



FBI FACSIMILE COVER SHEET

PRECEDENCE

- ☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: 3:25 pm
 Sender's Initials: _____
 Number of Pages: _____
 (including cover sheet)

To: Sprint/Nextel

Name of Office

Date: 02/21/2007Facsimile Number: 913-315-0736Attn: Records Custodian

Name

Room

Telephone

From: FBI

Name of Office

Subject: Subpoena

Special Handling Instructions: _____

Originator's Name: SA Telephone: Originator's Facsimile Number: 561-833-7970

Approved: _____

Brief Description of Communication Faxed: _____

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or the local FBI Office immediately to arrange for proper disposition.

03956-10735

U. S. DEPARTMENT OF JUSTICE/FEDERAL BUREAU OF INVESTIGATION
SUBPOENA

In the matter of case number(s): 31E-MM-108062

TO: Sprint/Nextel
Custodian of Records
ADDRESS: 6480 Sprint Parkway
Overland Park, KS 66251
TELEPHONE: 913-315-0736

GREETING:

By the service of this subpoena upon you by SA [REDACTED], who is authorized to serve b6 -2
you are hereby commanded and required to disclose to SA [REDACTED], a representative of b7C -2
the FBI, the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or
identity, and length of service of a subscriber to or customer of such service and the types of services the subscriber or customer
utilized which may be relevant to an authorized law enforcement inquiry, involving the following:
Please provide all account records to include subscriber, user and billing
information as well as toll records (incoming and outgoing calls) for the
following number:

b6 -5
b7C -5

THE INFORMATION SOUGHT THROUGH THIS SUBPOENA RELATES TO A FEDERAL CRIMINAL
INVESTIGATION BEING CONDUCTED BY THE FBI. YOUR COMPANY IS REQUIRED TO FURNISH THIS
INFORMATION. YOU ARE REQUESTED NOT TO DISCLOSE THE EXISTENCE OF THIS SUBPOENA
INDEFINITELY AS ANY SUCH DISCLOSURE COULD INTERFERE WITH AN ONGOING INVESTIGATION
AND ENFORCEMENT OF THE LAW.

Compliance must be made by personal appearance or production of records no later than the 10 day of
March, 2007 at 10:00 o'clock A M, at 505 S. Flagler Drive, #500
West Palm Beach, Florida 33401

In lieu of a personal appearance, the information can be provided, via facsimile, marked to the attention of
SA [REDACTED], at telephone number 561-833-7970

b6 -2
b7C -2

In lieu of a personal appearance, the information can be provided, via mail, marked to the attention of
SA [REDACTED], at the following address: 505 S. Flagler Drive, #500
West Palm Beach, Florida 33401

If you refuse to obey this subpoena, the United States Attorney General may invoke the aid of a United States
District Court to compel compliance. Your failure to obey the resulting court order may be punished as contempt.

Issued under authority of Public Law 93-638
(18 U.S.C. § 3161)

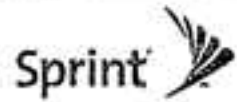
ORIGINAL

Signature

Name, Title

SRA

Issued this 21 day of February, 2007 03956-10736



SPRINT CORPORATE SECURITY, 6480 SPRINT PARKWAY, OVERLAND PARK, KS 66251

Facsimile

To:

From:

Fax:

915618337970

Company:

Federal Bureau of Investigation

Department:

Legal Compliance

Date:

February 22, 2007

Voice:

1-800-877-7330

Fax:

913-315-0736

Comments:

Total Pages: 5

03956-10737

DOJ-OGR-00030192

Sprint Nextel

Corporate Security

Mailstop KSOPHM0206

6480 Sprint Parkway

Overland Park, KS 66251

Office [REDACTED] Fax: 913-315-0736

E-mail: [REDACTED]@sprint.com

[REDACTED]
Security Coordinator

02/22/2007

[REDACTED]
Federal Bureau of Investigation
500 S. Flagler Drive

West Palm Beach, FL 33401

Your Case Number: 31EMM108062

Sprint Nextel Case Number: 2007-036084

Dear [REDACTED]

Pursuant to the above referenced case, I have enclosed the requested information associated with the following number(s):



Should you have any questions or further inquiries, please contact the Sprint Nextel Subpoena Compliance Group at 866-259-7534.

Sincerely,

A small rectangular redacted box, likely containing a signature.

Subpoena Compliance
Sprint Nextel Corporate Security
[REDACTED]@sprint.com

Enclosures

*Notice: If the records contained in the attached package are utilized in trial proceedings, and if you require a records custodian for authentication, be advised Sprint does not have local representatives. Sprint's Trial Team is located at our Corporate Headquarters in Overland Park, Kansas. You will need to contact the Trial Team at CSTrialTeam@mail.sprint.com or call our office at 913-315-8775. Our office will require at least two-weeks notice in addition to pre-paid travel arrangements by your office.

FD-340 (Rev. 4-11-03)

File Number

31E-MM-108062-1A23

Field Office Acquiring Evidence

MM-PBQA

Serial # of Originating Document

Date Received

2/26/2007

From

b6 -3

b7C -3

b3 -3

(Address)

By

SA

b6 -2

b7C -2

To Be Returned ☐ Yes ☒ NoReceipt Given ☐ Yes ☒ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

☐ Yes ☒ No

Federal Taxpayer Information (FTI)

☐ Yes ☒ No

Title:

Reference:

(Communication Enclosing Material)

Description: ☒ Original notes re interview of

Photograph shown to

b6 -3

b7C -3

b3 -1

03956-10742

DOJ-OGR-00030196



b6 -3,-5
b7C -3,-5
b3 -1



03956-10743



2 2006.07

03956-10744

FD-340 (Rev. 4-11-03)

File Number

31E-MM-108062-SEP ^{1A 24}

Field Office Acquiring Evidence

MM

Serial # of Originating Document

Date Received

03/21/2007

From

b7D -1

(Name of Contributor/Interviewee)

(Address)

(City and State)

By

SO

b6 -2

b7C -2

To Be Returned

☐

Yes

☒

No

Receipt Given

☐

Yes

☒

No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

☐

Yes

☒

No

Federal Taxpayer Information (FTI)

☐

Yes

☒

No

Title:

Reference:

(Communication Enclosing Material)

Description:

☐

Original notes re interview of

b6 -3

b7C -3

b3 -1

Subpoena info

03956-10745



b7D -1

To: SA [redacted]
From: [redacted]
Date: March 20, 2007
Pages: (including cover)

Fax Number: (561) 833-7970
Voice Number:
Subject: Subpoena Response
[redacted]

b6 -2, -5
b7C -2, -5
b7D -1

Message:



b7D -1

Note: Records could not be converted
to electronic format.

The information contained in this facsimile transmission is privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

If you have received this communication in error, please notify us immediately by telephone and return the original to us at the address listed below via regular U.S. Mail. Thank you.



03956-10746

FEB-26-2007 14:38

FBI WEST PALM BEACH RA

U. S. DEPARTMENT OF JUSTICE/FEDERAL BUREAU OF INVESTIGATION
SUBPOENA

In the matter of case number(s): 31E-MM-108062

TO:

ADDRESS:

TELEPHONE:

b7D -1

023838

GREETING:

By the service of this subpoena upon you by SA [redacted] who is authorized to serve b6 -2
you are hereby commanded and required to disclose to SA [redacted] b7C -2
a representative of
the FBI, the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or
identity, and length of service of a subscriber to or customer of such service and the types of services the subscriber or customer
utilized which may be relevant to an authorized law enforcement inquiry, involving the following:
Please provide all account records to include subscriber, user and billing
information as well as toll records (incoming and outgoing calls) for the
following number:

b6 -3
b7C -3
b3 -1

**Please provide records on digital media.

THE INFORMATION SOUGHT THROUGH THIS SUBPOENA RELATES TO A FEDERAL CRIMINAL
INVESTIGATION BEING CONDUCTED BY THE FBI. YOUR COMPANY IS REQUIRED TO FURNISH THIS
INFORMATION. YOU ARE REQUESTED NOT TO DISCLOSE THE EXISTENCE OF THIS SUBPOENA
INDEFINITELY AS ANY SUCH DISCLOSURE COULD INTERFERE WITH AN ONGOING INVESTIGATION
AND ENFORCEMENT OF THE LAW.

Compliance must be made by personal appearance or production of records no later than the 14 day of
March, 2007 at 10:00 o'clock A M, at 505 S. Flagler Drive, #500
West Palm Beach, Florida 33401

SA [redacted] the information can be provided, via facsimile ~~marked to the attention of~~ b6 -2
[redacted], at telephone number [redacted] b7C -2

In lieu of a personal appearance, the information can be provided, via mail, marked to the attention of
SA [redacted], at the following address: 505 S. Flagler Drive, #500
West Palm Beach, Florida 33401

If you refuse to obey this subpoena, the United States Attorney General may invoke the aid of the United States
District Court to compel compliance. Your failure to obey the resulting court order may be punished as contempt.

Issued under authority of Public Law 93-638
(18 U.S.C. § 3603)

ATTESTED

Signature

Name, Title

Issued this

SSRA

03956-10747
2007

FEB-26-2007 14:37
FD-448 (Rev. 6-2-97)

FBI WEST PALM BEACH RA

FBI FACSIMILE
COVER SHEET

PRECEDENCE

- ☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: _____
Sender's Initials: _____
Number of Pages: _____
(including cover sheet)

To: _____
Name of Office

Date: 02/26/2007

Facsimile Number: _____

b7D -1

Attn: Records Custodian
Name Room Telephone

From: FBI
Name of Office

Subject: _____

Special Handling Instructions: _____

Originator's Name: SA _____ Telephone: _____

b6 -2
b7C -2

Originator's Facsimile Number: 561-833-7970

Approved: _____

Brief Description of Communication Faxed: _____

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18 USC, § 641). Please notify the originator or the local FBI Office immediately to arrange for proper disposition.

03956-10748

[Redacted]

[Redacted]

March 20, 2007

SA [Redacted]
FBI
505 S. Flagler Dr. #500
W. Palm Beach, FL 33401

b6 -2
b7C -2

Dear SA [Redacted]

This is in response to the Subpoena Duces Tecum, dated February 26, 2007, and served upon [Redacted]
[Redacted] February 26, 2007. This subpoena requests [Redacted]
[Redacted]

b6 -3,-5
b7C -3,-5
b7D -1

A search of our subscriber database discloses the following information:

[Redacted]

Should you have any questions regarding this information please feel free to contact me at your convenience.
My direct telephone number is: [Redacted]

Very truly yours,

[Redacted]

[Redacted] Legal Compliance Agent
Law Enforcement Relations

Subpoena Response [Redacted]

03956-10749

**FBI FACSIMILE
COVER SHEET****PRECEDENCE**

- ☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: 2:30Sender's Initials: EBD pmNumber of Pages: _____
(including cover sheet)

To: _____

Name of Office

Date: 02/26/2007

b7D -1

Facsimile Number: _____

Attn: Records Custodian

Name

Room

Telephone

From: FBI

Name of Office

Subject: _____

Special Handling Instructions: _____

Originator's Name: SA _____

Telephone: _____

b6 -2
b7C -2Originator's Facsimile Number: 561-833-7970

Approved: _____

Brief Description of Communication Faxed: _____

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or the local FBI Office immediately to arrange for proper disposition.

03956-10764

FD-340 (Rev. 4-11-03)

File Number

31111-108032-1A25

Field Office Acquiring Evidence

MM/ACRA

Serial # of Originating Document

21111-108032-1A25

Date Received

3/23/2002

From

JTBK

(Name of Contributor/Interviewee)

(Address)

By

ST

b6 -2
b7C -2

To Be Returned

☐ Yes☒ No

Receipt Given

☐ Yes☒ NoGrand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure☐ Yes☒ No

Federal Taxpayer Information (FTI)

☐ Yes☒ No

Title:

Reference:

(Communication Enclosing Material)

Description:

☒ Original notes re interview of

JTBK subpoena Rec'd

03956-10765



Fax

To: SA [redacted] From: [redacted]

Fax: (561) 833-7970

Pages: 2 (including cover)

Phone: [redacted] Date: 3/23/2007

Re: Subpoena Response

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Enclosed please find JetBlue Airways Response to the above referenced subpoena.

[redacted]

03956-10766



VIA FACSIMILE: (561) 833-7970

March 22, 2007

SA [redacted]
505 S. Flagler Drive, #500
West Palm Beach, FL 33401

b6 -2
b7C -2

Re: [redacted]
31E-MM-108062
Subpoena Response
JetBlue Reference: 200-390a

b6 -3
b7C -3
b3 -1

SA [redacted]

b6 -2
b7C -2

Please be advised that we searched our database and do not have information responsive to the following request:

All travel information from [redacted] to or from [redacted]
International Airport and [redacted] International Airport for [redacted]
[redacted]

b6 -3
b7C -3
b3 -1

In complying with the subpoena, JetBlue Airways does not waive any privileges, defenses or any protections of persons subject to subpoenas. JetBlue Airways reserves the right to assert any and all applicable privileges with respect to confidential information and produces the demanded documents only as required by law.

[redacted]

b6 -5
b7C -5

Staff Counsel

Phone: [redacted]

118-29 Queens Boulevard
Forest Hills, New York 11375
Tel: (718) 286-7900 → Fax: (718) 709-3631

03956-10767

U. S. DEPARTMENT OF JUSTICE/FEDERAL BUREAU OF INVESTIGATION
SUBPOENA

jcsheppard.com

In the matter of case number(s): 31E-MM-108062

TO: JetBlue Subpoena Compliance

Attn: [REDACTED]

ADDRESS:

TELEPHONE: 718-709-3631

b6 -5
b7C -5**GREETING:**

By the service of this subpoena upon you by SA [REDACTED], who is authorized to serve i b6 -2
you are hereby commanded and required to disclose to SA [REDACTED], a representative of b7C -2
the FBI, the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or
identity, and length of service of a subscriber to or customer of such service and the types of services the subscriber or customer
utilized which may be relevant to an authorized law enforcement inquiry, involving the following:
Please provide all flight, reservation and billing information regarding the travel of [REDACTED] b6 -3
[REDACTED] cellular telephone [REDACTED] or the following dates/airports: b7C -3
[REDACTED] b3 -1

THE INFORMATION SOUGHT THROUGH THIS SUBPOENA RELATES TO A FEDERAL CRIMINAL
INVESTIGATION BEING CONDUCTED BY THE FBI. YOUR COMPANY IS REQUIRED TO FURNISH THIS
INFORMATION. YOU ARE REQUESTED NOT TO DISCLOSE THE EXISTENCE OF THIS SUBPOENA
INDEFINITELY AS ANY SUCH DISCLOSURE COULD INTERFERE WITH AN ONGOING INVESTIGATION
AND ENFORCEMENT OF THE LAW.

Compliance must be made by personal appearance or production of records no later than the 23 day of
March 2007 at 10:00 o'clock A M, at 505 S. Flagler Drive, #500
West Palm Beach, FL 33401

In lieu of a personal appearance, the information can be provided, via facsimile, marked to the attention of
SA [REDACTED], at telephone number [REDACTED] b6 -2
b7C -2

In lieu of a personal appearance, the information can be provided, via mail, marked to the attention of
SA [REDACTED], at the following address: 505 S. Flagler Drive, #500
West Palm Beach, FL 33401

If you refuse to obey this subpoena, the United States Attorney General may invoke the aid of a United States
District Court to compel compliance. Your failure to obey the resulting court order may be punished as contempt.

Issued under authority of Public Law No. 106-544, § 5(a)

(18 U.S.C. § 3486)

ORIG [REDACTED]

Sign [REDACTED]

Name [REDACTED]

SRA [REDACTED]

Issued this 1 day of March, 03955-10768

**FBI FACSIMILE
COVER SHEET****PRECEDENCE**

- ☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: 11:08 am
Sender's Initials: _____
Number of Pages: _____
(including cover sheet)

To: JetBlue Subpoena Compliance
Name of Office

Date: 03/01/2007

Facsimile Number: 718-709-3631

Attn: _____

Name

Room

Telephone

b6 -5
b7C -5

From: FBI

Name of Office

Subject: _____

Special Handling Instructions: _____

Originator's Name: SA _____

Telephone: _____

b6 -2
b7C -2

Originator's Facsimile Number: 561-833-7970

Approved: _____

Brief Description of Communication Faxed: Subpoena Request

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or the local FBI Office immediately to arrange for proper disposition.

03956-10769

FD-340 (Rev. 4-11-03)

File Number 31E-MM-108062-1A26Field Office Acquiring Evidence MM/PBCRT

Serial # of Originating Document _____

Date Received 3/26/2007From

b7D -1

(Address)

By SA b6 -2
b7C -2To Be Returned ☐ Yes ☒ NoReceipt Given ☐ Yes ☒ NoGrand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure☐ Yes ☒ No

Federal Taxpayer Information (FTI)

☐ Yes ☒ No

Title:

Reference: _____

(Communication Enclosing Material)

Description: ☒ Original notes re interview of _____Administrative Subpoenare: # b6 -3
b7C -3
b7D -1
b3 -1

+ Results

03956-10770

b7D -1

To: SA [REDACTED]
FBI 33401
STE 500
505 S FLAGLER DRIVE
WEST PALM BEACH FL 33401

File Code: [REDACTED]

b6 -2
b7C -2
b7D -1

From: [REDACTED]

b7D -1

Phone Number: [REDACTED]
Fax Number: (561) 833-7970

Request Dated: 2/21/2007
Received On: 2/21/2007

Number of Pages:
Date: 3/19/2007

b6 -2
b7C -2

If you are not already doing so, please begin addressing all legal requests to [REDACTED] Additionally, effective immediately, please fax all legal requests to [REDACTED]

b7D -1

- Our customer(s) upgraded to a new network, but kept the same wireless number. There are three subscriber reports from the different networks. Therefore, we have provided information from two different databases to include the subscriber's complete history during the date range requested.

CONFIDENTIALITY NOTICE

This cover sheet, and any document which may accompany it, contains information from the [REDACTED] which is intended for use only by the individual to whom it is addressed, and which may contain information that is privileged, confidential and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the person responsible for delivering this message to the intended recipient, any review, disclosure, dissemination, distribution, copying or other use of this message or its substance is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone to arrange for the return of this communication to us at our expense. Thank you.

[REDACTED] Official Use Only

b7D -1

U

R

C

O

03956-10771

U. S. DEPARTMENT OF JUSTICE/FEDERAL BUREAU OF INVESTIGATION

SUBPOENA

In the matter of case number(s): 31E-MM-108062

TO:

ADDRESS:

TELEPHONE:

b7D -1

GREETING:

By the service of this subpoena upon you by SA [redacted] who is authorized to serve [redacted] you are hereby commanded and required to disclose to SA [redacted], a representative of the FBI, the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or identity, and length of service of a subscriber to or customer of such service and the types of services the subscriber or customer utilized which may be relevant to an authorized law enforcement inquiry, involving the following:
Please provide all account records to include subscriber, user and billing information as well as toll records (incoming and outgoing calls) for the following number:

b6 -3,-5
b7C -3,-5
b3 -1

THE INFORMATION SOUGHT THROUGH THIS SUBPOENA RELATES TO A FEDERAL CRIMINAL INVESTIGATION BEING CONDUCTED BY THE FBI. YOUR COMPANY IS REQUIRED TO FURNISH THIS INFORMATION. YOU ARE REQUESTED NOT TO DISCLOSE THE EXISTENCE OF THIS SUBPOENA INDEFINITELY AS ANY SUCH DISCLOSURE COULD INTERFERE WITH AN ONGOING INVESTIGATION AND ENFORCEMENT OF THE LAW.

Compliance must be made by personal appearance or production of records no later than the 10 day of March, 2007 at 10:00 o'clock A M, at 505 S. Flagler Drive, #500 West Palm Beach, Florida 33401

In lieu of a personal appearance the information can be provided, via facsimile, marked to the attention of SA [redacted], at telephone number 561-833-7970

b6 -2
b7C -2

In lieu of a personal appearance, the information can be provided, via mail, marked to the attention of SA [redacted], at the following address: 505 S. Flagler Drive, #500 West Palm Beach, Florida 33401

If you refuse to obey this subpoena, the United States Attorney General may invoke the aid of the United States District Court to compel compliance. Your failure to obey the resulting court order may be punished as contempt.

Issued under authority of Public Law 93-638
(18 U.S.C. §3401)

ATTESTED CO

Signature:

Name, Title

SSRA

Issued this 21 day of February, 2007 03056-10772

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
Civil Action# 17-cv-03956

Total Deleted Page(s) = 79

Page 38 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
Page 39 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
Page 40 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
Page 41 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 42 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 43 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
Page 44 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 45 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 46 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 47 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 48 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 49 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 50 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 51 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 52 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 53 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 54 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 55 ~ b3 - 1; b6 - -3,-5; b7C - -3,-5; b7E - 1;
Page 56 ~ b3 - 1; b6 - 2,-3; b7C - 2,-3; b7E - 1;
Page 59 ~ b3 - 1; b6 - 1,-2,-3; b7C - 1,-2,-3; b7D - 1;
Page 60 ~ b3 - 1; b6 - 1,-3,-5; b7C - 1,-3,-5; b7D - 1;
Page 61 ~ b3 - 1; b6 - 1,-3; b7C - 1,-3; b7D - 1;
Page 62 ~ b3 - 1; b6 - 1,-3; b7C - 1,-3;
Page 63 ~ b3 - 1; b6 - 1,-3; b7C - 1,-3;
Page 64 ~ b3 - 1; b6 - 1,-3; b7C - 1,-3;
Page 65 ~ b3 - 1; b6 - 3; b7C - 3;
Page 66 ~ b3 - 1; b6 - 1,-2,-3,-6; b7C - 1,-2,-3,-6; b7D - 1;
Page 67 ~ b3 - 1; b6 - 1,-3; b7C - 1,-3;
Page 68 ~ b3 - 1; b6 - 3,-5; b7C - 3,-5;
Page 69 ~ b3 - 1; b6 - 2,-3; b7C - 2,-3; b7E - 1;
Page 70 ~ b3 - 1; b6 - 2,-3; b7C - 2,-3; b7E - 1;
Page 71 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
Page 74 ~ b6 - 3; b7C - 3; b7E - 1;
Page 75 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 76 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 77 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 78 ~ b6 - 3; b7C - 3; b7E - 1;
Page 79 ~ b6 - 3; b7C - 3; b7E - 1;
Page 80 ~ b6 - 3; b7C - 3; b7E - 1;
Page 81 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 82 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 83 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 84 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 85 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 86 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 87 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 88 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
Page 89 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;

Page 90 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 91 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 92 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 93 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 94 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 95 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 96 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 97 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 98 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 99 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 100 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 101 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 102 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 103 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 104 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 105 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 106 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 107 ~ b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 108 ~ b6 - 2,-3; b7C - 2,-3; b7E - 1;
 Page 109 ~ b6 - 2,-3; b7C - 2,-3; b7E - 1;
 Page 110 ~ b6 - 2,-3; b7C - 2,-3; b7E - 1;
 Page 121 ~ b3 - 1; b6 - 1,-2,-3,-5; b7C - 1,-2,-3,-5; b7D - 1;
 Page 122 ~ b3 - 1; b6 - 1,-3,-5; b7C - 1,-3,-5; b7D - 1;
 Page 123 ~ b3 - 1; b6 - 1,-3,-5; b7C - 1,-3,-5; b7D - 1;
 Page 124 ~ b3 - 1; b6 - 1,-2,-3; b7C - 1,-2,-3; b7D - -1;
 Page 125 ~ b3 - 1; b6 - 1,-3; b7C - 1,-3; b7D - 1;
 Page 127 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
 Page 128 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
 Page 129 ~ b3 - 1; b6 - 3; b7C - 3; b7E - 1;
 Page 130 ~ b3 - 1; b6 - 3,-5; b7C - 3,-5; b7E - 1;
 Page 131 ~ b3 - 1; b6 - 3; b7C - 3;

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 X Deleted Page(s) X
 X No Duplication Fee X
 X For this Page X
 XXXXXXXXXXXXXXXXXXXXXXXXXXXX

FD-340 (Rev. 4-11-03)

File Number 31E-MM-108062-1A95Field Office Acquiring Evidence MM/PBCRA

Serial # of Originating Document _____

Date Received VariousFrom _____
(Name of Contributor/Interviewee)_____
(Address)_____
(City and State)By SA To Be Returned ☐ Yes☒ NoReceipt Given ☐ Yes☒ NoGrand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure☐ Yes☒ No

Federal Taxpayer Information (FTI)

☐ Yes☒ No

Title:

Reference: _____
(Communication Enclosing Material)Description: ☒ Original notes re interview ofBiographical file forand Myspace informationb6 -2
b7C -2b6 -3
b7C -3
b3 -1

03956-10453

PALM BEACH POLICE DEPARTMENT
www.palmbeachpolice.com



In any Emergency *Police • Fire • Medical* Call 9-1-1
Non-Emergency (561) 838-5454 TIPS Line (561) 835-4738

b6 -3
b7C -3
b3 -1

03956-10454

MySpace.com | Home

The Web ☒ MySpace ☐

Search

Help | SignUp

SPIRIT **RED LIGHT**
AIRLINES **SPECIALS**fares from **\$29** *
EACH WAY[click here](#)*ADDITIONAL TAXES & FEES APPLY. FARES ARE EACH WAY, BASED ON ROUND TRIP PRICING.[Home](#) | [Browse](#) | [Search](#) | [Invite](#) | [Film](#) | [Mail](#) | [Blog](#) | [Favorites](#) | [Forum](#) | [Groups](#) | [Events](#) | [Videos](#) | [Music](#) | [Comedy](#) | [Classifieds](#)

"Happiness makes the
world go round!"

Female

United States

Last Login: 10/1/2006

[View My: Pics | Videos](#)

Contacting

Send Message

Forward to Friend

Add to Friends

Add to Favorites

Instant Message

Block User

Add to Group

Rank User

MySpace URL:
<http://www.myspace.com/>

is in your extended network

Entry [\[Subscribe\]](#)[\[View All Blog Entries\]](#)

About me:

Who I'd like to meet:

Friend Space

has 275 friends.

03956-10455

10/3/2006

<http://profile.myspace.com/index.cfm?fuseaction=user.viewprofile&friendID=>

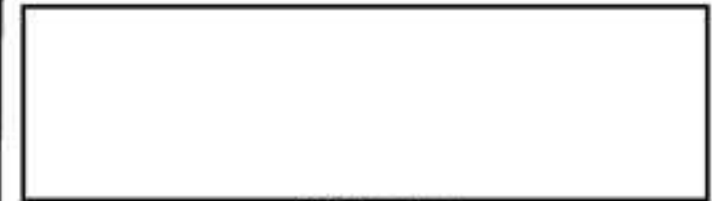
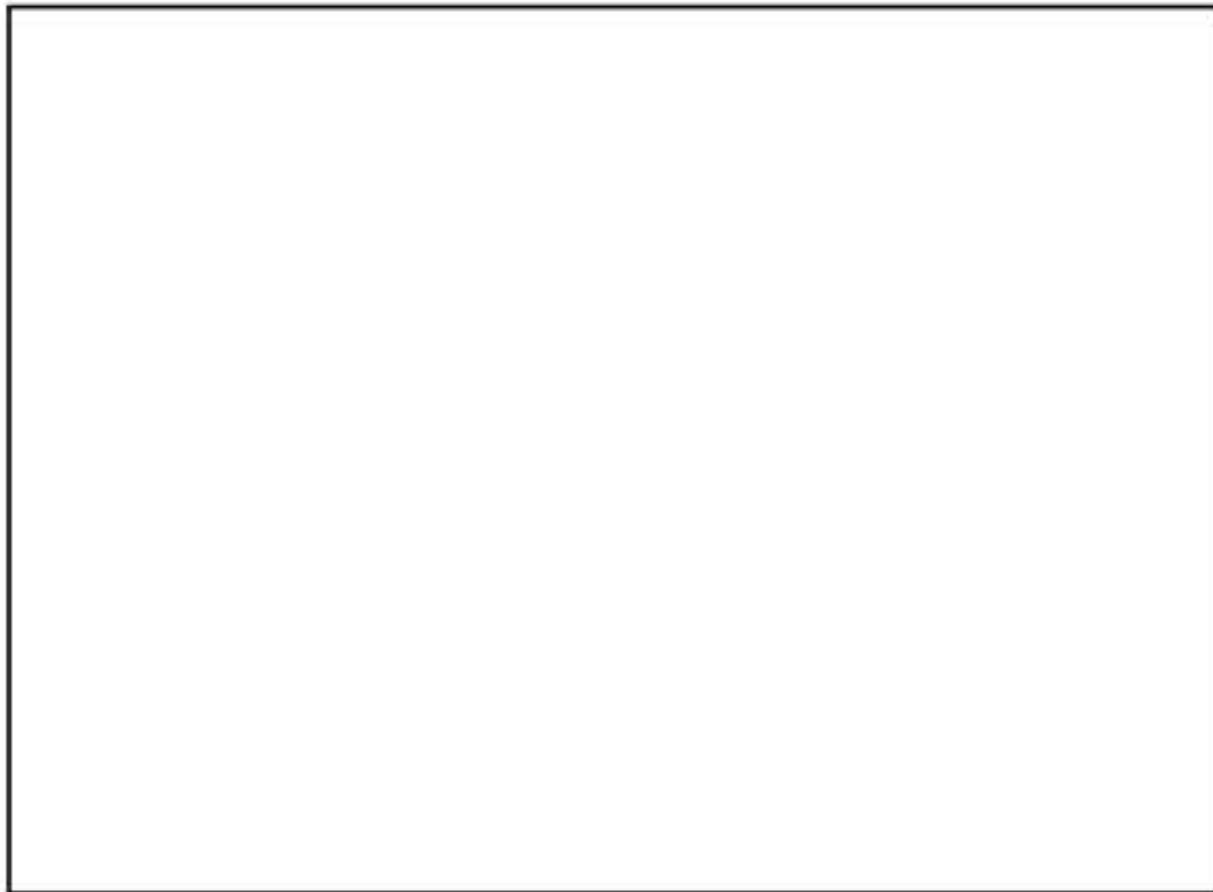


Interests

General

INSIDE CLUB NV



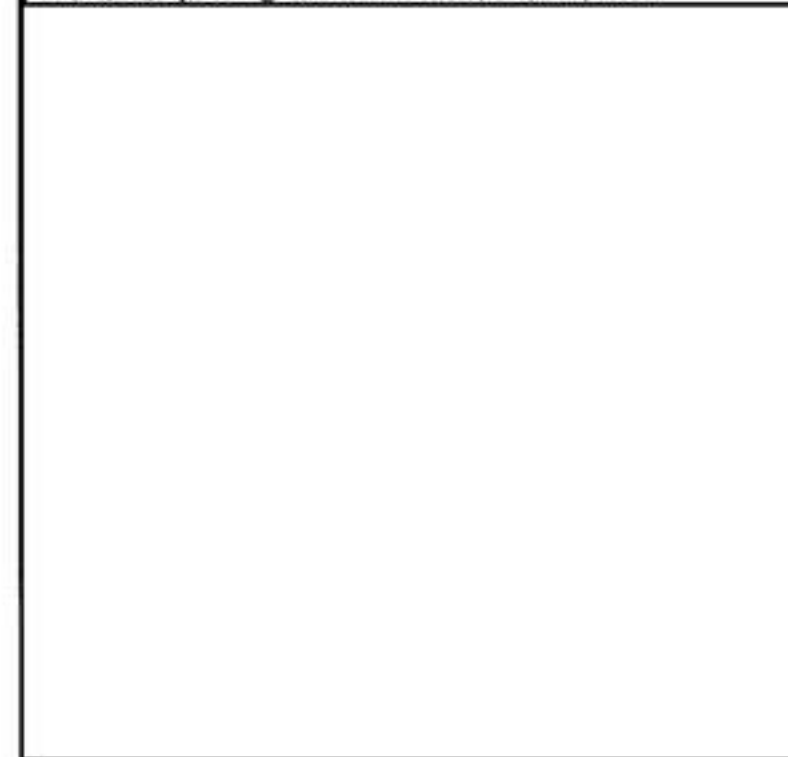


Online Now!

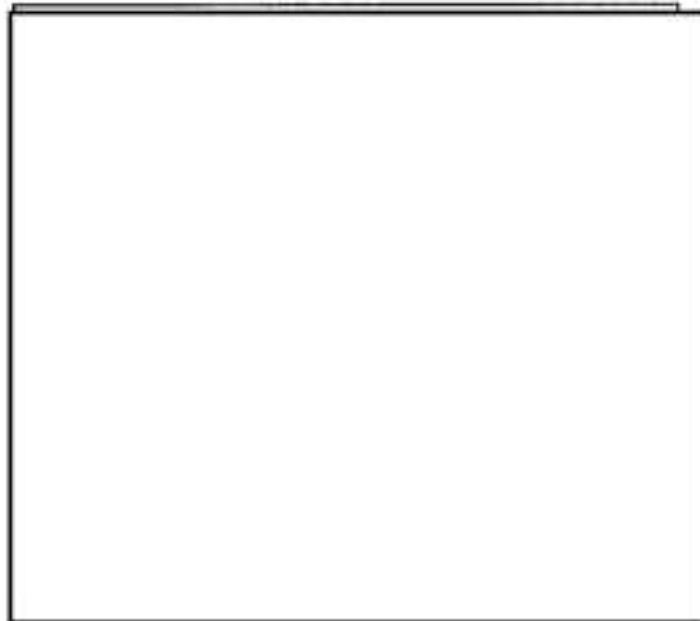


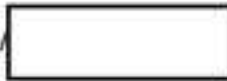
Friends Comments

Displaying 48 of 308 comments (View All | Add C

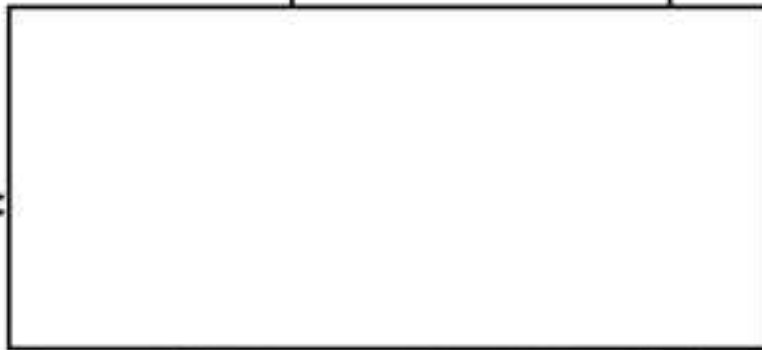


Music





Groups:



Details

Status:

Here for:

Orientation:

Hometown:

Body type:

Ethnicity:

Religion:

Zodiac

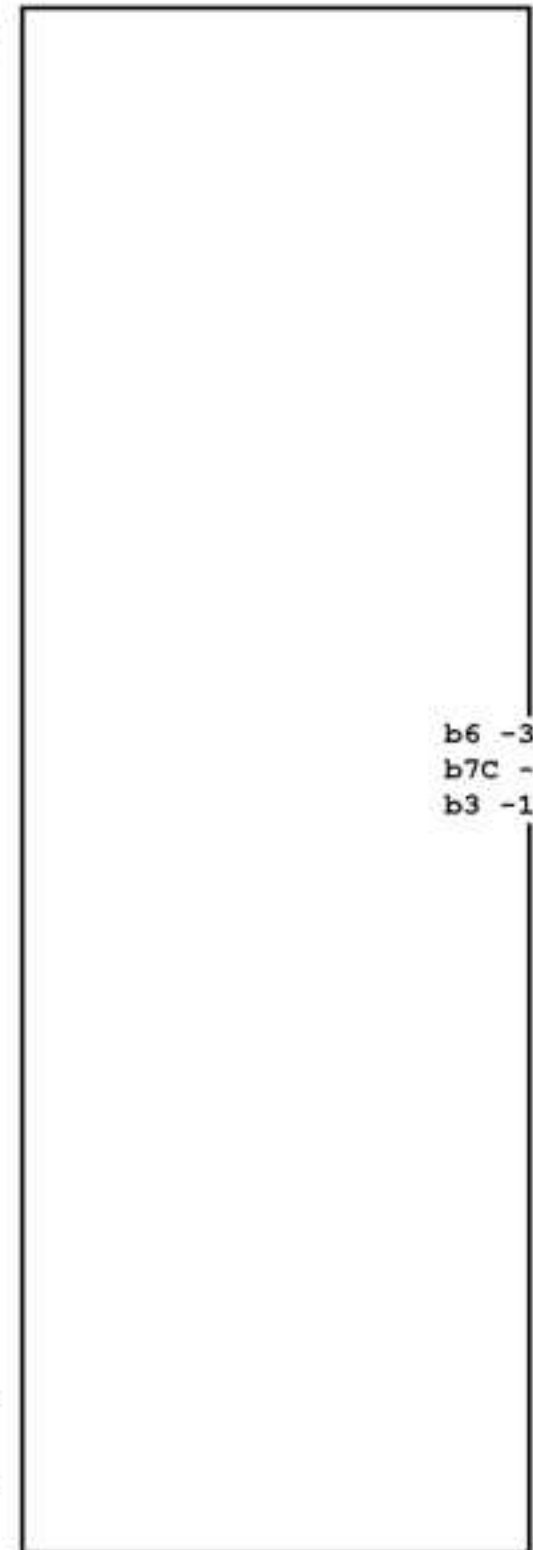
Sign:

Smoke /
Drink:

Children:



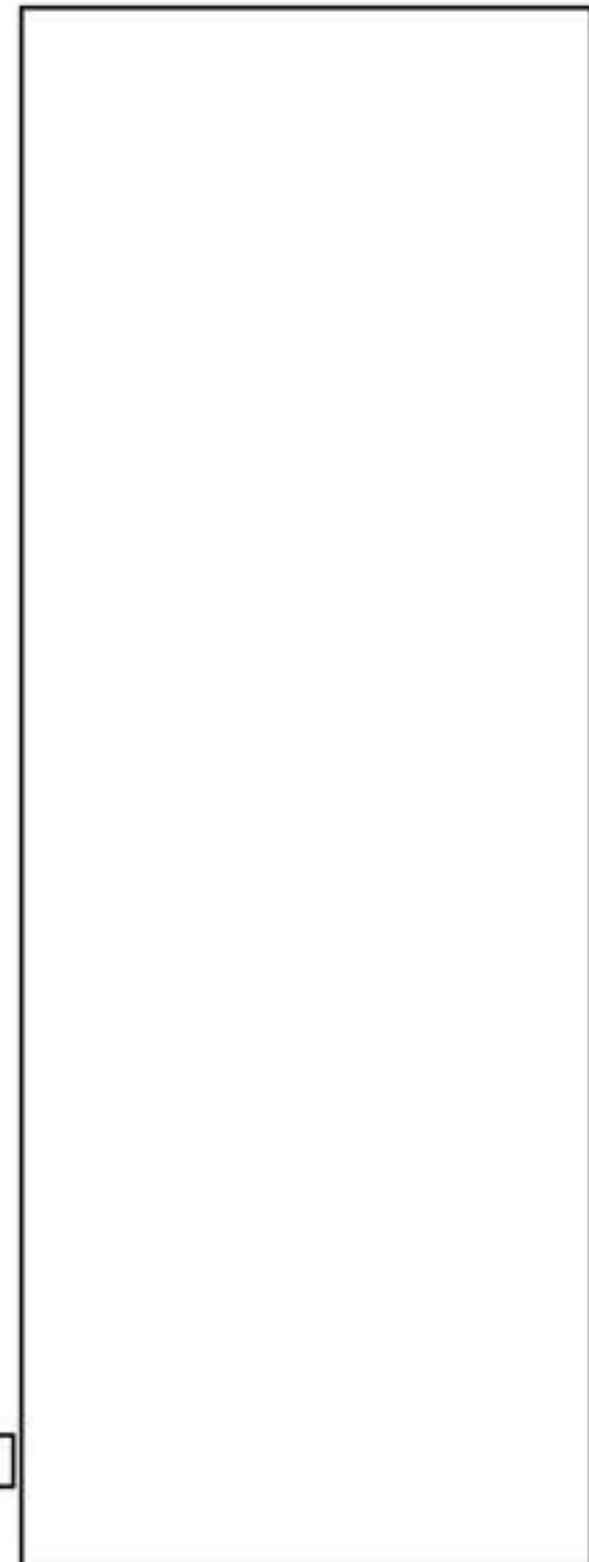
b6 -3,-5
b7C -3,-5
b3 -1



Education:	[redacted]
Occupation:	[redacted]
Income:	[redacted]

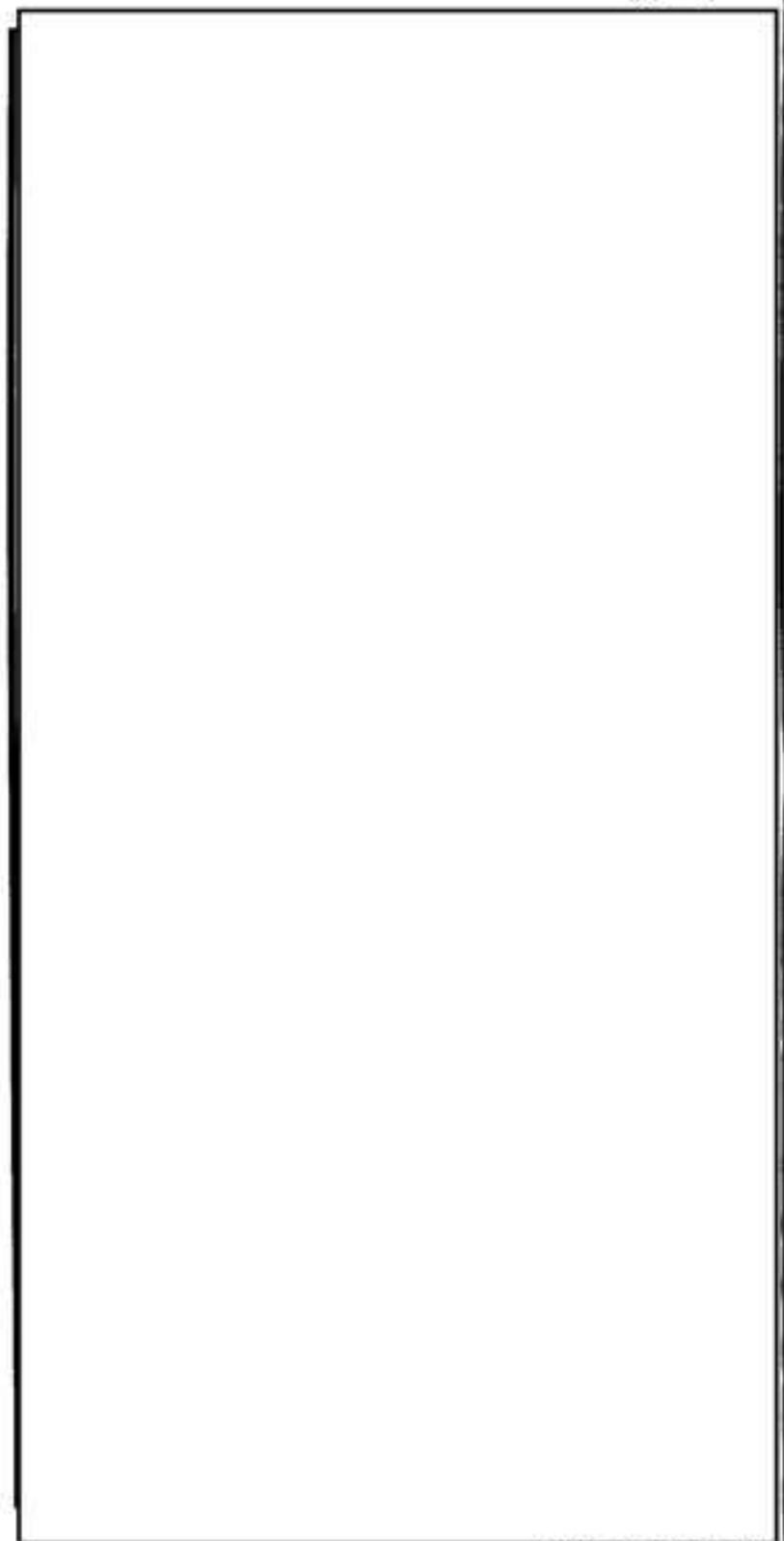
[redacted]

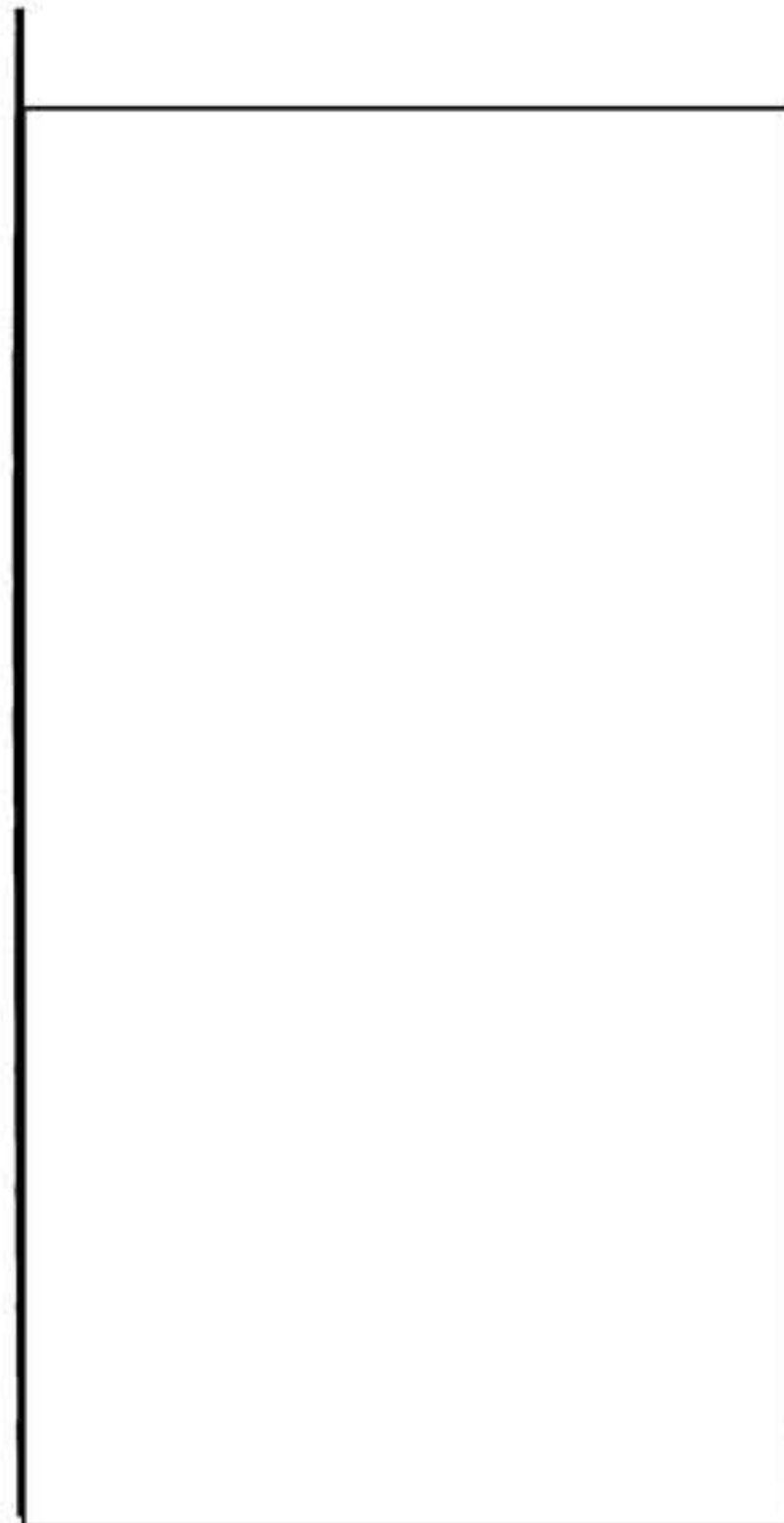
[redacted]

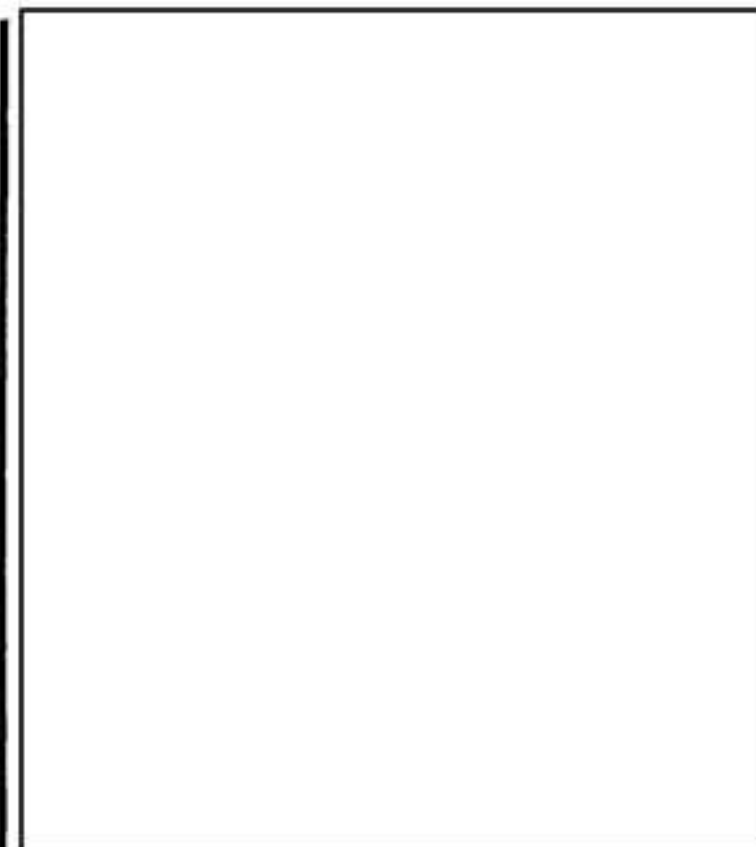


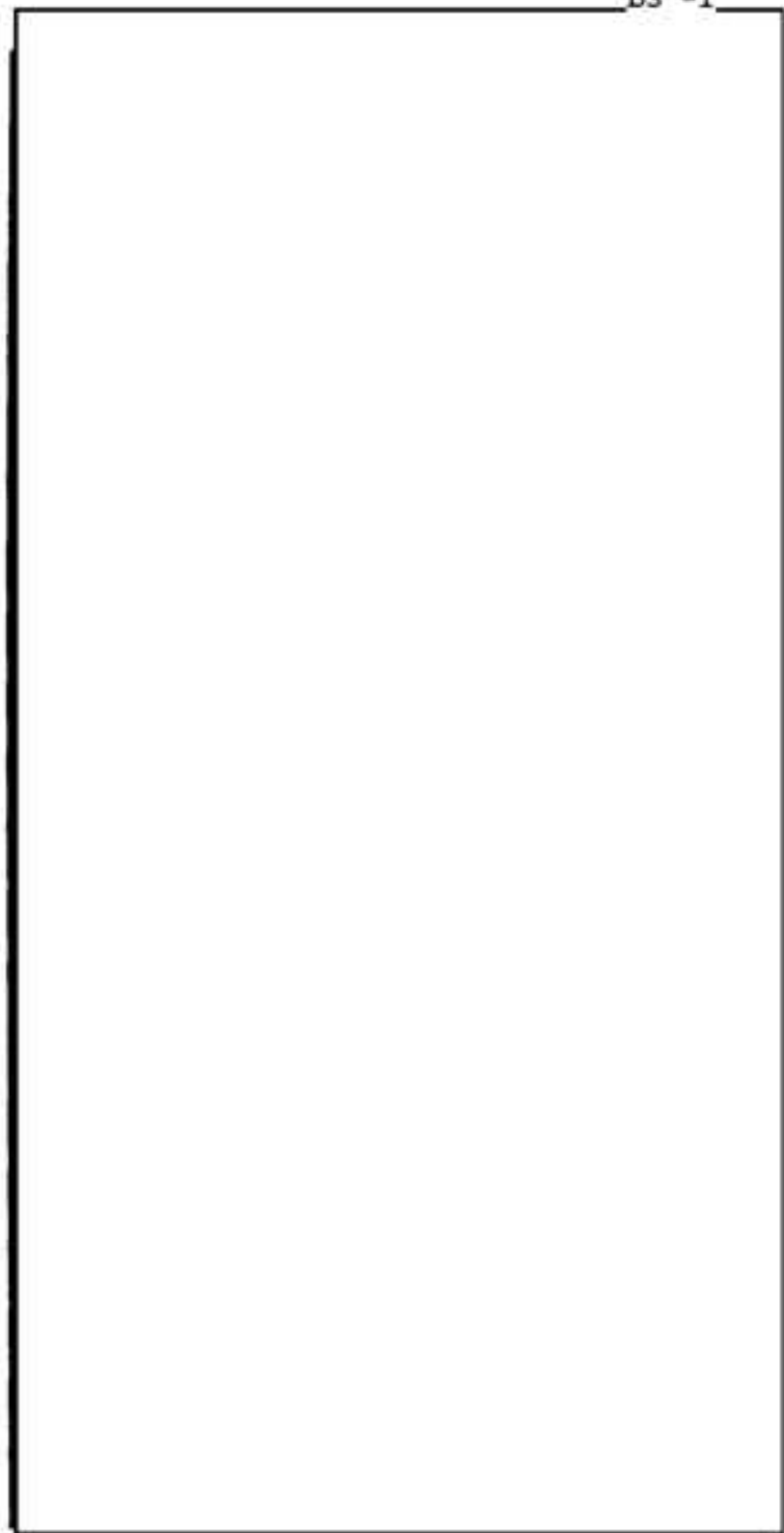


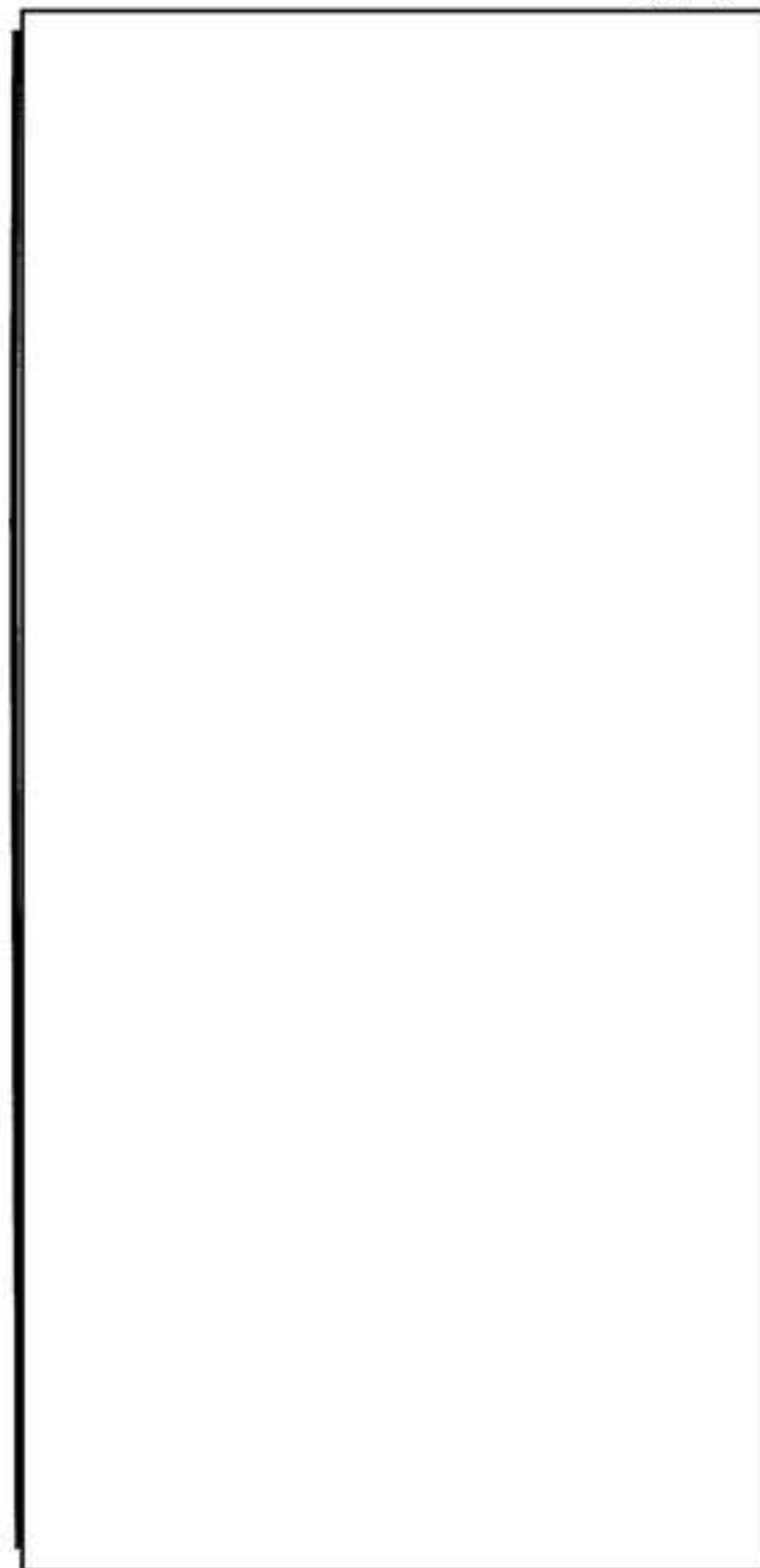


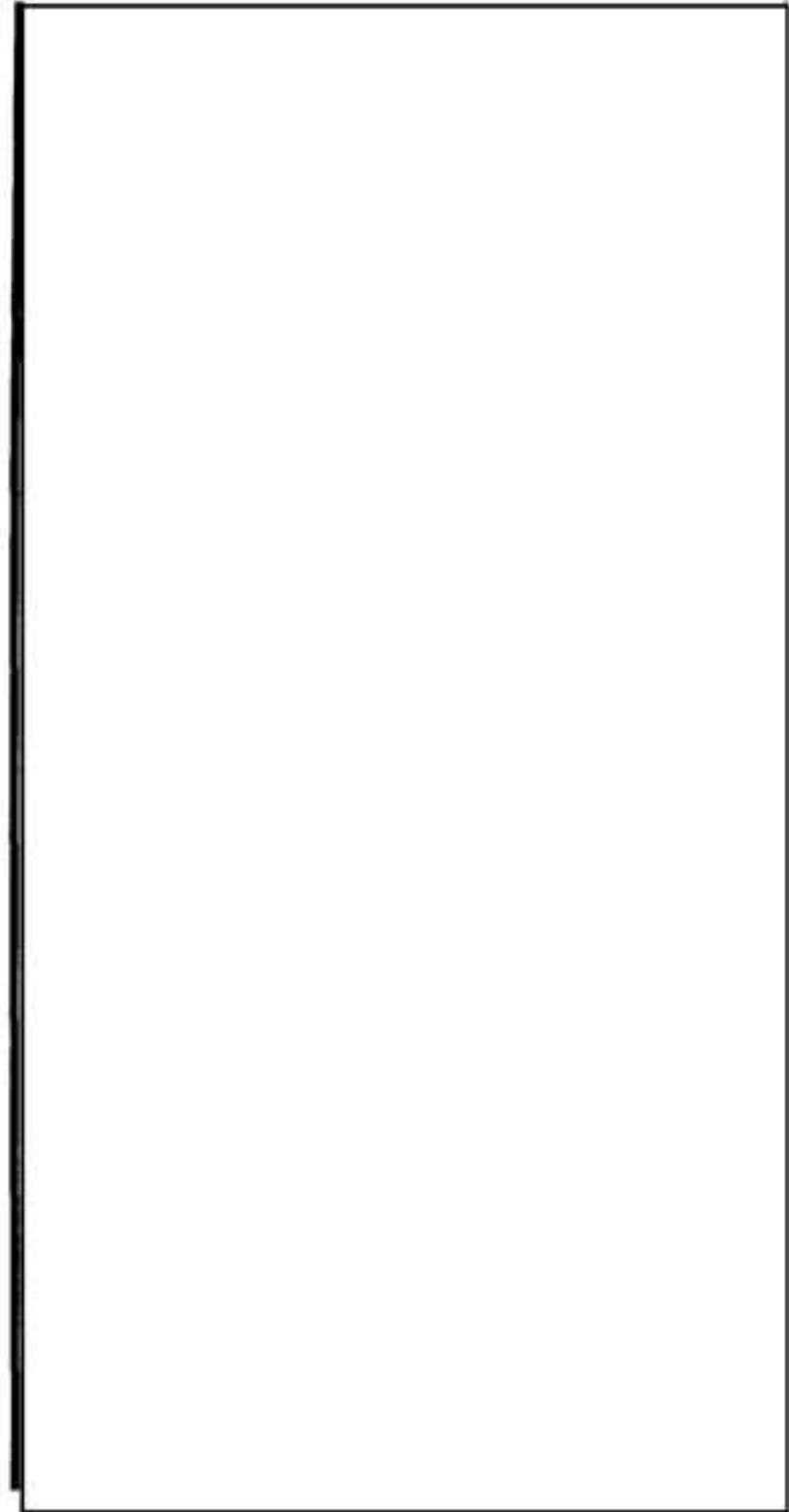


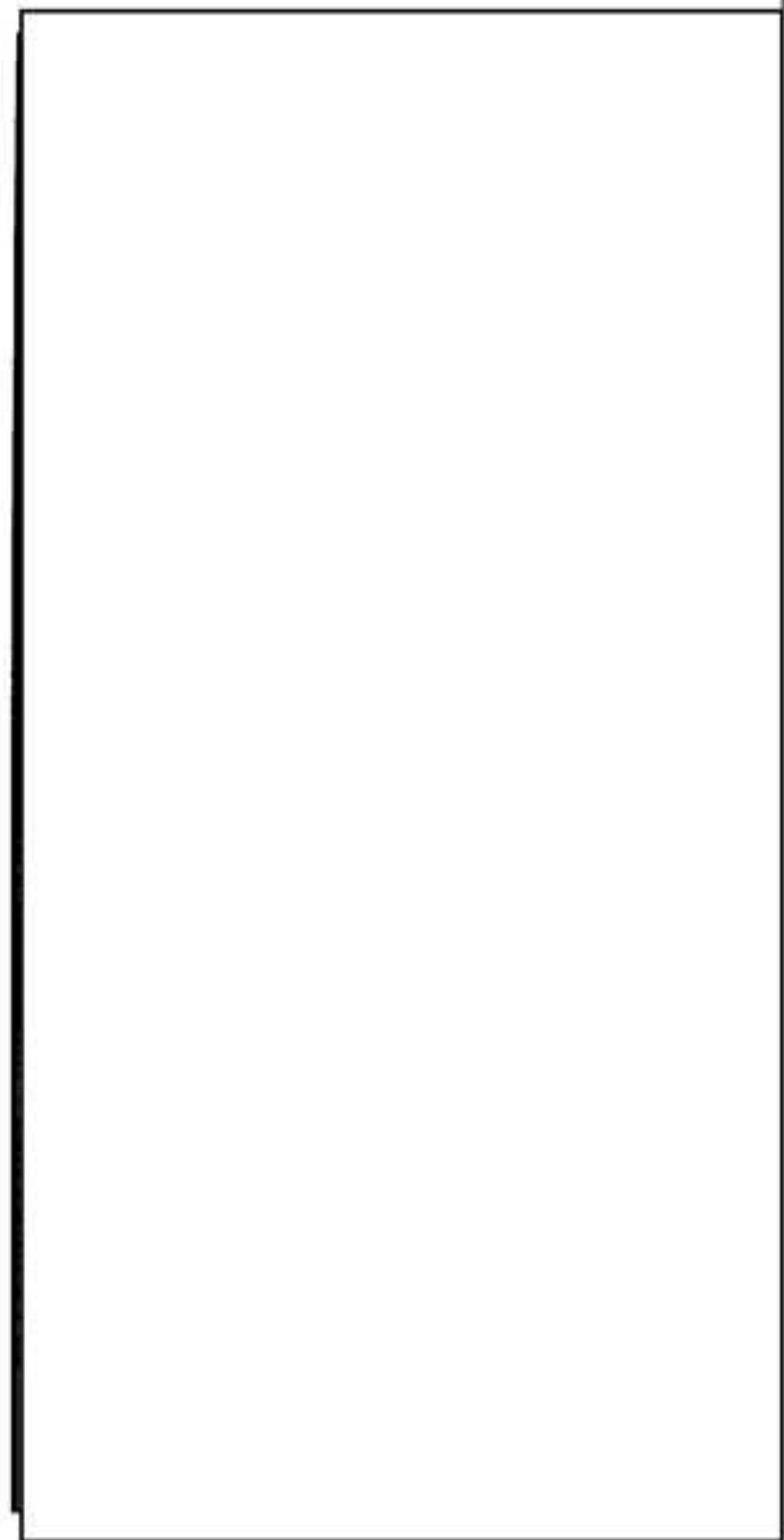


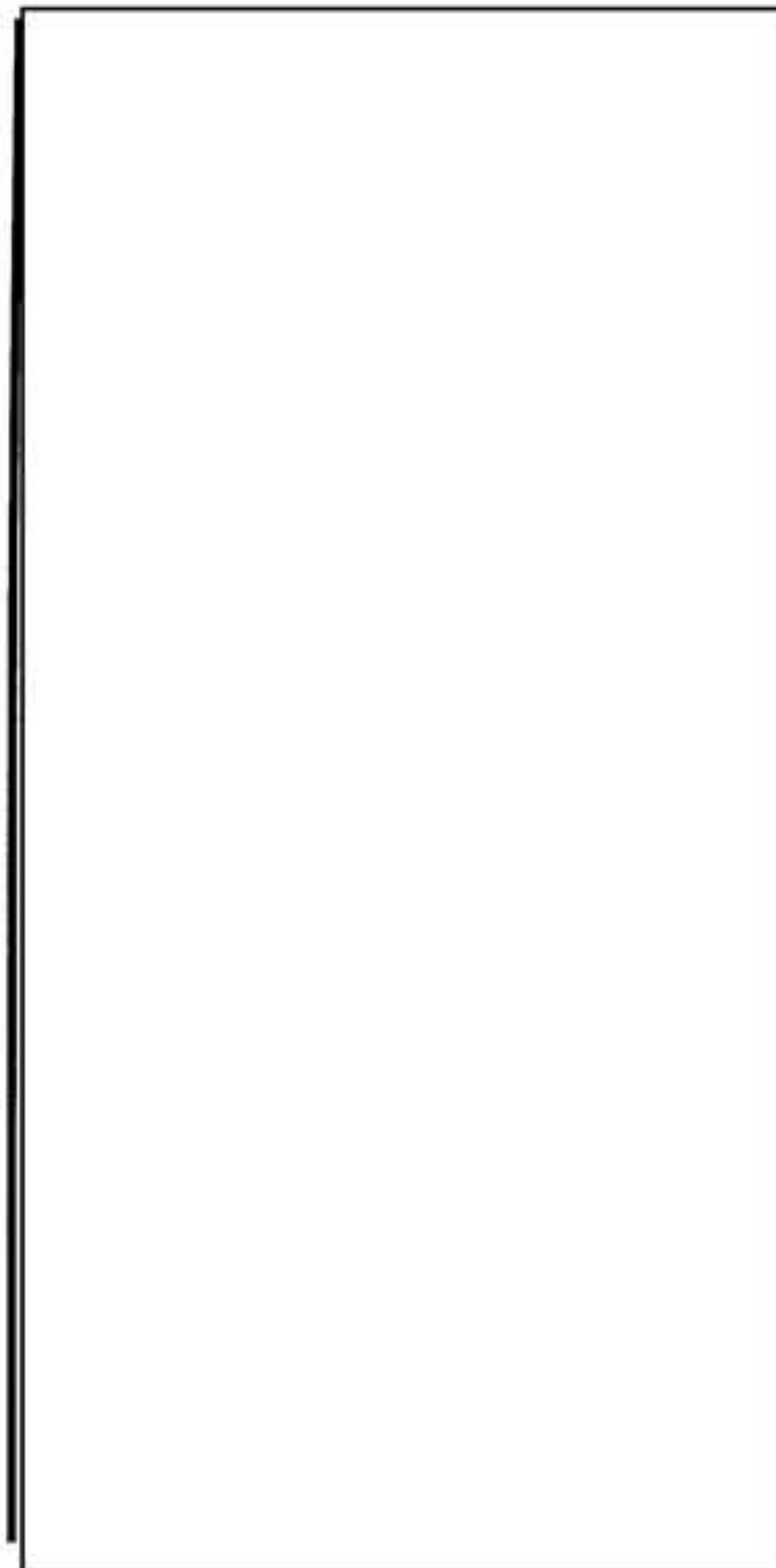


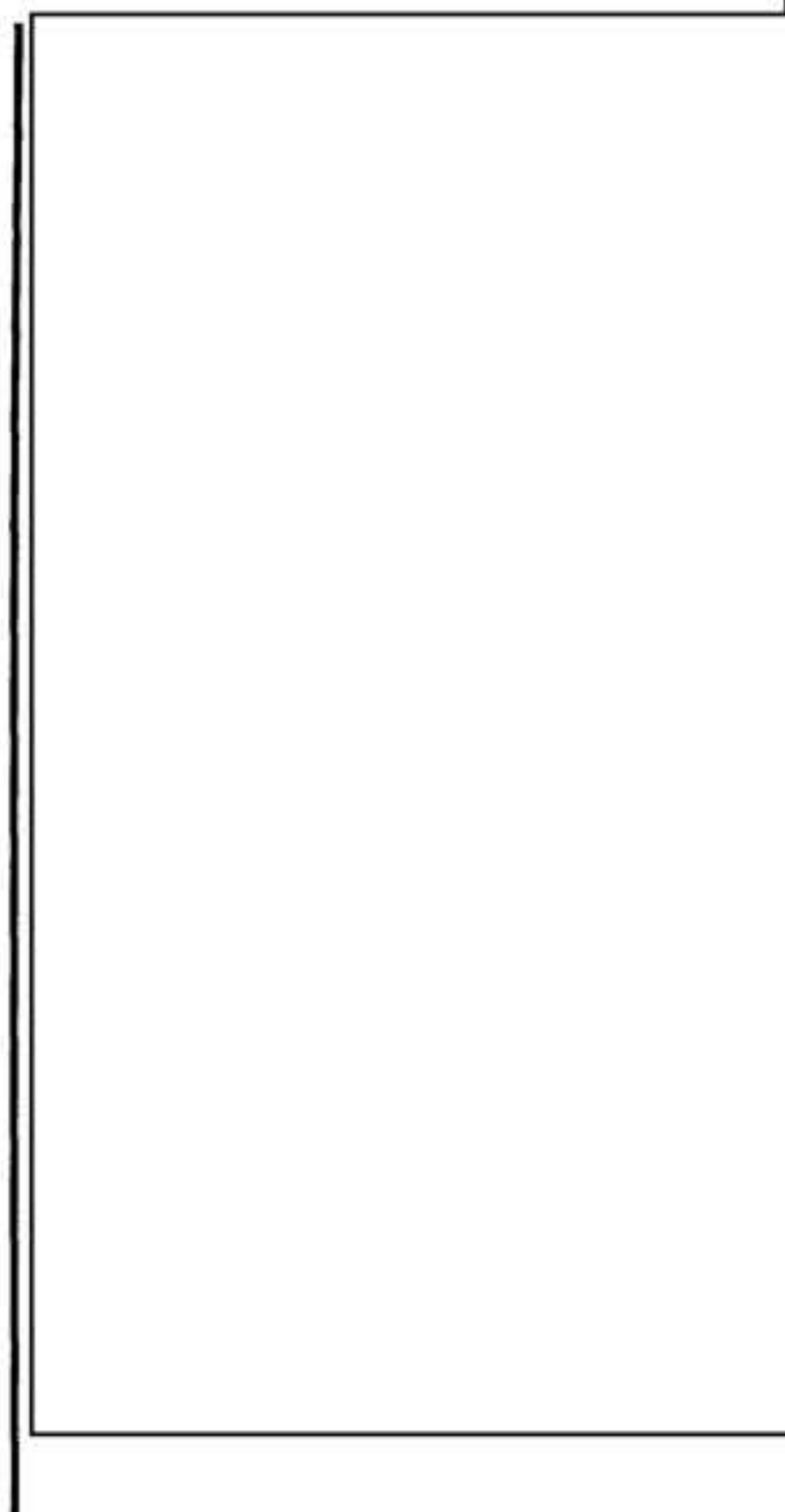


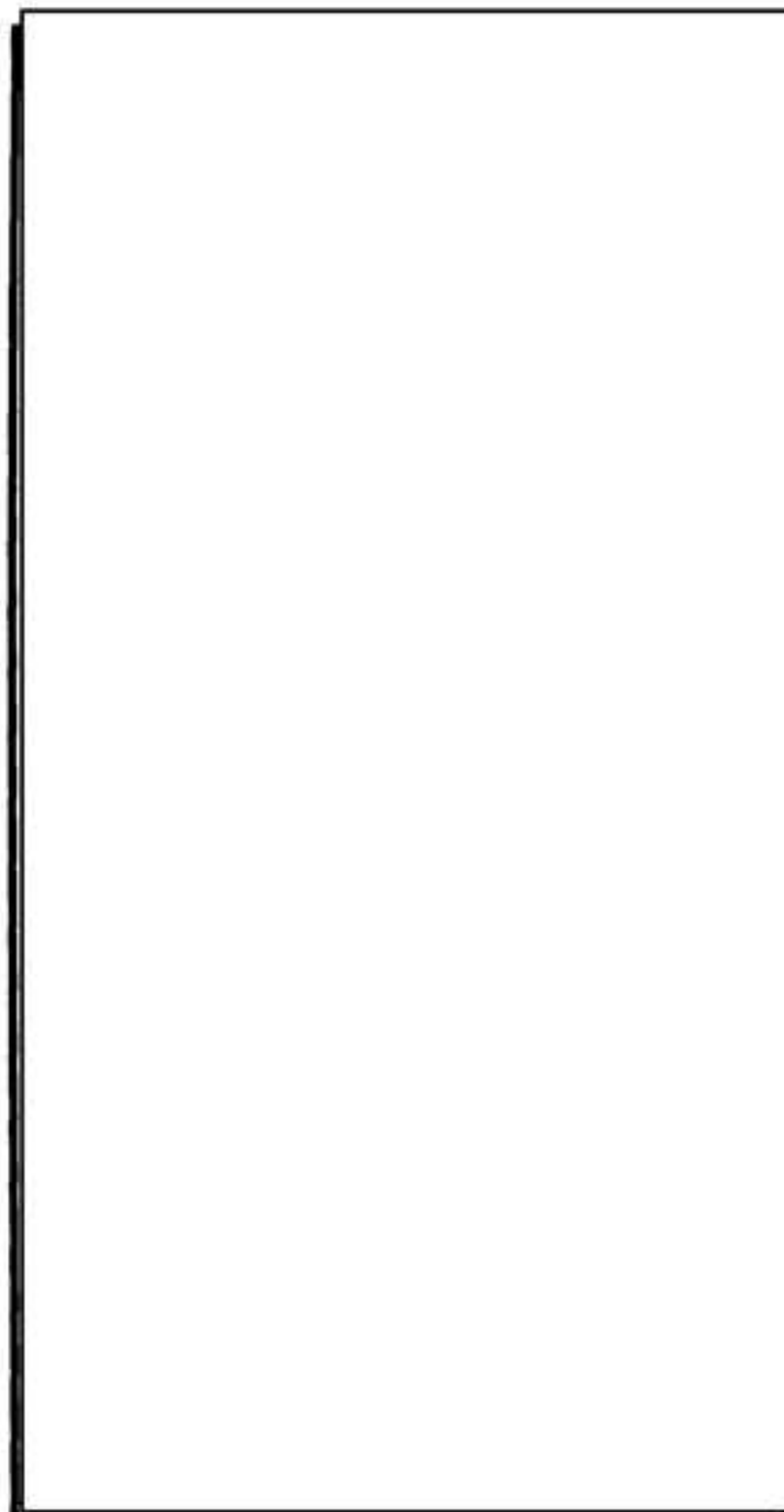




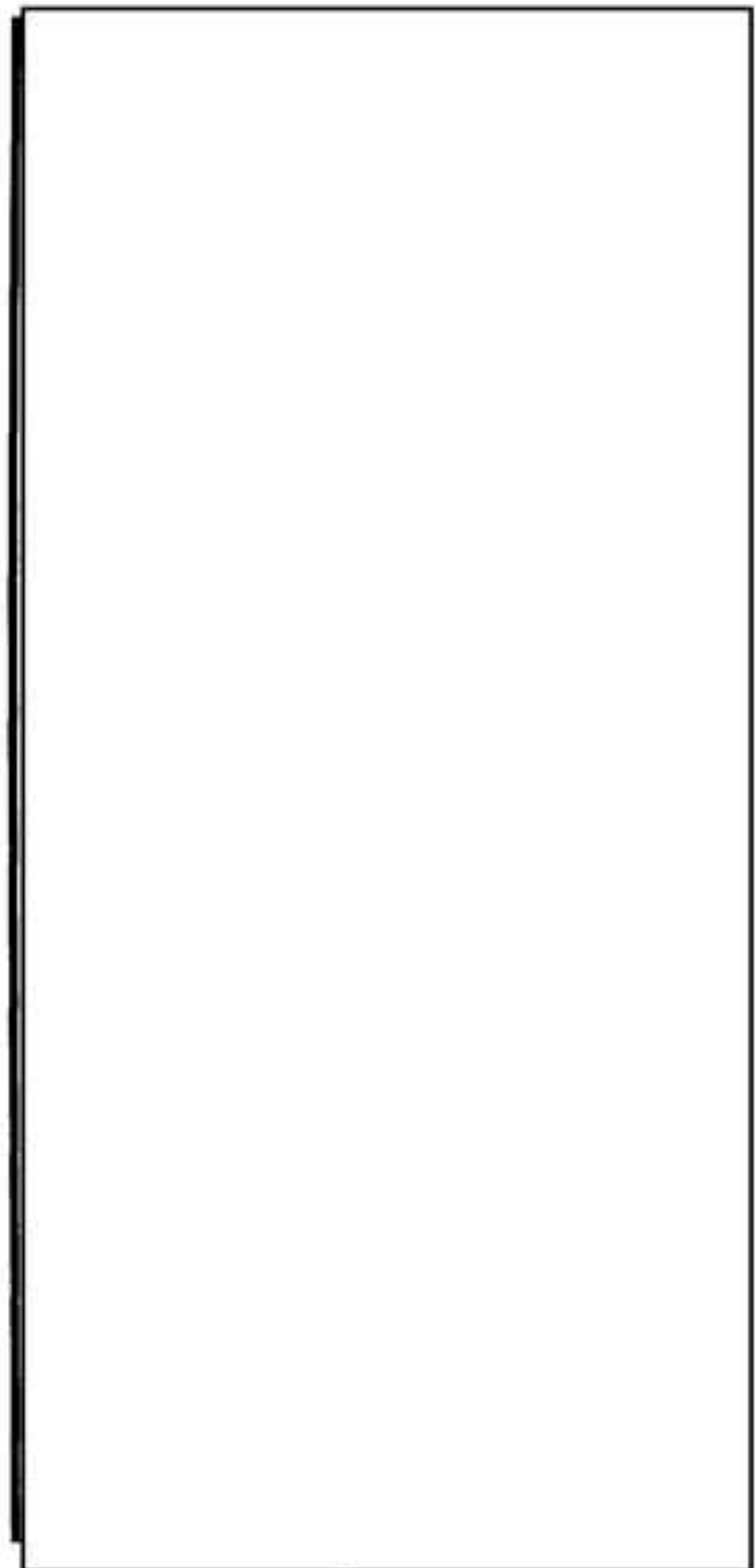




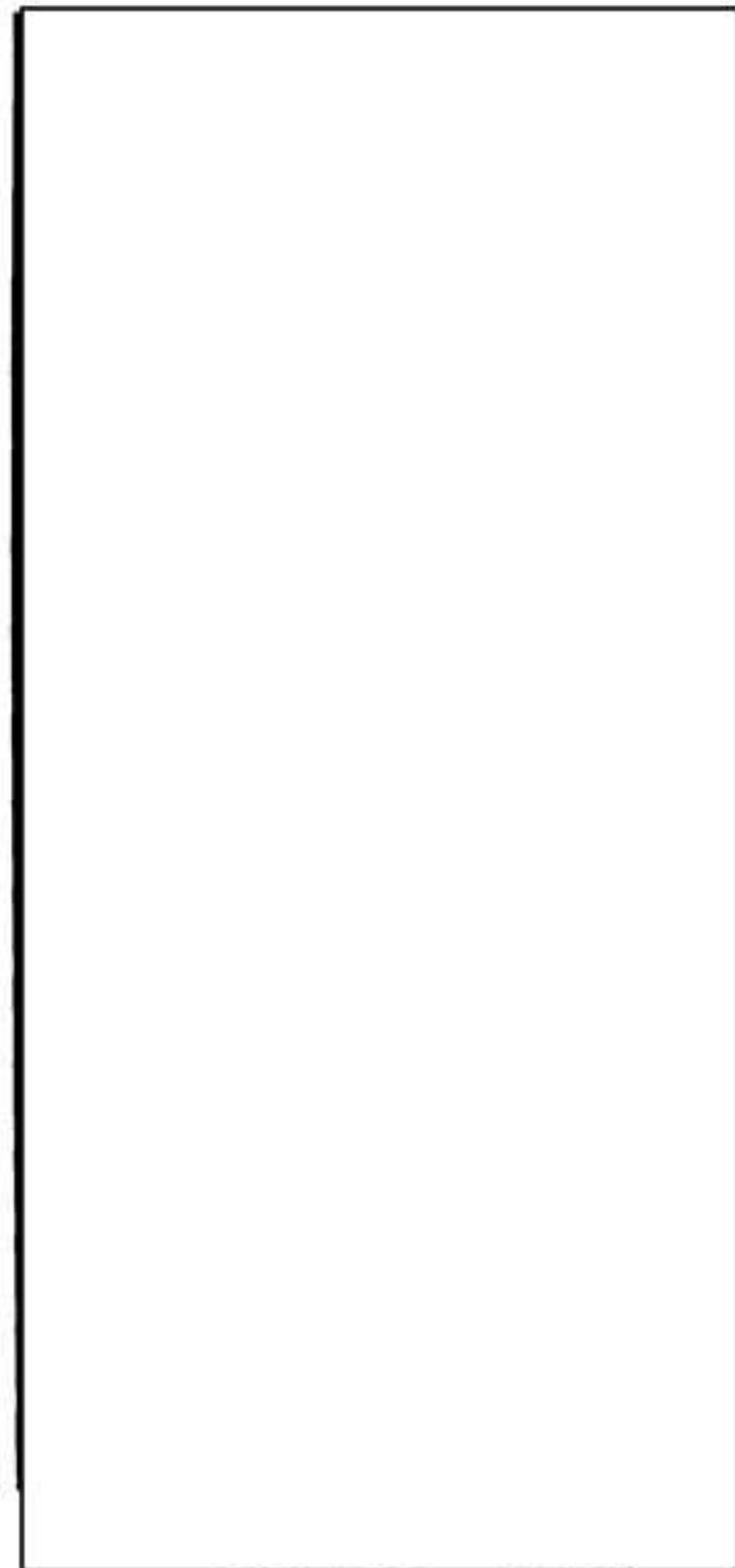


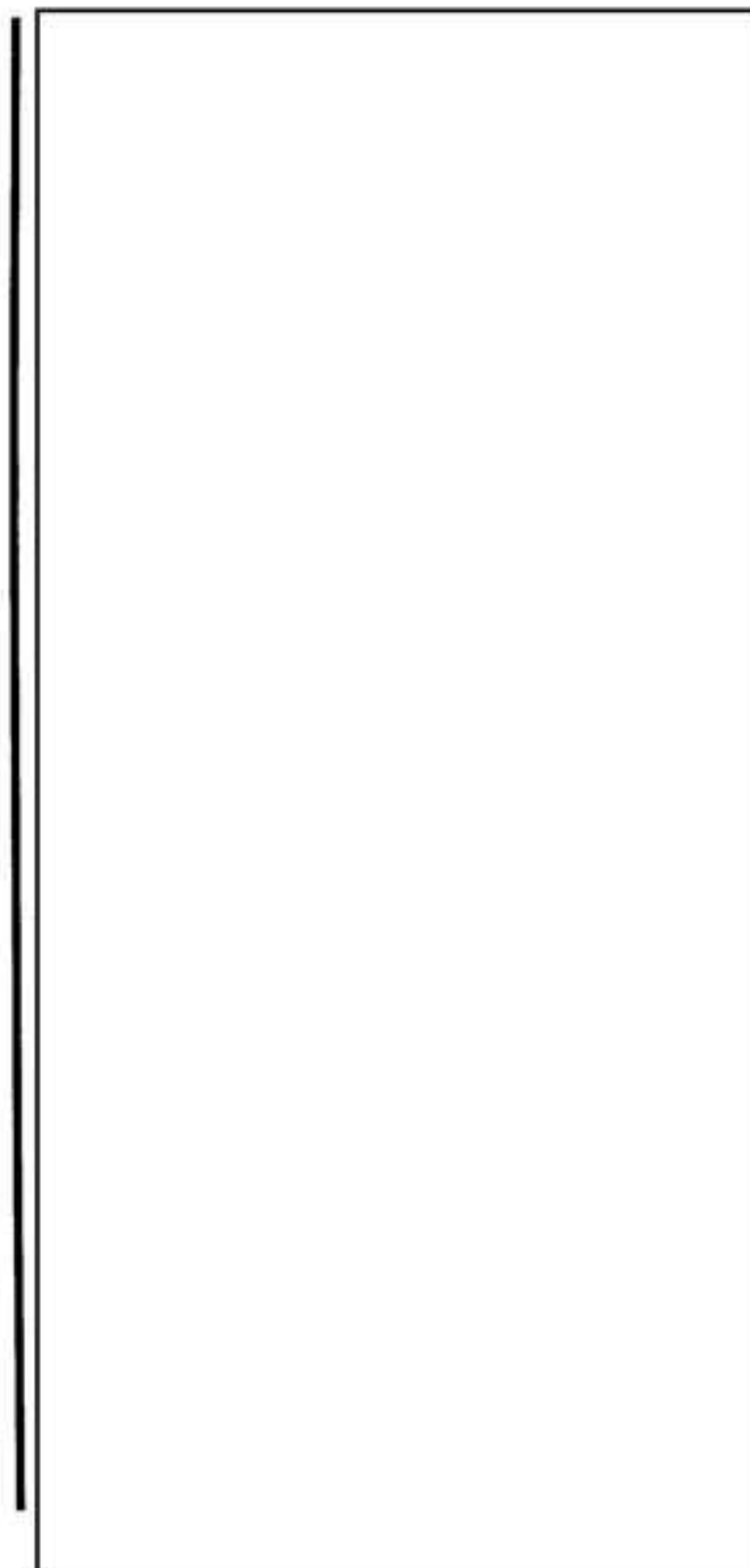
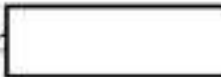


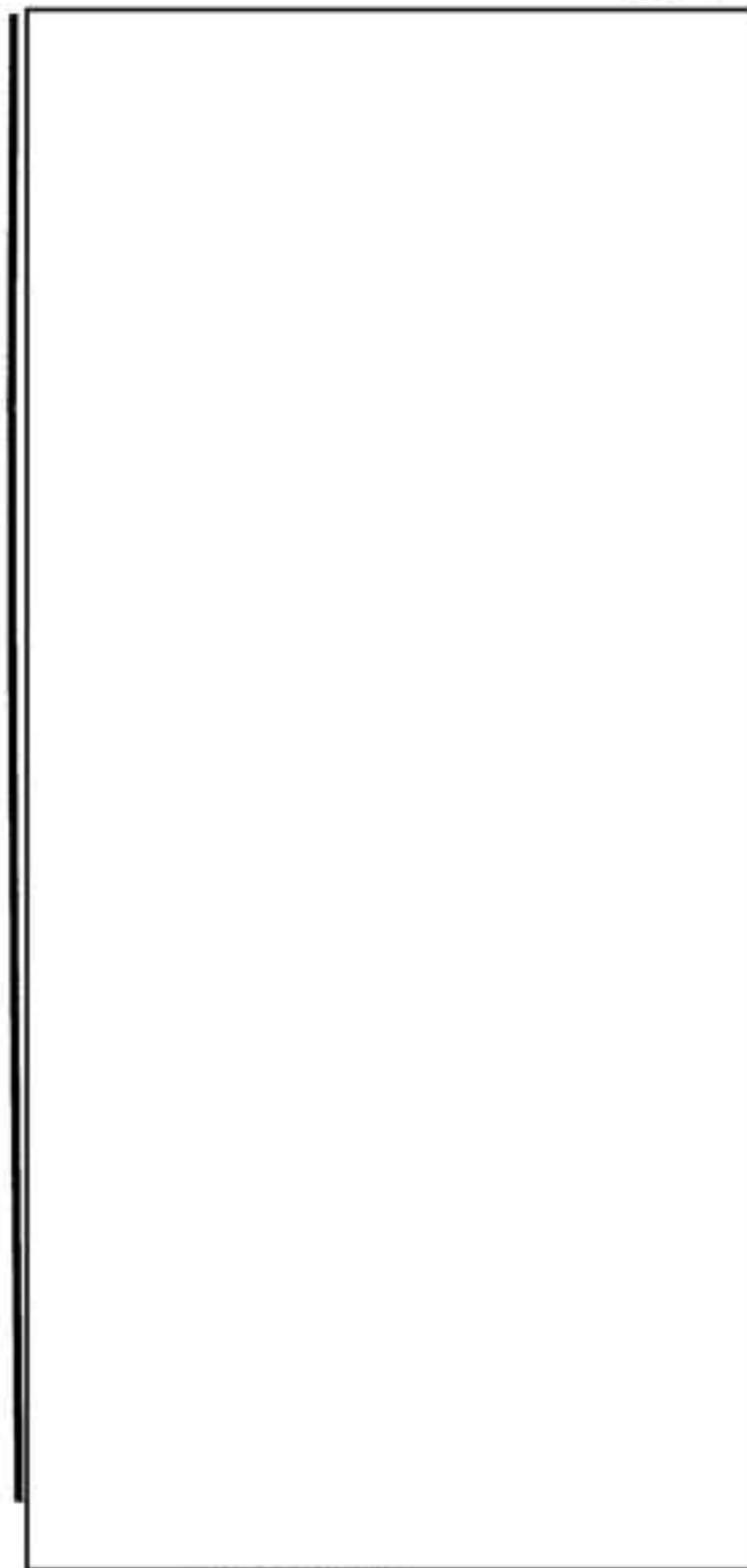


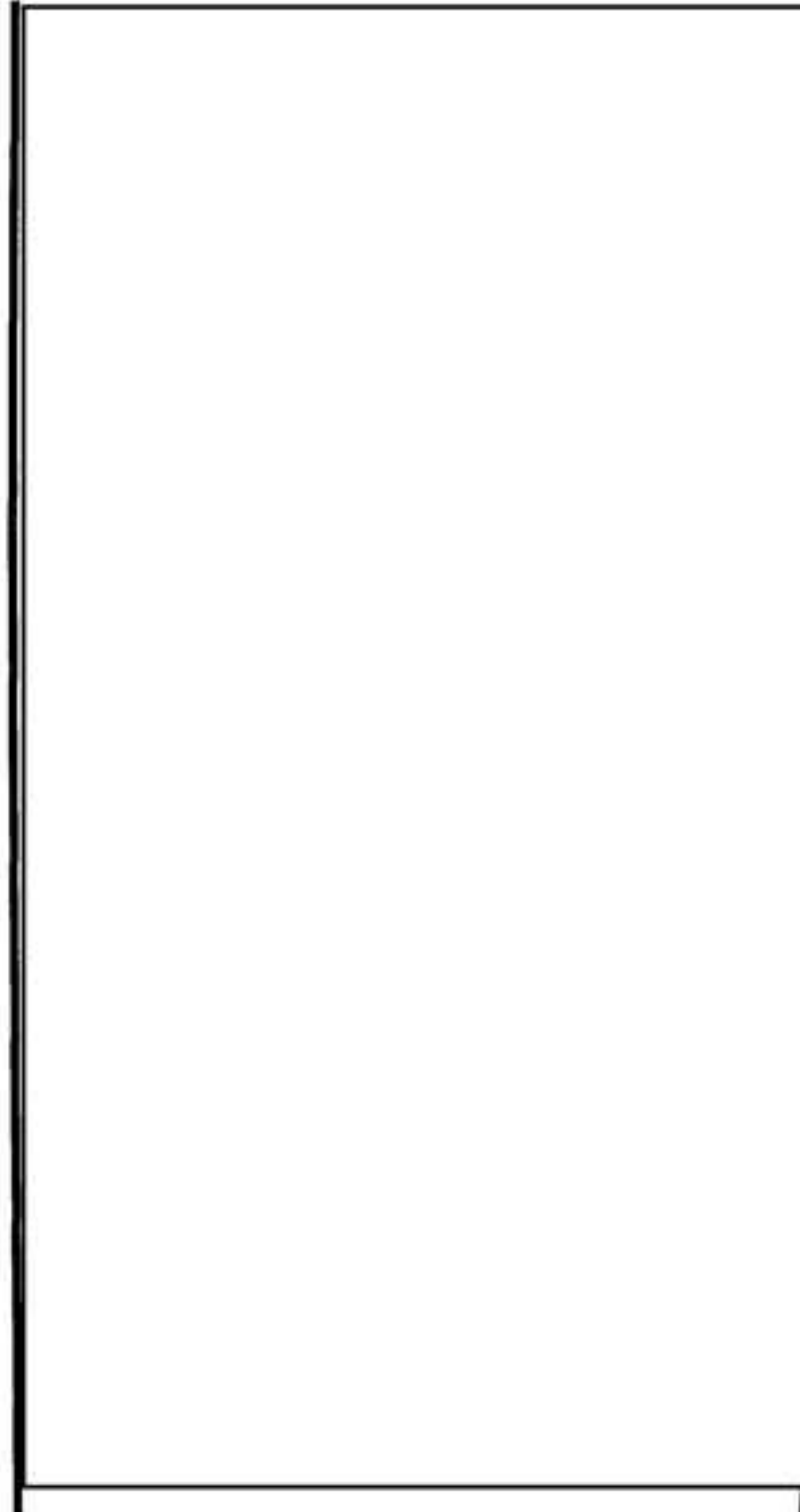


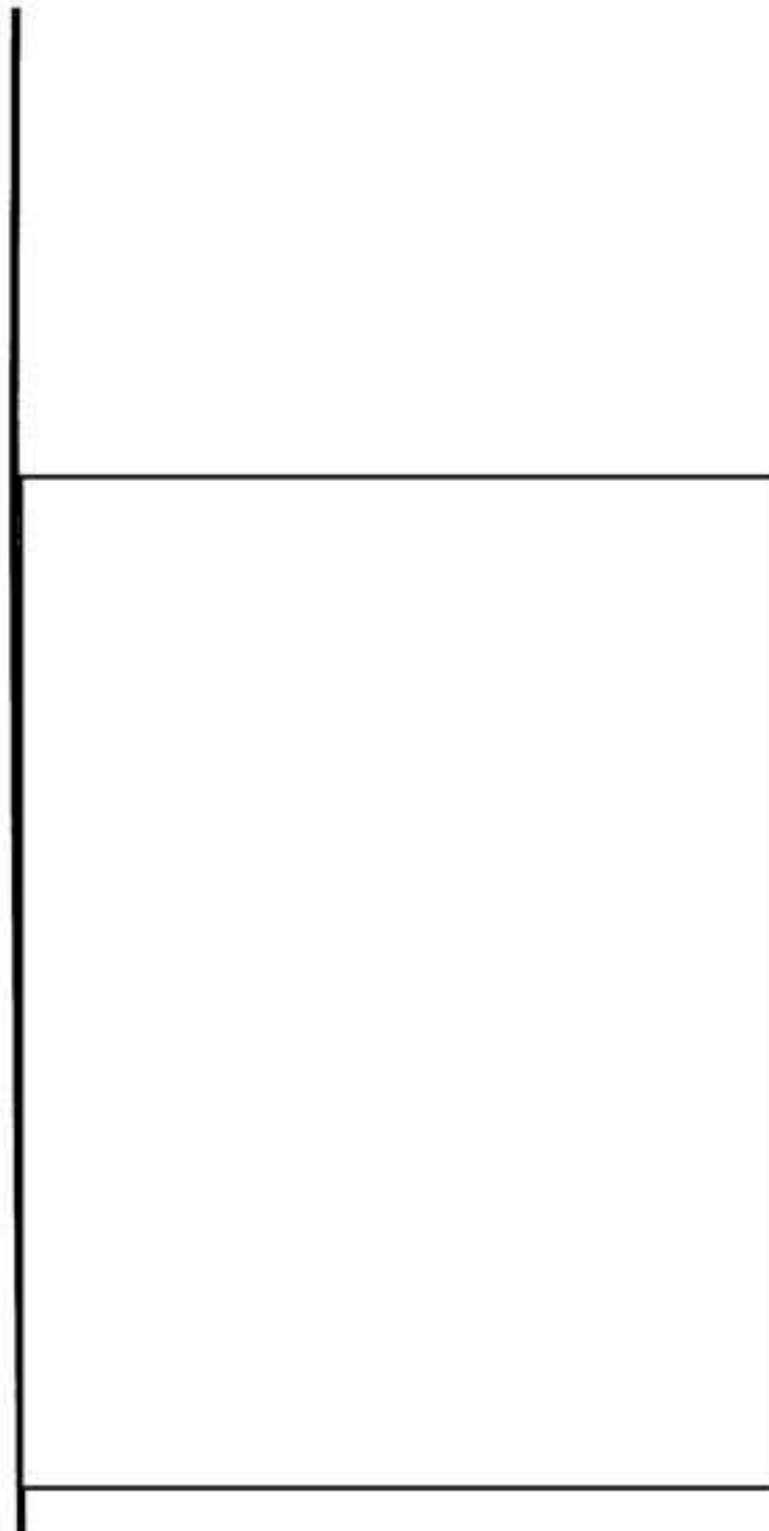


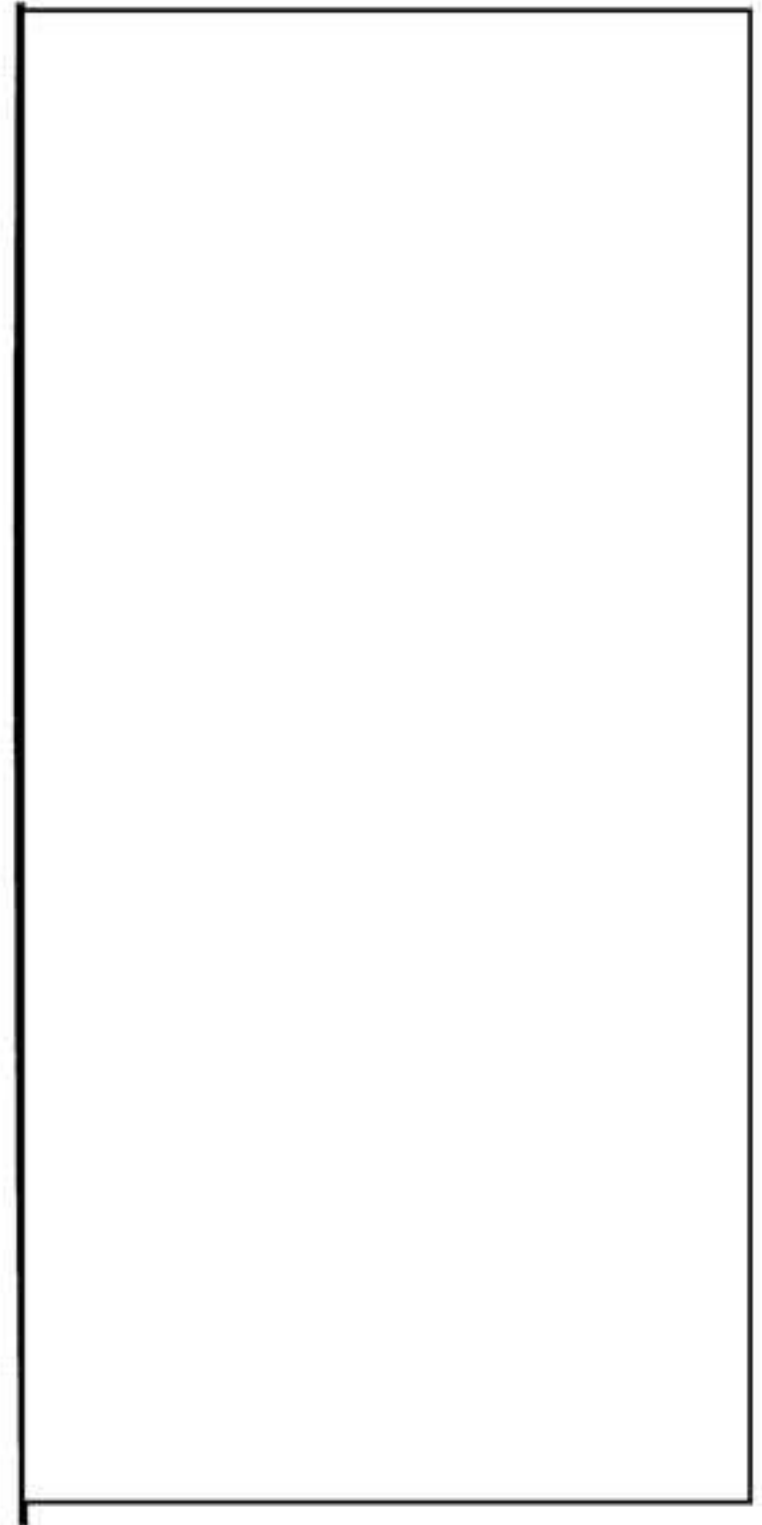


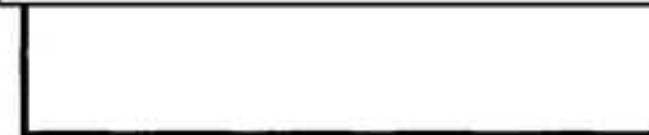












[About](#) | [FAQ](#) | [Terms](#) | [Privacy](#) | [Safety Tips](#) | [Contact MySpace](#) | [Report Inappropriate Content](#) | [Promote](#) | [Advertise](#) | [MySpace International](#)

©2003-2006 MySpace.com. All Rights Reserved.



MySpace.com | Help | SignOut

Web | MySpace | People | Music | Blogs | Video ▶

Search Web

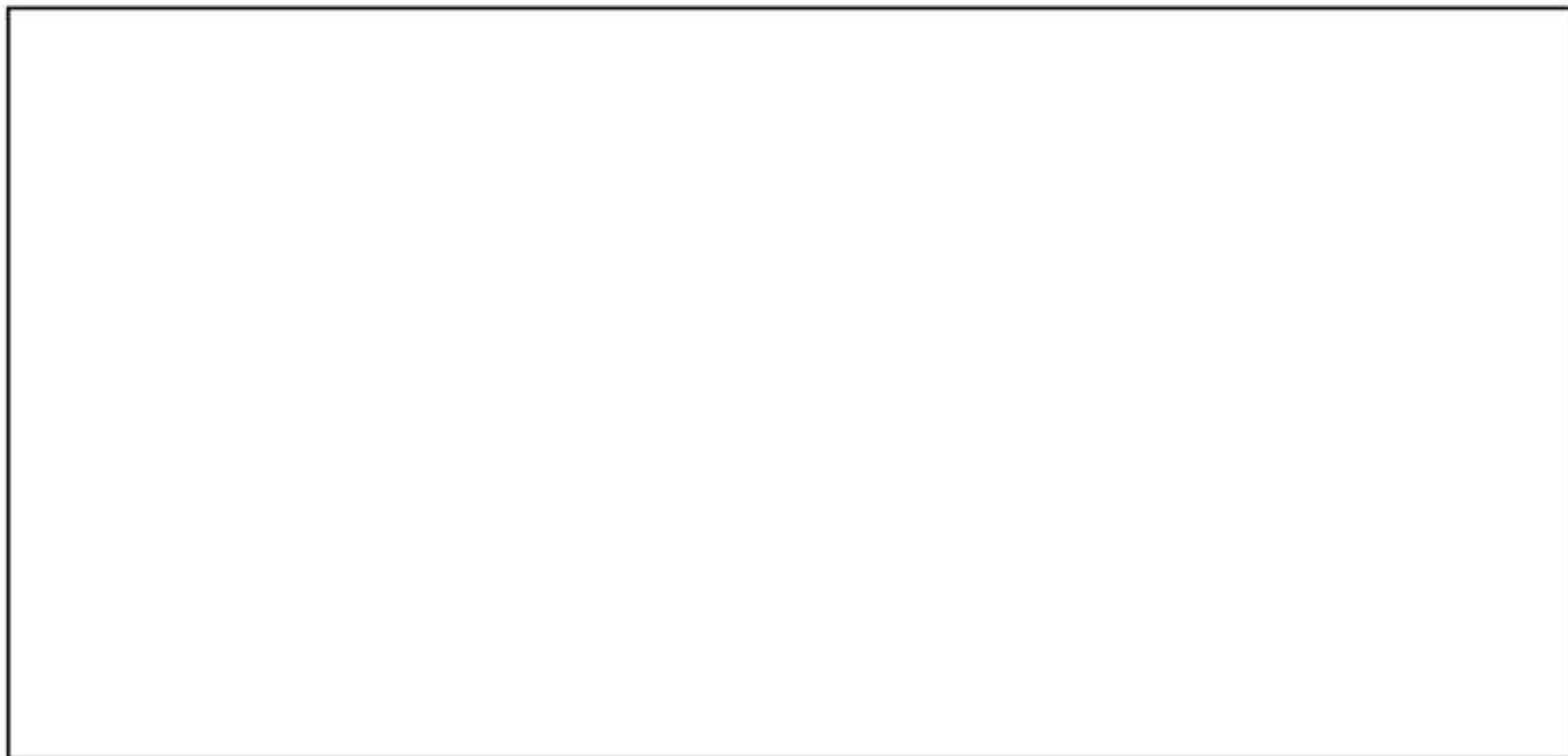
Here are the best Smileys on the Net. For IMs, e-mails and blogs you bet! The variety is truly amazing. You can even add your own phrasing. Plus talking smileys makes them better yet! **They're FREE!**

Home | Browse | Search | Invite | Film | Mail | Blog | Favorites | Forum | Groups | Events | Videos | Music | Comedy | Classifieds

Pictures of

Click Picture for Full View & Comments

b6 -3, -5
b7C -3, -5
b3 -1



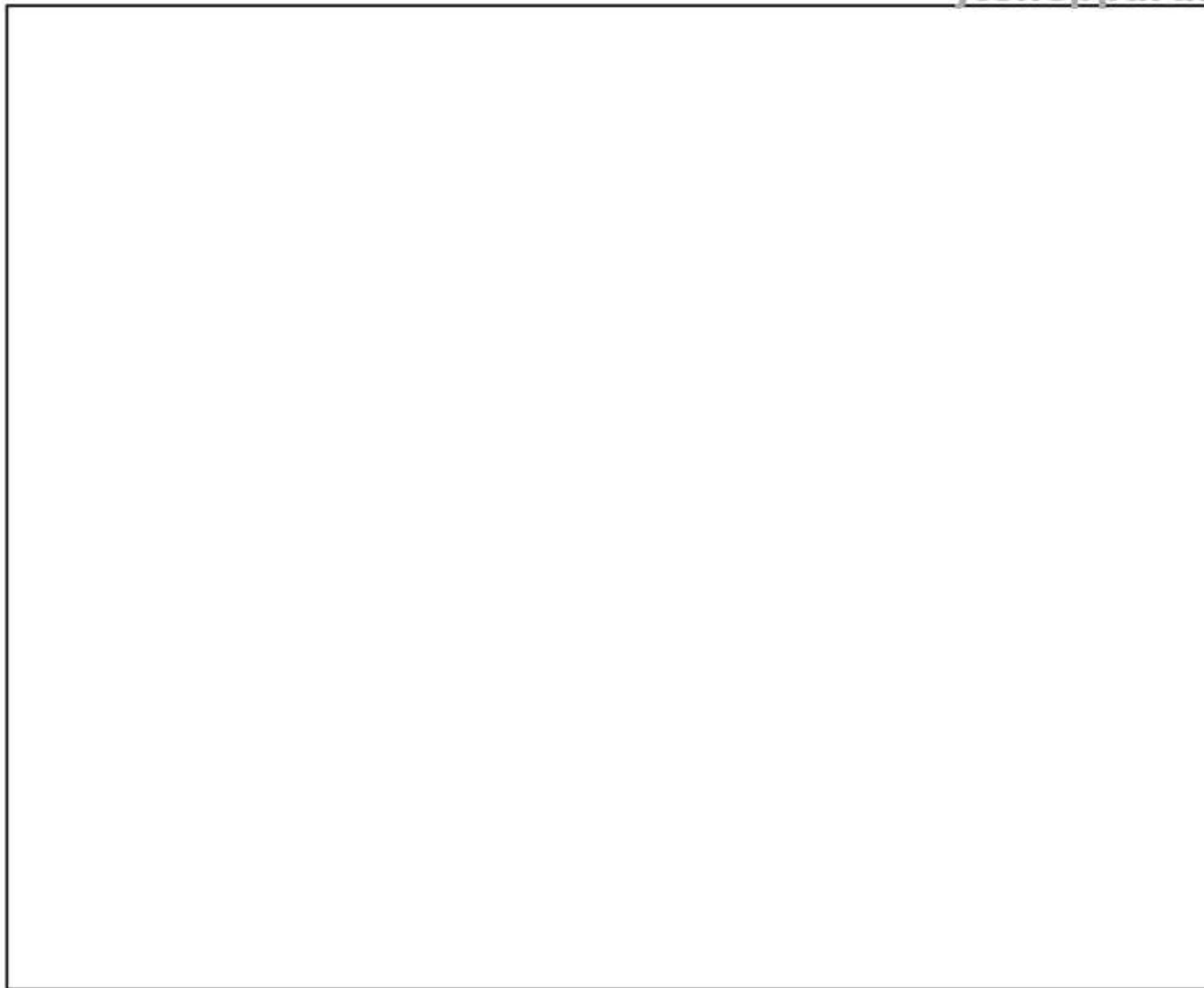
03956-10483

http://viewmorepics.myspace.com/index.cfm?fuseaction=user.viewPicture&friendID=[redacted]&MyToken=fa46cee0-905b-4b... 10/3/2006

b6 -3, -5
b7C -3, -5
b3 -1

03956-10484

b6 -3,-5
b7C -3,-5
b3 -1



03956-10485

View More Pictures

jcsheppard.com

Page 4 of 4

[About](#) | [FAQ](#) | [Terms](#) | [Privacy](#) | [Safety Tips](#) | [Contact MySpace](#) | [Promote!](#) | [Advertise](#) | [MySpace International](#)

©2003-2006 MySpace.com. All Rights Reserved.

03956-10486

[http://viewmorepics.myspace.com/index.cfm?fuseaction=user.viewPicture&friendID=\[redacted\]&MyToken=fa46cee0-905b-4b...](http://viewmorepics.myspace.com/index.cfm?fuseaction=user.viewPicture&friendID=[redacted]&MyToken=fa46cee0-905b-4b...) 10/3/2006

b6 -3
b7C -3
b3 -1

DOJ-OGR-00030248

MYSPACE
CURRENT : PRIVATE

03956-10487

Sponsored Links

Are You Romantic?

Find out with this Free Personality Test
to see how Romantic you are!
www.Chatterbean.com/Romantic

What Type of Mom Are You?

A fun test to find out what type of
parenting style fits you!
www.AreYouASlackerMom.com

Heaven or Hell?

Where are You Going? Take the Quiz.
Free!
TheHeavenOrHellQuiz.com

Free Personality Test

Discover your personality type. Get a
free online personality test.
www.ActualMe.com

MySpace








Search

powered
by Google[Home](#) | [Browse](#) | [Search](#) | [Invite](#) | [Film](#) | [Mail](#) | [Blog](#) | [Favorites](#) | [Forum](#) | [Groups](#) | [Events](#) | [Videos](#) | [Music](#) | [Comedy](#) | [Classifieds](#)

**This profile is set to private. This user must
add you as a friend to see his/her profile.**

Last Login:
5/24/2007

Contacting

- | | |
|---|---|
|  Send Message |  Forward to Friend |
|  Add to Friends |  Add to Favorites |
|  Instant Message |  Block User |
|  Add to Group |  Rank User |

MySpace URL:

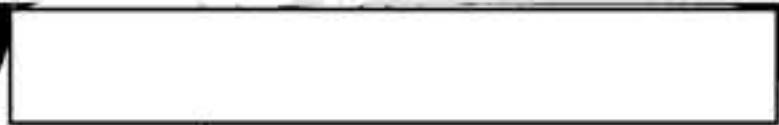
<http://www.myspace.com/>[About](#) | [FAQ](#) | [Terms](#) | [Privacy](#) | [Safety Tips](#) | [Contact MySpace](#) | [Report Abuse](#) | [Promote!](#) | [Advertise](#) | [MySpace International](#)

©2003-2007 MySpace.com. All Rights Reserved.

<http://profile.myspace.com/index.cfm?fuseaction=user.viewprofile&friendID=>

03956-10488

5/31/2007



202
10
243
302
10
243
202

b6 -2
b7C -2



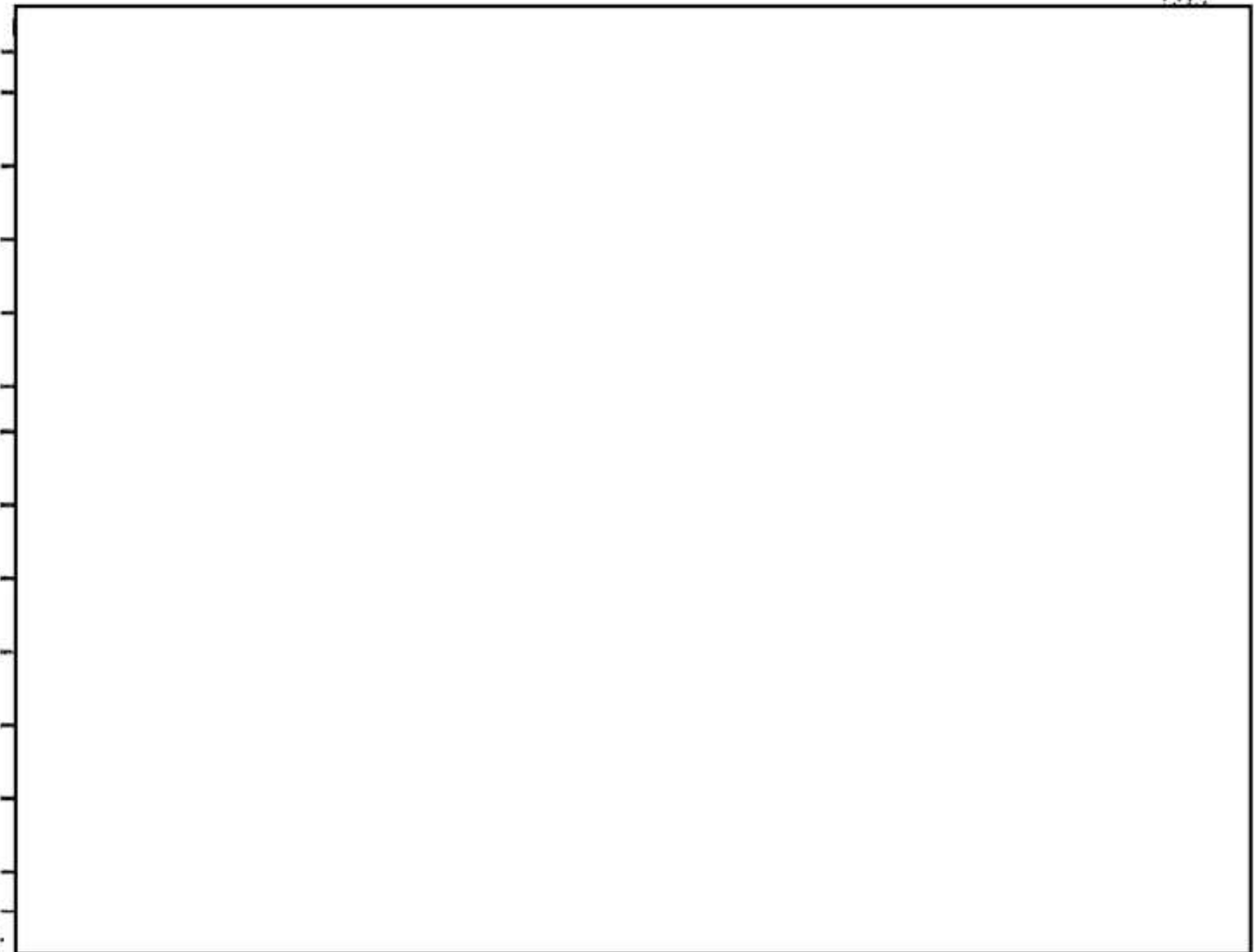
Start: 505 S Flagler Dr
West Palm Beach, FL 33401-5923, US

End:

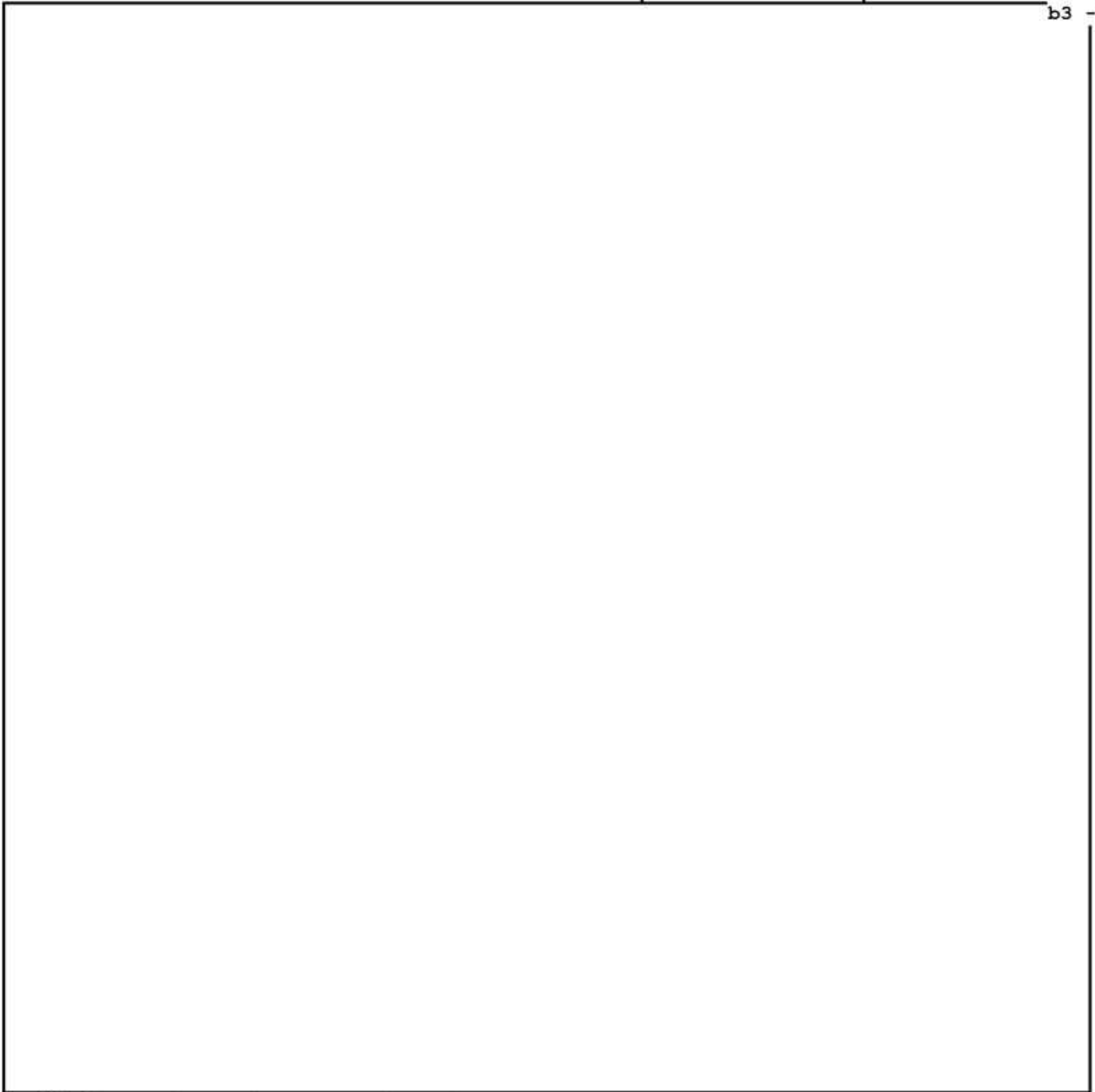
Notes:



**YOU COULD WIN A TRIP FOR 4
TO ONE OF 5 DESTINATIONS**



Printer-friendly page sponsored by HP



All rights reserved. Use Subject to License/Copyright

These directions are informational only. No representation is made or warranty given as to their content, road conditions or route usability or expeditiousness. User assumes all risk of use. MapQuest and its suppliers assume no responsibility for any loss or delay resulting from such use.

FD-340 (Rev. 4-11-03)

File Number 31E-MM-108062-1A96Field Office Acquiring Evidence MM/PBCRA

Serial # of Originating Document _____

Date Received VariousFrom _____
(Name of Contributor/Interviewee)_____
(Address)_____
(City and State)By SA To Be Returned ☐ Yes ☐ NoReceipt Given ☐ Yes ☐ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

☐ Yes ☐ No

Federal Taxpayer Information (FTI)

☐ Yes ☐ No

Title:

Reference: _____
(Communication Enclosing Material)Description: ☐ Original notes re interview ofBiographical file for
b6 -2
b7C -2b6 -3
b7C -3

03956-10524

DOJ-OGR-00030254

03956-10525



Start: 505 S Flagler Dr
West Palm Beach, FL 33401-5923, US

End:

Notes:

• THE AMOCO ULTIMATE[®] 

ROAD TOUR

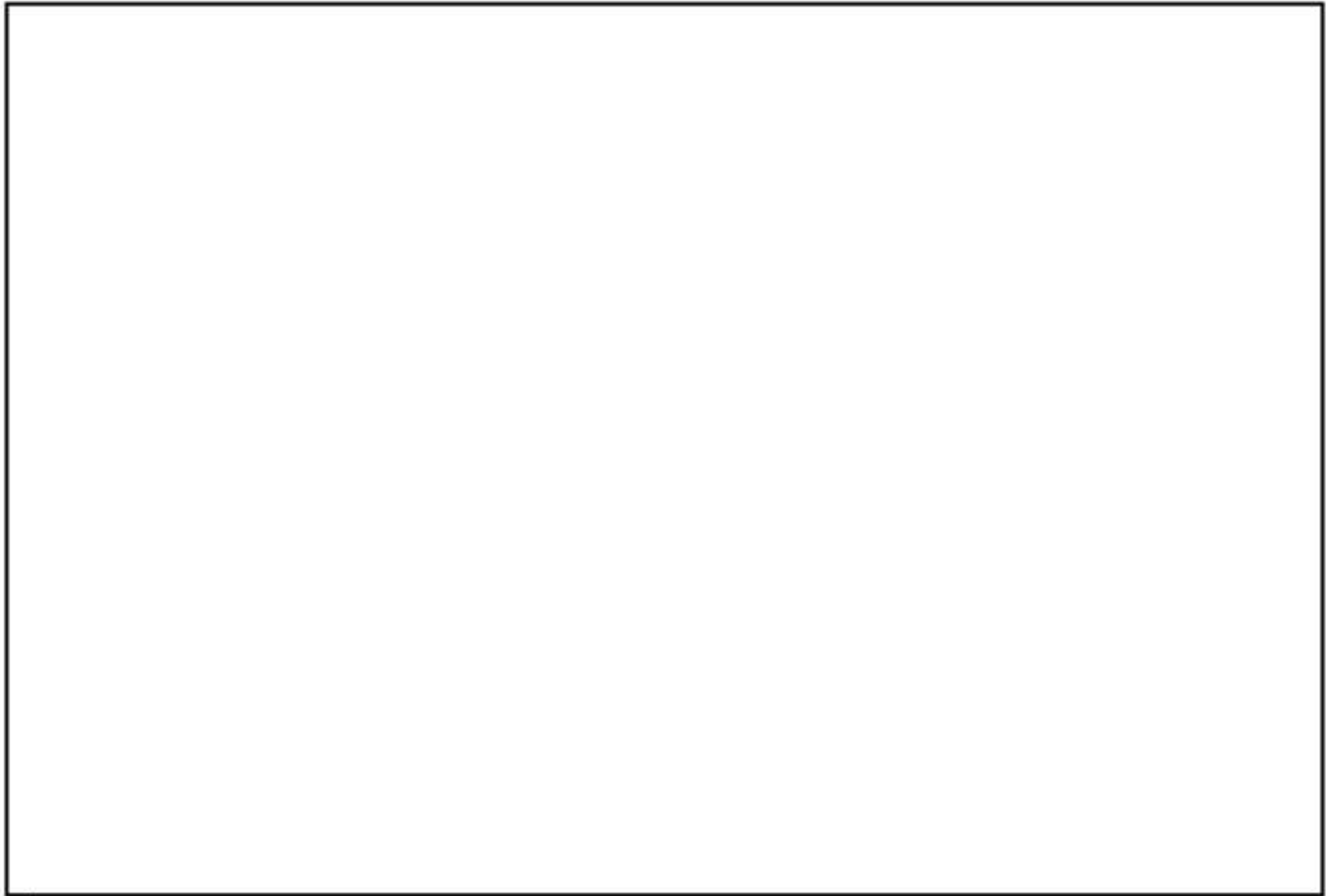
SWEEPSTAKES



ENTER NOW

YOU COULD WIN A TRIP FOR 4 TO ONE OF 5 DESTINATIONS

of 2



Printer-friendly page sponsored by HP



All rights reserved. Use Subject to License/Copyright

These directions are informational only. No representation is made or warranty given as to their content, road conditions or route usability or expeditiousness. User assumes all risk of use. MapQuest and its suppliers assume no responsibility for any loss or delay resulting from such use.

FD-340 (Rev. 4-11-03)

File Number 315-MM-108062-1A97Field Office Acquiring Evidence MM/PBCRA

Serial # of Originating Document _____

Date Received VariousFrom _____
(Name of Contributor/Interviewee)

(Address)

(City and State)

By SATo Be Returned ☐ Yes☒ NoReceipt Given ☐ Yes☒ NoGrand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure☐ Yes☒ No

Federal Taxpayer Information (FTI)

☐ Yes☒ No

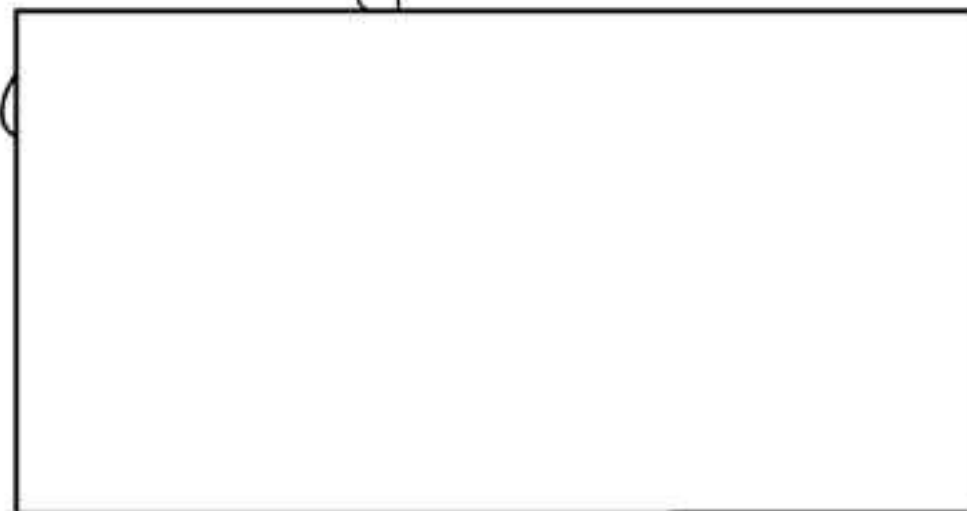
Title:

Reference: _____
(Communication Enclosing Material)Description: ☐ Original notes re interview ofBiographical File onand MySpace informationb6 -2
b7C -2b6 -3
b7C -3
b3 -1

TO Do: All records
Serve Verizon records
Storage

jcsheppard.com
May 31

b6 -3, -5
b7C -3, -5
b3 -1



Phone#

Specific

- who was preparing

- where would they go

then went

03956-10566

I want to become a...

[Social
Worker](#)[Psychologist](#)[Criminal
Investigator](#)[Bounty
Hunter](#)[Counselor](#)[Teacher](#)[Graphic
Designer](#)[Accountant
ICPA](#)[HR
Officer](#)[Project
Manager](#)[Chef](#)[More](#)

degrees.in

[Click here to find out how.](#)

User Shortcuts:



People

[Home](#) | [Browse](#) | [Search](#) | [Invite](#) | [Film](#) | [Mail](#) | [Blogs](#) | [Favorites](#) | [Forum](#) | [Groups](#) | [Events](#) | [MySpace TV](#) | [Music](#) | [Comedy](#)

Classifieds

Last Login: 1/6/2008

Mood: restless ☹

View My: [Pics](#) | [Videos](#)

Contacting

- | | |
|----------------|-------------------|
| Send Message | Forward to Friend |
| Add to Friends | Add to Favorites |
| IM / Call | Block User |
| Add to Group | Rank User |

My Space URL:

<http://profile.myspace.com/index.cfm?fuseaction=user.viewprofile&friendid>

03956-10567

1/8/2008

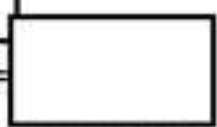
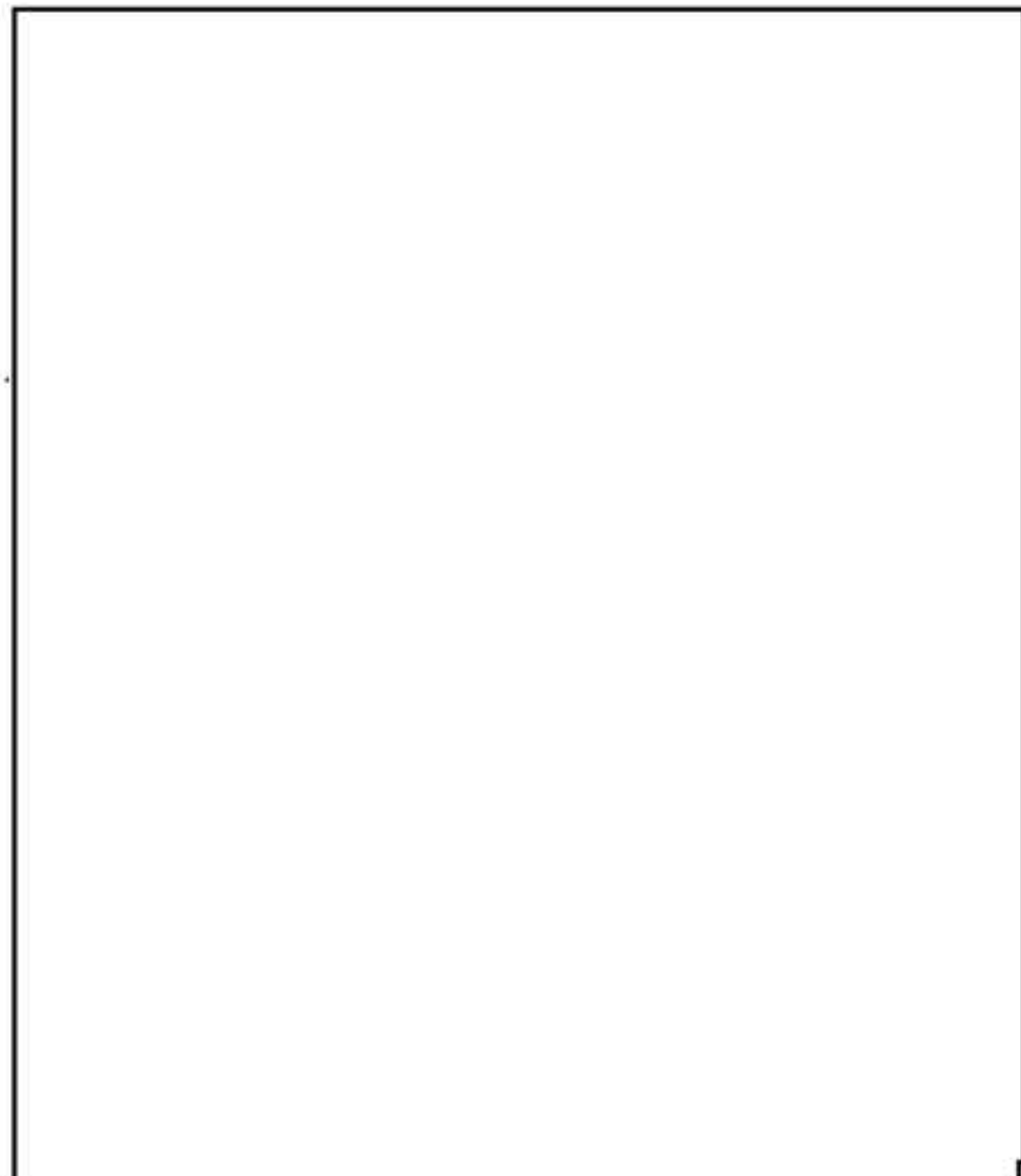
DOJ-OGR-00030260

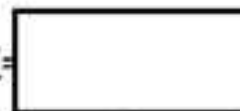
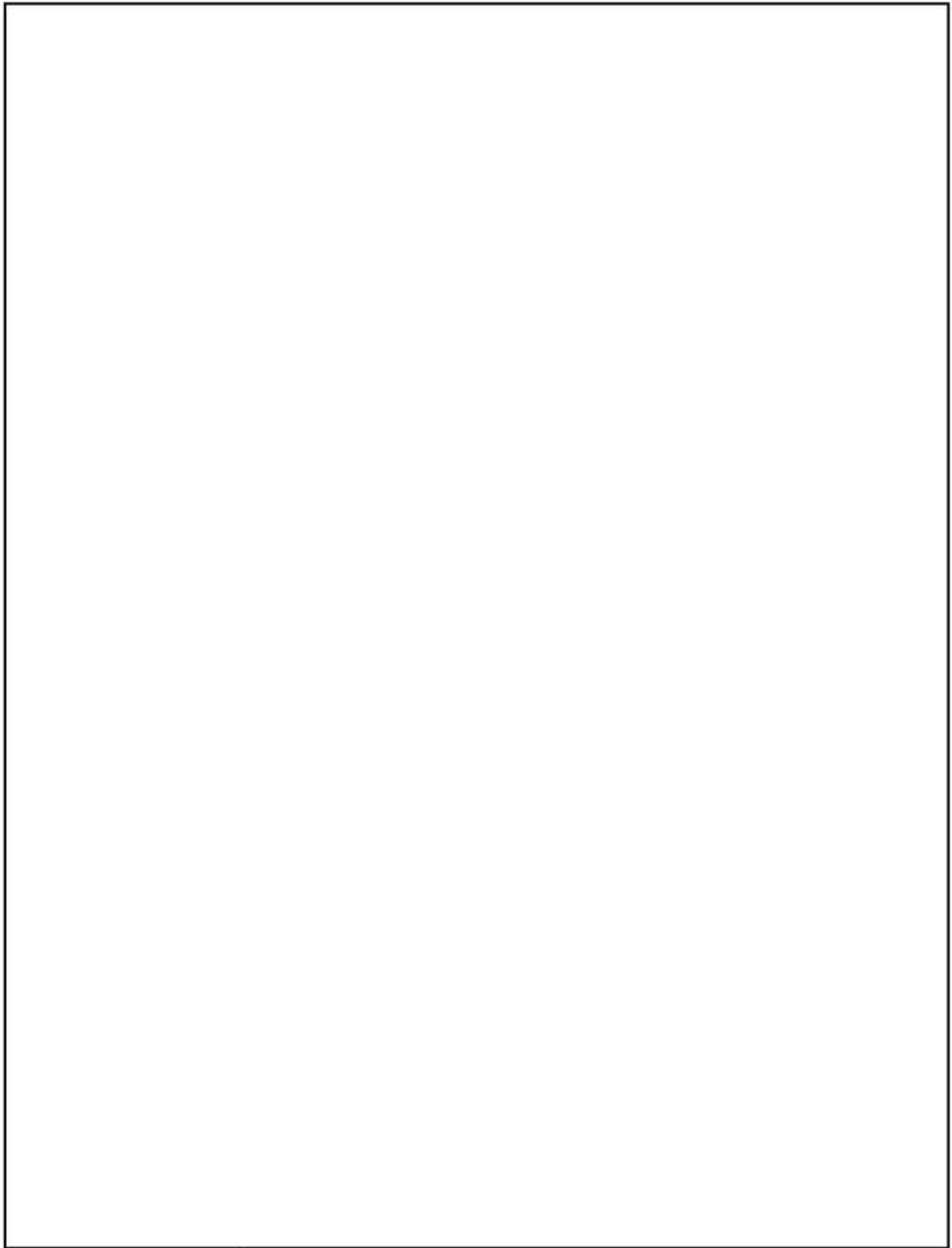
<http://www.myspace.com/> [redacted]

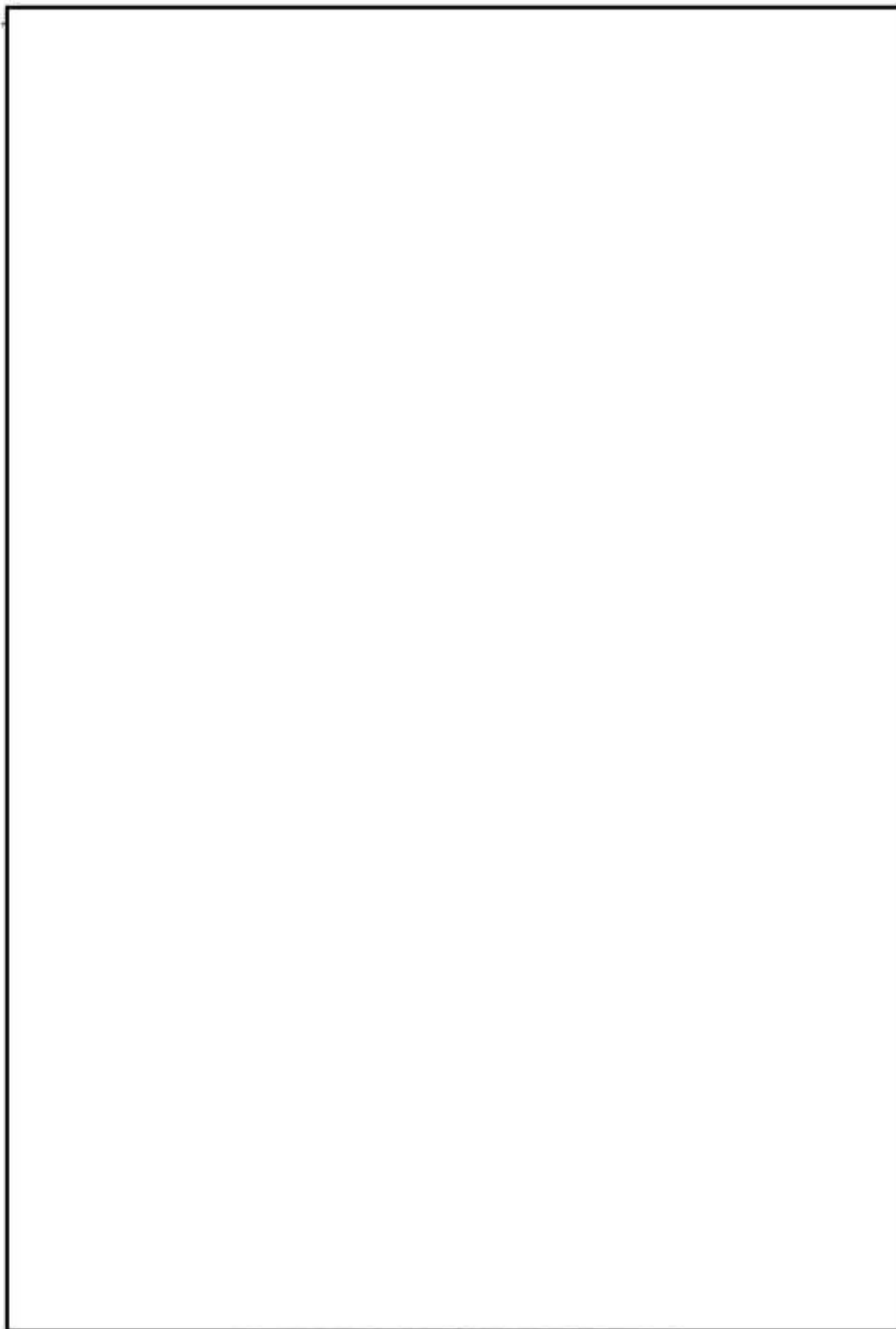


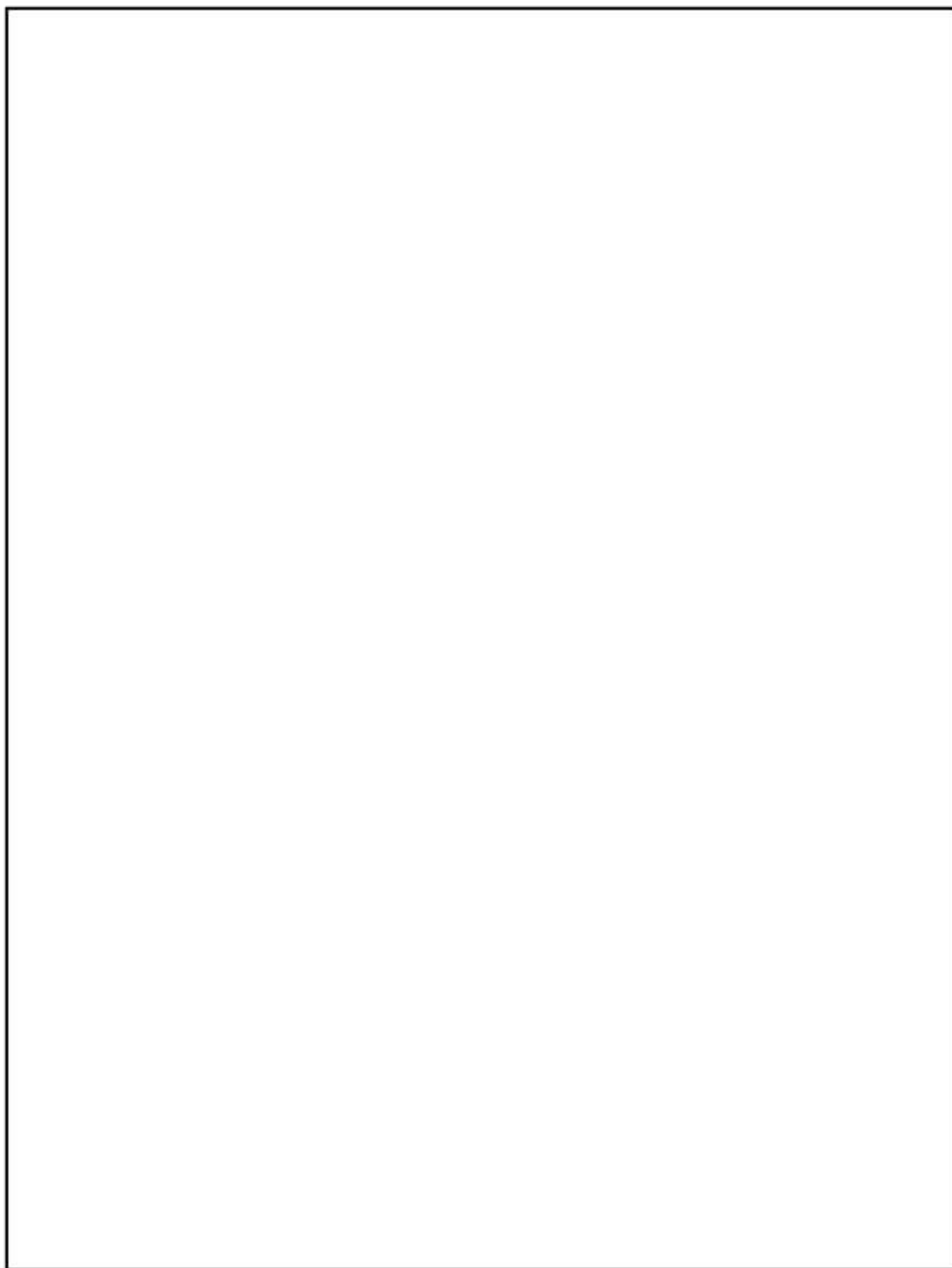
Interests

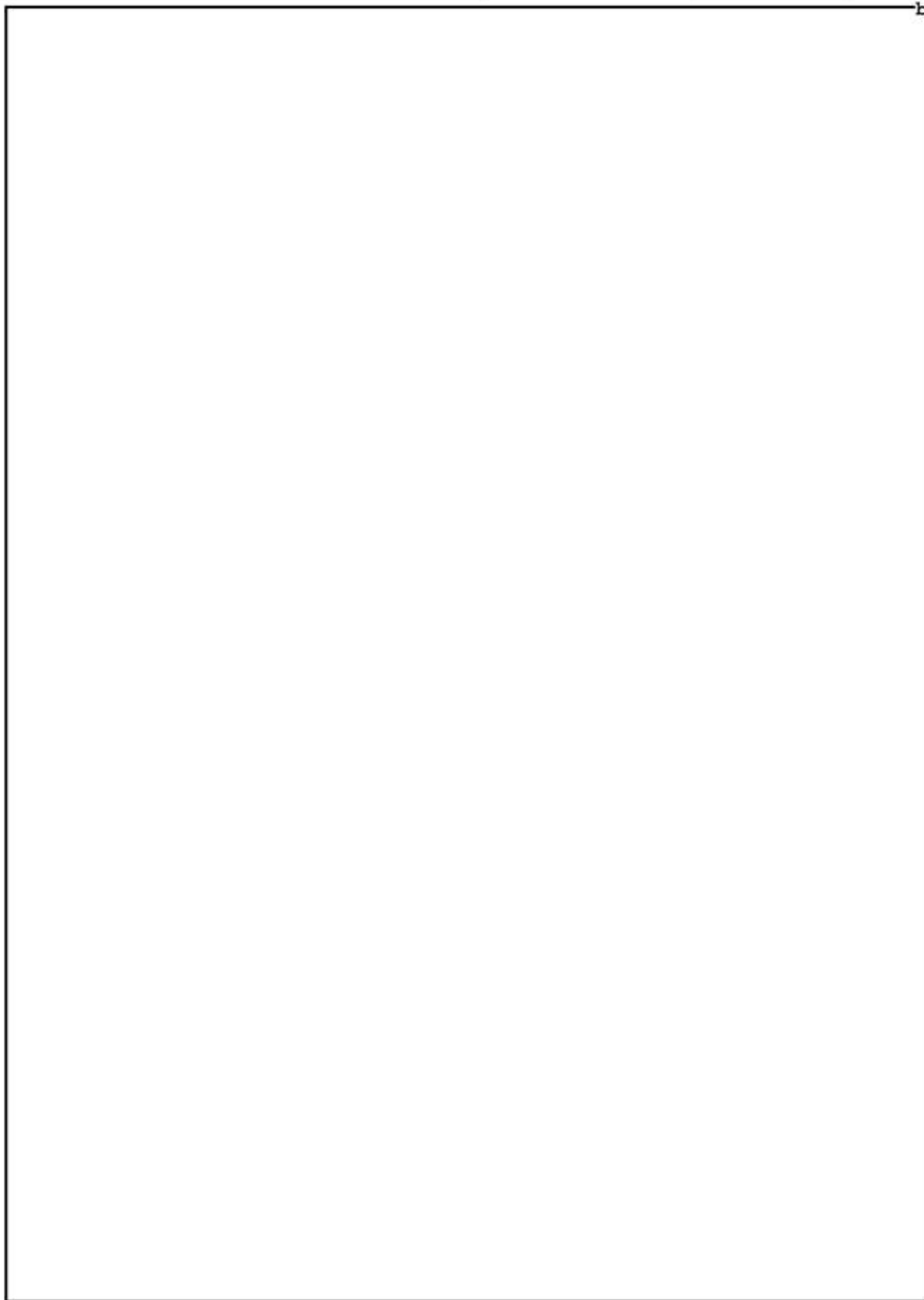
General











U. S. DEPARTMENT OF JUSTICE/FEDERAL BUREAU OF INVESTIGATION
SUBPOENA

In the matter of case number(s): 31E-MM-108062

TO:

b7D -1

ADDRESS:

TELEPHONE:

GREETING:

By the service of this subpoena upon you by SA [redacted], who is authorized to serve it, you are hereby commanded and required to disclose to SA [redacted], a representative of the FBI, the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or identity, and length of service of a subscriber to or customer of such service and the types of services the subscriber or customer utilized which may be relevant to an authorized law enforcement inquiry, involving the following:

b6 -2

b7C -2

b6 -3

b7C -3

b3 -1

b7D -1

THE INFORMATION SOUGHT THROUGH THIS SUBPOENA RELATES TO A FEDERAL CRIMINAL INVESTIGATION BEING CONDUCTED BY THE FBI. YOUR COMPANY IS REQUIRED TO FURNISH THIS INFORMATION. YOU ARE REQUESTED NOT TO DISCLOSE THE EXISTENCE OF THIS SUBPOENA INDEFINITELY AS ANY SUCH DISCLOSURE COULD INTERFERE WITH AN ONGOING INVESTIGATION AND ENFORCEMENT OF THE LAW.

Compliance must be made by personal appearance or production of records no later than the 8 day of April, 2008 at 10:00 o'clock A M, at 505 S. Flagler Drive, #500 West Palm Beach, Florida 33401

In lieu of a personal appearance, the information can be provided, via facsimile, marked to the attention of SA [redacted], at telephone number [redacted]

b6 -2

b7C -2

In lieu of a personal appearance, the information can be provided, via mail, marked to the attention of SA [redacted], at the following address: 505 S. Flagler Drive, #500 West Palm Beach, Florida 33401

If you refuse to obey this subpoena, the United States Attorney General may invoke the aid of a United States District Court to compel compliance. Your failure to obey the resulting court order may be punished as contempt.

Issued under authority of Public Law No. 106-544, § 5(a)
(18 U.S.C. §3486)

ORIGINAL

Signature:

Name, Title

SSRA

Issued this 1 day of April, 2008
03956-10578

b6 -2

b7C -2

0.92 [redacted] 1.50.8

1 IN THE CIRCUIT COURT OF THE
2 FIFTEENTH JUDICIAL CIRCUIT
3 IN AND FOR PALM BEACH COUNTY, FLORIDA
4 CRIMINAL DIVISION

5 STATE OF FLORIDA)
6 vs) CASE NO. 06 CF9454AMB
7 JEFFREY EPSTEIN) 08 9381CFAMB
8 Defendant.)

9 PLEA CONFERENCE

10
11 PRESIDING: HONORABLE DEBORAH DALE PUCILLO

12 APPEARANCES:

13 ON BEHALF OF THE STATE:

14 BARRY E. KRISCHER, ESQUIRE
15 State Attorney
401 North Dixie Highway
West Palm Beach, Florida 33401
By: LANNA BELOHLAVEK, ESQUIRE
16 Assistant State Attorney

17 ON BEHALF OF THE DEFENDANT:

18 ATTERBURY, GOLDBERGER & WEISS, P.A.
250 Australian Avenue South
Suite 1400
19 West Palm Beach, Florida 33401
By: JACK GOLDBERGER, ESQUIRE

20
21 CERTIFIED COPY

22
23 June 30, 2008

24 Palm Beach County Courthouse
West Palm Beach, Florida 33401
25 Beginning at 8:40 o'clock, a.m.

PHYLLIS A. DAMES, OFFICIAL COURT REPORTER

03956-10980

DOJ-OGR-00030268

1 regularly congregate?

2 MS. BELOHLAVEK: I personally do not
3 know.

4 THE COURT: Neither do I, which is
5 why I'm asking. Has that been
6 investigated?

7 MR. GOLDBERGER: We have done our due
8 diligence, for what it's worth, there is a
9 residential street. There are not children
10 congregating on that street. We think the
11 address applies, if it doesn't, we fully
12 recognize that he can't live there.

13 THE COURT: Okay. D is, you shall
14 not have any contact with the victim, are
15 there more than one victim?

16 MS. BELOHLAVEK: There's several.

17 THE COURT: Several, all of the
18 victims. So this should be plural. I'm
19 making that plural. You are not to have
20 any contact direct or indirect, and in this
21 day and age I find it necessary to go over
22 exactly what we mean by indirect. By
23 indirect, we mean no text messages, no
24 e-mail, no Face Book, no My Space, no
25 telephone calls, no voice mails, no

PHYLLIS A. DAMES, OFFICIAL COURT REPORTER

03956-10981

DOJ-OGR-00030269

1 messages through carrier pigeon, no
2 messages through third parties, no hey
3 would you tell so and so for me, no having
4 a friend, acquaintance or stranger approach
5 any of these victims with a message of any
6 sort from you, is that clear?

7 THE DEFENDANT: Yes, ma'am

8 THE COURT: And then it states,
9 unless approved by the victim, the
10 therapist and the sentencing court. Okay.

11 THE DEFENDANT: I understand.

12 THE COURT: And the sentencing court.
13 So, if there is a desire which, I would
14 think would be a bit strange to have
15 contact with any of the victims the court
16 must approve it.

17 MS. BELOHLAVEK: Correct.

18 THE COURT: If the victim was under
19 the age of 18, which was the case, you
20 shall not until you have successfully
21 attended and completed the sex offender
22 program. So, is this sex offender program
23 becoming a condition of probation?

24 MS. BELOHLAVEK: That is not. I
25 don't believe I circled that one.

PHYLLIS A. DAMES, OFFICIAL COURT REPORTER

03956-10982

DOJ-OGR-00030270

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092,

DECLARATION OF ADAM D. HOROWITZ

1. My name is Adam D. Horowitz. I am an attorney for Jane Doe No. 4.
2. The deposition of Jane Doe No. 4 was scheduled for September 16, 2009 at 1:00 p.m. at 350 Australian Ave. South, Suite 115, West Palm Beach, Florida. On the day before the deposition, the undersigned and counsel for Jeffrey Epstein entered into a written stipulation in which it was agreed that "Jeffrey Epstein will not attend tomorrow's deposition of Jane Doe No. 4 (in the absence of a court order permitting him to attend)." It was further agreed that Jeffrey Epstein may listen in to the deposition by telephone or view a videofeed of the deposition, but under no circumstances would he "be seen by our client."
3. While Jane Doe No. 4 and I were in the lobby of 350 Australian Ave South at approximately 1:00 p.m. for her deposition on September 16, 2009, we crossed paths with Jeffrey Epstein and someone who appeared to be his bodyguard. Jeffrey Epstein stopped



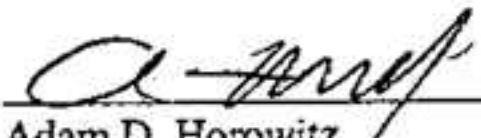
03956-10983

walking and began to stare at and intimidate Jane Doe No. 4. Jane Doe No. 4 was terrified, began crying and ran outside the building. Jeffrey Epstein smirked at her and walked away.

4. As a result of this incident, Jane Doe began crying uncontrollably and was unable to proceed with her deposition.

Under penalties of perjury I declare that I have read the foregoing Declaration and the facts stated in it are true.

Dated: September 17, 2009


Adam D. Horowitz

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

JANE DOE NO. 2,

Plaintiff,

v.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.

**DEFENDANT'S, JEFFREY EPSTEIN, MOTION FOR SANCTIONS AND
TO COMPEL DEPOSITION OF JANE DOE NO. 4 AND MEMORANDUM IN
SUPPORT THEREOF**

Defendant, JEFFREY EPSTEIN, by and through his undersigned attorneys, moves this court for an order granting sanctions pursuant to Rule 30(d)(2) and (3)(A) and (C) (referencing Rule 37(a)(5)), Federal Rules of Civil Procedure and compelling the deposition of Jane Doe No. 4 within fifteen (15) days and as grounds therefore would state:

1. On August 16, 2009, the deposition of Jane Doe No. 4 was noticed for September 16, 2009 to begin at 1:00 p.m. Plaintiff's counsel had advised that Jane Doe No. 4 could not appear for a deposition prior to that time of day, i.e. 1:00 p.m.

2. The deposition was originally set at the offices of the undersigned, but Plaintiff's counsel requested that it be moved to the court reporter's office. The court reporter is Prose Court Reporting located at 250 Australian Avenue South, Suite 115, West Palm Beach, FL 33401.

03956-10985

DOJ-OGR-00030273

3. The undersigned's office began attempting to set the deposition of Jane Doe No. 4 on July 21, 2009. Because of the number of attorneys who would be attending (based on the court's consolidation order) coordinating the video deposition creates logistical problems.

4. On August 27, 2009, the undersigned wrote a letter to counsel for the Plaintiff indicating that Mr. Epstein would be present at the deposition. A copy of that letter is attached as **Exhibit 1**.

5. Some 13 days later, counsel for Jane Doe No. 4 filed a motion for protective order on September 9, 2009 attempting to prohibit Mr. Epstein's presence at the deposition. The Defendant immediately filed a response (an Emergency Motion) on September 11, 2009 requesting that the court enter an order allowing Epstein, the Defendant in this matter, to attend the deposition. This is common procedure. See **Exhibit 2, without exhibits**. As of the date of the deposition, the court had not ruled on these motions.

6. On Monday, counsel for Jane Doe No. 4 and the undersigned spoke, an agreement was reached that the deposition would proceed as scheduled, and that Mr. Epstein would not be in attendance other than by telephone or other means. See **Exhibit 3**.

7. The deposition was originally scheduled on the 15th Floor and moved by Prose to a larger ground floor to accommodate the number of people who were to attend

8. The undersigned and his partner, Mark T. Luttier, had scheduled a meeting with Mr. Epstein for approximately an hour prior to the deposition. It is well known through multiple newspaper articles that Mr. Epstein's office at the Florida Science Foundation is located on the 14th Floor in the same building as the court reporter and Mr. Epstein's criminal attorney, Mr. Goldberger. As well, had the court issued an order prior to the deposition that would have allowed Mr. Epstein to attend, he was readily available.

9. As of 1:00 p.m., no order had been received from the court, so Epstein's attorneys, in good faith, decided that Epstein would not attend the deposition (as per the agreement), if we chose to proceed, which we were doing. The undersigned and Mr. Luttier specifically waited until just after 1:00 o'clock, the time that the deposition was to start, prior to leaving with Mr. Epstein. Counsel instructed Mr. Epstein to leave the building. Clearly, Defendant and his counsel simply wish to have meaningful discovery.

10. The undersigned and Mr. Luttier exited the elevator heading toward the deposition room and Mr. Epstein and his driver, Igor Zinoviev exited in separate elevator at the same time and turned to depart from through the front entrance such that he could go to his home to watch the deposition and assist counsel, from a video feed.

11. Completely unbeknownst and unexpected by anyone, apparently the Plaintiff and her attorney(s) were at the front door where Mr. Epstein was intending to exit. Upon seeing two women, one who might be the Plaintiff, Mr. Epstein immediately made a left turn and exited through a separate set of doors to the garage area. See affidavit of Jeffrey Epstein and Igor Zinoviev, **Exhibit 4 and 5, respectively.**

12. The entire incident was completely unknown to the undersigned and Mr. Luttier until Adam Horowitz, Esq. came in and announced that the deposition was not going to take place in that Mr. Epstein and his client saw one another, she was upset and therefore the deposition was cancelled from his perspective.

13. The undersigned and his partner, Mr. Luttier, had a court reporter and a videographer present. Additionally, Mr. Hill on behalf of C.M.A., Adam Langino on behalf of B.B., William Berger on behalf of three Plaintiffs were present for the deposition.

14. Any suggestion that the chance "visual" between Mr. Epstein and Jane Doe No. 4 was "pre-planned" would be absurd, disingenuous and false. The undersigned counsel went out of his way to make certain Mr. Epstein would not be in the building after the time the deposition was set to begin. Had the Plaintiff and her counsel been in the deposition room at the appointed time, no visual contact would have occurred.

15. It is possible that Plaintiff's counsel, by filing their motion for protective order on September 9, 2009 and then advising the undersigned on September 14, 2009 that the deposition would not go forward unless the undersigned agreed to exclude Mr. Epstein from the deposition, were not prepared and/or did not want to proceed with the deposition.

16. The unilateral termination of the deposition was unnecessary, inappropriate and a substantial waste of attorney time and the costs related to the deposition (court reporter and videographer). (See Affidavit of Robert D. Critton, Jr., Mark T. Luttier and Deposition Transcript, Exhibits 6, 7, and 8 respectively).

17. Had the "visual" been premeditated, the cancellation of the deposition may have been justified, however, under these circumstances, it was grandstanding and improper. In that the Plaintiff has stated that she voluntary went to JE's home 50 plus times without trauma until she filed a lawsuit, this brief visual encounter from a distance should not have resulted in the unilateral cancellation of her deposition.

18. The costs associated with the court reporter and videographer total \$428.80. See Exhibit 9.

Memorandum of Law In support of Motion

A substantial amount of administrative time went into the setting up the deposition of Jane Doe No. 4. Almost two months passed from the time that the Defendant's counsel first

requested a date for the deposition of Jane Doe No. 4. The deposition of Jane Doe No. 4 was to begin at 1:00 p.m, based on her schedule, and was moved from the undersigned's office to the office of the court reporter at her counsel's request.


Pursuant to Rule 30(d)(2) and (3)(A) and (C) and its reference to 37(a)(5)), Federal Rules of Civil Procedure, the court may impose an appropriate sanction, including reasonable expenses in attorneys fees incurred by any party on a person who impedes or delays the fair examination of the deponent. In this instance, the brief visual encounter, which was completely unintended and inadvertent, should not have been grounds for Plaintiff's counsel and Plaintiff refusing to move forward with the deposition. Furthermore, pursuant to (3)(A) and (C), Plaintiff and Plaintiff's counsel had no right to unilaterally terminate/cancel the deposition and fail to move forward. Plaintiff should have continued with the deposition and filed any motion deemed appropriate post deposition. Therefore, Defendant is asking for the costs associated with the attendance of the court reporter, her transcript and the presence of the videographer. Defendant would also request reasonable fees for 2.5 hours at \$500 per hour for being required to prepare this motion and affidavits associated with same.

The records obtained thus far on Jane Doe No. 4, do not reflect any "emotional trauma" by her own account of some 50 plus visits to the Defendant's home prior to the time that she hired an attorney. Even in her interview with attorney's handpicked expert, Dr. Kliman, by her own comments, her significant emotional trauma relates to physical and verbal abuse by a prior boyfriend, Preston Vineyard, and deaths associated with two close friends, Chris and Jen. Therefore, the supposed "emotional trauma" caused by a chance encounter resulting in a "glance" at best, should not be the basis for Plaintiff unilaterally cancelling her deposition.

Rule 7.1 A. 3. Certification of Pre-Filing Conference

Counsel for Defendant conferred with Counsel for Plaintiff by telephone and by e-mail; however, an agreement has not been reached.

WHEREFORE, Defendant moves this court for an order granting sanctions to include attorneys fees and costs as set forth above and costs associated with the attendance of the court reporter, the transcript and the presence of the videographer and direction that Jane Doe No. 4 appear for deposition within fifteen (15) days from the date of the court's order at the court reporter's office. If the court has not issued an order regarding Mr. Epstein's attendance at Plaintiff's deposition when Jane Doe No. 4 is to appear, the Defendant will agree that Mr. Epstein will not be present in the building on the date of her scheduled deposition such that no "inadvertent" contact will occur.



Robert D. Critton, Jr.
Michael J. Pike
Attorneys for Defendant Epstein**Certificate of Service**

I HEREBY CERTIFY that a true copy of the foregoing was hand-delivered to the Clerk of the Court as required by the Local Rules of the Southern District of Florida and electronically mailed to all counsel of record identified on the following Service List on this 17th day of September, 2009.

Certificate of Service
Jane Doe No. 2 v. Jeffrey Epstein
Case No. 08-CV-80119-MARRA/JOHNSON

Stuart S. Mermelstein, Esq.
 Adam D. Horowitz, Esq.
 Mermelstein & Horowitz, P.A.
 18205 Biscayne Boulevard
 Suite 2218
 Miami, FL 33160
 305-931-2200
 Fax: 305-931-0877
ssm@sexabuseattorney.com
ahorowitz@sexabuseattorney.com

Counsel for Plaintiffs

In related Cases Nos. 08-80069, 08-80119, 08-80232, 08-80380, 08-80381, 08-80993, 08-80994

Richard Horace Willits, Esq.
 Richard H. Willits, P.A.
 2290 10th Avenue North
 Suite 404
 Lake Worth, FL 33461
 561-582-7600

Fax: 561-588-8819

Counsel for Plaintiff in Related Case No. 08-80811

reelrhwh@hotmail.com

Jack Scarola, Esq.
 Jack P. Hill, Esq.
 Searcy Denney Scarola Barnhart & Shipley,
 P.A.

2139 Palm Beach Lakes Boulevard
 West Palm Beach, FL 33409

561-686-6300

Fax: 561-383-9424

jsh@searcylaw.com

jph@searcylaw.com

Counsel for Plaintiff, C.M.A.

Bruce Reinhart, Esq.
 Bruce E. Reinhart, P.A.
 250 S. Australian Avenue
 Suite 1400

Brad Edwards, Esq.
 Rothstein Rosenfeldt Adler
 401 East Las Olas Boulevard
 Suite 1650
 Fort Lauderdale, FL 33301
 Phone: 954-522-3456
 Fax: 954-527-8663
bedwards@rra-law.com

Counsel for Plaintiff in Related Case No. 08-80893

Paul G. Cassell, Esq.
Pro Hac Vice
 332 South 1400 E, Room 101
 Salt Lake City, UT 84112
 801-585-5202
 801-585-6833 Fax
cassellp@law.utah.edu
Co-counsel for Plaintiff Jane Doe

Isidro M. Garcia, Esq.
 Garcia Law Firm, P.A.
 224 Datura Street, Suite 900
 West Palm Beach, FL 33401
 561-832-7732
 561-832-7137 F
isidrogarcia@bellsouth.net
Counsel for Plaintiff in Related Case No. 08-80469

Robert C. Josefsberg, Esq.
 Katherine W. Ezell, Esq.
 Podhurst Orseck, P.A.
 25 West Flagler Street, Suite 800
 Miami, FL 33130
 305 358-2800
 Fax: 305 358-2382
rjosefsberg@podhurst.com
kezell@podhurst.com
Counsel for Plaintiffs in Related Cases Nos. 09-80591 and 09-80656

Jack Alan Goldberger, Esq.

West Palm Beach, FL 33401
561-202-6360
Fax: 561-828-0983
ecf@brucereinhardt.com
Counsel for Defendant Sarah Kellen

Theodore J. Leopold, Esq.
Spencer T. Kuvin, Esq.
Leopold-Kuvin, P.A.
2925 PGA Blvd., Suite 200
Palm Beach Gardens, FL 33410
561-684-6500
Fax: 561-515-2610
Counsel for Plaintiff in Related Case No. 08-08804
skuvin@riccilaw.com
t Leopold@riccilaw.com

Atterbury Goldberger & Weiss, P.A.
250 Australian Avenue South
Suite 1400
West Palm Beach, FL 33401-5012
561-659-8300
Fax: 561-835-8691
jagesq@bellsouth.net
Counsel for Defendant Jeffrey Epstein

Respectfully submitted,

By: 
ROBERT D. CRITTON, JR., ESQ.
Florida Bar No. 224162
rcrit@bclclaw.com
MICHAEL J. PIKE, ESQ.
Florida Bar #617296
mpike@bclclaw.com
BURMAN, CRITTON, LUTTIER & COLEMAN
303 Banyan Boulevard, Suite 400
West Palm Beach, FL 33401
561/842-2820 Phone
561/213-0164 Fax
(Co-Counsel for Defendant Jeffrey Epstein)

BC | **BURMAN, CRITTON**
LC | **LUTTIER & COLEMAN, LLP**
 YOUR TRUSTED ADVOCATES
 A LIMITED LIABILITY PARTNERSHIP

J. MICHAEL BURMAN, P.A.^{1,2}
 GREGORY W. COLEMAN, P.A.
 ROBERT D. CRITTON, JR., P.A.¹
 BERNARD LEBEDEKER
 MARK T. LUTTIER, P.A.
 JEFFREY C. PEPIN
 MICHAEL J. PIKE
 HEATHER MCNAMARA RUDA
 DAVID YAREMA

¹FLORIDA BOARD CERTIFIED CIVIL TRIAL LAWYER

²ADMITTED TO PRACTICE IN FLORIDA AND COLORADO

ADELOUI J. BENAVENTE
 PARALEGAL/INVESTIGATOR
 JESSICA CADWELL
 BOBBIE M. MCKENNA
 ASHLIE STOKEN-BARING
 BETTY STOKES
 PARALEGALS
 RITA H. BUDNYK
 OF COUNSEL
 ED RICCI
 SPECIAL CONSUMER
 JUSTICE COUNSEL

August 27, 2009

Sent by E-Mail and U.S. Mail

Stuart S. Mermelstein, Esq.
 Herman & Mermelstein, P.A.
 18205 Biscayne Blvd.
 Suite 2218
 Miami, FL 33160

Re: Jane Doe No. 4 v. Epstein

Dear Stuart:

Please be advised that Mr. Epstein plans to be in attendance at the deposition of your client. He does not intend to engage in any conversation with your client. However, it is certainly his right as a party-defendant in the lawsuit to be present and to assist counsel in the defense of any case.

Cordially yours,

Robert D. Critton, Jr.

RDC/clz

cc: Jack A. Goldberger, Esq.

EXHIBIT 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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

JANE DOE NO. 2,

Plaintiff,

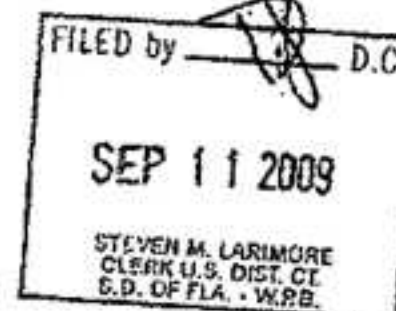
v.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80581, 09-80656, 09-80802, 09-81092.



Defendant Epstein's Emergency Motion To Strike Plaintiff's Motion For Protective Order (DE 292) And Emergency Motion To Allow The Attendance Of Jeffrey Epstein At The Deposition Of Plaintiffs And Response In Opposition To Plaintiffs', Jane Doe Nos. 2-8, Motion For Protective Order As To Jeffrey Epstein's Attendance At The Deposition Of Plaintiffs, With Incorporated Memorandum of Law

Defendant, Jeffrey Epstein, by and through his undersigned counsel, and pursuant to all applicable rules, including Local Rule 7.1(e) and Local Rule 12, hereby files and serves his Emergency Motion To Strike Plaintiff's Motion For Protective Order (DE 292) And Emergency Motion To Allow The Attendance Of Jeffrey Epstein At The Deposition Of Plaintiffs And Response In Opposition To Plaintiffs', Jane Doe Nos. 2-8, Motion For Protective Order As To Jeffrey Epstein's Attendance At The Deposition Of Plaintiffs. In support, Epstein states:

Introduction and Background

1. On August 19, 2009, Defendant sent a Notice for Taking the Deposition of Jane Doe No. 4 for September 16, 2009. See Exhibit "1"

EXHIBIT 2

03956-10994

DOJ-OGR-00030282

Page 2

2. Additionally, notices were sent out in other cases in connection with deposing additional Plaintiffs.

3. No objection(s) was/were received for Jane Doe No. 4, which was the only deposition set relative to the Jane Doe 2-8 Plaintiffs.

4. On August 27, 2009, the undersigned counsel sent a letter to counsel for Jane Doe No. 4 concerning her deposition and the scheduling of same on the above date. See Exhibit "2".

5. No response was received until counsel for Jane Doe No. 4 called on September 8, 2009, approximately eight days prior to the scheduled deposition, to indicate that they now had an objection and would be filing a motion for protective order seeking to prevent Epstein from attending the deposition. Once again, Plaintiffs are attempting to stifle this litigation through their own delay tactics during discovery. Plaintiffs wish not only to attempt to force Epstein to trial without any meaningful discovery, but now wish to ban Epstein from any depositions, thereby preventing him from assisting his attorneys in his very own defense. What's next – will Plaintiffs seek to prevent Epstein from attending any of the trials that result from the lawsuits Jane Does 2-8 have initiated? Plaintiffs see millions of dollars in damages, both compensatory and punitive, against Defendant.

6. Defendant is filing this emergency motion and his immediate response to the motion for protective order to guarantee his right to be present and assist counsel in deposing not only Jane Doe No. 4, but other plaintiffs and witnesses in these cases. To hold otherwise would violate Epstein's due process rights to defend the very allegations Plaintiffs have alleged against him. Does a Defendant not have a right to be present at depositions or other court proceedings to assist counsel with the defense of his case? Does a Defendant, no matter what the charges or the allegations, have full and unbridled access to the court system and the proceedings it governs,

03956-10995

DOJ-OGR-00030283

Page 3

including discovery? The short answer is unequivocally, yes. To hold otherwise would be a direct violation of Epstein's constitutional due process rights. Plaintiffs' attempts to play fast and loose with the law should not be tolerated.

7. As the court is aware, plaintiffs and defendants routinely attend depositions of parties and other witnesses in both State and Federal court proceedings. In fact, parties have a right under the law to attend such depositions.

8. As the court will note from Exhibit 2, counsel for the Defendant specifically stated that "Please be advised that Mr. Epstein plans to be in attendance at the deposition of your client. He does not intend to engage in any conversation with your client. However, it is certainly his right as a party-defendant in the lawsuit to be present and to assist counsel in the defense of any case." Despite this right, Plaintiffs continue to attempt to control how discovery is conducted in this case and how this court has historically governed discovery.

9. Interestingly, in *Jane Doe II*, the state court case, attorney Sid Garcia took the deposition of the Defendant and his client, *Jane Doe II*, was present throughout the deposition. This is despite her claims of "emotional trauma" set forth in her complaint. *Jane Doe No. II* is also a Plaintiff in the federal court proceeding *Jane Doe II v. Jeffrey Epstein* (Case No. 09-CIV-80469). Is this court going to start a precedent where it allows Plaintiffs to attend the depositions of Jeffrey Epstein, but not allow Epstein to attend their depositions (i.e., the very Plaintiffs that have asserted claims against him for millions of dollars)? This court should not condone such a practice.

10. The undersigned is well aware of the court's No-Contact Order entered on July 31, 2009 (DE 238). A copy of the order is attached as **Exhibit "3"**. In fact, the order provides that the defendant have no direct or indirect contact with the plaintiffs, nor communications with

03956-10996

DOJ-OGR-00030284

Page 4

the plaintiffs either directly or indirectly. However, there is no prohibition against Mr. Epstein's attendance at a deposition where, as is reflected in the order, the communication will be made to the plaintiff solely through defense counsel with one or more of plaintiffs' counsel of record present in the room in a videotaped deposition. Obviously, any inappropriate contact or communication will certainly be flagged by the attorneys in attendance. As such, Plaintiffs really have the cart before the horse in this instance (i.e., nothing prevents Epstein from attending these depositions and, to the extent Plaintiffs believe that something improper occurs at any deposition, only then can that circumstance be addressed by a motion such as the instant one.)

11. Next, Plaintiffs, Jane Does 2-8, attempt to use the Affidavit of Dr. Kliman for every motion for protective order/objection filed to date. This also includes the two most recent motions, which attempt to prevent Defendant's investigators from doing their job, such that the Defendant and his attorneys can defend the claims asserted in these cases. Plaintiffs lose sight of the fact that the court, in discussing the Non-Prosecution Agreement, inquired as to whether Epstein and his counsel could fully defend the case, which included discovery and investigation. All plaintiffs' counsel and the USAO responded in the affirmative. In fact, Plaintiffs universally agreed at the June 12, 2009 hearing on Defendant's Motion to Stay that regular discovery could proceed. See Composite Exhibit "4" at pages 26-30 & 33-34. For instance, the court asked Plaintiffs' attorneys the following questions:

The Court: [] So again, I just want to make sure that if the cases go forward and if Mr. Epstein defends the case as someone ordinarily would defend a case being prosecuted against him or her, that that in and of itself is not going to cause him to be subject to criminal prosecution? (Ex. "A," p.26).

The Court: You agree he should be able to take the ordinary steps that a defendant in a civil action can take and not be concerned about having to be prosecuted? (Ex. "A," p.27).

03956-10997

DOJ-OGR-00030285

Page 5

The Court: Okay. But again, you're in agreement with everyone else so far that's spoken on behalf of a plaintiff that defending the case in the normal course of conducting discovery and filing motions would not be a breach? (Ex. "A," p.30).

Mr. Horowitz – counsel for Jane Does 2-7: Subject to your rulings, of course, yes. (Ex. "A," p.30).

The Court: But you're not taking the position that other than possibly doing something in litigation which is any other discovery, motion practice, *investigations* that someone would ordinarily do in the course of defending a civil case would constitute a violation of the agreement? (Ex. "A," p.34).

Ms. Villafana: No, your honor. I mean, civil litigation is civil litigation, and being able to take discovery is part of what civil litigation is all about... But... Mr. Epstein is entitled to take the deposition of a Plaintiff and to subpoena records, etc. (Ex. "A," p.34)

12. It is clear from the transcript attached as Exhibit "4" that each of the Plaintiffs' attorneys, including Mr. Horowitz for Jane Does 2-8, expected and conceded that regular/traditional discovery would take place (i.e., discovery, motion practice, depositions, requests for records, and investigations).

13. Importantly, Plaintiffs' counsel advised the undersigned that they coordinate their efforts in joint conference calls at least two times per month. At recent depositions of two witnesses, Alfredo Rodriguez and Juan Alessi, five different plaintiffs' attorneys questioned the witnesses for approximately six to eight hours, often repeating the same or similar questions that had previously been asked.

14. Clearly, the Plaintiffs' counsel wish to control discovery and how the Defendant is allowed to obtain information to defend these cases. However, the court has ruled on a number of these issues as follows:

- A. Plaintiffs' counsels sought to preclude the Defendant from serving third party subpoenas and allowing only Plaintiffs' counsel to obtain

03956-10998

DOJ-OGR-00030286

depositions and those materials and "filter them" to defense counsel. That motion was denied, and the court tailored a method such that the Defendant could obtain the records directly.

- B. Plaintiffs' counsels sought to limit the psychological psychiatric examination in C.M.A. v. Jeffrey Epstein and Sarah Kellen (Case No. 08-CIV-80811), as to time, subject matter and scope. However, Magistrate Johnson entered an order denying the requested restrictions.
- C. Other Plaintiffs' attorneys have said that they object to requested psychological exam of their client(s), thus motions for such exams will now need to be filed; yet all seek millions of dollars in damages for alleged psychological and emotional trauma.
- D. Many Plaintiffs' object to discovery regarding current and past employment (although they are seeking loss of income, both in past and future).
- E. All Plaintiffs object to prior sexual history, consensual and forced as being irrelevant, although in many of the medical records that are now being obtained, as well as the psychiatric exams done by Dr. Kliman, there is reference to rape, molestation, abusive relationships (both physical and verbal), prior abortions, illegal drugs and alcohol abuse.

15. Clearly, Plaintiffs wish to make allegations; however, they forget that they must meet their burden by proving same. Meeting that burden and disproving those allegations is not possible if this court allows Plaintiffs to stifle and/or control the discovery process.

16. Specifically, with regard to Jane Doe No. 4, which is the deposition set for next week, September 16, 2009, the plaintiff has in her past (see affidavit of Richard C.W. Hall, M.D., an expert psychiatrist retained by Defendant to conduct exams on various claimants.) See Exhibit "5"

- A. Sought counseling due to a dysfunctional home situation, specifically with regard to her father. She described herself as being angry, bitter, depressed and having body image problems;
- B. Had an ex-boyfriend, Preston Vinyard, who was, on information and belief, a drug dealer who she lived with;
- C. Had drug and alcohol problems herself; and

Page 7

- D. Spoke with two psychiatrists when she was sixteen or seventeen (before this lawsuit!) and did not reference Epstein, but did reference her boyfriend and family issues.

17. There are police reports that reflect that:

- A. In September 2004, a battery report was filed regarding Jane Doe No. 4 and Vinyard based on an argument where he grabbed her by the neck and began spitting on her and calling her a cheater.
- B. Also in September 2004, there was a domestic violence file opened where Vinyard was physically and verbally abusive to Jane Doe No. 4, his girlfriend at the time. There is reference that the two started a serious relationship in January 2002, when she was only fourteen (14) years old.
- C. Vinyard was arrested in December 2003, and charged with reckless driving and leaving the scene of the accident with Jane Doe No. 4, when their vehicle hit a tree and they fled.

18. Moreover, an ex-boyfriend of Jane Doe No. 4 died in a DUI accident and it took her two years to get over his death, and another good friend of hers, "Jen," died in an automobile accident involving drinking. Within her Amended Complaint and Answers to Interrogatories, she indicates that she went to Epstein's house on several occasions. However, at no time did she call the police, at no time did she report any traumatic or severe emotional trauma, nor alleged coercion, force or improper behavior by Epstein until she got a "lawyer" and is now pursuing claims for millions of dollars. Epstein's assistance to his attorneys at these depositions regarding the above issues is not only a constitutional due process right afforded to him but essential given the fact that this court has ruled that Plaintiffs' depositions can only occur one time, no "second bite" absent a court order.

19. Given the breadth of the allegations made against Epstein and the substantial damages sought, Epstein has an unequivocal and constitutional right to be present at any deposition such that he can assist his counsel with the defense of these cases. *See infra*. **Dr. Hall**

Page 8

also prepared affidavits regarding Jane Does 2, 3, 5, 6, and 7, which are attached to DE 247.

Memorandum Of Law

20. Plaintiffs' motion is required to be denied as they have failed to meet their burden showing the "extraordinary circumstances" necessary to establish good cause to support a protective order which would grant the extraordinarily rare relief of preventing a named party from attending in person the deposition of another named party. Also requiring denial of Plaintiffs' motion is the fact that it seeks to exclude Epstein from all the depositions of all the Plaintiffs in actions before this Court. Such relief is unprecedented and attempts to have this Court look at the Plaintiffs' collectively as opposed to analyzing each case based on facts versus broad speculation whether "extraordinary circumstances" exist on a case by case basis. In other words, the standard is such that the Court would be required to determine whether each Plaintiff has met her burden, should the Court consider adopting such extraordinary relief. On its face, the motion does not meet the necessary burden as to Jane Doe 4, or Jane Does 2, 3, 5, 6, or 7.

Discussion of Law Requiring the Denial of the Requested Protective Order

Rule 26(c)(1)(E), Fed.R.Civ.P. (2009), governing protective orders, provides in relevant part that:

(1) In General. A party or any person from whom discovery is sought may move for a protective order in the court where the action is pending—or as an alternative on matters relating to a deposition, in the court for the district where the deposition will be taken. The motion must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action. **The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:**


* * * *

(E) designating the persons who may be present while the discovery is conducted;

* * * *

In seeking to prevent the Defendant from being present in the room where the Plaintiffs are being deposed, Plaintiffs generally rely on treatise material from Wright & Miller, 8 Federal Practice & Procedure Civ.2d, §2041, and cases cited therein. The case of Gaella v. Onassis, 487 F.2d 986, at 997 (2d Cir. 1973), cited by Plaintiffs, makes clear that the exclusion of a party from a deposition "should be ordered rarely indeed." Unlike the Gaella case, there is no showing by each of the Plaintiffs that there has been any conduct by Epstein, in rightfully defending the actions filed against him, reflecting "an irrepressible intent to continue ... harassment" of any Plaintiff or a complete disregard of the judicial process, i.e. prior alleged conduct versus any action/conduct displayed in this or other cases that would justify extraordinary relief. There is absolutely no basis in the record to indicate that Epstein will act other than properly and with the proper decorum at the depositions of the Plaintiffs and abide in all respects with the No-Contact Order.

Wherefore, Epstein respectfully requests that this Court enter an order denying Plaintiffs' Motion for Protective Order, provide that Epstein is permitted to attend the depositions of the Plaintiffs that have asserted claims against him in the related matters, and for such other and further relief as this court deems just and proper.



Robert D. Critton, Jr.
Michael J. Pike
Attorney for Defendant Epstein