

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,
Plaintiff,

-vs-

VOLUME I OF II

JEFFREY EPSTEIN,
Defendant.

Related cases:

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

VIDEO-CONFERENCED AND VIDEOTAPED DEPOSITION OF {

JANE DOE NO. 2

Wednesday, March 3, 2010

10:02 - 6:19 p.m.

250 Australian Avenue South
Suite 1500
West Palm Beach, Florida 33401

Reported By:
Cynthia Hopkins, RPR, FPR
Notary Public, State of Florida
Prose Court Reporting
Job No.: [REDACTED]

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,
Plaintiff,

-vs-

VOLUME II OF II

JEFFREY EPSTEIN,
Defendant.

Related cases:

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

VIDEO-CONFERENCED AND VIDEOTAPED DEPOSITION OF {

JANE DOE NO. 2

Wednesday, March 3, 2010

10:02 - 6:19 p.m.

250 Australian Avenue South
Suite 1500
West Palm Beach, Florida 33401

Reported By:
Cynthia Hopkins, RPR, FPR
Notary Public, State of Florida
Prose Court Reporting
Job No.: [REDACTED]

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

tronically signed by cynthia hopkins [REDACTED]
tronically signed by cynthia hopkins [REDACTED]
tronically signed by cynthia hopkins [REDACTED]

cc = JE, [unclear]

1 either by phone or by mail?
 2 A. By mail. I got mail that's, I think that's
 3 how I kept in contact with everyone. I don't, I don't
 4 think I had conversations with them on the phone about
 5 it.
 6 Q. Okay. Did she ask you whether you had,
 7 "she," the agent, ever ask you whether you had had
 8 telephone, any telephone conversations with
 9 Mr. Epstein?
 10 A. I don't think she asked me that.
 11 Q. Okay. And just let me ask just a couple
 12 of questions. Is, is -- you never gave Mr. Epstein
 13 or anyone on his behalf your phone number, did you?
 14 A. Yes, I did.
 15 Q. To whom did you give your phone number?
 16 A. The lady downstairs, his assistant.
 17 Q. All right.
 18 A. Or whatever she is.
 19 Q. No one, Mr.-- you have never spoken with
 20 Mr. Epstein by phone, correct?
 21 A. Correct.
 22 Q. Okay. He has never texted you nor have
 23 you ever texted him, correct?
 24 A. Correct.
 25 Q. You have never communicated to him,

1 BY MR. CRITTON:
 2 Q. The only contact you had with Mr. Epstein
 3 at his home or with him or someone working on his
 4 behalf, other than me as his attorney or Dr. Hall,
 5 who did a medical examination on you -- I forgot the
 6 question. I have to start again.
 7 Other than myself who represents
 8 Mr. Epstein and other than Dr. Hall who did an
 9 examination of you, you've had no contact either
 10 with Mr. Epstein or with anyone who has been acting
 11 on his behalf at any time other than that one
 12 occasion in December of '04; is that correct?
 13 A. Correct.
 14 Q. With the FBI, did you ever get a letter
 15 from them or from the Department of Justice, the
 16 United State's Attorney's Office, at any time?
 17 A. I believe so. They were keeping me updated.
 18 Q. Okay. And at some point did you learn
 19 that Mr. Epstein was, had pled guilty to state
 20 offenses and was serving time in jail?
 21 A. Yes.
 22 Q. Okay. How did you learn that?
 23 A. Through the, the letters that I got like once
 24 every couple of months or once year.
 25 Q. And in any of the letters that you ever

1 communicated with Mr. Epstein or anyone on his
 2 behalf over the Internet, either to or from,
 3 correct?
 4 A. Correct.
 5 Q. You have not used your computer Facebook,
 6 a social networking site, to communicate with
 7 Mr. Epstein or anyone on his behalf, correct?
 8 A. Correct.
 9 Q. Okay. And if I may just so it's correct
 10 you have never texted or no one on behalf -- strike
 11 that. You have had no contact by phone, text,
 12 Internet, computer with Mr. Epstein or anyone acting
 13 on Mr. Epstein's behalf, correct?
 14 MR. HOROWITZ: Form.
 15 THE WITNESS: Correct.
 16 BY MR. CRITTON:
 17 Q. Okay. Did, the only contact that you ever
 18 had with Mr. Epstein or really anyone on his behalf
 19 was that one-time visit in the latter part of
 20 December of 2004, correct?
 21 A. Well, Dr. Hall and now you.
 22 Q. But that's a different issue. Back in the
 23 time period --
 24 MR. HOROWITZ: That's a good answer.
 25

1 received from the, either the FBI or the United
 2 State's Attorney's office, did they ever tell you
 3 you had the ability to bring a civil lawsuit for
 4 money damages against Mr. Epstein?
 5 MR. HOROWITZ: Form.
 6 THE WITNESS: I'm not sure. I don't know
 7 actually.
 8 BY MR. CRITTON:
 9 Q. And how did -- again I don't want to know
 10 any -- is the first lawyer that you met from the law
 11 firm that your, that your, that you currently
 12 employ, is that Mr. Herman?
 13 A. Correct.
 14 Q. Okay. And where did you first meet
 15 Mr. Herman?
 16 A. My mother contacted him.
 17 Q. Okay. And how did she get in contact with
 18 him, do you know?
 19 A. I believe she read about one of the other
 20 girls that had come out and talked and spoke about her
 21 day with Mr. Epstein, and then she wanted me to talk to
 22 somebody as well.
 23 Q. Is this someone who had filed a lawsuit
 24 against Mr. Epstein --
 25 MR. HOROWITZ: Form.

5 (Pages 212 to 215)

1 Q. Okay. Where does [REDACTED] live?
 2 A. What do you -- are you going to follow her or
 3 something?
 4 Q. I just ask a question.
 5 A. She lives in [REDACTED].
 6 Q. Where does she live, please? She lives in
 7 [REDACTED]? Is that a housing area?
 8 A. It's a neighborhood.
 9 Q. Do you know what her address is?
 10 A. [REDACTED].
 11 Q. [REDACTED]?
 12 A. Yes.
 13 Q. [REDACTED]
 14 A. Yes.
 15 Q. Do you know what Michelle -- or I'm sorry,
 16 [REDACTED]' phone number is?
 17 A. Her house phone number is [REDACTED].
 18 Q. And are you still best friends with
 19 [REDACTED]?
 20 A. Yes.
 21 Q. Have you seen her since you've been down
 22 here?
 23 A. No.
 24 Q. Do you plan to see her before you return
 25 home to Tennessee?

1 A. Yes.
 2 Q. When are you going to see her, tonight?
 3 A. I haven't gotten that far.
 4 Q. How long do you plan to be in Florida now
 5 that you're down here?
 6 A. A couple of days, a week.
 7 Q. Okay. Where are you staying?
 8 A. At my brother's house.
 9 Q. Natural brother or step-brother's?
 10 A. Natural brother.
 11 Q. What's his name?
 12 A. [REDACTED].
 13 Q. Where does he live?
 14 A. I have no idea.
 15 Q. I'm sorry?
 16 A. He lives on [REDACTED]. I don't know his address.
 17 Q. In [REDACTED]?
 18 A. Yes. Why do you need to know where I'm
 19 staying? I don't think that's relevant to this. That
 20 is not -- I don't want to be scared for my life.
 21 Q. There would be no reason that you would be
 22 scared for your life.
 23 A. Well, why --
 24 Q. Okay.
 25 A. -- is the reason for you to ask where I'm at?

1 Q. I get to ask the questions. I'll let your
 2 lawyer at a break tell you why I get to ask or not
 3 ask questions. Okay? There should be no reason
 4 that you or anyone else should be scared for their
 5 lives.
 6 A. I would hope not.
 7 Q. Is your brother married, [REDACTED]?
 8 A. Yeah.
 9 Q. You say you told your, your best friend
 10 [REDACTED] what had happened at Mr. Epstein's
 11 house. When did you tell [REDACTED] that? Did
 12 you tell her that day that you came back from
 13 Mr. Epstein's home?
 14 MR. HOROWITZ: Object to the form.
 15 THE WITNESS: No. I told her the next
 16 day.
 17 BY MR. CRITTON:
 18 Q. Do you recall the exact date you were at
 19 Mr. Epstein's home?
 20 A. No.
 21 Q. Okay. You went to Mr. Epstein's home on
 22 one occasion, correct?
 23 A. Yes.
 24 Q. Do you remember the year it was in?
 25 A. 2004.

1 Q. Do you remember --
 2 A. Eleventh grade.
 3 Q. Do you remember the month?
 4 A. I believe it was in December, near Christmas
 5 time.
 6 Q. So, if I understand, when you left
 7 Mr. Epstein's home -- and I'll just use late
 8 December of '04; is that okay with you?
 9 A. Yeah.
 10 Q. When you went to his home, you didn't say
 11 anything about your experience to Ms. Doe No. 3; is
 12 that correct?
 13 MR. HOROWITZ: Form.
 14 THE WITNESS: I told her one thing that he
 15 tried fingering me, and she said that it was
 16 okay, that she, that that happened to her
 17 friend.
 18 BY MR. CRITTON:
 19 Q. And did she -- when she said it was okay,
 20 did it seem, at least to Ms. Doe No. 3, that that
 21 was no big deal?
 22 A. Yes.
 23 Q. Okay. Did Ms. Doe No. 3 tell you, either
 24 before or after you went to Mr. Epstein's home, that
 25 she had been with Mr. Epstein personally?

1 A. No.

2 Q. Okay. Did she ever express to you any
3 type of emotion, anger, being upset based upon her
4 having been to Mr. Epstein's home, what, whatever
5 her experience had been?

6 A. No.

7 Q. Okay. When you told her that he tried to
8 finger you, did you, did she -- other than saying,
9 okay, yeah, that happened with another friend of
10 hers, did she say anything else?

11 A. She said that he thought -- that if he thought
12 I was pretty, he would want me to come back again. And
13 I told her that I wasn't going to ever go back there.

14 Q. Okay. Did, did she -- at least, she
15 meaning Jane Doe No. 3, did she give at least --
16 well, let me strike that.

17 Did Jane Doe No. 3 express to you that
18 she, that Ms. Doe No. 3, would like you to come back
19 or may want you to come back, I mean prior to your
20 saying that's not something that I want to do?

21 MR. HOROWITZ: Form.

22 THE WITNESS: Did she -- are you asking,
23 did she want me to -- did she ask me if she
24 wanted me to go back there?
25

1 BY MR. CRITTON:

2 Q. Yeah.

3 A. (Non verbal response.)

4 Q. Yes?

5 A. Yes.

6 Q. Okay. Did, did anything about your
7 experience -- well, let me strike that.

8 Did Ms. -- did Jane Doe No. 3 express to
9 you any type of concern about your having been at
10 Mr. Epstein's home based on your experience?

11 MR. HOROWITZ: Form.

12 THE WITNESS: Did she seem concerned?

13 BY MR. CRITTON:

14 Q. Yeah.

15 A. No.

16 Q. Okay. Did she say anything that would
17 have led you to the, to the -- led you to an
18 impression that she somehow had been emotionally
19 traumatized at all by Mr. Epstein?

20 MR. HOROWITZ: Form.

21 THE WITNESS: Not really.

22 BY MR. CRITTON:

23 Q. Okay. Did she appear to you to be
24 uncomfortable; that is, when you went to
25 Mr. Epstein's home with her -- let me strike that.

1 Is Jane Doe No. 3 the one who took you to
2 Mr. Epstein's home?

3 A. Correct.

4 Q. Was she -- was anyone else there with you
5 at the time? When I say "anyone else," did anyone
6 else of your friends or acquaintances go with you to
7 Mr. Epstein's home on that one occasion in December,
8 late December of 2004?

9 A. No.

10 Q. Okay. Do you remember, did you know a
11 girl named Jane Doe No. 4, Doe No. 4?

12 A. I know -- I know of her. I know of her, but
13 I, I don't know her really.

14 Q. Okay. Do you remember Jane Doe No. 4
15 being there with you?

16 A. No.

17 Q. So, it was, did Ms. Doe No. 3 pick you up
18 in her car?

19 A. Yes.

20 Q. And on the way to Mr. Epstein's -- and I'm
21 going to come back to this a little later, but just
22 so I get a couple of facts squared in my mind, is
23 either on the way to Mr. Epstein's or after you left
24 Mr. Epstein's; that is, the entire time you spent
25 with Jane Doe No. 3, did she ever say or express any

1 concern that she had ever had being at Mr. Epstein's
2 home or being around Mr. Epstein's home?

3 MR. HOROWITZ: Form.

4 THE WITNESS: No.

5 BY MR. CRITTON:

6 Q. Okay. Did she, during the time you were
7 with her on the trip over, when you were in the
8 house, when you left the house, did Jane Doe No. 3
9 appear to you in any way to be anxious or, or
10 nervous or unhappy; that is, did you see anything in
11 her demeanor that, that looked to be uneasy in any
12 way?

13 MR. HOROWITZ: Form.

14 THE WITNESS: Not really.

15 BY MR. CRITTON:

16 Q. Did Jane Doe No. 3 say to you anything
17 along the lines of, like, this is no big deal, you
18 know, something like that?

19 A. No.

20 Q. Okay. Was Jane Doe No. 3 paid when you --
21 let me strike that.

22 Do you have any knowledge as to what Jane
23 Doe No. 3, whether Jane Doe No. 3 received any money
24 for your having come to Mr. Epstein's home?

25 A. Yes.

1 Q. How much was she paid?
 2 A. \$100.
 3 Q. Did she have to share that with anyone to
 4 your knowledge?
 5 A. No.
 6 Q. Okay. Did you, when you -- and were you
 7 aware when you left Mr. Epstein's home that she
 8 received \$100?
 9 A. I had to give it to her.
 10 Q. Okay. Were you -- did she tell you before
 11 you went to Mr. Epstein's home that she would
 12 receive money?
 13 A. No.
 14 Q. Okay. Do you think Jane Doe No. 3 shares
 15 responsibility for having taken you to Mr. Epstein's
 16 home?
 17 MR. HOROWITZ: Form.
 18 THE WITNESS: Yes.
 19 BY MR. CRITTON:
 20 Q. Okay. Have you ever expressed to anyone
 21 other than your lawyers that you think Jane Doe
 22 No. 3 should be sued because she -- but for Jane Doe
 23 No. 3 taking you to Mr. Epstein's home, you never
 24 would have met him?
 25 MR. HOROWITZ: Form.

1 THE WITNESS: Your question is, do I think
 2 Jane Doe No. 3 should be sued for taking me
 3 there?
 4 BY MR. CRITTON:
 5 Q. Yeah. Because but, but for Jane Doe
 6 No. 3, you would have never heard of Mr. Epstein,
 7 would you?
 8 MR. HOROWITZ: Form.
 9 THE WITNESS: I would have never heard of
 10 him if she hadn't come up to me and mentioned
 11 him, yeah --
 12 BY MR. CRITTON:
 13 Q. Okay.
 14 A. -- but...
 15 Q. Have you ever considered suing Jane Doe
 16 No. 3 for having taken you there?
 17 MR. HOROWITZ: Form. I am going to assert
 18 a privilege. That would be work product.
 19 MR. CRITTON: I'm, I'm just asking her --
 20 MR. HOROWITZ: No, I, I get that, but her,
 21 you're asking -- hold on a second. You're
 22 asking her what her legal theories are, and it
 23 overlaps with what -- as her counsel, we
 24 infiltrate our legal opinions, and I don't
 25 think you can separate the two. I am asserting

1 the privilege.
 2 MR. CRITTON: I, I disagree.
 3 MR. HOROWITZ: Don't answer.
 4 MR. CRITTON: Okay. We disagree on that.
 5 Let's move on.
 6 BY MR. CRITTON:
 7 Q. Okay. Have, have you told anyone other
 8 than your lawyers you would like to sue Jane Doe
 9 No. 3 because you hold her responsible for taking
 10 you to Jeffrey Epstein's home?
 11 A. I've thought about it. I don't -- I didn't
 12 say anything to anyone.
 13 Q. Okay.
 14 A. I already got my revenge with her.
 15 Q. How did you get your revenge with her,
 16 Jane Doe No. 3?
 17 A. We got into an argument and a fight --
 18 Q. About what? Oh, I'm sorry, I didn't mean
 19 to -- that's another rule, or a pro, process here,
 20 is if you interrupt me on a question, and I haven't
 21 finished my question, I am going to say, hold on,
 22 Ms. Doe No. 2, let me finish my question so you
 23 understand what I'm asking.
 24 If I interrupt you with one of your
 25 answers and you hesitate and I start with another

1 question, tell me you haven't finished and I'll let
 2 you finish. Okay?
 3 A. Okay.
 4 Q. You said you got into a fight with Jane
 5 Doe No. 3?
 6 A. Yes.
 7 Q. Okay. And what was the fight about?
 8 A. To her, it was about a boy. I'm not even sure
 9 what it was about. She just wanted to come after me,
 10 and for me it was more of, of, like, I don't like you,
 11 and I want you to know that I never want you to hurt
 12 anybody and that she was wrong.
 13 Q. Okay. I didn't understand your answer.
 14 From your perspective -- well, let me strike that.
 15 When did the fight occur with Jane Doe No. 3?
 16 A. Going -- summer of going into 12th grade.
 17 Q. Which would have been the summer of 2005,
 18 or the August-ish 2005?
 19 A. Yeah.
 20 Q. Okay. And you say it's Jane Doe No. 3's
 21 view -- and how do you know what Jane Doe No. 3's
 22 view of the fight was?
 23 A. Because she kept calling me a slut and saying
 24 that, that I was hanging out with this guy that she
 25 liked, that I didn't like, but...

1 Q. All right. Now, you said when you looked
2 at the police report you noticed -- I'm going to
3 come back to this later, but just so I have a basic
4 understanding. What did you see in the police
5 report that was different from what you
6 understood -- or let me strike that.

7 What did you see in the police report that
8 stood out to you that you indicated that you had
9 forgotten?

10 A. The fact that he unsnapped my bra and was
11 touching me on my breasts.

12 Q. Okay. Anything else?

13 A. That his fingers went slightly inside my
14 vagina.

15 Q. And you -- is that something when you
16 saw -- You can take a break anytime you want.

17 THE VIDEOGRAPHER: Going off the record at
18 10:33.

19 (A brief recess taken.)

20 THE VIDEOGRAPHER: We're back on the
21 record at 10:38 a.m.

22 BY MR. CRITTON:

23 Q. Jane Doe No. 2, you indicated that the, in
24 reviewing the police report you were talking about
25 the areas of the police report that reminded you, or

1 when you saw them you now recall that this, these
2 two events may have happened; one is, you say he,
3 he, I assume you mean Mr. Epstein, unsnapped your
4 bra and touched your breasts, is item 1, correct, if
5 I understood you?

6 A. Correct.

7 Q. And the second is you say you think his
8 fingers may have slightly gone inside or touched you
9 inside your, your vagina; is that correct?

10 A. I don't think. I know.

11 Q. Well, with regard to anything else that
12 you saw in the police report that, as you've
13 described, quote/unquote, reminded you or called --
14 made you able to recall what occurred at
15 Mr. Epstein's home as you sit here today now?

16 A. What was the question?

17 Q. Okay. Was there anything else that you
18 saw from the police report that you indicate; that
19 is, the police -- let me strike that.

20 Just so it's clear, it's, the police
21 report is not what you said, it's what a police
22 officer recorded in his or her report that you said
23 to them; is that correct?

24 MR. HOROWITZ: Form.

25 THE WITNESS: Yes. That's correct.

1 BY MR. CRITTON:

2 Q. All right. And was there anything else
3 that saw in the police officer's recordation; that
4 is, what he put on the page, of what you purportedly
5 said to him at that time that you -- that refreshed
6 your recollection in some way about what happened at
7 Mr. Epstein's, that, that prior to yesterday was not
8 in your recollection?

9 A. Those were the only two things.

10 Q. All right. Now, if the police officer --
11 you indicated that Item 1 is, is that he unsnapped
12 your bra and touched your breasts, correct?

13 A. Correct.

14 Q. And when you say "he" -- had that not been
15 in the police report, is that something that you, at
16 least as of yesterday, you didn't remember?

17 MR. HOROWITZ: Form, improper
18 hypothetical.

19 THE WITNESS: I remember it being worse
20 than what I keep telling everybody had
21 happened, because I don't want people to think,
22 think that some old man touched me like that
23 and was allowed to get away with it and
24 everything was okay.
25

1 BY MR. CRITTON:

2 Q. Well, what do you -- what do you mean,
3 he's been allowed to get away with it?

4 A. No matter what I say or do, nothing is going
5 to happen to him. And that's the only thing that I
6 want.

7 Q. What --

8 A. I want him to know that what he did was wrong
9 and to never ever do that to anybody, because nobody
10 deserves to feel the way that I deserve -- that I felt
11 that day. I would never want anyone to have to go
12 through that.

13 Q. Okay. And did -- that day you were at
14 Mr. Epstein's home, when you left did you express
15 just what you did on the video camera and to the
16 court reporter here, did you express that to your
17 close personal friend, Jane Doe No. 3?

18 A. Close personal was not -- she was not close
19 and personal. She was a girl that I went to school
20 with. I did not express that to her because she was the
21 person that had brought me there. I expressed that same
22 statement to my best friend, the only person in this
23 entire world that I told.

24 Q. Who was that?

25 A. My friend [REDACTED].

1 The police talked to you about a year
2 later, which would have been in approximately
3 December of '05?

4 A. Yes.

5 Q. Between the time that you went to
6 Mr. Epstein's home and the police talked to you in
7 December of '05, had you, other than speaking with
8 [REDACTED], had you spoken -- had you told anyone
9 else what purportedly happened to you at
10 Mr. Epstein's home?

11 MR. HOROWITZ: Form.

12 THE WITNESS: I told [REDACTED];
13 because I had worked with him at [REDACTED], that
14 she did some bad things and that she wasn't a
15 good person.

16 BY MR. CRITTON:

17 Q. "She" meaning Jane Doe No. 3?

18 A. Yes.

19 Q. Okay. And what did he say?

20 A. He just couldn't believe. I didn't tell him
21 like the full-on story. I just told him some of the
22 things that happened and how she had lied to me about
23 everything. And then he was, you know, very comforting,
24 gave me a hug and said, you know, that was wrong, she
25 should have never done that, you know.

1 Q. Are you aware of anyone else that Jane Doe
2 No. 3 ever took to Mr. Epstein's home?

3 A. I heard of a girl, but I don't, I don't know
4 her name. I heard of a girl going there and the boys
5 were all talking to me at school saying how they can't
6 believe some girl went there and she was young and she
7 did things to him. And I thought at first they were
8 talking about me, and then it ended up they said this
9 other girl's name, and I was like, who's that, and then
10 that was it. And that's all I heard.

11 Q. Okay. So you don't know anyone else who
12 ever went to Mr. Epstein's home, any other females
13 that went?

14 A. I now know that a couple of girls were the
15 recruiters.

16 Q. Who?

17 A. I've heard of that Jane Doe No. 4. I don't
18 know her last name. I know of a girl Jane Doe No. 103
19 and [REDACTED].

20 Q. With [REDACTED], what did you tell --
21 did you tell [REDACTED] within a few days -- well, let me
22 strike that. When did you tell [REDACTED] about Jane Doe
23 No. 3 and what she had done?

24 A. It was weeks afterward.

25 Q. But before the Palm Beach Police talked to

1 you?

2 A. Yes.

3 Q. Did you ever talk to the FBI?

4 A. Yes.

5 Q. All right. What did you tell [REDACTED]
6 happened? What did you tell him about Jane Doe
7 No. 3 and what happened at Mr. Epstein's?

8 A. About the note and about how she --

9 Q. The note?

10 A. The note that she wrote to me in class about
11 what she, how she wanted me to go and give just old guys
12 a massage and you get like \$200. And I said, okay.
13 It's right around Christmastime. I have eight people in
14 my family that I have to get presents for, you know.
15 And, and then she said if I ever told anybody that she
16 would punch me in the face or beat me up, and --

17 Q. Did she say something like, I'll beat your
18 ass or something like that?

19 A. Yeah.

20 Q. That's what she said?

21 A. Yeah.

22 Q. All right. So she basically gave you a
23 note and said, do you have an interest in going to
24 a -- to give a massage to this old -- an old guy or
25 guys?

1 A. She said it's in the -- you know, it's in a
2 place where there's a bunch of old guys and there's
3 young girls. You don't need experience, and you just
4 give them a massage and they pay good money just to have
5 you massage them.

6 Q. This is what Jane Doe No. 3 told you in
7 the note?

8 A. Yeah.

9 Q. And then she said, if you tell anybody,
10 I'm going to beat you up or I'll beat your ass?

11 A. Yeah.

12 Q. Okay. And was Jane Doe No. 3 a friend of
13 yours at the time?

14 A. She was -- she sat next to me in classes, and
15 she -- I'd known her since middle school and high
16 school.

17 Q. What was Jane Doe No. 3's reputation; that
18 is, was she someone who was -- like, did you
19 consider her a truthful person?

20 MR. HOROWITZ: Form.

21 THE WITNESS: She was just more of --
22 like, she hung out with more of, like, the
23 cooler girls and she, she -- I just, I just
24 personally didn't really want to hang out with
25 her until high school we hung out in the same

1 either by phone or by mail?
 2 A. By mail. I got mail that's, I think that's
 3 how I kept in contact with everyone. I don't, I don't
 4 think I had conversations with them on the phone about
 5 it.
 6 Q. Okay. Did she ask you whether you had,
 7 "she," the agent, ever ask you whether you had had
 8 telephone, any telephone conversations with
 9 Mr. Epstein?
 10 A. I don't think she asked me that.
 11 Q. Okay. And just let me ask just a couple
 12 of questions. Is, is -- you never gave Mr. Epstein
 13 or anyone on his behalf your phone number, did you?
 14 A. Yes, I did.
 15 Q. To whom did you give your phone number?
 16 A. The lady downstairs, his assistant.
 17 Q. All right.
 18 A. Or whatever she is.
 19 Q. No one, Mr.-- you have never spoken with
 20 Mr. Epstein by phone, correct?
 21 A. Correct.
 22 Q. Okay. He has never texted you nor have
 23 you ever texted him, correct?
 24 A. Correct.
 25 Q. You have never communicated to him,

1 BY MR. CRITTON:
 2 Q. The only contact you had with Mr. Epstein
 3 at his home or with him or someone working on his
 4 behalf, other than me as his attorney or Dr. Hall,
 5 who did a medical examination on you -- I forgot the
 6 question. I have to start again.
 7 Other than myself who represents
 8 Mr. Epstein and other than Dr. Hall who did an
 9 examination of you, you've had no contact either
 10 with Mr. Epstein or with anyone who has been acting
 11 on his behalf at any time other than that one
 12 occasion in December of '04; is that correct?
 13 A. Correct.
 14 Q. With the FBI, did you ever get a letter
 15 from them or from the Department of Justice, the
 16 United State's Attorney's Office, at any time?
 17 A. I believe so. They were keeping me updated.
 18 Q. Okay. And at some point did you learn
 19 that Mr. Epstein was, had pled guilty to state
 20 offenses and was serving time in jail?
 21 A. Yes.
 22 Q. Okay. How did you learn that?
 23 A. Through the, the letters that I got like once
 24 every couple of months or once year.
 25 Q. And in any of the letters that you ever

1 communicated with Mr. Epstein or anyone on his
 2 behalf over the Internet, either to or from,
 3 correct?
 4 A. Correct.
 5 Q. You have not used your computer Facebook,
 6 a social networking site, to communicate with
 7 Mr. Epstein or anyone on his behalf, correct?
 8 A. Correct.
 9 Q. Okay. And if I may just so it's correct
 10 you have never texted or no one on behalf -- strike
 11 that. You have had no contact by phone, text,
 12 Internet, computer with Mr. Epstein or anyone acting
 13 on Mr. Epstein's behalf, correct?
 14 MR. HOROWITZ: Form.
 15 THE WITNESS: Correct.
 16 BY MR. CRITTON:
 17 Q. Okay. Did, the only contact that you ever
 18 had with Mr. Epstein or really anyone on his behalf
 19 was that one-time visit in the latter part of
 20 December of 2004, correct?
 21 A. Well, Dr. Hall and now you.
 22 Q. But that's a different issue. Back in the
 23 time period --
 24 MR. HOROWITZ: That's a good answer.
 25

1 received from the, either the FBI or the United
 2 State's Attorney's office, did they ever tell you
 3 you had the ability to bring a civil lawsuit for
 4 money damages against Mr. Epstein?
 5 MR. HOROWITZ: Form.
 6 THE WITNESS: I'm not sure. I don't know
 7 actually.
 8 BY MR. CRITTON:
 9 Q. And how did -- again I don't want to know
 10 any -- is the first lawyer that you met from the law
 11 firm that your, that your, that you currently
 12 employ, is that Mr. Herman?
 13 A. Correct.
 14 Q. Okay. And where did you first meet
 15 Mr. Herman?
 16 A. My mother contacted him.
 17 Q. Okay. And how did she get in contact with
 18 him, do you know?
 19 A. I believe she read about one of the other
 20 girls that had come out and talked and spoke about her
 21 day with Mr. Epstein, and then she wanted me to talk to
 22 somebody as well.
 23 Q. Is this someone who had filed a lawsuit
 24 against Mr. Epstein --
 25 MR. HOROWITZ: Form.

1 would that be generally -- well, let me see. When
2 you saw Dr. Kliman that was about a year ago, I
3 think his visit with you. And I actually, I think I
4 have the date someplace. It was, I think it was on
5 December 4th of '08. I'll represent to you that's
6 at least what his records reflect. Okay?

7 A. Okay.

8 Q. Which is a little over a year ago. So at
9 the time you were seeing Dr. Kliman, were you using
10 or smoking pot generally a couple of times, two or
11 three times a week?

12 A. Yes.

13 Q. Okay. And has that been true since you
14 saw Dr. Kliman up through the current date?

15 A. Yes.

16 Q. And even at home, do you smoke -- well,
17 let me strike that. Do you smoke pot at home?

18 A. Not in my parents' house.

19 Q. Okay. Do they smoke pot?

20 A. No.

21 Q. Do, does your brother [REDACTED] or your half
22 sister, do they smoke pot with you?

23 A. My brother, no. My sister, yes.

24 Q. Okay. And is she one of the people that
25 you smoke with or you have over, say, in the last

1 six months?

2 A. Yes.

3 Q. Okay. And how do you purchase it? Are
4 you currently employed?

5 A. Yes.

6 Q. Okay. And are you the one who purchases
7 it, or do you and [REDACTED] both purchase it and
8 share it?

9 MR. HOROWITZ: Form.

10 THE WITNESS: I purchase it, and I share
11 it with people.

12 BY MR. CRITTON:

13 Q. Okay. For how long a time period have you
14 used pot on a two-or-three-times-a-week basis?

15 A. Probably since 12th grade.

16 Q. And I assume when you started using pot,
17 or let's see, 12th grade would have made you about
18 17 or 18 at the time?

19 A. Uh-huh.

20 Q. Yes?

21 A. Yes.

22 Q. And you're now?

23 A. Twenty-two.

24 Q. Twenty-two. So, for about the last four
25 or five years, you've been smoking pot two to three

1 times a week on that, I would say, a regular basis;
2 would that be a fair statement?

3 A. Yes.

4 Q. And I assume that's a choice that you
5 make. You obviously like it, so you smoke it?

6 A. Yes.

7 Q. All right. And you don't attribute that
8 to anything other than you like to smoke pot?

9 MR. HOROWITZ: Form.

10 THE WITNESS: What is "attribute to
11 anything"?

12 BY MR. CRITTON:

13 Q. That is, attribute is, is, there is, out
14 in California, maybe other states, they have
15 medicinal marijuana, and so people who have severe
16 symptoms associated with possibly cancer or
17 something else, they are allowed under the law to
18 smoke pot. So, they would attribute -- they may not
19 like to smoke pot. They may be against smoking pot,
20 but because marijuana helps alleviate their
21 symptoms, it would be they take pot or use pot, and
22 they attribute it, because they have cancer, it
23 helps them feel better. All right. So they,
24 that -- there's a reason for it.

25 If I understand your testimony, is, is,

1 you smoke pot and you started in the 12th grade at
2 age 17-ish because you like it, and because you like
3 it you have continued to use it. Is that a fair
4 statement?

5 MR. HOROWITZ: Form.

6 THE WITNESS: It helps me relax; take my
7 mind off of things.

8 BY MR. CRITTON:

9 Q. Okay. But it's a choice you make either
10 to smoke pot or not smoke pot?

11 A. Yes.

12 Q. All right. Is there anything else you
13 lied or misrepresented to Dr. Kliman about with
14 regard to amount of drug use --

15 MR. HOROWITZ: Form.

16 BY MR. CRITTON:

17 Q. -- other than your reference to marijuana.

18 A. No.

19 Q. Everything else you told Dr. Kliman about,
20 drug use or any other aspect, was true --

21 MR. HOROWITZ: Form.

22 THE WITNESS: Yes.

23 BY MR. CRITTON:

24 Q. -- is that correct?

25 A. Yes.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

JANE DOE NO. 2,

Plaintiff,

-vs-

VOLUME I OF II

JEFFREY EPSTEIN,

Defendant.

Related cases:

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

VIDEOTAPED DEPOSITION OF

JANE DOE NO. 3

Friday, February 19, 2010
10:07 - 5:09 p.m.

250 Australian Avenue
Suite 1500
West Palm Beach, Florida 33401

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

cc VE, 16, DI

1 BY MR. CRITTON:
 2 Q. All right. Let me go back to [REDACTED], okay.
 3 At the time that Mr. Epstein, at least based on what
 4 you testified earlier today, is because Mr. Epstein
 5 did touch your breasts -- well, in fact, I should
 6 probably clear up one thing. He only touched you in
 7 the vaginal area, from what you've testified to
 8 today, is over your boy shorts, correct?
 9 A. Yes.
 10 Q. And you have said that there was never any
 11 penetration?
 12 A. Correct.
 13 Q. Okay. You never touched any of his
 14 private parts, true?
 15 A. Correct.
 16 Q. Okay. You never had any kind of
 17 intercourse?
 18 A. No.
 19 Q. All right. Never had oral sex?
 20 A. No.
 21 Q. He to you, you to him, correct?
 22 A. No.
 23 Q. Any type of other -- no type of sexual
 24 contact whatsoever?
 25 MR. MERMELSTEIN: Objection, form.

1 BY MR. CRITTON:
 2 Q. That is, your, your sexual organ with one
 3 of his sexual organs; that never occurred, correct?
 4 A. You're asking me if I've had sex with him?
 5 Q. No. None of your sexual organs ever came
 6 in contact with his sexual organs, true?
 7 A. Correct.
 8 Q. All right. So, again, what -- based on
 9 what you told [REDACTED] that he did touch your breasts,
 10 and that you did take your shirt and your skirt off
 11 but left on your bra and your boy shorts, that you
 12 were in shock and emotionally disturbed at what
 13 happened within -- at the time, and then you told
 14 [REDACTED] within an hour how upset you were, you also
 15 took Jane Doe No. 2 there, correct?
 16 A. Yes.
 17 Q. All right. And was Jane Doe No. 2 a good
 18 friend of yours, then?
 19 A. Yes.
 20 Q. All right. So despite this, I'd say,
 21 shocking incident to you, you were willing to expose
 22 your friend Jane Doe No. 2 as well to, at least
 23 based on your testimony, to this shocking,
 24 disturbing experience that you had had, true?
 25 MR. MERMELSTEIN: Form.

1 THE WITNESS: Yes.
 2 BY MR. CRITTON:
 3 Q. Okay. And what kind of a friend, at least
 4 with Jane Doe No. 2, what kind of a friend exposes
 5 another good friend to a shocking, disturbing,
 6 emotionally disturbing event?
 7 MR. MERMELSTEIN: Form, argumentative,
 8 rhetorical.
 9 BY MR. CRITTON:
 10 Q. Why did you do that?
 11 A. I don't know.
 12 Q. Okay. You also did that to [REDACTED],
 13 correct?
 14 A. Yes.
 15 Q. Okay. Why did you do that with [REDACTED]?
 16 A. I don't know.
 17 MR. CRITTON: Let's go about ten more
 18 minutes, and we'll take a break. Okay?
 19 MR. MERMELSTEIN: All right. Is that
 20 okay?
 21 THE WITNESS: (Witness nods head.)
 22 MR. MERMELSTEIN: Okay.
 23 BY MR. CRITTON:
 24 Q. Did you tell [REDACTED] what had occurred? Did
 25 you tell her what you had told [REDACTED]?

1 A. Not exactly.
 2 Q. But did you tell her she might be asked to
 3 take off her clothes?
 4 A. And that you don't have to, yes.
 5 Q. All right. And you said you, you may be
 6 asked to take off your clothes, but you don't have
 7 to?
 8 A. Yes.
 9 Q. Okay. And did you say he might try to
 10 touch you, but if he does, just tell him you're not
 11 comfortable?
 12 MR. MERMELSTEIN: Form.
 13 THE WITNESS: Can you --
 14 BY MR. CRITTON:
 15 Q. Yeah. Did you, did you tell her as well,
 16 is if he tries to touch you, just tell him you don't
 17 feel comfortable?
 18 MR. MERMELSTEIN: Form.
 19 THE WITNESS: I told her if he tries to do
 20 anything, you can say no.
 21 BY MR. CRITTON:
 22 Q. Okay. And, and then he will stop?
 23 A. Yes.
 24 Q. Okay. And did you tell Jane Doe No. 2 the
 25 same thing --

1 A. Yes.
 2 Q. So you met them both about the same time,
 3 a year or two before June of '04?
 4 A. Yeah.
 5 Q. Okay. And again, after you, at any time
 6 from the time that you first talked with -- or Jane
 7 Doe No. 4 knew that you were going to Mr. Epstein's,
 8 did she ever appear to you to have any emotional or
 9 psychological issues? And I know you're not a
 10 psychiatrist or psychologist or a counselor, but did
 11 she ever express any issues with you, emotional
 12 kinds of issues?
 13 A. I don't remember.
 14 Q. Okay. Nothing stands out anyway?
 15 A. Right.
 16 Q. All right. Same with Jane Doe No. 7, did
 17 she ever express any type of emotional issues that
 18 she was having, any kind of psychological trauma
 19 that she had experienced or that she wanted to share
 20 with you? Did you ever note it -- either did they
 21 share -- did Jane Doe No. 7 either share it with
 22 you, or did you observe something that concerned you
 23 at all about her?
 24 MR. MERMELSTEIN: Form.
 25 THE WITNESS: No.

1 BY MR. CRITTON:
 2 Q. How about Jane Doe No. 2, did she ever
 3 express any emotional trauma or concerns or
 4 psychological types of issues to you --
 5 MR. MERMELSTEIN: Form.
 6 BY MR. CRITTON:
 7 Q. -- as a result of being at Mr. Epstein's?
 8 MR. MERMELSTEIN: Form.
 9 THE WITNESS: No.
 10 BY MR. CRITTON:
 11 Q. Okay. Did she ever tell you -- well, let
 12 me strike that.
 13 Did Jane Doe No. 2, after she went to
 14 Mr. Epstein's, did she ever say anything to you?
 15 A. No.
 16 Q. Okay. Did [REDACTED] ?
 17 A. No.
 18 Q. Okay. So after [REDACTED] went to
 19 Mr. Epstein's, she never -- after you took her
 20 there, she never said anything to you about what had
 21 happened or what had occurred?
 22 A. Correct.
 23 Q. Okay. She never told you anything
 24 inappropriate occurred.
 25 A. Correct.

1 Q. Because she didn't tell you anything.
 2 A. Correct.
 3 Q. Okay. And I think she, is she the one,
 4 [REDACTED] the one that you fought over the boyfriend?
 5 A. No, it's Jane Doe No. 2.
 6 Q. Okay. That's Jane Doe No. 2. Okay.
 7 [REDACTED] and you are still acquaintances?
 8 A. Yes.
 9 Q. Okay. And [REDACTED] -- and Jane Doe No. 2, she
 10 never said that anything inappropriate happened with
 11 Mr. Epstein, nor did she express any anger with you,
 12 correct?
 13 A. Correct.
 14 Q. Okay. And whatever parting you had was
 15 over, what's his name, [REDACTED] ?
 16 A. Uh-huh, yes.
 17 Q. [REDACTED] is that correct?
 18 A. Yes.
 19 Q. All right. Did you know -- let me talk to
 20 you about Jane Doe No. 7 just a little bit. Did you
 21 know -- what did you know about -- so you had been
 22 around Jane Doe No. 7 for about a year or two before
 23 you first went to Mr. Epstein's. Did you ever know
 24 any of her boyfriends?
 25 A. No.

1 Q. Jane Doe No. 7, was she your age?
 2 A. Older.
 3 Q. And did she, did Jane Doe No. 7 ever --
 4 were you, did you do -- well, let me start again.
 5 What was Jane Doe No. 7's, what was, were
 6 her interests in school -- well, strike that.
 7 That's a bad question, too.
 8 Were you both from the same school?
 9 A. Yes.
 10 Q. Okay. [REDACTED] ?
 11 A. Yes.
 12 Q. All right. And was she popular in school?
 13 A. Yes.
 14 Q. I guess it's in the eyes of the beholder,
 15 but you would have considered to be a popular
 16 person?
 17 A. Would I?
 18 Q. Have considered Jane Doe No. 7 to be like
 19 a popular person.
 20 A. Yes.
 21 Q. Okay. Very social?
 22 A. Yes.
 23 Q. Okay. And this would have been both
 24 before and after she saw Mr. Epstein?
 25 A. Yes.