Beck to school! Brooklyn Beckham, 16, heads back home to England with his family following the 'best Easter ever' Hung out with A-list pals



'The first few months after I married Robert were the worst,' she says. 'I couldn't bring myself to tell him much. No man wants to know his wife has been traded out. I felt very alone. I was having panic attacks and seeing a psychiatrist and was on anti-depressants. Virginia was beginning to put her Epstein days behind her when, three years ago, she was phoned by the FBI. 'They said they had found photos of me at Jeffrey's Palm Beach house,' she says. '[Epstein had] hidden cameras watching me the entire time even when I was in the bathroom. I was so embarrassed. I told the FBI that my true purpose was sexual. They told me everything he did was illegal because I was under age.' (The age of consent in Florida is 18). 'They said that if it had to go to trial, they'd need me because I'd lived with him and that made me a key witness. I was very afraid, because he had so much power, but eventually I agreed to testify. I was glad he'd finally been found out. He shouldn't be hurting other girls. Following Epstein's arrest, investigators are believed to have found a list of men's names on his computer and asked him whether they had been 'treated' to sexual encounters with his menage of minors. 'He took the Fifth Amendment, refusing to answer, indicating that if he were to answer the question, it could be incriminating,' a source told The Mail on Sunday. Epstein struck a deal resulting in what commentators characterised as a 'slap on the wrist' for him, and ended up serving 13 months of his sentence, much of it in a liberal work-release programme. Lawyer Brad Edwards, who represented several of Epstein's victims, said: 'Rather than punish him the way they would an average Joe, they sent a clear message that with enough money and power and influence, the system can be bought.' Virginia was spared her humiliation of having to go before a jury, and has kept her feelings bottled up until last weekend's photograph of Andrew with Epstein triggered distressing memories. Virginia says: 'I am appalled. To me, it's saying, "We are above the law." But Jeffrey is a monster.' Last night, neither Epstein, Ghislaine Maxwell nor Prince Andrew would comment on Virginia's story.

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Chrissy Teigen turns heads in VERY daring denim hotpants and unbuttoned sheer blouse as she steps out with John Legend Sports Illustrated model



Miley Cyrus causes ANOTHER online backlash by revealing her armpit hair in a selfie ... but she's not the only celebrity to ditch the razor



Pregnant Jennifer Love Hewitt covers up her growing baby bump in olive green coat as she goes makeup free for shopping trip in Pacific Palisades



Stylish as ever the second time around: How Kate made affordable look high-end - and even managed to re-wear her favorites from her first pregnancy



Cheers to that! Rihanna shows some skin in a teeny mini-dress as she treats herself to a cocktail during Hawaii beach day in Hawaii for wedding



Ben Affleck takes his children to the farmer's market in first sighting since news broke that he concealed slave-owning ancestor in PBS show



Mariah Carey 'rules out reconciling with estranged husband Nick Cannon... after he hinted hopes of a romantic reunion' They have two children



Christina Milian catches a ride on the underground as she checks out some famous sites around London Down to earth star



Miranda Lambert scores multiple wins at 50th annual ACM Awards but co-host Luke Bryan wins Entertainer of the Year gong



The Obamas' escape from the White House! Michelle, Barack and the girls ditch the press pack for an impromptu nature hike First Family in Virginia



Last day in paradise: Stephanie Pratt and Josh Shepherd show off their beach bods as they jet back to reality following luxury trip to the Bahamas



The show must go on! Country star Keith Urban hits the ACM Awards without wife Nicole Kidman... as she films in Australia Jet-setting couple



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EXHIBIT D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:08-CV-80736-KAM

JANE DOE 1 and JANE DOE 2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

_____ /

SUPPLEMENTAL ORDER

This cause is before the Court on its Order Denying Petitioners' Motion to Join Under Rule 21 and Motion to Amend Under Rule 15. (DE 324). In accordance with the portion of that Order striking materials from the record (see id. at 10), the Court informs the parties of the following: The affected docket entries (DEs 279, 280, 291-1, 293, and 310-1) shall be restricted from public access on the docket in their entities. Docket entries 279 and 293, which were stricken in their entirety, shall remain so restricted. Regarding the docket entries of which portions were stricken (DEs 280, 291-1, and 310-1), Petitioners may re-file those documents omitting the stricken portions. The re-filed documents must conform to the originally filed documents in all respects, but with the stricken portions omitted.

DONE AND ORDERED in chambers at West Palm Beach, Palm Beach County,
Florida, this 7th day of April, 2015.



KENNETH A. MARRA
United States District Court

EXHIBIT E

Feedback

Wednesday, May 13th 2015 8AM 56°F 11AM 62°F 5-Day Forecast

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America's busiest stretch of railroad



'Hera's' ex-Congressman tells



Brave mom suffering from skin

'He was caressing every part of my naked body': Explicit 'diary' of billionaire's 'sex slave' alleges she bathed with Prince Andrew at a London townhouse, and then had sex with him following night of dancing

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- Virginia Roberts claims that she slept with the prince when she was 17
- Roberts claims in diary he was 'concentrating at my plunging V-neck top' during a dinner in London
- Alleges they went to club where the Royal was 'fondling her on dance floor'
- Says they went to London townhouse and they had a bath during which time Prince Andrew 'licked her toes'
- Claims they had sex and then he quickly got up and left the townhouse
- The Duchess of York, passionately defended her ex-husband during an interview on the Today show on Tuesday morning
- Buckingham Palace has strongly denied the allegations
- **WARNING: GRAPHIC LANGUAGE**

By JILL REILLY FOR MAILONLINE

PUBLISHED: 18:03 EST, 13 January 2015 | UPDATED: 03:25 EST, 14 January 2015

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A never-seen-before diary purportedly belonging to the woman who claims she had underage sex with Prince Andrew reveals explicit claims of the alleged night they slept together in London.

Virginia Roberts, now 30, claims that she had sex with the prince when she was 17 and a 'sex slave' to his billionaire friend Jeffrey Epstein, the convicted pedophile.

In the 24-page diary, obtained by Radar Online, Roberts details the night they allegedly met as well as graphic details of their sexual encounter.

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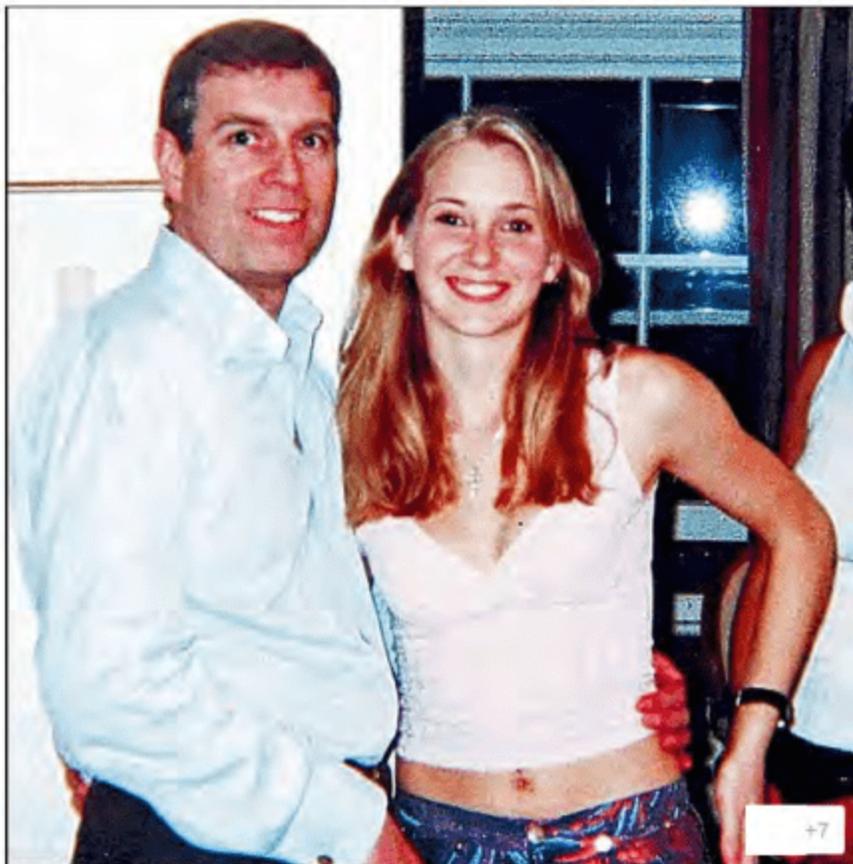
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Real Housewives Of OC sneak peek! MLB star Jim Edmonds and wife Meghan join cast while Tamara goes topless and prepares to dive into pool



Kylie Jenner's 'family



Virginia Roberts, pictured with Prince Andrew, claims she was supplied to the royal when she was underage by convicted pedophile Jeffrey Epstein

She sat down next to me, just starting to uncover the sheets and told me excitedly we were going shopping that day because I needed a dress I could wear to dance with a prince. Wow, what? were the first words that popped into my head, not knowing that meant using my body as entertainment for another rich pedophile, or worse, being convinced it was exciting.

Roberts, who had told her parents she was being trained as a masseuse, says she was taken shopping by Maxwell for expensive clothes, before meeting the Duke of York at the private townhouse

We later made an appearance at "Club Tramp", we were let in to the VIP section where Andrew did not hesitate to grab us both an alcoholic cocktail and found a table in the corner of the extremely packed club. We took a few sips, then headed to the dance floor. He was the most incredibly hideous dancer I had ever seen and not to mention how embarrassing to have to be the one he was smashing pelvic's with, even if he was a prince. We only stayed at the

Roberts writes the group went to private, members-only nightclub Tramp in central London where she claims Prince Andrew grabbed them both an alcoholic cocktail. She adds: 'He was the most incredibly hideous dancer I had ever seen'

She claims Epstein invited her to accompany him on a six-week trip in 2001 - they flew to Paris, then Spain, then Tangier and finally, they went to London.

She alleges the first time she met the prince was at the home of Epstein's friend Ghislaine Maxwell, daughter of disgraced tycoon Robert Maxwell, in the city.

think rumoured boyfriend Tyga, 25, is a bad influence on the 17-year-old 'Worried' about where she's headed



'Jemima in her panties' Lena Dunham shares an underwear photo of her Girls co-star Kirke on Instagram Candid moment

Best at splits? Nina Dobrev shows Conan how flexible she is... as she breaks her silence on ex Ian Somerhalder's wedding Wowed the audience



Slim Beyonce cuts a glamorous figure in all white as she sports a jaunty fedora while stepping out in NYC Look was a far cry from her Met Gala look



'This is not where I want to be!' Married at First Sight star reveals he feels 'trapped' in his marriage - after spending weeks trying to win his wife over



Nastia Liukin and Derek Hough head home after shocking elimination as beaming Ruiner Willis leads the final three teams on Dancing With The Stars



Pink and husband Carey Hart put on an affectionate display as they share a sweet smooch on red carpet of BMI Music Awards Loved up couple



Pulling a Beyonce? Khloe Kardashian copies her idol as she strikes seductive poses with her derriere pointed at the camera Instagram snap



That's not like you! Ariana Grande is uncharacteristically shy as she's greeted by fans in Los Angeles Big fan of revealing outfits



EXCLUSIVE Whoopi Goldberg's family tragedy: Star misses

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Portia de Rossi takes the lead in a black bustier and gold heels at ABC Upfront after speaking out about suffering from bulimia aged 12



Rihanna cuts a demure figure in black jumpsuit as she parties with fellow wild child Miley Cyrus At the Up & Down nightclub in New York



A wonder in white! Chrissy Teigen puts on a leggy display in a mini dress while leaving ABC event Gearing up to host the Billboard Music Awards



Still mummy's little girl! Toluah Willis adorns her mother Demi Moore with a kiss at fashion dinner party Mom and daughter in West Hollywood together



'If you don't hit 19 your heart stops': The Duggers talk about keeping a headcount while traveling Josh and Anna revealed sex of their baby



Charlize Theron flashes toned stomach as she showcases her animal instinct in a pair of leopard print trousers Lapped up the sun in Antibes, France



She really IS the ideal woman! Scarlett Johansson beats Kim K to be named 'physically perfect' She is closest to Ancient Greeks' 'Golden Ratio'



Roberts, who had told her parents she was being trained as a masseuse, says she was taken shopping by Maxwell for expensive clothes, before meeting the Duke of York at the private townhouse.

was a prince. We only stayed at the club for a little, over an hour before his highness was dripping from sweat and ready to embark to another quieter setting, where we could get to know each other better, and from the way he was fondling me on the dance floor, I knew that was a man's polite way of saying he wanted intimately to get acquainted.

She writes how they stayed at the club for just over an hour, but she could he wanted to move on by the way he was 'fondling me on the dance floor, I knew that was a man's polite way of saying he wanted to intimately get acquainted'

Separate directions. I led him into the upstairs bathroom next to the room I was staying in. I was doing my best tryin to put on a good show for him by slowly undressing and started to pour a bath. The room quickly filled with steam from the hot water as I turned to Andrew and began to kiss his neck and undress him. He was caressing every part of my naked body and filling my head with endless compliments about my blossoming figure.

Roberts, now a mother-of-three, says the pair returned to Maxwell's house. I led him into the upstairs bathroom next to the room I was staying in, she writes in the diary obtained exclusively by Radar

Roberts, who lives in a small town in Colorado, claims the fifth in line to the throne 'spoke kindly of his daughters ... [and] the conversation turned to me next, starting with Ghislaine playing the 'guess my age' game, which was one of her favorite's among her morally impaired friends.'

'He guessed 17 and Ghislaine chuckled, 'She'll be too old soon,' and told him I was really only 16.'

One picture, said to have been taken by Epstein during this alleged encounter in March 2001 shows the Prince with his arm around her waist as Maxwell looks on.

I had poured in. We continued with back and forth foreplay, touching, kissing, and him even licking my toes. I love your feet he whispered, they are so irresistible. That was definitely a 1st for me, but I went with it all, fearful of letting down the Prince and in turn Jeffrey and Ghislaine.

She claims Prince Andrew, father to Beatrice, 26, and Eugenie, 24, paid particular attention to her toes and claims he was licking them

AAAA The entire affair was short-lived, when his climax was achieved he was not the same attentive guy I had known for the last few hours. Instead ~~quickly~~ quickly got dressed, said his good byes and slipped out of my bedroom to the driver still waiting for him outside.

In her large and curly scrawl, she writes they had sex, which was 'short-lived' and then he 'quickly got dressed, said his goodbyes and slipped out of my bedroom to the driver still waiting for him outside'

Roberts claims the group headed to dinner during which time 'the Prince's attention towards me amplified... making eye contact at every given chance and concentrating at my plunging V-neck top..'

Roberts, now a married mother-of-three, writes the group then went to private, members-only nightclub Tramp in central London where she claims Prince Andrew grabbed them both an 'alcoholic cocktail.'

'He was the most incredibly hideous dancer I had ever seen and not to mention how embarrassing it was to have to be the one he was smashing pelvis with, even if he was a prince.'



© Matthew Symons Coleman-Rayner

Family outing: Virginia Roberts with one of her three children as they head for lunch at McDonald's near the Colorado home where they are now living. She alleges she had sex with Prince Andrew when underage

She writes how they stayed at the club for just over an hour, but she could tell he wanted to move on by the way he was 'fondling me on the dance floor, I knew that was a man's polite way of saying he wanted to intimately get acquainted.'

Roberts, now a mother of three, says the pair returned to Maxwell's house.

'I led him into the upstairs bathroom next to the room I was staying in,' she writes in the diary obtained exclusively by Radar.

'I was doing my best trying to put on a good show for him by slowly undressing and started to pour a bath.

'The room quickly filled with steam from the hot water as I turned to Andrew and began to kiss his neck and undress him.

'He was caressing every part of my naked body and filling my head with endless compliments about my blossoming figure.'

Reese Witherspoon flashes a glimpse at her gym-honed thighs and behind as she sports bright workout wear for food shop
She's a busy bee



Who's that girl? Off-duty Rooney Mara is barely recognizable as she swaps glamor for grunge on casual day out
In downtown LA



Cara Santana keeps it casual in skinny ripped jeans and white sweater while running errands
Headed out for a day of pampering and cupcakes



Dog days are over: Demi Lovato and Wilmer Valderrama take their beloved dog for a walk
Reunited in New York after her Asia tour



Alec Baldwin dotes on pregnant wife Hilaria as she dresses her growing belly in a tight shirt during family stroll through the park
Proud father



India's luck runs out as she does not survive another sing-off with the final four set for The Voice finale
Singing competition will conclude next week



That's one stylish pup! Lady Gaga dresses her dog Koji in nautical outfit... as she reveals she'll take fiancé Taylor Kinney's last name
Traditional at heart



Back to business for the Princess: Mary is out of sports clothes and back into a chic ensemble at event
Danish royal was in a shimmering gold jacket



Poised in plum! Chelsea Clinton follows in her mother's footsteps with inspirational speech about women and education at awards



Eva Longoria oozes glamor in backless top at gala honoring 50 most beautiful people in Hispanic entertainment
She's a VIP





Virginia Roberts, now 30, claims that she slept with the prince when she was 17 and a 'sex slave' to his billionaire friend Jeffrey Epstein, the convicted pedophile. Pictured: Prince Andrew left and right, Epstein

She claims Prince Andrew, father to Beatrice, 26, and Eugenie, 24, paid particular attention to her toes and claims he was licking them.

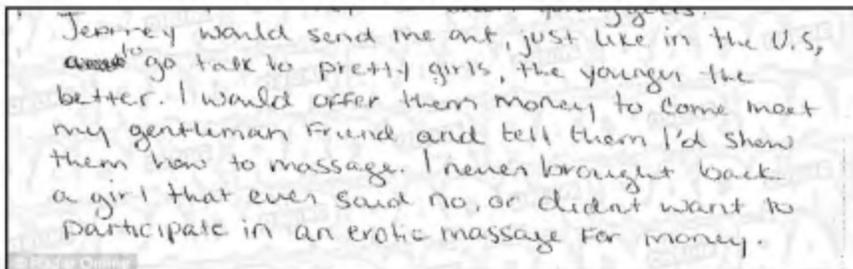
'That was definitely a 1st for me, but I went with it all, fearful of letting down the Prince and in turn Jeffrey and Ghislaine.'

In her large and curly scrawl, she writes they had sex, which was 'short-lived' and then he 'quickly got dressed, said his goodbyes and slipped out of my bedroom to the driver still waiting for him outside.'

In her entries she also claims that Epstein told her to recruit other girls, writing: 'I never brought back a girl that ever said no, or didn't want to participate in an erotic massage.'

On Tuesday his ex-wife Sarah Ferguson defended him against 'shockingly accusatory allegations' that he had sex with Roberts.

The Duchess of York described Prince Andrew as a 'humongously good man' when she was asked about the scandal on US morning television show Today.



In her entries she also claims that Epstein told her to recruit other girls, writing: 'I never brought back a girl that ever said no, or didn't want to participate in an erotic massage'

She told the presenter the family stood by the denial issued by Buckingham Palace.

Sarah said: 'I won't stand by, because I know what it feels like to have salacious lies made up about you, and I not support him so publicly because they are just shockingly accusatory allegations, which I

Over to the dark side! Megan Gale puts a vampy spin on her sophisticated attire as she slips her model body into gothic suit at Mad Max premiere



Jax is eliminated on American Idol as Clark Beckham and Nick Fradiani are set to face-off for finale. Pop-punk performer Jax got the axe



EXCLUSIVE: Sex addict Tiger Woods CHEATED on ex-girlfriend Lindsey Vonn - the real reason they split. Strayed again



Doing some research? Selma Blair cosies up to Kris Jenner after it is revealed she will portray reality star in American Crime Story: The People V OJ Simpson



Love is in the air! Brody Jenner locks lips with model girlfriend Kaitlynn Carter. The 31-year-old has been dating the model for over a year



Kris Jenner and Melanie Griffith support Kelly Rutherford's charity event... as star gets 100K signatures on petition to get her kids back



'I got spoiled rotten!' Catherine Zeta-Jones brags about her excellent Mother's Day... as husband Michael Douglas gushes over his beautiful bride



They got the power! Kerry Washington sizzles in sparkly bustier and black trousers with pretty Ellen Pompeo at ABC Upfront



XOXO Files! David Duchovny and Gillian Anderson kiss (on the lips) at concert as he performs music from debut album Hell Or Highwater



Miley Cyrus tries out long hair extensions while dressed in VERY revealing blouse and fishnets during sleepover with Bella Hadid



Break all ties, don't say 'we' and stop believing in The One: Tracey Cox reveals how to get over your ex... for good. Some good advice



Dianna Agron is weighed down by bouquets of flowers as she and co-star Stephen Wright wrap opening night of new London play McQueen



don't think that's right.

'It's defamation of character and, as a great father and humongously good man and all the work he does for Britain, I won't stand by and let him have his character defamed to this level.'

She added: 'I have not one word said about him on any level.'

When asked if Andrew knew the woman involved Sarah said she would not discuss the subject.

She said: 'Buckingham Palace has put out the denial and I, as his best friend and my best ex husband ever and the most wonderful father to the girls, will not be drawn on any subject.'



Adamant: Sarah Ferguson passionately defended her ex-husband, Prince Andrew, as she appeared on the Today show on Tuesday morning. She called accusations against him 'salacious lies'

Fergie vehemently defends Prince Andrew against 'defamation'



Fumbling Kate Upton attempts to play catch with a football on the set of *The Layover*... before taking flight in a hot air balloon
Filming latest movie



Was that an eye roll? DWTS co-host Erin Andrews accused of looking 'annoyed' when Noah Galloway proposed live on-air
Says she was crying



Newlywed Amy Adams treats herself to an ice cream cone while chilling out at the LA Zoo with her husband Darren and their daughter
Wed two weeks ago



Kourtney Kardashian shows off her post-pregnancy figure in retro outfit as she gets back to work at the DASH store with Scott Disick and son Mason



The yolks on you! Anna Kendrick smashes Jimmy Fallon in a game of egg Russian roulette... but she doesn't eggs-cape clean
Hilarious skit



Michael J. Fox cuts a dapper figure as he makes a rare outing with his wife of 26 years Tracy Pollan
Still going strong after all these years



Did Lindsay Lohan lie about her whereabouts? Lohan spotted arriving in New York a day after tweeting 'Happy to be home in NYC'... as she is set to fulfill community service



Carrie Fisher's daughter Billie Lourd confirms she's NOT playing a young Princess Leia in *Star Wars: Episode VII*
Fans' speculation



It's his turn to be starstruck! George Clooney and the cast of *Astronauts Wives Club* celebrate the 45th anniversary of the Apollo 13 mission



Kate Bosworth rocks 90s-inspired wide-leg denim trousers and open-toe lace-up boots as she strolls around LA
Displayed her unique sense of style



Real Housewives star Kenya Moore reveals heartbreak after discovering Millionaire Matchmaker boyfriend got MARRIED to blonde volleyball babe



'I didn't eat for 10 days': Portia de Rossi reveals how being put on a diet at just 12 years old developed into starving herself and eventually bulimia





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All smiles: The Duchess of York smiled as she left the Today studios in New York on Tuesday morning

In a strongly-worded statement Buckingham Palace has said: 'It is emphatically denied that the Duke of York had any form of sexual contact or relationship with Virginia Roberts.'

'The allegations made are false and without any foundation.'

Andrew was named in US civil court documents as having sex with Roberts on three separate occasions when she was a minor.

She is said to have been 'procured' for him by convicted sex offender Jeffrey Epstein, a billionaire American financier, who she accuses of using her as a 'sex slave'.

The Duke vehemently denies the allegations against him.

Maxwell and Epstein have also dismissed the allegations.

Roberts, a US citizen, waived her anonymity in an interview with The Mail On Sunday in 2011, in which she claimed she had been sexually exploited by Epstein - a former friend of the Duke.

In the US court papers, she alleges that between 1999 and 2002 she 'was forced to have sexual relations with this prince when she was a minor' in London, New York and on a private Caribbean island owned by Epstein where an orgy took place.

Others named in the lawsuit have also denied the claims.

Cate Blanchett's bisexual revelation: Oscar winner admits she's had 'many' intimate relationships with women as she promotes movie Carol



Joe Giudice lives it up at dinner with a female companion while wife Teresa serves time in prison
His wife is four months into 15-month sentence



Taking the plunge to a new level! Barefaced Miranda Kerr shows a lot of front in a daring jumpsuit with a neckline that reaches her navel. Model looked incredible



Vanessa Hudgens flashes her legs in split-to-the-thigh denim skirt as she steps out in New York
Had a Marilyn Monroe moment in NYC



Portrait of a Dame! Helen Mirren gets striking makeover in Sardi's caricature portrait to celebrate her Broadway run. Play coming to NYC



Make-up free Anne Hathaway gets colourful in bright romper during romantic stroll with husband Adam Shulman
Laidback afternoon for low-key couple



'They have their own zip code!' Model with size DD breast implants in her BUTTOCKS twerks for Botched doctors while begging them to fix her



Chest a glimpse! Sharon Stone, 57, takes the plunge in all-black at TV party in New York. The 57-year-old Basic Instinct star wore an all black outfit to the event



Doting mom Ali Larter bonds with daughter Vivienne as they head to a baby class in Los Angeles
Resident Evil Legends actress has two children



Jennifer Hudson flashes cleavage during a photoshoot in the Meatpacking District of New York
Sipped on coffee in-between takes



Carey Mulligan wears loose-fitting sheer top as she takes a stroll with her beau Marcus Mumford in NYC
Traded in the glitz and glamor



Prison, pro wrestling and perseverance: How Mad Max star Nathan Jones went from Australia's most wanted criminal to Hollywood star in the making





© Alan Davidson

Family: Ferguson and Prince Andrew, pictured with their daughters Eugenie, left, and Beatrice, right, in 2001 married in 1986 and divorced 10 years later, but have remained good friends

Attorney and former Harvard Law school professor Alan Dershowitz said the accusations were 'totally false and made up'.

The accusation is contained in a motion filed last month in a Florida court by Roberts who wants to join an existing lawsuit, launched by two other alleged Epstein victims, against federal prosecutors' handling of the financier's case.

Epstein was jailed for 18 months in 2008 for soliciting a minor for prostitution but lawyers for the women claim a secret plea deal he struck with prosecutors granting him, and any potential co-conspirators, immunity from further prosecution violated their clients' rights.

Two years after his 2009 release, Epstein was pictured in New York City with the prince, and their friendship was a source of controversy.

Prince Andrew ultimately stepped down from his role as a U.K. trade ambassador in July 2011.

Court documents also allege that Prince Andrew was among those who made 'efforts' to secure Epstein a favorable plea deal, but Buckingham Palace has denied this.

In a strongly-worded statement, a palace spokesman said: 'It is emphatically denied that the Duke of York had any form of sexual contact or relationship with Virginia Roberts.'

'The allegations made are false and without any foundation.'

Read more:

- [Sarah Ferguson defends 'good man' Prince Andrew on underage sex claims - News - TODAY.com](#)
- [Jeffrey Epstein 'Sex Slave' Virginia Roberts Writes About Sex With Prince Andrew | Radar Online](#)

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At palace garden party



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Instagrammed by Taylor



The ultimate snub? Vogue reveals cover of Met Gala issue with an image of Rihanna alongside a list of A-list attendees - but fails to include Kim Kardashian



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Not quite Masterpiece Classic! Megan Fox is joined by Laura Linney (with curlers in hair) on set of Teenage Mutant Ninja Turtles 2
Filming sequel



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Rumors of divorce



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Boies Takes on Dershowitz in Sex Case

Vivia Chen, The Careerist

April 23, 2015

I've been worried that the Alan Dershowitz Show is coming to a close. After writing a bunch of posts about the [allegations that Dershowitz had sex with an underage girl](#), I fear the story is getting stale. I mean, how many times can you invoke the image of the septuagenarian Harvard law professor romping naked on some private island? (In March, the judge [threw out those "lurid" sex charges](#) against Dershowitz.)

Thank goodness a striking new character has emerged to give the story a second wind. And a bold face name to boot: David Boies, [reports Reuters](#).

Boies and his firm are representing Virginia Roberts (also known as Jane Doe 3), who alleges that Dershowitz, Prince Andrew and other luminaries had sex with her when she was a teenager at the behest of billionaire Jeffrey Epstein, a convicted sex offender. (Roberts is also being represented by Brad Edwards and Paul Cassell—see [interview with Cassell](#)—whom Dershowitz has countersued for defamation.)

According to a statement by Boies, Schiller & Flexner, the firm is representing Roberts on a pro bono basis:

The firm's pro bono program focuses on meaningful cases including trying to assist women and children who are the victims of abuse. Boies Schiller & Flexner LLP took on Ms. Roberts' representation because she was a victim of abuse when she was a minor child.

While Dershowitz has been [less than flattering about Edwards and Cassell](#), Robert's other [lawyers](#), he's had cordial relations with Boies. "I wrote him a nice congratulatory note when he did the case of gay rights," says Dershowitz.

That was back then. Now, the two legal giants are locking horns. Beside the soured personal relationship, Dershowitz makes a much more serious charge: Boies Schiller has a conflicts problem. According to Dershowitz, Boies Schiller partner Carlos Sires in Florida had volunteered to represent him in his defamation suit against Roberts. After delivering a confidential memo to Sires about the matter, Dershowitz said he learned that the firm already represented Roberts.

"I wrote to Sires that you are such a mensch, and I'm sorry you're in the middle of all this," says Dershowitz. "But your firm can't continue to represent [Roberts] because you've all read my

material."

Dershowitz says he asked Boies Schiller to recuse itself: "They answered no." He says, "They are arrogant; they think they're above the law." He adds, "they have a long sordid history with conflicts," citing the firm's most recent sanction in *Boies Schiller & Flexner v. Host Hotels & Resorts*, in which the Second Circuit noted that the firm "willfully refused to recognize the obvious conflict" in taking on a client. (Boies Schiller has not responded to our questions.)

Meanwhile, Dershowitz seems a bit offended that Boies is ignoring him. "I'm willing to talk to him, but he won't talk to me."

So will the legal drama/soap opera keep on going? Oh, yeah, says Dershowitz. "There's more coming."

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