

home, participated in and had knowledge of the search warrant executed on the Epstein home, and testified regarding the case before the Florida state grand jury against Epstein. *Id.* at 212-15. Detective Recarey's investigation revealed that not one of the alleged Epstein victims ever mentioned Ms. Maxwell's name and she was never considered a suspect by the government. *Id.* at 10-11, 177, 180-82, 187-96, 241-42, 278. None of Epstein's alleged victims said they had seen Ms. Maxwell at Epstein's house, nor said they had been "recruited by her," nor paid any money by her, nor told what to wear or how to act by her. *Id.* Indeed, none of Epstein's alleged victims ever reported to the government they had met or spoken to Ms. Maxwell. *Id.* Maxwell was not seen coming or going from the house during the law enforcement surveillance of Epstein's home. *Id.* at 214-215. The arrest warrant did not mention Ms. Maxwell and her name was never mentioned before the grand jury. *Id.* at 203, 211. No property belonging to Maxwell, including "sex toys" or "child pornography," was seized from Epstein's home during execution of the search warrant. *Id.* at 257. Detective Recarey, when asked to describe "everything that you believe you know about Ghislaine Maxwell's sexual trafficking conduct," replied, "I don't." *Id.* at 278. He confirmed he has no knowledge about Ms. Maxwell sexually trafficking anybody. *Id.* at 278-79. Detective Recarey also has no knowledge of Plaintiff's conduct that is subject of this lawsuit. *Id.* at 259-60.

49. **No nude photograph of Plaintiff was displayed in Epstein's home.** Epstein's housekeeper, Juan Alessi, "never saw any photographs of Virginia Roberts in Mr. Epstein's house." EXHIBIT HH at ¶ 17. Detective Recarey entered Epstein's home in 2002 to install security cameras to catch a thief and did not observe any "child pornography" within the home, including on Epstein's desk in his office. EXHIBIT GG at 289-90.

50. **Plaintiff intentionally destroyed her “journal” and “dream journal” regarding her “memories” of this case in 2013 while represented by counsel.** Plaintiff drafted a “journal” describing individuals to whom she claims she was sexually trafficked as well as her memories and thoughts about her experiences with Epstein. EXHIBIT II at 64-65, 194; EXHIBIT N at 205-08. In 2013, she and her husband created a bonfire in her backyard in Florida and burned the journal together with other documents in her possession. *Id.* Plaintiff also kept a “dream journal” regarding her thoughts and memories that she possessed in January 2016. EXHIBIT II at 194-96. To date, Plaintiff cannot locate the “dream journal.” *Id.*³¹

51. **Plaintiff publicly peddled her story beginning in 2011.** Plaintiff granted journalist Sharon Churcher extensive interviews that resulted in seven (7) widely distributed articles from March 2011 through January 2015. Churcher regularly communicated with plaintiff and her “attorneys or other agents” from “early 2011” to “the present day.” *See* Doc.216 ¶¶ 2-11 and referenced exhibits; Doc.261-1 to 216-8, incorporated by reference. Plaintiff received approximately \$160,000 for her stories and pictures that were published by many news organizations. EXHIBIT N at 247-48.

52. **Plaintiff drafted a 144-page purportedly autobiographical book manuscript in 2011 which she actively sought to publish.** In 2011, contemporaneous with her Churcher interviews, plaintiff drafted a book manuscript which purported to document plaintiff’s experiences as a teenager in Florida, including her interactions with Epstein and Maxwell. EXHIBIT KK. Plaintiff communicated with literary agents, ghost writers and potential independent publishers in an effort to get her book published. She generated marketing materials

³¹ Defendant has moved for sanctions against plaintiff premised on her admitted destruction of this evidence. Doc.509-510.

and circulated those along with book chapters to numerous individuals associated with publishing and the media.

53. **Plaintiff's publicly filed "lurid" CVRA pleadings initiated a media frenzy and generated highly publicized litigation between her lawyers and Alan Dershowitz.** On December 30, 2014, plaintiff, through counsel, publicly filed a joinder motion that contained her "lurid allegations" about Ms. Maxwell and many others, including Alan Dershowitz, Prince Andrew, Jean-Luc Brunel. The joinder motion was followed by a "corrected" motion (EXHIBIT D) and two further declarations in January and February 2015, which repeated many of plaintiff's claims. These CVRA pleadings generated a media maelstrom and spawned highly publicized litigation between plaintiff's lawyers, Edwards and Cassell, and Alan Dershowitz. After plaintiff publicly alleged Mr. Dershowitz of sexual misconduct, Mr. Dershowitz vigorously defended himself in the media. He called plaintiff a liar and accused her lawyers of unethical conduct. In response, attorneys Edwards and Cassell sued Dershowitz who counterclaimed. This litigation, in turn, caused additional media attention by national and international media organizations. *See* Doc.363 at 363-1 through 363-14.

54. **Plaintiff formed non-profit Victims Refuse Silence to attract publicity and speak out on a public controversy.** In 2014, plaintiff, with the assistance of the same counsel, formed a non-profit organization, Victims Refuse Silence. According to plaintiff, the purpose of the organization is to promote plaintiff's professed cause against sex slavery. The stated goal of her organization is to help survivors surmount the shame, silence, and intimidation typically experienced by victims of sexual abuse. EXHIBIT LL. Plaintiff attempts to promote Victims Refuse Silence at every opportunity. EXHIBIT MM at 17-18. For example, plaintiff participated

in an interview in New York with ABC to promote the charity and to get her mission out to the public. *Id.* at 28.

B. Plaintiff carries the burden of proving actual malice by clear and convincing evidence.

In *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964), the Supreme Court recognized that our country has made a “profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open.” The overriding importance of that commitment led to the Court’s holding that “neither factual error nor defamatory content, nor a combination of the two, sufficed to remove the First Amendment shield,” *Bartnicki v. Vopper*, 532 U.S. 514, 535 (2001), from speech relating to public officials and public figures. *See, e.g., Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 345 (1974). Under the First Amendment of the Constitution and Article I, Section 8, of the New York Constitution, in defamation actions by public officials and public figures and in defamation actions concerning matters of public concern, the plaintiff must prove that the allegedly defamatory statement was made with “actual malice.” *See, e.g., id.*; *Philadelphia Newspapers, Inc. v. Hepps*, 475 U.S. 767, 776-77 (1986); *Huggins v. Moore*, 726 N.E.2d 456, 460 (N.Y. 1999); *McGill v. Parker*, 582 N.Y.S.2d 91, 97 (App. Div. 1992).

As the Supreme Court has noted, the term “actual malice” can be confusing because in the First Amendment context “it has nothing to do with bad motive or ill will.” *Harte-Hanks Communic’ns, Inc. v. Connaughton*, 491 U.S. 657, 666 n.7 (1989). Instead proof of actual malice requires evidence that the publication contains a “material”³² false statement of fact that was made “with knowledge that the statement was false or with reckless disregard as to whether or

³²*Air Wisconsin Airlines Corp. v. Hoeper*, 134 S. Ct. 852, 861 (2014) (“minor inaccuracies do not amount to falsity so long as ‘the substance, the gist, the sting, of the libelous charge be justified’”) (internal quotations and brackets omitted).

not it was true.” *Id.* at 667 (internal quotations omitted). Reckless disregard means the defendant made the false publication “with a high degree of awareness of probable falsity” or “entertained serious doubts as to the truth of [the] publication.” *Id.* (internal quotations omitted).

In a defamation action, a plaintiff will be required to prove actual malice in two different and independent contexts: a defamation action in which the plaintiff is a public figure, and a defamation action in which the defendant asserts the privilege of reply.

The defamation plaintiff at trial and in summary judgment proceedings must prove her case by clear and convincing evidence.

C. Plaintiff is a public figure who must prove actual malice.

Public figures include those who have “thrust themselves to the forefront of particular public controversies in order to influence the resolution of the issues involved. . . . [T]hey invite attention and comment.” *Gertz*, 418 U.S. at 345. The essential element for a finding that a person is a public figure is that she has “taken an affirmative step to attract public attention,” has “strived to achieve a measure of public acclaim.” *James v. Gannett Co.*, 353 N.E.2d 834, 876 (N.Y. 1976).

In *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), the United States Supreme Court held that, in cases involving public officials, the interests of an individual are trumped by society's interest in promoting free press discussion of matters of general concern. *Biro v. Condé Naste*, 963 F. Supp. 2d 255, 269 (S.D.N.Y. 2013). Thus, the Court held that a public official alleging defamation must establish that a falsehood has been published with “actual malice.” *Sullivan*, 376 U.S. at 279-80; accord, *Lerman v. Flynt Dist. Co., Inc.*, 745 F.3d 123, 136 (2d Cir. 1984); *Biro*, 963 F. Supp. 2d at 269. Subsequently, the Supreme Court extended this standard to all public figures, *Curtis Publ'g Co. v. Butts*, 388 U.S. 130 (1967), and decided in *Gertz v. Robert Welch, Inc.*, 418 U.S. 323 (1974), that individuals that “are not public figures for all purposes

may still be public figures with respect to a particular controversy.” *Contemporary Mission, Inc. v. N.Y. Times Co.*, 842 F.2d 612, 617 (2d Cir. 1988).

As the Second Circuit has observed, the reason for distinguishing between private and public figures in defamation claims flows from the recognition of two things: First, “that private figure are more vulnerable to injury from defamation, because public figures have greater access to the media and thus are in a better position to contradict a lie or correct an error.”

Contemporary Mission, Inc., 842 F.2d at 619-20. Second, “**and more important**, public figures generally ‘have voluntarily exposed themselves to increased risk of injury from defamatory falsehood concerning them.’” *Id.* at 620 (quoting *N.Y. Times*, 418 U.S. at 344-45) (emphasis added).

In the Second Circuit, to establish that a plaintiff is a limited purpose public figure, a defendant must prove that she:

1. successfully invited public attention to [her] views in an effort to influence others prior to the incident that is the subject of litigation;
2. voluntarily injected [her]self into a public controversy related to the subject of the litigation;
3. assumed a position of prominence in the public controversy; and
4. maintained regular and continuing access to the media.

Lerman, 745 F.2d at 136-37; *accord*, *Contemporary Mission, Inc.*, 842 F.2d at 617; *Biro*, 963 F. Supp. 2d at 270. Statements regarding a limited purpose public figure are subject to enhanced protection only if relevant to the public figure's involvement in a given controversy. *Biro*, 963 F. Supp.2d at 270-71 (citing *Faigin v. Kelly*, 978 F. Supp. 420, 426 (D. N.H. 1997)). “Yet, once a plaintiff is deemed a limited purpose public figure, courts allow the heightened protections to sweep broadly, covering all statements by defendants that are not ‘wholly unrelated to the controversy.’” *Biro*, 963 F. Supp. 2d at 271 (quoting *Waldbaum v. Fairchild Publ'ns, Inc.*, 626

F.2d 1287, 1298 (D.C. Cir. 1980)). The law requires only that “the statement need be no more than generally related to a dispute in issue to qualify for protection.” Robert D. Sack, *Sack on Defamation: Libel, Slander, and Related Problems* (“SACK ON DEFAMATION”) § 5:3.3 (4th ed. 2015).

The question whether a plaintiff is a public figure is a question of law for the court to decide. *Celle v. Filipino Reporter Enters. Inc.*, 209 F.3d 163, 176-77 (2d Cir. 2000); *accord Biro*, 963 F. Supp. 2d at 270.

1. Plaintiff successfully invited public attention to influence others.

The record amply demonstrates that plaintiff invited public attention to herself and her views regarding the Plaintiff’s alleged desire to draw attention to the issue of her purported sex slavery.

Beginning in at least 2011, the Plaintiff met with Sharon Churcher to promote her cause and economic interests. According to Ms. Churcher, the Plaintiff granted Ms. Churcher extensive interviews that resulted in 7 widely distributed articles from March 2011 through January 2015. According to Ms. Churcher, she regularly communicated with the Plaintiff and her “attorneys or other agents” from “early 2011” to “the present day.” *See* Doc.216 ¶¶ 2-11 and referenced exhibits; Docs.261-1 to 216-8, incorporated by reference. Plaintiff was amply compensated for this “public attention” and received approximately \$160,000 for her stories. and pictures that were published by many news organizations. EXHIBIT N at 247-248. Plaintiff had a contract with the news organizations, The Mail on Sunday.

Plaintiff, in addition to selling this story to the media, again thrust herself into the public’s attention when she sought to join the ongoing CVRA litigation against Jeffrey Epstein in the United States District Court in Florida. The Plaintiff, through the same lawyers in this matter, publicly filed a joinder motion that was the equivalent of a press release. The unnecessary and

lurid allegations were ultimately stricken by the Court but accomplished the desired result for the Plaintiff, more public attention. The CVRA pleading created a media frenzy and spawned highly publicized litigation between Plaintiff's lawyers, Edwards and Cassell, and Alan Dershowitz. After the Plaintiff publicly alleged Mr. Dershowitz of sexual misconduct, Mr. Dershowitz vigorously defended himself in the media. He called the Plaintiff a liar and accused her lawyers of unethical conduct. In response, the lawyers, Edwards and Cassell, sued Dershowitz who counterclaimed. This litigation, in turn, caused additional media attention by national and international media organizations. *See* Doc.363 at 363-1 thorough 363-14 and accompanying exhibits.

In addition, plaintiff claims to have established a non-profit organization, Victims Refuse Silence, the purpose of which was to promote plaintiff's professed cause against sex slavery.

In paragraphs 23 through 26 of her complaint in this matter she makes the following admissions on this issue:

- Ultimately, as a mother and one of Epstein's many victims, Giuffre believed that she should speak out about her sexual abuse experiences in hopes of helping others who had also suffered from sexual trafficking and abuse. *Id.* 23
- On December 23, 2014, Giuffre incorporated an organization called Victims Refuse Silence, Inc., a Florida not-for-profit corporation. *Id.* 24
- Giuffre intended Victims Refuse Silence to change and improve the fight against sexual abuse and human trafficking. The goal of her organization was, and continues to be, to help survivors surmount the shame, silence, and intimidation typically experienced by victims of sexual abuse. Giuffre has now dedicated her professional life to helping victims of sex trafficking. *Id.* 25
- On December 30, 2014, Giuffre moved to join the on-going litigation previously filed by Jane Doe 1 in the Southern District of Florida challenging Epstein's non-prosecution agreement by filing her own joinder motion. *Id.* 26

In sum, the record includes ample evidence of plaintiff's efforts to garner public attention in order to influence others and the success of those efforts.

2. Plaintiff voluntarily injected herself into public controversies related to the subject of this litigation.

The second prong of the *Lerman* test requires an examination of whether plaintiff voluntarily injected herself into a public controversy related to the subject of the litigation. The Second Circuit has held that the term should be defined broadly to mean “any topic upon which sizeable segments of society have different, strongly held views.” *Lerman*, 745 F.2d at 138; *see also Biro*, 963 F. Supp. 2d at 272 (“A public controversy is simply ‘any topic upon which sizeable segments of society have different, strongly held views,’ even if the topic does ‘not involve political debate or criticism of public officials.’”) (quoting *Lerman*, 745 F.2d at 138) (alteration omitted). The public controversy requirement, however, is not necessarily limited to what would be considered “a classic debate.” SACK ON DEFAMATION § 5:3.11[B]. “An investigation into alleged corruption or drug dealing, for example, could meet the test.” *Id.*

As demonstrated by the Declaration of Ms. Churcher, the articles attached to the declaration, and the joinder motion filed by plaintiff in the CVRA litigation and the litigation initiated by her lawyers there can be no doubt that the plaintiff's actions were voluntary and that she injected herself into this “public controversy.” Indeed, it is clear that plaintiff created this “public controversy.”

3. Plaintiff assumed a position of prominence in the public controversies.

The third relevant factor focuses on whether plaintiff has voluntarily assumed a sufficient degree of prominence in the controversies at issue. Plaintiff sold and published her story. She publicly sought to join the CVRA litigation. She established a non-profit organization, the

mission of which is purportedly to “spread the word for victims of human trafficking”. EXHIBIT MM at 17; *see also* EXHIBIT LL.

According to Brittany Henderson, the Rule 30(b)(6) designee of VRS, plaintiff has “continued to try to promote Victims Refuse Silence at every possible chance she gets ...” EXHIBIT MM at 17-18. Plaintiff participated in an interview in New York with ABC in “the beginning of 2015,” *id.* at 27, so that she could “promote the charity, so that she could start getting her mission out to the public.” *Id.* at 28. Having affirmatively injected herself into the public spotlight in connection with these issues, plaintiff cannot now be heard to argue that this *Lerman* factor has not been satisfied. *Cf. Contemporary Mission*, 842 F.2d at 618-19 (finding the plaintiffs' assertion that they have assumed a private life was “belied by the fact that they continued to thrust themselves into the public eye” through their conduct on behalf of a non-for-profit organization).

4. Plaintiff has maintained regular and continuing access to the media.

Plaintiff has had substantial access to the media. Ms. Churcher has answered every call or email sent by plaintiff. Plaintiff's lawyers have regularly communicated with the media. Plaintiff and her lawyers have been interviewed by numerous major media organizations.

Accordingly, the First Amendment requires that public figures like plaintiff claiming defamation must establish actual malice—actual and material falsity or a high degree of awareness of probable falsity—by clear and convincing evidence. *E.g., Masson v. New Yorker Magazine, Inc.*, 501 U.S. 496, 510 (1991).

D. Plaintiff must also prove actual malice to overcome the defenses of reply and pre-litigation privilege.

The qualified privilege of reply to a defamatory attack is a complete defense to a claim of defamation. *Shenkman v. O'Malley*, 157 N.Y.S.2d 290, 294, 297 (App. Div. 1956). The defense

is available to a person “who has been defamed in the first instance,” here, Ms. Maxwell, and “who, in response to the attack, responds in kind.” *Id.* The privilege of the initially-attacked person (Ms. Maxwell) includes in rebuttal of the initial attack the right to speak the truth, but the right to rebut is not confined to the truth or to mere denial:

This defense of reply is material, of course, only where the response in kind is defamatory. The injury, if any, to plaintiff is excused, because it is the plaintiff who started the altercation. . . .

It is a contradiction in terms to say that the one attacked is a privileged only to speak the truth, and not to make a counter attack, or that legitimate self-defense consists only in a denial of the charge or a statement of what is claimed to be the truth respecting its subject-matter.

Id. (emphasis supplied; quoting *Collier v. Postum Cereal Co.*, 134 N.Y.S. 847, 853 (1st Dep’t 1912)); *see generally* *Restatement of the Law of Torts* (Second) § 594 cmt. k (1977) (noting that to protect her reputation from attack by another person, she is conditionally privileged to publish defamatory matter about her attacker reasonably believed necessary to defend her reputation, “including the statement that [her] accuser is an unmitigated liar”).

A defendant asserting the defense of reply need only establish she has been attacked with a defamatory statement. *See id.* at 297. Beginning no later than 2009 plaintiff attacked Ms. Maxwell with defamatory statements. In 2014, plaintiff knew the press was giving extensive coverage to, and scrutinizing all filings in, the Crime Victim’s Rights Act case pending in the United States District Court for the Southern District of Florida and in plaintiff’s 2009 civil action against Mr. Epstein. Knowing this, plaintiff repeatedly filed papers in court alleging that Ms. Maxwell participated as a “recruiter” in a “sex trafficking” scheme operated by Mr. Epstein. *E.g.*, Exhibit D. In 2011, plaintiff granted “exclusive” interviews to the British tabloid press during which she repeated her false allegations against Ms. Maxwell and also alleged that as part of the “sex trafficking” scheme she had sex with numerous prominent public figures, including

Prince Andrew and Harvard law professor Alan Dershowitz. EXHIBIT A. The false allegations against Ms. Maxwell constituted defamation *per se*.

A plaintiff may defeat a qualified privilege only by proving actual malice. *See, e.g., Kane v. Orange Cnty. Publ'ns*, 649 N.Y.S.2d 23, 26 (App. Div. 1996) (qualified privilege of reply); *see generally Gertz*, 418 U.S. at 323; *Restatement (Second) of Torts*, *supra*, § 594 cmt. b.

E. The January 2015 statement was substantially true, and plaintiff cannot produce clear and convincing evidence of its falsity.

The January 2015 statement accurately and properly denies the factual assertions regarding Ms. Maxwell contained within plaintiff's joinder motion that had been issued two days prior to which it responded. With respect to each claim in the joinder motion that concerns Ms. Maxwell, the evidence elicited through discovery undercuts any evidence – clear and convincing or otherwise – that plaintiff may proffer to buttress her false allegations.

1. The January 2015 statement accurately denied that Ms. Maxwell met Plaintiff when Plaintiff was 15 years old in 1999.

Plaintiff's relative youth at the time of her initial contact with Epstein and Maxwell forms the core of Plaintiff's story, in her joinder motion and in the press, that she was an underage victim of sexual slavery. Plaintiff has made a point of mentioning her age of 15, in the year 1999, as the starting point for her "four years" of "sex slavery" at every opportunity. The young age no doubt heightens the offensiveness of the claimed abusive conduct and also supplies enough time to allow for the "thousands" of times she was purportedly abused and the numerous opportunities for her to be trafficked to countless famous individuals. Reiterating this point in the joinder motion, plaintiff asserted again that she met Ms. Maxwell in the year 1999 when she was a mere 15 years old. EXHIBIT D at 3.

As she now admits and her employment records confirm, plaintiff did not actually meet Ms. Maxwell or Epstein until the year 2000. Plaintiff acknowledges that she did not meet Ms.

Maxwell until she worked at the Mar-A-Lago as a spa attendant, and she confirms that she obtained that job with the assistance of her father who already was employed as a maintenance worker at the club. Records subpoenaed from Mar-A-Lago reflect that plaintiff's father commenced employment on April 11, 2000. EXHIBIT S. Additionally, they show that plaintiff terminated in the year 2000. *Id.* Finally, plaintiff's social security report confirms plaintiff's Mar-a-lago employment was confined to calendar year 2000. EXHIBIT R. Faced with overwhelming proof that her claims of meeting Ms. Maxwell at the age of 15 in the year 1999 were false, plaintiff finally conceded as much at her deposition on May 3, 2016. EXHIBIT N at 25-28. She also confessed that she did not spend her "sweet 16th" birthday with Ms. Maxwell, as detailed in her book manuscript and in the press. *Compare* EXHIBIT N at 101-02 *with* EXHIBIT KK at Giuffre04173 ("I spent my sweet 16th birthday on his island in the Caribbean next to 'St. James Isle' he liked to call it 'Little St. Jeff's', his ego was as enormous as his appetite for fornicating. I was given a birthday cake and a new collection of designer make-up from London. Ghislaine made a joke after I blew out my array of candles and said, 'I'd be soon getting too old for Jeffrey's taste, and soon they'd have to trade me in.'"); Paul Lewis, "Jeffrey Epstein: Inside the Decade of Scandal Entangling Prince Andrew," *The Guardian* (Jan. 10, 2015)³³.

Yet, even after conceding she was off by a year, plaintiff persists in suggesting that she must have been a mere "16 year old" when she worked at Mar-a-Lago and met Ms. Maxwell. It was, she testified, a "summer job" for which she had taken a break from school, and she did not turn 17 until later that summer on August 9, 2000. EXHIBIT N at 25-28, 57,104, 113. But the Mar-a-Lago documents conclusively disprove this claim: the spa where plaintiff worked closes every year from Mother's Day until November 1. EXHIBIT U at Mar-a-Lago0212 ("The club

³³ <https://www.theguardian.com/world/2015/jan/10/jeffrey-epstein-decade-scandal-prince-andrew> (last visited Jan. 6, 2017).

never shuts down from November 1 to Mother's Day.”). Spa attendants such as plaintiff are “seasonal” employees. *Id.* Indeed, the spa advertises for its new employees in local newspapers in the fall of every year. EXHIBIT V. Even plaintiff's father – a long time employee of Mar-a-Lago -- described the seasonal nature of the club during his deposition: “[Plaintiff's employment] was probably for a season because Mar-a-Lago is seasonal. I mean, I was there year round but a lot of people are seasonal, you know, because it's like snowbirds, you know, summertime comes and nobody wants to be down in south Florida...[The season is] probably from September or October to, you know, maybe May, I guess.” EXHIBIT T at 72. With the spa closed from Mother's Day to November 1, plaintiff could not have had a “summer job” and could not have worked at Mar-a-Lago until November 2000, at the earliest, when she was over 17 years old.

In sum, Plaintiff's claim in the Joinder Motion that she met Ghislaine Maxwell in 1999 when she was 15 years old is a false statement. Therefore, the January 2015 statement calls the allegations against her “untrue” was factually accurate.

2. The January 2015 statement accurately denied that Ms. Maxwell “regularly participate[d] in Epstein's sexual exploitation of minors” and that “the Government knows” such fact.

The January 2015 statement also accurately denied plaintiff's joinder motion allegation that “it became known to the government that Maxwell herself regularly participated in Epstein's sexual exploitation of minors, including Jane Doe #3.” EXHIBIT D at 3. Ms. Maxwell did not “regularly participate in in Epstein's sexual exploitation of minors” as confirmed by the lead Palm Beach Detective, Joseph Recarey. Det. Recarey confirmed that none of the alleged Epstein victims ever mentioned Ms. Maxwell's name, either in reports he reviewed or in interviews he conducted. None of the alleged victims said they had been “recruited,” paid or exploited by Ms. Maxwell. EXHIBIT GG at 10-11, 177, 180-82, 187-96, 241-42, 278. He verified that the twenty-

two page Palm Beach Police Department affidavit does not mention Ms. Maxwell's name once (*id.* at 177), and she was never considered a suspect and she was never mentioned in the grand jury testimony. *Id.* at 203. Ms. Maxwell was not seen coming or going from the house during any of the Palm Beach Police Department's surveillance of Epstein's home. *Id.* at 214-15. None of her property was seized from Epstein's home. *Id.* at 257. In sum, Det. Recarey denied that knowing anything "about Ghislaine Maxwell's sexual trafficking conduct." *Id.* at 278. He confirmed he has no knowledge that Ms. Maxwell sexually trafficking "anybody." *Id.* at 278-79. Likewise, he has no knowledge of Plaintiff's conduct that is subject of this lawsuit. *Id.* at 259-60. Plaintiff thus has uncovered no evidence that the "government" came to "know" that Maxwell participated in sexual exploitation of Jane Doe #3, i.e., Plaintiff. Plaintiff has not and cannot present clear and convincing evidence to demonstrate the falsity of Ms. Maxwell's denial.

3. The January 2015 statement accurately denied that "with [Ms. Maxwell's] assistance, [Epstein] converted [Plaintiff] into what is commonly referred to as a 'sex slave.'"

Plaintiff claimed in the joinder motion that Ms. Maxwell helped Epstein transform her into a "sex slave" as that term is "commonly" used, yet the incontrovertible evidence establishes the opposite. A "slave" as defined by Merriam-Webster is a "person held in servitude as the chattel of another." Oxford Dictionary defines "slave" as a "person who is the legal property of another and is forced to obey them." Common definitions of "sex slave" include a person who is confined and is raped, sexually abused or prostituted. *See* "Sex Slave," Free Dictionary, located at <http://www.thefreedictionary.com/sex+slave> (last visited Jan. 5, 2017) (underlining supplied). Plaintiff, however, was far from confined or the legal property of another.

Throughout 2000, 2001 and 2002, Plaintiff enjoyed complete freedom of movement and choice. She had a car and then a pickup truck she shared with Figueroa. EXHIBIT P at 67.. She traveled freely to and from multiple jobs working as a waitress, bird aviaries, veterinarian

hospital, Neiman Marcus, Oasis Outsourcing and Southeast Employee Management Company. EXHIBIT R. Plaintiff enrolled in school in June 2000 before she met Maxwell or Epstein and continued her enrollment throughout 2000, 2001 and until March 2002. EXHIBIT O. She worked at multiple restaurants and the animal hospital in 2002. EXHIBIT R. She came and went from her apartment, moved to a new apartment and then moved in with Figueroa's family. She held parties at her apartment with Figueroa and other friends. EXHIBIT Z. When something did not go well, she called the police and filed police reports, without mentioning anything about captivity, confinement or forced sexual exploitation or trafficking, much less "sex slavery." *Id.* and EXHIBIT AA. She had her own money, paid her rent, and bought a vehicle. To Figueroa, she seemed "excited" about meeting famous people and discussed it so much that he tuned it out. EXHIBIT P at 125-26. By any commonly understood definition of sex slavery, Plaintiff did not match the description.

Witness testimony and documentary evidence demonstrate the absence of substantial truth to Plaintiff's claim that Maxwell assisted Epstein in converting her into what is commonly referred to as a "sex slave." The January 2015 statement's denial of that claim cannot therefore be defamatory.

4. The January 2015 statement accurately reported that Plaintiff alleged "sexual relations" with Professor Dershowitz which he denied.

The January 2015 statement accurately reports that "now it is alleged that Alan Dershowitz [sic] is involved in having sexual relations with [Plaintiff], which he denies." The joinder motion made such a claim and Professor Dershowitz publicly and vehemently denied any such sexual contact. *See, e.g.,* Dershowitz Denies Sex Charge, JTA (Jan. 2, 2015) ("Dershowitz

declared ‘totally, unequivocally and completely false’ allegations that he had sex with the former staffer for investor Jeffrey Epstein.”).³⁴

Professor Dershowitz has gone beyond a simple denial: he has sworn, repeatedly and in almost every conceivable forum, including the New York Times, the Wall Street Journal, and Good Morning America, that he never had any sexual contact with Plaintiff and never met her. As he set forth in this case in his Declaration in Support of Motion to Intervene, Plaintiff never mentioned his name during her weeklong 2011 interview with journalist Sharon Churcher. Doc.363. It was only after Churcher suggested to Plaintiff that she “must have” met Dershowitz because “we all know he’s a pedo, though we have no proof of that” that Plaintiff then included Dershowitz in her book manuscript, not as a perpetrator of hers, but as someone she had “met” while with Epstein. *Id.* The CVRA joinder motion more than three years later was the first time plaintiff publicized her remarkable claim that she had been sexually trafficked to Dershowitz on “numerous occasions” “while she was a minor,” in Florida, private planes, in New York, New Mexico, and the U.S. Virgin Islands. EXHIBIT D.

Dershowitz, in his own subsequent defamation action against plaintiff’s attorneys Edwards and Cassell, produced approximately 10,000 pages of documents capturing his travels during the 1999-2002 timeframe, none of which coincided with Plaintiff’s story. For example, Dershowitz demonstrated that the only time he visited Epstein’s home in the U.S. Virgin Islands he was accompanied by his wife and his 12 year old daughter. Plaintiff, on the other hand, produced no records demonstrating that any portion of her allegation against him is true. For example, she claimed one sexual encounter occurred on a private plane on which she traveled

³⁴http://www.jta.org/2015/01/02/news-opinion/united-states/dershowitz-denies-lawsuits-sex-charges?utm_source=twitterfeed&utm_medium=twitter&utm_campaign=jtafeed (last visited Jan. 5, 2017).

with Professor Dershowitz. EXHIBIT II at 85. None of the flight logs reveal a flight with the two of them as passengers. EXHIBIT BB. Another time, plaintiff claims, she and Epstein flew together to Boston and she engaged in sexual relations with Professor Dershowitz in the backseat of a limousine between the airport and his home with another female and Epstein next to them. EXHIBIT II at 110-15. No flight logs document any trip with Epstein and plaintiff to Boston and plaintiff cannot recall the other female in the car. EXHIBIT II at 113.

Professor Dershowitz has signed affidavits, provided sworn deposition testimony and sworn pleadings, offered to take a lie detector test, offered to waive the statute of limitations as to himself, and given countless broadcast and news interviews disclaiming any sexual contact with Plaintiff and calling her an outright “liar.”³⁵ The January 2015 statement recounting the allegation against him and his denial is substantially true.

5. The January 2015 statement accurately denied that Ms. Maxwell created and distributed child pornography and that the Government knows of and possesses such child pornography.

Plaintiff’s next assertion regarding Maxwell in the joinder motion was that “Maxwell also took numerous sexually explicit pictures of underage girls involved in sexual activities, including Jane Doe #3,” and that Maxwell “shared these photographs (which constituted child pornography under applicable federal laws) with Epstein.” EXHIBIT D at 4-5. Plaintiff continued: the “Government is apparently aware of, and in certain instances possesses some of these photographs.” *Id.* Yet again, the evidence demonstrates the falsity of Plaintiff’s claim.

Detective Recarey testified that none of Epstein’s alleged victims even mentioned Ms. Maxwell, much less claimed that she had taken naked photographs of them. EXHIBIT GG at 180-82, 187-96, 241-42, 278. Recarey also denied that any evidence belonging to Ms. Maxwell was

³⁵Perhaps most telling, Plaintiff and her phalanx of attorneys have never sued Mr. Dershowitz for his many vociferous attacks on her credibility.

seized from Epstein's home during the execution of the search warrant, which would include any "child pornography" reportedly created by her. *Id.* at 257. Detective Recarey who had entered Epstein's home in 2002 to install security cameras to catch a thief did not observe any "child pornography" within the home, including on Epstein's desk where Plaintiff alleges he kept such a nude photograph of herself. *Id.* at 289-90. And Epstein's housekeeper, Juan Alessi, swore that he "never saw any photographs of Virginia Roberts in Mr. Epstein's house," EXHIBIT HH at ¶ 17, contradicting Plaintiff's claims that nude photographs of her were prominently displayed throughout all of Epstein's homes.

No sexually explicit photographs of Plaintiff were ever produced in discovery in this case or subpoenaed by Plaintiff from any governmental agency. Plaintiff has presented no evidence the government "possesses" any such photographs or indeed ever became "aware of" them.

6. January 2015 statement accurately denied Maxwell acted as "madame" for Epstein to traffic Plaintiff to the rich and famous.

Finally, in the joinder motion, Plaintiff asserted that Ms. Maxwell had "facilitated" sexual abuse "by acting as a 'madame' for Epstein, thereby assisting in internationally trafficking Jane Doe #3 (and numerous other young girls) for sexual purposes." Plaintiff has utterly failed to substantiate her allegation.

Not a single "other young girl" made a claim that Maxwell, or even Epstein for that matter, trafficked them to a third-person for commercial sexual acts. Detective Recarey confirmed that he had no knowledge of Ghislaine Maxwell sexually trafficking anyone. EXHIBIT GG at 278-79. He also confirmed that not a single one of the alleged victims of Epstein ever claimed to have any sexual contact with any man other than Epstein, or that they were sent to another location to have sex with another man or to give a massage to another man. *Id.* at 300-02. None of the other alleged victims of Epstein ever claimed to have gone on his plane with him

or to have had sexual acts with him on his plane. *Id.* at 302-04. None claimed they had gone to New York with him and stayed in his residence. *Id.* at 304-05. Plaintiff, it appears, is the only alleged victim of Epstein who claims she was the subject of such trafficking, yet even she has retracted, amended, and withdrawn many of her allegations, thus rendering (by her own admission) such claim substantially untrue.

Foreign Presidents. Upon questioning under oath, Plaintiff admitted that she had never even met a “foreign president,” much less ever been sexually trafficked to one or to the multiple “foreign presidents” referenced in the joinder motion.

Q: The reference there to foreign presidents, do you see that?

A: Yes.

Q: You were sexually trafficked to foreign presidents?

A: No.

Q: So that’s not true, you were not sexually trafficked to foreign presidents?

A: I don’t know what foreign presidents you’re talking about.

Q: Have you ever been sexually trafficked to any foreign president?

[Objection interposed by Ms. McCawley; Special Master overruled]

A: I understand well-known prime ministers and other world leaders; as far as foreign presidents, I’m not too sure, I don’t know.

Q: Have you ever met any foreign presidents?

A: Foreign presidents as in overseas?

Q: Sure, okay, overseas.

A: No.

Q: Have you ever met any foreign presidents from countries not overseas such as Canada or Mexico?

A: No.

Q: So you were not sexually trafficked to any foreign presidents, is that correct?

A: As far as I know right now, yes.

Q: It's correct that you were not sexually trafficked to them, right?

A: You've asked me this three times and I'm telling you.

EXHIBIT II at 10-12. Indeed, Plaintiff became frustrated by what she perceived as the third time she was asked the question, each time denying that she had met a foreign president or been sexually trafficked to one, clearly indicating that she understood the question, had answered it in the negative and did not want to be re-asked the question again.³⁶ Notably, not a single "foreign president" is listed as a witness with knowledge of Plaintiff's claims in her Rule 26 disclosures.

"Well-known prime minister." Plaintiff also has failed to establish any evidence to support her fantastical claim that she was sexually trafficked to a "well-known prime minister." When questioned, she refused to disclose the identity of the prime minister, even with the protection of a protective order. EXHIBIT II at 12. She has not produced photographs of her with any well-known prime minister, nor any flight log showing a well-known prime minister on Epstein's airplane. She has not identified herself as being in any location with a well-known prime minister, nor the date of any such encounter. The only evidence that Plaintiff has ever been even in the company of a well-known prime minister is her uncorroborated word.

"World leaders." Likewise, when asked about "world leaders" to whom she was trafficked, Plaintiff referred vaguely to someone she was introduced to as a "prince."

Q: Other world leaders, what other world leaders were you sexually trafficked to?

[Objection interposed and overruled by Special Master]

A: Okay. Prince Andrew for one.

Q: Other than Prince Andrew?

³⁶Plaintiff and her counsel later devised a plan to just outright change these three answers through the errata sheet, claiming that Plaintiff had "misunderstood the question" and she had in fact been trafficked to such a president. EXHIBIT JJ. As her clear answers and frustration at the repeated nature of the questioning demonstrates, however, she had no trouble whatsoever understanding the question at the time.

A: There is another individual that I honestly do not know his name.

Q: What country is he from?

A: I'm not too sure, he spoke in a foreign—he did speak foreign tongue, he spoke English as well, but I'm not too sure where he was from?

Q: How do you know he is a world leader?

A: I was introduced to him as a prince.

...

Q: Did you – where were you when you met him?

A: On this occasion the South of France.

...

Q: Where in the South of France were you?

A: I don't know.

Q: Were you on a boat, were you in a house?

A: We were at a like a cabana, not cabana, like a resort, but it was a big party.

Q: Who was throwing the party?

A: I don't know. I was just brought there.

EXHIBIT II at 15-17. Indeed, this is almost the identical answer that Plaintiff later gave when questioned about what which “powerful businessmen” she had been sent to have sex with:

Q: Where were you sent to have sex with the owner of a large hotel chain by Ghislaine Maxwell?

A: I believe that was one time in France.

Q: I believe it was around the same time that Naomi Campbell had a birthday party.

A: Where did you have sex with the owner of a large hotel chain in France around the time of Naomi Campbell's birthday party?

A: In his own cabana townhouse thing. It was part of a hotel, but I wouldn't call it a hotel. . . .

EXHIBIT N at 203. In fact, Naomi Campbell's birthday is May 22, 1970. [WIKIPEDIA]. The flight logs do not show plaintiff traveling to France in May 2001 or May 2002. EXHIBIT BB at DR_0046, DR_0056. On May 22, 2002, for example, Epstein was in Russia.

In her joinder motion, Plaintiff made the additional claim that Epstein (not Maxwell) sexually trafficked her to "model scout" Jean Luc Brunel on numerous occasions and in numerous places, including "the South of France." EXHIBIT D at 5-6. The flight logs, however, demonstrate that Plaintiff was never in the "south of France," much less on multiple occasions. The one and only trip reflecting travel by Plaintiff to France was a trip on March 6, 2001 from a fueling stop in Canada to Paris, followed by a departure from Paris on March 8, 2001 to Granada. EXHIBIT BB at DR_000043; EXHIBIT CC at 107. Although there are other flights in which Epstein went to Nice in the south of France, Plaintiff is not on any of them and none are near Naomi Campbell's birthday on May 22.

Plaintiff's claim in her joinder motion about having been trafficked to other "prominent American politicians" and other world leaders have gone unsubstantiated and are patently incredible. Because these men are publicized to have been in the company of Epstein on at least one occasion, such was apparently sufficient for Plaintiff to claim she had been trafficked to them. For example, Plaintiff claimed at her deposition that these powerful men to whom she was trafficked included Marvin Minsky. EXHIBIT N at 204. Dr. Minsky, a world-renowned scholar and long-time professor at MIT, passed away in January 2016 at the age of 88.³⁷ At the time of his passing, he had been married to his wife, pediatrician Dr. Gloria Rudisch, since 1952 and had three children and four grandchildren. His name appears on one of Epstein's flight logs as having traveled with a large group of individuals, including plaintiff, from New Jersey to Santa Fe on

³⁷ <https://www.bostonglobe.com/metro/2016/01/25/marvin-minsky-dies-mit-professor-helped-found-field-artificial-intelligence/A8y6ey8S0QAao463Z2ooO/story.html>

March 29 and returning on March 31, 2001.³⁸ The other passengers included world-renowned philanthropist Dr. Henry Jarecki, now aged 83, also a long-time husband, famed academic and scholar, and famous philanthropist.³⁹

Plaintiff produced no evidence substantiating any of her fantastical claims that she had been trafficked by Epstein, or by Maxwell, to any of these men or any others. No witnesses vouched for seeing plaintiff in the company of politicians George Mitchell or Bill Richardson to whom plaintiff claims she was sent. She produced no photographs of herself with them. She had a journal where she claims she documented their names, but she claims she burned that journal in 2013. In May 2011, plaintiff inquired by email to journalist Sharon Churcher to “remind” her of the famous people to whom she was trafficked. Plaintiff has not supported her claims with clear and convincing evidence and thus, Ms. Maxwell’s denials and characterizations of these claims as “obvious lies” is not defamatory as a matter of law.

CONCLUSION

For the foregoing reasons, the Court should grant summary judgment in favor of Ms. Maxwell.

³⁸ Plaintiff claims, however, that she was trafficked to Dr. Minsky in the U.S. Virgin Islands.

³⁹ https://en.wikipedia.org/wiki/Henry_Jarecki

January 6, 2017.

Respectfully submitted,

/s/ Laura A. Menninger

Laura A. Menninger (LM-1374)

Jeffrey S. Pagliuca (*pro hac vice*)

HADDON, MORGAN AND FOREMAN, P.C.

150 East 10th Avenue

Denver, CO 80203

Phone: 303.831.7364

Fax: 303.832.2628

lmenninger@hmflaw.com

Attorneys for Defendant Ghislaine Maxwell

CERTIFICATE OF SERVICE

I certify that on January 6, 2017, I electronically served this *Memorandum in Support of Defendant's Motion for Summary Judgment* via ECF on the following:

Sigrid S. McCawley
Meredith Schultz
BOIES, SCHILLER & FLEXNER, LLP
401 East Las Olas Boulevard, Ste. 1200
Ft. Lauderdale, FL 33301
smccawley@bsfllp.com
mschultz@bsfllp.com

Bradley J. Edwards
Farmer, Jaffe, Weissing, Edwards, Fistos &
Lehrman, P.L.
425 North Andrews Ave., Ste. 2
Ft. Lauderdale, FL 33301
brad@pathtojustice.com

Paul G. Cassell
383 S. University Street
Salt Lake City, UT 84112
cassellp@law.utah.edu

J. Stanley Pottinger
49 Twin Lakes Rd.
South Salem, NY 10590
StanPottinger@aol.com

/s/ Nicole Simmons
Nicole Simmons

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

VIRGINIA L. GIUFFRE,

Plaintiff,

v.

15-cv-07433-RWS

GHISLAINE MAXWELL,

Defendant.

-----X

**Declaration of Laura A. Menninger in Support of
Defendant's Motion For Summary Judgment**

I, Laura A. Menninger, declare as follows:

1. I am an attorney at law duly licensed in the State of New York and admitted to practice in the United States District Court for the Southern District of New York. I am a member of the law firm Haddon, Morgan & Foreman, P.C., counsel of record for Defendant Ghislaine Maxwell in this action. I respectfully submit this Declaration in support of Ms. Maxwell's Motion for Summary Judgment.¹

2. Attached as Exhibit A is a true and correct copy of an article by Sharon Churcher entitled "Prince Andrew and the 17-year-old girl his sex offender flew to Britain to meet him," DAILY MAIL, dated March 2, 2011.

¹ At trial, defendant intends to produce either the custodian of record relevant to any disputed document or a certification in compliance with either Fed. R. Evid. P. 803 and/or 902. See Fed. R. Civ. P. 56(c). Apart from deposition testimony, the majority of non-deposition documents herein were either produced by plaintiff or obtained with releases signed by plaintiff.

3. Attached as Exhibit B is a true and correct copy of an article by Sharon Churcher entitled “Teenage girl recruited by paedophile Jeffrey Epstein reveals how she twice met Bill Clinton,” DAILY MAIL, dated March 5, 2011.

4. Attached as Exhibit C is a true and correct copy of a statement on behalf of Ms. Maxwell dated March 9, 2011.

5. Attached as Exhibit D (filed under seal) is a true and correct copy of the corrected Motion for Joinder, *Doe v. United States*, No. 08-80736-Civ-Marra/Johnson (S.D. Fla. Jan. 2, 2015).

6. Attached as Exhibit E is a true and correct copy of an Order Denying Motion to Join Under Rule 21, *Doe v. United States*, No. 08-80736-Civ-Marra/Johnson (S.D. Fla. Apr. 7, 2016).

7. Attached as Exhibit F is a true and correct copy of a statement on behalf of Ms. Maxwell dated January 2, 2015.

8. Attached as Exhibit G (filed under seal) are true and correct copies of excerpts from the November 18, 2016 deposition of Ross Gow, designated Confidential under the Protective Order.

9. Attached as Exhibit H (filed under seal) is a true and correct copy of Plaintiff’s Response to Second Request for Production and to Interrogatories and Requests for Admissions, dated July 1, 2016.

10. Attached as Exhibit I (filed under seal) is a true and correct copy of Plaintiff’s Supplemental Responses to to Interrogatory Nos. 6, 12 and 13, dated August 17, 2016, designated Confidential under the Protective Order.

11. Attached as Exhibit J (filed under seal) is a true and correct copy of the Declaration of Ghislaine Maxwell, dated January 6, 2017.

12. Attached as Exhibit K (filed under seal) is a true and correct copy of the Declaration of Philip Barden, dated January 6, 2017.

13. Attached as Exhibit L (filed under seal) are true and correct copies of excerpts from the June 23, 2016 deposition of James Austrich, designated Confidential under the Protective Order.

14. Attached as Exhibit M (filed under seal) is a true and correct copy of Plaintiff's passport application, dated January 12, 2001, designated Confidential under the Protective Order.

15. Attached as Exhibit N (filed under seal) are true and correct copies of excerpts from the May 3, 2016 deposition of Virginia Giuffre, designated Confidential under the Protective Order.

16. Attached as Exhibit O (filed under seal) are true and correct copies of Plaintiff's school records Bates stamped GM_00888 and GIUFFFREE004981-88 and designated Confidential under the Protective Order.

17. Attached as Exhibit P (filed under seal) are true and correct copies of excerpts from the June 24, 2016 deposition of Tony Figueroa, designated Confidential under the Protective Order.

18. Attached as Exhibit Q (filed under seal) are true and correct copies of excerpts from the November 14, 2016 deposition of Virginia Giuffre, designated Confidential under the Protective Order.

19. Attached as Exhibit R (filed under seal) is a true and correct copy of Plaintiff's Social Security records dated October 25, 2016, Bates stamped GIUFFRE009175, designated Confidential under the Protective Order.

20. Attached as Exhibit S (filed under seal) is a true and correct copy of Mar-A-Lago records, Bates stamped MAR-A-LAGO-0001 and MAR-A-LAGO-0161-0177.

21. Attached as Exhibit T (filed under seal) is a true and correct copies of excerpts from the May 20, 2016 deposition of Sky Roberts, designated Confidential under the Protective Order.

22. Attached as Exhibit U (filed under seal)) is a true and correct copy of the Mar-A-Lago employee handbook, dated October 28, 1995, Bates stamped MAR-A-LAGO-0178-0243.

23. Attached as Exhibit V (filed under seal) is a true and correct copy of the Mar-A-Lago advertisement, Bates stamped MAR-A-LAGO-0086.

24. Attached as Exhibit W (filed under seal) is a true and correct copy of Plaintiff's Courtyard Animal Hospital employment application, Bates stamped GIUFFRE009201-11, designated Confidential under the Protective Order.

25. Attached as Exhibit X(filed under seal) is a true and correct copy of the Royal Palm Beach Police Department Offense Report date, June 10, 2001, Bates stamped GM_00780-82.

26. Attached as Exhibit Y (filed under seal) is a true and correct copy of the Royal Palm Beach Police Department Probable Cause Affidavit date, November 19, 1999, Bates stamped GM_01223-28.

27. Attached as Exhibit Z (filed under seal) is a true and correct copy of the Royal Palm Beach Police Department Offense Report date, August 3, 2001, Bates stamped GM_00777-79.

28. Attached as Exhibit AA (filed under seal) is a true and correct copy of the Palm Beach County Sheriff's Offense Report date, June 02, 2002, Bates stamped GM_00748-79.

29. Attached as Exhibit BB (filed under seal) are true and correct copies of David Rodgers flight logs from November 1995 to May 2013, Bates stamped DR__0001-DR0107.

30. Attached as Exhibit CC (filed under seal) is a true and correct copy of excerpts from the June 3, 2016 deposition of David Rodgers, designated Confidential under the Protective Order.

31. Exhibit DD left intentionally blank.

32. Attached as Exhibit EE (filed under seal) is a true and correct copy of the Royal Palm Beach Police Citation Tracking Report date, June 19, 2002, Bates stamped GM_00776.

33. Attached as Exhibit FF (filed under seal) is a true and correct copy of the Palm Beach County Sheriff's Offense Report, Bates stamped GM_01202-28.

34. Attached as Exhibit GG (filed under seal) is a true and correct copies of excerpts from the June 21, 2016 deposition of Joseph Recarey, designated Confidential under the Protective Order.

35. Attached as Exhibit HH (filed under seal) is a true and correct copy of the Affidavit of Juan P. Alessi, dated January 13, 2016, Bates stamped GM_01197-1201.

36. Attached as Exhibit II (filed under seal) is a true and correct copy of excerpts from the Deposition of Virginia Giuffre taken in *Cassell v. Dershowitz*, on January 16, 2016, and designated as Confidential under the Protective Order.

37. Attached as Exhibit JJ (filed under seal) is a true and correct copy of Errata Sheet from the January 16, 2016 deposition of Virginia Giuffre taken in *Cassell v. Dershowitz*, dated February 11, 2016 and designated by Plaintiff as Confidential under the Protective Order.

38. Attached as Exhibit KK (filed under seal) is a true and correct copy of The Billionaire Playboys Club book manuscript, designated by Plaintiff as Confidential under the Protective Order.

39. Attached as Exhibit LL is a true and correct copy of the Victims Refuse Silence, Inc. Articles of Incorporation dated December 23, 2014, GIUFFRE001064-65.

40. Attached as Exhibit MM (filed under seal) is a true and correct copy of excerpts from the September 8, 2016 deposition of Brittany Henderson, designated Confidential under the Protective Order.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 6, 2017.

s/ Laura A. Menninger
Laura A. Menninger

CERTIFICATE OF SERVICE

I certify that on January 6, 2017, I electronically served this *Declaration of Laura A. Menninger in Support of Defendant's Motion for Summary Judgment* via ECF on the following:

Sigrid S. McCawley
Meredith Schultz
BOIES, SCHILLER & FLEXNER, LLP
401 East Las Olas Boulevard, Ste. 1200
Ft. Lauderdale, FL 33301
smccawley@bsflp.com
mschultz@bsflp.com

Bradley J. Edwards
FARMER, JAFFE, WEISSING, EDWARDS,
FISTOS & LEHRMAN, P.L.
425 North Andrews Ave., Ste. 2
Ft. Lauderdale, FL 33301
brad@pathtojustice.com

Paul G. Cassell
383 S. University Street
Salt Lake City, UT 84112
cassellp@law.utah.edu

J. Stanley Pottinger
49 Twin Lakes Rd.
South Salem, NY 10590
StanPottinger@aol.com

/s/ Nicole Simmons
Nicole Simmons

EXHIBIT A

6/14/2016

Prince Andrew and girl, 17, who sex offender friend flew to Britain to meet him | Daily Mail Online

Daily Mail

.com

[Home](#) | [U.K.](#) | [News](#) | [Sports](#) | [U.S. Showbiz](#) | [Australia](#) | [Femail](#) | [Health](#) | [Science](#) | [Money](#) | [Video](#) | [Travel](#) | [Columnists](#)
[Latest Headlines](#) | [News](#) | [World News](#) | [Arts](#) | [Headlines](#) | [Pictures](#) | [Most read](#) | [News Board](#) | [Wires](#)
[Login](#)

Prince Andrew and the 17-year-old girl his sex offender friend flew to Britain to meet him

By SHARON CHURCHER
 UPDATED: 08:02 EST, 2 March 2011

101

[View comments](#)

- Virginia Roberts reveals she is 'Jane Doe 102' in Jeffrey Epstein case
- Mother-of-three spent four years as millionaire's personal masseuse
- She describes being flown across world to meet Prince Andrew
- Epstein trained her 'as a prostitute for him and his friends'

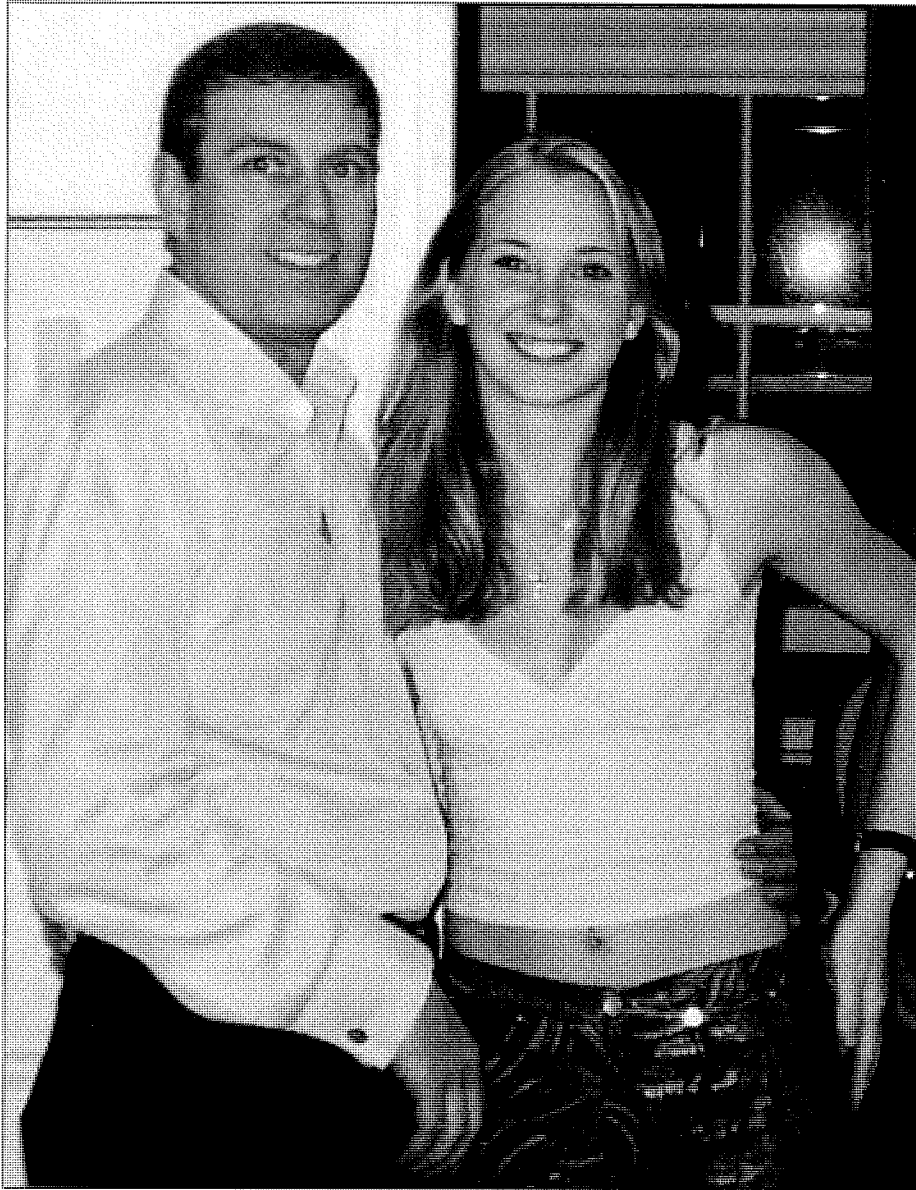
As the UK's special representative for international trade, the Duke of York holds an important position, requiring sound judgement and widespread respect.

But those qualities have been thrown into question since photographs of Prince Andrew with his billionaire financier friend Jeffrey Epstein, a convicted child-sex offender who was jailed for 18 months for soliciting underage prostitutes, appeared last weekend.

Today, however, even more serious doubts are cast on his suitability after a woman at the centre of the Epstein case revealed to The Mail on Sunday that she had, as a 17-year-old employed by Epstein, been flown across the world to be introduced to the Prince.

6/14/2016

Case 1:15-cv-01488-RWS Document 216-2 Filed 06/15/16 Page 3 of 9



First meeting: Prince Andrew puts his arms around 17-year-old Virginia, centre

On one of those occasions Virginia Roberts was subsequently paid \$15,000 (£9,400). Her shocking account of her four years as Epstein's personal masseuse is supported by court documents, an eyewitness, photographs and flight details of Epstein's private jets.

One picture, said to have been taken by Epstein during Andrew's first encounter with the girl in March 2001 and published today by The Mail on Sunday, shows the Prince with his arm around her waist.

This is not the first time the Duke of York's judgment and choice of associates have been questioned. He appears to relish the company of super-rich oil billionaires from the Middle East, North Africa and the former Soviet Union.

The peculiar sale of his former marital home to a Kazakh businessman for £15 million after it had languished unsold for five years at £12 million has never been satisfactorily explained.

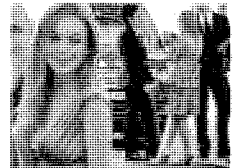
In the recent leak of American diplomatic cables it was revealed that he had criticised an official corruption investigation into the huge Al-Yamamah arms deal between Britain and Saudi Arabia, while he is also said to be close to Saif Al-Islam Gaddafi, son of the beleaguered Libyan president, and may have had a role in the early release of Lockerbie bomber Abdelbaset Al Megrahi.

But it is Andrew's friendship with Epstein, whom he has known since at least 2000, and with Epstein's confidante Ghislaine Maxwell, daughter of the late disgraced newspaper baron Robert Maxwell, that gives most concern.

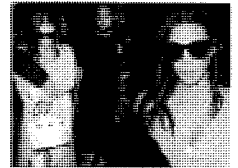
He was first seen with the pair on holiday in Thailand, and was pictured cavorting with Ghislaine at a Halloween fetish-themed party in

While on the streets, I slept with men for money. I was a paedophile's dream

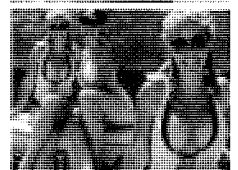
Lindsay Lohan flashes her cleavage in a low-cut lilac number as she enjoys romantic day in Zurich with fiancé Egor Tarabasov
Lovely in lilac



Back in time to celebrate! Kim Kardashian and Kanye West arrive in LA on eve of daughter North's third birthday
Whirlwind 24-hour trip



Bathing suit babes! Playboy vet Kendra Wilkinson shows off chest in one piece while celebrating 31st birthday with 'number one ho' in Arizona



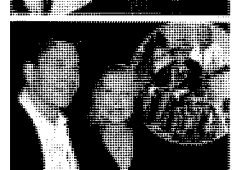
Sean Penn's son Hopper, 22, reveals his famous father wanted to name him 'Steak' due to his love of red meat
His mom Robin Wright wouldn't have gone for it



New romance for Ruby? Rose 'dating' businesswoman Harley Gusman after the pair were spotted cozying up on a date in Hollywood
Off the market?



Was Patrick Swayze a victim of domestic abuse? Wife denies claims she beat the Dirty Dancing star throughout their 34-year marriage - and even when he was dying



Advertisement

6/14/2016

Manhattan.

The photograph that appeared last weekend shows the prince strolling through Central Park with 58-year-old Epstein. Andrew was said to have spent four days at his New York mansion in December, when he was joined by other distinguished guests, including Woody Allen, at a dinner.

It is by no means the first New York soiree Andrew has attended as Epstein's guest.

A lengthy profile of the financier in Vanity Fair magazine some years ago reported that Andrew was a guest at a cocktail party thrown by Epstein and Maxwell packed with young Russian models. 'Some guests were horrified,' said the article's author, Vicky Ward.

It should not be forgotten that Epstein is a registered sex offender after recently completing his sentence for offences relating to child prostitution.

However, he avoided trial on more serious charges that carried a potential life sentence. And no one reading The Mail on Sunday's interview with the woman who was prepared to testify against him can be in any doubt of the seriousness of the charges.

Epstein, a Wall Street money manager who once counted Bill Clinton and Donald Trump among his friends, became the subject of an undercover investigation in 2005 after the stepmother of a 14-year old girl claimed she was paid \$200 (£125) to give him an 'erotic massage'.

The subsequent FBI probe uncovered at least 20 girls levelling sexual allegations against him. Eventually, Epstein struck a 'plea bargain' with prosecutors – a practice not permitted under British law – under which he was allowed to plead guilty to two relatively minor charges.

Police claim that his donations to politicians and his 'dream team' of influential lawyers deterred prosecutors from bringing more serious charges of sex-trafficking. The deal certainly kept the names of a lot of Epstein's famous friends out of an embarrassing court case.

However, an unusual part of the agreement was that Epstein's alleged victims were allowed to bring civil proceedings against him.

He has so far made 17 out-of-court settlements, and some cases are ongoing. One of these girls was to have been a key witness for the prosecution had the case gone to trial. She was just 15 years old when she was drawn into Epstein's exploitative world in 1998.

In her civil writ against him, under the pseudonym Jane Doe 102' she alleged that her duties included being 'sexually exploited by Epstein's adult male peers including royalty'.

Now, horrified by the evidence of Epstein and Andrew enjoying each other's company in New York, Jane Doe 102 has agreed to waive her anonymity and tell for the first time her deeply disturbing story.

Her real name is Virginia Roberts and she now lives in Australia, where she is a happily married mother of three.

Over the course of a week during which she spoke at length to The Mail on Sunday, she appeared sometimes vulnerable, and sometimes steely, but always quietly resolute and consistent.

Revisiting events from a past that she had hoped she had left behind, Virginia occasionally buried her face in her hands.

Some recollections – and, for reasons of taste, not all the details can be included here – caused her to flush with shame. 'I'm telling you things that even my husband didn't know,' she said.

Virginia, who has undergone counselling to try to come to terms with her past, is honest about her initiation into Epstein's depraved world.

She was a troubled teenager, whose slender figure, delicate complexion, hesitant voice and soulful blue eyes made her look young for her years.

Born in Sacramento, California, in August 1983, Virginia spent her early years on a small ranch on the West Coast of America.

This seemingly idyllic childhood ended when she was sexually molested by a man close to her family.

The fallout from that led to her parents temporarily splitting up. Blaming herself, Virginia began to get into trouble. Aged 11, she was sent to live with an aunt but repeatedly ran away.

Living on the streets, she was beaten up and slept with at least two older men in return for food. 'I was a paedophile's dream,' she says.

Three years later, she was reunited with her family and started a new life with her father who had moved to Palm Beach,

Florida, where he was maintenance manager at Donald Trump's country club, Mar-a-Lago.

Virginia got a part-time job as a changing room assistant – which is where, soon after her 15th birthday, she met Ghislaine Maxwell, who invited her to work as Epstein's personal masseuse.

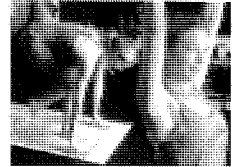
'I was wearing my uniform – a white miniskirt and a skin-tight white polo top – when I was approached by Ghislaine,' Virginia says.

'I told her I wanted to become a masseuse and she said she worked for a very wealthy gentleman who was looking for a travelling masseuse.

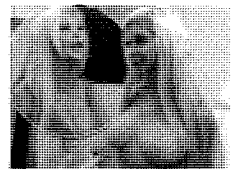
I'd get training and be paid well.' Virginia's father gave his blessing, believing his daughter was being handed the opportunity to learn a skill and to work for a wealthy and respectable employer.

He drove her to Epstein's pink mansion on the Palm Beach waterfront – he also owns a nine-storey home in New York, the city's biggest private residence; a 7,500-acre ranch called 'Zorro' in New

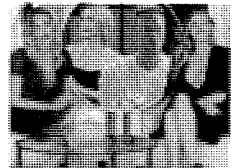
'Need a tight tush': LeAnn Rimes illustrates how to get a firm 'booty' as she does yoga in skimpy tank top and leggings
Exercise tips



'I want them really big!' Blonde bombshell begs doctors to make her 1,000cc implants – even after they insist her enhanced breasts are 'perfect'
On Botched



'It's my fourth favorite reality show! Jessica Alba and Kate Hudson are mean girls as Chris Martin plays for laughs in Sara and Erin Foster's Barely Famous



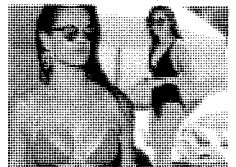
'He's turned into an absolute jerk:' Former Celebrity Apprentice star Vivica A. Fox slams Donald Trump... but says he's not a racist
She's no longer a fan



'I don't see a dark past anymore': Paris Jackson reveals tattoos have helped cover her 'scars and self-hatred' in moving Instagram post



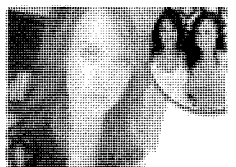
How the season's hottest beach babes including Hailey Steinfeld and Kendall Jenner are embracing jewelry at the seashore
Chic on the beach



This old thing! Duchess of Cambridge recycles a TEN-year-old brocade coat as she plants a tree at garden party
From the back of her wardrobe



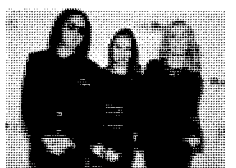
EXCLUSIVE: Alexa Curtin, daughter of Real Housewives star Lynne, is charged with drug possession two months after accusing O.C. deputy sheriff of raping her during a traffic stop



'I told my mom she's a grandma': Maria Menounos shared excitement about her frozen embryos in poignant IVF interview... given before negative pregnancy test



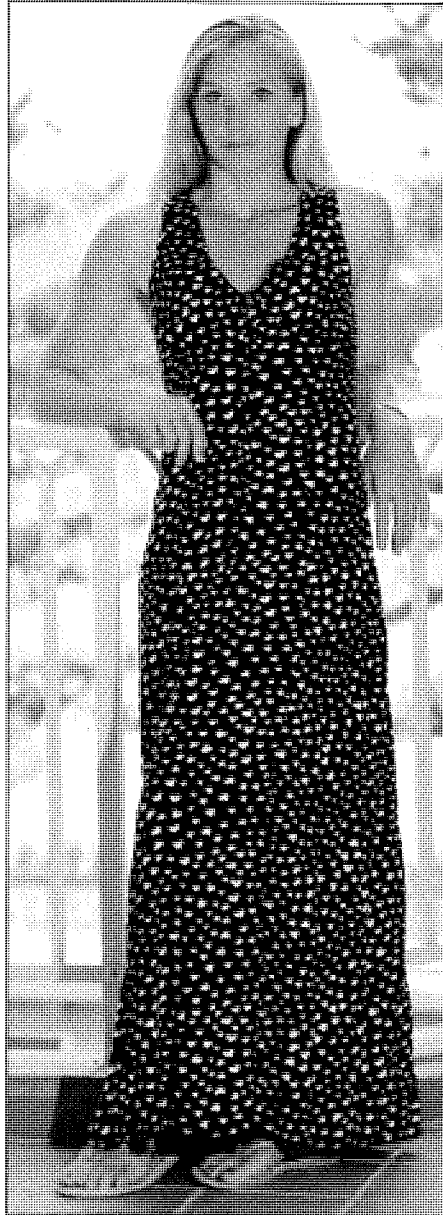
Gene Simmons' daughter Sophie says she was told she was 'not small enough' to be a model and reveals her mom taught her to love her shape



6/14/2016

Case 1:15-cv-01489-RWS Document 216-2 Filed 06/15/16 Page 5 of 9

Mexico and Little Saint James, a private 70-acre atoll in the US Virgin Islands.



A new life: Virginia, now a mother-of-three, in Australia

Virginia says: 'Ghislaine said I was to start immediately and that someone would drive me home.

My father left and I was told to go upstairs.' She was led by another woman through Epstein's bedroom into a massage room where he lay face down naked on a table.

He started to interview Virginia. This was unconventional, but Virginia had no suspicions. Presumably, she thought, this was how the wealthy conducted their business.

Epstein elicited the information that Virginia had been a runaway, and was no longer a virgin.

Virginia was then told to start massaging Epstein, under the instructions of the woman who had shown her in. The massage quickly developed into a sexual encounter.

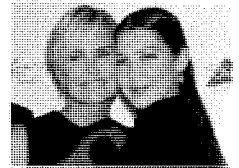
Virginia was uncomfortable, but reluctant to deny such important people. 'My face was red with embarrassment,' she says. 'But I felt under immense pressure to please them.

The whole time it was going on, they were promising me the world, that I'd travel with Jeffrey on his private jet and have a well-paid profession.' Afterwards, she was given two \$100 bills and told to return the next day.

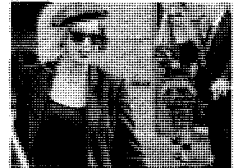
That was the beginning of the four years she spent with Epstein.

For three of those years, she was under Florida's age of consent, which is 18.

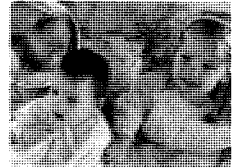
'I'd cry because there was nothing I could do to help': Bella Hadid pens emotional note about her mother Yolanda's Lyme disease battle and shares the impact of her own struggle



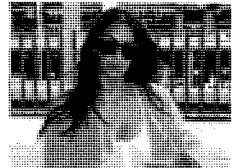
Has the Queen Bey lost her sting? Beyonce steps out in two questionable outfits as she recycles Super Bowl Reformation look. She is still a trailblazer.



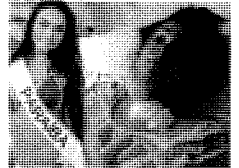
Jenna Bush Hager shares somber message about motherhood as she reveals her daughter was baptized only hours before Orlando shooting



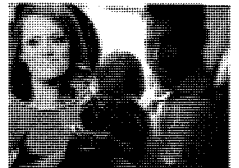
Time for Kardashian klass! From 'bloop' to 'ratchet'... Kim schools fans in how to talk like a true-blooded member of the family. How to be like them



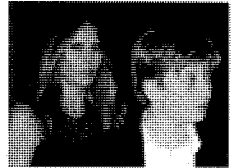
Brazilian Miss Bum Bum model reveals she is paralysed from the waist down after throwing herself from a fourth floor window in suicide attempt



Southern Charm stars claim Kathryn Dennis failed drug test in custody battle with wealthy drug-shamed former politician Thomas Ravenel as he takes their kids to NYC



Mini-me Barron joins parents Donald Trump and Melania at The Polo Bar for dinner the night before his 70th birthday (and Secret Service chauffeurs them the one block walk home)



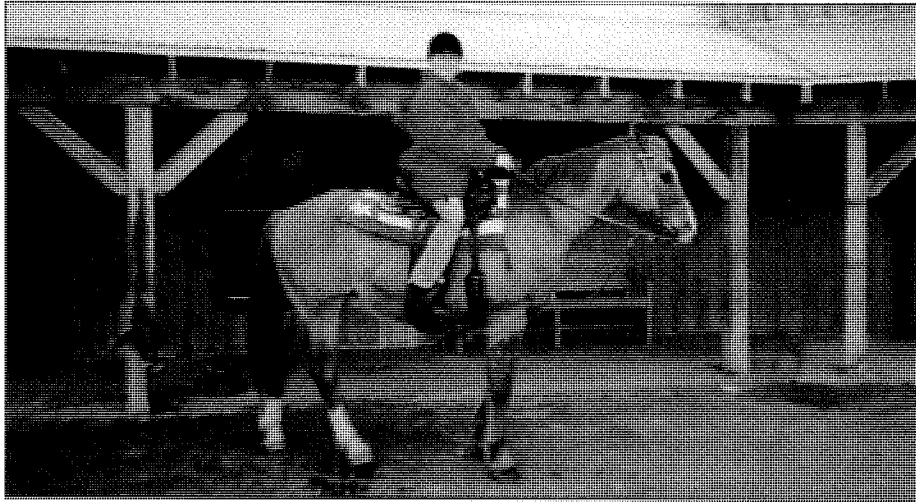
Lord of the manor! Scott Disick views \$2.8million property in Beverly Hills as he hunts for a house to fix up and sell. He is 33



Peek-a-boob! Heidi Klum flashes cleavage

6/14/2016

Case 1:15-cv-07486-RWS Document 216-2 Filed 06/15/16 Page 6 of 9



Troubled teenager: Virginia on the billionaire's Zorro ranch in New Mexico in 2001

Virginia was fascinated by his life story: the son of a humble New York City parks worker, he was a teacher before becoming a Wall Street broker and friends with the upper echelons of the political, financial and academic establishment.

As a confused teenager, Virginia easily fell into the practice of sexually gratifying him for money. He guaranteed her a minimum of \$200 each time she gave him what he called an 'erotic massage.'

Virginia said: 'I would always receive the money immediately. He would give me the cash from a wad he carried in a black duffel bag or an assistant paid me.

'And, because of the way Epstein had warped her sensibilities, every time she took the cash, Virginia felt even more indebted to him. Secretly, he was also preparing her for an even more disturbing role.

'Basically, I was training to be a prostitute for him and his friends who shared his interest in young girls,' she says: 'After about two years, he started to ask me to "entertain" his friends.'

It started when Epstein called Virginia at the Palm Beach apartment he had rented for her.

She recalls: 'He said, "I've got a good friend and I need you to fly to the island to entertain him, massage him and make him feel how you make me feel."

He didn't spell out what I had to do. He didn't have to. 'He'd trained me to do whatever a man wanted. I was shocked but I told myself he was sharing me around because he trusted me and I was special.

I was worried, but I would do anything to keep Jeffrey happy and to keep my place as his number one girl.

He would keep telling me how lucky I was with the life I was leading and the money I was making. It was easy to fall into his grasp.

'The way it usually worked was I'd be sent to meet a man on the private island Jeffrey owned in the Caribbean, or at his ranch in New Mexico, which was really isolated.' She was 'given' to men ranging in age from their 40s to their 60s.

They included a well-known businessman (whose pregnant wife was asleep in the next room), a world-renowned scientist, a respected liberal politician and a foreign head of state.

None appeared to think the arrangement was unusual. Virginia says there were many other girls in Epstein's circle and that she was paid extra money to help recruit them.

'They would lounge around the Palm Beach house, the ranch or the island, nude or topless,' she says. 'But I was one of the very few he trusted as "special" and chosen to "entertain" his friends.'

Virginia took the sedative Xanax to detach herself from sordid reality. 'It was an escape drug,' she says. 'It made me calm and helped me forget about what I had to do. I was up to eight pills a day.'

Epstein had no objection to Virginia's use of prescription drugs, no doubt recognising that they made her even more malleable. 'I didn't want to go back to the life I'd had before' she says.

'That made me totally obedient.' Despite the fact that Epstein was, essentially, her pimp, this life now seemed normal to Virginia. 'I felt that he and Ghislaine really cared for me,' she said.

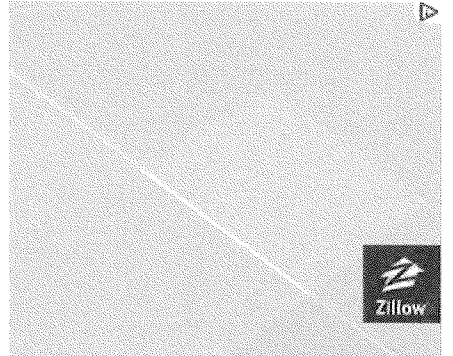
'We'd do family things, like watch Sex And The City and eat popcorn. 'A lot of it was very glamorous. I met famous friends of his such as Al Gore and Heidi Klum and Naomi Campbell. He introduced me as his "travelling masseuse."

Some people mistook me for his daughter. 'When we were in New York or Palm Beach, Ghislaine and I would shop all day.

as she leaves her blouse undone across her chest during NYC outing with her children Mom-o-four



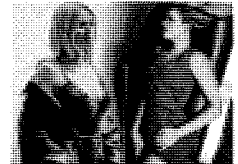
She's almost as tall as her mom! Courteney Cox's daughter Coco Arquette wears high heels and polka dot dress for her 12th birthday at Nobu



'It's hard on me': Liev Schreiber talks struggle of working in LA while Naomi Watts and their two kids are in NYC as he sits down with Ellen He misses them



'I was too big': Khloe Kardashian reveals stylists refused to work with her before she lost 40lbs as she wows in stunning natural shoot for Harper's Bazaar



Curb Your Enthusiasm is back! Larry David's beloved comedy series will return for a ninth season The beloved HBO comedy series



Super-sized diamond Her Majesty calls 'Granny's Chips' and the solitaire seed that grew into a flower: Queen's brooches and earrings have a glittering history



Sporty! Channing Tatum wears a backward baseball cap and matching vest as he leaves NYC hotel The Magic Mike star was hard to miss



Rollin' and strollin'! Chilled Bobby Cannavale gets behind the wheels of baby son Rocco's classy ride as he runs errands Star of HBO's Vinyl



6/14/2016

Case 1:15-cv-01499-RWS Document 216-2 Filed 06/15/16 Page 7 of 9

Jeffrey bought me jewellery – diamonds were his favourite – and wonderful furniture. He was paying me very well because I'd give him sex whenever he wanted it.'

She was, she says, delighted when Epstein invited her to accompany him on a six-week trip in 2001.

'He said we'd be going to Europe and North Africa to meet architects and interior decorators because he wanted to redo his New Mexico house.

I threw my arms around him and gave him a peck on the cheek.' They flew to Paris, then Spain, then Tangier.

Finally, they went to London. 'After we landed, we drove straight to Ghislaine's house,' says Virginia. 'I was given a small upstairs bedroom. The following morning, Ghislaine came in.

She was chirpy and jumped on the bed saying, "Get up, sleepyhead. You've got a big day. We've got to go shopping. You need a dress as you're going to dance with a Prince tonight."

'She said I needed to be "smiley" and bubbly because he was the Queen's son.

Ghislaine and I went to Burberry, where she bought me a £5,000 bag, and to a few other designer stores where we bought a couple of dresses, a pair of embroidered jeans and a pink singlet, perfume and make-up.

We got back to Ghislaine's house at around 4pm and I ran straight upstairs to shower and dress.

When I went downstairs, Ghislaine and Jeffrey were in the lounge. There was a knock at the door. Ghislaine led Andrew in and we kissed each other on the cheek. 'Ghislaine served tea from a porcelain pot and biscuits. She knew Sarah Ferguson and they talked fondly about Andrew's daughters.

Then Ghislaine asked Andrew how old he thought I was and he guessed 17 and they all laughed. Ghislaine made a joke that I was getting too old for Jeffrey.

She said, "He'll soon have to trade her in." It was widely known that he liked young girls.' The four of them went out to dinner and on to Tramp nightclub where, she says, Andrew danced with her.

'After about an hour-and-a-half, we drove back to Ghislaine's.

All of us went upstairs and I asked Jeffrey to snap a picture of me with the Prince. I wanted something to show my Mom. Ghislaine and Jeffrey left us after that, and later Andrew left.

'In the morning, Ghislaine said, "You did well. He had fun". We flew straight back to the States.' The Mail on Sunday has confirmed that the tycoon's jet flew to Paris on March 6, 2001, continuing to Granada, Tangier and London, before returning to New York.

On the last leg of the trip, Virginia was paid about \$15,000 (£9,400) by Epstein. 'It was amazing money, more than I'd ever made on a trip with him before.

He didn't say there was any special reason, but I felt like I'd done everything he wanted. He was very pleased.'

There is no suggestion that there was any sexual contact between Virginia and Andrew, or that Andrew knew that Epstein paid her to have sex with his friends.

However, the Prince must have been aware of Epstein's conviction when he stayed with him in New York in December.

Virginia says she met Andrew for a second time around Easter 2001 at Epstein's Manhattan mansion.

'When I got to the mansion, I was told, "Get ready. You are meeting someone in the office" – which is what they called the library. Andrew was sitting there in a big leather armchair.

Ghislaine had just given him a present, a big toy that was his Spitting Image puppet. 'He was smiling ear-to-ear. He looked like a kid whose parents were taking him to Disney World.

A beautiful girl called Johanna Sjöberg who worked for Jeffrey was sitting on Andrew's knee. Ghislaine guided me over to Andrew and I think he recognised me, though I don't know if he remembered my name.



Counselling: Virginia at her mother's home at Palm Beach in 1998

I took eight pills a day to help me forget what I had to do. It made me calm.

'I'm dating a separated married man.' Bethenny Frankel reveals she went to high school with wife of new boyfriend Dennis Shields
Skinny Girl founder

Get in there! Prince Harry and Zara Tindall can't contain their excitement as they watch their horses gallop to victory at Royal Ascot

'This isn't about you and your fake a** kiss for publicity': Madonna is slammed for her 'self-promoting' tweets following Orlando massacre

Jason Momoa's mini-me! Game of Thrones hunk enjoys family outing with cutie clone Nakoa-Wolf
Seven-year-old's mom is Lisa Bonet

Craving a little Mexican! Rob Kardashian's pregnant fiancée Blac Chyna digs into a bowl of tortilla soup during Snapchat video

Another Bachelor baby! Peyton and Chris Lambton are 'thrilled' to be expecting their first child after four years of marriage
The two wed in 2012

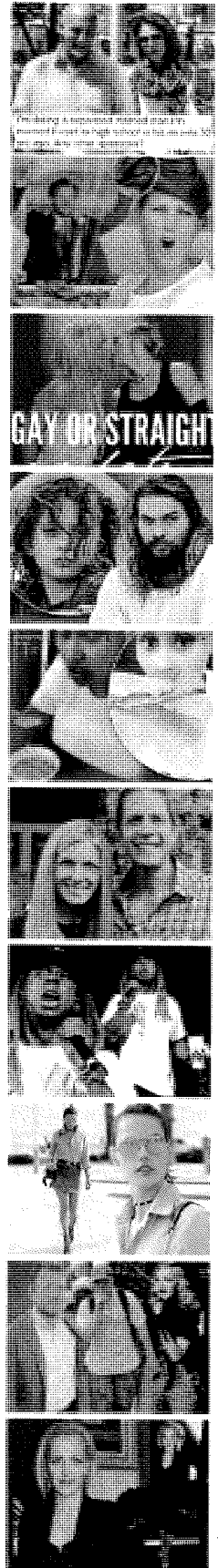
Lil Wayne 'guzzled three bottles of cough syrup mix lean' before suffering TWO seizures...as rapper now 'stable and in good spirits'

Cowgirl chic! Alessandra Ambrosio shows off toned legs with mini skirt as the stunner goes for a denim-on-denim look
Victoria's Secret Angel

Madonna and Guy Ritchie on brink of deal over custody of their 15-year-old son Rocco as judge agrees to call off showdown court hearing for more talks

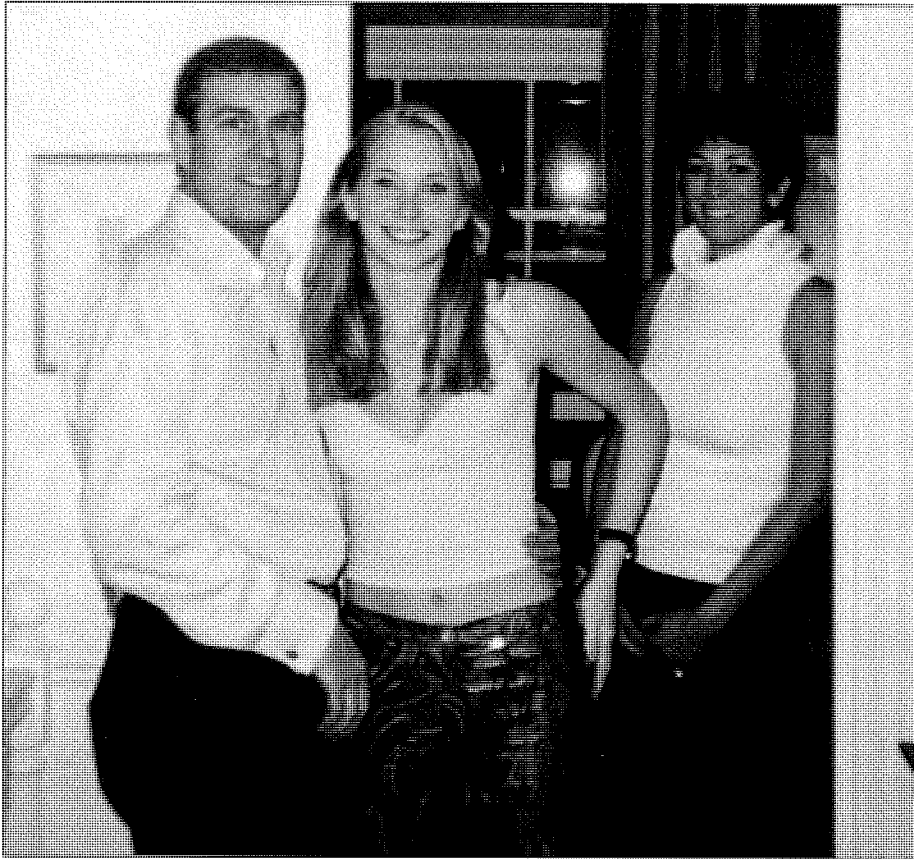
Gillian Anderson looks demure in sophisticated navy knee-length dress as she attends star studded charity gala
On behalf of Action on Addiction

Charlie Sheen cuts a casual figure while out and about in Stockholm... After becoming the new face



6/14/2016

Case 1:15-cv-01488-RWS Document 2-162 Filed 06/15/16 Page 8 of 9



Organiser: Ghislaine Maxwell looks on as Andrew put his arm around Virginia. Robert Maxwell's daughter invited her to work as Epstein's personal masseuse soon after her 15th birthday

We kissed on the cheek and Ghislaine placed me on his other knee.' Johanna spoke to The Mail on Sunday three years ago about this incident, which took place when she was 21.

She said: 'Ghislaine put the puppet's hand on Virginia's breast, then Andrew put his hand on my breast. It was a great joke. Everybody laughed.' After this, Virginia was paid, by Epstein, around \$400 (£250).'

She met Andrew for the third and final time on Epstein's Caribbean island, Little Saint James. Virginia was never under the British legal age of consent when she met Andrew. She was 17 during the first two encounters and 18 at the third.

By now, however, Epstein, had started to hint that she was getting 'too old' for him.

But during one trip to the island, Epstein and Ghislaine made their most astonishing proposition, and one which repulsed her. 'They said Jeffrey wanted me to have his child,' she says.

'They said I was part of their family and I was beautiful, young, loyal and nurturing and would be a great mother.

They said I would have to sign a contract relinquishing rights to the child and consenting to Jeffrey having as many relationships as he liked. In return I would have my own mansion in Palm Beach and a large monthly payment, a percentage of his income.'

This, finally, was a wake-up call to Virginia and she began to see the way in which she had been groomed.

'It was a smack in the face,' she says. 'I finally realised this wasn't ever going to be a real relationship but I knew if I refused, I'd be thrown back on the streets. So I said, "I'm too young. I want to get my massage credentials, then maybe we'll do it".'

The tycoon took her at her word and, for her 19th birthday in August 2002, flew her to Thailand where he enrolled her in a massage course.

Shortly after arriving there, she met an Australian martial arts expert called Robert. They fell in love and, just ten days later, married in a Buddhist ceremony.

'I called Jeffrey and told him I'd fallen madly in love,' Virginia says. 'I was hoping he'd be delighted. But he said, "Have a nice life," and hung up on me.' The couple now have two sons, aged five and four, and a daughter who recently turned one.

'The first few months after I married Robert were the worst,' she says. 'I couldn't bring myself to tell him much. No man wants to know his wife has been traded out.

'I felt very alone. I was having panic attacks and seeing a psychiatrist and was on anti-depressants.

'Virginia was beginning to put her Epstein days behind her when, three years ago, she was phoned by the FBI.

of condom brand Lelo
Hex



Wave goodbye to the rain! The deluge FINALLY stops as the Queen arrives at Ascot with Philip and Harry after thousands of racegoers got drenched

Two nations standing together: Wills and Kate sign book of condolence to pay their respects to the victims of Orlando nightclub killer
Paying respects

Time for an upgrade? David Arquette lists his historic Los Angeles mansion for \$8.5m
Selling Hancock Park seven-bedroom home which he bought in 2014

She's her own best advert! Jessica Alba's tresses glint in the sun as she promotes her Honest Company's new hair care range in New York

Katharine McPhee flashes a hint of sideboob in a plunging unbuttoned black dress as she poses at the Monte Carlo Television Festival

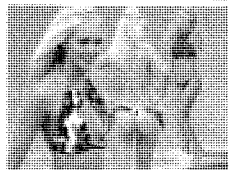
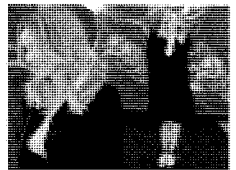
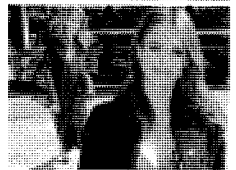
Let the trading begin! Independence Day's Liam Hemsworth and Vivica A. Fox ring the NASDAQ bell and help celebrate the Army's birthday in NYC

Ava Sambora puts on an eye-popping display for sizzling photo shoot as she parades her enviable bikini bod in Malibu
Daughter of rocker Richie Sambora

How does Adele make YOU feel? Sad songs provide 'enjoyment, comfort or pain to different people'
Great comfort from seemingly sad songs

Daisy Lowe and rumored boyfriend Darius Campbell appear in high spirits as they leave star-studded charity event
She is 27

Sir Paul McCartney leads tributes as Wings guitarist Henry



8/14/2016

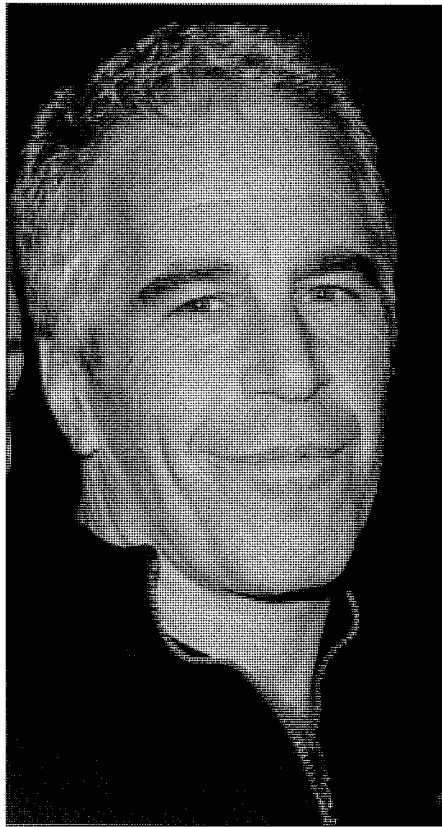
Case 1:15-cv-01498-RWS Document 216-2 Filed 06/15/16 Page 9 of 9

'They said they had found photos of me at Jeffrey's Palm Beach house,' she says. '[Epstein had] hidden cameras watching me the entire time even when I was in the bathroom. I was so embarrassed.'

'I told the FBI that my true purpose was sexual. They told me everything he did was illegal because I was under age.' (The age of consent in Florida is 18).

'They said that if it had to go to trial, they'd need me because I'd lived with him and that made me a key witness. I was very afraid, because he had so much power, but eventually I agreed to testify.'

I was glad he'd finally been found out. He shouldn't be hurting other girls. Following Epstein's arrest, investigators are believed to have found a list of men's names on his computer and asked him whether they had been 'treated' to sexual encounters with his menage of minors.



Conviction: Jeffrey Epstein

'He took the Fifth Amendment, refusing to answer, indicating that if he were to answer the question, it could be incriminating,' a source told The Mail on Sunday.

Epstein struck a deal resulting in what commentators characterised as a 'slap on the wrist' for him, and ended up serving 13 months of his sentence, much of it in a liberal work-release programme. Lawyer Brad Edwards, who represented several of Epstein's victims, said: 'Rather than punish him the way they would an average Joe, they sent a clear message that with enough money and power and influence, the system can be bought.'

Virginia was spared her the humiliation of having to go before a jury, and has kept her feelings bottled up until last weekend's photograph of Andrew with Epstein triggered distressing memories.

Virginia says: 'I am appalled. To me, it's saying, "We are above the law." But Jeffrey is a monster.'

Last night, neither Epstein, Ghislaine Maxwell nor Prince Andrew would comment on Virginia's story.

[Share or comment on this article](#)

McCullough who played on Live and Let Die Bond theme dies aged 72
Remembering his pal



Bargain shopper! Drew Barrymore sports colorful silk jacket as she loads up a trolley with knick-knacks at flea market
She's a mom-of-two

'Actually done!' Ariel Winter arrives to her high school graduation ceremony in form-fitting nude dress
A landmark day for the 18-year-old actress

Kevin Hart has \$500k of possessions stolen as thieves raid his LA home while he's away in Miami
Break-in at his Tarzana home over the weekend

'Nothing makes me happier': Alyssa Milano reunites with Who's The Boss? co-star Judith Light... 24 years after the show ended
Catching up

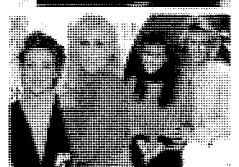
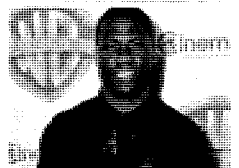
No show: Mets pitcher Bartolo Colon skips court hearing over dispute with once-secret ex-girlfriend and their two love children

'I've embraced the Bi/Queer label lately': Matilda star Mara Wilson reveals her sexuality on Twitter
Also starred in Mrs Doubtfire

Prettiest delivery girl ever! Makeup-free Heidi Klum, 43, carries three large coffees in NYC after revealing beau Vito gifted her 10 dozen red roses

Sizzling Katie Holmes gives a rare glimpse at her sultry side as she poses nude in gorgeous throwback snaps from jewelry campaign
She is 37

A Givenchy girl! Model Lily Aldridge steps out in \$1,250 designer SWEATSHIRT as she shows off slim legs in NYC
Victoria's Secret Angel



Need Business Capital? Get Unsecured Loans in 24 hours
Snapcap.com



These Rare Historical Photos That Will Leave You Speechless
History Fanatic



What Marcia Brady Looks Like Now Is Incredible
Definition

EXHIBIT B

6/15/2016

Bill Clinton and the 15-year-old 'masseuse': I met him twice, claims Epstein's girl | Daily Mail Online

Daily Mail

.com

[Home](#) | [U.K.](#) | [News](#) | [Sports](#) | [U.S. Showbiz](#) | [Australia](#) | [Femail](#) | [Health](#) | [Science](#) | [Money](#) | [Video](#) | [Travel](#) | [Columnists](#)
[Latest Headlines](#) | [News](#) | [World News](#) | [Arts](#) | [Headlines](#) | [Pictures](#) | [Most read](#) | [News Board](#) | [Wires](#)
[Login](#)

Teenage girl recruited by paedophile Jeffrey Epstein reveals how she twice met Bill Clinton

By SHARON CHURCHER and POLLY DUNBAR FOR MAILONLINE
 UPDATED: 19:53 EST, 5 March 2011

24

[View comments](#)

As a New Yorker from humble beginnings, Jeffrey Epstein played on his blue-collar credentials and enormous wealth to extend tentacles of influence throughout America's liberal political elite.

During the outcry over the Epstein case, it emerged that another man with a notorious appetite for young women, Bill Clinton, travelled with Epstein to a number of destinations, including three times on the billionaire's private aircraft.

On one occasion, Epstein flew the former President, Hollywood actor and staunch Democrat Kevin Spacey and another actor friend of Mr Clinton's, Chris Tucker, to Africa, to 'discuss AIDS policy'.



Claims: Virginia Roberts says she twice met ex-president Bill Clinton, pictured last month, but was never 'lent out'

Epstein, who has donated more than £75,000 over the years to candidates from the Democratic Party, also flew with Mr Clinton in November 2003 to destinations including Russia, Oslo, Hong Kong, Shanghai and Beijing.

Yet Virginia Roberts stresses that she was never 'lent out' to Mr Clinton.

On one occasion, she adds, Epstein did invite two young brunettes to a dinner which he gave on his Caribbean island for Mr Clinton shortly after he left office. But, as far as she knows, the ex-President did not take the bait.

'I'd have been about 17 at the time,' she says. 'I flew to the Caribbean with Jeffrey and then Ghislaine Maxwell went to pick up Bill in a huge black helicopter that Jeffrey had bought her.'

SHARE THIS
 ARTICLE

RELATED ARTICLES



FBI to reopen case



Epstein's Girl Friday

<http://www.dailymail.co.uk/news/article-1363452/Bill-Clinton-15-year-old-masseuse-I-met-twice-claims-Epsteins-girl.html>

1/31

6/15/2016

Case 1:15-cv-01433-RWS Document 216-3 Filed 06/15/16 Page 9 of 5

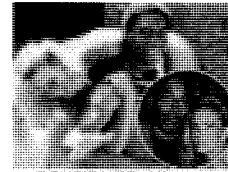
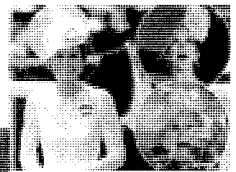


Bill Clinton and the 15-year-old masseuse he met twice claims Epstein's girl...
against sex offender
friend of Prince...



'fixer': Dead tycoon's
daughter...

Cambridge can't
contain her excitement
as her horse wins at
Royal Ascot races
Whooped and cheered

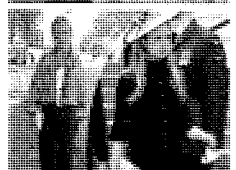


CONFIRMED: Nicole
Brown Simpson DID
have an affair with OJ's
best friend Marcus Allen
- and OJ 'threatened to
kill her if she saw him
again... one month
before her death'

'I've been doing him
forever:' Awkward
moment Sonja Morgan
discovers Luann de
Lesseps' 'soul mate' is
her old 'hook up'
Thomas D'Agostino



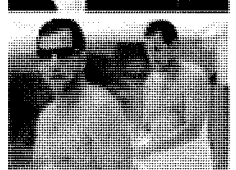
She really IS a lady in
waiting! Amelia Windsor
- Tatler's most beautiful
royal - swaps high
glamour for
WAITRESSING as she
helps out at a launch



New beau? Ashley
Olsen, 30, is
romantically linked to
artist George Condo, 59,
after they are spotted
'looking romantic' at
NYC's Mercer Hotel



Dad bod! Adam
Sandler, 49, shows off
his naked chest while
wrapped in towel during
Miami vacation with his
wife of 13 years
Couple looked blissful



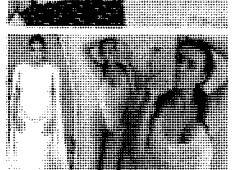
Kim Kardashian's
naked ambition is laid
bare again as she strips
off to celebrate her post-
baby body with GQ
cover
Gave birth in December



Kake-gate! Kim
Kardashian tries to
cheat on family cake
makers Hansen's by
asking her followers for
new bakery
recommendations



'I worked my a** off':
Kim Kardashian spills
secrets to losing 60lbs
after pregnancy as she
admits 6am gym
sessions and 'militant
diet' did trick



Advertisement

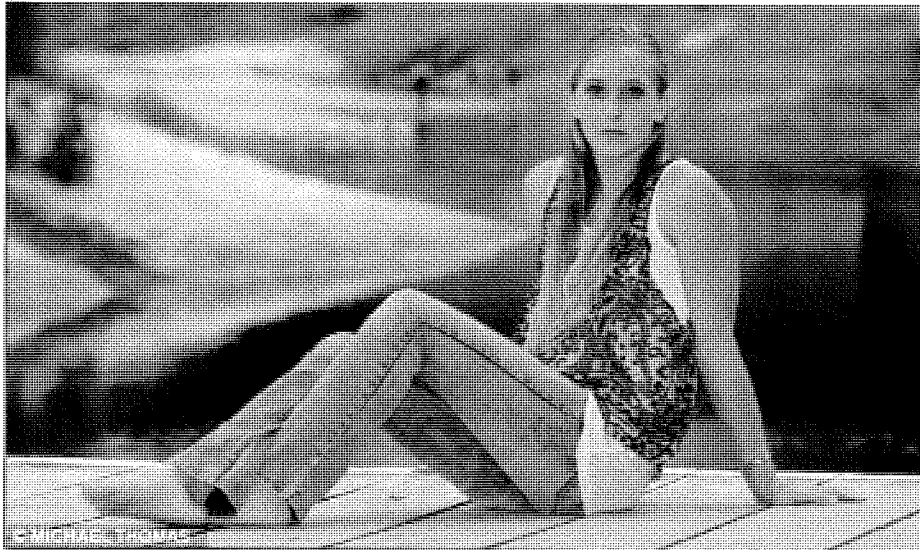
'She'd always wanted to fly and Jeffrey paid for her to take lessons, and I remember she was very excited because she got her licence around the first year we met.

'I used to get frightened flying with her but Bill had the Secret Service with him and I remember him talking about what a good job she did.

'I only ever met Bill twice but Jeffrey had told me that they were good friends.

'I asked, "How come?" and he laughed and said, "He owes me some favours." Maybe he was just joking but it constantly surprised me that people with as much to lose as Bill and [Prince] Andrew weren't more careful.

'Bill must have known about Jeffrey's girls. There were three desks in the living area of the villa on the island.



Speaking out: Virginia, now aged 28, in her new home in Australia

'They were covered with pictures of Jeffrey shaking hands with famous people and photos of naked girls, including one of me that Jeffrey had at all his houses, lying in a hammock.

'We all dined together that night. Jeffrey was at the head of the table. Bill was at his left. I sat across from him. Emmy Talyer, Ghislaine's blonde British assistant, sat at my right.

'Ghislaine was at Bill's left and at the left of Ghislaine there were two olive-skinned brunettes who'd flown in with us from New York.

'I'd never met them before. I'd say they were no older than 17, very innocent-looking.

'They weren't there for me. They weren't there for Jeffrey or Ghislaine because I was there to have sex with Jeffrey on the trip.

'Maybe Jeffrey thought they would entertain Bill, but I saw no evidence that he was interested in them. He and Jeffrey and Ghislaine seemed to have a very good relationship. Bill was very funny.

'He made me laugh a few times. And he and Jeffrey and Ghislaine told blokey jokes and the brunettes listened politely and giggled.

'After dinner I gave Jeffrey an erotic massage. I don't remember seeing Bill again on the trip but I assume Ghislaine flew him back.'

According to prison records, when Epstein was serving his jail term, his visitors included a long-time - and highly controversial - Clinton acquaintance, Arnold Proserpi.

'In the final hours of the Clinton presidency, in January 2001, Proserpi was facing three years in prison after being convicted of tax fraud. Mr Clinton commuted his sentence to house arrest.

'Clinton, Proserpi and Epstein make an odd threesome on the face of it,' says a law enforcement source.

'Was Proserpi visiting Epstein as some kind of intermediary for Bill?

'Maybe Bill wanted to know if Epstein knew anything that could embarrass him. Or did Bill commute Proserpi's sentence as some kind of favour for Epstein?'

Virginia disclosed that Mr Clinton's vice-president Al Gore and his wife, Tipper, were also guests of Epstein on his island.

'Bill must have known about
Jeffrey's girls. There were three
desks in the living area of the
villa on the island... covered with
photos of naked girls'

6/15/2016

Case 1:15-cv-07486-RWS Document 210-3 Filed 06/15/16 Page 4 of 5



© AFP/Getty Images

Guests: Virginia says she also met former Vice President Al Gore, pictured right with Mr Clinton

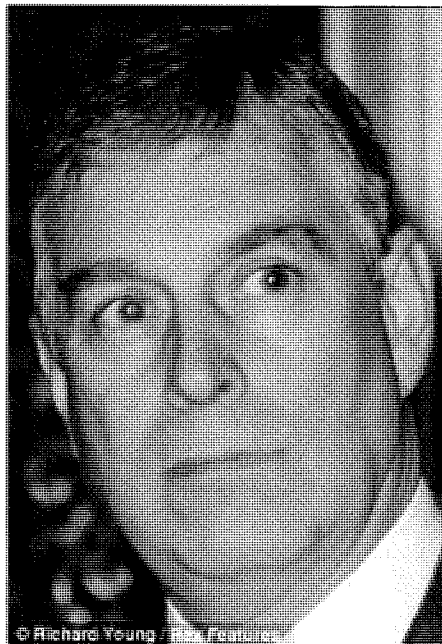
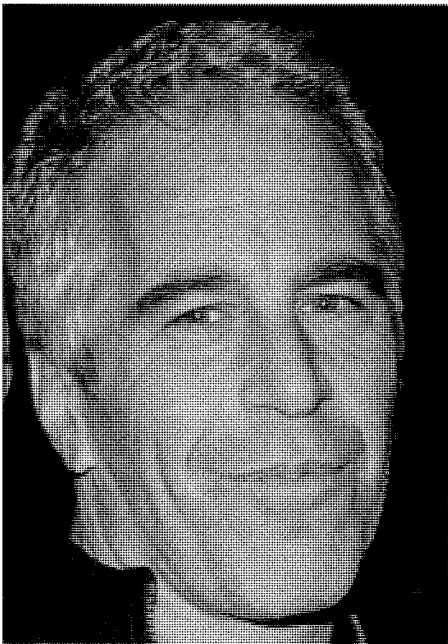
Last summer, the Gores abruptly announced that they were ending their supposedly fairytale marriage and, just weeks later, it emerged that Mr Gore – the famously sanctimonious global-warming disciple – had been accused of trying to force sex on a woman with whom he had booked a therapeutic massage at an Oregon hotel.

'I had no clue that anything was up,' Virginia says. 'The Gores seemed like a beautiful couple when I met them. All I knew was that Mr Gore was a friend of Jeffrey's and Ghislaine's. Jeffrey didn't ask me to give him a massage.'

'There might have been a couple of other girls there on that trip but I could never have imagined this guy would do anything wrong. I was planning to vote for him when I turned 18. I thought he was awesome.'

Virginia said that yet another American liberal icon, President Obama's Middle East peace envoy Senator George Mitchell, frequently visited Epstein's New York residence.

Mr Mitchell, aged 77 – who previously led America's Northern Ireland peace initiative – 'was very close to Jeffrey,' Virginia recalled. 'He is very clean-cut. You wouldn't think of him being part of Jeffrey's crew.'



© Richard Young / Rex Features

Scandal: U.S. authorities want to interview Jeffrey Epstein (left) and may wish to quiz his friend, Prince Andrew

Epstein's contacts book contains a work and a home telephone number for the senator.

Another acquaintance was Israel defence secretary Ehud Barak, whose spokesman told The Mail on Sunday: 'Mr Barak did attend several small functions in Mr Epstein's home in New York that were usually attended by leading businessman, university presidents, Nobel Prize Laureates and prominent public figures.'

'We just want them to have a normal life': Blake Lively reveals her parenthood plans now that baby no.2 is on its way and why she fell in love with Ryan Reynolds



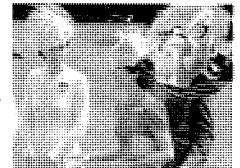
Back to work! Miley Cyrus and Liam Hemsworth temporarily go their separate ways... after very public dinner date in NYC



Ivanka Trump shares morning snap of baby Theo watching her get ready as she admits in that she wakes up at 5:30am and goes to work with her hair wet



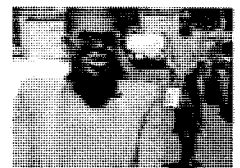
They could be sisters! Princess Mary of Denmark and Duchess of Cambridge look strikingly similar as they enjoy a catch up at Royal Ascot



Brooke Shields' stalker GRINS walking into court with trial entering third day after judge hears actress's tearful testimony about man coming to her home



Mixing business with pleasure! Bodysuit-clad EJ Johnson gets in some retail therapy before filming his yet-to-air New York reality show



Seth Myers 'bans' Trump from appearing on NBC's Late Night

6/15/2016

Case 1:15-cv-07438-RWS Document 216-3 Filed 06/15/16 Page 9 of 5

Epstein's many Hollywood pals include Matt Groening, creator of The Simpsons.

'Jeffrey once had me give Matt a foot massage when he was flying on the jet with us,' Virginia says.

'He laughed and did drawings of Bart and Homer for my little brother and my dad.

'I also met Naomi Campbell at a birthday party of hers on a yacht in the South of France. She is a friend of Ghislaine's but she was a real bitch to me.

'She was very fake. She turned away from me when we were introduced by Ghislaine and Jeffrey.

'Donald Trump was also a good friend of Jeffrey's. He didn't partake in sex with any of us but he flirted with me. He'd laugh and tell Jeffrey, "You've got the life."

Palm Beach Police say Epstein seemed utterly unfazed by the allegations against him when they began their long and detailed investigation.



'Jeffrey's crew: Middle East peace envoy George Mitchell, right, pictured with President Barack Obama and U.S. Secretary of State Hilary Clinton, frequently visited Epstein's New York residence, Virginia also claims

But he also took his defence very seriously indeed. Epstein engaged his friend, the Harvard law professor Alan Dershowitz – whose celebrity clients have included Mike Tyson, Patty Hearst, Claus von Bulow and O.J. Simpson – to run his legal defence.

He also employed a firm of private investigators to investigate the backgrounds of the girls.

Detectives painstakingly built a case which they believed showed that Epstein systematically paid teenage girls to recruit other teenage girls to his sex ring.

However, as the investigation continued, they found that Epstein's team had already spoken to key witnesses, suggesting that the financier would reward those who helped him.

In addition, Epstein's defence team agreed to the unusual move of suggesting that the alleged victims sue Epstein in the civil courts. The result was a plea bargain in which Epstein admitted a single charge of soliciting an underage girl for prostitution – a deal which infuriated many police officers who worked on the case.

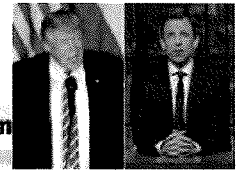
More than 20 of Epstein's girls are said to have sued him for damages. At least 17 have settled out of court.

Mr Clinton, Mr Gore and Mr Mitchell were all contacted about their friendship with Epstein but declined to comment.

[Share or comment on this article](#)

Sponsored Links by Taboola

show - but admits the presidential hopeful wasn't going to come on anyway



Yolanda Hadid QUILTS Real Housewives of Beverly Hills to 'bring back privacy' to her life after dramatic season that documented her divorce and accusations she was faking illness

Victoria Beckham shows a hint of sideboob and flash of leg as she flaunts her sartorial sass for cover of Vogue Korea Striking shoot



A mellow day! Rumer Willis dresses down in a grey maxi dress as she hangs out with a friend in West Hollywood Taking a break from the presidential campaign



Catherine Zeta-Jones' daughter Carys is her doppelgänger as the pair arrive in London with Michael Douglas and son Dylan Family trip



Stephen Colbert compares Trump to a NAZI as he draws a swastika on chalkboard while trying to 'figure out' Obama's response to Orlando massacre



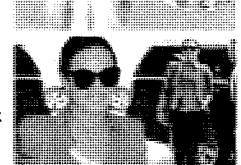
Grieving Adam Levine is pictured playing golf in first outing since Christina Grimmie's death... after offering to pay for the Voice star's funeral



Does North West have her own glam squad? Kim Kardashian 'hires daughter \$5k a week team including hairstylist and manicurist'



The smile's back! Demi Lovato appears happy at airport while looking chic in olive coat as she recovers from Wilmer Valderrama shock split Wore classic combo



'I'm not killing off Harrison Ford': Steven Spielberg reveals he won't end Indiana Jones' life in next film as he gives rare interview Good news for Ford!



EXHIBIT C

PR Hub

Subscribe by Email...

Share this
page

Breaking News | Entertainment | Sports | Business | Politics | Science | Technology | Odd News | Health | Law

More

Statement on Behalf of Ghislaine Maxwell

BY DEVONSHIRES SOLICITORS, PRNE
WEDNESDAY, MARCH 9, 2011

LONDON, March 10, 2011 - Ghislaine Maxwell denies the various allegations about her that have appeared recently in the media. These allegations are all entirely false.

It is unacceptable that letters sent by Ms Maxwell's legal representatives to certain newspapers pointing out the truth and asking for the allegations to be withdrawn have simply been ignored.

In the circumstances, Ms Maxwell is now proceeding to take legal action against those newspapers.

"I understand newspapers need stories to sell copies. It is well known that certain newspapers live by the adage, "why let the truth get in the way of a good story." However, the allegations made against me are abhorrent and entirely untrue and I ask that they stop," said Ghislaine Maxwell.

"A number of newspapers have shown a complete lack of accuracy in their reporting of this story and a failure to carry out the most elementary investigation or any real due diligence. I am now taking action to clear my name," she said.

Media contact:

Ross Gow
Acuity Reputation
Tel: +44-203-008-7790
Mob: +44-7778-755-251
Email: ross@acuityreputation.com

Media contact: Ross Gow, Acuity Reputation, Tel: +44-203-008-7790, Mob: +44-7778-755-251, Email: ross at acuityreputation.com

Filed under: Government and Policy, Law, Media

Tags: Devonshires Solicitors, London, March 10, United Kingdom

GOVERNMENT AND POLICY
NEWS

CSA Group Selects Frankfurt, Germany for new European Headquarters

The First International Gateway to Africa Conference in Geneva: Africa's Challenges Today and Tomorrow

Central Saint Martins and Method Launch Accelerator to Drive Innovation and Support UK Economic Growth

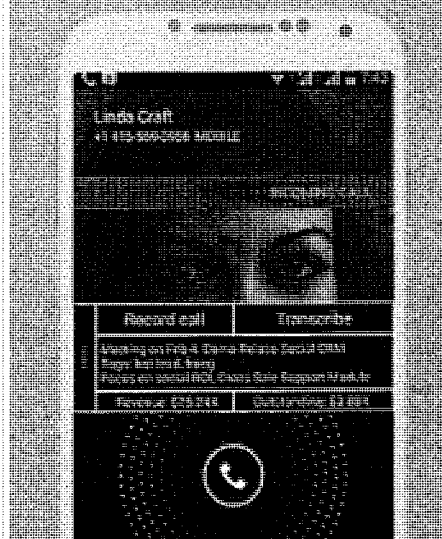
North East Lincolnshire Council Employees: Ideas Win Votes

MARCH 10
NEWS

Tech Mahindra Opens a new Development Centre in Bonn, Germany

Website Optimisation and Internet Marketing From Weblinx

Sir Paul McCartney Supports BUAV Campaign to end Cruel

Mobile Business Management
for Small Business Owner

Older News

S M T W T F S
20 21 22 23 24 25 26
27 28 1 2 3 4 5
6 7 8 9 10 11 12

EXHIBIT

Giuffre

AGREN BLANDO REPORTING

5/3/16 KAM

GIUFFRE001067

EXHIBIT D