

Form 42 - DOORMAN WITH MILITARY

HERMAN & MERMELSTEIN PA**ATTN:**

U.S. SOUTHERN COURT FLORIDA COUNTY

JANE DOE NO.5

plaintiff

- against -

JERRREY EPSTEIN

defendant

Index No. 08CV80381

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

HARRY TORRES being duly sworn, deposes and says, I am over 18 years of age, not a party to this action, and reside in the State of New York. That on the 7th day of May, 2008 07:45 AM at 9 EAST 71ST ST NEW YORK,, NY 110021

I served the SUMMONS AND COMPLAINT

after prior attempts were made on: 04/23/2008 06:15 PM 04/24/2008 02:30 PM 05/01/2008 06:27PM upon JERRREY EPSTEIN **

the DEFENDANT therein named by delivering and leaving a true copy or copies of the aforementioned documents with

"JOHN SMITH", ASSISTANT & HOUSE STAFF EMPLOYEE WHO REFUSED TRUE NAME

a person of suitable age and discretion, who refused access to DEFENDANT's actual apartment, and accepted in accordance with his/her everyday duties.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the service as follows:

SEX: MALE COLOR: WHITE HAIR: BROWN AGE: 45 HEIGHT: 6:0 WEIGHT: 200

OTHER IDENTIFYING FEATURES: MUSTACHE/BEARD

~~On 05/12/2008 I deposited in the United States mail a true copy of the aforementioned documents properly enclosed and sealed in a post-paid wrapper addressed to the said DEFENDANT at the above address. That address being last known residence, usual place of abode of the DEFENDANT.~~

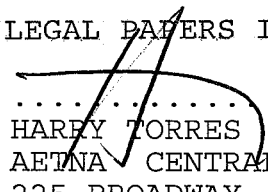
~~Copy mailed 1st class mail marked personal & confidential not indicating on the outside thereof by return address or otherwise that said notice is from an attorney or concerns action against the person to be served. ** & 5/5/08 9:20PM~~

That at the time of service as aforesaid, I asked person spoken to whether DEFENDANT was in the military service of the State of New York or United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid I aver that the DEFENDANT is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

DEPONENT STATED AT THE TIME OF SERVICE HE HAD LEGAL PAPERS IN A FLORIDA ACTION.

Sworn to before me this 12th day of May, 2008ni

SAMSON NEWMAN
Notary Public, State of New York
No.01NE-4783767
Qualified in NEW YORK COUNTY
Commission Expires 11/03/2009


HARRY TORRES 0915257
AETNA CENTRAL JUDICIAL SERVICES
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No: 3HM4124084