## Page 3

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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## Page 4

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.

## Page 9

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.

## Page 11

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.

## Page 12

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.

## Page 15

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.

## Page 16

do not read or listen to

anything outside the courtroom that relates to this case in any

## Page 17

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

case.

## Page 19

We will now begin the trial.

## Page 21

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;

## Page 22

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

## Page 23

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

## Page 24

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

## Page 25

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

## Page 26

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

## Page 27

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.

## Page 28

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.

## Page 29

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

## Page 30

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

## Page 31

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.

## Page 32

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

## Page 33

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

## Page 34

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

## Page 35

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.

## Page 36

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.

## Page 37

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.

## Page 38

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.

## Page 39

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,

## Page 40

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

## Page 41

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.

## Page 42

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

## Page 43

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

## Page 44

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

## Page 45

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.

## Page 46

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

## Page 48

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

## Page 49

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

## Page 50

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

## Page 51

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.

## Page 52

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.

## Page 53

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.

## Page 54

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.

## Page 55

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

## Page 56

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

## Page 57

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.

## Page 58

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

## Page 59

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

## Page 61

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

## Page 62

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

## Page 63

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.

## Page 64

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

## Page 65

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.

Playing

## Page 66

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?

## Page 67

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.

## Page 68

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.

## Page 69

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.

## Page 70

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.

## Page 71

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.

## Page 81

the government calls its

first witness, Officer Israel Florez.

## Page 82

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.

## Page 83

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.

## Page 84

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.

## Page 88

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.

## Page 89

Did they record continuously?

A. Only when there was motion on the cameras.

## Page 90

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.

## Page 95

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.

## Page 96

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

## Page 97

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.

## Page 98

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.

## Page 99

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.

## Page 100

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.

## Page 101

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,

## Page 102

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.

## Page 103

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.

## Page 104

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.

## Page 105

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.

## Page 106

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.

## Page 107

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

## Page 108

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

## Page 109

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.

## Page 110

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.

## Page 111

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.

## Page 114

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 pleasured,

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 --

## Page 224

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.