

0016

1 IN THE CIRCUIT COURT OF THE 15th JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

2 CASE No. 502008CA037319XXXXMB AB

3  
4  
5 ■■■.,  
6 Plaintiff,  
7

8 -vs-

9 JEFFREY EPSTEIN,  
10 Defendant.

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12  
13 CONTINUED DEPOSITION OF JEFFREY EPSTEIN  
14 VOLUME II

15  
16 Thursday, October 8, 2009

17  
18 10:07 - 1:03 p.m.

19  
20 250 South Australian Avenue  
Suite 1400  
21 West Palm Beach, Florida 33401

22  
23 Reported By:  
24 Jeana Ricciuti, RPR, FPR, CLR  
Notary Public, State of Florida  
25 Prose Court Reporting Agency, Inc.

0017

1 APPEARANCES:  
2 On behalf of the Plaintiff:  
3 SPENCER T. KUVIN, ESQUIRE  
4 ADAM LANGINO, ESQUIRE  
LEOPOLD KUVIN, P.A.  
2295 PGA Boulevard  
Suite 200  
5 Palm Beach Gardens, Florida 33410  
6 Phone: ■■■■■■■■■■

7 On behalf of ■■■. and ■■■. and Jane Doe in Case No.  
80893:

8 CARA L. HOLMES, ESQUIRE  
9 ROTHSTEIN, ROSENFELDT & ADLER  
401 East Las Olas Boulevard  
Suite 1650  
10 Fort Lauderdale, Florida 33301  
Phone: ■■■■■■■■■■

11 On behalf of Plaintiff Jane Doe in Case No. 80591 and  
12 80656 via telephone:

13 KATHERINE W. EZELL, ESQUIRE  
14 PODHURST ORSECK, P.A.  
25 West Flagler Street  
Miami, Florida 33130  
15 Phone: ■■■■■■■■■■

16 On behalf of the Defendant:  
JACK GOLDBERGER, ESQUIRE  
STORY KOWLES, PARALEGAL  
ATTERBURY, GOLDBERGER & WEISS, P.A.

17 250 South Australian Avenue  
18 Suite 1400  
19 West Palm Beach, Florida 33401  
20 Phone: [REDACTED]

21 MICHAEL J. PIKE, ESQUIRE  
22 BURMAN, CRITTON, LUTTIER & COLEMAN, P.A.  
23 303 Banyan Boulevard  
24 Suite 400  
25 West Palm Beach, Florida 33401

0018  
1 Phone: [REDACTED]  
2 ALSO PRESENT:  
3 DAN DOSKEY, VIDEOGRAPHER  
4 VISUAL EVIDENCE, INC.

5  
6  
7  
8 I N D E X

9  
10 WITNESS: DIRECT CROSS REDIRECT RECROSS  
11 JEFFREY EPSTEIN  
12 BY MR. KUVIN 21

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0019 E X H I B I T S

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0019 P R O C E E D I N G S

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2  
3 Deposition taken before Jeana Ricciuti, Registered  
4 Professional Reporter and Notary Public in and for the  
5 State of Florida at Large, in the above cause.

6  
7 THE VIDEOGRAPHER: We're on the video record.  
8 This is the 8th day of October, 2009, and the time  
9 it approximately 10:07 a.m.

10 This is the continuation of the videotaped  
11 deposition of Jeffrey Epstein in the matter of [REDACTED].  
12 versus Epstein. This deposition is being held at  
13 250 South Australian Avenue, No. 1400 in West Palm  
14 Beach, Florida.

15 My name is Dan Doskey. I'm the videographer

16 representing Visual Evidence, Incorporated.  
17 Would the attorneys present please announce  
18 their appearances for the record?  
19 MR. KUVIN: Spencer Kuvin and Adam Langino on  
20 behalf of the Plaintiff, [REDACTED].  
21 MS. HOLMES: Cara Holmes for [REDACTED].  
22 MR. PIKE: Michael Pike on behalf of  
23 Jeffrey Epstein.  
24 MR. GOLDBERGER: And Jack Goldberger on behalf  
25 of Jeffrey Epstein.

0020

1 Kathy, do you want to identify yourself?  
2 Kathy, are you there?  
3 MS. EZELL: Yes.  
4 MR. PIKE: She puts it on mute every once in a  
5 while.  
6 MR. GOLDBERGER: Hey, Kathy, are you there?  
7 MS. EZELL: Yes.  
8 MR. GOLDBERGER: Just -- we're just  
9 identifying everyone who's on this thing. Can you  
10 just identify yourself?  
11 MS. EZELL: Yes. It's Kathy Ezell. I'm  
12 sorry, Kathy Ezell is here.  
13 - - -

14 Thereupon,

15 (JEFFREY EPSTEIN)  
16 having been first duly sworn or affirmed, was examined  
17 and testified as follows:

18 THE WITNESS: Yes, ma'am.  
19 MR. PIKE: Pull that back, please.  
20 MR. KUVIN: Back?  
21 MR. PIKE: Yeah, not on the video. I want to  
22 make sure it's not on the video.  
23 MR. KUVIN: We're good? Thank you.  
24 THE VIDEOGRAPHER: It's not.  
25 DIRECT EXAMINATION

0021

1 BY MR. KUVIN:  
2 Q. Could you give us your name, sir, please.  
3 A. Jeffrey Epstein.  
4 MR. GOLDBERGER: Kathy, you've got to put it  
5 on mute. Kath -- Kathy?  
6 MS. EZELL: Give me one second.  
7 MR. GOLDBERGER: Just put it on mute, please.  
8 MR. KUVIN: You can probably turn the volume  
9 down; it won't effect her mic, I would imagine.  
10 MR. GOLDBERGER: Good idea. Okay.

11 BY MR. KUVIN:

12 Q. Mr. Epstein, is your date of birth,  
13 [REDACTED] ?  
14 A. Yes.  
15 Q. Race is White?  
16 A. Yes.  
17 Q. You are male?  
18 A. Yes.  
19 Q. Hair is gray?  
20 A. Yes.  
21 Q. Eyes are blue?  
22 A. Yes.  
23 Q. Height is 6-foot tall?  
24 A. Correct.  
25 Q. Weight is 180 pounds?

0022

1 A. Correct.  
2 Q. Mr. Epstein, on January 30th of 2008, isn't it  
3 true that you pled guilty to procuring a person under  
4 the age of 18 for prostitution?  
5 A. No.  
6 Q. You did not plead guilty?  
7 A. You asked me -- do you want to repeat it?  
8 Q. Did you plead guilty to procuring a person  
9 under the age of 18 for prostitution?  
10 A. On what date?  
11 Q. Regardless of the date, did you plead guilty  
12 to procuring a person under the age of 18 for  
13 prostitution?  
14 MR. GOLDBERGER: Do you need to take a break?  
15 MR. KUVIN: I'm sorry, what are we doing?  
16 MR. GOLDBERGER: I'm taking a break to talk to  
17 my client.  
18 MR. KUVIN: For what reason?  
19 MR. GOLDBERGER: Whether we have to invoke a  
20 privilege or not.  
21 MR. KUVIN: Okay.  
22 THE VIDEOGRAPHER: Going off the record at  
23 10:10.  
24 (A brief recess was taken.)  
25 THE VIDEOGRAPHER: We're back on the record at

0023

1 10:12.  
2 BY MR. KUVIN:  
3 Q. Okay. Mr. Epstein, did you plead guilty to  
4 procuring a person under the age of 18 for prostitution?  
5 A. I pled guilty procuring a minor, I believe,  
6 for prostitution.  
7 Q. When did you plead guilty to that charge?  
8 A. On June the 30th.  
9 Q. And did you procure a minor for prostitution  
10 in compliance with that charge?  
11 A. I fully intend to respond to all relevant  
12 questions regarding this lawsuit; however, at the  
13 present time, my attorneys have counseled me I cannot  
14 provide answers to any questions relevant to this  
15 lawsuit. I must accept this advice or risk losing my  
16 6th Amendment right to effective representation.  
17 Accordingly, I assert my federal constitutional rights  
18 as guaranteed by the 5th, 6th and 14th Amendment to the  
19 US Constitution.  
20 Q. Okay. I'd like to mark as Exhibit 1 the  
21 Florida Department of Law Enforcement Sexual  
22 Offender/Predator Flyer.  
23 MR. KUVIN: For the record, let me show that  
24 to Mr. -- well, let me show that to the camera,  
25 first.

0024

1 Okay. Let me know when you have it.  
2 (Plaintiff's Exhibit No. 1 was marked for  
3 identification.)  
4 THE VIDEOGRAPHER: Okay.  
5 MR. KUVIN: Okay?  
6 BY MR. KUVIN:  
7 Q. All right. Let me show you this sexual  
8 offender/predator flyer. Is that you, sir?  
9 A. It's a photograph of me, yes.  
10 Q. Okay. Is that the predator flyer for you?  
11 A. No, it is not.

12 Q. Who's it for?  
13 A. It's a sexual offender flyer.  
14 Q. I'm sorry, I was reading the title where it  
15 says "Predator Flyer." Do you see that?  
16 A. It actually said "Sexual Offender/Predator"  
17 because it's used for both categories. And if you'll  
18 notice, the designation says sexual offender, which is  
19 extremely different than sexual predator.  
20 Q. What's your understanding of the difference  
21 between the two?  
22 A. I'm not -- I know I'm a sex -- I've been  
23 registered as a sexual offender.  
24 Q. Why are you a sexual offender?  
25 MR. GOLDBERGER: Jeff.

0025

1 THE WITNESS: I fully intend to respond to all  
2 relevant questions regarding this lawsuit; however,  
3 at the present time, my attorneys have counseled me  
4 I cannot provide answers to any questions relevant  
5 to this lawsuit. I must accept this advice or risk  
6 losing my 6th Amendment right to effective  
7 representation. Accordingly, I have to assert my  
8 federal constitutional rights as guaranteed by the  
9 5th, 6th and 14th Amendment to the US Constitution.

10 MR. KUVIN: Let's go ahead and I'd like to  
11 mark what you're reading from here today as Exhibit  
12 2 to the deposition.

13 (Plaintiff's Exhibit No. 2 was marked for  
14 identification.)

15 BY MR. KUVIN:

16 Q. Who prepared that document for you, sir?

17 MR. GOLDBERGER: Don't answer that question,  
18 Jeffrey. It's attorney-client privileged and this  
19 is my work product, and we're not marking it, so...

20 MR. KUVIN: I don't think you have the right  
21 to tell me what I can and can't --

22 MR. GOLDBERGER: You can mark it all you  
23 want --

24 MR. KUVIN: It's been marked.

25 MR. GOLDBERGER: You can mark it all you want,

0026

1 but it's not --

2 MR. KUVIN: If you choose to --

3 MR. GOLDBERGER: It's not -- it's not being  
4 admitted into evidence.

5 MR. KUVIN: Sir, please don't interrupt me.

6 Are you --

7 MR. GOLDBERGER: I'll interrupt you --

8 MR. KUVIN: Are you representing Mr. Epstein  
9 in this deposition or is Mr. Pike? Because I want  
10 to be clear which one of you is going to be doing  
11 the talking during the deposition.

12 MR. GOLDBERGER: We both are representing  
13 Mr. Epstein.

14 MR. PIKE: Let's go off the record for a  
15 second.

16 MR. KUVIN: No, we're not going off the  
17 record. We're staying on the record and only one  
18 attorney may speak at a time.

19 So right now, I'd like you all to choose. I  
20 don't mind, either one of you can inject --

21 MR. PIKE: Hold on a second.

22 MR. KUVIN: -- and represent Mr. Epstein.

23 MR. GOLDBERGER: Let -- let -- let him finish.  
24 Let him finish.

25 MR. KUVIN: Let me finish, please.

0027

1 Either one of you can represent Mr. Epstein,  
2 but I don't want objections flying from both  
3 chairs, both Mr. Epstein's criminal lawyer and his  
4 civil lawyer.

5 So I'd ask you to please choose which one is  
6 going to object, just like Judge Hafele has  
7 required at hearings that only one attorney can  
8 represent Mr. Epstein in an argument at a hearing.

9 MR. GOLDBERGER: Actually, we have two  
10 different roles in this matter. I represent  
11 Mr. Epstein on all criminal matters, so I'm going  
12 to speak when I think it's relevant to any criminal  
13 matters. And Mr. Pike represents Mr. Epstein on  
14 any civil matters, and he will speak when it's  
15 relevant to any civil matters.

16 BY MR. KUVIN:

17 Q. Okay. Sir, can I please have the paper back,  
18 which has already been marked as Exhibit 2?

19 MR. KUVIN: Mr. Goldberger, if you choose that  
20 this document is not to be produced in this case, I  
21 have no objection to you sealing that document  
22 until such time as Judge Hafele decides the issue  
23 as to whether or not I'm allowed to mark something  
24 that the witness is reading in a deposition. Is  
25 that fair to you?

0028

1 MR. GOLDBERGER: You can mark anything you  
2 want to mark. Go ahead and mark it, and then we'll  
3 go from there.

4 MR. KUVIN: Okay, sounds good. Thank you very  
5 much.

6 BY MR. KUVIN:

7 Q. Okay, sir. What I've marked as Exhibit 2, did  
8 you prepare that document?

9 MR. GOLDBERGER: Attorney-client.

10 THE WITNESS: Attorney-client privilege.

11 BY MR. KUVIN:

12 Q. Sir, you are reading from a document, are you  
13 not, when I ask you certain questions?

14 MR. GOLDBERGER: Attorney-client.

15 BY MR. KUVIN:

16 Q. The document that you're reading from is  
17 Exhibit 2 that's in front of you right now.

18 MR. GOLDBERGER: Attorney-client.

19 BY MR. KUVIN:

20 Q. Why do you feel a need to read from a document  
21 with respect to the issues of whether or not you have a  
22 5th Amendment right?

23 MR. GOLDBERGER: Attorney-client.

24 BY MR. KUVIN:

25 Q. Sir, with respect to the last questions I was

0029

1 asking you about, the difference between a sexual  
2 offender and a sexual predator, when Mr. Goldberg piped  
3 up and said your --

4 MR. GOLDBERGER: Goldberger. Goldberger.

5 BY MR. KUVIN:

6 Q. -- I'm sorry, Mr. Goldberger said your name in  
7 order to clue you in to object on 5th Amendment

8 grounds --  
9 MR. GOLDBERGER: Form.  
10 BY MR. KUVIN:  
11 Q. -- did you feel a need to respond at that  
12 point?  
13 MR. PIKE: Object to the form.  
14 MR. GOLDBERGER: The invocation of 5th  
15 Amendment privileges is going to be decided by me,  
16 as Mr. Epstein's criminal counsel. I will make  
17 that decision.  
18 MR. KUVIN: Okay. I would just like to note  
19 for the record that that's improper. That's not  
20 what the case law says, and we'll take that up --  
21 MR. GOLDBERGER: Fair enough.  
22 MR. KUVIN: -- issue with Judge Hafele?  
23 BY MR. KUVIN:  
24 Q. All right, sir. Do you consider yourself a  
25 sexual offender or a sexual predator, which one?  
0030  
1 A. I fully intend to respond to all relevant  
2 questions regarding this lawsuit; however, at the  
3 present time, my attorneys have counseled me I cannot  
4 provide answers to any questions relevant to this  
5 lawsuit. I must accept this advice or risk losing my  
6 6th Amendment right to effective representation.  
7 Accordingly, I assert my federal constitutional rights  
8 as guaranteed by the 5th, 6th and 14th Amendment to the  
9 US Constitution.  
10 Q. Sir, do you like having things inserted in  
11 your anus for sexual gratification?  
12 MR. PIKE: Objection, argumentative,  
13 harassing.  
14 THE WITNESS: I fully intend to respond to all  
15 relevant questions regarding this lawsuit; however,  
16 at the present time, my attorneys have counseled me  
17 I cannot provide answers to any questions relevant  
18 to this lawsuit. I must accept this advice or risk  
19 losing my 6th Amendment right to effective  
20 representation.  
21 BY MR. KUVIN:  
22 Q. Do you live at 35 --  
23 MR. GOLDBERGER: Hold on.  
24 THE WITNESS: Excuse me, let me finish. Is  
25 that fair.  
0031  
1 BY MR. KUVIN:  
2 Q. Absolutely. I certainly want you to finish.  
3 A. Accordingly, I assert my federal  
4 constitutional rights as guaranteed by the 5th, 6th and  
5 14th Amendment to the US Constitution.  
6 Q. Sir, do you live at 358 El Brillo Way, Palm  
7 Beach, Florida?  
8 A. I fully intend to respond to all relevant  
9 questions regarding this lawsuit; however, at the  
10 present time, my attorneys have counseled me I cannot  
11 provide answers to any questions relevant to this  
12 lawsuit. I must accept this advice or risk losing my  
13 6th Amendment right to effective representation.  
14 Accordingly, I assert my federal constitutional right as  
15 guaranteed by the 5th, 6th and 14th Amendment to the US  
16 Constitution.  
17 Q. I noticed that Mr. Goldberger shook his head  
18 when I asked you where you lived. Do you have a problem

19 letting us know where you live?  
20 I'm trying to understand why that issue is  
21 protected by the 5th Amendment, given the fact that  
22 you're required to live at that address pursuant to the  
23 sexual offender flyer and pursuant to the Court's order  
24 convicting you based on your guilty plea.  
25 MR. PIKE: Form, argumentative.

0032

1 THE WITNESS: Do you want to repeat the  
2 question?

3 BY MR. KUVIN:

4 Q. Sure. Did the Court require you to stay at  
5 358 El Brillo Way on Palm Beach --

6 (Interruption in the proceedings.)

7 BY MR. KUVIN:

8 Q. Sir, did the Court require you to stay at 358  
9 El Brillo Way, Palm Beach, Florida subsequent to you  
10 being released from prison?

11 MR. PIKE: Form.

12 THE WITNESS: I fully intend to respond to all  
13 relevant questions regarding this lawsuit; however,  
14 at the present time, my attorneys have counseled me  
15 I cannot provide any answers to questions relevant  
16 to this lawsuit. I must accept this advice or risk  
17 losing my 6th Amendment right to effective  
18 representation. Accordingly, I assert my federal  
19 constitutional rights as guaranteed by the 5th,  
20 6th and 14th Amendment to the US Constitution.

21 BY MR. KUVIN:

22 Q. Let's go ahead and mark as Exhibit 3 a nice  
23 photo of your home.

24 (Plaintiff's Exhibit No. 3 was marked for  
25 identification.)

0033

1 BY MR. KUVIN:

2 Q. Okay. Let's get this for the camera, if I  
3 could. Okay.

4 All right. I'm going to show you what I've  
5 marked as Exhibit 3. Is that a photograph of your home,  
6 sir, at 358 El Brillo Way?

7 A. I fully intend to respond to all relevant  
8 questions regarding this lawsuit; however, at the  
9 present time, my attorneys have counseled me I cannot  
10 provide answers to any questions relevant to this  
11 lawsuit. I must accept this advice or risk losing my  
12 6th Amendment right to effective representation.  
13 Accordingly, I assert my federal constitutional rights  
14 as guaranteed by the 5th, 6th and 14th Amendment to the  
15 US Constitution.

16 Q. I had asked you before whether or not you  
17 liked things inserted in your anus for sexual  
18 gratification, and I'd like to go back to that for a  
19 moment, if I could.

20 Have you read the police report, incident  
21 report, on your arrest?

22 MR. PIKE: Form, argumentative, harassing.

23 MR. GOLDBERGER: Attorney-client work product.

24 BY MR. KUVIN:

25 Q. Sir, according to the report, there was a

0034

1 purple item retrieved from your trash at 358 El Brillo  
2 Way that appeared to be a device known as a jelly anal  
3 wand. Have you ever heard of something like that?

4 MR. PIKE: Form, argumentative, harassing.  
5 Same objections, attorney-client work product.  
6 THE WITNESS: I fully intend to respond to all  
7 relevant questions regarding this lawsuit; however,  
8 at the present time, my attorneys have counseled me  
9 I cannot provide answers to any questions relevant  
10 to this lawsuit. I must accept this advice or risk  
11 losing my 6th Amendment right to effective  
12 representation. Accordingly, I assert my federal  
13 constitutional rights as guaranteed by the 5th, 6th  
14 and 14th Amendment to the US Constitution.

15 BY MR. KUVIN:

16 Q. Outside of your home at 358 El Brillo Way was  
17 also recovered a 3-inch purple-sized finger -- I'm  
18 sorry, a 3-inch purple finger-sized object which had a  
19 broken end, which is apparently a sexual toy similar --  
20 similar to a cyclone vibrator possibly used for rectal  
21 gratification.

22 Do you know what a cyclone vibrator is?

23 A. No.

24 MR. PIKE: Form, harassing.

25 THE WITNESS: No, but I do know that that --

0035

1 MR. PIKE: Same objections.

2 THE WITNESS: -- broken purple object turned  
3 out to be, later on, described as a salad fork from  
4 the kitchen, strictly something that had been  
5 broken in the dishwasher and then reported it in a  
6 report obviously inaccurately.

7 BY MR. KUVIN:

8 Q. Okay. So the broken --

9 A. Salad fork, nothing more than a broken salad  
10 fork, correct.

11 Q. So the 3-inch purple finger-sized object was a  
12 salad fork?

13 A. Was a broken handle of a salad fork. Yes, the  
14 question has been asked and answered, I believe.

15 Q. Okay. When did you see that?

16 MR. PIKE: Form.

17 THE WITNESS: See what?

18 BY MR. KUVIN:

19 Q. Well, you called --

20 A. See that. What's the that?

21 Q. You called it a salad fork.

22 When did you see the salad fork after the  
23 police had taken it into custody?

24 MR. PIKE: Form.

25 THE WITNESS: I did not see the salad fork,

0036

1 nor did I represent that I did see the salad fork.

2 BY MR. KUVIN:

3 Q. Okay. So you have no idea what it was that  
4 the police took out of the trash?

5 A. The police --

6 MR. PIKE: Form.

7 THE WITNESS: -- filed a later report saying  
8 it was a salad fork, I believe.

9 BY MR. KUVIN:

10 Q. You never saw that piece, did you?

11 A. No.

12 Q. You have no idea what it was that they took  
13 out of there?

14 MR. PIKE: Form.

15 THE WITNESS: I just said the police said it  
16 was a salad fork, a mere salad fork misrepresented  
17 in that police report, as many things have been, it  
18 seems.  
19 BY MR. KUVIN:  
20 Q. Did they misrepresent the jelly anal wand?  
21 A. I've --  
22 MR. PIKE: Form.  
23 THE WITNESS: -- never heard of that before.  
24 BY MR. KUVIN:  
25 Q. Have you used vibrators that you've placed in  
0037  
1 your anus?  
2 MR. PIKE: Form, objection, harassing.  
3 THE WITNESS: No.  
4 BY MR. KUVIN:  
5 Q. You never placed anything like a vibrator in  
6 your anus?  
7 MR. PIKE: Same objections.  
8 THE WITNESS: No.  
9 BY MR. KUVIN:  
10 Q. There was in a dresser of an armoire of your  
11 home --  
12 MR. KUVIN: This is page 44, Counsel. I'd  
13 like to reference it.  
14 THE WITNESS: Is that marked as an exhibit? I  
15 don't know what he's reading.  
16 MR. PIKE: It's not marked as an exhibit.  
17 THE WITNESS: The police report?  
18 BY MR. KUVIN:  
19 Q. No, it's not. It's my work product, much like  
20 how Mr. Goldberger felt that your 5th Amendment was your  
21 work product.  
22 MR. KUVIN: So let's mark this as exhibit --  
23 what are we up to, 4?  
24 COURT REPORTER: 4.  
25  
0038  
1 (Plaintiff's Exhibit No. 4 was marked for  
2 identification.)  
3 MR. KUVIN: Okay. All right. If we could,  
4 just get a shot of that for me.  
5 Okay, thank you.  
6 BY MR. KUVIN:  
7 Q. According to the incident report, in a room of  
8 your home --  
9 MR. PIKE: What page are you on, Counsel?  
10 MR. KUVIN: Page 44.  
11 MR. PIKE: What paragraph?  
12 MR. KUVIN: Line 4.  
13 BY MR. KUVIN:  
14 Q. -- in a dresser armoire was located a bottle  
15 of peach-flavored Joy Jelly, parenthetically a sexual  
16 lubricant.  
17 I have here something called Joy Jelly. I  
18 even have peach. Do you know what that is?  
19 MR. PIKE: Form objection, harassing.  
20 MR. GOLDBERGER: Can you just clarify the  
21 question as to where you got that? Did that come  
22 from your home or from somewhere else, Mr. Kuvin?  
23 MR. KUVIN: I don't think that's relevant.  
24 MR. GOLDBERGER: Just curious as to what  
25 you're -- you've made a big point to identify this,

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1 this exhibit, and show it to the camera. So if my  
2 client is going to answer the question, I'd like to  
3 know whether it came from your home or from --  
4 whether you bought it or where it came from just so  
5 he can -- just so he can accurately answer the  
6 question should he choose to want to answer it.

7 MR. KUVIN: Well, he can make the choice  
8 whether he wants to answer it or not.

9 MR. GOLDBERGER: All right.

10 BY MR. KUVIN:

11 Q. Do you know what that is?

12 MR. PIKE: Form objection, improper  
13 hypothetical.

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

15 BY MR. KUVIN:

16 Q. Do you know what Exhibit 4 is?

17 A. You've just described it. I have no knowledge  
18 but what you've just described.

19 Q. You don't know what that's used for?

20 MR. PIKE: Form objection, harassing.

21 THE WITNESS: I've heard what you said it's  
22 used for. I've never seen it before.

23 BY MR. KUVIN:

24 Q. Do you know what that, right there, Exhibit 4,  
25 this peach-flavored --

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1 A. You've asked me that question already.

2 Q. -- Joy Jelly, do you know what it's used for?

3 MR. PIKE: Asked and answered.

4 BY MR. KUVIN:

5 Q. Not this bottle, but Joy Jelly, do you know  
6 what it's used for?

7 MR. PIKE: Same objection, harassing, asked  
8 and answered.

9 BY MR. KUVIN:

10 Q. You can answer.

11 A. I've already told you.

12 Q. You still haven't answered the question.

13 MR. PIKE: Counsel, he answered the question.  
14 It's been asked and answered twice.

15 MR. GOLDBERGER: Let's get a read-back on  
16 this.

17 MR. KUVIN: Sure. I'd like to hear the  
18 answer.

19 MR. GOLDBERGER: From the start of the line of  
20 questioning.

21 COURT REPORTER: From the first time it was  
22 asked?

23 MR. GOLDBERGER: Yes, please.

24 (A portion of the record was read by the  
25 reporter.)

0041

1 MR. GOLDBERGER: That's all I need to hear,  
2 thanks.

3 BY MR. KUVIN:

4 Q. Do you know what Joy Jelly is used for?

5 A. I've heard what you've just described. I have  
6 no independent knowledge.

7 Q. You've never used Joy Jelly?

8 A. I fully intend to respond to all relevant  
9 questions regarding this lawsuit; however, at the  
10 present time, my attorneys have counseled me I cannot

11 provide an answer to any questions relevant to this  
12 lawsuit. I must accept this advice or risk losing my  
13 6th Amendment right to effective representation.  
14 Accordingly, I assert my federal constitutional rights  
15 as guaranteed by the 5th, 6th and 14th Amendment to the  
16 US Constitution.

17 Q. You agree with me that Joy Jelly is a sexual  
18 lubricant that's used on sexual devices like vibrators  
19 and anal jelly wands?

20 MR. PIKE: Same objections.

21 THE WITNESS: I have no knowledge of that.

22 BY MR. KUVIN:

23 Q. Do you agree that Joy Jelly is a sexual  
24 lubricant?

25 A. I have no knowledge of that.

0042

1 MR. PIKE: Form, lack of predicate.

2 BY MR. KUVIN:

3 Q. Have you used it?

4 MR. PIKE: Same objection, lack of predicate,  
5 no foundation, harassing.

6 THE WITNESS: I fully intend to respond to all  
7 relevant questions regarding this lawsuit; however,  
8 at this time, I cannot provide any questions [sic]  
9 relevant to the lawsuit. I must accept counsels'  
10 advice or risk losing my 6th Amendment right to  
11 effective representation. Accordingly, I assert my  
12 federal constitutional rights as guaranteed by the  
13 5th, 6th and 14th Amendment to the US Constitution.

14 BY MR. KUVIN:

15 Q. Would you agree with the description that you  
16 are a pervert?

17 MR. PIKE: Same objection, harassing,  
18 argumentative.

19 BY MR. KUVIN:

20 Q. You can answer. It's either a simple yes or  
21 no.

22 A. I fully intend to respond to all relevant  
23 questions regarding this lawsuit; however, at the  
24 present time, my attorneys have counseled me that I  
25 cannot provide answers to any questions relevant to this

0043

1 lawsuit. I must accept this advice or risk losing my  
2 6th Amendment right to effective representation.  
3 Accordingly, I must assert my federal constitutional  
4 rights as guaranteed by the 5th, 6th and 14th Amendment  
5 of the US Constitution.

6 Q. Have any mental health counselors diagnosed  
7 you as a sexual deviant?

8 MR. PIKE: Again, form --

9 THE WITNESS: I don't believe so.

10 MR. PIKE: -- work product.

11 BY MR. KUVIN:

12 Q. Do you believe you're a sexual deviant?

13 MR. PIKE: Form.

14 THE WITNESS: No, I do not.

15 BY MR. KUVIN:

16 Q. Do you have sex with minors?

17 MR. PIKE: Same objection, form, 5th  
18 Amendment.

19 THE WITNESS: I fully intend to respond to all  
20 relevant questions regarding this lawsuit; however,  
21 at the present time, my attorneys have counseled me

22 I cannot provide answers to any questions relevant  
23 to this lawsuit. I must accept this advice or risk  
24 losing my 6th Amendment right to effective  
25 representation. Accordingly, I assert my federal  
0044

1 constitutional rights as guaranteed by the 5th, 6th  
2 and 14th Amendment to the US Constitution.

3 BY MR. KUVIN:

4 Q. Would you agree that you have a psychological  
5 disorder with respect to your sexual preferences?

6 MR. PIKE: Same objection.

7 THE WITNESS: I fully intend to respond to all  
8 relevant questions regarding this lawsuit; however  
9 at the present time, my attorneys have counseled me  
10 I cannot provide answers to any questions relevant  
11 to this lawsuit. I must accept this advice or risk  
12 losing my 6th Amendment right to effective  
13 representation. Accordingly, I assert my federal  
14 constitutional rights as guaranteed by the 5th,  
15 6th and 14th Amendment to the US Constitution.

16 BY MR. KUVIN:

17 Q. Have you had sex with transsexuals?

18 MR. PIKE: Same objection.

19 THE WITNESS: No.

20 BY MR. KUVIN:

21 Q. Do you know a Ms. Cordero?

22 A. I fully intend to respond to all relevant  
23 questions regarding this lawsuit; however, at the  
24 present time, my attorneys have counseled me I cannot  
25 provide answers to any questions relevant to this  
0045

1 lawsuit. I must accept this advice or risk losing my  
2 6th Amendment right to effective representation.  
3 Accordingly, I assert my federal constitutional rights  
4 as guaranteed by the 5th, 6th and 14th Amendments to the  
5 US Constitution.

6 Q. Do you know a Ms. [REDACTED]?

7 MR. PIKE: Same objection.

8 THE WITNESS: I fully intend to respond to all  
9 relevant questions regarding this lawsuit; however,  
10 at the present time, my attorneys have counseled me  
11 I cannot provide answers to any questions relevant  
12 to this lawsuit. I must accept this advice or risk  
13 losing my 6th Amendment right to effective  
14 representation. Accordingly, I assert my federal  
15 constitutional rights as guaranteed by the 5th,  
16 6th and 14th Amendment to the US Constitution.

17 BY MR. KUVIN:

18 Q. When do you intend to fully respond?

19 MR. PIKE: Same objection. In addition, work  
20 product, attorney-client.

21 BY MR. KUVIN:

22 Q. I'm sorry, I misquoted you. You said I --  
23 you've repeated now numerous times, "I fully intend to  
24 respond," so let me rephrase my question.

25 When do you fully intend to respond?

0046

1 MR. PIKE: Same objection, attorney-client,  
2 work product.

3 MR. KUVIN: Are you telling him not to answer?

4 MR. PIKE: It's attorney-client, work product.  
5 I'm instructing him not to answer.

6 BY MR. KUVIN:

7 Q. Okay. So despite the fact that you're reading  
8 this canned statement over and over to my questions, you  
9 don't want to answer any questions about the written  
10 statement; isn't that true?

11 MR. PIKE: Same objection, attorney-client,  
12 work product. I'm instructing the witness not to  
13 answer.

14 BY MR. KUVIN:

15 Q. You don't ever fully intend to respond to  
16 anything, do you?

17 MR. PIKE: Same objection.  
18 BY MR. KUVIN:

19 Q. Or would you like to?

20 MR. PIKE: Same objection. Now we're getting  
21 borderline harassing and argumentative.

22 I think you should move on to -- certainly you  
23 didn't come here to be argumentative and harassing  
24 all day, Mr. Kuvin, so I would hope that you would  
25 move on to another topic.

0047

1 THE WITNESS: Jack?

2 MR. KUVIN: I'm just looking.

3 MR. GOLDBERGER: He can look at it all he  
4 wants.

5 Just ask for permission next time, if you want  
6 to, because it is something that I gave to my  
7 client. So when you want to look -- I've let you  
8 mark it. If you want to look at it, just ask my  
9 permission to do so, okay?

10 MR. KUVIN: Sure.

11 MR. GOLDBERGER: Is that all right with you?

12 MR. KUVIN: Perfectly fine.

13 MR. GOLDBERGER: Thanks.

14 BY MR. KUVIN:

15 Q. Your typed paper there says that you cannot  
16 provide answers. Why not?

17 MR. PIKE: Attorney-client, work product. I'm  
18 instructing him not to answer. It's my work  
19 product.

20 MR. KUVIN: Are you stipulating that you  
21 drafted the document we've marked as Exhibit 2?

22 MR. GOLDBERGER: No such stipulation.

23 MR. PIKE: No such stipulation.

24 MR. KUVIN: Well, if it's work product --

25 MR. PIKE: It's attorney-client, work product.

0048

1 MR. KUVIN: -- I just wanted to clarify.

2 BY MR. KUVIN:

3 Q. Did you have a sexual relationship with  
4 [REDACTED] when she still had a penis?

5 MR. PIKE: Same objection. 5th Amendment.

6 THE WITNESS: I fully intend to respond to all  
7 relevant questions regarding this lawsuit; however,  
8 at the present time, my attorneys have counseled me  
9 I cannot provide answers to any questions relevant  
10 to this lawsuit. I must -- I must accept this  
11 advice or risk losing my 6th Amendment right to  
12 effective representation. Accordingly, I assert my  
13 federal constitutional rights as guaranteed by the  
14 5th, 6th and 14th Amendment to the US Constitution.

15 BY MR. KUVIN:

16 Q. Do you know [REDACTED]?

17 A. I fully intend to respond to all relevant

18 questions regarding this lawsuit; however, at the  
19 present time, my attorneys have counseled me I cannot  
20 provide answers to any questions relevant to this  
21 lawsuit. I must accept this advice or risk losing my  
22 6th Amendment right to effective representation.  
23 Accordingly, I assert my federal constitutional rights  
24 as guaranteed by the 5th, 6th and 14th Amendment to the  
25 US Constitution.

0049

1 Q. You agree, do you not, that [REDACTED] is,  
2 or as least was, your personal assistant for many years?

3 MR. PIKE: Same objection.

4 THE WITNESS: I fully intend to respond to all  
5 relevant questions regarding this lawsuit; however,  
6 at the present time, my attorneys have counseled me  
7 I cannot provide answers to any questions relevant  
8 to this lawsuit. I must accept this advice or risk  
9 losing --

10 MR. GOLDBERGER: Why don't you -- why don't  
11 you wait until he's listening, so he...

12 MR. KUVIN: Oh, I don't need to listen. I've  
13 heard it many times.

14 MR. GOLDBERGER: No, we're going to wait.  
15 We're going to wait.

16 MR. KUVIN: Oh, no, you don't have to wait.

17 MR. GOLDBERGER: Oh, no, we will.

18 BY MR. KUVIN:

19 Q. Okay. I'm sorry, are you done?

20 A. No.

21 Q. Oh, please finish.

22 A. I must accept this advice or risk losing my  
23 6th Amendment right to effective representation.  
24 Accordingly, I assert my federal constitutional rights  
25 as guaranteed by the 5th...

0050

1 Q. Okay. Go ahead. Don't wait for me.

2 A. -- 5th, 6th and 14th Amendment to the US  
3 Constitution.

4 Q. Okay. You agree, would you not, that  
5 [REDACTED] is currently dating Story Kowles, the  
6 gentleman who is sitting here in the room working for  
7 Mr. Goldberger at your deposition?

8 A. I fully intend to respond to all relevant  
9 questions regarding this lawsuit; however, at the  
10 present time, my attorneys have counseled me I cannot  
11 provide answers to any questions relevant to this  
12 lawsuit. I must accept their advice or risk losing my  
13 6th Amendment right to effective representation.  
14 Accordingly, I assert my federal constitutional rights  
15 as guaranteed by the 5th, 6th and 14th Amendment to the  
16 US Constitution.

17 Q. Do you know how long [REDACTED] has been  
18 dating Mr. Story Kowles?

19 A. I fully intend to respond to all relevant  
20 questions regarding this lawsuit; however, at the  
21 present time, my attorneys have counseled me I cannot  
22 provide answers to any questions relevant to this  
23 lawsuit. I must accept this advice or risk losing my  
24 6th Amendment right to effective representation.  
25 Accordingly, I assert my federal constitutional right as

0051

1 guaranteed by the 5th, 6th and 14th Amendment to the US  
2 Constitution.

3 Q. Did you introduce [REDACTED] to Story Kowles?

4 A. I fully intend to respond to all relevant  
5 questions regarding this lawsuit; however, at the  
6 present time, my attorneys have counseled me I cannot  
7 provide answers to any questions relevant to this  
8 lawsuit. I must accept this advice or risk losing my  
9 6th Amendment right to effective representation.  
10 Accordingly, I assert my federal constitutional rights  
11 as guaranteed by the 5th, 6th and 14th Amendment to the  
12 US Constitution.

13 Q. Are you aware that one of the State  
14 prosecutors, Dahlia Weiss, who was working on your  
15 criminal case, was also married to a lawyer working for  
16 Mr. Goldberger here?

17 MR. GOLDBERGER: Attorney-client, work  
18 product.

19 Don't answer.

20 MR. KUVIN: I'm sorry, work product?  
21 Somebody's marriage?

22 MR. GOLDBERGER: Uh-huh. Don't answer it.

23 MR. KUVIN: I'd like an explanation as to how  
24 someone's marriage is work product on the record so  
25 I can be clear to determine whether I need to bring

0052

1 that question up in front of Judge Hafele.

2 MR. PIKE: The rules do not require for  
3 speaking objections, and we're going to limit  
4 ourself to form and the appropriate objections  
5 thereafter, which have been asserted. So there  
6 does not need to be anything in the record. Should  
7 you wish to file a motion, you can do so.

8 MR. KUVIN: Well, before I file such motion, I  
9 think the rules also dictate that I can request an  
10 explanation, which I'm doing.

11 MR. PIKE: We've already objected.

12 MR. KUVIN: Okay.

13 BY MR. KUVIN:

14 Q. Do you know Dahlia Weiss?

15 A. I fully intend to respond to all relevant  
16 questions regarding this lawsuit; however, at the  
17 present time, my attorneys have counseled me I cannot  
18 provide answers to any questions relevant to this  
19 lawsuit. I must accept this advice or risk losing my  
20 6th Amendment right to effective representation.

21 MR. GOLDBERGER: Actually, I'll let you answer  
22 the question as asked, as to do you know Dahlia  
23 Weiss.

24 THE WITNESS: No, I do not.

25  
0053

1 BY MR. KUVIN:

2 Q. With respect to Mr. Goldberger, your criminal  
3 attorney, did you buy him a brand new BMW?

4 MR. GOLDBERGER: Don't.

5 THE WITNESS: I fully intend to respond to all  
6 relevant questions regarding this lawsuit; however,  
7 at the present time, my attorneys have counseled me  
8 I cannot provide answers to any questions relevant  
9 to this lawsuit. I must accept this advice or risk  
10 losing my 6th Amendment right to effective  
11 representation.

12 MR. GOLDBERGER: It's also attorney-client and  
13 work product as to my fees.

14 THE WITNESS: Accordingly, I assert my federal  
15 constitutional rights as guaranteed by the 5th, 6th  
16 and 14th Amendment to the US Constitution.

17 MR. GOLDBERGER: I'm sorry, it's also  
18 attorney-client work product as to my fees.

19 BY MR. KUVIN:

20 Q. Have you bought any new cars for your civil  
21 attorneys, like Mr. Critton?

22 MR. PIKE: Objection, relevance.

23 BY MR. KUVIN:

24 Q. Robert Critton.

25 MR. PIKE: Argumentative, harassing, not  
0054

1 reasonably calculated to lead to admissible  
2 evidence in this case.

3 THE WITNESS: No.

4 BY MR. KUVIN:

5 Q. It's a shame.

6 MR. GOLDBERGER: What was that?

7 THE WITNESS: Shame, he said.

8 BY MR. KUVIN:

9 Q. Why not?

10 MR. PIKE: Objection, relevance. I'm going to  
11 instruct him not to answer the question. It's  
12 argumentative.

13 BY MR. KUVIN:

14 Q. Is there anyone else that you know that is  
15 dating staff at Mr. Goldberger's office other than  
16 [REDACTED] and Ms. Wife -- Ms. Weiss?

17 MR. PIKE: Objection, form.

18 MR. GOLDBERGER: Whoa, whoa, whoa. First of  
19 all, let's get the question right. [REDACTED] and  
20 Ms. Weiss are dating each other; is that the  
21 question?

22 MR. KUVIN: No, I'll clarify.

23 MR. GOLDBERGER: Thank you.

24 BY MR. KUVIN:

25 Q. Is there anyone else that you know that's  
0055

1 dating staff at Mr. Goldberger's office other than  
2 [REDACTED], or married to staff working for  
3 Mr. Goldberger other than Ms. Weiss?

4 MR. GOLDBERGER: There are people --

5 MR. PIKE: Objection, form, multiple,  
6 compound, vague, irrelevant, not reasonably  
7 calculated to lead to admissible evidence.

8 MR. GOLDBERGER: Do you understand the  
9 question? The question as asked: Do you know  
10 anyone who dates anyone at my office?

11 THE WITNESS: This is why -- this is why we're  
12 here?

13 MR. GOLDBERGER: I mean, do you know -- the  
14 question is: Do you know if anyone in my office  
15 dates anybody?

16 THE WITNESS: No, I do not.

17 MR. GOLDBERGER: Okay.

18 BY MR. KUVIN:

19 Q. That's a good point. I'm glad you made it.

20 No, you know why we're here? We're here to  
21 ask you whether or not you had any sexual contact with  
22 [REDACTED]. Did you?

23 A. Who?

24 Q. With a young girl that was 14 years old.

25 A. What was her name?  
0056  
1 Q. [REDACTED].  
2 A. Can you refresh my recollection who she -- do  
3 you have anything to show me, something that might --  
4 Q. I do, and I will pursuant to the  
5 confidentiality that we've previously discussed in this  
6 case.  
7 A. So tell me who it is that you're representing?  
8 Q. I will do that.  
9 Have you had sex with numerous girls underage?  
10 A. You've asked me if this -- which question --  
11 MR. GOLDBERGER: Wait, the question was --  
12 MR. KUVIN: I'll strike the question and  
13 rephrase.  
14 MR. GOLDBERGER: Which question are you  
15 striking?  
16 MR. KUVIN: I will strike all of them and  
17 rephrase.  
18 BY MR. KUVIN:  
19 Q. Did you have sex with underaged --  
20 MR. GOLDBERGER: Sorry, wait a minute. Wait a  
21 minute. Let me just clarify. The question that  
22 you're striking is, did you have sex with a woman  
23 by the name of [REDACTED].?  
24 MR. KUVIN: Right.  
25 MR. GOLDBERGER: That's question one?

0057  
1 And the second question you're striking is?  
2 MR. KUVIN: I'm moving on.  
3 BY MR. KUVIN:  
4 Q. Do you have sex with underaged girls?  
5 A. I fully intend to respond to all relevant  
6 questions regarding this lawsuit --  
7 MR. GOLDBERGER: Let -- do me a favor. After  
8 you ask the question, he's going to answer it.  
9 Keep your mouth shut and let him answer the  
10 question, and don't editorialize while the question  
11 is being answered. If you want to editorialize  
12 afterwards in the form of another question, go  
13 ahead, but while he's answering the question, do  
14 not say anything. Are we -- are we clear on that?  
15 MR. KUVIN: I'm sorry, I just want to be  
16 clear, did you just tell me to keep my mouth shut?  
17 MR. GOLDBERGER: While my client is answering  
18 a question.  
19 MR. KUVIN: So you're telling me I need to  
20 keep my mouth shut?  
21 MR. GOLDBERGER: No, no. I'm telling  
22 you to --  
23 MR. KUVIN: Is that -- I'm sorry, I thought  
24 that's what I heard.  
25 MR. GOLDBERGER: Spencer, I'm not --

0058  
1 MR. KUVIN: I just wanted to make sure.  
2 MR. GOLDBERGER: Spencer, I'm not going to get  
3 into an argument with you. I want you to act --  
4 MR. KUVIN: I don't want to argue. You asked  
5 me if I was clear --  
6 MR. GOLDBERGER: Let me -- let me finish  
7 what --  
8 MR. KUVIN: -- and I just wanted to be clear.  
9 MR. GOLDBERGER: Are you -- are you going to

10 let me finish what I'm saying?  
11 MR. KUVIN: I just wanted to know if I was  
12 clear. You're trying to tell me to keep my mouth  
13 shut.  
14 MR. GOLDBERGER: All right.  
15 MR. KUVIN: So I wanted to make sure that the  
16 record was patently clear what you're asking me to  
17 do.  
18 MR. GOLDBERGER: Are you done?  
19 MR. KUVIN: I'm done.  
20 MR. GOLDBERGER: Okay. So the response to  
21 your question is, I want you to allow my client --  
22 let me finish -- allow my client to finish his  
23 answers. If you want to interrupt while he's  
24 asking -- while he's answering a question, I'm not  
25 going to allow you to do that. If you want to

0059

1 respond to a question that he answers by being  
2 argumentative, you can do so, and the appropriate  
3 objection will be entered.  
4 My only point of my response to you was that I  
5 do not want you interfering while he is answering a  
6 question, that's it, okay? I just want you to act  
7 ethically, honorably and fair.  
8 MR. KUVIN: I would ask you to do the same --  
9 MR. GOLDBERGER: I'm trying.  
10 MR. KUVIN: -- and to stop your speaking  
11 objections.  
12 MR. GOLDBERGER: I'm trying.  
13 MR. KUVIN: Objection to form usually works,  
14 according to our local rules.  
15 MR. GOLDBERGER: Okay.  
16 MR. KUVIN: Okay? Thank you.  
17 Maybe when you get into the civil arena, you'd  
18 understand.  
19 MR. PIKE: Let's move on.  
20 MR. KUVIN: But I just want to make sure that  
21 you're on the same page.  
22 MR. GOLDBERGER: Spencer --  
23 MR. PIKE: Let's move on.  
24 MR. KUVIN: I appreciate it.  
25 MR. GOLDBERGER: Let's move on.

0060

1 BY MR. KUVIN:  
2 Q. Do you have sex with underaged girls, that's  
3 the reason we're here, is it not, Mr. Epstein, to answer  
4 that question?  
5 MR. PIKE: Form.  
6 BY MR. KUVIN:  
7 Q. Do you want to answer that question for us  
8 today?  
9 MR. PIKE: Multiple, compound.  
10 THE WITNESS: What's the question?  
11 BY MR. KUVIN:  
12 Q. Do you have sex with underaged girls?  
13 A. I fully intend to respond to all relevant  
14 questions regarding this lawsuit; however, at the  
15 present time, my attorneys have counseled me I cannot  
16 provide answers to any questions relevant to this  
17 lawsuit. I must accept this advice or risk losing my  
18 6th Amendment right to effective representation.  
19 Accordingly, I assert my federal constitutional rights  
20 as guaranteed by the 5th, 6th and 14th Amendments to the

21 US Constitution.  
22 Q. Isn't it true that you like to have sex with  
23 little girls?

24 MR. PIKE: Same objection.  
25

0061

1 BY MR. KUVIN:

2 Q. Girls under the age of 18?

3 MR. PIKE: Argumentative, harassing.

4 THE WITNESS: One question or two?

5 BY MR. KUVIN:

6 Q. Isn't it true that you like to have sex with  
7 little girls who are under the age of 18?

8 MR. PIKE: Argumentative, harassing.

9 THE WITNESS: I fully intend to respond to all  
10 relevant questions regarding this lawsuit; however,  
11 at the present time, my attorneys have counseled me  
12 I cannot provide answers to any questions relevant  
13 to this lawsuit. I must accept this advice or risk  
14 losing my 6th Amendment right to effective  
15 representation. Accordingly, I assert my federal  
16 constitutional rights as guaranteed by the 5th, 6th  
17 and 14th Amendment to the US Constitution.

18 BY MR. KUVIN:

19 Q. Isn't it true that you've asked little girls  
20 under the age of 18 to see their vaginas?

21 MR. PIKE: Same objection, argumentative,  
22 harassing.

23 THE WITNESS: I fully intend to respond to all  
24 relevant questions regarding this lawsuit; however,  
25 at the present time, my attorneys have counseled me

0062

1 I cannot provide answers to any questions relevant  
2 to this lawsuit. I must accept this advice or risk  
3 losing my 6th Amendment right to effective  
4 representation. Accordingly, I assert my federal  
5 constitutional rights as guaranteed by the 5th, 6th  
6 and 14th Amendment to the US Constitution.

7 BY MR. KUVIN:

8 Q. Isn't true that you've sexually molested girls  
9 under the age of 18?

10 MR. PIKE: Same objection.

11 THE WITNESS: I fully intend to respond to all  
12 relevant questions regarding this lawsuit; however,  
13 at the present time, my attorneys have counseled me  
14 I cannot provide answers to any questions relevant  
15 to this lawsuit. I must accept this advice or risk  
16 losing my 6th Amendment right to effective  
17 representation. Accordingly, I assert my federal  
18 constitutional rights as guaranteed by the 5th, 6th  
19 and 14th Amendment to the US Constitution.

20 BY MR. KUVIN:

21 Q. Isn't it true that you've asked numerous,  
22 possibly hundreds, of underaged girls to have sex with  
23 you?

24 MR. PIKE: Same objection, argumentative,  
25 harassing.

0063

1 THE WITNESS: I fully intend to respond to all  
2 relevant questions regarding this lawsuit; however,  
3 at the present time, my attorneys have counseled me  
4 I cannot provide answers to any questions relevant  
5 to this lawsuit. I must accept this advice or risk

6 losing my 6th Amendment right to effective  
7 representation. Accordingly, I assert my federal  
8 constitutional rights as guaranteed by the 5th, 6th  
9 and 14th Amendment to the US Constitution.

10 BY MR. KUVIN:

11 Q. Isn't it true that you've told [REDACTED] to  
12 avoid service of a witness subpoena in this case because  
13 she has information that would incriminate you?

14 A. I fully intend to respond to all relevant  
15 questions regarding this lawsuit; however, at the  
16 present time, my attorneys have counseled me I cannot  
17 provide answers to any questions relevant to this  
18 lawsuit. I must accept this advice or risk losing my  
19 6th Amendment right to effective representation.

20 MR. PIKE: In addition, the question is  
21 argumentative; same objection as before.

22 BY MR. KUVIN:

23 Q. Isn't it true that you conspired with [REDACTED]  
24 [REDACTED] to obtain girls under the age of 18 to come to  
25 your home, get naked and give you massages while you

0064  
1 masturbated?

2 MR. PIKE: Same objections, argumentative,  
3 harassing.

4 THE WITNESS: I fully intend to respond to all  
5 relevant questions regarding this lawsuit; however,  
6 at the present time, my attorneys have counseled me  
7 I cannot provide answers to any questions relevant  
8 to this lawsuit. I must accept this advice or risk  
9 losing my 6th Amendment right to effective  
10 representation. Accordingly, I assert my federal  
11 constitutional rights as guaranteed by the 5th, 6th  
12 and 14th Amendment to the US Constitution.

13 BY MR. KUVIN:

14 Q. Are you treating with a mental health  
15 counselor currently?

16 A. No.

17 MR. PIKE: Work product.

18 BY MR. KUVIN:

19 Q. Did you go to the mental health counselor as  
20 required by your plea of guilty?

21 A. I fully intend to respond to all relevant  
22 questions regarding this lawsuit; however, at the  
23 present time, my attorneys have counseled me I cannot  
24 provide answers to any questions relevant to this  
25 lawsuit. I must accept this advice or risk losing my

0065  
1 6th Amendment right to effective representation.  
2 Accordingly, I assert my federal constitutional rights  
3 as guaranteed by the 5th, 6th and 14th Amendment to the  
4 US Constitution.

5 May we take a break?

6 MR. GOLDBERGER: Sure.

7 MR. PIKE: In addition to that, it's a  
8 psychotherapist/patient privileged information.

9 THE VIDEOGRAPHER: We're off the record at  
10 10:50.

11 (A brief recess was taken.)

12 THE VIDEOGRAPHER: Back on the record at  
13 11:00.

14 MR. KUVIN: Thank you.

15 BY MR. KUVIN:

16 Q. Isn't it try, sir, that you've had under

17 girl -- underaged girls, under the age of 17, come to  
18 your home, get naked and give you massages while you  
19 masturbated?

20 MR. PIKE: Objection, form, argumentative,  
21 harassing.

22 THE WITNESS: I fully intend to respond to all  
23 relevant questions regarding this lawsuit; however,  
24 at the present time, my attorneys have counseled me  
25 I cannot provide answers to any questions relevant

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1 to this lawsuit. I must accept this advice or risk  
2 losing my 6th Amendment right to effective  
3 representation. Accordingly, I must assert my  
4 federal constitutional rights as guaranteed by the  
5 5th, 6th and 14th Amendment to the US Constitution.

6 BY MR. KUVIN:

7 Q. Isn't it true, sir, that you've had underaged  
8 girls under the age of 16 come to your home, get naked  
9 and give you massages while you masturbated?

10 MR. PIKE: For purposes of the record, I'm  
11 just going to say same objection relating back to  
12 the same objections.

13 THE WITNESS: I fully intend to respond to all  
14 relevant questions regarding this lawsuit; however,  
15 at the present time, my attorneys have counseled me  
16 I cannot provide answers to any questions relevant  
17 to this lawsuit. I must accept this advice or risk  
18 losing my 6th Amendment right to effective  
19 representation. Accordingly, I assert my federal  
20 constitutional rights as guaranteed by the 5th, 6th  
21 and 14th Amendment to the US Constitution.

22 BY MR. KUVIN:

23 Q. Isn't it true that you've had underaged girls  
24 under the age of 15 come to your home, get naked and  
25 give you massages while you masturbated?

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1 MR. PIKE: Same objections.

2 THE WITNESS: I fully intend to respond to all  
3 relevant questions regarding this lawsuit; however,  
4 at the present time, my attorneys have counseled me  
5 I cannot provide answers to any questions relevant  
6 to this lawsuit. I must accept this advice or risk  
7 losing my 6th Amendment right to effective  
8 representation. Accordingly, I assert my federal  
9 constitutional rights as guaranteed by the 5th, 6th  
10 and 14th Amendment to the US Constitution.

11 May I see -- talk to my counsel for a second  
12 outside?

13 MR. KUVIN: Sure.

14 MR. PIKE: Are we off?

15 MR. KUVIN: Not yet.

16 MR. PIKE: We're off the record.

17 MR. KUVIN: We're off that record. We're not  
18 off that record until everybody leaves.

19 MR. PIKE: Stop the video. The video -- off  
20 the record.

21 MR. KUVIN: I can't go off the record if it  
22 has to do with the lawsuit.

23 MR. PIKE: We don't have anyone here.

24 THE VIDEOGRAPHER: You know that you both have  
25 to agree for us to go off the record.

0068

1 MR. PIKE: We don't have anyone here.

2 MR. KUVIN: I understand that, but I am not  
3 going off the record unless it's not pertaining to  
4 the lawsuit. If it's not pertaining to the lawsuit  
5 that we're here about today, I'll go off the  
6 record, but if it pertains to the lawsuit, I cannot  
7 go off the record.

8 MR. PIKE: I don't -- I don't understand. You  
9 don't have a witness in a chair and you're rolling  
10 tape.

11 MR. KUVIN: Exactly. My tape is going to  
12 constantly roll with respect to the litigation.

13 MR. PIKE: And the point?

14 MR. KUVIN: The point is I don't want to miss  
15 anything, and I want to make sure there's no  
16 misrepresentations about what goes on with respect  
17 to the litigation.

18 MR. PIKE: Then I'm instructing you to keep  
19 rolling tape, and for you to keep typing to  
20 everything that they say out loud in this room.

21 MR. KUVIN: Not when everybody leaves.

22 We're good now. He wants to go off and I want  
23 to go off now.

24 THE VIDEOGRAPHER: We'll go off the record at  
25 11:03.

0069

1 Does he, though?

2 MR. KUVIN: I don't know. It's a good  
3 question.

4 MS. EZELL: Did you ask me if I'm on?

5 MR. KUVIN: Oh, no.

6 Hey, how are you? I keep forgetting you're  
7 there, Katherine.

8 MS. EZELL: I'm there. Actually I was on the  
9 phone, so I just missed what just happened. Are  
10 you terminating or are you breaking or what?

11 MR. KUVIN: No, he wanted to step out of the  
12 room.

13 MS. EZELL: Oh, okay.

14 MR. GOLDBERGER: Okay, thank you.

15 I had to discuss an issue with my client. I  
16 appreciate the time.

17 MR. KUVIN: Anytime, Jack.

18 MR. GOLDBERGER: You know you don't like me  
19 anymore.

20 MR. KUVIN: The secret is I never liked you.

21 THE WITNESS: That's no secret.

22 MR. KUVIN: There you go.

23 MR. PIKE: Move up the record for me so I can  
24 see.

25 MR. KUVIN: Are we ready?

0070

1 MR. PIKE: No.

2 MR. GOLDBERGER: I'm sorry, you ready?

3 MR. PIKE: Okay.

4 MR. KUVIN: Are we ready now?

5 MR. GOLDBERGER: Yep.

6 MR. KUVIN: Rolling?

7 THE VIDEOGRAPHER: We're rolling at 11:05.

8 BY MR. KUVIN:

9 Q. Okay. Isn't it true, sir, that you've had  
10 underaged girls under the age of 14 come to your home,  
11 get naked and give you massages while you masturbated?

12 MR. PIKE: Argumentative, harassing,

13 irrelevant. Same objections as before.  
14 THE WITNESS: I fully intend to respond to all  
15 relevant questions regarding this lawsuit; however,  
16 at the present time, my attorneys have counseled me  
17 I cannot provide answers to any questions relevant  
18 to this lawsuit. I must accept this advice or risk  
19 losing my 6th Amendment right to effective  
20 representation. Accordingly, I assert my federal  
21 constitutional rights as guaranteed by the 5th, 6th  
22 and 14th Amendment to the US Constitution.

23 BY MR. KUVIN:

24 Q. Isn't it true, sir, that you've had underage  
25 girls under the age of 13 come to your home, get naked

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1 and give you massages while you masturbated?

2 MR. PIKE: Same objections. In addition,  
3 asked and answered.

4 MR. KUVIN: No, I changed from 14 to 13.

5 MR. PIKE: Same objections.

6 BY MR. KUVIN:

7 Q. You can answer.

8 A. I fully intend to respond to all relevant  
9 questions regarding this lawsuit; however, at the  
10 present time, my attorneys have counseled me I cannot  
11 provide answers to any questions relevant to this  
12 lawsuit. I must accept this advice or risk losing my  
13 6th Amendment right to effective representation.

14 MR. GOLDBERGER: Thank you, Michael.

15 THE WITNESS: Accordingly, I assert my federal  
16 constitutional rights as guaranteed by the 5th, 6th  
17 and 14th Amendment to the US Constitution.

18 Thank you.

19 BY MR. KUVIN:

20 Q. Isn't it true, sir, that you've had underage  
21 girls under the age of 12 come to your home, get naked  
22 and give you massages while you masturbated?

23 MR. PIKE: Same objections.

24 BY MR. KUVIN:

25 Q. I'm sorry, was there something funny about

0072

1 that question?

2 A. Are we --

3 MR. PIKE: Same objection, argumentative.

4 MR. GOLDBERGER: Don't even respond to that.

5 THE WITNESS: I fully intend to respond to all  
6 relevant questions regarding this lawsuit; however,  
7 at the present time, my attorneys have counseled me  
8 I cannot provide answers to any questions relevant  
9 to this lawsuit. I must accept this advice or risk  
10 losing my 6th Amendment right to effective  
11 representation. Accordingly, I assert my federal  
12 constitutional rights as guaranteed by the 5th, 6th  
13 and 14th Amendment to the US Constitution.

14 BY MR. KUVIN:

15 Q. Isn't it true that you've engaged in sexual  
16 activities with girls under the age of 17, including  
17 touching their vaginas?

18 MR. PIKE: Same objections.

19 THE WITNESS: I fully intend to respond to all  
20 relevant questions regarding this lawsuit; however,  
21 at the present time, my attorneys have counseled me  
22 I cannot provide answers to any questions relevant  
23 to this lawsuit. I must accept this advice or risk

24 losing my 6th Amendment right to effective  
25 representation. Accordingly, I assert my federal

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1 constitutional rights as guaranteed by the 5th, 6th  
2 and 14th Amendment to the US Constitution.

3 BY MR. KUVIN:

4 Q. Isn't it true that you've engaged in sexual  
5 activities with girls under the age of 17, including  
6 using vibrators on their vaginas?

7 MR. PIKE: Same objections.

8 THE WITNESS: I fully intend to respond to all  
9 relevant questions regarding this lawsuit; however,  
10 at the present time, my attorneys have counseled me  
11 I cannot provide answers to any questions relevant  
12 to this lawsuit. I must accept this advice or risk  
13 losing my 6th Amendment right to effective  
14 representation. Accordingly, I assert my federal  
15 constitutional rights as guaranteed by the 5th, 6th  
16 and 14th Amendment to the US Constitution.

17 BY MR. KUVIN:

18 Q. Do you agree that you maintain a home in New  
19 York?

20 MR. PIKE: Objection, form.

21 THE WITNESS: I fully intend to respond to all  
22 relevant questions regarding this lawsuit; however,  
23 at the present time, my attorneys have counseled me  
24 I cannot provide answers to any questions relevant  
25 to this lawsuit. I must accept this advice or risk

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1 losing my 6th Amendment right to effective  
2 representation. Accordingly, I assert my federal  
3 constitutional rights as guaranteed by the 5th, 6th  
4 and 14th Amendment to the US Constitution.

5 BY MR. KUVIN:

6 Q. Your name is Jeffrey Epstein, correct?

7 A. Correct.

8 Q. I just wanted to see if I could get an answer.

9 MR. PIKE: I'm going to move to strike  
10 counsel's last statement; it's not a question.

11 BY MR. KUVIN:

12 Q. Do you agree you maintain a home in New  
13 Mexico?

14 A. I fully intend to respond to all relevant  
15 questions regarding this lawsuit; however, at the  
16 present time, my attorneys have counseled me I cannot  
17 provide answers to any questions relevant to this  
18 lawsuit. I must accept this advice or risk losing my  
19 6th Amendment right to effective representation.  
20 Accordingly, I assert my federal constitutional rights  
21 as guaranteed by the 5th, 6th and 14th Amendment to the  
22 US Constitution.

23 Q. Isn't it true that you've engaged in sexual  
24 activities with girls under the age of 16, including  
25 touching their vaginas?

0075

1 MR. PIKE: Objection, harassing,  
2 argumentative.

3 THE WITNESS: Didn't you ask the same question  
4 before?

5 BY MR. KUVIN:

6 Q. No, it was 17 before; now I went to 16.

7 MR. PIKE: Same objection.

8 THE WITNESS: I fully intend to respond to all

9 relevant questions regarding this lawsuit; however,  
10 at the present time, my attorneys have counseled me  
11 I cannot provide answers to any questions relevant  
12 to this lawsuit. I must accept this advice or risk  
13 losing my 6th Amendment right to effective  
14 representation. Accordingly, I assert my federal  
15 constitutional rights as guaranteed by the 5th, 6th  
16 and 14th Amendment to the US Constitution.

17 BY MR. KUVIN:

18 Q. Isn't it true that you've engaged in sexual  
19 activities with girls under the age of 16, including  
20 using vibrators on their vaginas?

21 MR. PIKE: Same objection, asked and answered.

22 MR. KUVIN: Nope. The question before, and we  
23 can read it back, was whether he touched their  
24 vaginas, and this question is very specific asking  
25 whether he used vibrators on their vaginas.

0076

1 MR. PIKE: Same objection, asked and answered.

2 BY MR. KUVIN:

3 Q. You can answer.

4 A. I fully intend to respond to all relevant  
5 questions regarding this lawsuit; however, at the  
6 present time, my attorneys have counseled me I cannot  
7 provide answers to any questions relevant to this  
8 lawsuit. I must accept this advice or risk losing my  
9 6th Amendment right to effective representation.  
10 Accordingly, I must assert my federal constitutional  
11 rights as guaranteed by the 5th, 6th and 14th Amendment  
12 to the US Constitution.

13 Q. Have you requested girls under the age of 16  
14 to spread their legs in front of you so that you could  
15 see their vaginas?

16 MR. PIKE: Same objection.

17 THE WITNESS: I fully intend to respond to all  
18 relevant questions regarding this lawsuit; however,  
19 at the present time, my attorneys have counseled me  
20 I cannot provide answers to any questions relevant  
21 to this lawsuit. I must accept this advice or risk  
22 losing my 6th Amendment right to effective  
23 representation. Accordingly, I assert my federal  
24 constitutional rights as guaranteed by the 5th, 6th  
25 and 14th Amendment to the US Constitution.

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1 BY MR. KUVIN:

2 Q. Do you agree that you maintain a home in the  
3 US Virgin Islands?

4 A. As I've answered most of your questions today,  
5 I'll answer this basically the same way, which is, I  
6 fully intend to respond to all relevant questions  
7 regarding this lawsuit; however, at the present time, my  
8 attorneys have counseled me I cannot provide answers to  
9 any questions relevant to this lawsuit. I must accept  
10 this advice or risk losing my 6th Amendment right to  
11 effective representation. Accordingly, I assert my  
12 federal constitutional rights as guaranteed by the 5th,  
13 6th and 14th Amendment to the US Constitution.

14 Q. Do you want to give answers?

15 MR. PIKE: Move to strike, argumentative,  
16 harassing.

17 Mr. Kuvin, I have no reticence with regard to  
18 getting in front of Judge Hafele once again, and  
19 let me delineate for you what your comments and

20 some of your conduct here today is and has been:  
21 Laughing, argumentative comments after your  
22 questioning, interrupting the witness, snide  
23 comments, as well as slamming doors in an office  
24 that is not yours.

25 Now, if you continue to disrupt the discovery  
0078

1 process, we will once again terminate this  
2 deposition. I am giving you a fair opportunity to  
3 continue to use the discovery process in the manner  
4 in which it is utilized; however, your  
5 grandstanding, laughing in the background, and  
6 snide comments and remarks are not appropriate  
7 during the discovery process; therefore, this is my  
8 one warning to you, Mr. Kuvin.

9 MR. KUVIN: I disagree.

10 MR. PIKE: I'm not asking you for an  
11 agreement. Please proceed.

12 MR. KUVIN: I'm just making sure that the  
13 record is clear.

14 And, by the way, you should fix the door,  
15 Jack, because there's no spring on it, so when  
16 somebody touches it, it goes very fast. So I  
17 apologize if it did slam, and that's the only thing  
18 I do agree with.

19 MR. GOLDBERGER: Okay. I appreciate the  
20 apology.

21 As long as we're going to yak here, Spencer,  
22 you made a comment that I should learn the rules of  
23 civil procedure and learn how to conduct  
24 depositions and so forth. I've been practicing  
25 primarily criminal defense for 33 years, and do you

0079  
1 know what, we don't play these games; we get to the  
2 issues, we ask questions, we don't laugh at  
3 witnesses when they give answers in depositions.  
4 We're not sarcastic. We simply ask the questions  
5 and act professionally, and that's all I'm asking  
6 you to do in this deposition, but apparently you're  
7 incapable of doing that.

8 So you're creating this environment here,  
9 you're creating this atmosphere. I'm trying to be  
10 polite to you, but it's becoming more and more  
11 difficult. So I'm asking you to just kind of act  
12 professionally and we'll get along, and we'll get  
13 through this, that's all.

14 MR. KUVIN: I've been acting professionally.  
15 Frankly, I wasn't the one that told the other  
16 attorney to shut up. I mean, those were your  
17 words, not mine. I just wanted to make sure that I  
18 understood what you were saying to me.

19 MR. GOLDBERGER: It was a reaction to your --

20 MR. KUVIN: Sir --

21 MR. GOLDBERGER: It was a reaction to your --

22 MR. KUVIN: -- I would appreciate it if you  
23 would let me finish.

24 MR. GOLDBERGER: It was a reaction to your  
25 inappropriate comments and conduct.

0080  
1 MR. KUVIN: See, the problem is you keep  
2 interrupting me.

3 MR. GOLDBERGER: You're the one that's  
4 interrupting me, Spencer.

5 MR. KUVIN: You want me to be courteous and  
6 let you speak, and then you continue to interrupt  
7 me when I want to respond to the nonsensical  
8 arguments that you're making, because I have been  
9 perfectly courteous here. I've been asking  
10 perfectly courteous questions, relevant questions  
11 to the case, pertinent questions to the issues in  
12 this case.

13 So if you have a problem with the questions,  
14 then make a legal objection. You and I both know  
15 that a speaking, lengthy objection is an improper  
16 one; that objection to form is the only objection  
17 you should be making. And the only comment I made  
18 about you practicing in civil was just merely the  
19 fact that I didn't know whether you understood that  
20 objection to form covers everything.

21 MR. GOLDBERGER: I have an --

22 MR. KUVIN: It certainly wasn't meant as an  
23 insult at all, and I'm sorry if you took it that  
24 way.

25 MR. GOLDBERGER: I appreciate it. I accept

0081

1 your apology.

2 I have -- I have a suggestion, because  
3 apparently, for whatever reason, everyone's  
4 grandstanding, we just can't seem -- wait a minute,  
5 let me just finish. Let me finish.

6 MR. KUVIN: I'm not grandstanding. I want to  
7 get through my questions.

8 MR. GOLDBERGER: We can't seem to get along.

9 MR. KUVIN: I just want to get through the  
10 questions.

11 MR. GOLDBERGER: Do you want to have the  
12 mediator sit in for this deposition? Is that what  
13 you want to do?

14 MR. KUVIN: No, I don't think we need it. I'm  
15 working through my questions.

16 MR. GOLDBERGER: Okay, then. Go ahead.

17 MR. PIKE: Let's proceed then.

18 MR. KUVIN: Okay, great.

19 MR. GOLDBERGER: You've been warned.

20 MR. KUVIN: I don't know what the warning is  
21 supposed to mean. Nobody is a judge in this room.  
22 I don't think I need a warning.

23 MR. GOLDBERGER: That's why I'm suggesting  
24 that --

25 MR. KUVIN: You've been warned as well, so now

0082

1 we've both been warned.

2 MR. PIKE: Mr. Kuvin, you bring up a fabulous  
3 point, a fabulous point, and I'm surprised --

4 MR. KUVIN: It's amazing. I'm surprised that  
5 I brought it up.

6 MR. PIKE: The next time you choose to laugh  
7 at the witness, we'll call Judge Hafele and see  
8 today what he has to say about that, okay?

9 MR. KUVIN: Perfectly fine.

10 MR. PIKE: It's a great idea.

11 MR. KUVIN: It sounds good to me.

12 MR. PIKE: So let's proceed with some relevant  
13 questions.

14 And I would try to give you a hint: Keep in  
15 mind the allegations in your complaint.

16 MR. KUVIN: Sounds good to me.  
17 MR. PIKE: Let's move forward.  
18 BY MR. KUVIN:  
19 Q. Isn't it true, sir, that you've engaged in  
20 sexual activities with girls under the age of 15,  
21 including touching their vaginas?  
22 A. I --  
23 MR. PIKE: Argumentative, harassing, same  
24 objections. Sorry.  
25 THE WITNESS: I fully intend to respond to all

0083  
1 relevant questions regarding this lawsuit; however,  
2 at the present time, my attorneys have counseled me  
3 I cannot provide answers to any questions relevant  
4 to this lawsuit. I must accept this advice or risk  
5 losing my 6th Amendment right to effective  
6 representation. Accordingly, I assert my federal  
7 constitutional rights as guaranteed by the 5th, 6th  
8 and 14th Amendment to the US Constitution.

9 BY MR. KUVIN:  
10 Q. Isn't it true that you've engaged in sexual  
11 activities with girls under the age of 15, including  
12 using vibrators on their vaginas?  
13 MR. PIKE: Same objection.  
14 THE WITNESS: As I've answered your  
15 questions -- most of your questions today, I'll  
16 answer it the same way now, which is, I fully  
17 intend to respond to all relevant questions  
18 regarding this lawsuit; however, at the present  
19 time, my attorneys have counseled me I cannot  
20 provide answers to any questions relevant to this  
21 lawsuit. I must accept this advice or risk losing  
22 my 6th Amendment right to effective representation.  
23 Accordingly, I assert my federal constitutional  
24 rights as guaranteed by the 5th, 6th and 14th  
25 Amendment to the US Constitution.

0084  
1 BY MR. KUVIN:  
2 Q. Isn't it true that you've engaged in sexual  
3 activities with girls under the age of 14 including  
4 touching their vaginas?  
5 MR. PIKE: Same objections.  
6 THE WITNESS: As I've answered most of your  
7 other questions today, I fully intend to respond to  
8 all relevant questions regarding this lawsuit;  
9 however, at the present time, my attorneys have  
10 counseled me I cannot provide answers to any  
11 questions relevant to this lawsuit. I must accept  
12 this advice or risk losing my 6th Amendment right  
13 to effective representation. Accordingly, I assert  
14 my federal constitutional rights as guaranteed by  
15 the 5th, 6th and 14th Amendment to the US  
16 Constitution.

17 BY MR. KUVIN:  
18 Q. Isn't it true that you've engaged in sexual  
19 activities with girls under the age of 14, including  
20 using vibrators on their vaginas?  
21 MR. PIKE: Same objections.  
22 THE WITNESS: I'll respond to this question in  
23 the same way I've responded to some of your other  
24 questions, which is, I fully intend to respond to  
25 all relevant questions regarding this lawsuit;

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1           however, at the present time, my attorneys have  
2           counseled me I cannot provide answers to any  
3           questions relevant to this lawsuit. I must accept  
4           this advice or risk losing my 6th Amendment right  
5           to effective representation. Accordingly, I assert  
6           my federal constitutional rights as guaranteed by  
7           the 5th, 6th and 14th Amendment to the US  
8           Constitution.

9           BY MR. KUVIN:

10          Q.    Isn't it true that you've engaged in sexual  
11          activities with girls under the age of 14, which  
12          includes using vibrators on their vaginas?

13                MR. PIKE: Same objections.

14                THE WITNESS: I'll answer that question the  
15          same way I've answered most of your other questions  
16          here today, Mr. Kuvin, which is, I fully intend to  
17          respond to all relevant questions regarding this  
18          lawsuit; however, at the present time, my attorneys  
19          have counseled me I cannot provide answers to any  
20          questions that may be relevant to this lawsuit. I  
21          must accept their advice or risk losing my 6th  
22          Amend -- Amendment right to effective  
23          representation. Accordingly, I assert my federal  
24          constitutional rights as guaranteed by the 5th, 6th  
25          and 14th Amendment to the US Constitution.

0086

1           BY MR. KUVIN:

2           Q.    What is the youngest girl that you've had sex  
3           with?

4                MR. PIKE: Form.

5                THE WITNESS: I'm going to answer that  
6          question the same way I've answered most of your  
7          other questions here today, which is, I fully  
8          intend to respond to all relevant questions  
9          regarding this lawsuit; however, at the present  
10         time, my attorneys have counseled me I cannot  
11         provide answers to any questions that may be  
12         relevant to this lawsuit. I must accept this  
13         advice or risk losing my 6th Amendment right to  
14         effective representation. Accordingly, I assert my  
15         federal constitutional rights as guaranteed by the  
16         5th, 6th and 14th Amendment to the US Constitution.

17          BY MR. KUVIN:

18          Q.    What is the youngest age of a girl that has  
19          given you a naked massage?

20                MR. PIKE: Form, argumentative, harassing and  
21                as worded, irrelevant.

22                THE WITNESS: I'm going to answer that  
23          question the same way I've answered most of your  
24          other questions here today, which is, I fully  
25          intend to respond to all relevant questions

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1          regarding this lawsuit; however, at the present  
2          time, my attorneys have counseled me I cannot  
3          provide answers to any questions that may be  
4          relevant to this lawsuit. I must accept this  
5          advice or risk losing my 6th Amendment right to  
6          effective representation. Accordingly, I assert my  
7          federal constitutional rights as guaranteed by the  
8          5th, 6th and 14th Amendment to the US Constitution.

9          BY MR. KUVIN:

10         Q.    What is the youngest age of a girl you have  
11         masturbated in front of?

12 MR. PIKE: Same objections as before.  
13 THE WITNESS: I'm going to answer that  
14 question in the same way I've answered most of your  
15 other questions here today, Mr. Kuvin, which is, I  
16 intend to respond to all relevant questions  
17 regarding this lawsuit; however, at the present  
18 time, my attorneys have counseled me I cannot  
19 provide answers to any questions that may be  
20 relevant to this lawsuit. I must accept this  
21 advice or risk losing my 6th Amendment right to  
22 effective representation. Accordingly, I assert my  
23 federal constitutional rights as guaranteed by the  
24 5th, 6th and 14th Amendments to the US  
25 Constitution.

0088

1 BY MR. KUVIN:  
2 Q. What is the youngest age of a girl that you  
3 have ejaculated in front of?  
4 MR. PIKE: Same objections as before to this  
5 same line of questioning incorporated.  
6 THE WITNESS: What was the question before  
7 that, sir?

8 BY MR. KUVIN:  
9 Q. What is the youngest age -- the one before or  
10 this one? I'm sorry.  
11 A. The one before, I thought it was the same  
12 question.

13 Q. No, the one before was masturbated, and this  
14 one was ejaculated. I'll rephrase it.  
15 What is the youngest age of a girl you have  
16 ejaculated in front of?

17 MR. PIKE: Same objection, argumentative,  
18 harassing.  
19 THE WITNESS: I'm going to respond to that  
20 question the same way I've responded to most of  
21 your other questions here today, which is, I fully  
22 intend to respond to all relevant questions  
23 regarding this lawsuit; however, at the present  
24 time, my attorneys have counseled me I cannot  
25 provide answers to any questions that may be

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1 relevant to this lawsuit. I must accept their  
2 advice or risk losing my 6th Amendment right to  
3 effective representation. Accordingly, I assert my  
4 federal constitutional rights as guaranteed by the  
5 5th, 6th and 14th Amendment to the US Constitution.

6 BY MR. KUVIN:  
7 Q. Do you agree that you have a sexual preference  
8 for underaged girls; in other words, girls under the age  
9 of 18?

10 MR. PIKE: Same objections, in addition to  
11 form.

12 THE WITNESS: I'm going to answer that  
13 question the same way I've answered most of your  
14 other questions here today, Mr. Kuvin, which is, I  
15 fully intend to respond to all relevant questions  
16 regarding this lawsuit; however, at the present  
17 time, my attorneys have counseled me I cannot  
18 provide answers to any questions that may be  
19 relevant to this lawsuit. I must accept their  
20 advice or risk losing my 6th Amendment right to  
21 effective representation. Accordingly, I assert my  
22 federal constitutional rights as guaranteed by the

23 5th, 6th and 14th Amendment to the US Constitution.

24 BY MR. KUVIN:

25 Q. Do you agree that you have a sexual preference  
0090 for girls under the age of 17?

1 MR. PIKE: Same objections.

2 THE WITNESS: I'm going to answer that  
3 question the same way I've answered most of your  
4 other questions here today, Mr. Kuvin, which is, I  
5 fully intend to respond to all relevant questions  
6 regarding this lawsuit; however, at the present  
7 time, my attorneys have counseled me I cannot  
8 provide answers to any questions relevant to this  
9 lawsuit. I must accept their advice or risk losing  
10 my 6th Amendment right to effective representation.

11 BY MR. KUVIN:

12 Q. Do you agree that you --

13 A. Accordingly --

14 Q. Oh, I apologize.

15 A. Accordingly, I assert my federal  
16 constitutional rights as guaranteed by the 5th, 6th and  
17 14th Amendment to the US Constitution.

18 Q. I'm sorry, are you done?

19 A. Yes.

20 Q. Okay. I apologize for interrupting you.

21 Do you agree that you have a sexual preference  
22 for girls under the age of 16?

23 MR. PIKE: Same objections, form.

24 THE WITNESS: I'm going to answer that

0091  
1 question the same way I've answered most of your  
2 other questions here today. I fully intend to  
3 respond to all relevant questions regarding this  
4 lawsuit; however, at the present time, my attorneys  
5 have counseled me I cannot provide answers to any  
6 questions that may be relevant to this lawsuit. I  
7 must accept their advice or risk losing my 6th  
8 Amendment right to effective representation.  
9 Accordingly, I assert my federal constitutional  
10 rights as guaranteed by the 5th, 6th and 14th  
11 Amendment of the US Constitution.

12 BY MR. KUVIN:

13 Q. Do you agree that you have a sexual preference  
14 for girls under the age of 15?

15 MR. PIKE: Same objections.

16 THE WITNESS: I'm going to answer that  
17 question the same way I've answered most of your  
18 other questions here today, Mr. Kuvin, which is, I  
19 fully intend to respond to all relevant questions  
20 regarding this lawsuit; however, at the present  
21 time, my attorneys have counseled me I cannot  
22 provide answers to any questions relevant to this  
23 lawsuit. I must accept their advice or risk losing  
24 my 6th Amendment right to effective representation.  
25 Accordingly, I assert my federal constitutional

0092  
1 rights as guaranteed by the 5th, 6th and 14th  
2 Amendment to the US Constitution.

3 BY MR. KUVIN:

4 Q. Do you agree that you have a sexual preference  
5 for girls under the age of 14?

6 MR. PIKE: Same objections.

7 THE WITNESS: I'm going to answer that

8 question the same way I've answered most of your  
9 other questions here today, Mr. Kuvin, which is, I  
10 fully intend to respond to all relevant questions  
11 regarding this lawsuit; however, at the present  
12 time, my attorneys have counseled me I cannot  
13 provide answers to any questions relevant to this  
14 lawsuit. I must accept their advice or risk losing  
15 my 6th Amendment right to effective representation.  
16 Accordingly, I assert my federal constitutional  
17 rights as guaranteed by the 5th, 6th and 14th  
18 Amendment to the US Constitution.

19 BY MR. KUVIN:

20 Q. Do you agree that you have a sexual preference  
21 for girls under the age of 13?

22 MR. PIKE: Same objection.

23 THE WITNESS: I'm going to answer that  
24 question the same way I've answered most of your  
25 other questions today, which is, I fully intend to

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1 respond to all relevant questions regarding this  
2 lawsuit; however, at the present time, my attorneys  
3 have counseled me I cannot provide answers to any  
4 questions that may be relevant to this lawsuit. I  
5 must accept this advice or risk losing my 6th  
6 Amendment right to effective representation.  
7 Accordingly, I assert my federal constitutional  
8 rights as guaranteed by the 5th, 6th and 14th  
9 Amendment to the US Constitution.

10 BY MR. KUVIN:

11 Q. Do you agree that you have a sexual preference  
12 for girls under the age of 12?

13 MR. PIKE: Objection, harassing. In addition,  
14 vague and indefinite, form.

15 THE WITNESS: I'm going to answer that  
16 question the same way I've answered your other  
17 questions here today, which is, I intend to respond  
18 to all relevant questions regarding this lawsuit;  
19 however, at the present time, my attorneys have  
20 counseled me I cannot provide answers to any  
21 questions relevant to this lawsuit. I must accept  
22 this advice or risk losing my 6th Amendment right  
23 to effective representation. Accordingly, I assert  
24 my federal constitutional rights as guaranteed by  
25 the 5th, 6th and 14th Amendment to the US

0094

1 Constitution.

2 BY MR. KUVIN:

3 Q. Do you agree that you've been treating with a  
4 psychologist for your sexual perversions?

5 MR. PIKE: Objection, vague, harassing, also  
6 psychotherapist/patient privilege; in addition,  
7 could call for their information resulting from  
8 non-testifying consulting expert information.

9 I'm going to instruct the witness not to  
10 answer.

11 BY MR. KUVIN:

12 Q. Do you agree that you've been treating with a  
13 psychiatrist for your sexual perversions?

14 MR. PIKE: Same objection.

15 BY MR. KUVIN:

16 Q. Do you agree that according to your State  
17 Court sentence, you are mandated to obtain mental health  
18 counseling or therapy?

19 MR. PIKE: Same objection.  
20 BY MR. KUVIN:  
21 Q. Who is that therapy with?  
22 MR. PIKE: Let's take a break for one second.  
23 We don't have to leave.  
24 I'm going to maintain the same objections and  
25 instructions.

0095

1 BY MR. KUVIN:  
2 Q. How often are you going to that mental health  
3 counselor?  
4 MR. PIKE: Same objection and instruction.  
5 BY MR. KUVIN:  
6 Q. What do you discuss with the therapist?  
7 MR. PIKE: Definitely same objection and  
8 instruction.  
9 BY MR. KUVIN:  
10 Q. Have you violated your probation by not going  
11 to a mental health counselor or therapist?  
12 MR. PIKE: Same objection and instruction.  
13 BY MR. KUVIN:  
14 Q. Do you agree that while in Palm Beach you've  
15 preyed on girls who are generally troubled, under the  
16 age of 17 and economically disadvantaged because you can  
17 control them better?

18 MR. PIKE: Objection, harassing,  
19 argumentative, vague and indefinite.  
20 THE WITNESS: I'm going to answer that  
21 question the same way I've answered most of your  
22 other questions here today, which is, I fully  
23 intend to respond to all relevant questions  
24 regarding this lawsuit; however, at the present  
25 time, my attorneys have counseled me I cannot

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1 provide answers to any questions relevant to this  
2 lawsuit. I must accept this advice or risk losing  
3 my 6th Amendment right to effective representation.  
4 Accordingly, I assert my federal constitutional  
5 rights as guaranteed by the 5th, 6th and 14th  
6 Amendment to the US Constitution.

7 BY MR. KUVIN:  
8 Q. Do you agree that -- let me ask you this: Do  
9 you see patterns in things?

10 MR. PIKE: Form, compound, confusing, vague.  
11 THE WITNESS: I don't --

12 BY MR. KUVIN:  
13 Q. Do you understand the question?  
14 A. No, I don't.  
15 Q. Do you see patterns in numbers?  
16 MR. PIKE: Same objection, lack of predicate,  
17 foundation.  
18 What are you talking about?  
19 THE WITNESS: I don't understand the question.

20 BY MR. KUVIN:  
21 Q. Do you recognize patterns in large numbers?  
22 MR. PIKE: Same --  
23 MR. GOLDBERGER: You just asked the question  
24 the same way. Just ask it a different way and  
25 he'll try and answer it for you.

0097

1 MR. KUVIN: I did. I tried to clarify it.  
2 MR. GOLDBERGER: You made it -- you said large  
3 numbers versus numbers.

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

5 BY MR. KUVIN:

6 Q. Do you see patterns in any sequences of  
7 numbers?

8 MR. PIKE: Same objection.

9 THE WITNESS: Do I see patterns? I don't  
10 understand the question.

11 BY MR. KUVIN:

12 Q. Well, you developed a software to help make  
13 money in the stock market, correct?

14 MR. PIKE: Objection as to relevance.

15 THE WITNESS: No, that's -- no, absolutely  
16 not.

17 BY MR. KUVIN:

18 Q. It wasn't a software, a computer software,  
19 that you helped to develop many years ago after leaving  
20 your teaching job?

21 MR. PIKE: Same objection.

22 THE WITNESS: I don't know what you're talking  
23 about.

24 BY MR. KUVIN:

25 Q. Let's go back. You took classes at Cooper

0098

1 Union from 1969 to 1971, correct?

2 A. Correct.

3 Q. Okay. You were raised in Coney Island?

4 A. Correct.

5 Q. You attended Lafayette High School in  
6 Brooklyn, New York?

7 A. Is that a question?

8 Q. Yes. Did you attend -- I'm sorry, did you  
9 attend Lafayette High School in Brooklyn, New York?

10 A. Yes.

11 Q. And you took classes at -- oh, I asked that,  
12 I'm sorry.

13 You went to Courant Institute of Mathematical  
14 Sciences where you left without a degree, correct?

15 A. Correct.

16 Q. From '73 to '75, you taught calculus and  
17 physics at The Dalton School?

18 A. I'm not sure those years are correct.

19 Q. What years were you at Dalton?

20 A. I believe it was '74 to '76.

21 Q. Okay.

22 A. I'm not certain.

23 Q. Okay. Now, Dalton School is a high school,  
24 correct?

25 A. Correct.

0099

1 Q. What were the ages of the children you were  
2 teaching at that high school?

3 A. Mostly old -- mostly 17 and 18.

4 Q. Okay. So you were teaching seniors?

5 A. Yes.

6 Q. What were you teaching?

7 A. You just asked that question, mathematics and  
8 physics.

9 Q. You're right, I apologize.

10 Were you teaching any girls that were under  
11 the age of 17 at the time?

12 A. I don't know.

13 Q. Did you have any sexual contact with any of  
14 the girls that you were teaching at Dalton?

15 A. Again?  
16 Q. Did you have any sexual contact with the girls  
17 that you were teaching at Dalton?  
18 A. While I was a teacher?  
19 Q. Well, let's start with that question, yes.  
20 A. No.  
21 Q. How about after?  
22 A. Not that I remember.  
23 Q. Did you date any girls that were previously  
24 your student at Dalton?  
25 A. I'm going to answer that question like every

0100

1 other question I've answered today, which is, I intend  
2 to respond to all relevant questions regarding this  
3 lawsuit; however, at the present time, my attorneys have  
4 counseled me I cannot provide answers to any questions  
5 that may be relevant to this lawsuit. I must accept  
6 this advice or risk losing my 6th Amendment right to  
7 effective representation. Accordingly, I assert my  
8 federal constitutional rights as guaranteed by the 5th,  
9 6th and 14th Amendment to the US Constitution.

10 Q. You do not have a college degree, correct?

11 A. Correct.

12 Q. Regardless of that, you became a trader at  
13 Bear Stearns at some point, correct?

14 MR. PIKE: Form.

15 BY MR. KUVIN:

16 Q. Let me ask it a different way if you're  
17 confused. You look confused.

18 A. Yes.

19 Q. You became a trader at Bear Stearns without a  
20 college degree; is that correct?

21 A. No.

22 Q. You had --

23 A. I was never a trader.

24 Q. I'm sorry. What job did you hold at  
25 Bear Stearns?

0101

1 MR. PIKE: I'd like to take a break and speak  
2 to my client.

3 MR. KUVIN: Okay.

4 THE VIDEOGRAPHER: Your mic is still on,  
5 Mr. Pike.

6 MR. PIKE: Thank you. I appreciate that  
7 reminder.

8 MR. GOLDBERGER: Okay.

9 MR. PIKE: Go ahead.

10 MR. KUVIN: Yes. As far as I'm concerned, you  
11 can cut it.

12 THE VIDEOGRAPHER: Okay. We'll go off the  
13 record at 11:33.

14 MR. KUVIN: As far as she is concerned, she's  
15 got to keep going, so...

16 THE VIDEOGRAPHER: Well, I'm going to start  
17 the recording again because I -- I'm in an awkward  
18 position. I'm just going to keep it going.

19 MR. KUVIN: That's not a problem.

20 THE VIDEOGRAPHER: Okay.

21 MR. KUVIN: Can I make shadow animals in front  
22 of you?

23 THE VIDEOGRAPHER: If you'd like.

24 MR. KUVIN: Jeana is the best court reporter I  
25 have ever had in all of the hundreds of cases that

0102

1 I've tried, can you believe that?

2 THE VIDEOGRAPHER: I do believe that. I do.

3 MR. KUVIN: Right. Oh, yeah, yeah, yeah. I  
4 remember you mentioned that before, right, yeah.

5 THE WITNESS: Are we off the record?

6 MR. KUVIN: Unfortunately, Mr. Pike wanted us  
7 on permanently, so we're on permanently.

8 MR. PIKE: Actually, no. The -- I wanted to  
9 go off the record in order to, you know, conserve  
10 on Jeana's time, as well as the videographer, but  
11 Mr. Kuvin, you stated you wanted to be on the  
12 record because you wanted to ensure that everything  
13 was on the record that had to deal with this case.  
14 So now we're seeing people coming in and out of  
15 doors after they use the restroom, which I really  
16 see as a complete waste of resources.

17 Nonetheless --

18 MR. GOLDBERGER: Let's all be friends here and  
19 let's just do this depo.

20 MR. KUVIN: I just wanted to stay on the  
21 record while --

22 MR. GOLDBERGER: That's fine.

23 MR. KUVIN: -- the attorneys were still in the  
24 room, that's all.

25 MR. GOLDBERGER: That's fine.

0103

1 MR. KUVIN: When the attorneys leave the room,  
2 I don't mind going off the record. That's no  
3 problem with me.

4 MR. GOLDBERGER: Let's just get along and get  
5 this stuff done and move on.

6 MR. KUVIN: I'm more than happy to do that.

7 MR. GOLDBERGER: Are we cool with that?

8 MR. KUVIN: Sure.

9 MR. GOLDBERGER: Sure.

10 THE VIDEOGRAPHER: Spencer, you have about  
11 five minutes.

12 MR. KUVIN: Why don't you change tape so we  
13 don't have to stop.

14 MR. GOLDBERGER: What time do you want to  
15 stop, because I've just got some stuff that I need  
16 to do at some point today. Do you want to take a  
17 break or do you not --

18 THE VIDEOGRAPHER: Let me go off the record.  
19 We'll go off the record at 11:36. This will be the  
20 end of videotape No. 1.

21 COURT REPORTER: Are we going off the paper  
22 record, too?

23 MR. KUVIN: Sure.

24 MR. PIKE: Yeah.

25 (A brief recess was taken.)

0104

1 THE VIDEOGRAPHER: We're back on the record at  
2 11:39. This will be the beginning of tape No. 2.

3 BY MR. KUVIN:

4 Q. What job -- what job did you have at  
5 Bear Stearns?

6 A. I fully intend to respond to all relevant  
7 questions regarding this lawsuit; however, at the  
8 present time, my attorneys have counseled me I cannot  
9 provide answers to any questions that may be relevant to  
10 this lawsuit. I must accept this advice or risk losing

11 my 6th Amendment right to effective representation.  
12 Accordingly, I assert my federal constitutional rights  
13 as guaranteed by the 5th, 6th and 14th Amendment to the  
14 US Constitution.

15 MR. KUVIN: Obviously, I'm going to have to  
16 take this up with Judge Hafele, but I'm trying to  
17 understand, counsel, and, you know, I'm not going  
18 to ask the witness obviously but how his job at  
19 Bear Stearns is a potential 5th Amendment issue in  
20 this case.

21 MR. PIKE: It's asked and answered.

22 MR. KUVIN: So there is no explanation?

23 MR. PIKE: You said you wanted to take it up  
24 with the judge; you can take it up with the judge.  
25 Number one, the relevancy of it is it's not

0105  
1 applicable to your lawsuit, that -- I mean, that's  
2 the large part.

3 MR. KUVIN: Relevance we can argue about.

4 MR. PIKE: Anyway, but again, I don't need to  
5 make your case for you. You can make your case to  
6 Judge Hafele. The privilege has been asserted.

7 BY MR. KUVIN:

8 Q. Sir, isn't it true that you do not have a  
9 college degree?

10 A. Yes, that's true.

11 Q. All right. Now, you have no post-secondary  
12 degrees?

13 A. No, sir.

14 Q. How did you get the job at Bear Stearns  
15 without a college degree or any post-secondary degrees?

16 A. You don't need a college degree to get a job  
17 with Bear Stearns.

18 Q. Who gave you the job?

19 A. I fully intend to respond to all relevant  
20 questions regarding this lawsuit; however, at the  
21 present time, my attorneys have counseled me I cannot  
22 provide answers to any questions relevant to this  
23 lawsuit. I must accept their advice or risk losing my  
24 6th Amendment right to effective representation.

25 Accordingly, I assert my federal constitutional rights  
0106  
1 as guaranteed by the 5th, 6th and 14th Amendment to the  
2 US Constitution.

3 Q. In 1982, you founded your own financial  
4 management firm called J. Epstein & Company; isn't that  
5 true?

6 A. As I've answered most of your other questions  
7 today, Mr. Kuvin, I intend to fully respond to all  
8 relevant questions regarding this lawsuit; however, at  
9 the present time, my attorneys have counseled me I  
10 cannot provide answers to any questions relevant to this  
11 lawsuit. I must accept their advice or risk losing my  
12 6th Amendment right to effective representation.  
13 Accordingly, I assert my federal constitutional rights  
14 as guaranteed by the 5th, 6th and 14th Amendment to the  
15 US Constitution.

16 Q. The company that you founded called J. Epstein  
17 & Company later changed its name to Financial Trust Co,  
18 and its headquarters are in the private islands of the  
19 US Virgin Islands; isn't that true?

20 A. I fully intend to respond to all relevant  
21 questions regarding this lawsuit; however, at the

22 present time, my attorneys have counseled me I cannot  
23 provide answers to any questions relevant to this  
24 lawsuit. I must accept their advice or risk losing my  
25 6th Amendment right to effective representation.

0107

1 Accordingly, I assert my federal constitutional rights  
2 as guaranteed by the 5th, 6th and 14th Amendments to the  
3 United States Constitution.

4 Q. Do you socialize with Leonard Sustein  
5 (phonetic)?

6 A. I'm going to answer that question the way I've  
7 answered most of your other questions here today,  
8 Mr. Kuvin, which is, I intend to respond to all relevant  
9 questions regarding this lawsuit; however, at the  
10 present time, my attorneys have counseled me I cannot  
11 provide answers to any questions relevant to this  
12 lawsuit. I must accept their advice or risk losing my  
13 6th Amendment right to effective representation.  
14 Accordingly, I assert my federal constitutional rights  
15 as guaranteed by the 5th, 6th and 14th Amendment to the  
16 US Constitution.

17 Q. Have you socialized with Richard Axle  
18 (phonetic)?

19 A. I'm going to answer that question the same way  
20 I've answered most of your other questions here today,  
21 which is, I fully intend to respond to all relevant  
22 questions regarding this lawsuit; however, at the  
23 present time, my attorneys have counseled me I cannot  
24 provide answers to any questions relevant to this  
25 lawsuit. I must accept their advice or risk losing my

0108

1 6th Amendment right to effective representation.

2 Accordingly, I assert my federal constitutional rights  
3 as guaranteed by the 5th, 6th and 14th Amendment to the  
4 US Constitution.

5 MR. PIKE: And in addition, the question lacks  
6 predicate and it's vague and ambiguous. It's  
7 overly broad.

8 BY MR. KUVIN:

9 Q. Do you know Gerald Edelman?

10 A. I'm going to answer that question the same way  
11 I've answered most of your other questions here today,  
12 Mr. Kuvin, which is, I fully intend to respond to all  
13 relevant questions regarding this lawsuit; however, at  
14 the present time, my attorneys have counseled me that I  
15 cannot provide answers to any questions that may be  
16 relevant to this lawsuit. I must accept this advice or  
17 risk losing my 6th Amendment right to effective  
18 representation. Accordingly, I assert my federal  
19 constitutional rights as guaranteed by the 5th, 6th and  
20 14th Amendment to the US Constitution.

21 Q. Do you know Murray Gelman?

22 A. I'm going to answer that question the same way  
23 I've answered most of your other questions here today,  
24 which is, I fully intend to respond to all relevant  
25 questions regarding this lawsuit; however, at the

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1 present time, my attorneys have counseled me I cannot  
2 provide answers to any questions that may be relevant to  
3 this lawsuit. I must accept this advice or risk losing  
4 my 6th Amendment right to effective representation.  
5 Accordingly, I assert my federal constitutional rights  
6 as guaranteed by the 5th, 6th and 14th Amendment to the

7 US Constitution.

8 Q. Do you know Ben Goertzel, spelled  
9 G-O-E-R-T-Z-E-L?

10 A. I'm going to answer that question the same way  
11 I've answered most of your other questions here today,  
12 which is, I fully intend to respond to all relevant  
13 questions regarding this lawsuit; however, at the  
14 present time, my attorneys have counseled me I cannot  
15 provide answers to any questions relevant -- was that  
16 just a yawn?

17 Q. I'm sorry, yes, that was just a yawn.

18 A. I must accept this advice or risk losing my  
19 6th Amendment right to effective representation.  
20 Accordingly, I assert my federal constitutional rights  
21 as guaranteed by the 5th, 6th and 14th Amendment to the  
22 US Constitution.

23 Q. Do you know Marvin Minsky, M-I-N-S-K-Y?

24 A. I'm going to answer that question the same way  
25 I've answered most of your other questions here today.

0110

1 I fully intend to respond to all relevant questions  
2 regarding this lawsuit; however, at the present time, my  
3 attorneys have counseled me I cannot provide answers to  
4 any questions relevant to this lawsuit. I must accept  
5 this advice or risk losing my 6th Amendment right to  
6 effective representation. Accordingly, I assert my  
7 federal constitutional rights as guaranteed by the 5th,  
8 6th and 14th Amendment to the US Constitution.

9 Q. Do you know a politician, George Mitchell?

10 A. I'm going to answer that question the same way  
11 I've answered most of your other questions here today,  
12 which is, I fully intend to respond to all relevant  
13 questions regarding this lawsuit; however, at the  
14 present time, my attorneys have counseled me I cannot  
15 provide answers to any questions relevant to this  
16 lawsuit. I must accept their advice or risk losing my  
17 6th Amendment right -- another yawn?

18 Q. I'm sorry, I can't help yawning. It seems to  
19 be a function of the day.

20 MR. PIKE: Move to strike.

21 BY MR. KUVIN:

22 Q. I apologize. I tried to keep my mouth shut  
23 for that one, so -- but I can't help it. I apologize.

24 MR. PIKE: Move to strike.

25 THE WITNESS: Accordingly, I assert my federal

0111

1 constitutional rights as guaranteed by the 5th, 6th  
2 and 14th Amendment to the US Constitution.

3 BY MR. KUVIN:

4 Q. Do you know President Bill Clinton?

5 A. I'm going to respond to that question the same  
6 way I've responded to most of your other questions here  
7 today, which is, I intend to respond to all relevant  
8 questions regarding this lawsuit; however, at the  
9 present time, my attorneys have counseled me that I  
10 cannot provide any answers to questions that may be  
11 relevant to this lawsuit. I must accept this advice or  
12 risk losing my 6th Amendment right to effective  
13 representation. Accordingly, I assert my federal  
14 constitutional rights as guaranteed by the 5th, 6th and  
15 14th Amendment to the US Constitution.

16 Q. Do you know Actor Kevin Spacey?

17 A. I'm going to answer that question the same way

18 I've answered most of your other questions here today --  
19 MR. PIKE: Excuse me for a minute,  
20 Mr. Epstein.  
21 Obviously, your line of questioning is  
22 personal not does -- does Mr. Epstein -- does  
23 Mr. Epstein know who President Clinton is by virtue  
24 of him being the President of the United States.  
25 You mean, does he personally know him, correct?

0112

1 MR. KUVIN: Absolutely. Thank you for the  
2 clarification, and I'll clarify. Next time I can  
3 rephrase, do you know them personally. I don't  
4 want to have go back to every question. Do we have  
5 the understanding that my questions before --

6 MR. PIKE: Yes.

7 MR. KUVIN: -- dealt with whether or not  
8 Mr. Epstein knew these gentleman, I was asking,  
9 personally?

10 MR. PIKE: Yes. I want the record to be  
11 clear. I don't want you to later say that how  
12 could Mr. Epstein not know who President Clinton is  
13 by virtue of him being the President of the United  
14 States at some point in time, and vice versa with  
15 Kevin Spacey and whoever else you -- so, yes, we  
16 have that agreement on a personal basis.

17 MR. KUVIN: Okay, perfectly fine.

18 BY MR. KUVIN:

19 Q. Do you know Actor Kevin Spacey personally?

20 A. I'm going to answer that question the same way  
21 I've answered most of your other questions here today,  
22 which is, I intend to respond to all relevant questions  
23 regarding this lawsuit; however, at the present time, I  
24 cannot provide questions to any questions relevant to  
25 this lawsuit. I must accept this advice or risk losing

0113

1 my 6th Amendment right to effective representation.  
2 Accordingly, I assert my federal constitutional rights  
3 as guaranteed by the 5th, 6th and 14th Amendment to the  
4 US Constitution.

5 Another yawn? That's pretty good. Try to --

6 Q. That was just a breath, actually, a deep  
7 breath, that's all. Thank you for paying attention.

8 Do you know Actor Chris Tucker personally?

9 A. I'm going to answer that question the same way  
10 I've answered most of your other questions here today,  
11 which is, I intend to respond to all relevant questions  
12 regarding this lawsuit; however, at the present time, my  
13 attorneys have counseled me I cannot provide answers to  
14 any questions that may be relevant to this lawsuit. I  
15 must accept their advice or risk losing my 6th Amendment  
16 right to effective representation. Accordingly, I  
17 assert my federal constitutional rights as guaranteed by  
18 the 5th, 6th and 14th Amendment to the US Constitution.

19 Q. Do you own -- do you own a Boeing 727?

20 MR. PIKE: I'm sorry, Spencer, I didn't hear  
21 you. Can you repeat the question?

22 MR. KUVIN: Sure.

23 BY MR. KUVIN:

24 Q. Do you own a Boeing 727?

25 MR. PIKE: Form objection, relevance.

0114

1 THE WITNESS: I'm going to --

2 MR. KUVIN: Hang on.

3 THE WITNESS: Excuse me.  
4 MR. KUVIN: I'm sorry, what's the form  
5 objection?  
6 MR. PIKE: It's a form objection and relevance  
7 followed thereafter.  
8 MR. KUVIN: I just wanted to correct the form  
9 if there was something wrong with the form. Is  
10 there anything particular with the form I need to  
11 correct?  
12 MR. PIKE: Form, relevance.

13 BY MR. KUVIN:  
14 Q. Do you own a Boeing 727?  
15 A. I'm going to answer that --  
16 (Interruption in the proceedings.)  
17 UNIDENTIFIED WOMAN: Carl, is here for,  
18 Mr. Kuvin.  
19 MR. KUVIN: Who?  
20 UNIDENTIFIED WOMAN: He said he was expecting  
21 him.  
22 MR. KUVIN: Please let him know we're going to  
23 be taking a break at 12:00, and if he could wait.  
24 Thank you.

25 BY MR. KUVIN:

0115  
1 Q. I apologize for the interruption.  
2 A. No problem.  
3 I'm going to answer that question the same way  
4 I've answered most of your other questions here today,  
5 which is, I fully intend to respond to all relevant  
6 questions regarding this lawsuit; however, at the  
7 present time, my attorneys have counseled me I cannot  
8 provide answers to any questions relevant to this  
9 lawsuit. I must accept their advice or risk losing my  
10 6th Amendment right to effective representation.  
11 Accordingly, I assert my federal constitutional rights  
12 as guaranteed by the 5th, 6th and 14th Amendment to the  
13 US Constitution.

14 Q. Have you ever referred to your Boeing 727  
15 plane as "Air Fuck One"?  
16 MR. PIKE: Form, argumentative, harassing.  
17 THE WITNESS: I'll have to answer that the  
18 same way I've answered most of your other questions  
19 here today, which is, I intend to respond to all  
20 relevant questions regarding this lawsuit; however,  
21 at the present time, my attorneys have counseled me  
22 I cannot provide answers to any questions that may  
23 be relevant to this lawsuit. I must accept their  
24 advice or risk losing my 6th Amendment right to  
25 effective representation. Accordingly, I assert my

0116  
1 federal constitutional rights as guaranteed by the  
2 5th, 6th and 14th Amendment to the US Constitution.

3 BY MR. KUVIN:  
4 Q. Have you ever taken any underaged girls, girls  
5 under the age of 18, on your Boeing 727?  
6 A. I'm going to answer that question the same way  
7 I've answered most of your other questions here today,  
8 Mr. Kuvin, which is, I intend to fully respond to all  
9 relevant questions regarding this lawsuit; however, at  
10 this time, I cannot provide any answers to questions  
11 relevant to this lawsuit as my attorneys have counseled  
12 me. I must accept their advice or risk losing my 6th  
13 Amendment right to effective representation.

14 Accordingly, I assert my federal constitutional rights  
15 as guaranteed by the 5th, 6th and 14th Amendment to the  
16 US Constitution.

17 Q. Are you a confidential informant for the  
18 prosecution of Bear Stearns?

19 MR. PIKE: Form, relevance.

20 THE WITNESS: I'm going to answer that  
21 question the same way I've answered most of your  
22 questions here today, which is, I fully intend to  
23 respond to all relevant questions regarding this  
24 lawsuit; however, at the present time, my attorneys  
25 have counseled me I cannot provide answers to any

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1 questions that may be relevant to the lawsuit. I  
2 must accept their advice or risk losing my 6th  
3 Amendment right to effective representation.  
4 Accordingly, I assert my federal constitutional  
5 rights as guaranteed by the 5th, 6th and 14th  
6 Amendment to the US Constitution.

7 BY MR. KUVIN:

8 Q. Did you trade information with the Federal  
9 authorities in order to get a lighter sentence with  
10 respect to the charges brought against you in Palm Beach  
11 County by the US Attorney's Office?

12 A. I'm going to answer that question the same way  
13 I've answered most of your other questions here today,  
14 which is, I fully intend to respond to all relevant  
15 questions regarding this lawsuit; however, at the  
16 present time, my attorneys have counseled me I cannot  
17 provide answers to any questions relevant to this  
18 lawsuit. I must accept their advice or risk losing my  
19 6th Amendment right to effective representation.  
20 Accordingly, I assert my federal constitutional rights  
21 as guaranteed by the 5th, 6th and 14th Amendment to the  
22 US Constitution.

23 Q. Do you know, personally, Martin Nowak?

24 A. I'm going to answer that question the same way  
25 I've answered most of your other questions here today,

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1 which is, I fully intend to respond to all relevant  
2 questions regarding this lawsuit; however, at the  
3 present time, my attorneys have counseled me I cannot  
4 provide answers to any questions that may be relevant to  
5 this lawsuit. I must accept their advice or risk losing  
6 my 6th Amendment right to effective representation.  
7 Accordingly, I assert my federal constitutional rights  
8 as guaranteed by the 5th, 6th and 14th Amendment to the  
9 US Constitution.

10 Q. Isn't it true that you funded Mr. Nowak's  
11 research at the Institute For Advanced Study in  
12 Princeton?

13 A. I'm going to answer that question the same way  
14 I've answered most of your other questions here today,  
15 Mr. Kuvin, which is, I fully intend to respond to all  
16 relevant questions regarding this lawsuit; however, at  
17 the present time, my attorneys have counseled me I  
18 cannot provide answers to any questions relevant to this  
19 lawsuit. I must accept their advice or risk losing my  
20 6th Amendment right to effective representation.  
21 Accordingly, I assert my federal constitutional rights  
22 as guaranteed by the 5th, 6th and 14th Amendment of the  
23 US Constitution.

24 MR. PIKE: Can we go off the record for a

25 second?  
0119  
1 MR. KUVIN: Sure.  
2 THE VIDEOGRAPHER: Off the record at  
3 11:55 a.m.  
4 MR. GOLDBERGER: Here's my issue. Actually,  
5 we probably should be on the record on this one.  
6 MR. KUVIN: Are we going on?  
7 MR. GOLDBERGER: Yeah, let's go on.  
8 MR. KUVIN: Sure.  
9 THE VIDEOGRAPHER: Back on the record at  
10 11:55.  
11 MR. GOLDBERGER: We were just off the record  
12 and talked about taking a break, and I hate to  
13 inject personal problems into a scheduling, but I  
14 am suffering from some -- actually some nerve  
15 neurological problem. I'm on a fairly heavy  
16 steroid right now and it's causing me some issues.  
17 I didn't want to try and reset this deposition  
18 because I know, Mr. Kuvin, you wanted to take the  
19 deposition, but given the medications I'm on, I'd  
20 just assume keep going unless that's a huge problem  
21 for you.  
22 MR. KUVIN: Not a problem for me at all. Do  
23 you want to go straight through lunch?  
24 MR. GOLDBERGER: I think so. I mean, if  
25 you've ever taken steroids before, they can -- they  
0120  
1 can mess with you pretty good, so I'd prefer to  
2 keep going.  
3 MR. KUVIN: Fine with me.  
4 MR. PIKE: May we go off the record?  
5 MR. KUVIN: Sure.  
6 THE VIDEOGRAPHER: We'll go off the record at  
7 11:56.  
8 (A brief recess was taken.)  
9 THE VIDEOGRAPHER: We're back on the record at  
10 12:12.  
11 BY MR. KUVIN:  
12 Q. Sir, isn't it true that you pledged  
13 \$30 million to Harvard University in 2003?  
14 A. I'm going to answer that question the same way  
15 I've answered most of your other questions here today,  
16 which is, I intend to respond to all relevant questions  
17 regarding this lawsuit; however, at the present time, my  
18 attorneys have counseled me I cannot provide answers to  
19 any questions relevant to this lawsuit. I must accept  
20 their advice or risk losing my 6th Amendment right to  
21 effective representation. Accordingly, I assert my  
22 federal constitutional rights as guaranteed by the 5th,  
23 6th and 14th Amendment to the US Constitution.  
24 Q. Isn't it true that that \$30 million pledge to  
25 Harvard was shortly before you were arrested with  
0121  
1 respect to the charges brought against you in Palm Beach  
2 for having sex with underaged girls and soliciting  
3 underaged girls for prostitution?  
4 (Interruption in the proceedings.)  
5 MR. GOLDBERGER: Thank you.  
6 Hey Kathy, it's Jack Goldberger. You're back  
7 on.  
8 MS. EZELL: Okay, good. Thanks, Jack.  
9 MR. GOLDBERGER: Okay.

10 MS. EZELL: I'm putting the mute on.  
11 MR. GOLDBERGER: Okay.  
12 THE WITNESS: Can you read me the question?  
13 MR. KUVIN: Sure. Could you read it back,  
14 please?

15 (A portion of the record was read by the  
16 reporter.)

17 THE WITNESS: No.

18 BY MR. KUVIN:

19 Q. Isn't it true that you pledged \$30 million to  
20 Harvard University in 2003, which is shortly before  
21 charges were brought against you in Palm Beach?

22 A. I'll answer that question the same way I've  
23 answered most of your other questions here today, which  
24 is, I fully intend to respond to all relevant questions  
25 regarding this lawsuit; however, at the present time, my

0122  
1 attorneys have counseled me I cannot provide answers to  
2 any questions relevant to this lawsuit. I must accept  
3 this advice or risk losing my 6th Amendment right to  
4 effective representation. Accordingly, I assert my  
5 federal constitutional rights as guaranteed by the 5th,  
6 6th and 14th Amendment to the US Constitution.

7 Q. And isn't it true also that you have retained  
8 Alan Dershowitz to defend you in the criminal charges  
9 that were brought against you in Palm Beach?

10 MR. GOLDBERGER: Attorney-client.

11 MR. PIKE: Attorney-client, work product.

12 BY MR. KUVIN:

13 Q. Isn't it also true that Alan Dershowitz works  
14 on staff at Harvard University as a professor? I mean,  
15 if you know.

16 A. I'm going to answer that question like I've  
17 answered most of your other questions here today, which  
18 is, I fully intend to respond to all relevant questions  
19 regarding this lawsuit; however, at the present time, my  
20 attorneys have counseled me I cannot provide answers to  
21 any questions that may be relevant to this lawsuit. I  
22 must accept this advice or risk losing my 6th Amendment  
23 right to effective representation. Accordingly, I  
24 assert my federal constitutional rights as guaranteed by  
25 the 5th, 6th and 14th Amendment to the US Constitution.

0123  
1 Q. Isn't it true that you own a 50,000 square  
2 foot home in Manhattan that was formerly owned by Lex  
3 Wexner?

4 A. I'm going to answer that question as I've  
5 answered most of your other questions here today,  
6 Mr. Kuvin, which is, I fully intend to respond to all  
7 relevant questions regarding this lawsuit; however, at  
8 the present time, my attorneys have counseled me I  
9 cannot provide answers to any questions that may be  
10 relevant to this lawsuit. I must accept this advice or  
11 risk losing my 6th Amendment right to effective  
12 representation. Accordingly, I assert my federal  
13 constitutional rights as guaranteed by the 5th, 6th and  
14 14th Amendment to the US Constitution.

15 Q. Isn't it true that one of your only clients is  
16 a financial advisor with Lex Wexner?

17 A. I'm going to respond to that question the same  
18 way I've responded to most of your other questions here  
19 today, which is, I fully intend to respond to all  
20 relevant questions regarding this lawsuit; however, at

21 the present time, my attorneys have counseled me I  
22 cannot provide answers to any questions relevant to this  
23 lawsuit. I must accept their advice or risk losing my  
24 6th Amendment right to effective representation.  
25 Accordingly, I assert my federal constitutional rights

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1 as guaranteed by the 5th, 6th and 14th Amendment to the  
2 US Constitution.

3 Q. Isn't it true that Lex Wexner has since fired  
4 you after charges were brought against you in Palm Beach  
5 County for soliciting underaged girls for sex?

6 A. I'm going to respond to that question the same  
7 way I've responded to most of your other questions here  
8 today, which is, I intend to respond to all relevant  
9 questions regarding this lawsuit; however, at the  
10 present time, my attorneys have counseled me I cannot  
11 provide answers to any questions relevant to this  
12 lawsuit. I must accept their advice or risk losing my  
13 6th Amendment right to effective representation.  
14 Accordingly, I assert my federal constitutional rights  
15 as guaranteed by the 5th, 6th and 14th Amendment to the  
16 United States Constitution.

17 Q. Are you a homosexual?

18 A. No.

19 Q. Have you had homosexual relationships with  
20 Mr. Wexner?

21 A. I'm going to answer that question the way I've  
22 answered all your other questions here today, basically,  
23 which is, I intend to respond to all relevant questions  
24 regarding this lawsuit; however, at the present time, my  
25 attorneys have counseled me I cannot provide answers to

0125

1 any questions relevant to this lawsuit. I must accept  
2 this advice or risk losing my 6th Amendment right to  
3 effective representation. Accordingly, I assert my  
4 federal constitutional rights as guaranteed by the 5th,  
5 6th and 14th Amendment to the US Constitution.

6 Q. Have you ever touched Mr. Wexner's penis?

7 MR. PIKE: Objection, harassing, irrelevant,  
8 argumentative.

9 MR. GOLDBERGER: Object.

10 THE WITNESS: No.

11 BY MR. KUVIN:

12 Q. Have you ever had anal sex with Mr. Wexner?

13 A. No.

14 Q. Have you ever threatened Mr. Wexner that you  
15 would disclose private information about him if he  
16 testified against you in the civil proceedings which  
17 have been brought against you here in Palm Beach County?

18 MR. GOLDBERGER: Can you -- I'm sorry, can you  
19 repeat the question?

20 MR. KUVIN: Sure. Go ahead and repeat it  
21 back, please.

22 (A portion of the record was read by the  
23 reporter.)

24 THE WITNESS: No.

25 BY MR. KUVIN:

0126

1 Q. Did Mr. Wexner replace you with Dennis Hersch?

2 A. I'm going to answer that question like I've  
3 answered most of your other questions here today, which  
4 is, I fully intend to respond to all relevant questions  
5 regarding this lawsuit; however, at the present time, my

6 attorneys have counseled me I cannot provide answers to  
7 any questions relevant to this lawsuit. I must accept  
8 their advice or risk losing my 6th Amendment right to  
9 effective representation. Accordingly, I assert my  
10 federal constitutional rights as guaranteed by the 5th,  
11 6th and 14th Amendment to the US Constitution.

12 Q. Would you agree that Mr. Wexner was your only  
13 client when you were a financial advisor?

14 A. I'm going to answer that question like I've  
15 answered most of your other questions here today,  
16 Spencer -- Mr. Kuvin --

17 Q. Thank you.

18 A. -- which is, I fully intend to respond to all  
19 relevant questions regarding this lawsuit; however, at  
20 the present time, my attorneys have counseled me I  
21 cannot provide answers to any questions relative to this  
22 lawsuit. I must accept their advice or risk losing my  
23 6th Amendment right to effective representation.  
24 Accordingly, I assert my federal constitutional rights  
25 as guaranteed by the 5th, 6th and 14th Amendment to the

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1 US Constitution.

2 MR. KUVIN: All right. With the understanding  
3 that -- see, now he's yawning. You don't pick on  
4 him when he yawns.

5 With the --

6 MR. PIKE: Move to strike.

7 MR. KUVIN: With the understanding that I  
8 understand you all object and you've moved to  
9 disclose the identity of ■■■■■, who's been  
10 identified in this case, obviously the same  
11 proceedings would go with respect to this  
12 deposition that have gone with every other  
13 deposition regarding the identity of the unknown  
14 ■■■■■. So I'm going to ask questions, obviously,  
15 utilizing full names and using the same procedure  
16 we've used in all other depositions in this case.

17 MR. PIKE: I don't think that there's been an  
18 agreement in that regard. I think that there's  
19 been a motion to seal that had been subsequently  
20 filed by, I believe it was, Brad Edwards' office  
21 after a particular depo occurred. So if you want  
22 to address it by -- by that, then that would be  
23 fine.

24 If there was an order entered that that  
25 deposition shall not be disclosed to the media

0128

1 earlier this morning, in that regard, I'm not quite  
2 sure what -- what you're asking, Mr. Kuvin.

3 MR. KUVIN: Well, I just want to make sure  
4 that when Jeana types up the transcript, that it's  
5 done the same exact way that they've all been done,  
6 which is, that the girls would be utilized by  
7 initial that will have the same --

8 MR. PIKE: Pseudonym.

9 MR. KUVIN: -- pseudonym -- that will have the  
10 same attachment to the deposition as we always  
11 have, which is confidential.

12 MR. PIKE: That's fine.

13 MR. KUVIN: If you chose to obviously  
14 challenge the confidentiality and want to disclose  
15 my client's name for some reason, then we'll  
16 address that with the Court at some later time.

17 MR. PIKE: That's fine.  
18 MR. KUVIN: Okay. Good enough. All right.  
19 MR. PIKE: Pending the Court's ruling on that.  
20 MR. KUVIN: Obviously pending the Court's  
21 ruling.  
22 All right. You got your camera? Good to go?  
23 BY MR. KUVIN:  
24 Q. I'm going to show you what we'll mark as  
25 Exhibit 5.

0129

1 (Plaintiff's Exhibit No. 5 was marked for  
2 identification.)  
3 MR. KUVIN: Okay?  
4 BY MR. KUVIN:  
5 Q. Do you recognize this young girl?  
6 A. I'm going to answer that question the same way  
7 I've answered most of your other questions, which is, I  
8 intend to respond to all relevant questions regarding  
9 this lawsuit; however, at the present time, my attorneys  
10 have questioned -- excuse me, my attorneys have  
11 counseled me I cannot provide answers to any questions  
12 relevant to this lawsuit. I must accept this advice or  
13 risk losing my 6th Amendment right to effective  
14 representation. Accordingly, I assert my federal  
15 constitutional rights as guaranteed by the 5th, 6th and  
16 14th Amendment to the United States Constitution.  
17 Q. I'll show you what we're marking as Exhibit 6.  
18 Okay?

19 (Plaintiff's Exhibit No. 6 was marked for  
20 identification.)  
21 BY MR. KUVIN:  
22 Q. Do you recognize this young girl that I've  
23 marked as Exhibit 6?  
24 A. I'm going to respond to that the same way I've  
25 responded to most of your other questions here today,

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1 which is, I fully intend to respond to all relevant  
2 questions regarding this lawsuit; however, at the  
3 present time, my attorneys have counseled me I cannot  
4 provide answers to any questions that may be relevant to  
5 this lawsuit. I must accept this advice or risk losing  
6 my 6th Amendment right to effective representation.  
7 Accordingly, I assert my federal constitutional rights  
8 as guaranteed by the 5th, 6th and 14th Amendment to the  
9 US Constitution.

10 Q. I'm going to show you what I've marked as  
11 Exhibit 7, and I've blacked out the name -- or the face  
12 of a girl that is shown in this photograph before I mark  
13 it to the deposition. I'm going to draw an arrow with a  
14 star to the girl that I'd like you to identify.

15 MR. PIKE: First, I'm going to object to the  
16 use of this exhibit. It's -- it's not an original  
17 any longer, and it was not provided to me prior to  
18 your marking out the face of the other individual  
19 in this photograph; therefore, I don't -- I object  
20 to it and would like to know the basis for which  
21 you've marked out this individual's face.

22 MR. KUVIN: To protect her privacy.

23 MR. PIKE: Third party privacy right?

24 MR. KUVIN: She has a right to privacy. I  
25 certainly don't want to breach any potential right

0131

1 to privacy she may have because I haven't asked her

2           whether or not it's okay to show her photograph,  
3           which is why I blacked her out.

4           MR. PIKE: Okay. But having said that,  
5           that -- that theory and objection is duly noted.  
6           I'll go ahead and allow the witness to be  
7           questioned on Exhibit 7.

8           (Plaintiff's Exhibit No. 7 was marked for  
9           identification.)

10          BY MR. KUVIN:

11          Q. I'd like you to take a look --

12          MR. KUVIN: I'm sorry, let me show this to the  
13          camera, first.

14          THE VIDEOGRAPHER: Okay.

15          BY MR. KUVIN:

16          Q. Okay. Do you recognize the girl on the left  
17          in Photograph Exhibit 7?

18          A. I'm going to respond to that question the same  
19          way I've responded to most of your other questions here  
20          today, Mr. Kuvin, which is, I intend to respond to all  
21          relevant questions regarding this lawsuit; however, at  
22          the present time, my attorneys have counseled me I  
23          cannot provide answers to any questions relevant to this  
24          lawsuit. I must accept this advice or risk losing my  
25          6th Amendment right to effective representation.

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1          Q. Excuse me.

2          A. Accordingly, I assert my federal  
3          constitutional rights as guaranteed by the 5th, 6th and  
4          14th Amendment to the US Constitution.

5          (Photograph shown to the camera.)

6          (Plaintiff's Exhibit No. 8 was marked for  
7          identification.)

8          BY MR. KUVIN:

9          Q. Okay. Do you recognize the girl shown in  
10          Exhibit 8?

11          A. I'm going to answer that question the same way  
12          I've answered most of the other questions here today,  
13          which is, I fully intend to respond to all relevant  
14          questions regarding this lawsuit; however, at the  
15          present time, my attorneys have counseled me I cannot  
16          provide answers to any questions relevant to this  
17          lawsuit. I must accept this advice or risk losing my  
18          6th Amendment right to effective representation.  
19          Accordingly, I assert my federal constitutional rights  
20          as guaranteed by the 5th, 6th and 14th Amendment of the  
21          United States Constitution.

22          Can we take a break for a second?

23          Q. Sure.

24          MR. PIKE: Sure.

25          THE VIDEOGRAPHER: Going off the record at

0133

1          12:27.

2          (A brief recess was taken.)

3          THE VIDEOGRAPHER: Back on the record at

4          12:29.

5          BY MR. KUVIN:

6          Q. Sir, do you agree that in 2005, you had [REDACTED].  
7          come to your house, get naked and give you a massage  
8          while you had nothing on but a washcloth over your  
9          genitals?

10          MR. PIKE: Objection form, argumentative.

11          THE WITNESS: Is that [REDACTED].; is that who you  
12          said? Can you spell that for me?

13 BY MR. KUVIN:  
14 Q. It's in the record.  
15 A. I'm going to answer that question the same way  
16 I've answered most of your other questions here today,  
17 which is, I intend to respond to all relevant questions  
18 regarding this lawsuit; however, at the present time, my  
19 attorneys have counseled me I cannot provide answers to  
20 any questions relevant to this lawsuit. I must accept  
21 this advice or risk losing my 6th Amendment right to  
22 effective representation. Accordingly, I assert my  
23 federal constitutional rights as guaranteed by the 5th,  
24 6th and 14th Amendment to the US Constitution.

25 Q. Do you agree that while she was giving you  
0134 this massage, you were masturbating?  
1 A. "She" being [REDACTED]? I'm sorry. She -- what was  
2 the question?  
3 Q. Yes, all these questions refer to the same  
4 child, [REDACTED]. You can make that assumption for all my  
5 questions.  
6 A. Okay.  
7 MR. PIKE: Objection to form, argumentative,  
8 move to strike.  
9

10 BY MR. KUVIN:  
11 Q. Do you agree that while she was giving you  
12 this massage, you were masturbating?  
13 MR. PIKE: Form, argumentative, harassing.  
14 THE WITNESS: I'm going to respond to that  
15 question the same way I've responded to most of  
16 your other questions here today, which is, I intend  
17 to respond to all relevant questions regarding this  
18 lawsuit; however, at the present time, my attorneys  
19 have counseled me I cannot provide answers to any  
20 questions relevant to this lawsuit. I must accept  
21 their advice or risk losing my 6th Amendment right  
22 to effective representation. Accordingly, I assert  
23 my federal constitutional rights as guaranteed by  
24 the 5th, 6th and 14th Amendment to the US  
25 Constitution.

0135  
1 BY MR. KUVIN:  
2 Q. Do you agree that while she was giving you  
3 this naked massage, she told you she was 16?  
4 MR. PIKE: Form, argumentative, harassing,  
5 assumes facts not in evidence.  
6 THE WITNESS: I'm going to have to respond to  
7 that question the same way I've responded to most  
8 of your other questions here today, which is, I  
9 intend to respond to all relevant questions  
10 regarding this lawsuit; however, at the present  
11 time, my attorneys have counseled me I cannot  
12 provide answers to any questions that may be  
13 relevant to this lawsuit. I must accept their  
14 advice or risk losing my 6th Amendment right to  
15 effective representation. Accordingly, I assert my  
16 federal constitutional rights as guaranteed by the  
17 5th, 6th and 14th Amendment to the US Constitution.

18 BY MR. KUVIN:  
19 Q. Do you agree that while she was giving you  
20 this naked massage, she told you that she was 15?  
21 MR. PIKE: Same objections as before.  
22 THE WITNESS: I'm going to answer that  
23 question the same way I've answered most of your

24 other questions here today, which is, I intend to  
25 respond to all relevant questions regarding this

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1 lawsuit; however, at the present time, my attorneys  
2 have counseled me I cannot provide answers to any  
3 questions that may be relevant to this lawsuit. I  
4 must accept this advice or risk losing my 6th  
5 Amendment right to effective representation.  
6 Accordingly, I assert my federal constitutional  
7 rights as guaranteed by the 5th, 6th and 14th  
8 Amendment to the US Constitution.

9 MR. PIKE: Mr. Kuvin, I've been incorporating  
10 and asserting the same objections, by saying same  
11 objection as before, are you okay with that?

12 MR. KUVIN: Perfectly fine.

13 MR. PIKE: Okay.

14 BY MR. KUVIN:

15 Q. Do you agree that while [REDACTED] was in your home,  
16 you asked her to get completely naked?

17 MR. PIKE: Same objection.

18 THE WITNESS: I'm going to respond to that  
19 question the way I've responded to most of your  
20 other questions here today, which is, I intend to  
21 respond to all relevant questions regarding this  
22 lawsuit; however, at the present time, my attorneys  
23 have counseled me I cannot provide answers to any  
24 questions relevant to this lawsuit. I must accept  
25 their advice or risk losing my 6th Amendment right

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1 to effective representation. Accordingly, I assert  
2 my federal constitutional rights as guaranteed by  
3 the 5th, 6th and 14th Amendment to the United  
4 States Constitution.

5 BY MR. KUVIN:

6 Q. Do you agree that after [REDACTED] got naked in your  
7 home, that you asked her to massage you while you were  
8 naked?

9 MR. PIKE: Form, lacks predicate,  
10 argumentative, harassing, assumes facts not in  
11 evidence.

12 THE WITNESS: I'm going to respond to that  
13 question the same way I've responded to most of  
14 your other questions here today, Mr. Kuvin, which  
15 is, I intend to respond to all relevant questions  
16 regarding this lawsuit; however, at the present  
17 time, my attorneys have counseled me that I cannot  
18 provide answers to any questions that may be  
19 relevant to this lawsuit. I must accept their  
20 advice or risk losing my 6th Amendment right to  
21 effective representation. Accordingly, I assert my  
22 federal constitutional rights as guaranteed by the  
23 5th, 6th and 14th Amendment to the US Constitution.

24 BY MR. KUVIN:

25 Q. Do you agree that while [REDACTED] was 15 and giving  
0138  
1 you a naked massage while you were naked, that you also  
2 touched her vagina?

3 MR. PIKE: Same objections as before.

4 THE WITNESS: I'm going to respond to that  
5 question the same way I've responded to most of  
6 your other questions here today, Mr. Kuvin, which  
7 is, I fully intend to respond to all relevant  
8 questions regarding this lawsuit; however, at the

9 present time, my attorneys have counseled me I  
10 cannot provide answers to any questions that may be  
11 relevant to this lawsuit. I must accept this  
12 advice or risk losing my 6th Amendment right to  
13 effective representation. Accordingly, I must  
14 assert my federal constitutional rights as  
15 guaranteed by the 5th, 6th and 14th Amendment to  
16 the United States Constitution.

17 BY MR. KUVIN:

18 Q. Do you agree that during this naked massage  
19 with [REDACTED], that you asked her whether she wanted you to  
20 stop touching her vagina, and she said yes.

21 MR. PIKE: Same objections.

22 THE WITNESS: I'm going to respond to that  
23 question the same way I've responded to most of  
24 your other questions here today, Mr. Kuvin, which  
25 is, I intend to respond to all relevant questions

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1 regarding this lawsuit; however, at the present  
2 time my attorneys have counseled me I cannot  
3 provide answers to any questions relevant to this  
4 lawsuit. I must accept their advice or risk losing  
5 my 6th Amendment right to effective representation.  
6 Accordingly, I assert my federal constitutional  
7 rights as guaranteed by the 5th, 6th and 14th  
8 Amendment of the United States Constitution.

9 BY MR. KUVIN:

10 Q. Do you agree that regardless of [REDACTED] telling  
11 you to stop touching her vagina, you nonetheless  
12 disregarded her and touched her there again?

13 MR. PIKE: Same objections as before.

14 THE WITNESS: I'm going to respond that  
15 question the same way I've responded to most of  
16 your other questions here today, which is, I intend  
17 to respond to all relevant questions regarding this  
18 lawsuit; however, at the present time. My  
19 attorneys have counseled me that I cannot provide  
20 answers to any questions relevant to this lawsuit.  
21 I must accept their advice or risk losing my 6th  
22 Amendment right to effective representation.  
23 Accordingly, I must assert my federal  
24 constitutional rights as guaranteed by the 5th, 6th  
25 and 14th Amendment to the United States

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1 Constitution.

2 BY MR. KUVIN:

3 Q. You penetrated [REDACTED]'s vagina with your finger  
4 and a vibrator, did you not?

5 MR. PIKE: Same objections.

6 THE WITNESS: I'm going to respond to that  
7 question the same way I've responded to most of  
8 your other questions here today, which is, I fully  
9 intend to respond to all relevant questions  
10 regarding this lawsuit; however, at the present  
11 time, my attorneys have counseled me I cannot  
12 provide answers to any questions relevant to this  
13 lawsuit. I must accept their advice or risk losing  
14 my 6th Amendment right to effective representation.  
15 Accordingly, I must assert my federal  
16 constitutional rights as guaranteed by the 5th, 6th  
17 and 14th Amendment to the United States  
18 Constitution.

19 BY MR. KUVIN:

20 Q. And it is also true that you've paid hundreds  
21 of girls under the age of 17 for similar encounters  
22 where you've asked them to get naked, you've laid on a  
23 table naked, masturbated and then touched them in their  
24 vagina at your Palm Beach home; isn't that true?

25 MR. PIKE: Form, argumentative, harassing,

0141

1 multiple, compound, it's confusing, vague, it lacks  
2 proper predicate and foundation.

3 MR. KUVIN: Let me back up.

4 BY MR. KUVIN:

5 Q. Because of the compound, I'm going to have to  
6 break it down a little.

7 Isn't it true, sir, that you've paid hundreds  
8 of girls under the age of 17 to come to your home and  
9 give you naked massages?

10 MR. PIKE: Same objection, plural.

11 THE WITNESS: I'm going to have to respond to  
12 that question the same way I've responded to most  
13 of your other questions here today, Mr. Kuvin,  
14 which is, I intend to respond to all relevant  
15 questions regarding this lawsuit; however, at the  
16 present time, my attorneys have counseled me I  
17 cannot provide answers to any questions relevant to  
18 this lawsuit. I must accept their advice or risk  
19 losing my 6th Amendment right to effective  
20 representation. Accordingly, I assert my federal  
21 constitutional rights as guaranteed by the 5th, 6th  
22 and 14th Amendment to the United States  
23 Constitution.

24 BY MR. KUVIN:

25 Q. Isn't it true, sir, that in addition to

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1 [REDACTED], you had another underaged girl, [REDACTED]  
2 [REDACTED], working to obtain other underaged girls to come  
3 to your house with sexual encounters -- for sexual  
4 encounters with you?

5 MR. PIKE: Same objections.

6 THE WITNESS: Could you repeat the question?

7 BY MR. KUVIN:

8 Q. Sure. Isn't it true that in addition to [REDACTED]  
9 [REDACTED], you had another girl who, at the time was  
10 underage, [REDACTED], working to obtain underaged  
11 girls to come to your house for sexual encounters with  
12 you?

13 MR. PIKE: Same objections.

14 THE WITNESS: I'm going to have to respond to  
15 that question the same way I've responded to your  
16 other questions here today, Mr. Kuvin, which is, I  
17 intend to respond to all relevant questions  
18 regarding this lawsuit; however, at the present  
19 time, my attorneys have counseled me that I cannot  
20 provide answers to any questions that may be  
21 relevant to this lawsuit. I must accept this  
22 advice or risk losing my 6th Amendment right to  
23 effective representation. Accordingly, I must  
24 assert my federal constitutional rights as  
25 guaranteed by the 5th, 6th and 14th Amendment to

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1 the United States Constitution.

2 BY MR. KUVIN:

3 Q. And when these young girls were recruited to  
4 come to your home, you told [REDACTED] and [REDACTED] to tell

5 them that it would be a platonic massage with no sexual  
6 contact; isn't that true?

7 MR. PIKE: Same objections.

8 THE WITNESS: I'm going to respond to that  
9 question the way I've responded to most of your  
10 other questions here today, Mr. Kuvin, which is, I  
11 intend to respond to all relevant questions  
12 regarding this lawsuit; however, at the present  
13 time, my attorneys have counseled me I cannot  
14 provide answers to any questions that may be  
15 relevant to this lawsuit. I must accept their  
16 advice or risk losing my 6th Amendment right to  
17 effective representation. Accordingly, I assert my  
18 federal constitutional rights as guaranteed by the  
19 5th, 6th and 14th Amendment to the United States  
20 Constitution.

21 BY MR. KUVIN:

22 Q. It was only after the girls arrived at your  
23 home that they learned that they would have to get naked  
24 and you would be fondling them sexually; isn't that  
25 true?

0144

1 MR. PIKE: Form, argumentative, lacks  
2 predicate, improper foundation, argumentative and  
3 harassing.

4 THE WITNESS: I'm going to respond to that  
5 question the same way I responded to most of your  
6 other questions here today, which is, I intend to  
7 respond to all relevant questions regarding this  
8 lawsuit; however, at the present time, my attorneys  
9 have counseled me I cannot provide any answers to  
10 question that may be relevant to this lawsuit. I  
11 must accept their advice or risk losing my 6th  
12 Amendment right to effective representation.  
13 Accordingly, I must assert my federal  
14 constitutional rights as guaranteed by the 5th, 6th  
15 and 14th Amendment to the United States  
16 Constitution.

17 BY MR. KUVIN:

18 Q. Isn't it true that you had numerous girls  
19 under the age of 17 brought to your home by taxi?

20 MR. PIKE: Form, argumentative, overbroad,  
21 lacks appropriate foundation.

22 BY MR. KUVIN:

23 Q. And let me clarify. From the years 2004  
24 through 2006.

25 MR. PIKE: Same objections, minus overbroad.

0145

1 THE WITNESS: I'm going to have to answer that  
2 question the same way I've answered most of your  
3 other questions here today, which is, I intend to  
4 respond to all relevant questions regarding this  
5 lawsuit; however, at the present time, my attorneys  
6 have counseled me I cannot provide answers to any  
7 questions that may be relevant to this lawsuit. I  
8 must accept their advice or risk losing my 6th  
9 Amendment right to effective representation.  
10 Accordingly, I assert my federal constitutional  
11 rights as guaranteed by the 5th, 6th and 14th  
12 Amendment to the United States Constitution.

13 BY MR. KUVIN:

14 Q. Isn't it true that you paid a taxi to have  
15 girls, underaged girls like [REDACTED], brought to your home

16 from the years 2004 to 2006?  
17 A. I'm going to respond to that question the way  
18 I've responded to most of your other questions here  
19 today, which is, I intend to respond to all relevant  
20 questions regarding this lawsuit; however, at the  
21 present time, my attorneys have counseled me that I  
22 cannot -- I'm sorry, should I start again? Do you  
23 want --

24 Q. No, please, don't start again.  
25 MR. PIKE: Move to strike counsel's last

0146  
1 statement.

2 MR. KUVIN: He was asking me a question,  
3 that's the only reason why I responded. I  
4 apologize.

5 MR. PIKE: Once again, move to strike.

6 THE WITNESS: I intend to respond to all  
7 relevant questions regarding this lawsuit; however,  
8 at the present time, my attorneys have counseled me  
9 I cannot provide answers to any questions relevant  
10 to this lawsuit. I must accept this advice or risk  
11 losing my 6th Amendment right to effective  
12 representation. Accordingly, I assert my federal  
13 constitutional rights as guaranteed by the 5th, 6th  
14 and 14th Amendment to the United States  
15 Constitution.

16 BY MR. KUVIN:

17 Q. Do you have a massage table in your Palm Beach  
18 home?

19 A. I'm going to answer that question, Mr. Kuvin,  
20 the same way I've answered most of your other questions  
21 here today, which is, I intend to respond to all  
22 relevant questions regarding this lawsuit; however, at  
23 the present time, my attorneys have counseled me that I  
24 cannot provide answers to any questions relevant to this  
25 lawsuit. I must accept their advice or risk losing my

0147  
1 6th Amendment right to effective representation.  
2 Accordingly, I must assert my federal constitutional  
3 rights as guaranteed by the 5th, 6th and 14th Amendment  
4 to the United States Constitution.

5 Q. Did you have a massage table at your home in  
6 2005?

7 MR. PIKE: Lacks appropriate foundation.

8 MR. KUVIN: I'm sorry, what's the objection to  
9 that one?

10 MR. PIKE: Lacks appropriate foundation.

11 MR. KUVIN: Foundation?

12 MR. PIKE: Yes, it does.

13 BY MR. KUVIN:

14 Q. Did you have a home in 2005?

15 I'm sorry, I'm just trying to lay the  
16 foundation, and I apologize for laughing, I just don't  
17 understand the objection. I'm trying to understand the  
18 foundation question of did you have a massage table at  
19 your home in 2005. I want to fix my question, if -- if  
20 I can.

21 MR. PIKE: If you can.

22 MR. KUVIN: All right.

23 BY MR. KUVIN:

24 Q. Did you have a home in 2005?

25 A. I'm going to respond to that question the same

0148

1 way I've responded to most of your other questions here  
2 today, which is, I fully intend to respond to all  
3 relevant questions regarding this lawsuit; however, at  
4 the present time, my attorneys have counseled me that I  
5 cannot provide answers to any of your questions that may  
6 be relevant to this lawsuit. I must accept their advice  
7 or risk losing my 6th Amendment right to effective  
8 representation. Accordingly, I assert my federal  
9 constitutional rights as guaranteed by the 5th, 6th and  
10 14th Amendment to the United States Constitution.

11 Q. Do you know what a massage table is?

12 A. I'm going to have to answer that question the  
13 same way I've answered most of your other questions here  
14 today, Mr. Kuvin, which is, I intend to respond to all  
15 relevant questions regarding this lawsuit; however, at  
16 the present time, my attorneys have counseled me I  
17 cannot provide answers to any questions that may be  
18 relevant to this lawsuit. I must accept this advice or  
19 risk losing my 6th Amendment right to effective  
20 representation. Accordingly, I assert my federal  
21 constitutional rights as guaranteed by the 5th, 6th and  
22 14th Amendment to the United States Constitution.

23 Q. Do you know what a table is?

24 MR. PIKE: Objection, harassing --

25 MR. KUVIN: I'm just trying --

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1 MR. PIKE: -- argumentative.

2 MR. KUVIN: I apologize. I'm just trying to  
3 lay the foundation. I want to make sure that  
4 there's no problem with the foundation for the  
5 question of, did you have a massage table in your  
6 home in 2005. So I've asked him whether he had a  
7 home, I'm asking him whether he knows what a  
8 massage table is --

9 MR. GOLDBERGER: I have no problem with him  
10 answering what a table is. Just ask him the  
11 question.

12 BY MR. KUVIN:

13 Q. Do you know what a table is?

14 A. Yes.

15 Q. Okay. Did you have a massage table in your  
16 home back in 2005?

17 MR. PIKE: Same objection.

18 THE WITNESS: I've already answered --

19 MR. KUVIN: Wait. Wait. Same objection --

20 MR. PIKE: Asked and answered.

21 MR. KUVIN: -- means what?

22 MR. PIKE: It's asked and answered.

23 MR. KUVIN: Is that the only objection?

24 MR. PIKE: And it still lacks the appropriate  
25 foundation.

0150

1 BY MR. KUVIN:

2 Q. Do you know what the word "massage" is? Do  
3 you know what that word means?

4 A. I'm going to respond to that question the same  
5 way I've responded to most of your other questions here  
6 today, which is, I intend to respond to all relevant  
7 questions regarding this lawsuit; however, at the  
8 present time, my attorneys have counseled me I cannot  
9 provide any answers to questions that may be relevant to  
10 this lawsuit. I must accept their advice or risk losing  
11 my 6th Amendment right to effective representation.

12 Accordingly, I assert my federal constitutional rights  
13 as guaranteed by the 5th, 6th and 14th Amendment to the  
14 United States Constitution.

15 Q. Do you understand what I mean when I ask you  
16 about the year 2005?

17 MR. PIKE: Form, vague and confusing.

18 BY MR. KUVIN:

19 Q. You can answer.

20 A. I don't understand the question.

21 Q. Do you understand what I mean by the year  
22 2005?

23 MR. GOLDBERGER: You just asked the same  
24 question. He said he didn't understand it. Just  
25 rephrase the question.

0151

1 BY MR. KUVIN:

2 Q. Do you understand dates?

3 A. Like going on a date?

4 Q. No. Like years, dates. 2001, 2000, do you  
5 know what that means?

6 A. Yes.

7 MR. KUVIN: Okay. So I just want to make  
8 sure. We've objected to the word "massage," 5th  
9 Amendment, he knows what a table is, he knows what  
10 dates and years are and he's objected to his house.

11 MR. GOLDBERGER: The question, Spencer, okay?  
12 Don't do that, please.

13 MR. KUVIN: I'm trying to make sure that I  
14 have it all right here.

15 MR. GOLDBERGER: All right, but don't  
16 verbalize your thoughts. Just ask a question.

17 MR. KUVIN: Okay.

18 MR. PIKE: I'm also going to move to strike  
19 counsel's last statement from the record.

20 BY MR. KUVIN:

21 Q. Did you have a massage table at your home in  
22 2005?

23 MR. PIKE: Same objection, lacks foundation,  
24 improper predicate.

25 THE WITNESS: I'm going to respond to that

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1 question the same way I've responded to most of  
2 your other questions here today, which is, I intend  
3 to respond to all relevant questions regarding this  
4 lawsuit; however, at the present time, my attorneys  
5 have counseled me I cannot provide answers to any  
6 questions that may be relevant to the lawsuit. I  
7 must accept their advice or risk losing my 6th  
8 Amendment right to effective representation.

9 Excuse me?

10 BY MR. KUVIN:

11 Q. I'm sorry, I just had a nasal problem.

12 A. Let me start from the beginning again.

13 Q. Whatever you'd like to do.

14 A. I intend to respond to all relevant questions  
15 regarding this lawsuit. I should start again.

16 Q. Okay. Whatever you're comfortable doing. I  
17 have all day.

18 A. I intend to respond to all relevant questions  
19 regarding this lawsuit; however, at the present time, my  
20 attorneys have counseled me I cannot provide answers to  
21 any questions relevant to this lawsuit. I must accept  
22 their advice or risk losing my 6th Amendment right to

23 effective representation. Accordingly, I must assert my  
24 federal constitutional rights as guaranteed by the 5th,  
25 6th and 14th Amendment to the United States

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1 Constitution.

2 Q. Did you have a massage table in your upstairs  
3 bathroom in 2005?

4 MR. PIKE: Foundation, lacks appropriate  
5 predicate.

6 THE WITNESS: I'm going to respond to that  
7 question the same way I've responded to most of  
8 your other questions here today, Mr. Kuvin, which  
9 is, I intend to respond to all relevant questions  
10 regarding this lawsuit; however, at the present  
11 time, my attorneys have counseled me I cannot  
12 provide answers to any questions that may be  
13 relevant to the lawsuit. I must accept their  
14 advice or risk losing my 6th Amendment right to  
15 effective representation. Accordingly, I assert my  
16 federal constitutional rights as guaranteed by the  
17 5th, 6th and 14th Amendment to the United States  
18 Constitution.

19 BY MR. KUVIN:

20 Q. Did you keep various massage oils, lotions,  
21 sexual devices and sexual toys in your upstairs bathroom  
22 in 2005?

23 MR. PIKE: Same objection.

24 MR. KUVIN: Wait a minute, is there a compound  
25 in there? Because if so, I'll separate them out.

0154

1 MR. PIKE: There was not a compound.

2 MR. KUVIN: Okay.

3 MR. PIKE: The objection was foundation and  
4 predicate.

5 BY MR. KUVIN:

6 Q. Okay. You can answer.

7 A. I'm going to answer that question the way I've  
8 answered most of your other questions here today. I  
9 intend to respond to all relevant questions regarding  
10 this lawsuit; however, at the present time, my attorneys  
11 have counseled me I cannot provide answers to any  
12 questions that may be relevant to the lawsuit. I must  
13 accept their advice or risk losing my 6th Amendment  
14 right to effective representation. Accordingly, I  
15 assert my federal constitutional rights as guaranteed by  
16 the 5th, 6th and 14th Amendment to the United States  
17 Constitution.

18 Q. I'm going to show you a clip of a deposition  
19 that was taken in this case and, first of all, ask  
20 you -- this is the deposition of [REDACTED]. that had been  
21 previously taken in this case.

22 MR. PIKE: Wait a minute.

23 MR. KUVIN: You're welcome to watch.

24 MR. PIKE: I might -- I want it played to the  
25 video first.

0155

1 MR. KUVIN: Okay, I can do that.

2 MR. PIKE: Okay. So let's play it to the  
3 video first and then we'll determine what's next.

4 MR. KUVIN: Well, I'm going to ask him a  
5 couple of questions first before I hit play.

6 MR. PIKE: I need to see it first.

7 MR. KUVIN: Come around and look. I want him

8 to see it at the same time.  
9 MR. PIKE: That's fine. I want it played to  
10 the camera first.  
11 MR. KUVIN: Oh, no. I'm not going to do your  
12 order. I'm going to just ask him first --  
13 MR. PIKE: You need to -- you're asking the  
14 witness about an exhibit technically that is going  
15 to be utilized in this deposition that you have not  
16 provided me first. So just like you would  
17 professionally provide me a document first, I'm  
18 asking that you provide me the video first, play it  
19 to the camera, or you and I can step outside and  
20 you can play it to me and then you can ask the  
21 witness. The witness will remain in here. You and  
22 I can go into a different room. Then he's not  
23 going to answer any questions with regard to the  
24 video, then I ask that it not -- you're not giving  
25 me a document that you're questioning the witness

0156  
1 on. It doesn't work that way.

2 MR. KUVIN: Let me speak. You were provided  
3 the deposition of [REDACTED]. Someone from your office  
4 was present and actually asking the questions.  
5 This is not an exhibit that you do not have or did  
6 not have previous. You've had this ever since the  
7 deposition was taken. So I'm not surprising you  
8 with any new document or testimony or anything of  
9 the like. This is the exact same testimony of a  
10 witness who had been previously taken in this case  
11 and I'm not going to play it, I just want to see a  
12 couple of questions first. I will agree with your  
13 procedure to play it to the camera first, and then  
14 I will ask him questions after I've played it to  
15 the camera about what I just played.

16 MR. PIKE: As long as --

17 MR. KUVIN: But I want some identification  
18 issues first, and that's all.

19 MR. PIKE: Let me clear something up. I was  
20 not at the deposition of [REDACTED]. Bob Critton and Mark  
21 Luttier --

22 MR. KUVIN: Correct.

23 MR. PIKE: -- were at that deposition.

24 MR. KUVIN: Both attorneys at your office.

25 MR. PIKE: I have not seen this video.

0157  
1 MR. KUVIN: Both attorneys at your office.

2 MR. PIKE: It doesn't matter. It doesn't  
3 matter.

4 So as long as you agree to play the video  
5 first to the camera --

6 MR. KUVIN: Sure.

7 MR. PIKE: -- then you can proceed with your  
8 questioning.

9 MR. KUVIN: Sure.

10 MR. PIKE: And then you can play it to the  
11 witness, but I want to see it first.

12 MR. KUVIN: That's fine. That's fine.

13 BY MR. KUVIN:

14 Q. All right. I have a photograph here or a  
15 video clip showing a young lady who's been identified in  
16 this case as [REDACTED]. Her deposition was given in this  
17 case.

18 And just to lay some foundation, first, do you

19 recognize this girl?  
20 A. I'm going to respond to that question the way  
21 I've responded to most of your other questions here  
22 today, which is, I intend to respond to all relevant  
23 questions regarding this lawsuit; however, at the  
24 present time, my attorneys have counseled me I cannot  
25 provide answers to any questions relevant to this

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1 lawsuit. I must accept this advice or risk losing my  
2 6th Amendment right to effective representation.  
3 Accordingly, I assert my federal constitutional rights  
4 as guaranteed by the 5th, 6th and 14th Amendment of the  
5 United States Constitution.

6 Q. Did you watch her deposition as she was giving  
7 it?

8 MR. GOLDBERGER: Attorney-client.

9 BY MR. KUVIN:

10 Q. Were you present and watching [REDACTED]'s testimony  
11 by closed-circuit camera as she gave her testimony in  
12 this case?

13 MR. PIKE: Attorney-client, work product.

14 MR. GOLDBERGER: Attorney-client, work  
15 product.

16 MR. PIKE: I'm going to instruct the witness  
17 not to answer both of those questions.

18 MR. KUVIN: I'm going to play one of the  
19 clips. Tell me if you can get a clear shot of  
20 this.

21 THE VIDEOGRAPHER: Is this going to be played  
22 with audio?

23 MR. KUVIN: Yes, and I'll put my mic so you  
24 can pick it up.

25 MR. PIKE: And for purposes of the record, I

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1 want it to -- this camera to zero out from the  
2 current deponent onto that. I do not want my  
3 client in the background of this videotape. Is  
4 that understood?

5 THE VIDEOGRAPHER: I've asked to get a shot of  
6 the computer screen and that's what I have.

7 MR. PIKE: Let me see what your shot is.

8 THE VIDEOGRAPHER: You're welcome to do so.

9 MR. KUVIN: You got a clean shot?

10 THE VIDEOGRAPHER: If he sticks his face in  
11 front of the computer, I can't do anything about  
12 it, but I've been asked to give a shot of the  
13 computer. That's what I have.

14 MR. PIKE: Let's go.

15 MR. KUVIN: Okay, are we good? Clean shot?  
16 (Video being played.)

17 VIDEO WITNESS: "And his little fetish with  
18 me, pinching his nipples. He's probably getting  
19 hard right now."

20 (Video stopped.)

21 BY MR. KUVIN:

22 Q. Okay. That's all. All right? Okay.

23 Let me make sure that I have that. I'm going  
24 to play a clip for you that I just played for your  
25 attorneys, and then I'd like to ask you a question about

0160

1 it.

2 (Video being played.)

3 VIDEO WITNESS: "And his little fetish with

4 me, pinching his nipples. He's probably getting  
5 hard right now."

6 (Video stopped.)

7 BY MR. KUVIN:

8 Q. Do you have a fetish where you like young  
9 women to pinch your nipples?

10 A. I'm going to respond to that the same way I've  
11 responded to most of your other questions here today,  
12 which is, I intend to respond to all relevant questions  
13 regarding this lawsuit; however, at the present time, my  
14 attorneys have counseled me I cannot provide answers to  
15 any questions relevant to this lawsuit. I must accept  
16 their advice or risk losing my 6th Amendment right to  
17 effective representation. Accordingly, I assert my  
18 federal constitutional rights as guaranteed by the 5th,  
19 6th and 14th Amendment to the United States  
20 Constitution.

21 MR. PIKE: And I assume, Mr. Kuvin, you will  
22 provide me with the number on the roll that  
23 you're -- that you pretty much marked as an exhibit  
24 here, where it starts numerically and where it ends  
25 numerically so I can pull it and we can have an

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1 exhibit made for purposes of this deposition.

2 MR. KUVIN: Oh, I don't intend to attach it as  
3 an exhibit to this deposition.

4 MR. PIKE: Well, what were the -- where did it  
5 start and where did it begin on the roll?

6 MR. KUVIN: I don't know. It's a clip that I  
7 pulled from the master video. I can get it for you  
8 though. I can certainly identify it in the  
9 transcript.

10 MR. PIKE: So you'll provide that to me?

11 MR. KUVIN: Yeah, I'll find a place in the  
12 transcript for you, that's not a problem.

13 BY MR. KUVIN:

14 Q. Do you like to have underaged girls massage  
15 your legs, underaged being under the age of 18?

16 A. I'm going to respond to that question the same  
17 way I've responded to most of your other questions here  
18 today, which is, I intend to respond to all relevant  
19 questions regarding this lawsuit; however, at the  
20 present time, my attorneys have counseled me I cannot  
21 provide answers to any questions relevant to this  
22 lawsuit. I must accept their advice or risk losing my  
23 6th Amendment right to effective representation.  
24 Accordingly, I assert my federal constitutional rights  
25 as guaranteed by the 5th, 6th and 14th Amendment to the

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1 United States Constitution.

2 Q. Have you had underaged girls, which include  
3 [REDACTED], in 2004, 2005 and 2006, massage your chest while  
4 they were naked?

5 A. I intend to respond to all relevant questions  
6 to this lawsuit; however, at the present time, my  
7 attorneys have counseled me I cannot provide answers to  
8 any questions that may be relevant to this lawsuit. As  
9 I've done with most of your questions here today, I must  
10 accept their advice or risk losing my 6th Amendment  
11 right to effective representation. Accordingly, I  
12 assert my federal constitutional rights as guaranteed by  
13 the 5th, 6th and 14th Amendment to the United States  
14 Constitution.

15 Q. Does Mr. Wexner know of your sexual preference  
16 for underaged girls, girls under the age of 17?

17 MR. PIKE: Form, argumentative, harassing,  
18 assumes facts not in evidence.

19 THE WITNESS: I'm going to have to answer that  
20 the same way I've answered most of your questions  
21 here today, which is, I intend to respond to all  
22 relevant questions regarding this lawsuit; however,  
23 at the present time, my attorneys have counseled me  
24 I cannot provide answers to any questions that may  
25 be relevant to the lawsuit. I must accept their

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1 advice or risk losing my 6th Amendment right to  
2 effective representation. Accordingly, I assert my  
3 federal constitutional rights as guaranteed by the  
4 5th, 6th and 14th Amendment to the United States  
5 Constitution.

6 BY MR. KUVIN:

7 Q. Did you pay [REDACTED]. \$200 to come to your home in  
8 2005?

9 MR. PIKE: Form.

10 MR. KUVIN: I'm sorry, what's the form  
11 problem?

12 MR. PIKE: I don't need to provide you with a  
13 speaking objection. The rules are the rules.  
14 You've clearly stated to me today that you don't  
15 want speaking objections, and I've abided by that;  
16 therefore, the objection is form.

17 MR. KUVIN: I'm just asking for a  
18 clarification so I can correct the question if I  
19 need to.

20 MR. PIKE: Ask your question again, Mr. Kuvin.

21 MR. KUVIN: Can you read it back for me?

22 Thank you.

23 (A portion of the record was read by the  
24 reporter.)

25 THE WITNESS: I'm going to respond to that

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1 question in the same way I've responded to most of  
2 your other questions here today, which is, I intend  
3 to respond to all relevant questions regarding this  
4 lawsuit; however, at the present time, my attorneys  
5 have counseled me I cannot provide answers to any  
6 questions that may be relevant to this lawsuit. I  
7 must accept their advice or risk losing my 6th  
8 Amendment right to effective representation.  
9 Accordingly, I must assert my federal  
10 constitutional rights as guaranteed by the 5th, 6th  
11 and 14th Amendment to the United States  
12 Constitution.

13 MR. PIKE: Same objection.

14 BY MR. KUVIN:

15 Q. You knew [REDACTED]. was 15 years old when she came  
16 to your home, didn't you?

17 MR. PIKE: Form.

18 THE WITNESS: I'm going to respond to that  
19 question the same way I've responded to most of  
20 your other questions here today, which is, I intend  
21 to respond to all relevant questions regarding this  
22 lawsuit; however, at the present time, my attorneys  
23 have counseled me I cannot provide answers to any  
24 questions relevant to this lawsuit. I must accept  
25 their advice or risk losing my 6th Amendment right

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1 to effective representation. Accordingly, I assert  
2 my federal constitutional rights as guaranteed by  
3 the 5th, 6th and 14th Amendment to the United  
4 States Constitution.

5 BY MR. KUVIN:

6 Q. What is the Wexner Children's Trust, the  
7 second?

8 MR. PIKE: Can you restate your question  
9 again?

10 BY MR. KUVIN:

11 Q. Yes. What is the Wexner's Children's -- I'm  
12 sorry, Wexner, singular, Children's Trust II, or the  
13 second?

14 MR. GOLDBERGER: Okay.

15 THE WITNESS: I'm going to have to respond to  
16 that question the same way I've responded to most  
17 of your other questions here today, Mr. Kuvin,  
18 which is, I intend to respond to all relevant  
19 questions regarding this lawsuit; however, at the  
20 present time, my attorneys have counseled me I  
21 cannot provide answers to any questions relevant to  
22 this lawsuit. I must accept this advice or risk  
23 losing my 6th Amendment right to effective  
24 representation. Accordingly, I assert my federal  
25 constitutional rights as guaranteed by the 5th, 6th

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1 and 14th Amendment to the United States  
2 Constitution.

3 THE VIDEOGRAPHER: Spencer, can we take a  
4 quick break?

5 MR. KUVIN: Change tape?

6 THE VIDEOGRAPHER: No, a problem with your  
7 mic. I just want to go off for a second and see if  
8 we can fix it.

9 MR. KUVIN: Sure.

10 THE VIDEOGRAPHER: We're off the record at  
11 1:03 p.m.

12 (A brief recess was taken.)  
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1 CERTIFICATE OF OATH

2 THE STATE OF FLORIDA  
3 COUNTY OF PALM BEACH  
4  
5

6 I, the undersigned authority, certify that  
7 JEFFREY EPSTEIN personally appeared before me and was  
8 duly sworn on the 8th day of October, 2009.  
9

10 Dated this 8th day of October, 2009.

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Jeana Ricciuti, RPR, FPR, CLR  
Notary Public - State of Florida  
My Commission Expires: 2/17/2013  
My Commission No.: DD 854778

C E R T I F I C A T E

1 THE STATE OF FLORIDA  
2 COUNTY OF PALM BEACH

3  
4  
5 I, Jeana Ricciuti, Registered Professional  
6 Reporter and Notary Public in and for the State of  
7 Florida at large, do hereby certify that I was  
8 authorized to and did report said deposition in  
9 stenotype; and that the foregoing pages are a true and  
10 correct transcription of my shorthand notes of said  
11 deposition.

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

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

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

25 Dated this 8th day of October, 2009.

---

Jeana Ricciuti, RPR, FPR, CLR

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1 DATE: October 22, 2009  
2 TO: JEFFREY EPSTEIN  
3 c/o Michael J. Pike  
4 BURMAN, CRITTON, LUTTIER & COLEMAN, P.A.  
303 Banyan Boulevard  
Suite 400  
West Palm Beach, Florida 33401

5 IN RE: █████. v. EPSTEIN

6 Please take notice that on Thursday, the 8th  
7 of October, 2009, you gave your deposition in the  
8 above-referred matter. At that time, you did not waive  
9 signature. It is now necessary that you sign your  
10 deposition.

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

14 At the end of the transcript you will find an  
15 errata sheet. As you read your deposition, any changes  
16 or corrections that you wish to make should be noted on  
17 the errata sheet, citing page and line number of said  
18 change. DO NOT write on the transcript itself. Once  
19 you have read the transcript and noted any changes, be  
20 sure to sign and date the errata sheet and return these  
21 pages to me.

22 If you do not read and sign the deposition  
23 within a reasonable time (i.e., 30 days unless otherwise  
24 directed) the original, which has already been forwarded  
25 to the ordering attorney, may be filed with the Clerk of  
26 the Court. If you wish to waive your signature, sign  
27 your name in the blank at the bottom of this letter and  
28 return it to us.

29 Very truly yours,

30 \_\_\_\_\_  
31 Jeana Ricciuti, RPR, FPR, CLR  
32 Prose Court Reporting Agency, INC.  
33 250 S. Australian Avenue, Ste 1500  
34 West Palm Beach, Florida 33401

35 I do hereby waive my signature.

36 \_\_\_\_\_  
37 JEFFREY EPSTEIN

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1 C E R T I F I C A T E  
2 - - -

3 THE STATE OF FLORIDA  
4 COUNTY OF PALM BEACH

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

11 Dated this \_\_\_\_ day of \_\_\_\_\_,  
12 2009.

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19 JEFFREY EPSTEIN  
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E R R A T A S H E E T

1 IN RE: █████. v. EPSTEIN CR: JEANA RICCIUTI  
2 DEPOSITION OF: JEFFREY EPSTEIN  
3 TAKEN: October 8, 2009  
4 DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE  
5 PAGE # LINE # CHANGE REASON  
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Please forward the original signed errata sheet to this office so that copies may be distributed to all parties.

17  
18 Under penalty of perjury, I declare that I have read my  
19 deposition and that it is true and correct subject to  
20 any changes in form or substance entered here.

21 DATE: \_\_\_\_\_

22  
23 SIGNATURE OF DEPONENT: \_\_\_\_\_  
24  
25