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P5CsCOM1

(In the robing room)

MR. AGNIFILO: One thing on the record, the court's record. I'm happy to do it on the record.

I'm going to ask that victim number one, when she testifies, be already in the jury box when the jury comes in.

Only as to her. Only because of her physical condition. I mean, there are certain things we can't control about a juror who is eight and a half months pregnant, but I think there is -- there is a quality to her walking in front of the jury that I think is easily avoidable.

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If your Honor is considering it, I would like to be heard on that. I don't think there any basis to treat any witness differently because of a medical condition, most notably pregnancy. I think that would be deeply inappropriate.

Ms. Comey makes the point, we wouldn't treat people differently based on any other sort of medical condition or physical impairment or any other attribute, right?

Why would we treat this differently?

MR. AGNIFILO: Because I think there is a prejudicial quality. Pregnancy is beautiful and wonderful. It also is a source of potential sympathy.

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Good morning, ladies and gentlemen, and  
thank you for bearing with us through the jury selection  
process.

Welcome back to the United States District Court for  
the Southern District of New York.

I am Arun Subramanian, and I will  
be presiding over the trial in this case, United States of  
America v. Sean Combs.

Trial will begin shortly with opening statements.

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It will be your duty to find from the evidence what  
the facts are. You and you alone will be the judges of the  
facts.

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anything you may have seen or heard outside  
the courtroom is not evidence and must be disregarded. You are  
to decide the case solely on the evidence presented here in  
this courtroom.

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You may also hear from two witnesses testifying using  
pseudonyms, that is, not using their real names.  
The fact that a witness is testifying using a  
pseudonym does not mean that his or her testimony is deserving  
of greater or lesser weight than that of any other witness.

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do not read or listen to

anything outside the courtroom that relates to this case in any

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way. You are not to allow anyone to speak to you about this case.

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We will now begin the trial.

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We will now begin with opening statements. Is the government prepared to proceed?

This is Sean Combs. To the public, he

was Puff Daddy, or Diddy, a cultural icon, a businessman,

larger than life. But there was another side to him, a side

that ran a criminal enterprise.

During this trial, you are going to hear about 20

years of the defendant's crimes. But he didn't do it alone.

He had an inner circle of bodyguards and high-ranking employees

who helped him commit crimes and helped him cover them up.

Kidnapping, arson, drugs, sex crimes, bribery and obstruction;

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these are just some of the crimes that the defendant and his inner circle committed again and again.

Let's start now with just one night. The defendant

was on the hunt for his girlfriend, a woman named Cassie. For

years, the defendant physically abused Cassie. He also

sexually exploited her, forcing her to have sex with male

escorts while he watched and recorded it. But that night, the defendant learned he had lost control of Cassie. He found out Cassie was seeing another man. Furious, he set out to find Cassie and that other man. But he couldn't do it by himself. So he took his gun and he took his bodyguard, one of his most loyal lieutenants, to wake up one of the defendant's employees in the middle of the night.

The defendant yelled that he was going to kill the man Cassie was with. He demanded that his employee take him to that man's home. The defendant forced the employee out of her apartment and into an SUV. They drove to the house. The defendant and his bodyguard broke in, but no one was there. The defendant didn't give up. He kept looking for Cassie. When he finally found her, he did what he had done countless times before. He beat her brutally, kicking her in the back and flinging her around like a rag doll. All of that violence wasn't enough though. The defendant had to make sure he had control over Cassie once

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again. So he threatened her. The defendant told Cassie that if she defied him again, he would publicly release the videos of her having sex with male escorts that he kept as blackmail. Souvenirs of the most humiliating nights of her life. This was just one night in the defendant's two decades of crime. In one night, he and his lieutenant kidnapped an employee, broke into a man's house, and the defendant beat and blackmailed his girlfriend. And as you will learn, this was

just the tip of the iceberg.

For 20 years, the defendant, with the help of his trusted inner circle, committed crime after crime. That's why we are here today. That's what this case is about.

You'll learn that the defendant was a musician who created an empire. He had a record label, Bad Boy Records, and other businesses that he ran or controlled. Those businesses made the defendant rich, and he used money and resources from

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those companies to build his reputation and to feed his every desire.

He sometimes called himself the king, and he expected to be treated like one. He expected his inner circle to cater to his every desire, including his sexual desires.

For years, the defendant used his inner circle and his company's resources to sexually exploit multiple women, including women he forced and manipulated into having sex with male escorts, meaning men who the defendant paid to have sex with women while he watched.

you'll hear about other violence, too, like when the defendant's bodyguards kidnapped the same employee another time, forcing her to sit through days of lie detector tests, or when the defendant had a man's car

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set on fire, or when the defendant dangled a woman over a balcony.

The defendant had impossible demands. When his employees failed to meet those demands, the defendant threw things at them, threatened them, hit them, or pressured them to take drugs. He even sexually assaulted one of them.

You'll also hear how the defendant used his employees to get and distribute drugs. They delivered those drugs whenever the defendant asked, including so he could give those same drugs to the women he was forcing to have sex with male escorts. He transported those women and those escorts across state lines and even out of the country for those sex acts.

Let me be very clear on this next point. This case is not about a celebrity's private sexual preferences. The evidence will show that the sexual conduct at issue in this case was coercive and criminal, because the defendant made women have sex when they did not want to, because he threatened them, he drugged help, he lied to them, and he even used violence to make them do it.

A lot of this trial will focus on just two of those women. Cassie, who I talked about earlier, and Jane. Some of the details of what happened to Cassie and Jane may be hard to

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hear, but this is what the evidence will show happened.

The defendant used lies, drugs, threats, and violence to force and coerce, first, Cassie, and later Jane, to have sex with him in front of male escorts. The defendant insisted that the sex occur in a very specific, highly orchestrated way.

These sexual performances lasted multiple days and they

involved multiple escorts.

The defendant called these encounters by different names over the years. First, freak-offs. Later, wild king nights or hotel nights. Week after week, the defendant directed freak-offs in hotels across the country and sometimes out of the country. At times, the defendant had escorts and the women travel from out of state so the defendant's staff sometimes organized flights, cars, and hotels. The defendant's businesses paid those expenses.

The defendant had particular demands for freak-offs.

At his direction, the defendant's staff set up the room in advance with supplies, like his preferred lighting, extra linens, and lubricant. His staff remained on call to refresh anything the defendant needed, like cash to pay the escorts or drugs for the women and the defendant.

The hotel rooms were dark. The defendant instructed Cassie and Jane how to look, to dress in lingerie, wear tall platform high heels, and have manicured white nails. The defendant selected drugs for Cassie and Jane to take. Usually

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MDMA, also known as Molly or ecstasy. Sometimes those drugs made Cassie and Jane sick, but they also made the women more uninhibited and sexually aroused.

Once an escort arrived, the defendant dictated every step of the sexual activity that followed, sexual activity that followed the same pattern. And he expected the women to enjoy themselves, to appear to, while

they did it. The defendant masturbated throughout the freak-offs and often video recorded part of them.

Now, I want to tell you more about Cassie and about Jane. Cassie was a 19 year-old model, an aspiring singer with a hit song when she met the defendant in 2006. The defendant was 17 years older than her and the head of a record label. Soon, Cassie was signed to a ten album deal with that label. The defendant pursued Cassie, and within a year, they were dating. They stayed together on and off until about 2018. During that time, Cassie tried to work on her music and in modeling and acting, but the defendant made her turn down many opportunities. Instead, he paid for Cassie's cars, her apartments, and some of her day-to-day expenses.

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The defendant started abusing Cassie early on.

Initially, Cassie fought back. But time and again, the defendant hit Cassie in the head, threw her to the ground and kicked her, and dragged her by the hair. In 2009, the defendant threw Cassie to the floor of an SUV and stomped repeatedly on her face.

To hide her injuries, the defendant forced Cassie to stay in a hotel for the next week. He refused to let her leave and he had a staff check on her to make sure she stayed put. The defendant also introduced Cassie to freak-offs early on. Soon, the defendant made it Cassie's job to find and book escorts for freak-offs. Freak-offs that were happening as often as once a week for days at a time. Meaning that for



almost half of every week, Cassie was in a dark hotel room, high and awake for days, performing sex acts that she did not want to do on male escorts.

Cassie will tell you how she felt like she was choking when the defendant made an escort urinate in her mouth, and how she overdosed at a freak-off when she still had an open wound on her face from the defendant's most recent assault.

As you will see on video during this trial, the defendant hit and kicked Cassie in the hallway of an LA hotel, trying to drag her back to the room where they had been with an escort.

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Cassie tried the first freak-off because she loved the defendant and wanted to make him happy. After that, she knew it was not something she wanted to do. But because of the defendant, it became almost everything she did. Because if Cassie didn't do what the defendant wanted, the consequences were severe. Physically, the defendant beat her viciously, exploding over even the tiniest slight and beating her to show who was in charge.

He beat her when she didn't answer the phone when he called. He beat her when she left a freak-off without his permission. He beat her when he thought she took too long in the bathroom. The defendant taught Cassie that defying him could and often would end in violence. And when she tried to run away, he always found her.

And Cassie's career and livelihood were also in the

defendant's hands, something the defendant made clear to Cassie. He told her he could destroy her career by releasing the videos that he recorded of her performing sex acts on dozens and dozens of male escorts.

It had the power to ruin her life.

So time and again, when the

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defendant suggested to Cassie that they have a freak-off, she knew she had no choice but to agree and went to work setting one up. She texted the escorts, arranged for them to come to hotels, and put on the performance the defendant wanted. Her livelihood and her safety depended on keeping him happy.

You will hear during this trial that both Cassie and the defendant were unfaithful, jealous, and at times angry. But only one of them had power. Only one had control. And that was the defendant.

Cassie was not the only woman the defendant did this to. This was part of a pattern.

Jane was a single mom who started spending time with the defendant in 2020. The defendant pursued and romanced Jane, who fell in love with him quickly.

For the first few months, their sex life was just the two of them and Jane was happy. That was until the defendant introduced Jane to freak-offs. One night, when they had already taken drugs and been having sex for hours, the defendant told Jane about freak-offs. Jane agreed to try one

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to make the defendant happy. To her surprise, the defendant said he would make it happen immediately, that very same night. He took her to a hotel where a room was already set up and an escort was on the way. Jane was nervous and the defendant directed her step by step.

Jane thought the first freak-off was a one-time, wild night. Jane was wrong. The defendant continued asking Jane to have freak-offs and promising that if she did, they would spend quality time together, they would go on dates together, they would go on trips. That was what Jane wanted more than anything, a real relationship. So she agreed. She helped plan freak-offs and reach out to escorts. But even though the defendant promised her quality time and trips, he never delivered.

Jane will tell you about those nights in detail, how she wanted the escorts to wear condoms, but many times the defendant did not let them. And Jane will tell you how he had her take drugs to stay awake and aroused for days. Jane tried twice to make it through these nights without drugs. The first time, she broke down and had took ecstasy to finish performing for the defendant. The second time, Jane vomited after having sex with one escort. How did the defendant respond? He told her to hurry up and get back into the room where another escort was waiting.

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Feeling stuck and sick of the

strangers the defendant kept bringing to these hotel rooms,

Jane tried to assert herself in small ways. She found two men, men who performed in pornography, and she invited them to join the freak-offs. That way, Jane could at least choose the other man she was forced to be intimate with.

The

defendant gave Jane money and later started paying the rent for the house that she lived with her child. That way, when Jane resisted the freak-offs and told him over and over that she wanted to stop, he had the power to coerce her back into the hotel rooms. And just as he had with Cassie, the defendant threatened Jane with the videos he recorded of her engaging in sex acts with the escorts.

Not even a year ago today, Jane had the worst day of her life. The defendant came to Jane's house for an at-home date night. She and the defendant argued about another woman that the defendant had been seeing. Jane was upset and

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1 jealous. She had now spent years in hotel rooms for forced sex

2 while the defendant took his other girlfriends for dates and

3 trips.

4 Jane hit the defendant and threw things at him. The

5 defendant became enraged. So Jane tried to get away from him

6 and hide. She ran to her bedroom and locked the door. He

7 kicked it open. She ran to her bathroom and locked the door.

8 He kicked it open. She ran to her closet and locked the door.

9 He kicked it open. She ran to the guest bedroom and locked the

10 door. He kicked it open. She tried to run out the front door,

11 but he grabbed her, in a chokehold, lifted her off the ground

12 by her neck, and kicked her to the ground.

13

14 He

15 punched her in the face, kicked her while she was curled up in

16 a ball on the ground, dragged her by her hair and her arm, and

17 slapped Jane's face so hard she fell over. When all of this

18 was over, the defendant still did not let Jane be. Instead, he

19 told Jane you're not going to fuck up my night. The defendant

20 instructed her to put on an outfit and call up an escort for a

21 freak-off. He made Jane cover her black eye and bruising, take

22 an extasy pill, and perform for the defendant with that escort.

23 Jane followed his instructions. Like with Cassie, the

24 defendant's violence had gotten him what he wanted.

25 The defendant's sexual violence did not stop at

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freak-offs though. Cassie will tell you about the time when

the defendant forced himself on her, having sex with her as she

cried and repeatedly told him no.

And Mia, an employee who the defendant worked to the

bone for years will tell you about the times that the defendant

forced himself on her sexually, putting his hand up her dress,

unzipping his pants and forcing her to perform oral sex, and

sneaking into her bed to penetrate her against her will.

Amidst all this

violence, the defendant and his inner circle had to make sure

that nothing put the defendant's public image and his power at

risk. So as tirelessly as the defendant's inner circle worked to meet the defendant's every need, they also worked to cover up his crimes.

Remember the video at the LA hotel of the defendant attacking Cassie during a freak-off?

The defendant first tried to pay off a hotel security guard with a wad of cash in exchange for his silence. Then, the defendant and his chief of staff reached out to a different hotel security guard to broker a deal. In exchange for the video from the hotel, the defendant gave the security guard a

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brown paper bag full of \$100,000 in cash, while the defendant's bodyguard and his chief of staff stood by.

You'll hear how the inner circle covered up the defendant's brutal beatings by keeping Cassie in hiding for days. You'll hear about the inner circle contacting witnesses of the defendant's abuse to feed them lies, including even after he knew about the investigation in this case.

the defendant is charged with racketeering conspiracy based on his agreement to commit crimes as part of an enterprise.

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that enterprise is the inner

circle I talked about, the bodyguards and high-ranking employees, like chiefs of staff.

Together, they agreed to commit different crimes, including kidnapping and arson, distributing drugs to other

people, exploiting employees for labor, and in Mia's case, sex, bribery and obstruction, sex trafficking, and transporting people for prostitution.

The defendant is also charged separately for sex trafficking Cassie and Jane through force, fraud, or coercion.

The defendant is charged with using all three tactics to make Cassie and Jane participate in day's long, drug fueled, recorded sexual encounters with male escorts against their will.

Finally, he is charged with transporting Cassie, Jane, and male escorts across state lines for these sexual encounters.

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You'll hear from witnesses, including Cassie and Jane, two of the defendant's victims.

Cassie and Jane will describe freak-offs for you in painstaking detail. They will tell you some of the most personal and painful experiences of their lives.

You'll hear from Mia, who worked as the defendant's personal assistant for years, the employee he sexually assaulted. Mia is just beginning to grapple with the times the defendant forced himself on her sexually.

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You will learn that some of these witnesses and victims, including Cassie, have already received financial settlements from the defendant, or have filed lawsuits against the defendant. But these witnesses will tell you that they'd

trade any money from the defendant for not having been abused.

You will also hear from some of the escorts who participated in freak-offs with Cassie and Jane. They will tell you how the defendant directed the sexual activity between the escorts and Cassie or Jane, down to the details of how they touched each other, the specific sex acts they performed, all while the defendant filmed it. You will even hear from an escort who saw the defendant assault Cassie and drag her by her hair during a freak-off.

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you will see videos of some of the freak-offs, the videos the defendant used to blackmail Cassie and to blackmail Jane. Those videos capture just small parts of these day's long performances. In them, you can hear the defendant providing direction to Cassie and Jane, and you will see Cassie and Jane do exactly what the defendant tells them to do.

You will see them put on a performance, high on ecstasy, where they pretend to enjoy themselves because that's what the defendant said he wanted. You will see for yourselves the defendant's violence in its aftermath.

You will see photos of Cassie and her injuries from the defendant's assaults. you will see videos of Jane, with bruising still on her face,

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days after the defendant attacked her and forced her to do a freak-off, not even a year ago.



You will hear recordings of phone calls when the defendant called Jane after Cassie had filed a lawsuit. You will hear him -- you will hear him try to manipulate Jane into saying she wanted to have freak-offs.

by the end of this trial, when you've seen and heard all of the evidence, you will see how it all fits together. You will see how it proves

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that the defendant led and controlled an enterprise that enabled him and others working for him to commit many crimes.

First, please pay close attention to the evidence.

Second, please follow the judge's instructions on the law.

And, third, please use and trust your common sense.

If you do all that, you will reach the only verdict that is consistent with the law and the evidence in this case.

That the defendant, Sean Combs, is guilty.

THE COURT: All right. Who will be presenting opening statements?

MS. GERAGOS: I am, your Honor.

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Sean Combs is a complicated man, but this is not a complicated case. This case is about love, jealousy, infidelity, and money.

This case is about voluntary, adult choices made by capable adults and consensual relationships. This case is about those real-life relationships, and the government is

trying to turn those relationships into a racketeering case, a prostitution case, and a sex trafficking case. It will not work.

finally, the story about this case can finally come out. Why do I say that? I say that because this case is not about what you've heard on the news, read in the news, or have seen on social media for the past year and a half. This case is not about what civil attorneys looking for a payday are trying to make my client out to be. There has been a tremendous amount of noise around this case for the past year and it is time to cancel that noise and hear and see the evidence that will be presented in this courtroom. And it will

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be crystal clear.

The story of Sean Combs is a fascinating one, but it is a human one.

you will learn that he is a man who grew up here in New York City, in Harlem, who came from little, but built ground breaking, lawful businesses. You will hear that he is a wealthy individual, but know that the evidence will show that nobody gave him this money. He worked for it and no one gave him a dime.

Recreated a culture and produced music that I believe you will hear will change the generation. And I believe that the evidence is going to show that this ingenuity is what drew people to Mr. Combs.

If you had any interest in climbing the social ladder

at the time and being involved in the music industry, the apparel industry, spirits industry, attending his legendary parties, you wanted to be around Sean Combs.

You also wanted to be around him because of the benefits that came along with being with him. As you listen to the evidence in this case, try to remember why that matters. Try to remember why people stayed around him and why it

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matters. I expect it will matter to you as the jury because he gave people opportunities and he gave people chances to work at his companies.

I don't think that the witnesses will tell you they always liked what he did or how he behaved, but the real time text messages that you will review in this case show that the people really loved him. And they believed that by being with Sean Combs, they were part of something special. So, by now, you've heard the government say a lot of things about my client. It's time for me to introduce you to him. His name is Sean Combs. You may have heard him by Puff Daddy, P. Diddy, Puffy, Diddy, but standing in this courtroom, at 55 years old, in the same place he was born and raised, he's going by the same name he was born with, Sean Combs. My name is Teny Geragos and I am one of the attorneys honored to represent him.

The government started their opening statement by telling you this is about a 20-year racketeering influence corrupt organization act enterprise that he committed with his

apparent trusted inner circle. The only people in this courtroom who will tell you that they participated in, knew about, or came to an agreement to participate in a racketeering enterprise are the prosecutors. Not one witness will get into this courtroom and will take that witness stand and tell you

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that they were part of any racketeering influenced corrupt organization act enterprise. And the reason is simple: There was not one.

You heard what the government tried to say the enterprise is, that he used his lawful businesses to feed his every desire, including sexual ones. This case is about Sean Combs' private, personal sex life, which has nothing to do with his lawful businesses. The government has no place here in this man's private bedrooms. The government can say over and over again that this is not about his private sex life, but the evidence will show you that it is.

The people who will come into this courtroom and testify are the people who would know about a racketeering enterprise, and those people will all say they knew nothing about any enterprise.

The prosecution will bring in those same employees and others into this courtroom and have them testify that Sean Combs has a temper. And when he drank, or when he did the wrong drugs, he would get violent. My client is not proud of that. But it is one of the many things we are going to own and fully admit right up front at this trial.

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Sean Combs has a bad temper. He sometimes gets so angry or so jealous that he is out of control. You will see evidence and you will hear some testimony that does not portray my client in a good light. You will hear some text messages, some voice notes, and some witness testimony that may make you think I don't think this guy is a great guy. I don't like how he just lied to his girlfriends. I don't like the things he just said in that text message.

he is not charged with being mean. He is not charged with being a jerk. He's charged with running a racketeering enterprise.

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And though there was violence that you are going to hear about, you already have, that violence is not part of any RICO. That violence is not connected to sex trafficking and that violence is not prostitution.

It is called domestic violence. It is called assault. Domestic violence is a very serious matter. I want to say that now. It is a bad, illegal problem, and it is something that the law addresses.

We take full responsibility that there was domestic violence in this case.

Domestic violence is not sex trafficking. I want to say it again. Domestic violence is not sex trafficking. Had he been charged with domestic violence, had he been charged with assault, we would not be here right now.

However, he has been

charged with different crimes: Sex trafficking, prostitution, racketeering. These are federal crimes with their different statutes, they charge different elements, and he is simply not guilty of those crimes.

One of the central themes of my statements to you will be personal accountability and personal responsibility.

We are going to take that on ourselves. We will not shy away from the things Mr. Combs did. we will not deny his

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personal responsibility or own the things he did not do.

We are telling you right now that he is physical, that he is a drug user, and I'm telling you he had a bit of a different sex life. For example, you have not heard any evidence in this case, but the prosecutors already told you about lubricant, and you may know of his love of baby oil.

Is that a federal crime? No. You will hear that he got IVs after ingesting drugs. Is that a federal crime? No. He will be responsible. He will be accountable for the things that he did. But we will fight for his freedom throughout the next eight weeks for what he did not do.

The alleged victims who will testify in this case are capable, strong, adult women. They were all getting something each of them wanted from him and from being in a romantic relationship with him. And these adult, capable, strong women will have to take on the same level of personal responsibility for their lives that he is going to take on for his.

When any person in life makes an adult choice, that is a free choice. A free choice has pros. It has cons. You may think there are better choices. You may think there are worse choices. But that does not eliminate the personal responsibility behind those choices. And each of the women you will hear from, they all had the personal responsibility and

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the freedom to make the choices that they made.

You will hear from these women. You will see these women.

You will see that they are capable, you will see that they are strong, and you will see that they made free choices every single day for years.

Ask yourselves: What are they getting from being with Sean Combs? They are not with him because they are stuck or because they are without a choice.

with each of these individuals, ask yourselves, what is this person getting?

They are with him or they are working for him because they are getting something they want from being with him. Now, with each person, that something may be different. And it usually is. But with each person, they are all getting something.

So as you listen to the evidence, watch closely to the role that jealousy plays in this case. We have talked to you, both of us already, about jealousy and how it is pervasive and present in every single relationship. But I want to also let you know it drives a lot of the choices that the alleged

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victims make here.

Combs is one of those men that, I'll submit to you, we all know. The evidence is going to show that he is somebody who never married, but he needed to always have a woman around him. He is a many-women man. He has seven children by four different women. And he is the kind of guy who is always in relationships. In fact, he was always in multiple relationships. But critically, he was not always honest about that fact. And you'll find that even when he was, even when women knew he was in multiple relationships, this would drive a primal jealousy in people. It would drive a lot of the choices you are going to see in this case.

You are also going to see that Sean Combs is extremely jealous. You might think that it's hypocritical. You might not like it. But you are going to see that he is also extremely jealous. So as you're listening to the evidence and you're evaluating the testimony, ask yourself, what is causing that fight? The answer is, without exception, jealousy or drugs.

The hitting, the things we are going to take responsibility for, it is typically because of jealousy or drug use. The role of jealousy here is critical and it's pervasive.

we'll see the

same women over and over. They remained in multi-year relationships with him. And I believe that you'll pretty much

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know about every relationship he's had over the past 20 years.

You will see that these women are strong, capable, and



they were in love with him. You will see that breaches of trust, infidelity, and jealousy are what drove the domestic violence you will hear about. You will see that alcohol and drugs played a major role in his temper. The evidence is going to show you a very flawed individual, but it will not show you a racketeer, a sex trafficker, or somebody transporting for prostitution.

So, as we've said, you're going to hear from two women: Cassie and Jane.

And you're going to hear that they went to private hotel rooms to engage in what I expect some witnesses at this case to call the swingers lifestyle, which is essentially just a fancier terminology for threesomes by adults.

Sometimes Combs partook in the sex with his girlfriend and the male escort, and other times he watched while the male escort was having sex with his girlfriend. You heard the government call these freak-offs. I expect you will hear that. I expect you will also hear them called parties and entertainment.

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They will testify about their relationships, and you will hear things that should never be heard in a federal courtroom. You've heard things that may make you uncomfortable at first, that he liked to watch this. You might hear about his kinky sex or his preferences for sex that may make you uncomfortable and may not

be what you like to do in your bedroom.

But you are not here to judge him for his sexual preferences. You are not here to judge him for all purposes.

You are here to evaluate whether the government can prove beyond a reasonable doubt what they actually charged him with.

They cannot. You've also heard that in his relationships with both Cassie and Jane, he bought them things. Yes, like every relationship, they got things from their boyfriend. Here, a wealthy rapper, paid for their housing, he paid for Cassie's car, and he gave them money. These are nice houses that he paid for. It was a nice car that Cassie drove. And they were nice vacations on private planes because he is a wealthy individual. These were vacations that they took together as couples. And as I've said, like every relationship, there was jealousy and there were flaws.

But as you evaluate the evidence in this case, remember that he is not charged with being a flawed individual or having a flawed relationship. They did not stay with him over and over again because of force, fraud, or coercion.

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These women fought to be in a relationship.

Fought to do what they wanted to do in consensual adult relationships.

This case started with Cassie, so I think it's best for me to start there.

She will sit in this witness box and she will tell you about her 11-year relationship with Sean Combs. You heard that

they met when she was an up-and-coming artist. What you didn't hear is that she had a boyfriend at the time, and he was in a very public relationship with the mother of four of his children named Kim Porter.

After the two fell in love and started dating, she broke up with her producer boyfriend. But Combs, for his part, did not break up with Kim. He remained in a public relationship with her, and that is something that caused extreme jealousy with Cassie. He continued that relationship with Kim Porter until her tragic untimely death from pneumonia in 2018. This is important because, as you look at the evidence and as you evaluate Cassie and Combs' relationship, you will see that their fights, their cheating, their jealousy, it typically surrounded his cheating or it surrounded hers.

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This led to a toxic

relationship between two people that I expect the evidence will show deeply, deeply loved each other. Perhaps they did not always show love to one another the way you would with your partner, but they were in a relationship and she was not being trafficked.

I expect Cassie to tell you about the jealousy of Kim Porter and another girlfriend that he started dating in 2014 named Gina. This jealousy is something that plagued their relationship, even the day of the InterContinental video in the elevator bank, that much of you told us during jury selection that you saw. That day,

unfortunately, jealousy was on full display. And in combination with the bad drugs that I expect Cassie to testify that Combs took, it led to domestic violence in the elevator bank.

This assault happened almost 10 years ago on March 5 of 2016. I expect that we are all going to see this video many, many times throughout this trial.

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what Combs did to Cassie on this videotape is indefensible. It is horrible. It's dehumanizing. It's violent. It's virtually every bad word you can think of. And while it is dehumanizing and violent and terrible, the second most important thing is that it is not evidence of sex trafficking. It is evidence of domestic violence. You will see that it is also evidence of the central theme in this case, which is jealousy.

As you watch it later today and as you watch it throughout the week, I want you to look for two things. The first part is Cassie walking out of the hotel room, walking down the hallway. She is carrying two bags, and you see that she makes it to the elevators, and then Combs comes down wearing only a towel. He pulls Cassie by the hoodie and she falls to the floor. He kicks her in her back side and he stomps her on the back of her leg and he starts to drag her by her hoodie back to the hotel room. You will see him walk away momentarily with her bags. And you will see this. Then he comes back around and walks towards her, and she is kind of in

the left part of the screen. When he comes towards her, he has nothing in his hand. And when he walks away from her, you will see an illuminated phone in his hand. He wanted this phone and he got it.

Please understand that this video is overwhelming evidence of domestic violence, but it's overwhelming evidence

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that this domestic violence is over a phone and not because of sex trafficking.

Phones keep the secrets of infidelity. And you will hear that there was another fight even later that year, again, about a phone. I'm not justifying the assault, not by a long shot, but I'm putting it in the proper context. Because you will see that as soon as he gets the phone, he sits down. He's visibly disgusted. He broke a vase, and he threw flowers and stayed away.

Is it because of sex trafficking, as the government is going to argue to you, or is it because of something else?

I expect the evidence, even just this week, will show you that the fight was over a phone. These two stay together

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two more years after this incident.

You'll hear that, even into 2018, these two were fighting to stay together. But the evidence will show you that in the summer of that year, of 2018, she woke up to a gossip site that showed a photo of Combs and Gina, the same woman who he had

started having an affair with in 2014, or a relationship with,  
I should say, walking out of The Standard Hotel together.

Cassie could not come back from it. She could not  
give him another chance. And instead, she made the choice, as  
she often did, when he was caught in public with Gina, to break  
up with him and date another man. For Cassie, she made a  
choice every single day for years. A choice to stay with him.  
A choice to fight for him. Because for 11 years, that was the  
better choice. That was her preferred choice. And so she made  
the choice to stay with him until one day she decided she was  
going to break up with him because that was her preferred  
choice.

So it's important for you to remember as you evaluate  
the evidence, because she was not coerced to continue or engage  
in this sex life with Sean Combs. When she made the decision  
to leave, there were no repercussions, as the government  
hinted. She made the choice to leave. She communicated it to  
him and she ran into the arms of another man, a physical  
trainer who Combs had hired to train her.

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Does Combs release the videotapes the government was  
just talking about? No, he doesn't.

so going back during the time of Cassie and Combs' breakup,  
Cassie is already dating her now husband. She is with him for  
months as she is breaking up with Combs, all while telling  
Combs she still loves him.

And then in November of 2018, Kim Porter tragically

passes away from pneumonia. Knowing that Combs would be distraught and wanting to be there for him, she did everything she could to be there. She came to memorial service at his home. She flew to Kim's home state of Georgia to be at the funeral. Don't lose the sight of the fact that, amidst a breakup, all the way at the end of 2018, she flew to a funeral service to be there for him and support him and his family

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during this trying time of their life.

And at the service at their home, Combs, to a group of loved ones, former employees, and others, and to many people on social media who were paying respects, said, and I quote, "Kim was my soulmate." In Cassie's presence for everybody to hear, he said, She was my soulmate. The end of the relationship between Cassie and Combs is important, and I want you to focus on the evidence of how and why it ended. When Combs publicly said Kim Porter was his soulmate to all the people around him who were there, for the first time maybe ever, Cassie realized all the things she would not be.

I expect many witnesses at this trial to tell you she wanted to be Combs' wife. I expect even she may tell you that. That is what she spent 11 years trying to get. And in one day, it became clear to Cassie she was never going to be that. And if she was never going to be Combs' wife, if she was never going to be the love of his life, then she would leave. And that is what she did, on her terms, her choice, for reasons that, for her, were the right reasons.

This is where bringing personal experience to this jury matters. This is something we have all been through. That one life event you can point to where you can say that is when I knew it was over. Because that is what this was for her. Because this was a relationship, although toxic at times, like every other relationship, it was not based on coercion.

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It was not based on force. At a certain point, you know you're not going to get what you need from that other person and you leave.

After Kim's funeral, they never saw each other again.

The very first time that this former couple will see each other after six and a half years of a breakup is in this courtroom later today or tomorrow. We are all going to witness their closure, and that is because she moved on with her life and he moved on with his. You will see that she married the trainer. She had two children with him. And she's pregnant with her third. And Combs also moved on with his life.

As you listen to her testimony, as you read her messages closely, evaluate what Combs' intent was at the time. Evaluate what he understood about what she wanted during those 11 years that they spent together. What he understood, I expect the messages to show you, was that she was a willing participant in their sex life. That was a voluntary adult choice by two capable adults. What Cassie may testify to this week, six years after a breakup, is not a match for the realtime evidence that you will have.



The government also talked to you a lot about Jane.

She is the other woman that the government alleges Combs sex-trafficked. She was his girlfriend of three years, and she

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comes into his life several years after the Cassie breakup.

Rather than

saying that he was only dating one person, he was very upfront with Jane. I expect her to tell you that he was dating multiple different women.

However, this did

not stop the jealousy. Jane's relationship with Combs was plagued by jealousy. Their relationship was not the 11-year public romance that Combs and Cassie had. The problem is that Jane wished that it was.

And so, after a period of time, their relationship becomes primarily sexual. Jane is also older than Cassie was when she started dating him, and she was living her own life in a different state raising her child. She is a capable, strong adult woman. And you are going to hear, as I expect that you've already heard, that pretty soon after her relationship with Combs started, he brought up the idea of whether she would want to have sex with another man. Again, like a consensual threesome. And Combs would watch. She agreed, and they went to a private hotel room, away from his employees, away from

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family. And I expect that she will testify that she enjoyed that night. She laid down on the couch after and said to

herself, like, wow, I can't believe I just did that.

And you will see that Combs really began to love these hotel nights with her. And I expect that she will testify that she began to do everything possible to make these nights incredible for Combs. That includes finding the best male entertainment to join them, to wear the outfits he would find the sexiest, and saying all the things during these nights that would excite him.

I expect she will testify she did this because she loved him. She was desperate to spend time with him, to be with him, and ultimately, to give him something none of the other girlfriends that he was dating at the time were giving him. She will tell you that she tried many times to change the tenor of the relationship from one of a purely sexual nature to something maybe deeper or more meaningful.

the evidence will show you that she did it over and over again for three years because she made the choice.

And this became their time together. This became their sex life. And I expect that she will testify that she realized that if she didn't have these hotel nights with Combs, they may

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not get their alone time together, which is time she so deeply craved.

she wanted more than anything to make him happy. She was unable to resist him emotionally, and her desire to be with him outweighed all other considerations of hers.

The government told you about a phone call they had in November of 2023. I expect the evidence will show you that even after this phone call, she continued. She flew out to see him many more times, and continued willingly engaging in these nights. The evidence is going to show you a toxic and dysfunctional relationship between these two individuals. And you may think to yourself, wow, he is a really bad boyfriend. But the evidence is going to show you that she is a capable, strong woman who willingly engaged in their sex life so they could spend time together. That is simply not sex trafficking. I expect her to testify that she was a willing participant, and being a willing participant in your own sex life is not sex trafficking.

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you will see her jealousy on full display at this trial. And you will see that she was willing to engage in these nights with Combs, and then she would be on social media after, and she would see he was with another one of his girlfriends, either out to dinner or traveling, and she would send messages with regret afterwards. These are born out of jealousy, which was the root of their troubles. And regret does not mean that she was coerced. every single witness in this case had free choice to make the choices that they made. The government also told you about a night a year ago where Jane hit Combs. Once again, as I said, this was a night born out of jealousy. You will hear, as you've already heard,

that he also hit her back. But what you didn't hear was the start of the fight. She was overcome by jealousy that night. She slammed his head down on her kitchen counter. This is how the fight started. I do not want to justify this night. I do

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not want to justify the assault. But I simply am here to tell you that the evidence will show you that it starts because she slams his head on her kitchen counter. less than a month or approximately a month after this assault, an incident of domestic violence at her home, she flew to Combs' home in Miami. She called an escort and had what I expect her to say was one of her best hotel nights that she had with one of their regular escorts.

I expect the government is going to put in a bunch of videotapes of the so-called freak-offs or hotel nights or wild king nights, however you would like to call them, into evidence. man. These videos, we believe, are powerful evidence that the sexual conduct in this case was consensual and not based on coercion.

Some of you may find them hard to watch. Not because they are violent, not because they are non-consensual, but because they were never meant to be seen by people outside of that room. They are in one word - intimate. And they were always meant to remain that way.

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these videos will feel invasive, but the government has charged him with sex trafficking, and the evidence of the alleged sex trafficking is on these videos. This is why you will have to see them.

You are also going to hear from several other past employees of his. They will try to paint a picture for you of a hostile workplace. As I've said with nearly every single witness in this case, when these people testify, ask yourself: Why did anybody, if they were so scared and if this was so hostile, ever call the police? Why not?

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Like every other witness, ask yourself: What is the something? What is the reason that they stayed. You will find, with every single person, they had a something. So when you hear from the witnesses who testify here who will tell you they were victimized, and you ask yourself, What is their motive? For many of them, the answer is simple: Money. This criminal case started because of Cassie. Not because she went to law enforcement with her allegations, but because she filed a public lawsuit against Combs in November of 2023, at this time when she was having financial trouble and living in her parents' modest home in Connecticut with her family. Rather than go to law enforcement about what had allegedly happened to her, she went to a civil lawyer who is here today.

I expect that this trial, from nearly every witness that you hear from, they will tell you that instead of going to law enforcement, after either their employment ended for the alleged victims, they went to a civil lawyer for a money grab. They will claim that they were so afraid of this man that they could, of course, not go to the police because he was so powerful. But they were not so afraid that they could not go to civil lawyers to make money demands against him. Demands for unbelievable amounts of money.

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Cassie, for example, will tell you that she first made a demand on Combs for \$30 million.

I want you to ask yourself: How many millions of reasons does this witness swearing to tell the truth, and nothing but the truth, have to lie? How many hundreds of thousands of reasons does this witness swearing to tell the truth, and nothing but the truth, have to lie?

Will you really believe that these people who have demanded an unimaginable amount of money from Mr. Combs would have traded all of that to not have been abused? Because if that is the case, I submit that you will consider, why did they never go to law enforcement?

So, in closing, the evidence will be framed to prove from the government, they will attempt to prove racketeering influence and corrupt organizations act charge, two sex trafficking charges, and two prostitution counts. The evidence you will hear at this trial will not make out any of them.

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he did not commit any of these acts. In terms of the alleged bribery and the obstruction of justice, this relates to the InterContinental Hotel incident that we've talked about this morning. You will hear, as you already did, that he paid money to a security guard at the InterContinental so the footage would go away. This was solely, solely related to preventing bad publicity for both Combs and Cassie, and had nothing to do with obstructing a law enforcement investigation. No law enforcement investigation existed, period.

As to the kidnappings and the arson, I submit that you are not going to find there were any kidnappings, and he was simply not involved in the alleged arson. The government told you that the kidnappings relate to one employee, who I am telling you the evidence will show worked for Combs for almost a decade. As you listen to her testimony and evaluate: Was this person actually kidnapped? I expect the evidence is going to show you that, even after the criminal investigation into Combs started, she asked to work for him again 12 years after her employment ended. 12 years after she claimed she had been kidnapped the last time.

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As to the drug trafficking, I submit the evidence is going to show you that the drugs are personal-use drugs for him and, at times, the women he was with. And those drugs have nothing to do with an enterprise.

As to the forced labor, you will see that Combs worked hard, his employees worked hard, but they were there to do

something great and novel for his lawful businesses. It was not forced. Being there was an adult, free choice like everything else in this case.

Second, the RICO conspiracy requires a group effort, even if the group is two people. And there will be no evidence of that.

Finally, the last of the charges I will talk to you about are the two counts that charge him with causing interstate travel for the purposes of prostitution. For him to be guilty, I expect the judge will tell you that he had to intentionally engage in what he knows to be prostitution. What the evidence is going to be is that he was paying different men for their time and an experience.

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These escort companies are common and they do not advertise themselves as money for sex. They advertise themselves as money for time and money for an experience. And that is what Sean Combs was doing. He was paying money for that experience.

You are not here to judge or impose your moral beliefs onto this man. You are here as a jury of his peers to determine whether the government can meet its burden of proving beyond a reasonable doubt that he committed these crimes.

When you hear the evidence, when you go back into the jury room and evaluate the evidence in light of the crimes that are actually charged here, you will return the only verdict



that the evidence demands, that is he not guilty of these crimes.

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the government calls its

first witness, Officer Israel Florez.

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I'm a police officer for the Los Angeles Police Department.

And what did you do for work prior to joining the LAPD?

I was a security guard.

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What location were you working at in March 2016?

A. I was working for the InterContinental Hotel in Century City.

Officer Florez, at a high level, can you explain to the jury what happened during your shift on March 5th, 2016?

A. I received -- I was at the security base. I received a call from instant services saying there was a woman in distress on the sixth floor.

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After I responded, I -- when I got out of the elevator, I observed a male and female at the -- in the elevator lobby.

Who did you recognize them to be?

A. Mr. Combs, Sean Combs.

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Now, moving onto a slightly different topic, did the

InterContinental Hotel have a video surveillance system in March 2016?

A. Yes, ma'am.

Obviously, every floor had cameras. There would be one on the elevator lobby and then two on the hallway.

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Did they record continuously?

A. Only when there was motion on the cameras.

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Was it possible to download video surveillance?

A. If you had that password, I'm sure you were able to.

Q. Who among the security staff had the ability to download video surveillance with the passcode?

A. The director of security and the camera guy.

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I want to go back to March 5th, 2016.

You said you were working that day?

A. Yes, ma'am.

Q. What was your shift?

A. The morning shift, which is 6:00 to 2:00 p.m.

Approximately what time did that incident take place?

A. Around 11:00 a.m.

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How were you made aware of the incident?

A. I received a call from instant services, and pretty much letting me know that there was a woman in distress on the sixth

floor.

The only thing she said was there was a woman in distress on the sixth floor.

I checked the cameras to

see what was going on because I didn't want to go into a

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situation where I was, you know, unprepared. I looked at the cameras and I seen a male, male, black, just pacing back and forth on the sixth floor.

did you recognize the man pacing back and forth at that time?

A. No, ma'am.

Q. Did you rewind the video surveillance to see what had happened before?

A. No, ma'am.

Q. Why not?

A. I got the call saying that there was a woman in distress.

I looked at the camera. I see a man walking back and forth.

There was no woman in the video, so I'm thinking something happened. Because I didn't see any -- a female in the footage.

So I wanted to get there as fast as possible to make sure that nothing was going on.

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I got on the elevator, went to sixth floor. I got off and then that's when I -- I seen both the individuals.

I seen Mr. -- Mr. Combs in a towel and some like colored socks, sitting down to my -- further away from me on my right

side. And I seen Ms. Cassie in the corner kind of like covering her face and bundled up in the corner.

Q. Did you recognize either of these individuals at this point?

A. Just Mr. -- Mr. Combs.

Q. How did you recognize Mr. Combs?

A. He's a rapper, producer.

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Now, Officer Florez, you said that you recognized Mr. Combs immediately; is that right?

A. Yes, ma'am.

Q. Did you recognize the female immediately?

A. No, ma'am.

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so he was on the chair, slouched down and

he was like at a blank stare. And, yeah, as soon as I walked

out it was -- the best way I can describe it is like a -- like

a devilish stare. He was just like looking at me. So when I

got out of the elevator, I kind of was stuck because I'm

looking at him, he's looking at me with like no movement and

then he starts to move.

Q. What was he wearing?

A. Just the towel and socks.

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Now, you said that you didn't recognize the woman at the time. Did you hear Mr. Combs refer to the woman?

A. Yes.

Q. How did he refer to her?

A. Ms. CC, or CC.

Q. And this is the woman that you came to understand was Cassie?

A. Yes, ma'am.

Q. What was the woman's demeanor?

A. Scared.

Q. Can you describe what you mean by that?

A. Well, she was in the corner. She was -- she had her hoodie on. She was pretty much just covered up. I couldn't see her face and she was just, you know, just pretty much in the corner.

Q. What, if anything, did you notice about the state of the elevator lobby?

A. So every floor had a flower vase, and it was destroyed pretty much on the floor.

Q. Did you speak to the two individuals?

A. I did.

I advised them, obviously, like -- first, I was like, hey,

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what's going on. Obviously, they were arguing, so I told them, like, hey, if you guys are going to argue, you guys have to take it back to your room. And then I told them the mess that was there, it was going to be charged to the room.

What did she say?

A. She just said that she wanted her phone and her bag and she

wanted to leave.

Q. What did you do next?

A. After talking to them, I pretty much started escorting back -- escorting both of them back to the room.

Q. And did Mr. Combs interact with the woman after you started to escort them back to the room?

A. So I know they were arguing. I don't remember exactly what they were saying. But, as I was escorting them, she left the opposite way. And we were walking towards the room. And then eventually he started -- he tried to like reengage, and I was just pretty much reminding him, like, hey, there's other guests in the hotel, just out of respect for them, let's go back to the room.

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Q. Do you remember Cassie saying anything as she was walking back to the room?

A. Yeah, she was just saying that she wanted to get her phone and her bag and she wanted to leave.

Q. And what did Mr. Combs say in response to that?

A. He did tell her at one point that -- he said you're not going to leave.

Q. And what did you say?

A. I told him, like, well, if she wants to leave, she's going to leave. And that was pretty much it.

Q. Did you follow them to their room?

A. Yes, ma'am.

Q. Who entered the room?

A. Mr. Combs.

Q. Did anyone else enter the room with Mr. Combs?

A. Yes. She finally did, Ms. Cassie.

Q. Did the door close behind them?

A. No, ma'am.

Q. Why did it not close?

A. I put my foot in between the door. Again, she wanted to leave. He said that -- he had mentioned I don't want her to leave. Well, I don't want you to leave. So I knew if I let the door close, something can happen. So I put my body in between the door before he closed it. And watched her get her stuff.

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Besides Mr. Combs and Cassie, was anybody else in the room?

A. Yes, ma'am.

Q. Who?

A. It's a male black wearing dark clothing. He was sitting at the corner of the bed.

Can you describe his, his appearance?

A. He was fully clothed, male, black. He wasn't engaging in any conversation with either of them. He was just sitting in the corner of the bed.

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Did Mr. Combs say anything else to Cassie?

A. So they were going back and forth. First, she was like you can't leave. Then, he was telling her to leave. So it was -- it was just back and forth between both of them.

Q. Did Cassie ultimately leave the room?

A. Yes, ma'am.

What, if anything, did Mr. Combs do after Cassie left?

A. So after she left, I told him like, hey, stay in the room.

Again, everything is going to be charged to your room. As I started walking away, he, he called for me. He said hey. I turned around. And with his -- he was pretty much holding like a stack of money. Pretty much -- I don't know, that's the best way I can do it. And he was pretty much telling me, like, hey, take of this, don't tell nobody pretty much.

Q. What did you understand him to mean when he said don't tell anyone?

A. A bribe.

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Q. A bribe to do what?

A. Not to tell anybody.

I don't -- it was just 100-dollar bill on the top, and then the rest were just -- it was just a stack of money.

Q. And just going back to something you said earlier. You said that initially Mr. Combs said you can't leave, and then he eventually said leave; is that right?

A. Yeah.

I told him I don't want your money, just go back into your room, everything is going to be charged to the room and stay in your room, and I left.

Q. Did you take the money?

A. No, ma'am.



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Where did you go, Officer Florez, after Mr. Combs tried to hand you this stack of money?

A. I tried catching up to Ms. Cassie.

Q. Did Mr. Combs follow?

A. No.

Q. Where did Cassie go?

A. She went down to the valet area.

What did you do when you and Cassie were in the valet area?

A. So when I -- obviously I noticed her, she was in the valet area. I still didn't know what had happened. The only thing I saw was the broken vase.

So I went up to her. So where the cars pass there's like a -- it's like a -- it's a sidewalk. So it's a step down.

She was at the corner or at the edge of it. So I stepped down and I got in front of her, pretty much directly in front of her, and then I was pretty much looking up at her. And then I just started asking her questions. What happened? Are you

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okay? And then I notice she had like a -- she had a purple eye. And then I asked her, like, did he do that? Do you want me to call the cops? And all she kept saying is I just want to leave.

Q. Why did you offer to call the cops?

A. I mean, if anybody is going to -- you know, one, if there's an altercation, you still -- I'm still going to be like, hey, you know, are you going to -- do you want to call the cops? And then as a female getting hit I'm obviously going to ask her

if she wants to call the cops. I do understand, you know, that they get scared and they don't want to do anything. So you kind of try to like comfort them, and, you know, allow them to be like -- to feel safe. So I asked her if she wanted me to call the cops, and she just kept saying she wanted to leave.

Did Cassie eventually leave the hotel?

A. Yes, ma'am.

I was trying to get some information, so I walked inside to go get Adey, who is a

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front desk manager. As I was coming back, there was a car that had pulled up and she left in that black SUV.

Did you interact with the driver?

A. I did before I went inside.

And what did you -- can you describe the interaction?

So, again, I was talking to her, trying to get her to see if she wanted me to call the cops. And he said, hey, she wants to leave. And I looked at him and I said I'm not talking to you, I'm talking to her. So I continued talking to her. And she said, no, I just want to leave. And I said, hold on, I'll be back and that's when I left.

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After Cassie left, Officer Florez, what did you do next?

A. So after she left, obviously I had already gotten Adey, who is a front desk manager. And he said, all right, well, let's go talk to Mr. Combs so we can advise him of the hotel rules. So we went up to his room.

Did you make it to his room?

A. Yes, ma'am.

Q. Did Mr. Combs come to the door?

A. Yes, ma'am.

Q. What was his demeanor as he came to the door?

A. He opens the door, he closed the door behind him and immediately he pretty much grabbed Adey's phone.

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So Adey, he talks with his hands and he talks -- he's always holding his phone. So while he was talking to Mr. Combs, he was doing this. And, obviously, Mr. Combs thought he was being recorded. So he grabbed his phone and he was pretty much saying like -- well, he said are you recording me, and he grabbed the phone. And as he did that, then I pretty much pinned him to the wall and told him to let go of Adey's phone.

I told him to let go, let go of the phone. He eventually did because Adey was like I'll show you my phone, I'll show you my phone. So then Adey, you know, was just trying to deescalate the situation. He pretty much opened his phone and said I'm not recording you, and he showed everything. So kind of deescalated the situation.

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MS. SLAVIK: Ms. Gavin, can you publish this exhibit for the jury, please.

Q. Officer Florez, can you explain to the jury what they're looking at here?

A. The incident report.

Q. And did you draft and send this document?

A. Yes, ma'am.

### **Page 117**

Now, Officer Florez, after you sent the incident report

that we just looked at, who, if anyone, contacted you?

A. The only one that contacted me was my director.

Q. And remind the jury who that was?

A. Bill Medrano.

He told me to review the footage and then add anything else

that was -- that I observed on the footage to the e-mail.

did you review the video surveillance footage?

A. Yes, ma'am.

### **Page 118**

Almost simultaneously when he was -- when we were talking

on the phone, I started reviewing. And then I was pretty much

telling him what I was seeing,

### **Page 119**

Now, we're going to play this video, Officer Florez, but

before we play it, can you just describe to the jury what we're

looking at here on the screen?

### **Page 120**

That's the sixth floor elevator lobby.

It says March 5th, 2016, 11:10 a.m.

Ms. Gavin, could you please play the

video all the way through

**Page 122**

What is happening here, Officer Florez?

A. She picked up the phone so it pretty much went straight to instant services.

Q. This is the phone that connected to instant services that you described earlier?

A. Yes, ma'am.

Now, Officer Florez, did you notice how the video kind of jumped right there?

A. Yes, ma'am.

Q. Was that typical of the video surveillance system as well?

A. Yes, ma'am.

**Page 126**

after viewing the video surveillance, did you call the police?

A. No.

Q. Why not?

A. Um, after speaking to her, she didn't -- she didn't respond to any of my questions. She was just saying I wants to leave.

I just want to leave. And even when I offered her, like, hey, the cops can go to the back of the building, nobody is going see, she just kept saying, I just want to leave.

So there was no victim there. Obviously, nobody was pressing charges. And then by the time I did draft up the e-mail, nobody -- everybody was gone, because Mr. Combs had left already.

**Page 128**

Did you do anything else with the video surveillance after you reviewed it?

A. Oh, yeah. I recorded two, I guess, two videos of the video.

### **Page 129**

How did you record those two videos?

A. With my cell phone.

Why did you record it with your iPhone?

A. Um, again, I was going home. And if I would have told my wife, Hey, this is what happened, she wouldn't have believed me. So, here's a video.

### **Page 134**

MS. SLAVIK: Just a moment, your Honor.

Nothing further.

THE COURT: All right. Cross-examination.

### **Page 137**

So there in the base, you have your walkie-talkie, excuse me, your radio, and you never call for assistance, right?

A. No.

Q. Mr. Combs did not attack you?

### **Page 138**

No.

He was cordial to you, that's my word, but you describe it any way you want?

A. Yeah.

Q. He was cooperative, right?

A. Yes.

**Page 141**

OK. Now, when you talk about Mr. Combs, I think you told the ladies and gentlemen of the jury saying that Cassie wanted to leave the hotel, and he said, You're not leaving, or something to that effect.

Where in your report, or if it is in your report, I'll ask first, did you ever say that Mr. Combs -- excuse me -- that Cassie said, I'm leaving the hotel, and Mr. Combs said something to the effect of, You're not leaving?

A. Um, I don't believe it's in the report.

**Page 142**

So tell -- you can look at everything -- where in here did you ever write what you told the jurors today, the significant fact that Mr. Combs told Cassie she could not leave that hotel?

A. At that point, I didn't believe it was a significant fact because, again, they are just going back and forth. So I'm not going to put something, like, he told her off. I'm not going to say that. He said to leave eventually, and she left.

That's him

just telling her don't leave, and me telling him, she is going

**Page 143**

to leave. And then he says, you're going to leave. So, of course, I don't put he told her that she needs to leave.

**Page 146**

So you describe to the ladies and gentlemen of the jury

that there's a gentleman, when you are walking down the hallway with Mr. Combs, Cassie is behind you, she needs her items, you said a bag, right?

**Page 147**

And you describe it that Cassie is in the room with

Mr. Combs and you wanted to observe them. That was just part of your job, fair?

A. Correct.

Q. And that is when you tell the ladies and gentlemen of the jury that there is this other third party, right?

A. Yes.

Q. OK. I would like you to explain why, in your incident report, that is not there, if there is any more explanation than what you said on direct?

A. No, same thing. It was irrelevant.

But, again, you just remember that nine years later?

A. Yeah. Anybody would remember an extra person sitting in the corner of a bed not doing anything.

**Page 161**

Did Mr. Combs seem drunk?

A. Oh, no. No, ma'am.

Q. Did he seem high?

A. No, ma'am.

Q. Can you remind the jury what Mr. Combs said to you when he tried to hand you a stack of cash?

A. Um, pretty much saying that he doesn't want anybody to know, telling me to take care of it. Um, I just don't want



people to, to find out, pretty much.

**Page 162**

MS. SLAVIK: Nothing further.

**Page 163**

THE COURT: All right. Thank you very much,

Officer Florez.

THE COURT: The government may call it's next witness.

MS. COMEY: The government calls Daniel Phillip.

**Page 164**

Would you please state and spell your name for the record.

A. Daniel Phillip, D-a-n-i-e-l P-h-i-l-l-i-p.

Q. How old are you?

A. I am 41.

I would like to direct your attention to the period around  
approximately 2012 and 2013.

During that time, what were you doing for work?

A. I was managing a male review show.

Q. What is a male review show?

A. Male strippers for women.

From where else did you receive money in approximately  
2012?

A. From Cassie Ventura, Casandra Ventura.

**Page 165**

What did Cassie Ventura give you money for in around 2012?

A. To have sex with her.

Q. Who else was present when you had sex with Ms. Ventura in

exchange for money?

A. Sean Combs.

Through whom did you first meet Ms. Ventura?

A. Um, through my boss.

He contacted me one evening and told me that he couldn't find any of our black dancers, which was what was requested, so he asked me if I would mind going down to fulfill an order to have a dancer go down to the Gramercy Park Hotel for a

## **Page 166**

bachelorette party.

I was expecting to go do a little strip tease, and that was it, just for a bachelorette party, a group of women, and then leave.

What happened when you arrived at the Gramercy Park Hotel?

A. When I arrived, Cassie opened the door. And she asked me, um, if I was OK if it was just going to be us, because I was expecting to see a group of women there, but there was only her standing the door. And, um, she asked me to come into the room.

Um, we were standing, in, like, a foyer. And she basically said it was her birthday and that her husband wanted to do something special for her, and so she asked me if I would

## **Page 167**

mind rubbing baby oil on her and giving her a massage. And, um, you know, wherever things went from there, if it went, if, you know, based on how comfortable I was.

And what did you call her during your later interactions?

A. C.

Q. When she first opened the door and invited you just inside the door, what was Ms. Ventura wearing?

A. Um, lingerie, like, a red lace outfit with high heels, a red wig, and some sunglasses, dark sunglasses.

After telling you what she wanted that evening, what did Ms. Ventura say next?

### **Page 168**

A. She told me that, first off, that I didn't have to worry about anything because her husband wasn't gay. I remember her saying that to me, and he wasn't going to try to touch me or anything. And I told her, that's good, because I wasn't with that.

A. OK. Um, she -- she told me that she knew that my boss had told her that she had to give me \$200 upon arrival. And, um, at that point, she gave me a few thousand dollars and said that, um, that, you know, at the end, she would tip me when I'm leaving, before I'm leaving.

After she handed you cash, what part of the hotel room did you go into with Ms. Ventura?

A. We went into the main living room area.

It had, like, velvet couches straight ahead, and it opened

### **Page 169**

up into a big living room. And there was a table in front of the couch, and there were candles that were lit all over the table. Yeah, and -- and then the rest of the room was dark.

Q. What else, if anything, did you see on the table?

A. Um, there were bottles of baby oil and Astroglide, which is a lubricant.

Q. Who else did you see in the living room when you walked into it?

A. There was a man sitting on the right side of the room, if I was facing him, to the back of the room.

Um, a white robe with a bandana over his face and, like, a baseball cap on his head.

Q. What part of this man's face was the bandana covering?

A. Um, his nose down.

Q. So were you able to see his face clearly?

A. No.

Q. How, if at all, did Ms. Ventura refer to the man in the room?

A. As babe.

Q. Did you later learn who that man was?

A. I did.

What did you learn about that?

A. Um, well, if you're asking when did I realize who he was?

Q. Sure.

## **Page 170**

Um, as soon as he spoke to me.

Q. So when he spoke to you, whose voice did you recognize?

A. That was Sean Combs.

Q. Had you heard Sean Combs' voice before?

A. Yes.

Q. In what context?

A. In every form I've ever seen him in entertainment.

Did you later see his face uncovered at a later date?

A. I did, yes.

I complimented the room, the hotel that we were in, and I asked him what he did for a living. And he told me that he was in importing and exporting. That was the first conversation we had.

## **Page 171**

After you had that brief conversation with him, what did you and Ms. Ventura do?

A. We ended up having sex.

Q. Before you and Ms. Ventura had intercourse, what if anything did you rub on each other?

A. Baby oil.

Q. For about how long did that last?

A. Couple minutes.

Q. And then what happened?

A. And then I ended up having sex with her.

What was Mr. Combs doing while you and Ms. Ventura rubbed baby oil on each other?

A. He was sitting in the corner masturbating watching us.

Q. What was he doing while you and Ms. Ventura were having sex?

A. He was sitting in the corner masturbating.

And how did that sexual encounter end?

## **Page 172**

With me ejaculating.

Q. What, if any, protection were you wearing?

A. I wasn't at that time.

After you finished having sex with Ms. Ventura, but before you left that hotel room, what if anything did she or Mr. Combs give you?

A. Cassie gave me more money. I think it was a couple thousand dollars more.

Before you left the hotel room after that first encounter, what do you remember Mr. Combs saying to you?

He said he was having some issues with my boss at the time.

### **Page 173**

I guess he was, my boss, was being a bit aggressive. And he asked me if I would like to see them again, continue seeing them and so --

I said sure. And he told Cassie to take my phone number, and she took my phone number and that was that.

And about how long after you left the hotel did you hear from them again?

A. Few minutes after.

Q. What happened?

A. Cassie asked me if I would mind sending her a picture of my penis.

Q. How did she contact you?

A. Via my cell phone.

Q. How did you respond?

A. I gave her a picture of my penis.

A. She asked me if I could come back upstairs and see her

again.

Q. How did you respond?

A. I went back upstairs to see her again.

### **Page 174**

About how long were you in that hotel room this second time?

A. A few hours.

Q. What do you remember happening over those few hours?

A. The same thing. It was literally the same exact scene basically.

I -- we rubbed baby oil on each other. We had sex again for longer this time, and then I was done.

### **Page 175**

Approximately how many more times did you have sex with

Ms. Ventura in front of Mr. Combs for money?

A. Well, I had sex with Cassie a few times after that.

Every time you met with Ms. Ventura and Mr. Combs, what was the purpose of the meeting?

A. To have sex with Cassie.

Q. In front of who?

A. In front of Mr. Combs.

### **Page 176**

At what locations do you remember meeting --

-- with Ms. Ventura and Mr. Combs?

The Gramercy Park Hotel, the Jumeirah Essex House,

InterContinental, his personal residence on 56th Street, her

personal residence on West End Avenue.

What if any name did Ms. Ventura tell you to give hotel

## **Page 177**

management if you were asked who you were there to see?

A. Black.

Did you yourself reach out affirmatively to Cassie via text?

A. Yeah.

Q. Why was that?

A. At some point after some things had happened, I always wanted to -- to know that she was good. I used to try to get her to -- to text me to tell me that, you know, she was good. And then when she wouldn't reply, eventually I started sending her, you know, more vulgar text messages to see if I could get her, you know, more interested to see me again so that I could actually see her in person and know that she was good.

## **Page 178**

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8 During your sexual encounters with Cassie and Mr. Combs,

9 generally how were the rooms decorated?

10 A. Sometimes sheets or like towels on the couch. The curtains



11 were always shut fully. There was always a table in front of  
12 the couch, and there was always candles on that table. And  
13 also bottles of baby oil or Astroglide and then there were a  
14 few occasions where they would ask me to actually go to the  
15 pharmacy and pick those things up.

16

17 Q. Across all of these encounters, how often did you use baby  
18 oil?

19 A. Every time.

20 Other than that first time at the Gramercy Park Hotel, who  
21 directed you to use baby oil?

22

23

24 Sean Combs would often

25 tell us, y'all need to rub more baby oil on each other. Your

## **Page 179**

not like -- you don't have enough on.

He would just tell us to put more on.

Across all of these encounters, after the first one, who if  
anyone gave directions about how to engage in sexual activity?

A. Sean Combs did.

He would tell us things like slow down, you know, y'all  
stop now, separate from each other, it's getting too much now,  
it's getting too hot, y'all -- you know, one time he had us try  
to role play like we had just met at an airport and, yeah, we  
were not very good at that at all. So I think we skipped past  
that one really quickly.

About how often during these encounters would Mr. Combs tell you to wait to ejaculate?

A. I mean, it was often. But I think he started really directing us from like the second time on. So the first encounter he didn't really say much to us. But after that, he would tell us what to do after that.

## **Page 180**

he would often tell me not to cum, don't cum

yet. And if you feel like you're going to cum, stop. But it was more so where he wanted me to ejaculate.

He occasionally wanted me to cum on her stomach or, you know, inside of her. And, you know, yeah.

He really would just tell us to like rub each other and like, you know, touch each other, and then he would tell her to, you know, blow me, give me oral sex.

Throughout these encounters, what did you observe Mr. Combs doing?

A. He was always sitting in the corner masturbating. And then occasionally he would tell me to step off and back up because he was going to get some, and then he would start having sex with her. And I would be sitting off in the corner watching.

## **Page 181**

What, if any, bodily fluids other than ejaculate do you remember there being in these rooms?

So Cassie was actually the one that asked me to, to urinate on her. They had just come out of the room and she asked me if I had ever done that before, and I said no. And she told me to

do it. And, apparently, I was doing it wrong because they both stopped me and told me that I was supposed to let a little out at a time and not go full like -- take a leak on her.

**Page 182**

1

2 Q. What was Mr. Combs doing when you urinated on Ms. Ventura?

3 A. He was masturbating.

4 Q. What, if any, conversations do you recall having with

5 Mr. Combs about using protection?

6 A. I brought up the fact that I would like to start unless she

7 could provide me with her sexual STD history and make sure that

8 she was good. She agreed. I agreed to do the same. And I

9 ended up bringing her mine, but I never received her's.

10 Q. How often did you use condoms with Ms. Ventura?

11 A. By the time we had that conversation, not many.

12 Q. What did Ms. Ventura and Mr. Combs usually do after you

13 ejaculated on her?

14 They would get up and go inside of wherever the bedroom was

15 inside the hotel room.

16

17

18

19

20 A. Sometimes they would come out and tell me, okay, you can

21 go. And other times, they would come out and ask me if I'm

22 ready to go again.

23 Q. About how long did each of these encounters with Mr. Combs

24 and Ms. Ventura usually last?

25 A. Could be anywhere from an hour to ten hours.

### **Page 183**

Q. And, generally, what happened over those hours?

A. We would have sex, and then I would be sitting there waiting for hours on the couch just sitting there.

You mentioned that at some point you saw Mr. Combs face, how did that happen?

### **Page 184**

I was supposed to meet Cassie and Sean Combs down at the --

The Dream Downtown Hotel I believe. And Cassie called me while

I was on my way down there. She told me that they were

switching hotels and they were heading uptown to the Jumeirah

Essex House. And she told me at that hotel I don't need to

stop at the front desk and that I can just go straight

upstairs. And so she told me to give them maybe 30 minutes or

something like that before I came upstairs, and so I did that.

I went up in about 30 minutes and I knocked on the door. And

this was the first time that Sean Combs opened the door as

himself. You know, dressed in a suit and peacoat and no mask,

no hat, no anything on. Just it was him.

### **Page 185**

Who, if anyone, recorded any -- recorded your encounters

with Ms. Ventura?

A. Sean Combs.

And what do you remember Mr. Combs using to record those

encounters?

A. I do believe a cell phone and a camcorder device.

What, if any, form of identification do you remember

Mr. Combs asking you for?

A. He asked me for my ID, my driver's license.

Q. What do you remember about that?

A. He took my driver's license and took a picture of it. And then said to me it's just for, you know, insurance, just in case.

## **Page 186**

Based on Mr. Combs' demeanor, tone of voice, and behavior during that conversation, what did you understand he was communicating to you?

I understood it to be that he was threatening me.

Q. How many times, if any, did you notice that Ms. Ventura appeared to be under the influence of drugs?

A. Just once.

Q. What do you remember about that?

A. I came to a hotel room, and Sean Combs opened the door, and I -- when I went inside the hotel room, he closed the door behind me and then said to me that I don't think this is going

## **Page 187**

to happen today. And I looked at the couch, and Cassie looked like, like, to me, she looked like she was completely passed out on the couch. Slumped over, and half on the couch, half off of the couch.

What, if any, drugs did you use during your sexual

encounters with Ms. Ventura and Mr. Combs?

A. He offered me a Cialis once or twice. And then Molly once.

Q. And who offered you the Molly?

A. Mr. Combs.

Q. And when you say Molly, what are you referring to?

A. I don't do drugs, so MDMHA -- I don't know what, what the term is. But I guess ecstasy.

What do you remember about the time that you were offered Molly by Mr. Combs?

I really can't tell you who gave me the money, but I had gotten a couple thousand dollars I guess after we were -- we had sex, I took that Molly and then I became a totally different person. I went out into Times Square and I handed out hundred dollar bills to every single person that I saw in front of me.

## **Page 188**

A. It made me feel like a jackass that wanted to go out into the middle of Times Square and hand out \$100 bills to every person that he saw.

That time that you took Molly from Mr. Combs, other than Mr. Combs and Ms. Ventura, who else, if anyone, do you remember being at this encounter?

There was another guy who told me he was an actual escort.

## **Page 189**

Q. And what did you see that other guy doing?

A. He was having sex with Cassie.

Q. Now, where did this encounter happen?

A. At Cassie's house.

It was this other guy, myself, Cassie, and Sean Combs.

Q. And what did you see this other guy doing?

A. Having sex with Cassie.

Q. And what did you see Mr. Combs doing while this other guy was having sex with Cassie?

A. She was actually giving him a blow job most of the time.

Q. And what do you remember happening during that particular sex act?

The guy kept on looking at Sean in the face, Sean Combs in the face. And Mr. Combs turned to him and basically told him look, motherfucker, you better stop looking at me in my face, and the guy got like real scared, and he's like I'm not looking at you. And he's like you better not be fucking looking at me. And Cassie jumped off of the couch and like ran to the opposite side of the room. And the guy was just like saying profusely I'm not looking at you, I swear I'm not looking at you. After Cassie ran away, what do you remember happening next?

## **Page 190**

The guy told Mr. Combs I'm not looking at you. Mr. Combs said, okay, all right, let's, let's -- we here to have fun, not do anything else. And then he told Cassie to come back to the couch. And Cassie asked if they were absolutely positive that they're good now because she was -- she seemed like she was scared to go back to the couch.

Q. What did this other man look like?

A. Black guy, kind of skinny.

Q. And what, if any, contact did you have with him outside of that night?

A. We, at some point, and I do not recollect how this happened, but we at some point exchanged phone numbers.

## **Page 191**

After Mr. Combs gave you the Molly, what else did he give you that night?

A. If it was him, cash, a couple thousand dollars.

And then what did you do after getting the cash and taking the Molly?

A. Like I said, I went into the middle of Times Square and I handed out every single dollar they gave me.

Q. Were there ever times when you arrived for one of these encounters with Ms. Ventura and Mr. Combs and it appeared that you were not the first person who had been there?

A. Yes.

Q. Can you tell us about that?

A. Just times that I would come to the hotel room and there would be like towels on the floor that looked used, and bottles of baby oil that were almost finished, and Astroglide that was halfway used. And it just looked like, you know, like someone had been there before already.

Q. After that time that you took the Molly and gave the cash away in Times Square, did you see Ms. Ventura or Mr. Combs in

## **Page 192**

person again?

And why not?



A. Because I, after a certain point, was no longer able to get hard when I was interacting with them.

What were you paid for your sexual encounters with Ms. Ventura in front of Mr. Combs?

It could be anywhere from 700 bucks to six -- five, \$6,000.

Q. And who do you remember handing you the cash?

A. It was always Cassie. And I say that saying that I do not remember who handed me the money the last time.

Q. What, if any, comments do you remember Mr. Combs making to you about money?

A. I remember he came out of the room once and asked me and the gentleman if we had gotten our bread.

Now, stepping back, when you first arrived at the Gramercy Park Hotel for that first encounter, did you expect to be paid for sex?

A. No.

Had you ever been paid for sex before that night?

## **Page 193**

A. No.

Q. Have you ever been paid for sex since you last saw Ms. Ventura and Mr. Combs?

A. No.

when you could not sexually perform with Ms. Ventura in front of Mr. Combs, what were you paid?

A. Nothing. Sometimes nothing.

Q. If there were times when you were not paid, why did you go

back to more meetings with Ms. Ventura and Mr. Combs?

A. Well, I, for one, was not someone that was getting paid for sex. In my head, I was just excited that I was in this world and, you know, happy to, to be involved with people with such notoriety. I didn't care if I got paid one way or another. I never asked them for a single dollar. They gave that to me every time that I went to see them.

So for me, it was just, you know, this is just something that they do. They have that kind of money. They want to share it with me. I'm fine with that.

## **Page 194**

Q. What sexual performance issues did you experience when meeting with Ms. Ventura and Mr. Combs?

A. I could not get hard. You want the medical term for that? Erectile dysfunction.

Q. When was the first time you experienced that sexual performance issue?

A. After the first time that I saw him hit her.

Q. Where were you when you first saw him hit her?

A. At Cassie's house.

Q. And when you say you saw him hit her, who did you see hit whom?

A. Sean Combs hit Cassie.

And what had happened just before this violence?

A. I had sex with her, with Cassie.

Q. What do you remember happening?

## Page 195

Well, I had sex with her. We finished doing what we

were doing. And then they both went into their -- into the bedroom.

She eventually came out and she got on her computer and he was -- Mr. Combs was in her bedroom. Cassie was on her computer, and I heard him yell out, babe, come here.

Cassie was on her computer and she said, hold on one second, I have my personal information out on my computer right now.

What happened right after Cassie said, hold on one second?

A. He, Mr. Combs, came out of the room, and I just saw a bottle fly past her and hit the wall.

Q. What kind of bottle?

A. It looked like a liquor bottle. And then he, Mr. Combs, walked over to her, to Cassie. He grabbed her by her hair, and started dragging her by her hair into her bedroom.

He wasn't saying anything while he was dragging her. She

## Page 196

was yelling.

She was screaming. And he, Mr. Combs, pulled her into the bedroom, and I could hear him -- what I could hear what sound like him slapping her.

Q. What else could you hear from the bedroom?

A. She was screaming.

Q. What did you hear her saying?

A. I'm sorry, I'm sorry. And then he, Mr. Combs, was basically saying, bitch, when I tell you to come here, you come

now, not later.

Q. How did Ms. Ventura compare in physical size to Mr. Combs?

A. She's tiny compared to him.

I was shocked. I -- came out of nowhere. I was terrified.

I didn't know what the -- what to do. I didn't know what to do.

## **Page 197**

can you

explain to the jury why you didn't intervene when you heard

Cassie crying and what sounded like smacks?

A. I didn't know what to do. I was shocked. I, in my mind, it was going through my head that if I tried to do something, I might lose my life.

And why didn't you call the police and report what you saw?

A. My thoughts was that this was someone with unlimited power, and chances are that even if I did go to the police, that I might still end up losing my life.

## **Page 198**

Q. What happened after the beating stopped?

A. They -- Sean Combs and Cassie, came out of the room. She was -- Cassie was visibly like very upset, did not look like she wanted to continue doing anything. But Mr. Combs asked, are y'all ready to continue now. And I was -- I couldn't do anything after that.

I remember leaving. I do not remember them handing me money.

Why did you return to meet with Ms. Ventura and Mr. Combs

again after you witnessed that violence?

A. I -- I've had conversations in between our interactions with Cassie. And I felt like I had started developing at least

## **Page 199**

some kind of a friendship with her. I may have been speculating. But, you know, I -- it was my way of being able to check on her and know that she was okay,

How many other times did you hear

Mr. Combs yell at Ms. Ventura?

A. Once after that.

What do you remember happening right before you heard

Mr. Combs yell?

A. I think we had sex during this encounter.

Q. And then after you had sex, what do you remember?

## **Page 200**

A. Sean Combs and Cassie were in the bedroom for a while, and --

Q. And where were you when they were in the bedroom?

A. I was in the living room.

Q. And what did you hear coming from the bedroom?

A. Out of nowhere, I could hear Cassie yelling, I'm sorry, I'm sorry. And then I could hear again what sounded like she was being slapped or someone was being slapped around and slammed around the room. And I looked around the corner to the -- where the foyer was, and I saw Mr. Combs walk out of the hotel all together without clothes on. He might have had a towel on. And then Cassie came running into the living room and she

literally jumped into my lap and she was shaking, like, like  
literally, like her whole entire body was shaking, like she was  
terrified.

## **Page 201**

Q. What did you say to her?

A. I asked her why she was staying with this guy if he is  
hitting her and beating her like this, and I tried to explain  
to her that she was in real danger if she stayed with him, and  
she basically tried to convince me that it was okay, it's okay.  
I'm fine, I'll be okay. And I just kept trying to tell her  
that you're not okay and you need to get help and --

Q. What do you remember happening next?

A. She and I were alone. This was the first time we were  
alone.

During our interactions, Cassie was not a kisser. But in  
this instance, she just started making out with me. And we  
ended up getting into, you know, into it. But the fact that I

## **Page 202**

was alone with her this time, I had no problem getting hard.

And right when we were actually about to start having sex, I  
realized that Mr. Combs had reentered the room and he was sort  
of sneaking around the corner watching us. And once he  
realized that we could see him, he came into the room and  
basically was saying that, yeah, that he liked that, he liked  
that we were getting along in that way.

Q. And what do you remember happening next?

A. I think the second that he came back into the room, I was

done again. I couldn't -- I couldn't continue.

Q. Why didn't you go to the police after this incident?

A. I told you, again, I was concerned for my life. By this point, he had taken my ID and taken a picture of it, and I felt threatened by what he said to me. And I felt that at the very least, I could try to get her to realize that she needed to leave, and maybe try to help her that way. But I felt like maybe the police he has -- Sean Combs might have someone within the police department --

MR. DONALDSON: Objection. Objection. Objection.

THE COURT: That's sustained.

### **Page 203**

Q. Why didn't you go into the bedroom to intervene when you heard Cassie crying and saying I'm sorry and what sounded like a beating?

A. Well, I had no idea if I would have been met with a gun or

MR. DONALDSON: Objection.

A. Because my life was at risk if --

MR. DONALDSON: Objection.

A. -- I did so.

### **Page 215**

when you met with Cassie Ventura on that first day, you were not going for prostitution, correct?

A. Correct.

### **Page 220**

when you got to the hotel room, when you got to the hotel, I believe you said according to you on your direct, you arrived at the front door and I believe you knocked on the door, is that fair to say?

A. Correct.

Q. When you knocked on the door, someone answered the door, is that fair to say?

A. Correct.

## **Page 222**

You saw a beautiful woman there, correct?

A. She, as in Cassie, right?

Q. Yes.

A. Yes, correct.

And at that moment, she hands you money?

A. She invites me into the hotel room. I go into the room, she closes the door behind me. And then she says to me, your boss told me that I have to give you \$200 upon your arrival here. And I said, correct. And then she handed me about \$4,000 or somewhere around that in that ballpark.

Q. 4,000?

A. Roughly.

Q. And this is before any oil rubbing, correct?

Yes, correct.

Q. Before any hugging, is that correct?

A. That is correct.

Q. Before any kissing, is that correct?

A. Correct.



**Page 223**

Q. This is before an agreement about what you're going to do, correct?

A. Correct.

Q. So before you had an agreement about sex and an agreement about rubbing oil, agreement about my husband being pleased, Cassie Ventura just handed you \$4,000 in cash?

A. That is correct.

when she was standing at the door with lingerie on, panties, bra, heels, wig, and shades, was she holding a bag of money?

A. She had the money in her hand. It was --

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After she handed me the money, we walked into the room fully past the hall, past the little hallway that was there, toward the couch that was in front of us with the candles and everything on it. And I looked to the left, and on the right side of the room, if I'm facing Mr. Combs, Mr. Combs was sitting in the chair with a robe on, hat, and a bandana over his face.

**Page 225**

Now, while you are standing there with Cassie and after you receive the money, you were going to start rubbing baby oil on her, correct?

A. Correct.

Q. She began rubbing baby oil on you, correct?

A. Correct.

Q. And this is while she still had on her lingerie, correct?

A. At that point, at some point, our clothes were off. She wasn't rubbing baby oil on me with my clothes on.

You were wearing a New York City Police Department shirt, correct?

## **Page 226**

Your boss told you that you, the dancer needed to be wearing a New York City Police Department uniform, correct?

A. That is correct.

Q. You couldn't find one, correct?

A. That is correct.

Q. So you went out and bought a T-shirt?

A. Yes.

Q. And then you went to Gramercy Hotel wearing the New York City Police Department T-shirt?

A. Correct.

## **Page 227**

So, at the moment you got the money, you then took off all your clothes, correct?

A. At the moment I got the money, I did not take off all of my clothes.

Q. After you got the money, you had a conversation first?

A. She walked me into the hotel room. And then after she had already explained me, Hey, listen, it's my birthday. I want, you know, to do this instead of the dance, the bachelorette party. I want you to rub baby oil on me, rub me down, give me a massage. And wherever things go from there, whatever you're

comfortable with, we can do.

And so I told her I was comfortable with giving her that massage and rubbing her down, and I asked her if she wanted me to be the same, like, to remove my clothes as well, and so I stripped down as well to my underwear.

I'm rubbing her down and then she starts doing the same to me, and it started getting intimate

## **Page 228**

-- you mean that you're rubbing her down, you're rubbing her breasts, you're rubbing her whole body down, correct?

A. After she started touching me, yes, I started touching her erotically, as well.

And at that point, Mr. Combs in the corner, he's not saying anything, correct?

A. No. He was in the corner masterbating immediately.

Q. OK. And while you are -- while Cassie is rubbing you down --

A. Um-hmm.

Q. -- it appears that she is enjoying herself, would that be fair to say?

A. Yes.

Q. And you are rubbing her down and you are enjoying yourself, correct?

A. Yes.

Q. And then that's why you're saying you became -- it started getting intimate, correct?

A. Correct.

Q. Because you started getting sexually aroused, correct?

Absolutely, yes.

Q. And it appeared to you that she was getting sexually

## **Page 229**

aroused, correct?

A. Yes.

Q. And it appeared to you that she wanted more than just a

rubdown, correct?

A. Yes.

Q. And at some point, she took off your underwear, correct?

A. I took off my underwear.

Q. You took off your underwear, correct?

A. Correct.

Q. And after you took off your underwear, I imagine at that

point, she is still rubbing you down, correct?

A. We're rubbing each other down.

I don't recall, like, the particulars of how that happened.

I just know we ended up happening sex.

We basically were where we did our -- where we had sex the

whole time. We were by the couch. We had sex on the couch.

## **Page 230**

OK. So, after you were standing up, you then laid her down

on the couch, is that fair to say?

A. Correct.

Q. And then sexual intercourse occurred for, I believe you

said -- well, not believe -- for approximately 30 minutes,

correct?

A. No. The first time, that was probably the most beautiful woman I had seen. That was fast.

Q. So when you say the most beautiful woman you've seen, that caused you to ejaculate fast?

A. Yeah.

### **Page 231**

Now, at that point in time, because you were still working for the service, you were not -- you knew you were not engaging in prostitution, correct?

A. I didn't know what the hell just happened. I was in complete shock and just was, like, did that just happen. I -- I -- I wouldn't have thought twice to think that that was prostitution.

OK. And then you left the hotel, correct?

A. Correct.

Q. And then within five minutes, you got a phone call from Cassie, correct?

A. That is correct.

Q. And at that time, Cassie asked you could you come back and have another orgasm, correct?

A. Correct.

### **Page 232**

You then -- she also asked you to send her a picture of your penis, correct?

A. That is correct.

Q. And she also informed you that you had the largest penis she had ever seen before, correct?

A. That is correct.

So that's -- go back to the first time.

So the first time you were having sex with her, you were not only aroused at her beauty, she was aroused at the size of your penis, correct?

MS. COMEY: Objection, your Honor.

A. I can't say that.

Q. She was commenting to you on the size of your penis, correct?

A. Yes.

### **Page 233**

And then after you left the hotel, she texted you asking you for a picture of your penis, correct?

A. Correct.

Mr. Donaldson, we're at 5:00 o'clock. if you one more or two more questions, I'm happy to hear them, but otherwise we can start again in the morning.

MR. DONALDSON: We can start again in the morning, Judge.

### **Page 241**

THE COURT: One of the benefits of having ended in the middle of your cross-examination is it gives you the evening to tighten things up so that you can do it in a more efficient and effective manner.

### **Page 244**

MR. AGNIFILO: The one issue that I raised earlier, I

think it's beneficial for all witnesses, that we continue the way we have handled the last witness today. In other words, the witness comes, gets in the witness chair, is ready to go, and then we bring the jury in.

So I would just like to continue the way we've gone with this witness. That's my request.

THE COURT: Well, we'll be doing that, but just as we did with both of these witnesses, when they came into the courtroom, they walked in. So that is what we will be doing with the remaining witnesses, unless you have some authority that suggests different treatment is appropriate in this

## **Page 245**

context.

Now, when we break for lunch and we come back from lunch, the witness will be seated, just as we did with Mr. Phillip and with Mr. Florez.