

**From:** Ross Gow <ross@acuityreputation.com>  
**Sent:** Friday, January 02, 2015 1:07 AM  
**To:** G Max  
**Cc:** Brian Basham  
**Subject:** Fwd: URGENT – Ghislaine Maxwell

Hi Ghislaine

James Ball, investigative reporter for The Guardian, who reports on US stories, has made contact, as per below.

Please advise how you wish to handle this. I am driving all day today, but can be contacted on +44 (0) 7778 755 251

Best  
Ross

----- Forwarded message -----

From: **James Ball** <james.ball@theguardian.com>  
Date: Thursday, January 1, 2015  
Subject: URGENT – Ghislaine Maxwell  
To: [ross@acuityreputation.com](mailto:ross@acuityreputation.com)

Dear Ross,

I'm writing to you as you have in the past represented Ghislaine Maxwell. As you are no doubt aware, fresh allegations have been levelled against Ms Maxwell in new US court filings made in Florida on 30 December, which some outlets have already been reported.

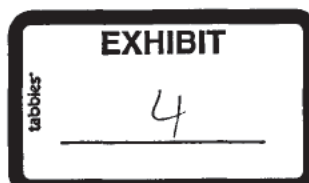
I would urgently seek any comment on behalf of your client, or notification of her new representation if you no longer act for her.

Many thanks for your help,  
James

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• James Ball • Special Projects Editor • +44 203 3533 293 • +44 7540 825 494 • @jamesrbuk •

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Ross Gow  
Managing Partner  
ACUITY Reputation  
23 Berkeley Square  
London W1J 6HE  
+44 (0) 207 204 6110  
+44 (0) 777 875 5251 mob  
+7 903 363 5393 Москва Мобильный

[www.acuityreputation.com](http://www.acuityreputation.com)

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# **EXHIBIT H**

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**United States District Court  
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

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**PLAINTIFF'S RESPONSES AND OBJECTIONS TO DEFENDANT'S SECOND  
REQUEST FOR PRODUCTION AND DEFENDANT'S INTERROGATORIES,  
PLAINTIFF'S ANSWERS TO DEFENDANT'S REQUESTS FOR ADMISSION**

Pursuant to Federal Rules of Civil Procedure 26, 33, 34, Plaintiff hereby serves her responses and objections to Defendant's Second Set of Discovery Requests and serves her Answers to Defendant's Requests for Admission.

**GENERAL OBJECTIONS**

Defendant's Discovery Requests violate Rule 33, Fed. R. Civ. P., which provides "a party may serve on any other party no more than 25 interrogatories, including all discrete subparts" – in that Defendant has served a total of 59 interrogatories in this case, including subparts, in violation of Rule 33.

Ms. Giuffre objects to Defendant's Second Set of Discovery Requests to the extent they seek information that is protected by any applicable privilege, including but not limited to, attorney client privilege, work product privilege, joint defense privilege, public interest privilege, and any other applicable privilege.

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on hundreds (if not thousands) of matters, and collectively have well over 100 years of combined practice experience. Accordingly, a request that each of these attorneys list *all communications with the media* is facially overbroad.

Additionally, Ms. Giuffre objects to this Interrogatory because a response would cause Ms. Giuffre the incredible and undue burden of having to catalogue literally hundreds of communications that she has already produced in this case.

Moreover, Ms. Giuffre objects because this interrogatory calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Communications with the media regarding cases that bear no relation to the subject matter of this case, from decades in the past, are facially invalid and not calculated to lead to the discovery of admissible evidence.

Ms. Giuffre additionally objects to the extent that this interrogatory seeks the communications of her attorneys, any author, reporter, correspondent, columnist, writer, commentator, investigative journalist, photojournalist, newspaper person, freelance reporter, stringer, or any other employee of any media organization or independent consultant as such interrogatory is overly broad and unduly burdensome. Furthermore, Ms. Giuffre is not obligated to produce anything currently in the possession of Defendant Maxwell or her attorneys.

Notwithstanding such objections, Ms. Giuffre has already produced her responsive communications, which are found in documents Bates labelled GIUFFRE000001 to GIUFFRE007566.

6. Identify any "false statements" attributed to Ghislaine Maxwell which were "published globally, including within the Southern District of New York" as You contend in paragraph 9 of Count I of Your Complaint, including:

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- a. the exact false statement;
- b. the date of its publication;
- c. the publishing entity and title of any publication containing the purportedly false statement;
- d. the URL or internet address for any internet version of such publication; and the nature of the publication, whether in print, internet, broadcast or some other form of media.

**Response to Interrogatory No. 6:**

Ms. Giuffre objects because the information interrogatory above *is in the possession of Defendant* who has failed to comply with her production obligations in this matter, and has failed to comply with her production obligations with this very subject matter. *See* Document Request No. 17 from Ms. Giuffre's Second Request for Production of Documents to Defendant Ghislaine Maxwell.<sup>1</sup> Maxwell has not produced all "URL or Internet addresses for any internet version of such publication" that she directed her agent, Ross Gow, to send.

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<sup>1</sup> Request No. 17 stated: Produce all documents concerning any statement made by You or on Your behalf to the press or any other group or individual, including draft statements, concerning Ms. Giuffre, by You, Ross Gow, or any other individual, from 2005 to the present, including the dates of any publications, and if published online, the Uniform Resource Identifier (URL) address. In response, Defendant stated: "Ms. Maxwell objects to this Request on the grounds that it is cumulative and duplicative. Ms. Maxwell also objects to this Request to the extent it calls for information that exists within the public domain, the internet or in public court records and which are equally available to both parties and can be obtained from some other source that is more convenient, less burdensome, and less expensive. Ms. Maxwell further objects to this Request to the extent it seeks documents or information protected by the attorney/client privilege, the work-product doctrine, or any other applicable privilege. Ms. Maxwell is not producing documents that are available in the public domain. Ms. Maxwell has been unable to locate any additional documents responsive to this Request."

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Ms. Giuffre further objects because the information requested above *is in the possession of Defendant's agent*, who caused the false statements to be issued to various media outlets. Ms. Giuffre has not had the opportunity to depose Maxwell's agent Ross Gow; therefore, this answer remains incomplete. Consequently, Ms. Giuffre reserves the right to modify and/or supplement her responses, as information is largely in the possession of the Defendant and her agent.

Ms. Giuffre objects to this interrogatory in that it violates Rule 33 as its subparts, in combination with the other interrogatories, exceed the allowable twenty-five interrogatories. Ms. Giuffre objects to this request because it is in the public domain. Ms. Giuffre also objects in that it seeks information protected by the attorney-client/work product privilege, and any other applicable privilege stated in the General Objections.

Notwithstanding such objections, Ms. Giuffre has already produced documents responsive to this request; Bates labelled GIUFFRE000001 to GIUFFRE007566, and supplements such responsive documents with the following list of publications. While the identification of an exhaustive responsive list would be unduly burdensome, in an effort to make a good faith effort towards compliance, Ms. Giuffre provides the following examples, which are incomplete based on the aforementioned reasons:

Date	Nature	Publishing Entity	Statement/URL
January 2, 2015	Internet	Ross Gow	<p>Jane Doe 3 is Virginia Roberts - so not a new individual. The allegations made by Victoria Roberts against Ghislaine Maxwell are untrue. The original allegations are not new and have been fully responded to and shown to be untrue.</p> <p>Each time the story is re told it changes with new salacious details about public figures and world leaders and now it is alleged by Ms. Roberts that Alan Dershowitz is involved in having sexual relations with her, which he denies.</p> <p>Ms. Roberts's claims are obvious lies and should be treated as such and not publicized as news, as they are defamatory.</p> <p>Ghislaine Maxwell's original response to the lies and defamatory claims remains the same. Maxwell strongly denies allegations of an unsavoury nature, which have appeared in the British press and elsewhere and reserves her right to seek redress at</p>

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			the repetition of such old defamatory claims.
January 3, 2015	Internet	Telegraph	<a href="http://www.telegraph.co.uk/news/uknews/theroyalfamily/11323872/Prince-Andrew-denies-having-relations-with-sex-slave-girl.html">http://www.telegraph.co.uk/news/uknews/theroyalfamily/11323872/Prince-Andrew-denies-having-relations-with-sex-slave-girl.html</a>
January 4, 2015	Internet	Express	<a href="http://www.express.co.uk/news/world/550085/Ghislaine-Maxwell-Jeffrey-Epstein-not-madam-paedophile-Florida-court-case-Prince-Andrew">http://www.express.co.uk/news/world/550085/Ghislaine-Maxwell-Jeffrey-Epstein-not-madam-paedophile-Florida-court-case-Prince-Andrew</a>
January 3, 2015	Internet	Daily Mail	<a href="http://www.dailymail.co.uk/news/article-2895366/Prince-Andrew-lobbied-government-easy-Jeffrey-Epstein-Palace-denies-claims-royal-tried-use-influence-help-billionaire-paedophile-2008-police-probe.html">http://www.dailymail.co.uk/news/article-2895366/Prince-Andrew-lobbied-government-easy-Jeffrey-Epstein-Palace-denies-claims-royal-tried-use-influence-help-billionaire-paedophile-2008-police-probe.html</a>
January 3, 2015	Internet	Huffington Post	<a href="http://www.huffingtonpost.co.uk/2015/01/03/duke-of-york-sex-abuse-claims_n_6409508.html">http://www.huffingtonpost.co.uk/2015/01/03/duke-of-york-sex-abuse-claims_n_6409508.html</a>
January 4, 2015	Internet	Jewish News Online	<a href="http://www.jewishnews.co.uk/dershowitz-nothing-prince-andrews-sex-scandal/">http://www.jewishnews.co.uk/dershowitz-nothing-prince-andrews-sex-scandal/</a>
January 2, 2015	Internet	Bolton News	<a href="http://www.theboltonnews.co.uk/news/national/11700192.Palace_denies_Andrew_sex_case_claim/">http://www.theboltonnews.co.uk/news/national/11700192.Palace_denies_Andrew_sex_case_claim/</a>
January 5, 2015	Internet / Broadcast	NY Daily News	<a href="http://www.nydailynews.com/news/world/alleged-madame-accused-supplying-prince-andrew-article-1.2065505">http://www.nydailynews.com/news/world/alleged-madame-accused-supplying-prince-andrew-article-1.2065505</a>
January 5, 2015	Internet / Broadcast	AOL UK	<a href="http://www.aol.co.uk/video/ghislaine-maxwell-declines-to-comment-on-prince-andrew-allegations-518587500/">http://www.aol.co.uk/video/ghislaine-maxwell-declines-to-comment-on-prince-andrew-allegations-518587500/</a>

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Respectfully Submitted,

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Sigrid McCawley

Sigrid McCawley (Pro Hac Vice)  
Meredith Schultz (Pro Hac Vice)  
Boies Schiller & Flexner LLP  
401 E. Las Olas Blvd., Suite 1200  
Ft. Lauderdale, FL 33301  
Telephone: (954) 356-0011

David Boies  
Boies Schiller & Flexner LLP  
333 Main Street  
Armonk, NY 10504

Bradley J. Edwards (Pro Hac Vice)  
FARMER, JAFFE, WEISSING,  
EDWARDS, FISTOS & LEHRMAN, P.L.  
425 North Andrews Avenue, Suite 2  
Fort Lauderdale, Florida 33301  
Telephone: (954) 524-2820

Paul G. Cassell (Pro Hac Vice)  
S.J. Quinney College of Law  
University of Utah  
383 University St.  
Salt Lake City, UT 84112  
Telephone: (801) 585-5202

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on July 1, 2016, I electronically sent the foregoing document to the counsel below via e-mail.

Laura A. Menninger, Esq.  
Jeffrey Pagliuca, Esq.  
HADDON, MORGAN & FOREMAN, P.C.  
150 East 10<sup>th</sup> Avenue  
Denver, Colorado 80203  
Tel: (303) 831-7364  
Fax: (303) 832-2628  
Email: [lmenninger@hmflaw.com](mailto:lmenninger@hmflaw.com)

# **EXHIBIT I**

**United States District Court  
Southern District of New York**

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

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**PLAINTIFF'S SUPPLEMENTAL RESPONSES TO  
DEFENDANT'S INTERROGATORIES 6, 12 and 13**

Pursuant to Federal Rules of Civil Procedure 26, 33, 34, Plaintiff hereby serves her supplemental responses to Defendant's Interrogatories 6, 12 and 13.

**OBJECTIONS**

Plaintiff maintains and hereby incorporates by reference all applicable objections, including both general objections and specific objections to individual interrogatories, in her prior responses and objections served on Defendant in these supplemental responses.

Defendant's Discovery Requests violate Rule 33, Fed. R. Civ. P., which provides "a party may serve on any other party no more than 25 interrogatories, including all discrete subparts" – in that Defendant has served a total of 59 interrogatories in this case, including subparts, in violation of Rule 33.

Ms. Giuffre objects to Defendant's Discovery Requests to the extent they seek information that is protected by any applicable privilege, including but not limited to, attorney client privilege, work product privilege, and any other applicable privilege.

Jane Doe No. 102 v. Jeffrey Epstein, Case No. 09-80656-CIV-Marra/Johnson (Southern District of Florida). Accordingly, due to the undue burden of individually logging responsive, privileged documents related to Defendant's overly-broad requests, Plaintiff has employed categorical logging of such privileged responsive documents pursuant to Local Civil Rule 26.2(c).

Ms. Giuffre objects to the requests in that they seek to invade her privacy for the sole purpose of harassing and intimidating Ms. Giuffre who was a minor victim of sexual trafficking.

Ms. Giuffre objects to the requests to the extent they are overly broad and unduly burdensome.

Ms. Giuffre's responses to Defendant's Second Set of Discovery Requests are being made after reasonable inquiry into the relevant facts, and are based only upon the information and documentation that is presently known to her. Ms. Giuffre reserves the right to modify and/or supplement her responses. Ms. Giuffre has produced documents and information in response to these Requests.

Ms. Giuffre incorporates her above-listed general objections in the responses herein.

#### **SUPPLEMENTAL INTEROGATORY RESPONSES**

6. Identify any "false statements" attributed to Ghislaine Maxwell which were "published globally, including within the Southern District of New York" as You contend in paragraph 9 of Court 1 of Your Complaint, including:

- a. the exact false statement;
- b. the date of its publication;
- c. the publishing entity and title of any publication containing the purportedly false statement;
- d. the URL or internet address for any internet version of such publication; and
- e. the nature of the publication, whether in print, internet, broadcast or some other form of media.

In addition to her previous response, Ms. Giuffre supplements the response to include:

January 8, 2015	Internet	The Sun	<a href="https://www.thesun.co.uk/archives/news/6754/prince-andrews-pal-ghislaine-groped-teen-girls/?CMP=spklr-128508300-Editorial-TWITTER-TheSunNewspaper-20150108-News">https://www.thesun.co.uk/archives/news/6754/prince-andrews-pal-ghislaine-groped-teen-girls/?CMP=spklr-128508300-Editorial-TWITTER-TheSunNewspaper-20150108-News</a>
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12. Identify any Health Care Provider from whom You received any treatment for any physical, mental or emotional condition, including addiction to alcohol, prescription or illegal drugs, that You suffered from subsequent to the Alleged Defamation by Ghislaine Maxwell, including:

- a. the Health Care Provider's name, address, and telephone number;
- b. the type of consultation, examination, or treatment provided;
- c. the dates You received consultation, examination, or treatment;
- d. whether such treatment was on an in-patient or out-patient basis;
- e. the medical expenses to date;
- f. whether health insurance or some other person or organization or entity has paid for the medical expenses; and
- g. for each such Health Care Provider, please execute the medical and mental health records release attached hereto as Exhibit A.

**Supplemental Response to Interrogatory No. 12:**

Ms. Giuffre objects to this interrogatory in that it is overbroad and not limited in scope to the medical information relating to the abuse she suffered from Defendant and Jeffrey Epstein.

Pursuant to the Rules, if requested documents are not yielded in a "reasonable inquiry," Ms. Giuffre is not obligated to expend all of her time and resources on a quest to gather medical files that are unknown to her or unaccessable after reasonable inquiry. *See, e.g., Manassis v. New York City Dep't of Transp.*, No. 02 CIV. 359SASDF, 2002 WL 31115032, at \*2 (S.D.N.Y. Sept. 24, 2002)

- **Medicare Australia** provided health care insurance coverage and payment for services received in Australia from July 19, 2013 through the present.<sup>5</sup> Ms. Giuffre's claims history for this period is detailed at GIUFFRE007619-7620.
- **Dr. Wah Wah San**, Central Coast Family Medicine, Unit 2, 17 Anzac Rd., Tuggerah 2259, 0243518777, tel (02)4388-9540, treated Ms. Giuffre on March 14, 2013, for panic attacks as described in the medical records produced at GIUFFRE005339-5341; and possibly on September 11, 2013 for "Standard Consultation."<sup>6</sup> Those records have been requested and a release sent to the provider, see GIUFFRE007625-7628.
- **CVS Pharmacy** provided prescribed medications to Ms. Giuffre as described in the records produced at GIUFFRE00843-0845. **Walgreens Pharmacy** may have provided prescribed medications to Ms. Giuffre. Those records have been requested and a release provided to the pharmacy, see GIUFFRE007611-7616.
- **Dr. Timothy D. Hartwig, D.O.** was identified in records produced by CVS pharmacy. Ms. Giuffre has requested those records, see GIUFFRE008346-8348.
- **Dr. James T. Nichols, M.D.** was identified in records produced by CVS pharmacy. Ms. Giuffre has requested those records, see GIUFFRE008349-8351.
- **Dr. Rodolfo Torres Jr., M.D.** was identified in records produced by CVS pharmacy. Ms. Giuffre has requested those records, see GIUFFRE008352-8354.

Dated: August 17, 2016.

Signed,



Virginia Giuffre

<sup>5</sup> Records from Medicare Australia are generally limited to 3 years. Ms. Giuffre is continuing to pursue additional records from prior to July 19, 2013 through their offices in Australia.

<sup>6</sup> Ms. Giuffre has now identified Dr. Wah Wah San and Dr. Wah San to be the same provider to the best of her knowledge. She had previously listed both names, in an abundance of caution, before learning that Dr. Wah San was the same provider as Dr. Wah Wah San.

## **EXHIBIT J**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VIRGINIA L. GIUFFRÉ,

Plaintiff,

v.

15-cv-07433-RWS

GHISLAINE MAXWELL,

Defendant.

**Declaration of Ghislaine Maxwell**

I, Ghislaine Maxwell, declare as follows:

1. I am the defendant in this action.
2. I have no control or authority over any media organizations, including those media organizations that published any part of a January 2015 statement issued on my behalf at the direction of my attorney, Philip Barden.
3. Neither I nor any agent acting on my behalf approved or participated in any activity of any media organization in its decision to publish or not to publish any part of the January 2015 statement.

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

Executed on January 6, 2017.



Ghislaine Maxwell

# **EXHIBIT K**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

VIRGINIA L. GIUFFRE,  Plaintiff,  v.  GHISLAINE MAXWELL,  Defendant.	X  ⋮  Λ	<b>15-cv-07433-RWS</b>
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**Declaration of Philip Barden**

I, Philip Barden, declare as follows:

1. I am a Solicitor of the Senior Courts of England & Wales based in London, England.
2. I am submitting this Declaration in support of Ghislaine Maxwell's motion for summary judgment in this action.
3. I am not authorised to and do not waive Ms. Maxwell's attorney-client privilege.
4. I have represented Ms. Maxwell since 2011 regarding the allegations made by Plaintiff Virginia Giuffre and as published in the United Kingdom. I continue to be retained in this regard. I am familiar generally with the subject matter of this action.
5. I first represented Ms. Maxwell in this matter over the weekend of 5<sup>th</sup> and 6<sup>th</sup> March 2011, about the time when various UK national newspapers, in hard copy and on line, published numerous and provocative allegations made by the Plaintiff Virginia Giuffre against Ms. Maxwell. The articles by Sharon Churcher were among those published in this time frame.
6. I instructed British press agent Ross Gow to assist me in representing Ms. Maxwell.

7. I caused to be prepared a statement to respond to the articles that appeared in the British Press over the weekend—March 5 and 6, 2011, and thereafter. I directed Mr. Gow to distribute the statements to various media outlets that had published articles.

8. On December 30, 2014, Ms. Giuffre made numerous salacious and improper allegations against Ms. Maxwell in a joinder motion publicly filed in a civil case involving Jeffrey Epstein. Shortly afterward, the British media gained access to the motion and began inquiring about Ms. Maxwell's response.

9. I continued to represent Ms. Maxwell at that time and I coordinated the response to the media. I again instructed Mr. Gow to assist me.

10. In liaison with Mr. Gow and my client, on January 2, 2015, I prepared a further statement denying the allegations, and I instructed Mr. Gow to transmit it via email to members of the British media who had made inquiry about plaintiff's allegations about Ms. Maxwell. Attached as Exhibit A1 is an email containing a true and correct copy of this statement. The statement was issued on my authority. Although it is possible others suggested or contributed content, I prepared the vast majority of the statement and ultimately approved and adopted all of the statement as my work.

11. As is evident from the timing and the typographical errors in the statement, I prepared the statement in haste. I was not in the office on 2<sup>nd</sup> January 2015 as it was the Friday immediately after New Years day which is a public holiday. Most people took 2<sup>nd</sup> January off and many business closed that day. I don't now recall where I was that day but I was hard to reach and that indicates I was out with my family. I therefore would have prepared the statement in a hurry. I recall that I wanted to get a statement out as a matter of urgency.

12. I recall that immediately after Ms. Giuffre's motion was filed, media representatives began contacting Mr. Gow and requesting Ms. Maxwell's response to Ms. Giuffre's allegations

of criminal and other misconduct by Ms. Maxwell. I believed an immediate response was imperative, even though this was happening in the midst of the holidays in the United Kingdom. My communications with Mr. Gow and with Ms. Maxwell were sporadic, delayed and hurried because of my and their own holiday schedules. I worked while on vacation and on Friday, January 2, 2015, to ensure that the statement was issued as soon as possible after receiving the media inquiries.

13. I did not ask Ms. Maxwell to respond point by point to Ms. Giuffre's factual allegations in the CVRA joinder motion. What we needed to do was issue an immediate denial and that necessarily had to be short and to the point. It should have been obvious to the media that Ms. Giuffre's new and significantly more salacious allegations had no credibility because they differed so substantially from her previous allegations, when she had the opportunity and incentive to disclose all relevant facts about being a victim of alleged sexual abuse and sex trafficking at the hands of the rich and powerful. I prepared the January 2015 statement based on my knowledge of Ms. Giuffre's past statements and her most recent statements in the joinder motion, and made the point to the media-recipients that she and her new statements, which differed so substantially from her former ones, were not credible—specifically, that the new allegations were patently false—i.e., “obvious lies.”

14. By way of example I recall that prior to the December 2014 filing of the joinder motion and the subsequent press reports that Ms. Guiffre clearly stated she had not had sex with Prince Andrew. Yet in her joinder motion she claimed she did have sex with Prince Andrew and that the sex occurred in what can only be described as a very small bathtub, too small for a man of Prince Andrew's size to enjoy a bath in let alone sex. So as of December 2014 it was clear Ms. Guiffre had made polar opposite statements. She was either lying when she said they did not have sex or when she said they did. I made the inescapable inference that she is a liar, as clearly

she is, since both statements cannot as a matter of fact be true. When someone says she did not have sex and then says she did, in other words, there is an obvious lie.

15. I did not intend the January 2015 statement as a traditional press release solely to disseminate information to the media. This is why I intentionally did not request that Mr. Gow or any other public relations specialist prepare or participate in preparing the statement. Instead, Mr. Gow served as my conduit to the media representatives who had requested a response to the joinder motion allegations and who I believed might republish those allegations.

16. My purpose in preparing and causing the statement to be disseminated to those media representatives was twofold. First, I wanted to mitigate the harm to Ms. Maxwell's reputation from the press's republication of plaintiff's false allegations. I believed these ends could be accomplished by suggesting to the media that, among other things, they should subject plaintiff's allegations to inquiry and scrutiny. For example, I noted that plaintiff's allegations changed dramatically over time, suggesting that they are "obvious lies" and therefore should not be "publicised as news."

17. Second, I intended the January 2015 statement to be "a shot across the bow" of the media, which I believed had been unduly eager to publish plaintiff's allegations without conducting any inquiry of their own. This was the purpose of repeatedly stating that plaintiff's allegations were "defamatory." In this sense, the statement was very much intended as a cease and desist letter to the media-recipients, letting the media-recipients understand the seriousness with which Ms. Maxwell considered the publication of plaintiff's obviously false allegations and the legal indefensibility of their own conduct.

18. It is important to understand that any story involving a member of the Royal Family, especially a senior member such as Prince Andrew, gains huge media attention in the UK and a story alleging he had a sex with the Plaintiff caused a feeding frenzy for the press. I wanted the

press to stop and think before publishing, to cease and desist, and that if they continued then they faced higher damages for ignoring my clear warning.

19. Consistent with those two purposes, Mr. Gow’s emails prefaced the statement with the following language: “Please find attached a *quotable statement* on behalf of Ms Maxwell” (italics supplied). The statement was intended to be a single, one-time-only, comprehensive response—quoted in full, if it was to be used—to plaintiff’s December 30, 2014, allegations that would give the media Ms. Maxwell’s response. The purpose of the prefatory statement was to inform the media-recipients of this intent.

20. Selective and partial quotation and use of the statement would disserve my purposes. It was intended to address Plaintiff’s behavior and allegations against Ms. Maxwell on a broad scale, that is to say, Plaintiff’s history of making false allegations and innuendo to the media against Ms. Maxwell. This is why the statement references Plaintiff’s “original allegations” and points out that her story “changes”—i.e. is embellished—over time including the allegations “now” that Professor Dershowitz allegedly had sexual relations with her. This is why I distinguished in the statement between Plaintiff’s “original” allegations and her “new,” joinder-motion allegations, which differed substantially from the original allegations. And this is why I wrote, “Each time the story is *re told* [sic] it *changes* with *new* salacious details about public figures and world leaders and *now* it is alleged by [Plaintiff] that Alan Derschowitz [sic] is involved in having sexual relations with her, which he denies.” (Emphasis supplied.) Having established the dramatic difference between Plaintiff’s two sets of allegations, which suggested she was fabricating more and more-salacious allegations as she had more time to manufacture them, I added the third paragraph: “[Ms. Giuffre’s] claims are obvious lies and should be treated as such and not publicised as news, as they are defamatory.” (Emphasis supplied.) I believed then, and believe now, that it was and remains a fair inference and conclusion that her claims

were and are “obvious lies.” As noted, her claims not to have slept with Prince Andrew and to have slept with Prince Andrew are a classic example of an obvious lie. One or other account is on the face of it a lie.

21. As an example of her lack of credibility, the Plaintiff made allegations against Professor Dershowitz, which I understand she has now withdrawn. Professor Dershowitz has credibility because his story, insofar as I am familiar with it, has been consistent; Ms. Giuffre has no credibility because her story has shifted and changed.

22. Further the Plaintiff’s account has become more salacious, for example, regarding Prince Andrew. The Plaintiff clearly has been seeking publicity for her story and it is clear to me that she understands retelling the same story doesn’t feed the media and generate publicity and so each time she appears to create new allegations to generate media interest.

23. I understand the Plaintiff alleged in her Complaint in this action that the following statements are defamatory. She alleges it was defamatory in the first paragraph of the January 2015 statement to state that “the allegations made by [the Plaintiff] against [Ms.] Maxwell are untrue.” For the reasons stated above, it was and is my considered and firm opinion that, in fact, her allegations are untrue. She alleges it was defamatory to state in the same paragraph that the “original allegations” have been “shown to be untrue.” For the reasons stated above, it was and is my considered and firm opinion that, in fact, her allegations are untrue. Finally, she alleges that it was defamatory in the third paragraph to state that her claims are “obvious lies.” For the reasons stated above, it was and is my considered and firm opinion that, in fact, her claims are obvious lies.

24. Both Mr. Gow and I understood that once the January 2015 statement was sent to the media-representatives, we had no ability to control whether or how they would use the statement and we made no effort to control whether or how they would use the statement.

25. It is my understanding that some of the media-recipients of the January 2015 statement did not publish any part of the statement. I am unaware of any media-recipient publishing the statement in full.

26. The issuance of the statement fully complied with my ethical obligations as a lawyer. Indeed it was duty in representing my client's interests to ensure that a denial was immediately issued. I would have been remiss if I had sat back and not issued a denial, and the press had published that Ms. Maxwell had not responded to enquiries and had not denied the new allegations; the public might have taken the silence as an admission there was some truth in the allegations.

27. The content of the statement was entirely based on information I acquired in connection with my role as counsel for Ms. Maxwell.

28. At the time I directed the issuance of the statement, I was contemplating litigation against the press-recipients as an additional means to mitigate and prevent harm to Ms. Maxwell. Whilst the limitation period for a pure defamation claim has now expired, claims are still being considered for example for publishing a deliberate falsehood, conspiracy to inure and other tortious acts.

29. In any such UK defamation, or other related, action Ms. Giuffre would be a defendant or a witness.

30. I directed that the statement indicate Ms. Maxwell "strongly denie[d] the allegations of an unsavoury nature," declare the allegations to be false, give the press-recipients notice that the publications of the allegations "are defamatory," and inform them that Ms. Maxwell was "reserv[ing] her right to seek redress."

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

Executed on January 6, 2017.

  
\_\_\_\_\_  
Philip Bardon

# **EXHIBIT L**

UNITED STATES DISTRICT COURT  
for the  
SOUTHERN DISTRICT OF NEW YORK

Civil Action No. 15-cv-07433-RWS

VIRGINIA GIUFFRE,

Plaintiff,

vs.

GHISLAINE MAXWELL

Defendant.

-----  
VIDEO-DEPOSITION  
OF:

JAMES MICHAEL AUSTRICH

TAKEN BY:

Defendant

REPORTED BY:

Karla Layfield, RMR  
Stenographic Court Reporter  
Notary Public  
State of Florida at Large

DATE AND TIME:

June 23, 2016; 9:03 a.m.

PLACE:

Owen & Associates Court Reporters  
108 N. Magnolia Avenue, Suite 501  
Ocala, Florida

APPEARANCES:

Laura A. Menninger, Esquire  
HADDON, MORGAN & FOREMAN, PC  
150 East 10th Avenue  
Denver, Colorado 80203  
Attorney for Defendant

Brad Edwards, Esquire  
Farmer, Jaffe, Weissing, Edwards,  
FISTOS & LEHRMAN, PL  
425 Andrews Avenue, Suite 2  
Fort Lauderdale, Florida 33301  
Attorney for Plaintiff

Also Present: Kenneth Sarsony, Videographer  
Virginia Giuffre

Owen & Associates Court Reporters  
P.O. Box 157, Ocala, Florida  
352.624.2258 \* owenassocs@aol.com

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(Exhibits attached.)

1 Broward and Miami a lot.

2 Q Okay. Where did you go to high school?

3 A Robert Morgan.

4 Q Which city is that in?

5 A I guess Miami.

6 Q Okay. When did you graduate?

7 A '98.

8 Q How old are you now?

9 A 35.

10 Q When is your birthday?

11 A [REDACTED].

12 Q Do you remember a woman by the name of Virginia  
13 Roberts?

14 A Yes.

15 Q And do you see her here in the room today?

16 A Yes.

17 Q When was the last time that you saw her?

18 A Sixteen years ago.

19 Q How did you meet Ms. Roberts?

20 A She was a friend of my sister's, and that's how  
21 I met her.

22 Q What is your sister's name?

23 A [REDACTED] (phonetic). Last name is spelled  
24 [REDACTED] but I still can't spell it. My step-sister.

25 But after so long, she's basically my sister.

1 Q Okay. Where is Ms. [REDACTED] now?

2 A I believe Broward County.

3 Q How is it that she came to introduce you to  
4 Ms. Roberts?.

5 A She brought her to the house.

6 Q And do you know how they were friends?

7 A They met each other in rehab.

8 Q What kind of rehab?

9 A I'm not sure. I was living in Miami at the  
10 time, and I only came up once in a while to visit her. At  
11 the very end, when I moved back to Broward with my dad,  
12 that's when [REDACTED] home.

13 Q Do you know the name of the rehab program?

14 A No.

15 Q And you do you know what the rehab program was  
16 for, drugs, alcohol?

17 A I don't know. I guess, everything probably.

18 Q Do you recall approximately what year you met  
19 Ms. Roberts?

20 A I believe around '98.

21 Q How old were you at that time?

22 A 18.

23 Q Do you know how old Ms. Roberts was?

24 A 15 or 16, I believe.

25 Q Was she approximately your sister's age?

1 working at the Taco Bell in Sunrise. Did I get that  
2 right?

3 A Yeah, yeah.

4 Q Okay. Did Ms. Roberts come to work at the Taco  
5 Bell where you worked?

6 A Not at that one in Sunrise. When we moved to  
7 Broward, she worked with me. I think it was another one  
8 in Sunrise.

9 Q Okay. So you're saying sometime later you and  
10 Ms. Roberts moved to Broward. Is that right?

11 A Yes, we lived in an apartment.

12 Q Where was that apartment?

13 A Oakland Park, I believe.

14 Q And when you moved to that apartment in Oakland  
15 Park, that's when she came to work with you at Taco Bell?

16 A Yes.

17 Q Do you know about how old you were when that  
18 happened?

19 A It had to be around -- it wasn't long after  
20 meeting her.

21 Q Why don't you take a step back and tell me what  
22 you recall about meeting Ms. Roberts.

23 A It was a long time ago.

24 Q I understand.

25 A All I remember is my sister bringing her over

1 one day, we got to talking, we liked each other, and we  
2 just got to know each other.

3 Q Was she in school at the time?

4 A No.

5 Q Why not?

6 A I'm not entirely sure.

7 Q Was she done with this rehab program?

8 A Yes, at the time.

9 Q Did she go back into it later?

10 A Not that I know of.

11 Q So your understanding is, she was not in school  
12 and not in the rehab program at the time that you met  
13 Ms. Roberts. Correct?

14 A Not that I know of, no.

15 Q Where was she living when you met Ms. Roberts?

16 A She was staying with us -- or she came over, and  
17 then I guess she was staying with us for a little while, I  
18 believe.

19 Q And who do you mean by "us"?

20 A At my dad's house.

21 Q Who else was living there besides yourself, your  
22 dad and your sister?

23 A My step-mom, my other step-sister, my  
24 step-brother and their grandmother. It was a big house.

25 Q How long do you recall Ms. Roberts living at

1 that house with the family?

2 A No idea. Not long.

3 Q Weeks, months, years?

4 A Weeks.

5 Q Okay. You said that you spent some time getting  
6 to know Ms. Roberts when you first talked to her?

7 A Uh-hmm.

8 Q Did she tell you anything about her childhood?

9 A If she did, I don't remember, it was so long  
10 ago.

11 Q Do you recall meeting her parents?

12 A Yes.

13 Q Was that some time later?

14 A Yes.

15 Q Tell me about when you remember meeting her  
16 parents.

17 A I think that was -- all I remember -- really,  
18 all I remember is going to the house and meeting her  
19 parents. I don't remember much from that time.

20 Q Okay. I appreciate that this is all a long time  
21 ago

22 A Yeah.

23 Q Did you and Ms. Roberts become a couple soon  
24 after you met her?

25 A Yes.

1 Q Was she dating anyone else at that time?

2 A No.

3 Q Tell me where you -- did you both move out of  
4 that home, your dad's home, together?

5 A Yes.

6 Q And where did you go directly after that home?

7 A To the Oakland Park apartment.

8 Q At the time you got the Oakland Park apartment,  
9 do you recall how old you were?

10 A I had to be 18 to get an apartment.

11 Q Okay. And do you know how old Ms. Roberts was?

12 A 16.

13 Q Is that a guess, or do you remember?

14 A That's a guess.

15 Q Do you think you are about two years older than  
16 she is?

17 A About. Maybe a little more.

18 Q Okay. How long did you two live together at the  
19 Oakland Park apartment?

20 A Less -- I know it wasn't a full year. I don't  
21 know exactly how long it was. I don't know how many  
22 months it was.

23 Q Did anyone else live there with you?

24 A Yes, a roommate.

25 Q Who was that?

1           A     Mario. Last name, I can't remember. I haven't  
2 seen him since that apartment.

3           Q     Was he a friend of yours or hers, or just  
4 someone else?

5           A     He was a friend of mine. He worked with me at  
6 Taco Bell.

7           Q     And after you moved to this Oakland Park  
8 apartment, Ms. Roberts came to work at the Taco Bell as  
9 well?

10          A     Yeah, with him and me.

11          Q     Do you recall where that Taco Bell was?

12          A     By the Sawgrass Mall.

13          Q     How long did Ms. Roberts work at that Taco Bell?

14          A     I don't remember.

15          Q     You were a manager at the time?

16          A     Yes, me and my roommate.

17          Q     You were both managers?

18          A     Yeah.

19          Q     Was she an official employee?

20          A     Yes.

21          Q     She was on the payroll?

22          A     Yes.

23          Q     And you were the manager?

24          A     Um-hmm?

25          Q     And she paid -- she was paid for by Taco Bell?

1 A Yes.

2 Q Was it is a franchise, if you know?

3 A I know when I first started there, they were  
4 corporate, but then they were a franchise. They were  
5 bought out. But I'm not sure if when I got there they  
6 were a franchise or not.

7 Q Got it.

8 Do you know if Ms. Roberts had any previous  
9 employment before she worked at Taco Bell?

10 A I think by the apartment, she worked for KFC for  
11 a little while.

12 MS. MENNINGER: Are you looking at Ms.  
13 Roberts?

14 THE WITNESS: I'm thinking. I can't  
15 remember. I remember something with KFC. They  
16 had one really close to us. I think she worked  
17 there for a tiny, tiny bit. I'm not sure.

18 MS. MENNINGER: Okay.

19 BY MS. MENNINGER:

20 Q Before the Taco Bell?

21 A Or she could've applied there. It's just in my  
22 head. She might have just applied there, and didn't get  
23 it, and that's why I brought her to Taco Bell.

24 Q Okay.

25 A Because we were both the night managers.

1 Q Okay. Got it.

2 So for not a full year, the two of you worked  
3 together at a Taco bell near the Sawgrass Mills (as  
4 heard) and lived in an apartment in Oakland Park?

5 A Yes.

6 MR. EDWARDS: Object to the form.

7 BY MS. MENNINGER:

8 Q With Mario?

9 A Yeah.

10 Q Did Mario live there the whole time?

11 A Yes.

12 Q What caused you to stop living at the Oakland  
13 Park apartment?

14 A I don't remember exactly. But I know we moved  
15 out before, and Mario stayed in the apartment.

16 Q Where did you move to?

17 A Her parent's house.

18 Q Did you move into the house or to someplace near  
19 the house?

20 A I don't remember if we originally moved into the  
21 house. But I know they had a trailer in the back that we  
22 lived in.

23 Q How long did you live in the trailer in the  
24 back?

25 A No idea.

1 A No.

2 Q Do you know about what years this was?

3 A Not really.

4 Q Do you know about how old you were?

5 A When, what?

6 Q I'm just focused on the period of time in which  
7 you were living at her parent's house in the trailer.

8 A I was probably 18 when we moved in there.

9 Q And you said you were only there for a couple of  
10 months?

11 A Not that I remember. Like, it might have been a  
12 little longer. I'm not sure.

13 Q Were you engaged to Ms. Roberts?

14 A Yes.

15 Q When did you become engaged to her?

16 A When we were living in Oakland Park.

17 Q Tell me about the engagement. How did it come  
18 about?

19 A Well, we fell in love, and -- I believe it was  
20 Valentine's Day when I proposed.

21 Q Did you have a ring?

22 A Yes.

23 Q Did she accept?

24 A Yes.

25 Q How long were you engaged?

1           A     I'm not entirely sure.

2           Q     Do you remember an event where the engagement  
3 was broken off?

4           A     When I left.

5           Q     Left where?

6           A     When I left -- Royal Palm Beach, I guess, was  
7 our apartment.

8           Q     When you left that apartment, that's when the  
9 engagement was over in your mind?

10          A     Yes.

11          Q     Were your families happy about the engagement?

12          A     Yes. My mother was. My dad wasn't too happy.

13          Q     Have you ever been married since then?

14          A     No.

15          Q     Have you ever been engaged since then?

16          A     No.

17          Q     Do you know what happened to the ring?

18          A     Yes.

19          Q     Where is it?

20          A     I have it.

21          Q     Still?

22          A     Yeah. It was my grandmother's.

23          Q     Did you get down on one knee?

24          A     Yes, at the beach, I believe.

25          Q     When you were living in Oakland Park, in this

1           Q     So from about the ages you were 18 to 20 is when  
2 you were living together with Virginia?

3           A     Yeah.

4           Q     And between the time you met her at your dad's  
5 house and the time that you broke up, did you guys break  
6 up and get back together, or was it one consistent  
7 relationship, and then it had an end date?

8           A     Yeah, one consistent relationship.

9           Q     Okay. You mentioned that you moved into an  
10 apartment in Royal Palm Beach?

11          A     Yeah, I believe that's where it was, Royal Palm  
12 Beach.

13          Q     Do you remember anything about the apartment?

14          A     All I remember, it was on the third floor.

15          Q     And who got that apartment?

16          A     I did.

17          Q     Again, you were over 18 at that time?

18          A     Yes.

19          Q     So you got the lease?

20          A     Yes.

21          Q     Do you remember looking for the apartment?

22          A     I believe so.

23          Q     And it wasn't the first apartment you rented,  
24 right?

25          A     No. No, the one in Oakland Park was the first

1 one I rented.

2 Q Okay.

3 MS. MENNINGER: I'm going to show you some  
4 photographs. If I could have you mark this. I  
5 guess we'll start again with, I guess we'll start  
6 again with Defendant's Exhibit -- I got one for  
7 you. Defendant's Exhibit 1 or A, whatever you put  
8 on it.

9 THE COURT REPORTER: 1.

10 MS. MENNINGER: Exhibit 1.

11 (Defendant's Exhibit 1, photograph, was  
12 marked for identification.)

13 BY MS. MENNINGER:

14 Q Please take a look at this. There are two  
15 photographs stapled together.

16 Does that look like the apartment that you  
17 lived in on the third floor?

18 A It could be. I don't really remember it.

19 Q The address on this is 368 Bent Oak. Does that  
20 sound about right?

21 A Bent Oak sounds familiar.

22 Q You don't recognize the -- it may have been  
23 painted, for example?

24 A Yeah. I mean, all I remember is being on the  
25 third floor.

1 MS. MENNINGER: I'm going to show you another  
2 exhibit. Let me find it. We'll mark this  
3 Defendant's Exhibit 2.

4 (Defendant's Exhibit 2, passport, was marked  
5 for identification.)

6 BY MS. MENNINGER:

7 Q I know this is not terribly easy to read, but  
8 it's a passport application that has been previously  
9 identified in this case. And in the middle section,  
10 there's emergency contact information that says "James  
11 Austrich".

12 Do you see that?

13 A Yes.

14 Q Is that you?

15 A Yes.

16 Q And it says 368 Bent Oak Drive below that?

17 A Yes.

18 Q Does that refresh your memory as to the address,  
19 the apartment that you lived in in Royal Palm Beach?

20 A Like I said, Bent Oak sounds very familiar, and  
21 I know it was Royal Palm Beach. So possibly it was that  
22 one.

23 Q Okay. And how long do you think that you lived  
24 in this apartment?

25 A I'm not entirely sure. Less than a year, that's

1 MS. MENNINGER: I'm going to mark this  
2 exhibit as Defendant's Exhibit 3.

3 (Defendant's Exhibit 3, Citation Tracking  
4 Report, was marked for identification.)

5 BY MS. MENNINGER:

6 Q I'm going to have you take a look at this.  
7 Actually, I apologize because I need you to turn back  
8 several pages to -- the lower right-hand corner has some  
9 page numbers that say G.M. And I need you to go to 781.

10 A (Witness complies.)

11 Q Could I have you take a look at the narrative  
12 section of that page. If you want to just read that  
13 paragraph.

14 A "John Perkins," I don't even know that name.

15 MS. MENNINGER: I guess you guys haven't kept  
16 in touch.

17 MR. EDWARDS: He was scared that day.

18 THE WITNESS: (cont'd) Plus, when I left  
19 there, I didn't really talk to anybody from up  
20 there. I remember somewhat of that. Yeah, I  
21 remember the cops telling me even though it was  
22 under my name, I couldn't go in. And I think  
23 later on then they got out so I could go back and  
24 get me stuff. I think I was going to see my  
25 animals.

1 BY MS. MENNINER:

2 Q Yeah. I didn't know if reading this might cause  
3 you to remember some things.

4 A I somewhat remember that. I remember the cops  
5 coming and telling me I wasn't allowed to go in my own  
6 apartment that was under my name.

7 Q Okay. So this is dated June 10th, of 2001. And  
8 it places you at 368 Bent Oak Drive, correct?

9 A Yes.

10 Q Okay. Do you understand that to likely be where  
11 you were living with Ms. Roberts?

12 A Yeah. But at the time I was already back in  
13 Broward.

14 Q Okay. Do you know how long you had been back in  
15 Broward?

16 A Not a clue.

17 Q And in this, it refers to Ms. Roberts as your  
18 ex-fiancé, correct?

19 A Yes.

20 Q So presumably the event you described where you  
21 had a fight and left had already occurred?

22 A Yes.

23 MR. EDWARDS: Form.

24 THE WITNESS: I know I was already out of  
25 there. And that's why when I went back, that's

1           when the cops said I couldn't go in my own  
2           apartment.

3 BY MS. MENNINGER:

4           Q     So your recollection today is that you were  
5           returning to that apartment to either get things or check  
6           on pets?

7           A     Yes.

8           Q     What pets do you recall having?

9           A     A dog and six cats and, I believe, ferrets and  
10          rabbits. One reason we got along so well is because we  
11          liked animals.

12          Q     And do you remember going back to the apartment  
13          to check on the pets and encountering Ms. Roberts and  
14          Tony?

15          A     Yeah.

16          Q     Were you inside the apartment when you  
17          encountered them?

18          A     No, outside.

19          Q     Did you understand them to be living in the  
20          apartment at that time?

21          A     Yes.

22          Q     In the police report it says "Austrich stated  
23          his ex-fiance, Virginia Roberts, who also resides at the  
24          above-listed address, brought her friend to the  
25          apartment."

1           A     I believe that was Tony.

2           Q     Okay. And at this time, the police are  
3 indicating that you both lived there. But that's not what  
4 you remember?

5           A     No. They wouldn't even let me -- all I  
6 remember -- I remember being outside the door and the cops  
7 wouldn't let me go in there because -- even though it was  
8 my apartment and my address was on the thing, I wasn't  
9 allowed in there. Because I'm pretty sure I wasn't living  
10 there. I just came back to get something.

11          Q     Do you know how long after you left you were  
12 coming back to get something?

13          A     I don't remember.

14          Q     If you left your pets there, I guess, I'm just  
15 wondering whether you intended to go back and get your  
16 pets?

17          A     I couldn't because my dad didn't -- my dad  
18 didn't really take -- like, he didn't want all those  
19 animals. Because he already had three dogs and he wasn't  
20 a fan of cats.

21               MR. EDWARDS:   Or ferrets.

22          A     (cont'd) Or ferrets or rabbits. I think we had  
23 a gerbil, mice, rats, all kinds of stuff. I know we had  
24 pet store cages that we bought to keep them all in.  
25 Because when we lived in West Palm Beach it was like a

1 little animal rescue for a while.

2 Q Did you get that stuff from the pet store where  
3 you both had worked?

4 A Yes.

5 Q A discount, I hope?

6 A I feel like every time I went to the pet store,  
7 I got a new animal. Still do the same thing.

8 Q Do you have pets today?

9 A Oh, yeah. I have dogs. I have two dogs. We  
10 have six cats and three birds.

11 Q No reptiles?

12 A No. No, I don't really like ---

13 Q Is that a different kind of pet owner?

14 A Well, I had reptiles in West Palm Beach. They  
15 are too hard to take care of.

16 Q Spiders?

17 A No, I don't want to be -- I have enough spiders  
18 where I live. I don't need pet spiders.

19 Q Okay. All right.

20 Do you remember Tony punching you in the  
21 face?

22 A I don't remember.

23 Q You see that's what the police report says?

24 A Yeah, yeah, yeah. He might have. I don't  
25 remember.

1 Q And the police observed you to have minor  
2 swelling and a large red mark. Does that sound accurate?

3 A From according to what it says, yeah. I don't  
4 really remember that. I remember being at the door and  
5 the cops coming and telling me I can't go in there. Once  
6 I read that, that's really all I remember.

7 Q Do you believe that whatever altercation you had  
8 took place within the apartment or outside the apartment?

9 A In the doorway at the most. I never went inside  
10 that apartment when that was happening, not I remember.

11 Q Do you ever get to see those pets again?

12 A Yes. I think later on, they both left for the  
13 day and let me go in and see my pets.

14 Q Now, this indicates that the police were there  
15 at about 9:20 in the evening, and you were there with  
16 Mr. Perkins. But you don't remember Mr. Perkins?

17 A No. If it would have said "Josh" I think that  
18 might be a name I remember. But John -- I know we had two  
19 friends up there. John could have been one of them, but I  
20 don't really remember. John Perkins. That's so weird.

21 Q The police report also indicates that  
22 Mr. Figueroa observed Perkins on the telephone and fled  
23 the scene prior to arrival. Do you remember that?

24 A No. I don't remember "Perkins". As soon as I  
25 saw that name, I'm like "Who the hell is John Perkins?"

1           Q     All right.  If you can turn to the next page.  
2     The police report continues that they made numerous  
3     attempts to contact you and Mr. Perkins, whoever he is --

4           A     Yeah.

5           Q     -- and Ms. Roberts at the residence or on the  
6     phone, but had not been able to do that?

7           A     If they called the residence, I wasn't living  
8     there.  And I don't remember them ever trying to call me  
9     in Broward.

10          Q     Do you know if you had a cell phone?  This was  
11     back in '01.  I don't even know if I had a cellphone in  
12     '01?

13          A     Yeah, I really couldn't tell ya'.

14          Q     Okay.  So your best recollection, after  
15     reviewing this report, is that you had left on a previous  
16     date and came back on this date to see your pets?

17          A     Yeah, yeah.

18          Q     And that you were ultimately able to get in and  
19     see the pets?

20          A     Later on, yes.

21          Q     Okay.  Like, the same day or --

22          A     Later on.  I don't really remember how much  
23     longer --- how many days later, or something.  Not too  
24     long.

25          Q     And when you came back at that later time, you

1 did not encounter Ms. Roberts?

2 A No, nobody was in the house but my animals.

3 Q And since that time you have not had any contact  
4 with Ms. Roberts?

5 A No.

6 Q Okay. What was your opinion of Tony?

7 MR. EDWARDS: Form.

8 THE WITNESS: An idiot. That's all I really  
9 remember.

10 BY MS. MENNINGER:

11 Q Did you believe him to be using drugs?

12 A Yes.

13 Q Do you know what kind?

14 A Whatever he could get.

15 Q When Ms. Roberts started hanging out with Tony  
16 again, did you then believe her to be using drugs?

17 A Yes.

18 MR. EDWARDS: Form.

19 BY MS. MENNINGER:

20 Q What caused you to have that belief?

21 A Actions.

22 MR. EDWARDS: Same objection.

23 BY MS. MENNINGER:

24 Q What kinds of actions?

25 A I don't remember. All I remember is that's what