

Original Transcript

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JANE DOE,

Plaintiff,

vs.

Case No. 08-80893-
CIV-MARRA/JOHNSON

JEFFREY EPSTEIN,

Defendant.

DEPOSITION OF

MARK EPSTEIN

September 21, 2009
11:30 a.m.

One Penn Plaza,
New York, New York

Jacklyn Lisi



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SUBJECT TO PROTECTIVE ORDER PARAGRAPHS 7, 8, 9, 10, 15, and 17

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JANE DOE,

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Case No. 08-80893-
CIV-MARRA/JOHNSON

JEFFREY EPSTEIN,

Defendant.

DEPOSITION of MARK EPSTEIN, taken by
Defendants, at the offices of Esquire Deposition Solutions,
One Penn Plaza, New York, New York 10119, on Monday,
September 21, 2009, commencing at 11:30 a.m., before Jacklyn
Lisi, a Shorthand Reporter and notary public, within and for
the State of New York.



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A P P E A R A N C E S :

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A P P E A R A N C E S (continued)

RICHARD H. WILLITS, ESQ.

Attorney for Plaintiff, [REDACTED]

2290 10th Avenue North, Suite 404

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(via telephone)

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BY: ROBERT CRITTON, ESQ.

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IT IS HEREBY STIPULATED, by and between the attorneys for the respective parties hereto, that all rights provided by the C.P.L.R., and Part 221 of the Uniform Rules for the Conduct of Depositions, including the right to object to any question, except as to form, or to move to strike any testimony at this examination is reserved; and in addition, the failure to object to any question or to move to strike any testimony at this examination shall not be a bar or waiver to make such motion at, and is reserved to, the trial of this action.

This deposition may be sworn to by the witness being examined before a Notary Public other than the Notary Public before whom this examination was begun, but the failure to do so or to return the original of this deposition to counsel, shall not be deemed a waiver of the rights provided by Rule 3116 of the C.P.L.R. and shall be controlled thereby.

The filing of the original of this deposition is waived.

* * *



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M. Epstein

THE REPORTER: Please state your name and address for the record?

THE WITNESS: (Witness refused to give his address to the court reporter.)

MR. COHEN: On the record.

For the witness, Mark Epstein, Mark Cohen and Alexis Stone of Cohen & Gresser, 100 Park Avenue, New York, New York.

MR. EDWARDS: Brad Edwards on behalf of EW, LM and Jane Doe.

MR. CRITTON: Robert Critton on behalf of Jeffrey Epstein.

MS. EZELL: Kathy Ezell on behalf of Jane Does 101 and 102.

MR. HOROWITZ: Adam Horowitz on behalf of Plaintiffs, Jane Does 2 through 8.

MR. WILLITS: Richard Willits on behalf of [REDACTED]

MR. LANGINO: Adam Langino on behalf of Plaintiff, BB.

MR. EDWARDS Okay. That's everybody.

MR. COHEN: Okay. Before I start, this is Mark Cohen on behalf of Mark Epstein, I just want to put on the record the details



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M. Epstein

of a conversation I've had with Mr. Edwards and make sure that all counsel is agreeable to this.

My client, Mark Epstein, is very concerned about being videotaped and having his image recorded.

He is concerned about possible future uses of his image. And so Mr. Edwards and I have agreed that this recording, the videotape of my client, will be confidential and will not be revealed in public unless and until there is an order by a court in one of the cases that are involved in these depositions that orders that the video be made public.

We are prepared to proceed on that basis.

As I understand, Mr. Edwards is prepared to proceed, but obviously we need the agreement of all counsel.

MR. WILLITS: Richard Willits agrees.

MR. CRITTON: Robert Critton agrees.

MS. EZELL: Kathy Ezell agrees.

MR. EDWARDS: Adam?

MR. HOROWITZ: Adam Horowitz, that's



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M. Epstein

fine.

MR. LANGINO: The same with Adam Langino, that's fine.

MR. COHEN: All right. Thank you.

MR. EDWARDS And Sid Garcia is not in and he is not supposed to be in; right?

MR. CRITTON: This is Bob Critton.

I assume -- I don't know whether he was going to come or not, but I assume that everyone will also abide and not give Mr. Garcia a copy of the video until he also affirms in writing to Mr. Cohen that he's agreed to be bound by the same agreement.

MR. EDWARDS: Okay.

THE VIDEOGRAPHER: This is tape number one to the videotape deposition of Mark Epstein in the matter of Jane Doe versus Jeffrey Epstein being held before the United States District Court in the Southern District of Florida, case file number 08-80893.

This deposition is being held at Esquire Deposition Solutions, One Penn Plaza, New York, New York on September 21, 2009. The time is 11:41 a.m.



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M. Epstein

My name is Peter Ledwith. I'm the videographer. The court reporter is Jackie Lisi.

Counsel, will you please introduce yourselves and who you represent?

MR. EDWARDS: Brad Edwards. I represent EW, LM and Jane Doe.

MR. COHEN: Mark Cohen and Ally Stone. I represent the witness, Mark Epstein.

MR. CRITTON: Robert Critton on behalf of the defendant, Jeff Epstein.

MR. WILLITS: Richard Willits on behalf of [REDACTED]

MR. LANGINO: Adam Langino on behalf of Plaintiff BB.

MR. HOROWITZ: Adam Horowitz on behalf of plaintiffs Jane Does numbers 2 through 8.

THE VIDEOGRAPHER: Will the court reporter please swear in the witness?

MARK EPSTEIN,
having been first duly affirmed, was examined and testified as follows:

THE WITNESS: I am an atheist, but I



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M. Epstein

will affirm I'll tell the truth.

EXAMINATION BY

MR. EDWARDS:

Q. Can you tell us your name?

A. Mark Epstein.

THE VIDEOGRAPHER: Can you put the
microphone on your shirt, please?

THE WITNESS: Mark Epstein.

Q. Okay. And your date of birth,
please?

A. [REDACTED]

Q. And what is your relationship with
the defendant in this case, Jeffrey Epstein?

A. He is my brother.

Q. Are you currently married?

A. No.

Q. What is your current address?

A. I'm not giving out my address. I'm
concerned about my personal safety because of
the nature of this case. You can use his
address. You can use my attorney's address.

Q. Please elaborate on that for me that
you are concerned for your safety because of
the nature of this case?



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M. Epstein

A. Because I've read -- well, I know that Jeffrey hired a detective or someone from the police when he went out on his days out. So obviously there is probably a concern for safety.

I don't want anything to do with this case. I have nothing to do with this case. I don't want my identifying information on any kind of public record.

MR. COHEN: If it will make it easier, Mr. Edwards, this is Mark Cohen speaking. Mr. Mark Epstein is authorizing my firm to accept service if there is a future subpoena or a need to contact him again.

THE WITNESS: Before we go on, I want to make a statement.

I want to say on the record that initially I was improperly served with a subpoena from Florida, it was supposed to come from New York.

It also did not include the required documents giving me my rights and obligations under the Florida laws. So it's a breach of some kind of ethics.



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M. Epstein

So in my book, you are either incompetent, devious or have no ethical compass.

So you are not on my high list. Continue with your questions. I just wanted a record of that.

MR. CRITTON: Brad, can you move the phone a little closer to Mr. Epstein? I heard you and I heard Mr. Cohen fine, but I'm having trouble with Mr. Epstein.

MR. EDWARDS: All right.

MR. CRITTON: Thank you.

MR. EDWARDS: I apologize for your feelings about the subpoena.

THE WITNESS: Not accepted.

This is too serious of a matter.

BY MR. EDWARDS:

Q. You do realize that you are subpoenaed to testify today in cases that involve your brother having sex or engaging in sex acts with minors; correct?

MR. CRITTON: Form?

MR. COHEN: That's --

A. I know there is a case against my



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1 M. Epstein

2 brother. I know that.

3 Q. And you are aware that there are
4 multiple attorneys on the phone that represent
5 girls who were under-age when Mr. Epstein had
6 sex with them?

7 A. I know there are multiple attorneys
8 on the phone.

9 Q. Okay. Have you read the newspaper
10 articles about your brother that detail your
11 brother having sex with under-age girls?

12 MR. CRITTON: Form.

13 A. I've read some of the papers.

14 Q. You agree that sex with minors is
15 wrong?

16 MR. CRITTON: Form.

17 MR. COHEN: Objection.

18 Q. You can answer.

19 A. I have no opinion on that.

20 Q. Okay.

21 A. I'm not here to give opinions. I'm
22 here for facts. So ask me questions about
23 facts and I'll be glad to answer them.

24 Q. Well, do you agree with the laws that
25 protect under-age children from adult sexual



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M. Epstein

predators?

MR. COHEN: Objection.

MR. CRITTON: Form.

A. My information on the case is my brother I know had to spend sometime in jail for some prostitution charge.

So I assume the attorneys are representing the prostitutes he was involved with, so I don't know what the ages of them are or were.

I'm not involved with the case. I don't watch all the details about it. That's all.

Q. Would it surprise you to learn that there were more than 30 girls between the ages of 12 and 15 that your brother engaged in sex acts with?

MR. CRITTON: Form.

A. I don't get surprised by very many things in this world.

Q. But you and your brother are a year apart; right?

A. 18 months.

Q. And you grew up together?



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M. Epstein

A. Sure.

Q. You still talk to him?

A. Occasionally, rarely.

Q. So when I ask you, does it surprise you, you are saying that it doesn't surprise you that your older brother engaged in sex with more than 30 girls between 12 and 15 years old?

MR. COHEN: Objection.

MR. CRITTON: Form.

A. I don't know how to answer that question. I don't know if it's true, and I don't know what the story is.

It's not -- ask me a question about facts. I'm not going to give you opinions here, that's not what I'm here for.

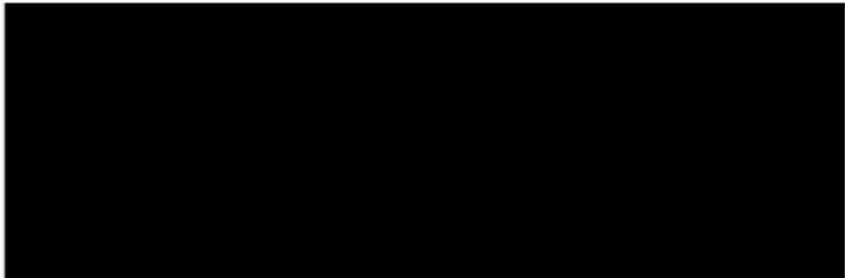


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1 M. Epstein



7 MR. EDWARDS: Counsel?

8 MR. COHEN: I would suggest you move
9 to an area that's likely to lead to you
10 gathering relevant evidence.

11 We can come back to this burning
12 question maybe later.

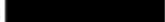
13 MR. CRITTON: Let me also add that I
14 can only object to form, but I also want to
15 put on the record, other than his name and he
16 is related to Mr. Epstein, there is not one
17 piece of evidence or --

18 THE COURT REPORTER: I can't hear
19 you.

20 MR. CRITTON: I'm sorry. I just want
21 to note for the record that other than his
22 name and his relationship to Mr. Epstein, to
23 Jeffrey Epstein, there has been nothing of
24 relevance or materiality that would lead to
25 admissible evidence at the time of trial.



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M. Epstein

This is being done to harass or humiliate Mr. Mark Epstein and/or my client. It certainly borders on that, but he is not an expert, his opinions are irrelevant in this case, and as is his own family situation but --

MR. EDWARDS: Mr. Critton, as you stated first, I think that your objection is limited to the form. Thanks.

Can I mark this as an exhibit?

(Plaintiff's Exhibit 1 was so marked for identification.)

MR. COHEN: I will say that I join in Mr. Critton's objection for the record.

BY MR. EDWARDS:

Q. How frequently do you talk with your brother now?

A. Maybe once every couple of weeks or so, but "now" being just the last month or two.

Q. Okay. When you first learned of a criminal investigation into your brother, did you talk to him about the substance of those allegations?



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M. Epstein

A. No.

Q. Have you ever asked him or had a conversation with him about the allegations that he's had sex with numerous under-age kids?

A. No.

Q. Is there a reason why you wouldn't ask him questions about him engaging in sex with 13, 14-year old kids?

A. We are not very close. We don't talk very often.

MR. CRITTON: Form.

Q. But when you do talk to him, that conversation doesn't come up?

A. No.

Q. He went to jail. Did he ever tell you why he went to jail?

A. No.

Q. Are you familiar with the property at

[REDACTED]

A. Yes, I am.

Q. Who owns that property?

A. Dara Partners.

Q. And what is Jeffrey Epstein's



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M. Epstein

affiliation with that property?

A. He rents some apartments in there.

Q. How many apartments does Jeffrey Epstein rent at [REDACTED]

A. It's either 8 or 10, I am not sure.

Q. Who are the residents of the apartments that Jeffrey Epstein rents at that location?

A. I have no idea.

MR. CRITTON: Brad, what was the answer to the last one?

MR. COHEN: He has no idea.

A. I know his pilots used to stay there, but I don't think he is using pilots any more.

Q. Why does he rent so many places at the same location?

A. I have no idea.

Q. Have you ever had any affiliation with that location?

A. Sure.

Q. In what way?

A. I'm one of the partners of Dara Partners.

Q. So does your brother rent from you?



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M. Epstein

A. No, he rents from Dara Partners. My partner handles that property, I don't know any of the tenants in that building other than one or two.

Q. What are the names of the one or two that you do know?

A. It is my ex, so I'm not going to give you her name.

Q. Is that somebody who lives in one of the places rented by your brother Jeffrey Epstein?

A. No.

Q. Do you know any of the tenants that live in the places rented by your brother, Jeffrey Epstein?

A. No.

Q. Do you know [REDACTED]

A. I know the name. I don't know her.

Q. Do you know what her relationship is to your brother?

A. I think she worked for him.

Q. In what capacity?

A. I have no idea.

Q. Do you know if she lives in [REDACTED]



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M. Epstein

[REDACTED]

A. I don't know where she lives.

Q. Would you know her if you saw her?

A. No.

Q. You've never seen her before?

A. I might have seen her somewhere, I don't know.

Q. Have you ever talked to her?

A. I don't recall talking to her.

Q. Do you know [REDACTED]?

A. I know of her.

Q. How do you know of her?

A. In the papers.

Q. What papers?

A. Newspapers. I read some articles.

Q. Newspapers about your brother?

A. Relating to his case, yes.

Q. Okay. And what is your understanding of her relationship with your brother?

A. I don't have an understanding about it.

MR. CRITTON: Form.

A. My brother and I do not have a close relationship, so what he does is his business



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M. Epstein

and what I do is my business.

We don't communicate back and forth about our personal lives very often. I talk to him to find out if he is well. That's all I need to know.

Q. Does he tell you that he is well these days?

A. Yes.

Q. Do you know what his future plans are in terms of where he intends to live once he is off probation or house arrest?

A. I have no idea.

Q. Is that a topic that you would ever talk to him about?

A. No.

Q. So what is it that you talk to him about when you call?

A. See how he is doing, see if he is okay.

Q. Does he call you as well?

A. Sometimes.

Q. What is his telephone number?

A. Where?

Q. What are the telephone numbers that



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M. Epstein

you reach him at?

A. A lot of times I call his office and I have them tell him to call me.

Q. What is his office number?

A. [REDACTED]

Q. Who do you speak to at his office?

A. Whoever answers the phone.

Q. Do you know any of the people in his office that typically answer the phone?

A. Some.

Q. Who are you familiar with there?

A. Darren. An attorney, Darren.

Q. Darren Indyke?

A. Yes.

Q. So normally the way that you get in touch with your brother is to call his office and they forward you on to him?

A. No, I tell them to have him call me. Well, sometimes, I mean I've called him directly too, but most of the time he is not there so it's easier just to leave a message to have him call me.

Q. Well, these days now that he is on house arrest, normally if you called him he'd



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M. Epstein

be there, right?

A. I don't know the term house arrest. I don't know if he'd be there or not. And if I called there and sometimes he doesn't answer or the phone doesn't get answered, so I don't know where he is.

Q. What's the number that you would call to reach him?

A. [REDACTED]

Q. Is it your understanding that is a cell phone or is that the land line?

A. I thought it was a land line.

Q. And what is your telephone number?

A. I'm not giving you any identifying information.

MR. EDWARDS: We can come back to that?

MR. COHEN: Why don't we come back to that.

MR. EDWARDS: Okay.

Q. Are you familiar with your brother's businesses?

A. No.

Q. Do you know a person by the name of



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M. Epstein

Jean Luc Brunel?

A. No.

Q. How often are you at the property at

[REDACTED]

A. I pick up my children there sometimes. Maybe -- well, actually, they are in school now so I'm not there that often, because I pick them up at school.

During the summers I would pick them up there once a week.

Q. Is that where the subpoena was served on you?

A. No, the subpoena was served on me in the street of New York.

Q. Near that building?

A. No.

Q. No where near that building?

A. It was in The City of New York, it depends on what you mean by "near."

Q. Have you been to your brother's house in New York?

A. Yes.

Q. How many occasions?

A. Under five.



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1 M. Epstein

2 Q. Have you been to your brother's house
3 in Palm Beach?

4 A. When.

5 Q. Ever?

6 A. Yes.

7 Q. How many occasions?

8 A. Probably dozens.

9 Q. When is the last time you were there?

10 A. Probably about a decade ago. I was
11 outside once more recently than that.

12 During one of the hurricanes, he
13 asked me to take a look at the property, but I
14 did not go in.

15 Q. Why not?

16 A. There was no inside damage. I went
17 to see the property just to see if there was
18 damage to the property. I was in Florida at
19 the time.

20 Q. Why has it been more than 10 years
21 since you've been to that property?

22 A. My brother and I are not very close.

23 Q. What is the reason why you are not
24 very close?

25 A. We just went our own ways.



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M. Epstein

Q. Does it have to do with the fact that he likes under-age girls and engages in that type of illegal activity?

MR. COHEN: Objection.

MR. CRITTON: Form.

A. I'm not going to make that assumption, but it has nothing do with anything like that. We just went our own ways. Different interests, different things.

Q. Knowing your brother, if when your children are 13, 14 years old, would you let them alone with him?

MR. COHEN: Objection.

MR. CRITTON: Form.

A. Yes, I would.

Q. Do you know anything about Jean Luc Brunel?

A. I never heard the name before. You just mentioned it before.

Q. Are you familiar with the modeling agency MC Squared?

A. No.

Q. Do you know if your brother has any involvement with that modeling agency?



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M. Epstein

A. No.

Q. It goes back to you not being that close with your brother?

A. We don't talk about business. He doesn't tell me about his business and I don't ask.

Q. Are you aware that your brother is friendly or friends with David Copperfield?

A. No. The magician?

Q. Right.

A. I have no idea, no.

Q. Do you know any common interest that he shares with David Copperfield?

A. Magic?

I have no idea.

Q. Does your brother do magic?

A. I have no idea.

MR. CRITTON: Form.

Q. There is evidence in this case that David Copperfield was at your brother's house on occasions with under-age girls.

Were you ever there then?

A. No.

MR. CRITTON: Form.



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M. Epstein

Q. There will also be evidence in this case that your brother and Jean Luc Brunel were involved sexually with minors in your brother's house.

Were you ever there then?

MR. CRITTON: Form.

A. No.

When? When did this take place?

Q. Any of the times that your brother and Jean Luc Brunel were in the same house.

A. What time period is that?

Q. Between 2000 and 2005.

A. I already told you I haven't been there for over a decade. So use your fucking head and realize that I wasn't there.

Next question.

Q. When was the last time you were in the New York house?

A. When my mother was still alive. So it's got to be over five years ago, I think.

Q. All right. I'm going to go back to a time that you are more familiar with your brother.

Where did you grow up?



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M. Epstein

A. Coney Island, Seagate, in Brooklyn.

Q. And did you go to the same school as your brother then?

A. Yes.

Q. What schools were those?

A. P.S. 188 for elementary school, Mark Twain Junior High School and Lafayette High School.

Q. And at Lafayette High School, were you familiar with any of your brother's girlfriends?

A. Probably. I don't remember who they were. I don't remember my own girlfriends from high school.

Q. Did your brother ever have boyfriends at that age?

MR. CRITTON: Form.

A. What do you mean by boyfriends? You mean friends that were boys?

Q. No, I mean was he sexually involved with boys in high school?

A. No, not that I know of.

MR. COHEN: Objection.

MR. CRITTON: Form.



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M. Epstein

Q. Do you know of your brother to engage in homosexual sex?

A. No, I don't.

MR. CRITTON: Form.

MR. COHEN: Objection.

Q. Do you know Leslie Wexner?

A. I never met him, but I knew of him.

Q. How do you know him?

A. He is a public figure. He owns The Limited.

Q. Have you ever been told that your brother and Leslie Wexner have a long time sexual relationship?

MR. CRITTON: Form.

A. No.

MR. COHEN: Same objection.

Q. That's not something your brother's ever told you?

MR. CRITTON: Form.

A. No.

Q. I know you said that you and your brother don't talk about business much.

Do you talk about his girlfriends, boyfriends, sex life, anything like that?



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M. Epstein

A. No.

Q. Have you ever worked with your brother?

A. No.

Q. After high school, where did your brother go?

A. To school, you mean?

Q. Sure.

A. Cooper Union.

Q. And do you know what he studied there?

A. He majored in physics, I think.

Q. Did he graduate?

A. No. No.

Q. After Cooper Union, where did he go?

A. NYU, The Courant Institute. It's the math graduate program there.

Q. Do you know what he studied there?

A. It's the math graduate program there. He studied mathematics.

Q. Did he graduate from NYU?

A. Not that I know of.

Q. Do you know where he went after NYU?

A. Home.



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M. Epstein

Q. For how long?

A. What do you mean where did he go after? I don't understand your question.

Q. Did he go to work? Did he stay in school; masters, doctorate program?

A. He went to work.

Q. Where did he go to work?

A. He started teaching, I don't know if it was immediately after, but I know he was teaching for a while.

Q. Where did he teach?

A. Dalton.

Q. Was that a high school?

A. I'm not sure what year it starts. It might be K through 12. I don't know what Dalton is.

Q. By this point in time in your brother's life, your life, were you already going your separate ways or were you still --

A. No, we were still close then.

Q. You were close with your brother through high school and at least up to the point we are now at when your brother left NYU and he started working at Dalton?



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M. Epstein

A. Yes.

Q. What was he doing in terms of at Dalton, was he a math teacher, a piano teacher?

A. Math teacher, I believe.

Q. Did you ever know him to teach piano?

A. No. At Dalton?

Q. Right.

A. I don't know.

Q. Okay.

A. He plays very well. I don't know if he taught it.

Q. See we can only go off of what we read in the papers too.

A. Okay.

Q. How long was he at Dalton, to your knowledge?

A. A couple of years or so. I don't know.

Q. All right. And what was his next employment after Dalton?

A. I think he went to Bear Stearns.

Q. Do you know how he got that job at Bear Stearns?



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1 M. Epstein

2 A. Yeah. He met, what's his name? Ace
3 Greenberg, who was, I think the number 2 guy
4 at Bear Stearns at the time.

5 And my brother was hired to help them
6 set up their options departments. They were
7 just getting involved with options, as far as
8 I remember.

9 Q. All right. How long was he at Bear
10 Stearns?

11 A. A few years.

12 Q. What year did your brother graduate
13 high school?

14 A. I got out in '71, so I guess he got
15 out in '69, I think.

16 Q. From Lafayette?

17 A. Yes.

18 Q. Do you know what year it was that he
19 first started at Bear Stearns?

20 A. Somewhere around '76.

21 Q. Do you know why it is he left Bear
22 Stearns?

23 A. No.

24 Q. Did you talk to him much while he was
25 at Bear Stearns? Were you still close then?



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M. Epstein

A. Pretty much, yes.

Q. And, I'm sorry, did you know what year he left Bear Stearns?

A. No. Around what year he left? No.

Q. Do you know about how long he worked there, five years?

A. A few years is the closest I can tell you.

Q. I know you told us what he did when he started. Do you know what he was doing when he finished?

A. No.

Q. Were you aware of any problems that he had at Bear Stearns?

A. No.

Q. Were you aware of any insider-trading investigation involving -- or where your brother was a witness at Bear Stearns?

A. No.

Q. And do you know why it is that your brother left Bear Stearns?

A. No.

Q. Do you know where he went to work after he left Bear Stearns?



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M. Epstein

A. I know for a while he was working on his own going after insider-trading, and also recouping money for people.

Q. Okay. What does that mean? Just elaborate?

A. Well, there were people who got burnt by brokers who were doing -- there were a lot of insider-trading things going on. And a lot of investors got burnt.

And my brother was working with an attorney, and they were going after the brokers and trying to recoup money for the investors that got burnt.

Q. Was he also working for the federal government to recover money for the government as well?

A. I have no idea.

Q. He never told you that?

A. No.

Q. Do you know what companies he was working for to recover money?

A. I think he was working for himself.

Q. Do you know what the company was called?



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M. Epstein

A. No.

Q. Do you know how long he had that company open?

A. No.

Q. Was it a successful company?

A. I think so.

Q. Where is the next place he went?

A. I don't know if he ever worked for anybody else except for himself after that.

Q. All right. What is the next endeavor that he pursued then?

A. He was just -- had the company he had, I guess. Managing money, as far as I know.

Q. Okay. But managing money is something different than being a money bounty hunter?

A. Well, after the bounty hunter he was working managing money for people. That's all.

Q. Do you know how he started that company?

A. No, I don't.

Q. Were you still close with him then?



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M. Epstein

A. Not as, but we were still kind of close. We didn't talk business. I had my businesses, which kept me very busy, and he had his.

And when we'd talk, a lot of our conversations had to do with our parents. We had our own group of friends. He lived uptown, I lived downtown. Different worlds.

Q. At this point in time he was still living in New York?

A. Yes, or he might have had a Florida house then, I'm not sure if he did at that point. I don't remember when he first got that place, but he's had it for a while.

Q. That's the house at [REDACTED]
[REDACTED]

A. I don't know the number, but it's Old Brillo.

Q. The same house in West Palm Beach, that's the house we are talking about?

A. I believe so.

Q. Has your brother ever discussed working for the government, either back in the Bear Stearns days, afterwards, up through the



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M. Epstein

present?

A. Not to me.

Q. Has he ever indicated to you that he was to be a confidential informant for the government?

A. No.

Q. When is the first time that you remember your brother having some sort of an affiliation with Leslie Wexner?

A. It's a while ago. I'm not sure exactly when, but at least 10 -- I'm trying to think where I was in my life.

I don't know, maybe 20 years ago. I don't know how long he has been working with him, but he has been working with him for a while.

Q. Do you know where they met?

A. No.

Q. Do you know what brought them together?

A. Somebody introduced them. Somebody introduced them, somebody who was in the insurance business.

Q. Do you remember who that was?



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M. Epstein

A. No.

Q. And what was your understanding of the relationship between your brother and Leslie Wexner?

A. He manages money.

Q. As far as you knew, that's all that there was?

A. Yes.

Q. Do you remember at any point in time your brother being sexually abused when he was younger?

A. No.

Q. Would you know it if it happened?

A. By who?

Q. Anybody.

A. No. When we were kids I would have probably known about it.

Q. Do you know of him ever seeing a psychologist in his lifetime?

A. No.

Q. So even through today's date, to the best of your knowledge, he hasn't seen one?

A. I don't know.

Q. When did you first learn that your



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M. Epstein

brother, as an adult, was sexually attracted to young girls?

MR. COHEN: Objection.

A. I didn't learn that. I mean, I saw it in the newspapers, but that's newspapers. I never heard anything directly I didn't know.

Q. The first time you ever knew it was the same way that we learned it, was through the newspapers?

A. Yes.

Q. Once he started working for Bear Stearns, did you hang out with your brother on a personal level?

A. Not very often.

THE WITNESS: Excuse me, one second.

(Brief pause.)

THE WITNESS: Sorry.

BY MR. EDWARDS:

Q. Has anyone ever asked you about his attraction to young girls?

A. No. People made comments about the newspaper articles what they were hearing, but they didn't ask me. It was just more of letting me know that they knew what was going



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M. Epstein

on.

Q. Who would that have been?

A. Friends, mutual acquaintances, people I knew. People started E-mailing me telling me my brother was in the newspaper. So I got, you know --

Q. When was that?

A. Whenever the articles starting coming in.

Q. But there were articles on your brother that precede the criminal investigation. And there are people that knew your brother and saw him around town prior to that investigation.

Anybody tell you about his attraction to young girls back then or ask you about it?

A. No. Most people that we know know that we are not that close and they don't talk to me about him and, you know, the only people that we know together are really people from the old days.

Q. Okay. So is this really -- other than newspaper articles, this deposition, as we sit here today and my previous statements



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M. Epstein

that he engaged in sex with under-age girls,
is the first you are hearing of it?

A. Well, other than the newspaper
articles?

Q. Right.

A. Yes. I mean, I read some things in
the papers about it. I don't understand your
question.

Q. Has anybody else ever talked to you
about, you know, your brother is engaging in
sex with under-age girls or targeting young
girls for sex?

A. No.

Q. Do you now have any business
relationship with your brother?

A. No.

Q. Have you ever?

A. What do you mean by business
relationship?

When we were kids we used to lend
each other money. So I don't want to say no
and get caught for saying something like that,
but we are not in business together. Our
names have never appeared on any business



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1 M. Epstein
2 document together.

3 Q. And why is that? Obviously your
4 brother is very successful, so why would you
5 not be associated with him?

6 A. I made my own success.

7 Q. What is your brother's current net
8 worth?

9 A. I have no idea.

10 Q. Do you know approximately what it is?

11 A. I don't know my net worth. I don't
12 know his.

13 Q. What properties does he own that you
14 know of?

15 A. He has a house in Florida, a house in
16 New York and a house in New Mexico.

17 Q. Have you been to the ranch in New
18 Mexico?

19 A. I was only at the property once,
20 before he built anything. After he bought it,
21 I was in New Mexico.

22 Q. How long were you there?

23 A. I was in New Mexico three or
24 four days.

25 Q. With your brother?



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M. Epstein

A. No.

Q. How many times have you been at his Florida house the same time he was there?

A. Not in the last decade ever.

Q. Prior to the last decade, I think you told me a dozen times?

A. 20 years ago, probably a couple dozen times.

Q. And how long would you stay? Would you ever stay there overnight?

A. Yes. Years ago, I would maybe for a couple of days, for a weekend. I was working then, so I'd only have weekends.

Q. During that period of time, would he have girls coming over during the day?

A. No, he had a girlfriend at the time most of the time.

Q. Who was that?

A. Early on there was this girl Eva Anderson. It was an old girlfriend.

Q. Do you know where she is now?

A. In New York.

Q. Do you know her address?

A. She is Uptown on the east side



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M. Epstein

somewhere.

Q. Do you know any of his other adult girlfriends?

A. No. No.

Well, I don't know how to characterize. I know some females that he knew from years back but, you know, I'm not sure if they were girlfriends. I don't know what their relationship was.

Q. Who are those people?

A. Well, there was a (Glynn) Ghislaine Maxwell.

Q. How do you know Ghislaine Maxwell?

A. I met her through my brother.

Q. How many times have you been around or hung out with Ghislaine Maxwell?

A. Maybe a dozen or so, but we met when -- about the time -- my father and her father died about the same time.

My father died in 1991, so in that period of time almost 20 years ago, I used to see her more frequently.

Q. How frequently would you see her?

A. Then?



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M. Epstein

Q. Yes.

A. Monthly.

Q. Would it always be with your brother?

A. Yes.

Q. You met her through your brother?

A. Yes.

Q. What was your understanding of the relationship between Ghislaine Maxwell and your brother?

A. Well, they were friends, and she worked for him.

Q. Did she ever live with him?

A. I don't know. I'm not sure. I think she always had her own place, so I don't know if she lived with him or not.

Q. When you say that she worked for him, what did she do for him?

A. I know she helped take care of the properties, like hiring the household help.

Q. Did you ever hear that she helped to bring young girls to him for sex?

A. I read that somewhere in one of the articles.

Q. Is that something, knowing Ghislaine



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M. Epstein

Maxwell and knowing your brother, would that surprise you to hear that?

MR. COHEN: Objection.

A. I don't know Ghislaine Maxwell. I mean I know her, but you can tell me anything, it's not going to surprise me.

Q. When you would see your brother and Ghislaine Maxwell, where would you be; at his house, at a function, out to dinner?

A. Probably at his house more than anything.

Q. Which house would that be?

A. More likely Florida.

Q. Do you know how he met her?

A. No.

Q. Do you know where she is now?

A. No.

Q. When is the last time you saw Ghislaine Maxwell?

A. Probably around when my mother died, that's five and a half years ago.

Q. Have you ever met Leslie Wexner?

A. No.

Q. Have you ever met Donald Trump?



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M. Epstein

A. Yes.

Q. Was that through your brother?

A. Yes.

Q. Where was that?

A. We flew up on my brother's plane from Florida together. Donald was on the plane.

Q. When?

A. Somewhere between 5 and 10 years ago.

Q. Okay. So we are talking about --

A. It's either late '90's early 2000. Probably more like late '90's.

Q. Was that the only time you've met Donald Trump?

A. Yes.

Q. Which plane was this of your brother's?

A. I don't remember.

Q. Was this one of the big planes, the 727?

A. No. It wasn't that one, no.

Q. Okay. How many people were on this airplane?

A. It was my brother, myself, Donald, the pilot the co-pilot. I don't remember -- I



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M. Epstein

don't remember if anybody else was on the plane.

Q. What was the purpose of Donald Trump riding on your brother's airplane?

A. You'll have to ask Donald. I think he wanted a ride back to New York.

Q. What was your understanding of the relationship of Donald Trump and your brother?

A. They were friends.

Q. Do you know how they met?

A. No.

Q. When you say "friends," how frequently did they associate?

A. I have no idea.

Q. What was your understanding -- did you --

A. I had no understanding. They were friends. That was my understanding.

Q. When they were in the airplane together, they talked as if they were friends?

A. Yeah, I talked to him like he was my friend. I never met the guy. I am a friendly guy.

Q. Were there girls on the plane?



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M. Epstein

A. I don't remember who was on the plane. I don't remember if anybody else was on the plane.

Q. Do you know if the pilot was?

A. Yeah. He had a pilot and a co-pilot for a long time. The co-pilot's name was Larry. And the pilot's name -- I have his picture in my face -- into my head, but I don't remember his name.

Q. Larry Kisofsky. Does that sound --

A. I don't know his last name. His name is Larry.

Q. Is that somebody that still works for him?

A. I have no idea.

Q. When did your brother get his first airplane?

A. Probably around 1990. Somewhere around there, because he had it when my father was in the hospital in '91.

Q. You remember that?

A. Yes.

Q. Was your father ever on his airplane?

A. I don't remember.



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M. Epstein

Q. Okay. And how many times do you think that you've been on one of your brother's airplanes with your brother?

A. Less than a dozen.

Q. And any of the times that you were on the airplane, were there girls on the airplane with you?

A. What do you mean girls? There were women on the plane.

Q. Okay. Ever any under-age girls?

A. I don't think so.

Q. So they were young girls, you don't know if they were under-age?

A. I'm not going to speculate on their ages.

Q. Did you know these girls, or were these girls that were familiar with your brother?

A. I didn't know them. I mean, unless it was Ghislaine or Eva years ago, but otherwise I didn't know them.

Q. But the specific girls I'm talking about are the girls you are not going to speculate on their age.



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M. Epstein

Were these girls your brother had on the plane because he knew them or did you know them, I guess that's my question?

A. It wasn't me, no.

No, once I flew down to Florida on his plane and I had a girlfriend with me, one of my girlfriends at the time.

Q. Did you ever know of any sex or sex acts to go on on the airplane with your brother?

A. Not when I was there.

Q. When you would fly on his airplane, would this be from New York to Florida or vice versa?

A. Yeah. And then there were a couple of times that I flew to or flew back to Cleveland. [REDACTED]

[REDACTED] so I flew on the plane then.

Q. And do you know -- did you ever meet David Copperfield?

A. No.

Q. Did you ever meet Alan Dershowitz?

A. I might have met him once.



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Q. Where would that have been?

A. In Florida.

Q. What was the occasion?

A. I went to Jeff's house for something,
and I think Alan was there and I think he
introduced us.

Q. How long ago was that?

A. A long time ago.

Q. '90's?

A. It would have to be.

Q. Have you ever met Bill Clinton?

A. Yes.

Q. Through your brother?

A. No.

Q. Have you ever been with your brother
at a time when Bill Clinton was also around?

A. I don't understand your question.

Q. Did you ever go to your brother's
house when Bill Clinton was also there?

A. No.

Q. Have you ever been on your brother's
airplane with Bill Clinton?

A. No.

Q. Have you ever known Bill Clinton to



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M. Epstein

fly on your brother's airplane?

A. I read that he went to Africa on his plane.

Q. Did you know of him to fly on your brother's airplane on any occasions other than when they went to Africa?

A. No.

Q. Have you ever met Kevin Spacey?

A. No.

Q. Chris Tucker?

A. No.

Q. Do you know what your brother's relationship is with Bill Clinton?

A. He knew him, he flew him to Africa. I don't know how he met him. I don't know what their relationship is.

Q. Other than the flight to Africa, has your brother ever talked to you about his relationship with Bill Clinton?

A. He mentioned they were somewhere once, it might have been in Europe. And I think he mentioned something about Bill Clinton. I'm not sure, but I think there was someplace that he was and Clinton was there,



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M. Epstein

and he mentioned that he was there and Clinton was there, but...

Q. Has he ever mentioned to you that he provided girls to Bill Clinton?

A. No.

Q. Have you ever met Prince Andrew?

A. No.

Q. Has your brother ever discussed his relationship with Prince Andrew?

A. I know he knew him, or he saw him. That's all.

Q. What is your understanding as to how your brother made his money?

A. I don't have an understanding of it.

Q. He's never talked to you about that?

A. No. He is an investor. He invested things. As far as I know, he invested money.

Q. Do you know who his clients are?

A. Other than Wexner, no.

Q. Do you believe he has any other clients other than Wexner?

A. I have no idea. I never questioned it.

Q. How do you know Wexner was his



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M. Epstein

client?

A. Wexner was his client really early on. He told me about it.

Q. Was Wexner his only client that he ever talked about?

A. Again, we don't talk business. I didn't tell him about many of my clients either.

Q. Is it your understanding that Leslie Wexner is no longer your brother's client?

A. I have no idea.

Q. Do you know how your brother's business is doing now?

A. I have no idea.

Q. When you call Florida to make sure he is doing all right, isn't one of the main things your brother does is business; and aren't you asking essentially, is your business doing all right?

A. No, I'm asking him how his health is.

Q. So he responds that his health is fine, and that's basically the end of the telephone call?

A. Yeah, or we'll tell each other a



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M. Epstein

funny story about something, about some friends or whatever.

Q. Do you know who his closest friends are these days?

A. No.

Q. Do you know of any friends of your brother's who are not also on your brother's payroll?

A. I don't know his friends.

Q. Do you know who his assistants are these days?

A. No.

Q. Is [REDACTED] does she still work for him?

A. I have no idea.

Q. When is the last time you saw [REDACTED]

A. I don't think I saw [REDACTED]. If I met her, it was a few years ago.

Q. Where would that have been?

A. Maybe [REDACTED]

Q. And how many occasions have you ever seen [REDACTED]

A. Once or twice. I once saw her in the



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M. Epstein

elevator of [REDACTED]

Q. Other than at [REDACTED], have you seen [REDACTED] anywhere else?

A. No.

Q. Do you know of [REDACTED] relationship with your brother?

A. No.

Q. I know I asked you about Jean Luc Brunel, I don't remember did I ask you whether you are familiar with the modeling company MC Squared?

A. Yes, you did.

MR. COHEN: You did.

Q. Are you familiar with the modeling company Karin Models?

A. No.

Q. Have you ever attempted to ascertain who is staying in the various apartments that your brother rents at [REDACTED]

A. No.

Q. Are they usually occupied?

A. I have no idea.

Q. What is your obligation to that property? What do you do?



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M. Epstein

A. Nothing.

Q. What does your company do for that property?

A. We own most of it and manage it.

Q. Well, in managing it, what does that entail?

A. Leasing out spaces, paying the bills.

Q. Something breaks, you fix it?

A. Well, we have staff there that takes care of that, yes.

Q. Who would the staff member be that would --

A. A guy named Andy is the head super.

Q. Andy who?

A. I don't know his last name.

Q. This is the head supervisor for your company?

A. For that building. He is the superintendent for that building.

Q. Have you ever had that position of superintendent for that building?

A. No.

Q. Ever owned real estate with your brother?



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M. Epstein

A. No.

Q. Do you know of the name [REDACTED]

[REDACTED]

A. No.

Q. Leslie Groff?

A. No.

Q. Did you talk to your brother about the criminal investigation when it began?

MR. COHEN: Objection.

Asked and answered.

A. No.

Q. I know you call now to check on his health. Did it concern you that he was being criminally investigated?

MR. COHEN: Objection.

A. Well, it concerned me, he is my brother.

Q. So why is it you didn't have that conversation with him?

A. If there was something he wanted to tell me, he would have told me.

Q. And that's not something he ever talked to you about?

A. Right.



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M. Epstein

Q. And even though the allegations --
you are familiar with the allegations; right?

A. Some, I guess.

Q. The allegations are that he was
engaging in sex with under-age girls.

That's not something that you wanted
to take upon yourself to talk to your brother
about?

A. No.

Q. It's not something that really
bothers you?

A. No --

MR. COHEN: Objection.

A. -- no more than anybody else being
accused of that.

Q. If you found that to be true,
hypothetically, you find that it's true that
your brother is engaging in sex with
under-aged girls; 13, 14, 15-year old girls,
is that something that you would discuss with
him?

MR. COHEN: Objection.

A. I'll use one of my mother's lines,
I'll worry about that when the time comes.



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M. Epstein

Q. You realize that he has plead guilty to that; right?

A. Yes.

Q. So hasn't the time come?

A. No, not for me. I know it was a plea deal, so I don't know the details.

Like I said, he pled guilty to some prostitution charge. So you are representing a bunch of prostitutes if I just go by what the law says. So, you know, I don't pay attention to that.

Q. If the evidence in this case are that these girls are in middle school and high school, some of them are virgins and none of them have engaged in prostitution prior to meeting your brother, does that change?

A. Your question started with an "if." I'm not going to speculate on anything.

MR. COHEN: Mr. Edwards, can we take a short bathroom break?

MR. EDWARDS: Sure.

THE VIDEOGRAPHER: 12:33, off the record.

(Discussion held off the record.)



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MR. COHEN: Let's go back on the record. Are all counsel who appeared by phone on the phone now?

THE WITNESS: If anybody's not do speak up. Should we do another roll call?

MR. CRITTON: This is Bob Critton. Let me just put on the record, I recognized about just before we took the break I must have bumped my microphone.

So when I've been inserting objections, and based on what the court reporter indicated, she hadn't heard me for about 30 or 35 minutes.

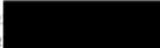
I just want to assert, any question that had either a leading, isn't it true, or a suggestion that Mr. Jeffrey Epstein had some sexual contact or contact with under-age girls, I would have objected to.

I did object to, apparently it didn't come through; any leading guess, any questions for which there was no predicate, I have no objection to the actual questions with regard to who was on the plane, or if he saw his brother, what the discussions they had, but



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M. Epstein

any other questions to suggest the answer or leading question, I would reserve that objection on form.

MR. EDWARDS: Okay.

MR. CRITTON: My microphone's on now. You'll have to hear me.

MR. EDWARDS: That's unfortunate.

MR. CRITTON: Thank you for your warm reception.

THE VIDEOGRAPHER: It's 12:40.

On the record.

BY MR. EDWARDS:

Q. When you were at your brother's house in Palm Beach, I know you said it was 10 years ago, how many computers would you estimate were in the house?

A. I have no idea.

Q. Did he ever talk to you after the criminal investigation about the computer evidence that there is in this case?

A. No.

Q. Did you ever go visit your brother when he was in jail?

A. No.



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M. Epstein

Q. Why not?

A. I did not.

Q. I'm sorry, I didn't hear you?

A. I did not go.

Q. Right. Why wouldn't you go visit your brother in jail?

A. Timing, part of it. I have my own life up in New York. We'd speak occasionally, I knew he was okay. I don't see him that much when he was in New York, so...

Q. Okay. What was done with the computers in your parents' house when your parents passed away?

A. My mother had a computer. I think I took it for my kids.

Q. Is that a computer that your brother ever worked on or used?

A. I doubt it.

Q. Did you ever know your brother to share images by way of computers of under-age girls or young looking girls?

MR. CRITTON: Form.

A. He rarely E-mailed, so I don't even know if he had any use for computers.



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M. Epstein

Q. What was his E-mail address, or what is his E-mail address?

MR. CRITTON: Form.

A. I don't know it by heart.

Q. Do you know who the server is, Hotmail, Gmail?

A. No.

Q. AOL?

A. No, I don't know it by heart.

Q. When you say he rarely E-mails --

A. Well, then. Then, I used to never get E-mails from him, but more recently I got a couple, some, but there is not a lot of E-mail communication back and forth.

Q. Okay. In the last year and a half, how many E-mails have you received from your brother?

A. I just had a spate of them, half a dozen or a dozen or so, because there is a reunion coming up for all the old Coney Island kids, so we've been talking about that.

Q. Is your brother planning on attending?

A. I don't think so.



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M. Epstein

Q. When is it?

A. In October.

Q. So what has been the substance of the conversation if your brother's not planning on coming?

A. Who is going, that kind of stuff. And just some funny pictures that came up on some of our old friends and what they look like today. It's kind of comical.

Q. Do you know where your brother is working right now?

A. No.

Q. Have you heard of the Florida Science Foundation?

A. Yes.

Q. What is it?

A. I have no idea.

Q. How have you heard of it?

A. That is where he was working on his work release.

Q. How do you know that?

A. He called me and I called there, and when they answered the phone they said Florida Science Foundation.



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M. Epstein

Q. Did you ever ask him what the Florida Science Foundation does?

A. No.

Q. Have you known your brother to be into science?

A. Yes, very much.

Q. Since when?

A. His whole life.

Q. How many times have you talked to him since he was arrested?

A. When was he arrested?

Q. Back in 2005, 2006?

A. Altogether, a couple of dozen times.

Q. And what is the substance of that conversation, other than you asking if he is in good health?

A. About friends, family stuff.

Q. When is the first time that you know of your brother targeting young girls --

A. I don't know that.

Q. -- For sex?

MR. COHEN: Objection.

MR. CRITTON: Form, last question.

MR. COHEN: Also asked and answered.



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M. Epstein

MR. CRITTON: About three times.

Q. Have you known of your brother ever hiring prostitutes?

A. No.

Q. Has your brother ever discussed with you the manner in which he lures 13 or 14 or 15-year old kids to the house?

MR. CRITTON: Form.

MR. COHEN: Objection.

A. Yes. I'm not going to answer that question. It's a leading question.

Q. Well, I'm asking you an open question. Has he ever talked to you about the manner --

A. That is assuming he does it. I'm not assuming he does anything. We don't talk about girls. We don't talk about young girls.

MR. CRITTON: Objection to the last question.

Q. On several occasions during this deposition you've referred to these girls as prostitutes.

Do you know any of them?

A. No.



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M. Epstein

Q. Do you know their parents?

A. No.

Q. Do you know who they were before they met your brother?

A. Not a clue.

Q. Do you know what your brother did with them?

A. No.

Q. Do you know who they are today?

A. No.

Q. So why is it that you call all of these girls prostitutes?

A. Well, I said some of them. I mean the charge he pled guilty to, from what I understand, is something to do with prostitution.

So if these are the girls involved in that, that by definition makes them prostitutes. The way I -- that, to me, is English.

Q. So the basis for you referring to these girls as prostitutes, is that your brother pled guilty to a prostitution charge?

A. Yeah. What else do I have to go by?



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M. Epstein

I mean, you usually don't get charged for prostitution unless there is a prostitute.

MR. COHEN: Let him ask the question.

Q. Okay, but these are young girls that you are calling prostitutes that you don't know their family; right?

A. I have no idea. I've already answered that.

MR. CRITTON: Form.

You asked him to speculate and now you are going after him.

I think that is inappropriate.

Q. In the conversations that you've had with your brother since his arrest, has he ever expressed to you the least bit of remorse for anything that he has done?

MR. CRITTON: Form. Predicate.

A. We didn't talk about what he's done.

Q. So then the answer is no then; right?

MR. CRITTON: Form.

MR. COHEN: Same objection.

A. The answer to what I said is no, the way I put it.

MR. EDWARDS: I don't have anything



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M. Epstein

right now.

Anybody else?

MR. COHEN: Okay. It sounds like no one has any questions.

MR. LANGINO: Yeah, we have questions. I don't know who comes next.

MS. EZELL: Go ahead, Richard.

MR. COHEN: Sir, can you identify yourself?

MR. WILLITS: Okay. Richard Willits here. I'm going to ask a few questions.

EXAMINATION BY

MR. WILLITS:

Q. Mr. Epstein, approximately when were you served with a subpoena?

A. A couple of weeks ago. I think it was -- no, a few weeks ago. I don't remember.

Q. Since you -- at the time you got served with a subpoena, did you have any discussions with your brother about your upcoming deposition?

A. No, I told him I was served with a subpoena.

Q. And what did he tell you?



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1 M. Epstein

2 A. He said he is sorry that I had to get
3 dragged into this.

4 Q. Did you have any other discussions
5 about the deposition?

6 A. No.

7 Q. Do you have a lawyer there
8 representing you today?

9 A. Yes.

10 Q. Are you paying for that lawyer?

11 A. Is this pertinent?

12 MR. COHEN: You can answer. It's
13 okay.

14 THE WITNESS: What was your question?

15 Q. Are you personally paying for the
16 lawyer who is there representing you today?

17 A. No.

18 Q. Who is paying?

19 A. Jeffrey.

20 MR. WILLITS: I don't have any other
21 questions.

22 THE COURT REPORTER: Who is next?
23 Identify yourself, please?

24 MS. EZELL: I have just a couple of
25 questions, Mr. Epstein.



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M. Epstein

THE WITNESS: Go ahead.

EXAMINATION BY

MS. EZELL:

Q. -- And in New York, and I didn't quite catch the address?

A. I'm sorry, you were breaking up. Could you repeat the question?

Q. I'm going to ask you about the apartment building in New York where you said your ex-wife lives.

A. Yeah.

Q. I didn't catch the name of the partnership that owns that?

A. D-a-r-a, Dara.

Q. And you are a partner in that?

A. Yes.

Q. Jeffrey Epstein?

A. Excuse me?

Q. Jeffrey Epstein is also a partner in that?

A. No.

Q. Do you --

MR. EDWARDS: Kathy, we can't hear you.



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M. Epstein

MS. EZELL: Can you hear me now?

MR. COHEN: You just faded back in.

BY MS. EZELL:

Q. Your brother has the capacity to make people believe that he is interested in them?

MR. COHEN: Can we have the question again?

THE WITNESS: I didn't get that.

MR. COHEN: I'm sorry, could you repeat that, you were fading in and out?

BY MS. EZELL:

Q. Do you agree that your brother has a rather extraordinary capacity to make people believe that he is interested in them and their well-being?

MR. COHEN: Objection.

MR. CRITTON: Form.

A. I have no idea.

Q. You've known your brother, have you -- people --

MR. COHEN: I'm sorry, you faded out again.

MR. EDWARDS: Kathy, we are only catching every second or third word. You may



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M. Epstein
want to pick up your receiver.
MS. EZELL: Thank you. I can do
that. Is this better?
MR. COHEN: Much better.
THE WITNESS: Much better.
BY MS. EZELL:
Q. Okay, sorry.
In all the years you've known your
brother, have you known him to be a master
manipulator?
MR. COHEN: Objection.
MR. CRITTON: Form.
A. No. I mean, I don't know what you
mean by that.
Q. Have you known him to be very good at
manipulating people to get them to do what he
wants?
A. I have no idea.
MR. COHEN: Objection.
MR. CRITTON: Form.
Q. You have no idea, was that your
answer?
A. Yes. I have no idea. I don't see
him with many people.



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M. Epstein

Q. Did he have that capacity when you were growing up?

MR. COHEN: Objection.

MR. CRITTON: Form.

A. I don't know what -- I don't know how to answer that question.

Q. When you were growing up, did you notice that he developed the capacity to deal with people in a way that made them think he was very interested in their welfare?

MR. COHEN: Objection.

MR. CRITTON: Form.

MS. EZELL: I couldn't hear the answer.

A. The answer is, I don't know what you are talking about. We grew up. We were kids growing up in Brooklyn, you know.

Capacity? He had a good capacity for mathematics, I can say that.

Q. Right. Right. So I'm asking you if he had a good capacity for dealing with people?

MR. COHEN: Objection.

MR. CRITTON: Form.



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M. Epstein

A. I have no idea. I don't know what --
how do you define a good capacity for dealing
with people?

People didn't walk around punching
him in the face, so I guess he dealt with them
okay.

Q. Okay. When you were boys together,
could he talk other boys into doing things?

Was he a leader?

MR. COHEN: Objection.

A. I have no idea.

How far back in history am I supposed
to be going with this?

These are stupid questions.

MR. COHEN: I know they are, but we
are almost done.

Q. Are you saying you can't answer those
questions?

MR. COHEN: He has answered them.

Move on, counsel.

MS. EZELL: I don't have any others,
but I didn't hear him answer those questions.

MR. COHEN: Would you like the
record read back or would you like to read it



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M. Epstein
when you get it?
MS. EZELL: I got what he said.
Thank you.
MR. COHEN: Anyone else?
MR. LANGINO: Yes.
This is Adam Langino, and I represent
BB.
THE WITNESS: Fifi?
MR. COHEN: BB.
THE WITNESS: I thought he said Fifi
and it was a dog.
MR. COHEN: No, they are using
letters.
MR. LANGINO: Everybody can hear me
okay?
MR. EDWARDS: Yes.
MR. COHEN: Yes.
MR. EDWARDS: Got you.
MR. COHEN: You are coming through
fine.
EXAMINATION BY
MR. LANGINO:
Q. Was Jeffrey Epstein close to his
father?



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M. Epstein

A. Yes.

Q. Did you notice any changes in Jeffrey Epstein after he started a relationship with Ms. Maxwell?

MR. CRITTON: Form.

A. I didn't spend a lot of time with him -- too much time with him. I don't know what you are talking about.

Q. Do you have an opinion if Jeffrey Epstein changed at all once he started a relationship with Ms. Maxwell?

MR. COHEN: Objection.

A. I have no idea.

Changed in what way?

Q. I could not hear that last response. Excuse me?

A. Changed in what way?

I don't understand your question.

Q. Well, you know Jeffrey Epstein better than I do. So my question is --

A. Maybe. I don't know how well you know him. I think there are people who know him better than I do, so you could be one of them.



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1 M. Epstein

2 Q. Okay. The question is once he
3 started a relationship with Ms. Maxwell, did
4 you notice a change in him?

5 Was he more agitated? Was he
6 happier? Was he sadder?

7 Did you notice any type of emotional
8 change in your brother once he started a
9 relationship with Ms. Maxwell?

10 A. I can't connect anything to that, no.

11 Q. Do you have an opinion of Ms.
12 Maxwell?

13 MR. COHEN: Objection.

14 MR. CRITTON: Form.

15 A. I had very little dealings with her.

16 Q. So what is your answer?

17 A. I don't have an opinion of her.

18 Q. All right. And who is your brother's
19 best friend?

20 A. I already answered.

21 Q. I didn't hear it?

22 A. I have no idea.

23 Q. Okay. Can you give me the name of
24 one of his close friends?

25 A. I have no idea.



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M. Epstein

Q. Can you give me a name of one his close friends from Coney Island where you guys grew up?

A. There is a Warren.

Q. Warren what?

A. Eisenstein.

Q. Do you know his address?

A. No.

Q. Do you know his telephone number?

A. No.

Q. Do you know if he still lives in New York?

A. No, he lives out of state.

Q. Do you know which state?

A. Texas.

Q. Texas?

A. Yes.

Q. Do you know which city in Texas?

A. Dallas or Houston, one of the big ones. I'm not sure.

Q. Do you know his date of birth?

A. No.

Q. Okay. Thank you for your time. I have no further questions.



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M. Epstein

Oh, sorry, can you spell his last name, I didn't catch that, the friend's last name?

A. It's Eisenstein.

Q. Can you spell it?

A. No.

Q. Did you and Mr. Eisenstein go to the same primary school?

A. I think he went to the same schools, yeah. He was my brother's age. I think he was in the same school.

Q. And which school was that once again?

A. P.S. 188.

Q. And that is in Brooklyn?

A. Yes.

MR. LANGINO: All right. Thank you very much.

MR. COHEN: Thank you.

Anyone else?

MR. HOROWITZ: Yes, this is Adam Horowitz. Just a few questions.

Can you hear me okay?

MR. COHEN: Yes, we hear you great.

MR. HOROWITZ: Great.



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M. Epstein

EXAMINATION BY

MR. HOROWITZ:

Q. Mr. Epstein, any family members that you would say your brother Jeffrey is now close with?

A. No.

Q. Not a single family member that he is close with?

A. No, we don't have a very big family.

Q. Other than yourself, who are the closest blood relatives?

A. There are some cousins that are around.

Q. Any cousins that live in Florida?

A. We do have a cousin in Florida, yes.

Q. Who is that?

A. I'm not telling you my cousin's names. I'm not having you bother my cousins over this nonsense. They know less of this than I do.

Q. You are refusing to answer the question?

A. Yes.

Q. And this is a first cousin of his?



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M. Epstein

A. Yes.

Q. Where in Florida does he live?

A. Next question.

Q. I'd like to get some background on this person that you are not going to give me the name of.

Where does he or she live?

A. Next question.

Q. Is it a male or female?

A. Next question.

Q. Mr. Epstein, to your knowledge, does your brother Jeff like getting massages?

A. I have no idea.

I think everybody likes getting massages.

Q. How long have you known your brother to enjoy getting massages?

MR. COHEN: Objection.

A. I have no idea. I don't think about what he does.

Q. Has he ever talked to you about getting massages?

A. No.

Q. Have you ever gotten a massage with



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M. Epstein

him?

A. No.

Q. Have you ever seen him get a massage?

A. Not that I remember.

Q. Does he ever complain about physical injuries for which he'd like to get a massage?

A. No, we don't talk about that. No.

Q. Has he ever complained to you about back pain, shoulder pain?

A. No.

I don't complain about my back pain either, so I don't put much weight on that.

Q. Have you known of anyone to give him a massage?

A. No. There was a girl years ago, but I'm talking 20 years ago, there was some woman that he used in Florida, I don't remember her name, but I know there was a woman who used to give him massages.

Q. Where would she go to give him massages?

A. I believe to his home.

Q. She would come to his home about 20 years ago?



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M. Epstein

A. I don't know. I don't remember.

Q. On the different occasions you've been to his home in Palm Beach, have you ever seen or known of him to receive a massage?

A. Not that I remember, no.

Q. What about on the different times that you've been on a plane with your brother Jeff, have you seen or known of him to get a massage on those trips?

A. No.

Q. Has he ever treated you to a massage?

A. No, I buy my own, thank you.

Q. Other than your brother, do you have any family members who have been accused of sexual abuse?

A. No.

MR. HOROWITZ: All right. I've got no other questions.

MR. CRITTON: Mr. Epstein, my name is Bob Critton and I represent your brother Jeff.

I have just a few questions.

THE WITNESS: Go ahead.

EXAMINATION BY

MR. CRITTON:



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Q. If I understand your testimony, you haven't been to your brother's house in Palm Beach in approximately 10 years?

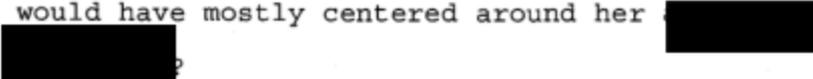
A. Yeah.

Q. And the conversations you've had with him over the past five, six, seven, eight years have been basically hey, Jeffrey, how are you doing? And/or he'll say hey, Mark, how are you doing?

A. Well, the one's prior to five years ago, 90 percent of the phone calls were dealing with my mother.



Q. So conversations that you had with your brother prior to your mother's death would have mostly centered around her



A. Mostly, yes.

Q. And then subsequently, after your



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M. Epstein

mother passed away, the conversations that you had with your brother, if I understood your testimony, were basically, "How are you doing?" "How are you doing?"

A. More or less. A funny story about a friend or something, yes.

Q. With regard to the criminal charges that were brought against your brother and whatever has occurred with regard to those criminal charges, would it be a correct statement that you have never discussed any of those issues with your brother?

A. That's correct.

Q. With regard to the civil cases that have been filed against your brother, would it be a correct statement that you have never discussed any of the allegations of the civil cases?

A. That's correct.

Q. And with regard to the newspaper articles that have been written or the lawyers who have sought publicity to put information in the newspaper about your brother's confessions to sensationalize the story, would



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M. Epstein

it be a correct statement that you never discussed those newspaper articles with him?

MR. EDWARDS: Objection to the form.

Q. Let me ask it in a simpler form.

With regard to any newspaper article that you've seen about your brother relating to allegations here and people in Palm County, would it be a correct statement that you have not discussed those with your brother?

A. Correct.

MR. CRITTON: That's all I have.

Thank you, sir.

MR. COHEN: I have no questions.

MR. EDWARDS: I only have two follow-up questions.

EXAMINATION BY

MR. EDWARDS:

Q. When you called your brother to tell him that you were subpoenaed, did he tell you that he would hire you an attorney?

A. No.

Q. How did it come to be that he hired you an attorney and an attorney is here with you today?



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M. Epstein

A. Another attorney called me and said that they would provide me with an attorney.

Q. Who was that?

A. Jack.

Q. Jack Goldberger?

A. I believe so, yes.

Q. And was that within days of your phone call to your brother?

A. Within weeks. I don't remember exactly when I was served. It's not high on my priority list.

Q. You don't want to have anything to do with this case?

A. I have nothing to do with this case.

Q. The last question I have to ask you is some of the girls have described your brother's penis as being egg-shaped.

Is that something that you would know from being his brother and growing up?

MR. CRITTON: Form.

MR. COHEN: Objection.

A. I read that, and that was a shock. I never heard that and/or ever saw that.

Q. Have you ever seen his penis?



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M. Epstein

A. Yes.

Q. Do you remember anything unusual or egg-shaped about it?

A. No.

MR. EDWARDS: All right. Anybody else have anything?

Q. Oh, did your brother tell you how to testify today?

A. Did he tell me he had to testify today?

Q. Did he tell you how to testify --

A. No.

Q. -- To come here and say you don't know anything about it?

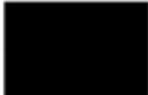
A. No, nobody tells me what to do.

MR. COHEN: Okay. We are done.

(Continued on the next page to include jurat and signature.)



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M. Epstein

THE VIDEOGRAPHER: The time is 1:03 p.m., and we are off the record.

This is the end of tape one.

(Time noted: 1:03 p.m.)

MARK EPSTEIN

Subscribed and sworn to
Before me this _____ day of
_____, 2009.

Notary Public



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C E R T I F I C A T I O N

I, Jacklyn Lisi, a Shorthand Reporter, and Notary Public, within and for the State of New York, do hereby certify:

That MARK EPSTEIN, the witness whose examination is hereinbefore set forth, was first duly sworn by me, and that transcript of said testimony is a true record of the testimony given by said witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this day of , 2009.

[Redacted Signature]

JACKLYN LISI



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DEPOSITION ERRATA SHEET

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RE: Esquire Deposition Solutions

File No. 13061

Case Caption: JANE DOE

vs. JEFFREY EPSTEIN

Deponent: Mark Epstein

Deposition Date: September 21, 2009

To the Reporter:

I have read the entire transcript of my Deposition taken in the captioned matter or the same has been read to me.

I request that the following changes be entered upon the record for the reasons indicated. I have signed my name to the Errata Sheet and the appropriate Certificate and authorize you to attach both to the original transcript.

Page No. _____ Line No. _____ Change to: _____

Reason for change: _____

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Deposition of Mark Epstein

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Mark Epstein



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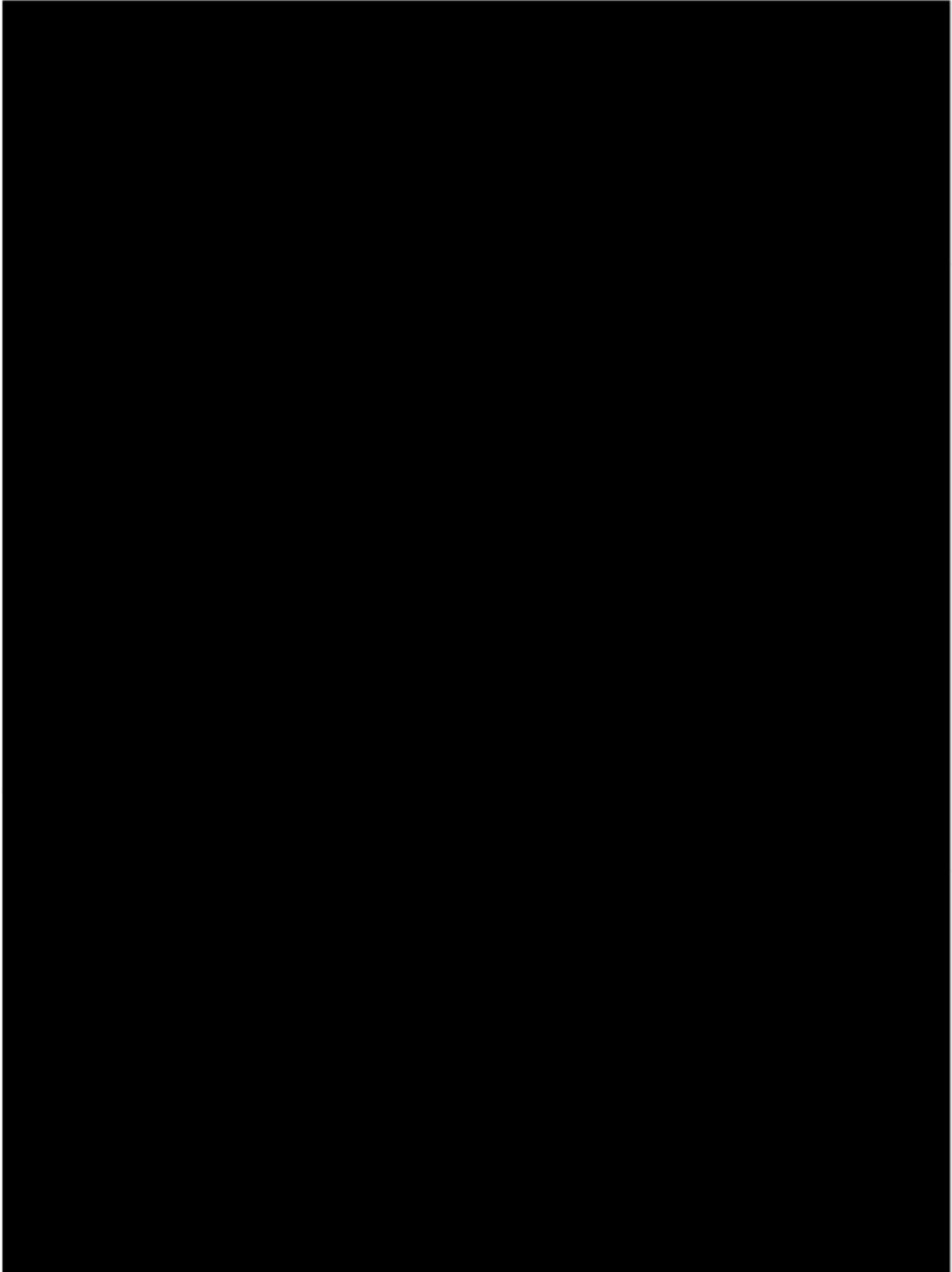
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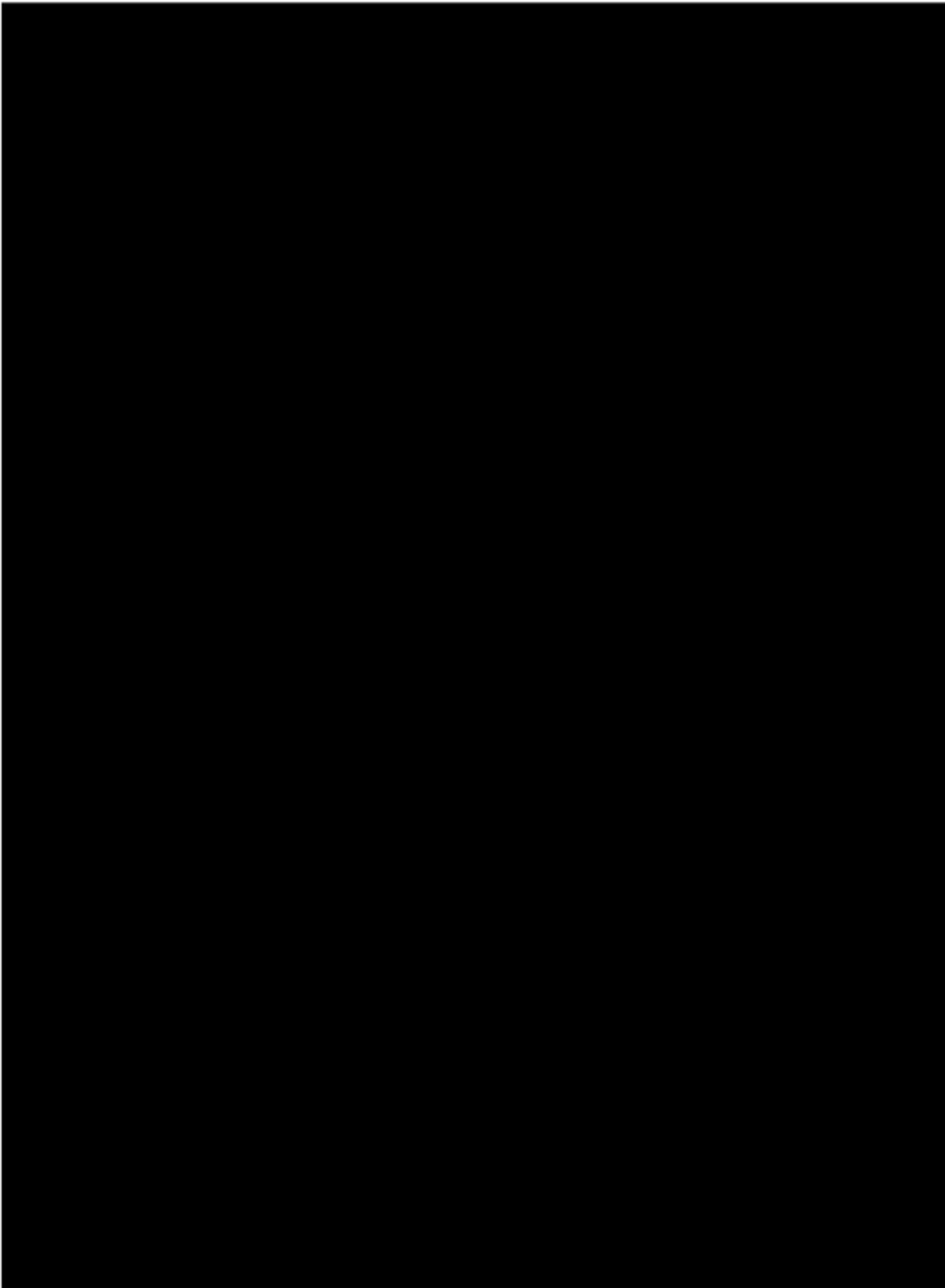
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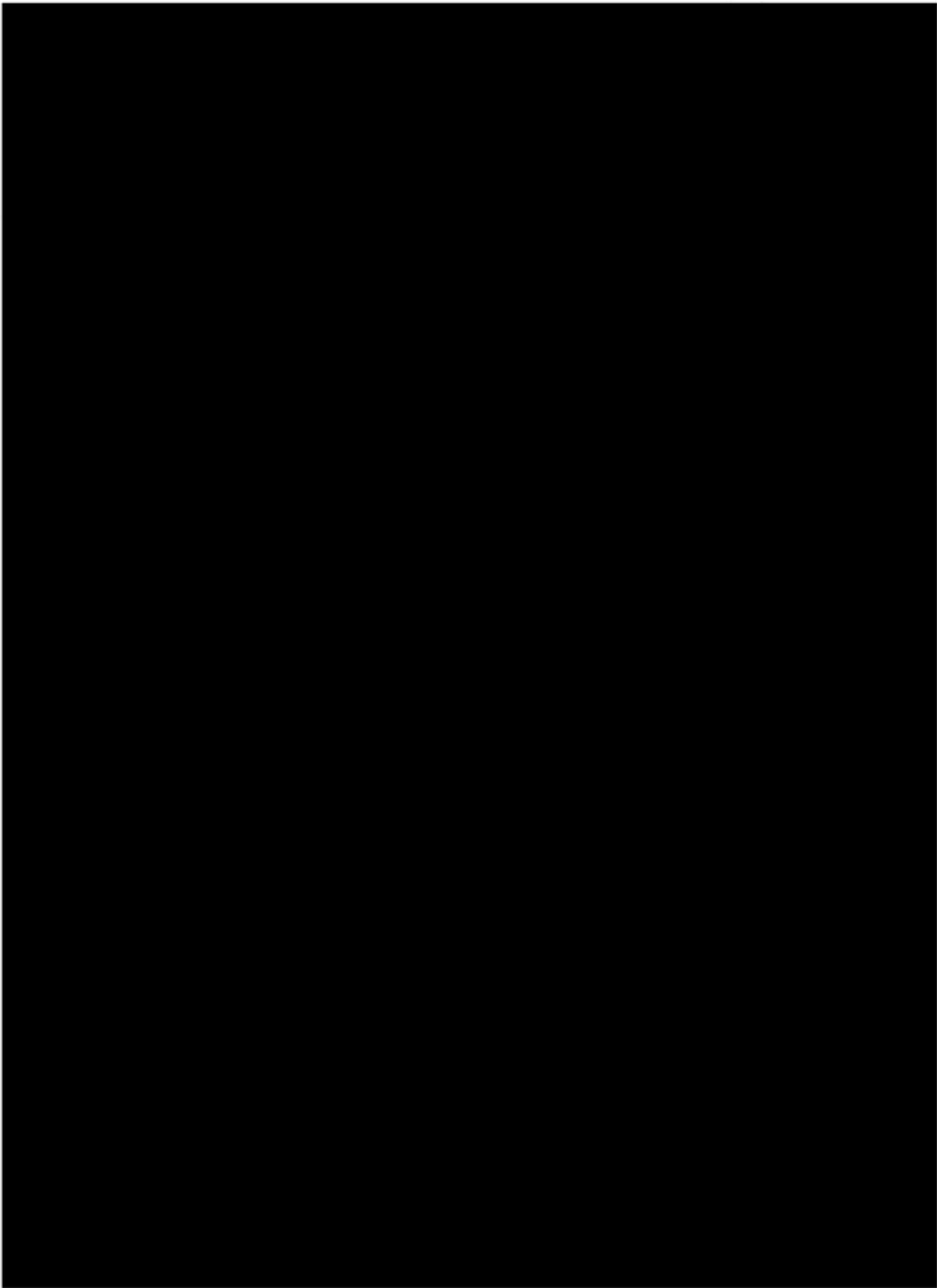
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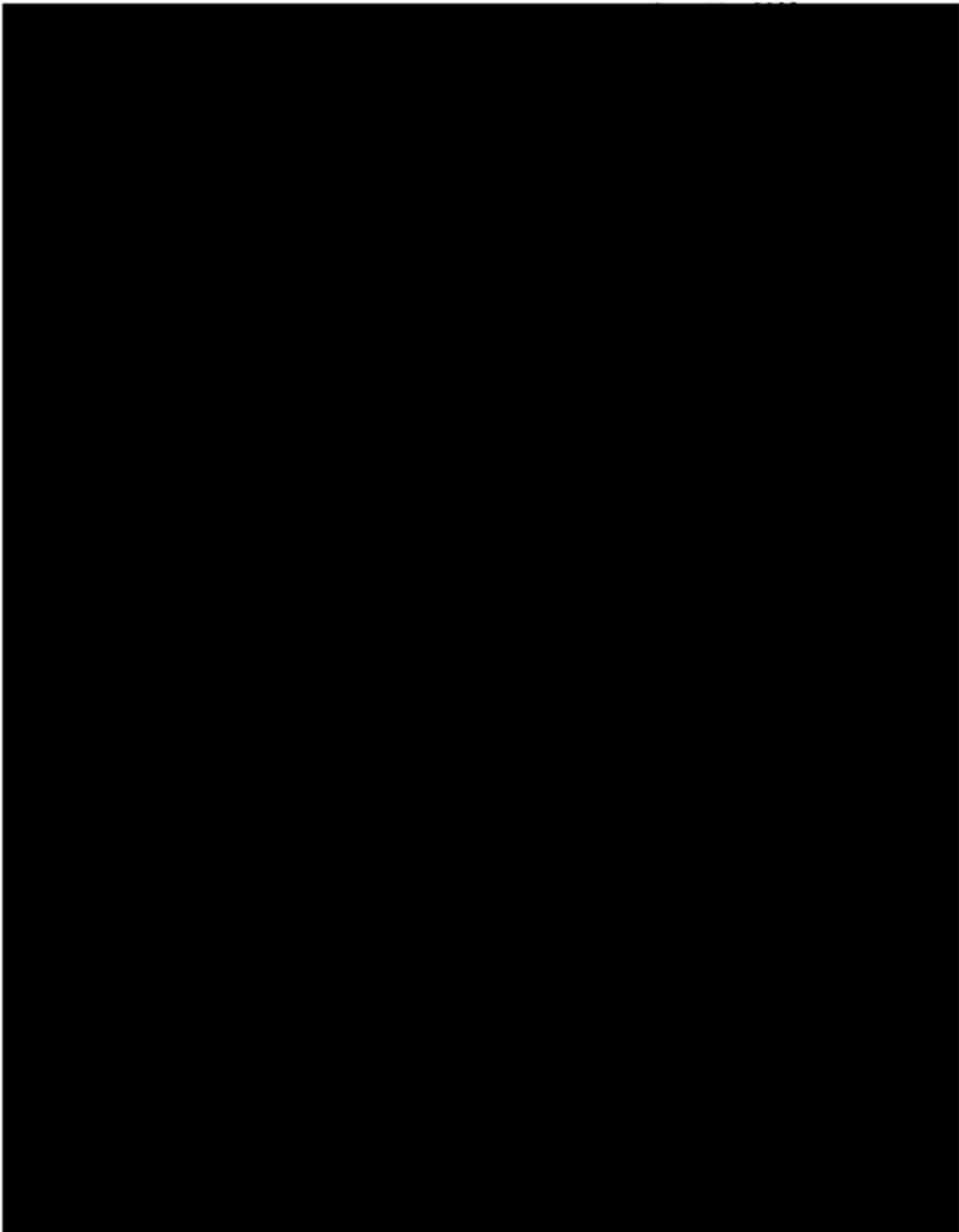
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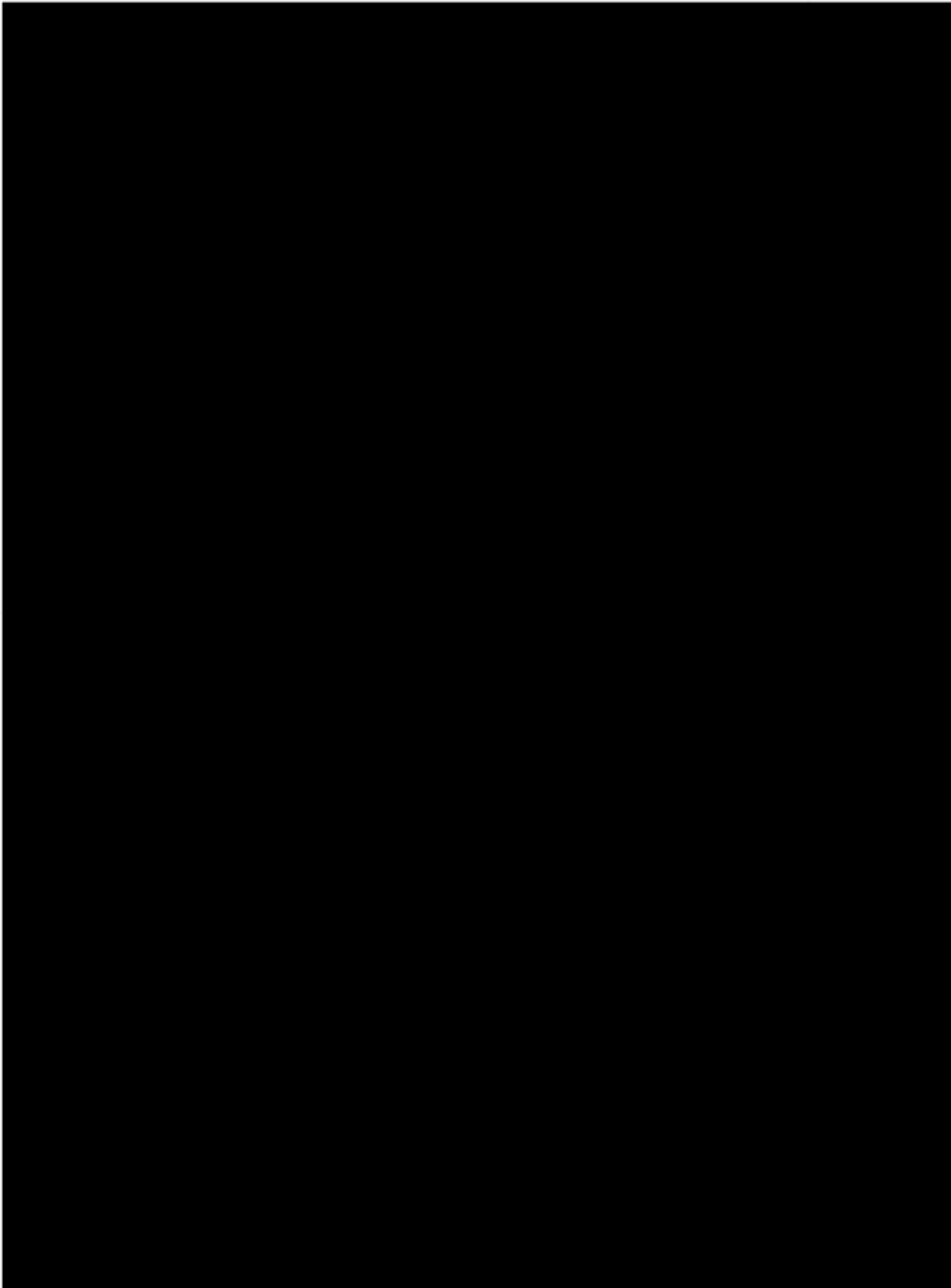


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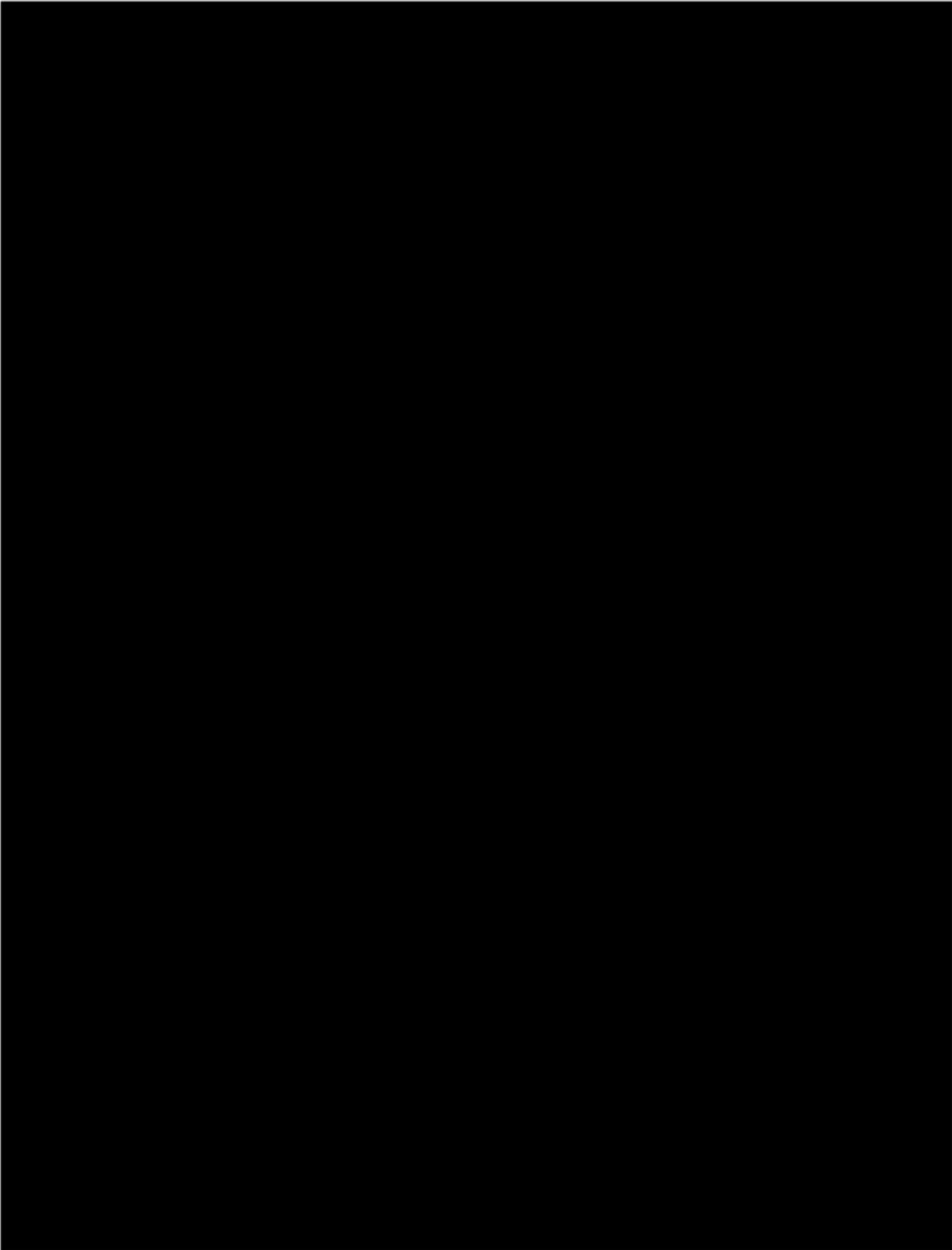
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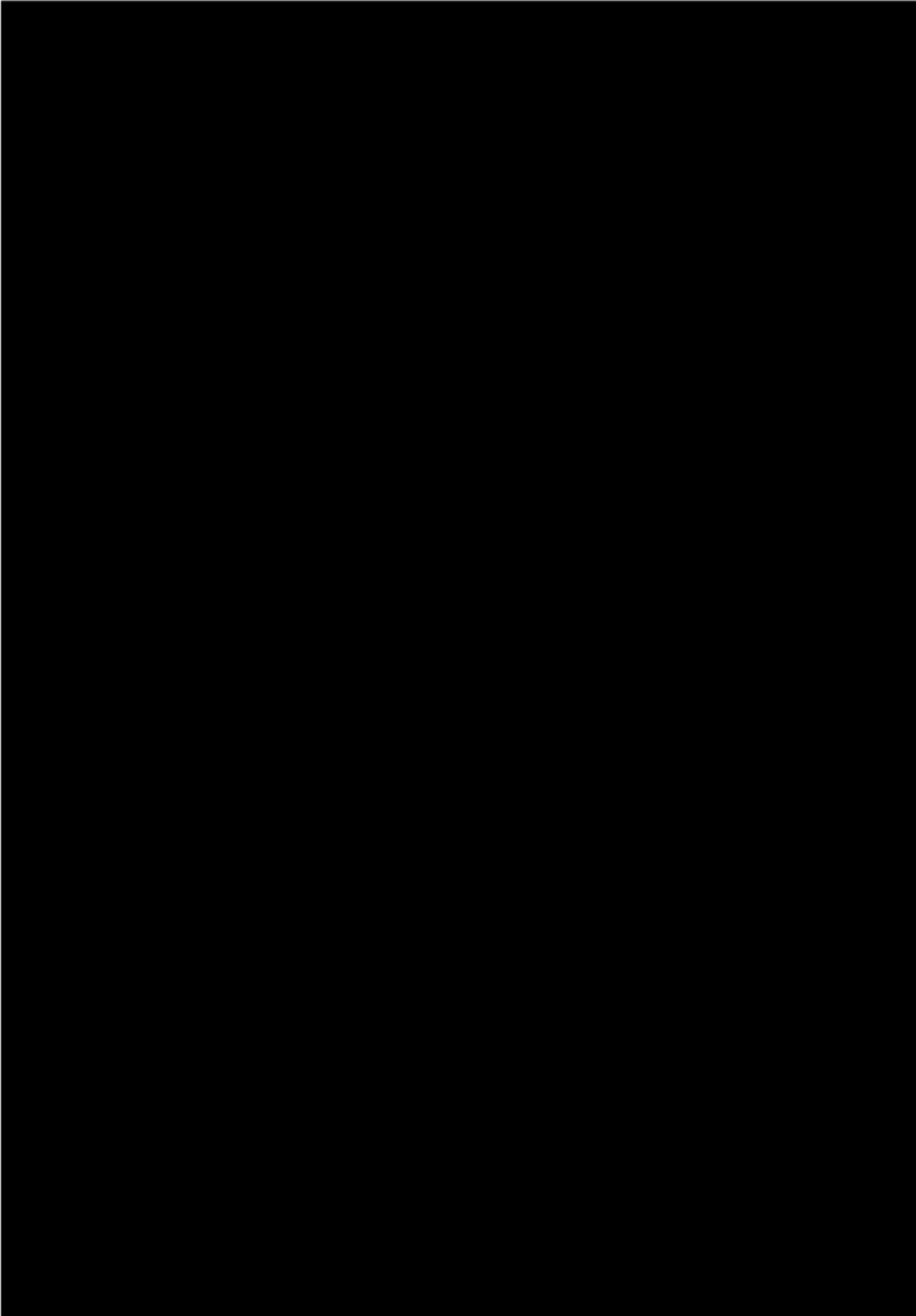
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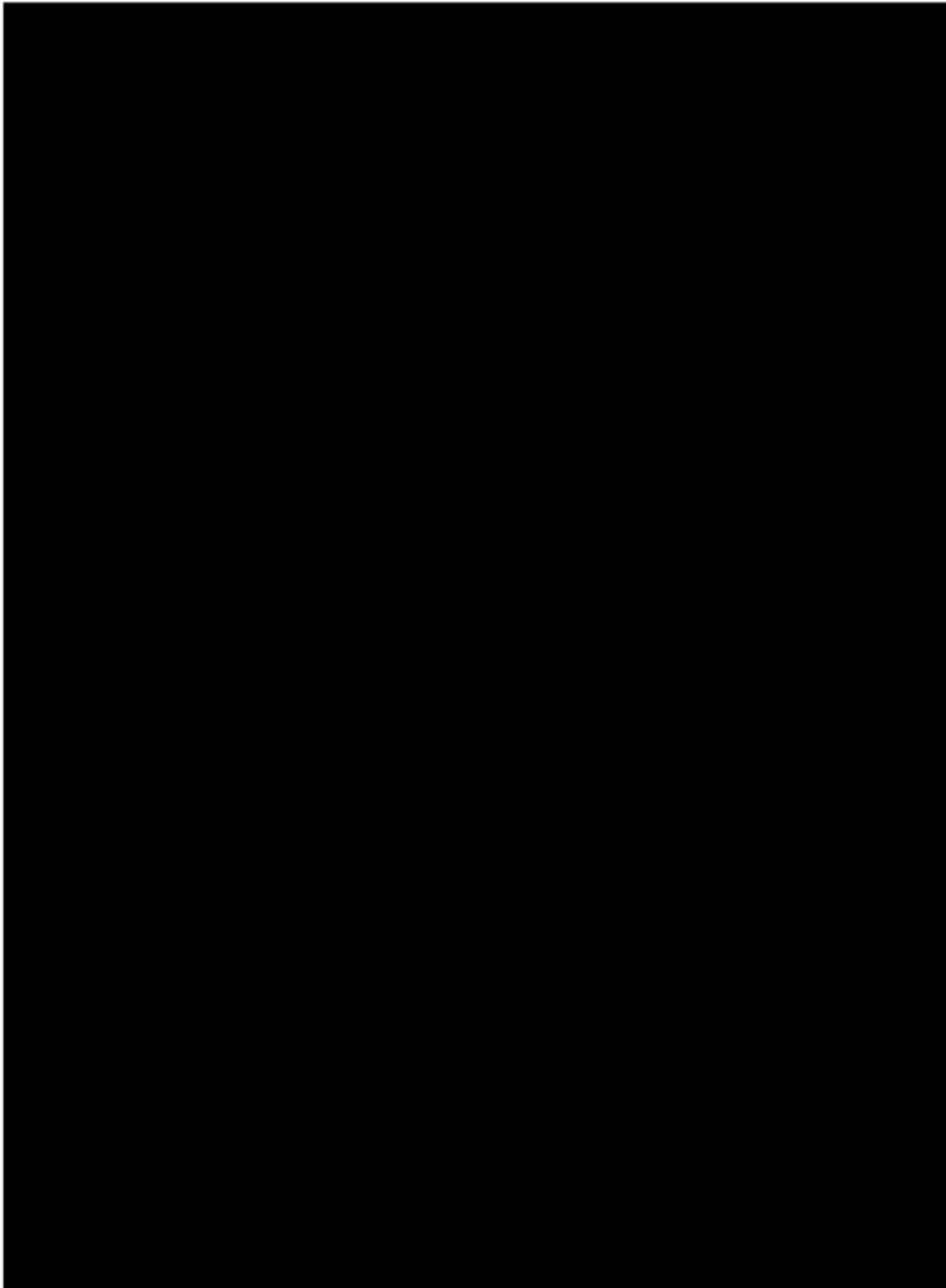
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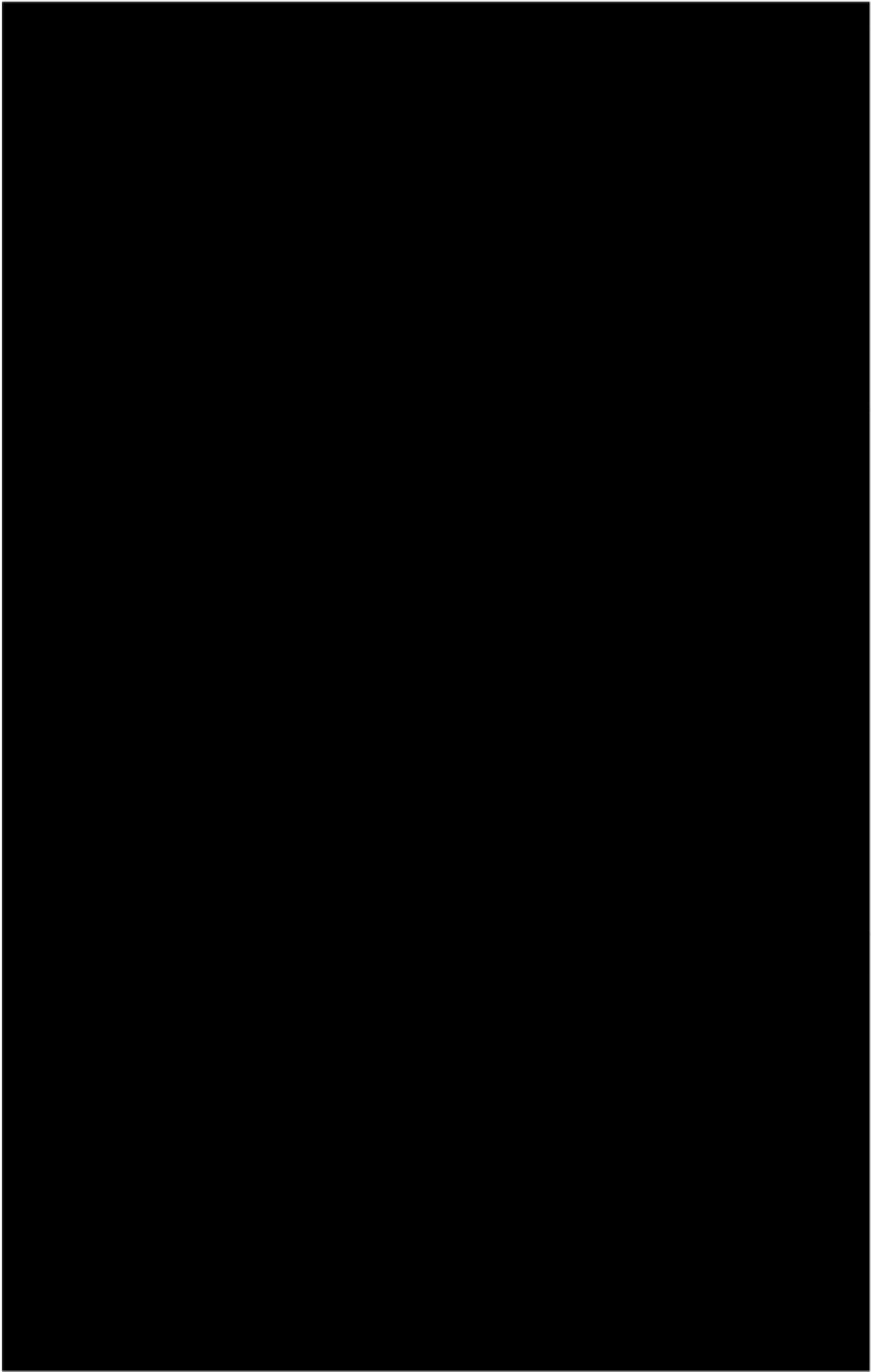


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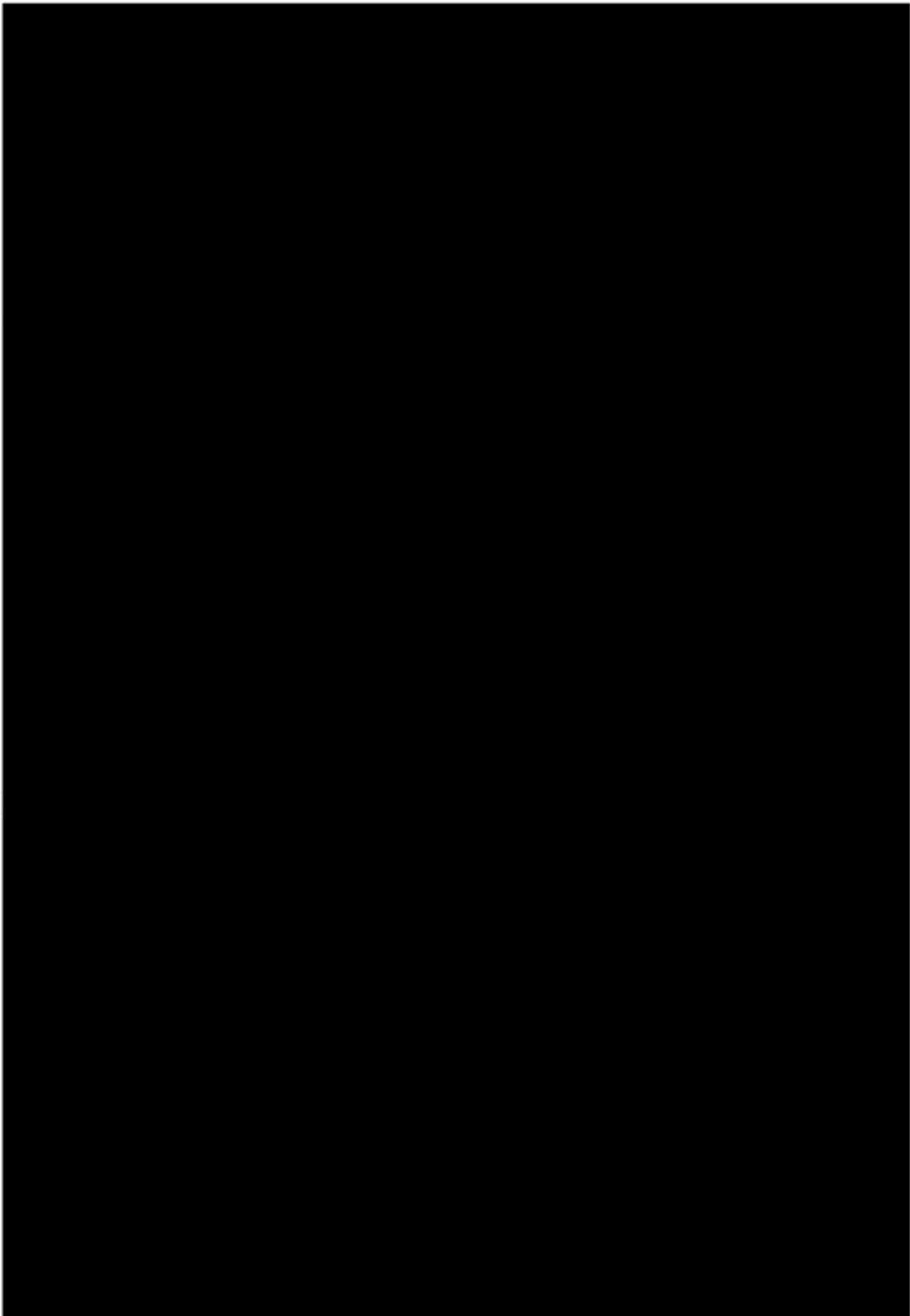
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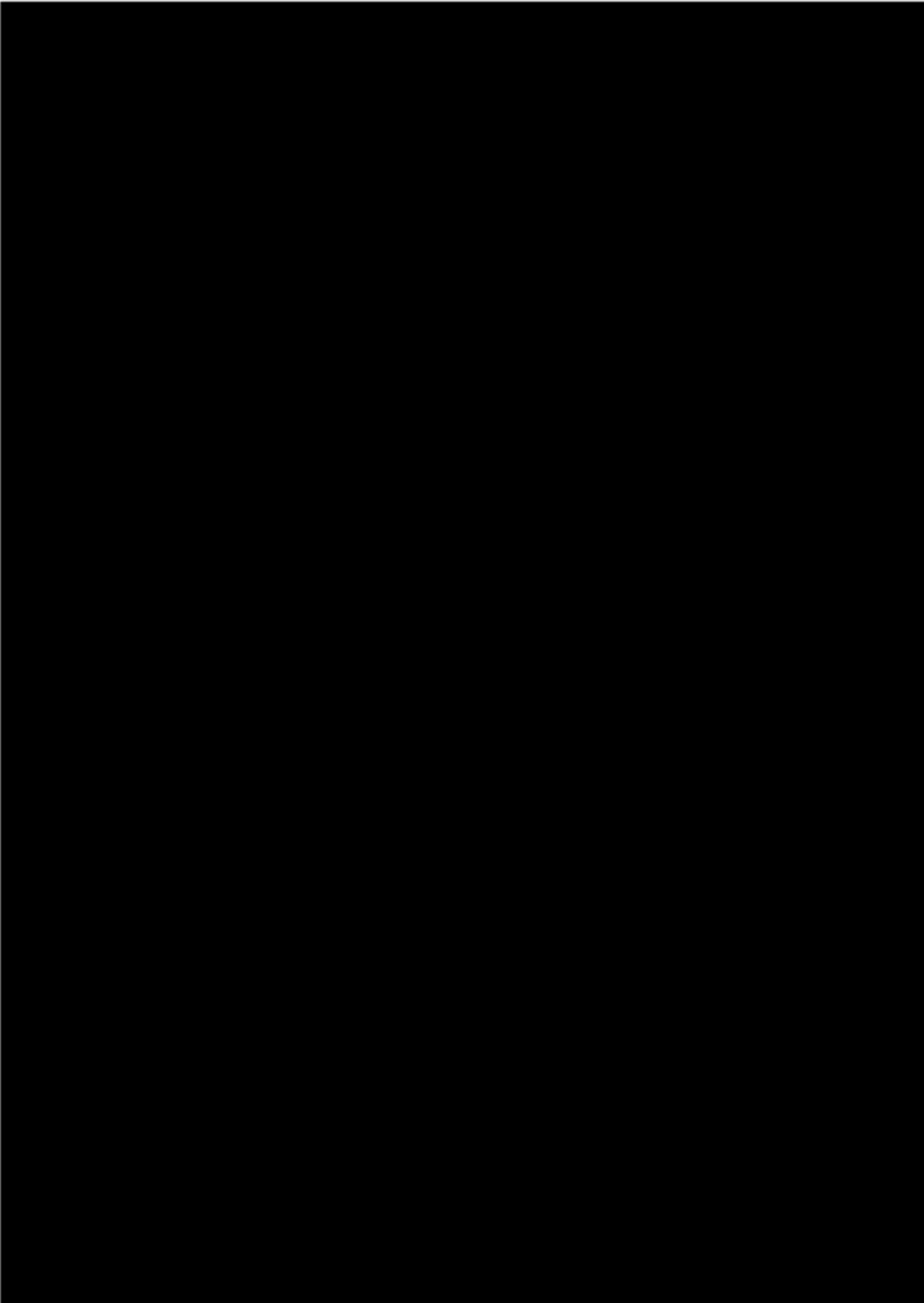
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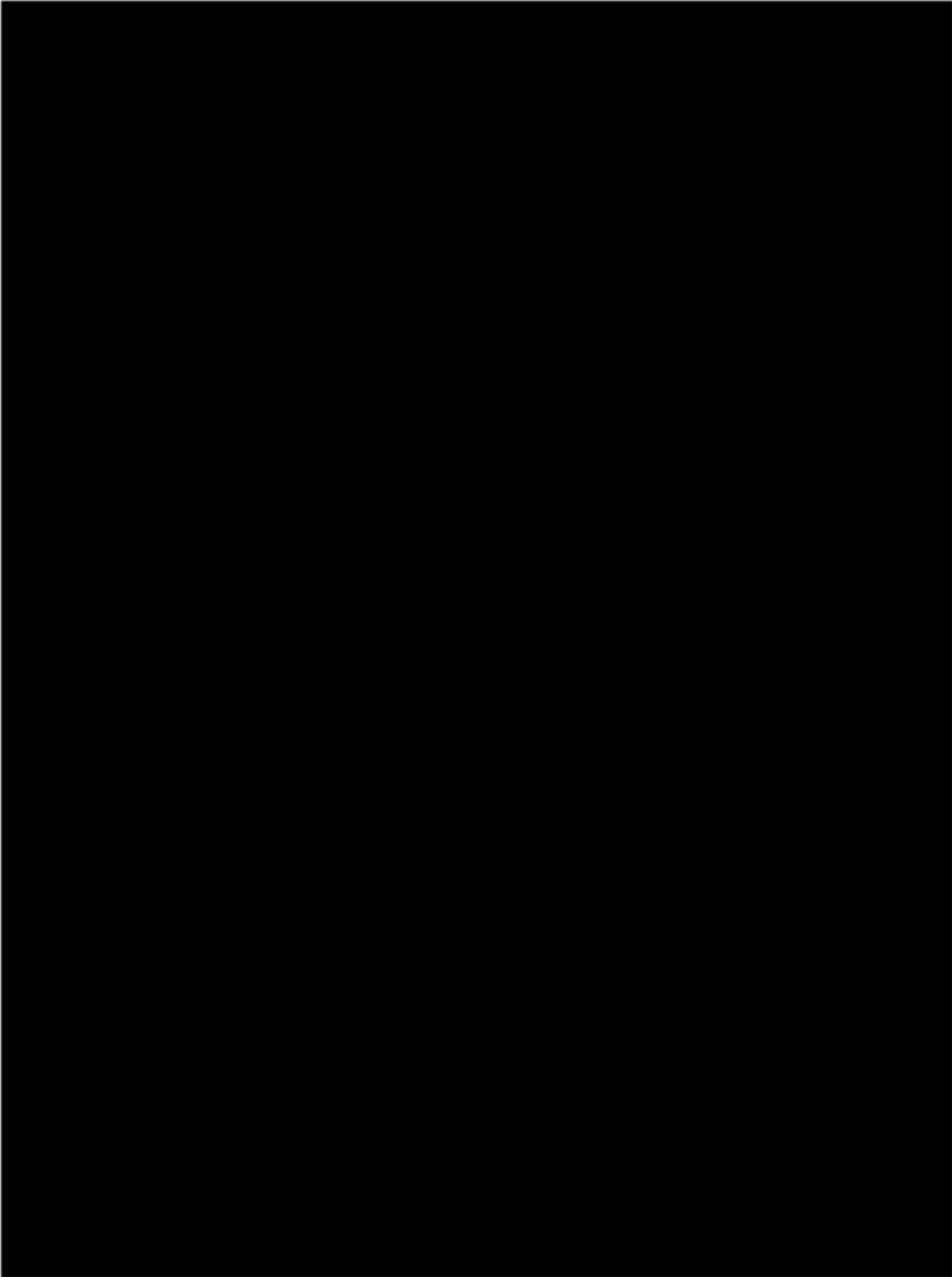
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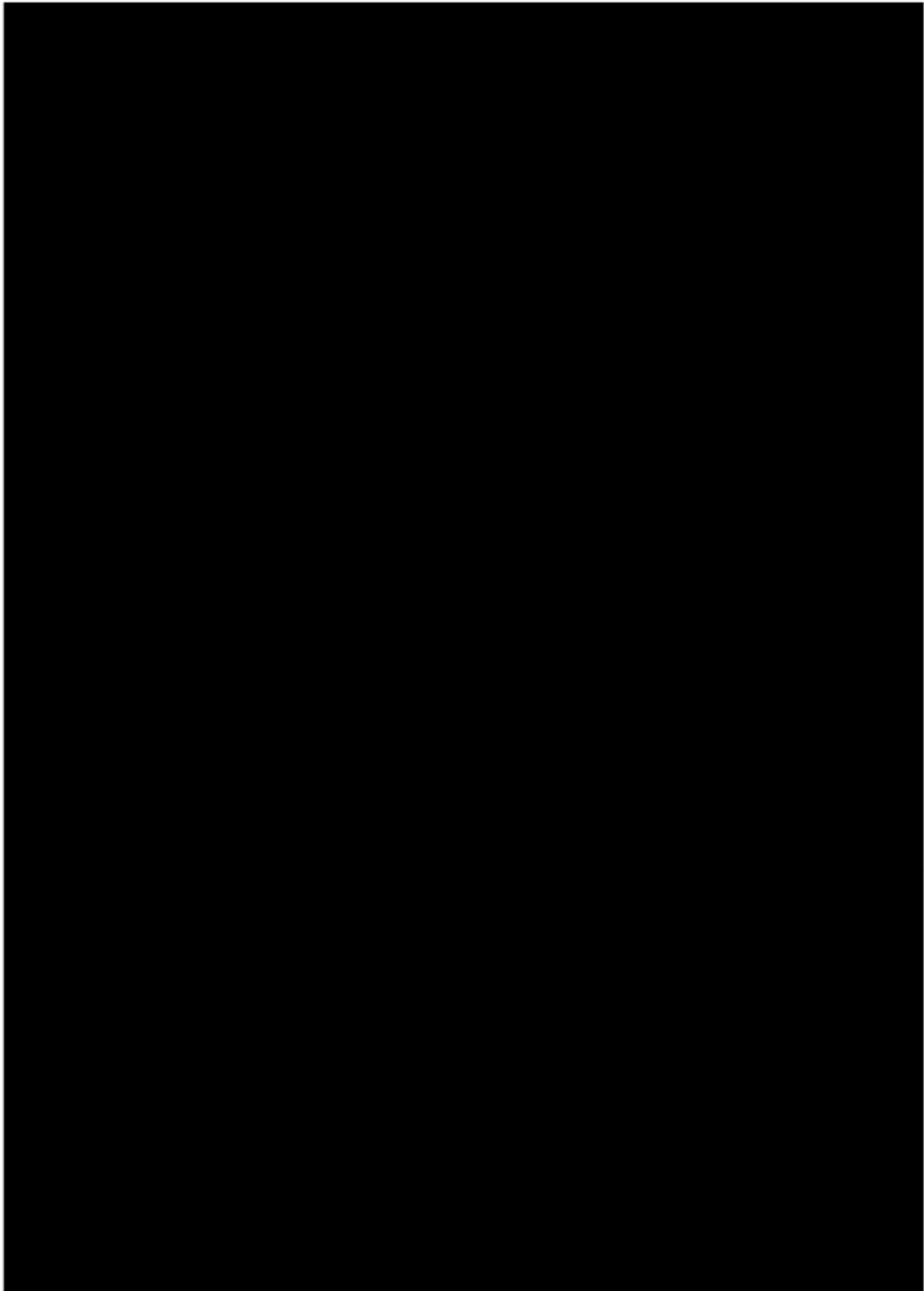
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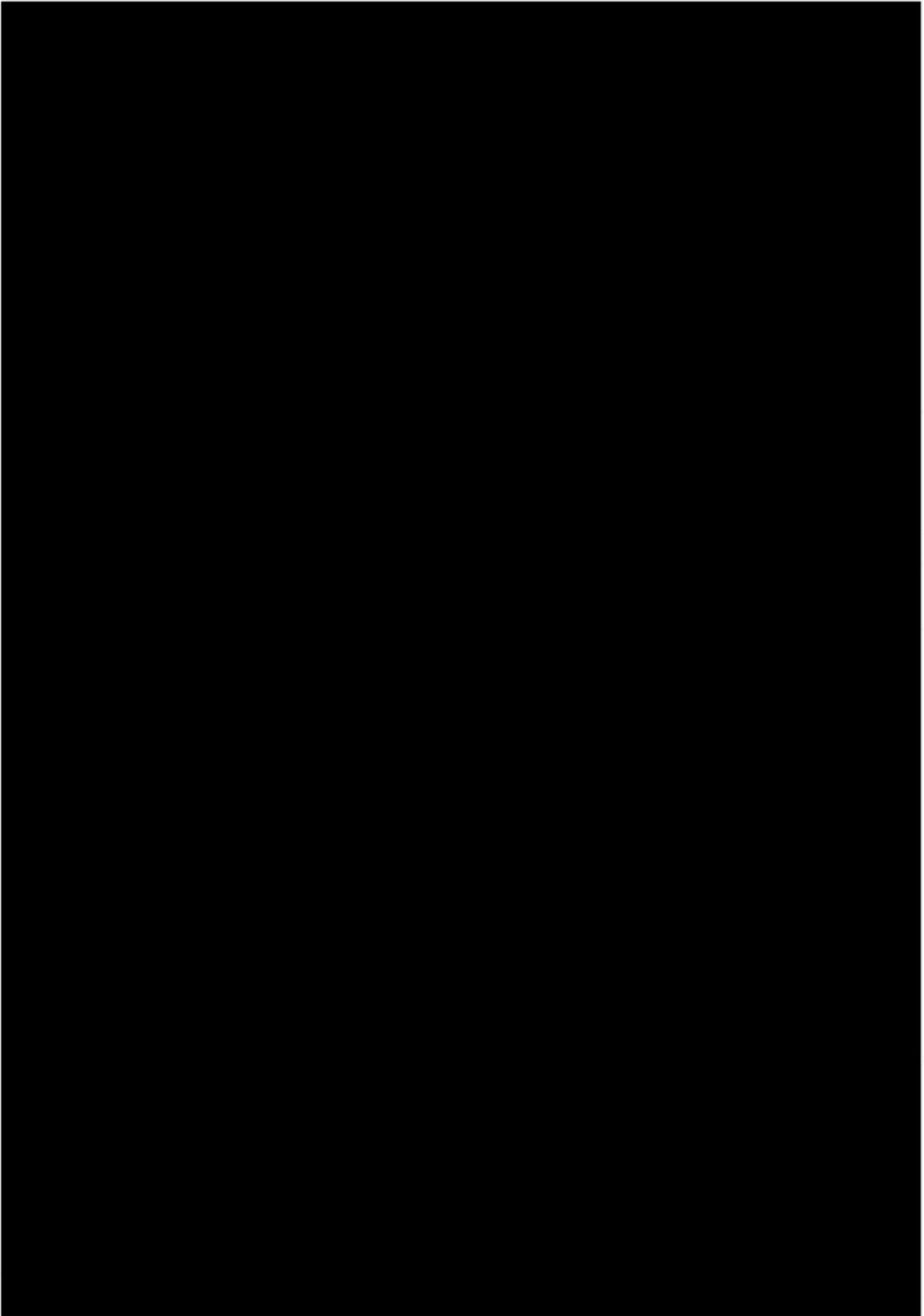


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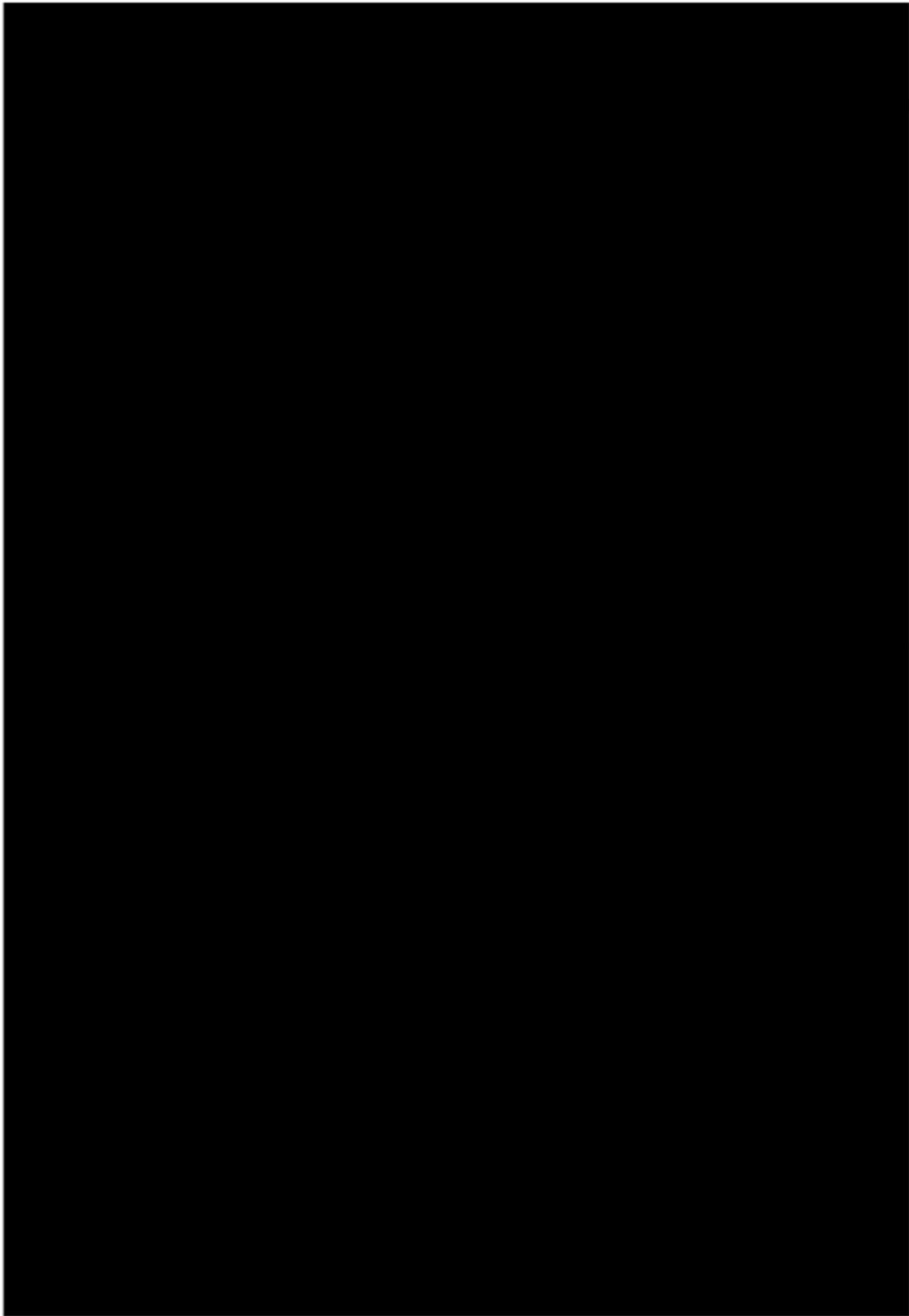


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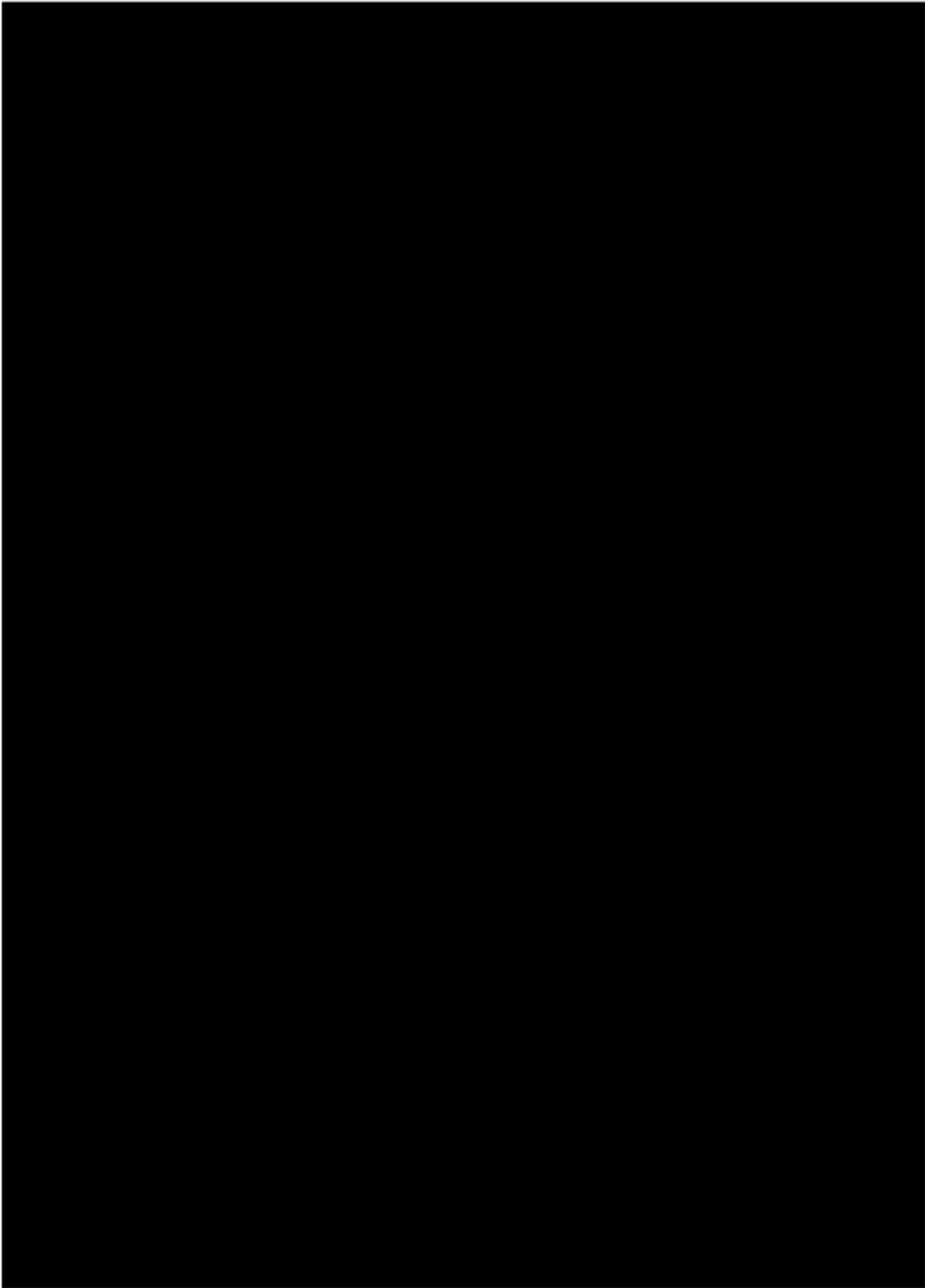
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