

witnesses, schedule depositions and conduct them. Instead, she waited until the last minute and now complains of lack of time. Any lack of time is a product of her own bad faith and negligent litigation tactics and should not be sanctioned by this Court.

The failure to timely secure the depositions of the remaining six witnesses is through no fault of Ms. Maxwell or her counsel. As to these witnesses, Ms. Maxwell and her counsel have played no role in hindering Plaintiff's ability to depose the witnesses; in fact, as to four of the six Plaintiff attempted to serve subpoenas on the witnesses before ever providing notice to the defense, in clear violation of Rule 45(a)(4).

### **LEGAL AUTHORITY**

Rule 16(b) permits modification of a scheduling order only upon a showing of "good cause." To satisfy the good cause standard "the party must show that, *despite its having exercised diligence*, the applicable deadline could not have been reasonably met." *Sokol Holdings, Inc. v. BMD Munai, Inc.*, 05 Civ. 3749 (KMW)(DF), 2009 WL 2524611 at \*7 (S.D.N.Y. Aug. 14, 2009) (emphasis added) (*citing Rent-A-Center Inc. v. 47 Mamaroneck Ave. Corp.*, 215 F.R.D. 100, 104 (S.D.N.Y. 2003) (McMahon, J.)); *accord Parker v. Columbia Pictures Indus.*, 204 F.3d 326, 340 (2d Cir. 2000) (" '[G]ood cause' depends on the diligence of the moving party."); *Perfect Pearl Co., Inc. v. Majestic Pearl & Stone, Inc.*, 889 F. Supp. 2d 453, 457 (S.D.N.Y. 2012) (Engelmeyer, J.) ("To show good cause, a movant must demonstrate that it has been diligent, meaning that, despite its having exercised diligence, the applicable deadline could not have been reasonably met.").

Good cause depends on the *diligence* of the moving party in seeking to meet the scheduling order. *Grochowski v. Phoenix Const.*, 318 F.3d 80, 86 (2d Cir.2003). The Oxford Dictionary defines "diligence" as "careful and persistent work or effort." See "diligence" at [http://www.oxforddictionaries.com/us/definition/american\\_english/diligence](http://www.oxforddictionaries.com/us/definition/american_english/diligence) (last accessed on

June 18, 2016). “Good cause” and diligence were not shown when a party raised the prospect of a deposition nine days prior to the discovery deadline. *Carlson v. Geneva City School Dist.*, 277 F.R.D. 90 (W.D.N.Y. 2011); compare *Reese v. Virginia Intern. Terminals, Inc.*, 286 F.R.D. 282 (E.D. Va. 2012) (depositions noticed very early in discovery period and movant engaged in continuing meet-and-confer dialogue with defendants throughout five month discovery period); *Iantosca v. Benistar Admin. Svcs., Inc.*, 765 F.Supp.2d 79 (D. Mass. 2011) (correspondence indicated that the plaintiffs had tried on numerous occasions to schedule the depositions and to extend the discovery schedule but that the defendants had either refused or failed to respond, good cause found).

## **ARGUMENT**

### **I. PLAINTIFF’S LACK OF DILIGENCE**

Plaintiff has demonstrated an extreme lack of diligence in securing the remaining six depositions that she seeks.

#### **A. President Bill Clinton**

Plaintiff’s Motion failed to mention any desire to take the deposition of former President Clinton. No Notice of Deposition has been served and no scheduling of his deposition has commenced. Indeed, President Clinton first appeared on Plaintiff’s Third Revised Rule 26 Disclosures two weeks ago on June 1. Then, last week, in her Reply In Support of Motion to Exceed Ten Depositions filed on June 13 (“Reply”), Plaintiff averred that President Clinton’s deposition is “necessary” because Ms. Maxwell “in her deposition [on April 25] raised Ms. Giuffre’s comments about President Clinton as one of the ‘obvious lies’ to which she was referring in her public statement that formed the basis of this suit.” Reply at 3. This is utter nonsense and nothing more than a transparent ploy by Plaintiff to increase media exposure for her sensational stories through deposition side-show. This witness has nothing relevant to add



to this case and Plaintiff has made no effort, much less one in good faith to timely secure his testimony.

Plaintiff admits she has “made not allegations of illegal actions by Bill Clinton.” *Id.* But Plaintiff has asserted that she spent time with President Clinton on the island of Little St. James, US Virgin Islands and that she flew there with the President in a helicopter piloted by Ms. Maxwell. In one article, authored by Sharon Churcher, Plaintiff related:

“On one occasion, she adds, Epstein did invite two young brunettes to 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 bought her. 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 license 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 met Bill twice but Jeffrey told me they were good friends.’

‘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 Taylor, 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.’

See Sharon Churcher, “Teenage girl recruited by peadophile Jeffrey Epstein reveals how she twice met Bill Clinton,” DAILY MAIL (Mar. 5, 2011) (attached to Declaration of Sharon Churcher, Ex. 3 (Doc. #216-3)). Similarly, in Plaintiff’s unpublished and un-dated book manuscript, *The Billionaire Playboys’ Club*, she writes:

“The next big dinner party on the island had another significant guest appearance being the one and only, Bill Clinton. He is the only president in the world to be

dismissed from his role as a world leader because he was caught with his trousers around his ankles and had the stain to prove it. Publicly humiliating his wife and himself he retired from his title but not from his lifestyle. This wasn't a big party as such, only a few of us eating at the diner table. There was Jeffrey at the head of it all, as always. On the left side was Emmy, Ghislaine and I sitting across the table from us was Bill with two lovely girls who were visiting from New York. Bill's wife, Hillary's absence from the night made it easy for his apparent provocative cheeky side to come out. Teasing the girls on either side of him with playful pokes and brassy comments, there was no modesty between any of them. We all finished our meals and scattered in our own different directions."

Menninger Decl. Ex. B at 110.

Each and every part of Plaintiff's claims regarding President Clinton has conclusively been proven false. Former FBI Director Louis Freeh submitted a report wherein he concluded that President Clinton "did not, in fact travel to, nor was he present on, Little St. James Island between January 1, 2001 and January 1, 2003." Menninger Decl., Ex. C. Further, if any Secret Service agents had accompanied Clinton to that location, "they would have been required to make and file shift logs, travel vouchers, and related documentation relating to the visit," and there was a "total absence" of any such documentation. *Id.* Remarkably, Plaintiff now even denies telling Churcher that she ever witnessed Ms. Maxwell flying President Clinton or his Secret Service anywhere, or joking with Clinton about "what a good job she did." Menninger Decl., Ex. D. Plaintiff's counsel remarkably instructed Plaintiff not to answer any additional questions about the other things Sharon Churcher inaccurately reported. *Id.* Lending even more incredulity to Plaintiff's story, Ms. Maxwell only received her pilot's license in mid-1999 casting insurmountable doubt that a recently retired president and his staff would be permitted to fly with her at the helm.

With the record thus, Plaintiff's claims about Clinton's presence on the Island and the fully concocted story about the dinner party that occurred thereon totally debunked by the former head of the FBI and with Plaintiff now disclaiming she ever witnessed the Secret Service or

President Clinton being flown in a helicopter by Ghislaine Maxwell, the relevance of any testimony he might add (*i.e.*, confirm that he was, as Louis Freeh determined, never on the Island) is non-existent. The only purpose for seeking this deposition is for the calculated media strategy that Plaintiff and her publicity-seeking attorneys have devised.

Plaintiff failed to disclose President Clinton as a witness until June 1, failed to notice his deposition, failed to diligently pursue a subpoena on him and he has no relevant testimony to offer. Accordingly, Plaintiff's leave to modify the scheduling order to permit his deposition should be denied.

## **B. Ross Gow**

As the Court likely recalls, Ross Gow actually issued the statement pertinent to this defamation suit. Plaintiff has known about Ross Gow and his role in this lawsuit since the outset: She referenced him repeatedly by name in the Complaint filed on September 21, 2015. *See, e.g.*, Complaint paragraph 29 ("As part of Maxwell's campaign, she directed her agent, Ross Gow, to attack Giuffre's honesty and truthfulness and to accuse Giuffre of lying."). Plaintiff also has been well aware throughout that Mr. Gow resides in London. *See, e.g.*, Plaintiff's Motion to Compel Improper Privileges, at 8 (Doc. #33).

After filing that Complaint in September and litigating the Motion to Compel based on privileges related to Mr. Gow in March, Plaintiff took exactly zero steps to depose Mr. Gow until she filed this Motion. Now, nine months after filing her Complaint, Plaintiff contends there is "not sufficient time" for her to "go through the Hague Convention for service on Mr. Gow" so as to "complete this process before the June 30, 2016 deadline." Mot. at 4. Indeed, Plaintiff only initiated that process three days ago, on Friday, June 17, two weeks shy of the discovery cut-off.

Plaintiff, once again, tries to blame Ms. Maxwell for her own lack of diligence by misrepresenting to this Court that "Ms. Giuffre asked that Defendant produce her agent, Mr.

Gow, for a deposition but Defendant has refused...despite acknowledging that Defendant plans to call Mr. Gow for testimony at trial.” *Id.* In truth, Plaintiff sent a letter on May 23 which read in its entirety, “This letter is to seek your agreement to produce Ross Gow for deposition, as the agent for your client, Ms. Maxwell. We can work with Mr. Gow’s schedule to minimize inconvenience. Please advise by Wednesday, May 25, 2016, whether you will produce Mr. Gow or whether we will need to seek relief from the Court with respect to his deposition.” Menninger Decl. Ex. E. That was the first communication regarding any deposition of Mr. Gow. Two days later, defense counsel requested any “legal authority that would allow Ms. Maxwell to ‘produce’ Ross Gow for a deposition” or “any rule or case that would either enable or require her to do so.” *Id.* Plaintiff never responded. She also has not explained when or how Ms. Maxwell “acknowledged” her “plans to call Mr. Gow for testimony at trial,” nor why that is relevant to whether Plaintiff has demonstrated good cause for her own failure to take steps to depose a foreign witness deposition until June 17, for a witness she was aware before even filing the Complaint.

During the hearing on March 24, this Court stated that it would consider expect to see “good faith showing” of efforts to comply with the schedule and “an inability because of Hague Convention problems,” before it would consider changing the Scheduling Order. Ms. Maxwell submits that waiting until June 17, two weeks before the end of discovery, to even begin the Hague Convention process falls far short of any such good faith showing and the request for leave to take Mr. Gow’s testimony beyond July 1 should be denied.

### **C. Jean Luc Brunel**

With regard to Jean Luc Brunel, Plaintiff simply asserts that he was “subpoenaed,” and “set for mid-June deposition[,]” but “through counsel” has “requested we change the dates of [his] deposition.” Mot. at 4. That is her entire argument. She omits key facts that would,

instead, demonstrate her lack of diligence in securing Mr. Brunel's testimony and also show that she has waived any right to seek an out-of-time deposition.

Plaintiff first issued a Notice of a Rule 45 subpoena for documents from Mr. Brunel on February 16, at an address "c/o" attorney, Joe Titone. No documents were ever produced pursuant to that subpoena. Menninger Decl., Ex. F. Then, on May 23, 2016, Plaintiff issued a new "Notice of Subpoena Duces Tecum," attached to which was actually a subpoena for deposition testimony to occur on June 8, at 9:00 a.m. in New York. *Id.* Again, the subpoena was addressed "c/o" attorney Robert Hantman. Then, on June 2, Plaintiff's counsel sent an email that they had received "an email yesterday from Mr. Brunel's attorney saying he needs to reschedule. I believe he is trying to get us new dates today or tomorrow." *Id.* The "scheduled date" of June 8 came and went without any indication of any new dates provided by Mr. Brunel's counsel. The following week, Plaintiff's counsel stated in a phone conversation that Mr. Brunel's counsel said his client had gone to France and it was unclear when he would be returning to the United States.

Following the filing of the instant motion, counsel for Ms. Maxwell requested copies of the certificates of service for all of Plaintiff's Rule 45 subpoenas in this case. Plaintiff's counsel provided certificates on June 14. Notably absent was any certificate of service for Mr. Brunel. Thus, either Mr. Brunel was never served, or he was served and Plaintiff unilaterally extended his compliance date to an unscheduled time in the future. Either way, the time to complain about a witness's non-compliance is at or near the time it occurs. Failure to timely complain regarding non-compliance with a subpoena constitutes a waiver. In any event, whether served or not, Mr. Brunel apparently promised to provide new dates before his deposition date came and went, did not do so, has left the country and not indicated a present intention to return. Given Plaintiff's

role in failing to compel him to attend a deposition, no “good cause” has been demonstrated to take the deposition of Mr. Brunel after July 1.

#### **D. Jeffrey Epstein**

As with the other witnesses, Plaintiff has failed to demonstrate “good cause” for seeking to depose Jeffrey Epstein out of time. Plaintiff claims that she was unable to secure service on Mr. Epstein until May 27, 2016, because his counsel “refused to accept service” until she filed her motion for alternative service. The documents reflect the opposite: Mr. Epstein’s attorney agreed to accept service on April 11, 2016, and it was only on May 27, 2016, that *Plaintiff* agreed. *See* Poe Declaration in Support of Motion to Quash Epstein Deposition, Ex. 3 (Doc. # 223-3). Plaintiff fails to explain her strategic decision, or negligence, in failing to respond for over six weeks to Mr. Weinberg’s email offering to accept service. Indeed, in another failure of candor, Plaintiff’s counsel also neglected to tell this Court about the email offer from Mr. Weinberg either in the instant motion or in her motion to serve Mr. Epstein by alternate means. Mot. at 2; Doc. # 160.<sup>8</sup>

Plaintiff apparently now claims that she never received that email from Martin Weinberg. All of the preceding communications, however, indicate that Mr. Weinberg promptly responded to Ms. McCawley’s inquiries. *See, e.g.*, Poe Declaration, Ex. 2 (email of April 6 from Weinberg to McCawley (offering to let her know regarding acceptance of service on April 7)); email of McCawley in response (“That works fine – thank you.”)). Thus, if Ms. McCawley received no follow up response from Mr. Weinberg, as she now claims, when he had been corresponding

---

<sup>8</sup> In another glaring omission from Plaintiff’s submissions to the Court on the topic of the service of Mr. Epstein, Plaintiff’s own counsel have strenuously litigated in other cases that Mr. Epstein is a resident of Florida, over his objection that he is a resident of the U.S. Virgin Islands. *See, e.g.*, Menninger Decl., Ex. G (Motion to Quash Subpoena on Jeffrey Epstein, Broward County, Florida, 15-000072). Yet, all of Plaintiff’s purported attempts at service on Mr. Epstein were in New York.

with her previously theretofore, she had a duty to follow up on that inquiry. A failure to do so is plain vanilla neglect.

Even after agreeing to the terms proposed by Epstein's counsel on May 27, that is, location of the deposition in the U.S. Virgin Islands and subject to right to oppose the subpoena, Plaintiff then waited an *additional three weeks* until June 12, to even attempt to schedule Epstein's deposition. Epstein Memorandum in Support of Mot. to Quash at 2 (Doc. # 222). Agreeing to take a deposition in the Virgin Islands on May 27, then waiting until June 12, to try to schedule a date for that deposition, when numerous other depositions had already been scheduled in New York, Florida, and California for the balance of June, is either neglect or strategic posturing by Plaintiff. Either way, it does not amount to "good cause" for such a deposition to take place beyond July 1.

Finally, Plaintiff suggests, without factual foundation, that Ms. Maxwell played some role in Mr. Epstein's counsel's refusal to accept service. *See* Mot. at 2 ("forced to personally serve the Defendant's former boyfriend, employer, and co-conspirator"). As the timeline and documents now reveal, however, Plaintiff failed to provide notice to Ms. Maxwell that she was attempting to serve a Rule 45 subpoena on Mr. Epstein for more than 7 weeks! *Id.* Plaintiff states that she began her service attempts on March 7, 2016. The very first Notice of Subpoena and Deposition served on Ms. Maxwell, however, is dated April 27. Menninger Decl. Ex. H. Thus, between March 7 and April 27, Ms. McCawley engaged in repeated attempts to serve Mr. Epstein a Rule 45 subpoena (including a request for documents) without providing the proper notice to the parties pursuant to Rule 45(a)(4) ("If the subpoena commands the production of documents... , then *before it is served* on the person to whom it is directed, a notice and a copy of the subpoena must be served on each party.") (emphasis added). As detailed below, this was

not an isolated incident and merits sanction. In any event, it is difficult to imagine how it is Ms. Maxwell's fault that Plaintiff could not serve Mr. Epstein when she was never put on notice of any attempt to do so.

Given that Plaintiff knew as of April 11 the conditions pursuant to which Mr. Epstein would accept service through counsel, yet waited until May 27 to agree to those terms, and then waited another nearly three weeks to attempt to schedule Mr. Epstein's deposition on a date available for his counsel and Ms. Maxwell's counsel, Plaintiff has fallen far short of demonstrating "good cause" for taking Mr. Epstein's deposition beyond the end of the fact discovery cut-off.

**E. Nadia Marcincova and Sarah Kellen**

Finally, Plaintiff seeks the depositions of two other witnesses – Sarah Kellen and Nadia Marcincova -- who, she complains, "despite being represented by counsel, have refused to accept service."<sup>9</sup> Mot. at 3. Plaintiff claims that her process servers tried for three weeks (from April 25 until May 18) to personally serve Ms. Kellen and Ms. Marcincova with subpoenas *duces tecum*. She did not explain, however, why she waited until April to try to serve these two witnesses, about whom her attorneys have known since 2008. She also has not explained to this Court any legally relevant or admissible evidence that either possess, nor how she intends to introduce that evidence in a trial of this defamation claim between Plaintiff and Ms. Maxwell.

Apart from these witnesses stated intent to take the Fifth Amendment which renders their testimony inadmissible, as discussed more fully below, neither witness has any relevant testimony to offer because Plaintiff never made a public statement about either one of them.

---

<sup>9</sup> Actually, in Plaintiff's Motion for Leave to Serve Three Deposition Subpoenas by Means Other than Personal Service, Plaintiff details that Ms. Marcincova's counsel stated he no longer represents her. (Doc. #161 at 5) ("counsel for Ms. Giuffre reached out to Ms. Marcinkova's former counsel but he indicated that he could not accept service as he no longer represents her"). It is unclear then, why Plaintiff persists in representing to this Court that Ms. Marcincova instructed her counsel not to accept service, or why Plaintiff seeks to serve Ms. Marcincova through her *former* counsel.



Plaintiff did not include either woman in her Sharon Churcher-paid interviews, nor were they mentioned in Plaintiff's Joinder Motion of December 30, 2014. Thus, neither Plaintiff's allegations about Ms. Maxwell, nor Ms. Maxwell's denial of the same based on her personal knowledge, are implicated by anything that Ms. Kellen or Ms. Marcincova may have done with anyone else. Their testimony cannot corroborate Plaintiff's account, nor can it shed light on whether Ms. Maxwell's denial of that account is accurate, because Plaintiff's account did not mention either of them.

Finally as to these witnesses, Plaintiff once again documented her own failure to comply with Rule 45 in regard to attempts to serve these two witnesses. Six of the service attempts occurred on April 25 and April 26. Yet Plaintiff only provided Notice to Ms. Maxwell of her intent to serve the subpoenas on April 27. Menninger Decl. Ex. I.

## **II. FIFTH AMENDMENT BY EPSTEIN, KELLEN OR MARCINCOVA NOT ADMISSIBLE IN THIS CASE AGAINST MS. MAXWELL**

The depositions of Epstein, Kellen and Marcincova do not constitute "good cause" to modify the scheduling order in this case for the additional reason that they all have represented to Plaintiff their intention to assert the Fifth Amendment protection as to *all* questions and such assertion will not be admissible evidence in this trial. Indeed, counsel for Mr. Epstein recently filed a Motion to Quash his subpoena based on the same legal principle that his deposition is unduly burdensome in light of the fact that it will not lead to admissible evidence. (Doc. # 221, 222, 223) The Court should consider this additional factor to decline a finding of "good cause" for extending the discovery deadline.

Plaintiff wrongfully contends that any assertion of the Fifth Amendment during the depositions of Epstein, Kellen and Marincova will be admissible in the trial of this defamation matter (where none of those individuals are parties) based on an "adverse inference" that can be

drawn against Ms. Maxwell. *See LiButti v. United States*, 107 F.3d 110, 121 (2d Cir. 1997). In fact, none of the *LiButti* factors support her argument. While noting that Ms. Maxwell anticipates more extensive briefing on this issue in support of Mr. Epstein's Motion to Quash, a few facts bear mentioning here:

- Ms. Maxwell was the employee of Mr. Epstein --in the 1990s -- not the other way around. Mr. Epstein has never worked for or been in control of Ms. Maxwell.
- Ms. Maxwell and Mr. Epstein have had no financial, professional or employment relationship in more than a decade, many years before 2015 when the purportedly defamatory statement was published. Ms. Maxwell testified that she has not spoken to Mr. Epstein in 2 years.
- Maxwell has not vested any control in Mr. Epstein "in regard to key facts and subject matter of litigation." As the Court is well aware from review of emails submitted *in camera* (and later produced to Plaintiff):
  - Mr. Epstein and his counsel gave advice to Maxwell regarding whether she should issue a statement *after* January 2, 2015. In one, Mr. Epstein even suggested what such a statement might say. Maxwell never issued any additional statement.
  - Maxwell had her own counsel who operated independently of Mr. Epstein and his counsel.
- Epstein is not "pragmatically a non-captioned party in interest" in this litigation nor has he "played controlling role in respect to its underlying aspects." Epstein is not, despite Plaintiff's suggestion, paying Ms. Maxwell's legal fees. Plaintiff sought by way of discovery any "contracts," "indemnification agreements," "employment agreements" between Ms. Maxwell and Epstein or any entity associated with Epstein, from 1999 to the present. Ms. Maxwell responded under oath that there are no such documents. Epstein played no role in the issuance of the January 2 statement, nor has he issued any public statement regarding Plaintiff. Indeed, Plaintiff and Epstein fully resolved any claims against one another by way of a confidential settlement in 2009, another action in which Ms. Maxwell had no role.
- Assertion of the privilege by Epstein does not advance any interest of Ms. Maxwell's. Quite to the contrary, Epstein would be a key witness in her support, exonerating her from Plaintiff's allegations regarding sex abuse, sexual trafficking and acting as his "madam" to the stars. As proof, one need look no further than emails already reviewed by this Court. In an email sent by Epstein to Ms. Maxwell on January 25, 2015, while the media maelstrom generated by Plaintiff's false claims continued to foment, he wrote: "You have done nothing wrong and I would urge you to start acting like it. Go outside, head high, not as an escaping convict. Go to parties. Deal with it." Menninger Decl. Ex. J

- Likewise, Epstein drafted a statement for Ms. Maxwell to issue (though she never did). In that statement, Epstein wrote (presumably what his testimony would reflect, should he not take the Fifth):

“Since JE was charged in 2007 for solicitation of a prostitute I have been the target of outright lies, innuendo, slander, defamation and salacious gossip and harassment; headlines made up of quotes I have never given, statements I have never made, trips with people to places I have never been, holidays with people I have never met, false allegations of impropriety and offensive behavior that I abhor and have never ever been party to, witness to events that I have never seen, living off trust funds that I have never ever had, party to stories that have changed materially both in time place and event, depending on what paper you read, and the list goes on.

I have never been a party in any criminal action pertaining to JE.

For the record:

At the time of Jeffrey’s plea, I was in a very long-term committed relationship with another man and no longer working with Jeffrey. Whilst I remained on friendly terms with him up until his plea, I have had limited contact since. Every story in the press innuendo and comment has been taken from civil depositions against JE, which were settled many years ago. None of the depositions were ever subject to cross examination, not one. Any standard of truth and were used for those who claimed they were victims to receive financial payment to be shared between them and their lawyers. One firm created and sold fake cases against Mr. Epstein – the firm subsequently imploded and the (sic) Rothstein, the owner of the firm was sent to jail for 50 years for his crime. The lawyer who is currently representing Virginia (Brad Edwards) was his partner. Need I say more.

These so called ‘new revelations’ stem from an alleged diary from VR that reads like the memoirs she is purporting to be selling. Also perhaps pertinent – in a previous complaint against others, her claims were rejected by the police ‘due to ..VR..lack of credibility.’”

The new interest in this old settled case results from lawyers representing some of JE victims filed a suit against the US government, not JE. They contend that the US govt violated their rights. The documents and deal that JE negotiated with the government was given to the lawyers 6 years ago and is a public document.

I am not a part of, nor did you have anything to do with, JE plea bargain. I have never even seen the proceedings nor any of the depositions. I reserve my right to file complaint and sue for defamation and slander.”; *Id.*

These correspondences demonstrate that Ms. Maxwell has no control over Mr. Epstein in regards to the alleged defamation statement, he had no role in issuance of the statement, he has no benefit in the outcome of this litigation and he played no controlling role in its respect.

Similarly, there is not any evidence at all to support an adverse inference to be drawn from either Sarah Kellen nor Nadia Marcincova's assertion of the Fifth. Ms. Maxwell hardly knows either woman, never worked with them, they have had nothing to do with this litigation and do not stand to benefit from it, especially as Plaintiff has never made any allegations about her involvement with either of the two of them, they are simply irrelevant to this defamation action.

### **III. PLAINTIFF'S BAD FAITH DISCOVERY TACTICS SHOULD NOT BE REWARDED WITH EXTRA TIME**

#### **1. Plaintiff's Rule 26 Revolving Door**

Plaintiff's army of lawyers (who collectively have been litigating matters related to Jeffrey Epstein since 2008) served their Rule 26 initial disclosures on November 11, 2015. Those disclosures listed 94 individual witnesses with knowledge regarding the facts of this case, yet provided addresses (only of their counsel) as to just two, Jeffrey Epstein and Alan Dershowitz. Plaintiff then also listed categories of witnesses such as "all other then-minor girls, whose identities Plaintiff will attempt to determine" and "all pilots, chauffeurs, chefs, and other employees of" Ms. Maxwell or Jeffrey Epstein. Plaintiff claimed as to her Rule 26 disclosures that "only a fraction of those individuals will actually be witnesses in this case, and as discovery progresses, the list will be further narrowed." (Doc. #20 at 17) The opposite has happened.

Between November 11 and March 11, Plaintiff trimmed her Rule 26 list of persons with knowledge from 94 to 69, inexplicably removing 34 names, but adding 12 more. She removed,

for example, witnesses Andrea Mitrovich and Dara Preece, but added Senators George Mitchell, Bill Richardson and Les Wexner.

Then between March 11 and June 1, a few weeks before the discovery cut-off, Plaintiff added 20 more witnesses, including President Clinton, Palm Beach officers Recarey and Reiter, and purported “victims of sexual abuse” including a client of Mr. Edwards, who he has clearly known about for years.<sup>10</sup> As to several of these newly added witnesses, in particular [REDACTED] Recarey and Reiter, Plaintiff promptly scheduled their depositions in June, despite having just disclosed their names on June 1. And last Friday, on the business day just before the depositions of [REDACTED] and Recarey, Plaintiff disclosed 623 new documents, including for the first time the “unredacted” police reports from Palm Beach, that Plaintiff clearly has had in her possession, or her counsel’s possession, for years. Menninger Decl. Ex. K.

This is precisely the type of hide-and-seek that Rule 26 is designed to prevent. While Ms. Maxwell anticipates filing in the near future a separate motion concerning Plaintiff’s latest Rule 26 violations and seeking sanctions for the same, this Court can and should consider this behavior in determining whether Plaintiff has “good cause” to extend the discovery cut-off so that she can continue her gamesmanship.

## 2. Plaintiff’s Recurrent Rule 45 Violations

As this Court has previously held:

Rule 45(b)(1) requires a party issuing a subpoena for the production of documents to a nonparty to “provide prior notice to all parties to the litigation,” which has been interpreted to “require that notice be given prior to the *issuance* of the subpoena, not prior to its return date.” *Murphy v. Board of Educ.*, 196 F.R.D. 220, 222 (W.D.N.Y.2000). At least one court in this circuit has held that notice provided on the same day that the subpoenas have been served constitutes inadequate notice under Rule 45. *See, e.g., Fox Industries, Inc. v. Gurovich*, No. 03–CV–5166, 2006 WL 2882580, \*11 (E.D.N.Y. Oct. 6, 2006). ... The

---

<sup>10</sup> Rather than list his client’s address in the custody of the U.S. Marshal’s Office, Mr. Edwards said her address is “c/o” himself.

requirement that prior notice “must be given has important underpinnings of fairness and efficiency.” *Cootes Drive LLC v. Internet Law Library, Inc.*, No. 01–CV–9877, 2002 WL 424647, \*2 (S.D.N.Y. Mar. 19, 2002). Plaintiff fails to provide an adequate explanation or argument for how a same-day notification satisfies Rule 45's requirements. *See, e.g., id.* (“[C]ounsel for the [offending party] offered no explanation or excuse for their failure to comply with the rule's strictures. They did not attempt to defend the timeliness of their notice. The [offending party's] admitted violation ... cannot be countenanced.”).

*Usov v. Lazar*, 13-cv-818 (RWS), 2014 WL 4354691, at \*15 (S.D.N.Y. Sept. 2, 2014) (granting motion to quash the subpoenas where notice given on the same day and served beyond 100 mile limitation of Rule 45). In that case, Plaintiff had provided *same day notice* of the issuance of a subpoena. Here, we have repeated attempts to serve a subpoena over the course of days before any notice was given to Ms. Maxwell. As described previously, Plaintiff has amply documented her own violations of the Rule by detailing her attempts to serve subpoenas *duces tecum* before ever providing notice to Ms. Maxwell with regards to witnesses Epstein, Kellen and Marcincova.

Likewise, with respect to witness, Alexandra Hall, Plaintiff served the subpoena prior to providing notice. *See* Menninger Decl. Ex. L. Served subpoenas before providing Notice under Rule 45. Accordingly, Plaintiff moves to quash the subpoenas on Epstein, Kellen and Marcincova as violations of Rule 45's notice provision. Ms. Maxwell further requests sanctions pursuant to Rule 37 for these documented violations.

With respect to Ms. Hall, who was deposed already earlier today, Ms. Maxwell believes that she did not offer any admissible testimony at her deposition. If Plaintiff's seek to introduce her testimony, the defense reserves the right to exclude such testimony both on evidentiary grounds as well as in violation of Rule 45's notice provision.<sup>11</sup>

#### IV. MS. MAXWELL'S GOOD FAITH EFFORTS TO CONDUCT DISCOVERY

---

<sup>11</sup> Counsel for Ms. Maxwell only learned of the Rule 45 violation this past weekend after reviewing certificates of service provided by Plaintiff's counsel last week, without sufficient time to file a motion to quash the subpoena on Ms. Hall.

As already documented in previous pleadings, Ms. Maxwell's counsel has engaged in significant and repeated efforts to conduct discovery in this case in a professional, civil manner, especially as it relates to the depositions of non-parties. On February 25, 2016, counsel for Ms. Maxwell requested that the lawyers confer by telephone to arrange a schedule for the non-party depositions to occur in various states and countries.<sup>12</sup> Plaintiff ignored that request, and requests of the same ilk made on at least 6 different occasions in March and April. It was only on two and ½ months later, on May 5, 2016, when Plaintiff's counsel finally responded with "as is becoming clear, both sides are going to be needing to be coordinating a number of depositions."<sup>13</sup> She then proposed a calendar which scheduled 13 additional depositions for Plaintiff and only 2 days (actually ½ days) for defendant to depose her remaining witnesses.<sup>14</sup> Defendant provided a calendar which allowed for both sides to take remaining depositions, but Plaintiff ignored it and continued to schedule depositions on dates for witnesses without consulting defense counsel for their availability first. Menninger Decl., Ex. M.

Because of the breakdown in communications, defense counsel was left with little choice but to (a) show up at each of Plaintiff's noticed depositions, in Florida and New York, and (b) issue subpoenas for witness depositions on other dates in June. For example, Plaintiff issued a

---

<sup>12</sup> McCawley Decl. in Support of Request to Exceed Ten Deposition Limit, Exhibit 1 (Doc. # 173-1) at 28 (Letter of Menninger to McCawley (Feb. 25, 2015) ("I would suggest that rather than repeated emails on the topic of scheduling the various depositions in this case, or the unilateral issuance of deposition notices and subpoenas, you and I have a phone conference wherein we discuss which depositions are going to be taken, where, and a plan for doing them in an orderly fashion that minimizes travel and inconvenience for counsel and the witnesses. As you are well aware from your own practice of law, attorneys have other clients, other court dates and other commitments to work around. The FRCP and Local Rules contemplate courtesy and cooperation among counsel in the scheduling and timing of discovery processes. This rule makes even more sense in a case such as this spanning various parts of the country where counsel must engage in lengthy travel and the attendant scheduling of flights, hotels and rental cars.")).

<sup>13</sup> *Id.* at 19.

<sup>14</sup> *Id.* at 1-3.



Notice of Deposition for Juan Alessi on May 31, 2016, without any conferral with counsel, in Florida, fully aware that defense counsel would be traveling from Colorado. Defense counsel, in fact, did have to travel on Memorial Day to Florida for the 9:00 a.m. May 31 deposition. Mr. Alessi, however, did not appear on that date, believing that his deposition was for June 1, the same day that his wife had been subpoenaed to appear and because he and his wife live an hour away from Ft. Lauderdale. Thus, despite defense counsel's herculean efforts, no deposition occurred on May 31. On June 1, Mr. Alessi appeared, but there was insufficient time to take his wife's deposition, who presumably made the one hour drive for naught. Also, defense counsel then had to travel to New York for the June 2 hearing and back to Florida for a deposition of another witness, Mr. Rogers, that had been scheduled without input from defense counsel.

Counsel for Plaintiff makes much of her efforts to serve witnesses Epstein, Marcincova and Kellen. She fails to advise the Court that Ms. Maxwell has been "forced" to expend great time, money and resources to serve Plaintiff's *own mother, father, former fiancé and former boyfriend*. As described before, the defense even re-scheduled the deposition of Plaintiff's former fiancé due to the last minute unavailability of Plaintiff's counsel, although all counsel were already in Florida and had expended hundreds of dollars to serve him. Plaintiff made no effort to help serve those closest to her, including her own family members. Unlike Plaintiff, however, Ms. Maxwell and her counsel are fully aware that such are the difficulties of litigation. We do not ascribe to Plaintiff the blame.

Having flown to Florida a total of four separate times to attend depositions of five of Plaintiff's noticed witnesses, defense counsel has borne the brunt of Plaintiff's mismanagement of counsel and witness time. Defense counsel scheduled their own Florida depositions of three witnesses to occur during two of the four trips. Defense counsel offered to, and did, schedule the



two Colorado non-party witnesses the same week in May, so as minimize Plaintiff's counsel's travel obligations. Plaintiff, however, rescheduled the deposition of Mr. Rizzo in New York for a week after this Court had a hearing, rather than accommodating any attempt to have the New York deposition occur when all counsel were already present in NY.

To the extent the Court wishes to consider the good faith efforts of defense counsel in conducting depositions when deciding whether to grant Plaintiff additional time, defense has more than met their burden.

**V. GOOD CAUSE EXISTS TO TAKE RE-DEPOSE PLAINTIFF AND TO DEPOSE SHARON CHURCHER EXISTS**

In contrast to the lack of good cause to extend discovery for Plaintiff's six witnesses, Ms. Maxwell seeks leave of the Court to take depositions beyond June 30. First, Ms. Maxwell properly served a deposition subpoena (and provided appropriate notice to Plaintiff's counsel) on Plaintiff's friend, confidante and former-Daily Mail journalist, Sharon Churcher for a deposition to occur in New York on June 16. Menninger Decl. Ex. N. On June 15, the day before her scheduled deposition, Ms. Churcher's counsel filed a Motion to Quash. That motion is to be heard by this Court on June 23. Should the Court deny the Motion to Quash, Ms. Churcher's deposition would need to be re-scheduled. Dates in early July would be sufficient for counsel.

Similarly, Ms. Maxwell is filing simultaneously with this Motion a request to re-open the deposition of Plaintiff on the grounds, *inter alia*, that she failed to provide numerous documents (ordered to be produced by this Court) until after her deposition (and still has failed to provide others)<sup>15</sup>, she materially changed substantive and significant portions of her testimony after the

---

<sup>15</sup> For example, Ms. Giuffre testified that she had approximately 8 boxes, which included documents pertinent to this case, which she shipped from her home in Colorado to Australia in October 2015 to an undisclosed location (at her deposition, she would not testify where in Australia the boxes were located), and that the boxes had not been searched for responsive documents. Menninger Decl. Ex. D. In repeated conferrals following her deposition, on May 19, her counsel finally agreed to secure the boxes. As of today's date, the boxes still have not arrived,

fact through her *errata* sheet on May 31, and she refused to answer material questions at her deposition on the advice of counsel, including for example, which of Ms. Churcher's many quotes attributed to her were incorrect. *See, e.g.*, Menninger Decl. Ex. D, referenced *supra*. As with Ms. Churcher's deposition, the re-opened deposition of Plaintiff could occur in early July, assuming she provides the Court-ordered documents timely.

## **VI. ALTERNATIVELY, ALL OTHER DEADLINES NEED TO BE EXTENDED**

Finally, Plaintiff glibly asserts that she seeks only 30 extra days to conduct her depositions, but does not want any other dates moved. Of course, that inures to her benefit and to Ms. Maxwell's detriment. July already was scheduled for expert disclosures (Plaintiff has yet to disclose her retained expert, and thus the defense has been unable to secure a rebuttal expert). Likewise, should any new information be learned in these late depositions that requires rebuttal, Ms. Maxwell will be unable to secure such evidence on a timely basis.

Further, summary judgment motions are due in this case on August 3. If depositions continue throughout August, Ms. Maxwell's ability to include any late-learned information in her anticipated motion will be jeopardized. Finally, the trial is scheduled for October, continuing fact discovery until August seriously impinges on Ms. Maxwell's ability to prepare for that trial, including preparing witnesses, exhibits and testimony.

WHEREFORE, Ms. Maxwell requests that the Motion to Extend the Deadline to Complete Depositions be denied; alternatively, if the deadline is extended for any of the listed six witnesses, Ms. Maxwell requests that the dates for expert discovery, dispositive motions and the trial date be extended as well. Further, Ms. Maxwell requests sanctions for Plaintiff's failures to comply with the notice provisions of Rule 45(a)(4).

---

apparently having been put on the slow boat to the US. One can only imagine where on the high seas the boxes may be located now. Of course, there were many alternative methods to search the boxes. The unknown custodians in Australia for example could have simply looked in them to see whether they contained any responsive documents.

Dated: June 20, 2016.

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 10<sup>th</sup> Avenue  
Denver, CO 80203  
Phone: 303.831.7364  
Fax: 303.832.2628  
lmenninger@hmflaw.com

*Attorneys for Ghislaine Maxwell*

**CERTIFICATE OF SERVICE**

I certify that on June 20, 2016, I electronically served this *DEFENDANT'S COMBINED MEMORANDUM OF LAW IN OPPOSITION TO EXTENDING DEADLINE TO COMPLETE DEPOSITIONS AND MOTION FOR SANCTIONS FOR VIOLATION OF RULE 45* via ECF on the following:

Sigrid S. McCawley  
Meridith 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.  
GHISLAINE MAXWELL,  
  
Defendant.  
-----X

15-cv-07433-RWS

**Declaration Of Laura A. Menninger In Support Of Defendant's Response in  
Opposition to Extending Deadline to Complete Depositions and  
Motion for Sanctions for Violations of Rule 45**

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 ("Maxwell") in this action. I respectfully submit this declaration in support of Defendant's Response in Opposition to Extending Deadline to Complete Depositions and Motion for Sanctions for Violations of Rule 45.

2. Attached as Exhibit A (filed under seal) is a true and correct copy of excerpts from the Deposition of Rinaldo Rizzo on June 10, 2016, and designated by Plaintiff as Confidential under the Protective Order.

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

4. Attached as Exhibit C is a report by former FBI director, Louis Freeh.

5. Attached as Exhibit D (filed under seal) is a true and correct copy of excerpts of Plaintiff's deposition on May 3, 2016, and designated by Plaintiff as Confidential under the Protective Order.

6. Attached as Exhibit E are true and correct copies of May 23, 2016 correspondence from Meredith Shulz and May 25, 2016 correspondence from myself.

7. Attached as Exhibit F are true and correct copies of Notices of Subpoena with attachments for Jean Luc Brunel, served on February 16, 2016 and May 23, 2016, as well as correspondence regarding Mr. Brunel's deposition from counsel, Bradley Edwards.

8. Attached as Exhibit G is a Motion to Quash filed by counsel for Jeffrey Epstein in Broward County, Florida in *Edwards and Cassell v. Dershowitz*, Case No. 15-0000072 on September 10, 2015.

9. Attached as Exhibit H is a true and correct copy of the Notice of Deposition and Subpoena for Jeffrey Epstein, served on counsel on April 27, 2016.

10. Attached as Exhibit I are true and correct copies of the Notices of Deposition and Subpoena for Sarah Kellen and Nadia Marcincova, served on counsel on April 27, 2016.

11. Attached as Exhibit J (filed under seal) are true and correct copies of correspondence produced in this case between Ms. Maxwell and Jeffrey Epstein from January 2015, and designated as Confidential by Defendant under the Protective Order.

12. Attached as Exhibit K (filed under seal) are Notices of Deposition and Subpoena for [REDACTED], Joe Recarey and Michael Reiter and a letter of production from Sigrid McCawley of June 17, 2016, designated as Confidential by Plaintiff under the Protective Order.

13. Attached as Exhibit L (filed under seal) is the certificate of service for [REDACTED]

14. Attached as Exhibit M is a true and correct copy of my correspondence to Plaintiff's counsel of May 25, 2016.

15. Attached as Exhibit N is a Notice of Subpoena and Deposition for Sharon Churcher on June 16, and the certificate of service dated June 4.

By: /s/ Laura A. Menninger  
Laura A. Menninger

#### CERTIFICATE OF SERVICE

I certify that on June 20, 2016, I electronically served this *Declaration Of Laura A. Menninger In Support Of Defendant's Response in Opposition to Extending Deadline to Complete Depositions and Motion for Sanctions for Violations of Rule 45* via ECF on the following:

Sigrid S. McCawley  
Meridith 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**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

VIRGINIA L. GIUFFRE,

Plaintiff,

-against-

Case No.:  
15-cv-07433-RWS

GHISLAINE MAXWELL,

Defendant.

- - - - - x

\*\*CONFIDENTIAL\*\*

Videotaped deposition of RINALDO RIZZO, taken pursuant to subpoena, was held at the law offices of Boies Schiller & Flexner, 333 Main Street, Armonk, New York, commencing June 10, 2016, 10:06 a.m., on the above date, before Leslie Fagin, a Court Reporter and Notary Public in the State of New York.

- - -

MAGNA LEGAL SERVICES  
1200 Avenue of the Americas  
New York, New York 10026  
(866) 624-6221

1 APPEARANCES:  
2 FARMER JAFFE WEISSING EDWARDS FISTOS &  
3 LEHRMAN, P.L.

4 Attorneys for Plaintiff  
5 425 N. Andrews Avenue  
6 Fort Lauderdale, Florida 33301  
7 BY: BRAD EDWARDS, ESQUIRE

8 HADDON MORGAN FOREMAN  
9 Attorneys for Defendant  
10 150 East 10th Avenue  
11 Denver, Colorado 80203  
12 BY: JEFFREY S. PAGLIUCA, ESQUIRE

13 FREEMAN LEWIS LLP  
14 Attorneys for the Witness  
15 228 East 48th Street  
16 New York, New York 10017  
17 BY: ROBERT LEWIS, ESQ.

18 Also Present:

19 RODOLFO DURAN, Videographer

1 THE VIDEOGRAPHER: This is DVD No.  
2 1 in the video-recorded deposition of  
3 Rinaldo Rizzo, in the matter of Virginia  
4 Giuffre versus Ghislaine Maxwell, in the  
5 United States District Court, Southern  
6 District of New York. This deposition  
7 is being held at 333 Main Street in  
8 Armonk, New York, June 10, 2016, at  
9 approximately 10:06 a.m.

10 My name is Rodolfo Duran. I am the  
11 legal video specialist. The court  
12 reporter is Leslie Fagin, and we're both  
13 in association with Magna Legal  
14 Services.

15 Will counsel please introduce  
16 themselves.

17 MR. EDWARDS: Brad Edwards. I  
18 represent the plaintiff, Virginia  
19 Giuffre.

20 MR. PAGLIUCA: Jeff Pagliuca,  
21 appearing on behalf of Ms. Maxwell.

22 MR. LEWIS: Robert Lewis, with the  
23 firm of Freeman Lewis, LLP,  
24 representing the deponent, Rinaldo  
25

1 R. Rizzo - Confidential  
2 Rizzo.

3 THE VIDEOGRAPHER: Will the court  
4 reporter please swear in the witness.

5 RINALDO RIZZO,  
6 called as a witness, having been duly  
7 sworn by a Notary Public, was  
8 examined and testified as follows:

9 EXAMINATION BY  
10 MR. EDWARDS:

11 Q. Mr. Rizzo, can you tell us your  
12 full name for the record?

13 A. Rinaldo A. Rizzo.

14 Q. And what is your date of birth?

15 A. [REDACTED]

16 Q. What is your address?

17 A. [REDACTED]

18 Q. What is your educational  
19 background?

20 A. I have a management degree with a  
21 minor in business law from Texas A&M  
22 University, and I have a degree in applied  
23 science in hospitality and culinary arts from  
24 the Culinary Institute of America.  
25

1 R. Rizzo - Confidential

2 Q. Are you married?

3 A. Yes.

4 Q. Who are you married to?

5 A. Debra Rizzo.

6 Q. How long have you been married?

7 A. We've been together 27 years, so

8 22.

9 Q. And do you have children?

10 A. Yes.

11 Q. How many?

12 A. One.

13 Q. Since graduating, what has been  
14 your profession?

15 A. It is called private service or  
16 domestic service.

17 Q. What does that mean?

18 A. My role is to work within a family  
19 as a desired position that's offered to me,  
20 and most of it's been in management or  
21 support of household staff.

22 Q. Was there a time when you worked in  
23 the household of Glenn Dubin and Eva Anderson  
24 Dubin?

25 A. Yes.

Page 126

1 R. Rizzo - Confidential  
 2 fired abruptly at this point, right?  
 3 A. Correct.  
 4 Q. You went and retained counsel to  
 5 sue the Dubins, their entity and [REDACTED],  
 6 all of them, right?  
 7 A. Correct.  
 8 Q. I take it you were deposed in  
 9 connection with that litigation, correct?  
 10 A. Correct.  
 11 Q. Now, during that litigation, that  
 12 litigation meaning the reference in Exhibit  
 13 3, 13-cv-8864, did you ever tell anyone about  
 14 the interactions with Mr. Epstein that you  
 15 described here today?  
 16 A. No, I did not.  
 17 Q. That was not a part of your  
 18 lawsuit, correct?  
 19 A. Could you restate the question? I  
 20 don't understand what --  
 21 Q. You didn't raise that as an issue  
 22 as to why you were suing the Dubins in 2013,  
 23 right?  
 24 A. No, I did not.  
 25 THE VIDEOGRAPHER: The time is

Page 127

1 R. Rizzo - Confidential  
 2 12:41. We are going off the record.  
 3 (Recess.)  
 4 THE VIDEOGRAPHER: The time is  
 5 12:47 p.m. We are back on the record.  
 6 This begins DVD No. 3.  
 7 BY MR. PAGLIUCA:  
 8 Q. I just have a few more questions.  
 9 I'm going to finish off with your employment.  
 10 So after this lawsuit was  
 11 concluded, referenced in Exhibit 3, have you  
 12 worked since then?  
 13 A. No, I have not.  
 14 Q. Has your wife worked since then?  
 15 A. On and off, yes.  
 16 Q. How is it that you are currently  
 17 supporting yourself?  
 18 A. I'm on disability.  
 19 Q. That's as a result of your back  
 20 injury?  
 21 A. Yes, and my hip injury.  
 22 Q. I didn't realize you had a hip  
 23 injury, I'm sorry. Is that Social Security  
 24 disability?  
 25 A. Yes, it is.

Page 128

1 R. Rizzo - Confidential  
 2 Q. The lawsuit with the Dubins  
 3 referenced in Exhibit 3 was settled, I take  
 4 it?  
 5 A. Correct.  
 6 Q. That was pursuant to a confidential  
 7 settlement agreement?  
 8 A. Correct.  
 9 Q. And I am assuming that you received  
 10 a sum of money to settle that litigation, is  
 11 that correct?  
 12 A. Correct.  
 13 Q. And I'm not going to ask you the  
 14 details about that, but in case I need to do  
 15 something, let me put it this way. If I  
 16 choose to subpoena that settlement agreement  
 17 from the Dubins, are you going to have any  
 18 objection to that, or is it all right if we  
 19 do that as far as you are concerned?  
 20 A. I would have to discuss it with my  
 21 lawyer.  
 22 MR. PAGLIUCA: I can talk to you  
 23 about that, if we decide to do it.  
 24 Q. I just want to turn now, and this  
 25 is the last series of questions I have, what

Page 129

1 R. Rizzo - Confidential  
 2 you did in advance of coming here today.  
 3 Have you talked to Mr. Edwards  
 4 before?  
 5 A. Yes.  
 6 Q. And when have you talked to Mr.  
 7 Edwards?  
 8 A. I don't recall the exact date and  
 9 time.  
 10 Q. Did Mr. Edwards call you or did you  
 11 call Mr. Edwards first?  
 12 A. I called him.  
 13 Q. When did you call Mr. Edwards?  
 14 A. I don't recall the exact date and  
 15 time.  
 16 Q. Years ago, days ago, months ago?  
 17 A. It's been at least over a year.  
 18 Q. Why did you call Mr. Edwards?  
 19 A. At the time I was having a very  
 20 hard time with my attorney. My wife and I  
 21 had discussed the issue. As my wife put it,  
 22 we needed an attorney with balls and she had  
 23 been keeping track of the Jeffrey Epstein  
 24 issue, and basically in our conversation --  
 25 MR. LEWIS: Let me stop you there.

Page 130

1 R. Rizzo - Confidential  
 2 There is a privilege of spousal  
 3 privilege, so please don't disclose  
 4 conversations you had with your wife.  
 5 THE WITNESS: Sorry.  
 6 MR. LEWIS: You can answer the  
 7 question why you called, but you don't  
 8 need to disclose anything about  
 9 conversations with your wife.  
 10 A. I was looking for an attorney that  
 11 basically could handle this kind of  
 12 situation, and I felt like, from what I had  
 13 read, that Mr. Edwards was probably someone I  
 14 needed to attain, if I could.  
 15 Q. And so the, you referenced  
 16 dissatisfaction with an attorney. I'm  
 17 assuming that was the attorney that filed  
 18 this 13-cv-8664 action, is that correct?  
 19 A. Correct.  
 20 Q. So you weren't happy with that  
 21 lawyer and you were looking for a more  
 22 aggressive lawyer?  
 23 A. Correct, or someone that could work  
 24 with my lawyer.  
 25 Q. The point being you were looking to

Page 131

1 R. Rizzo - Confidential  
 2 recover some form of compensation, I take it,  
 3 from the Dubins or Mr. Epstein?  
 4 A. I was hoping -- how does Mr.  
 5 Epstein --  
 6 Q. I don't know. I'm asking the  
 7 question.  
 8 A. That's incorrect.  
 9 Q. You were seeking to get  
 10 compensation from the Dubins, though?  
 11 A. Correct.  
 12 Q. And that was the point of you  
 13 calling Mr. Edwards is that, however you  
 14 learned it, you learned about the Epstein  
 15 litigation and you knew Mr. Edwards was  
 16 involved in the Epstein litigation?  
 17 A. Correct.  
 18 Q. The point of you contacting Mr.  
 19 Edwards was to see if he could represent you  
 20 in some litigation involving the Dubins in  
 21 which you would collect money, is that right?  
 22 A. Correct.  
 23 Q. And so when you called Mr. Edwards,  
 24 what do you recall telling him?  
 25 MR. LEWIS: At this point, I object

Page 132

1 R. Rizzo - Confidential  
 2 on attorney/client privilege grounds.  
 3 The conversation is privileged for the  
 4 purpose of seeking legal advice.  
 5 MR. PAGLIUCA: I don't understand.  
 6 Mr. Edwards is the lawyer for the  
 7 witness.  
 8 MR. LEWIS: I am the lawyer for the  
 9 witness.  
 10 MR. PAGLIUCA: I know, I'm not  
 11 asking about you.  
 12 MR. LEWIS: He called Mr. Edwards  
 13 for the purpose to determine whether Mr.  
 14 Edwards could represent him in some  
 15 capacity in that other lawsuit, so the  
 16 conversations is privileged.  
 17 MR. PAGLIUCA: I'm going to  
 18 disagree, and you know we may need to  
 19 revisit that issue respectfully.  
 20 MR. LEWIS: Fair enough.  
 21 MR. PAGLIUCA: Let me put some  
 22 parameters on this that don't ask for  
 23 communications.  
 24 MR. LEWIS: Ask a question and I  
 25 will object or not.

Page 133

1 R. Rizzo - Confidential  
 2 Q. I think you said you called Mr.  
 3 Edwards about a year ago?  
 4 A. More or less, correct.  
 5 Q. I didn't print out the docket  
 6 sheet, but do you recall when you settled the  
 7 13-cv-8664 case?  
 8 A. To the best of my recollection, I  
 9 think it was in December.  
 10 Q. Of?  
 11 A. I don't recall. I mean, it's last  
 12 year.  
 13 Q. Without telling me what you told  
 14 Mr. Edwards, what was the purpose of your  
 15 calling -- I think you already told me this,  
 16 so I won't reask it. Never mind.  
 17 Did you just speak with Mr. Edwards  
 18 over the phone?  
 19 A. Correct, yes.  
 20 Q. And I take it Mr. Edwards did not  
 21 become your lawyer in connection with any  
 22 litigation against the Dubins, correct?  
 23 MR. LEWIS: You may answer that.  
 24 A. Correct.  
 25 Q. And Mr. Edwards in some fashion

Page 134

1 R. Rizzo - Confidential  
 2 indicated to you that he wasn't going to be  
 3 your lawyer in connection with litigation,  
 4 correct?  
 5 MR. LEWIS: Objection. Do not  
 6 answer that on privilege grounds.  
 7 Q. Mr. Edwards never became your  
 8 lawyer, is that right?  
 9 A. Correct.  
 10 Q. After that conversation, did you  
 11 have any -- after you understood that Mr.  
 12 Edwards was not your lawyer, did you have  
 13 further conversations with Mr. Edwards?  
 14 A. No, I did not.  
 15 Q. You may object to this, but I need  
 16 to ask this question. In the first  
 17 conversation that you had with Mr. Edwards,  
 18 did you tell Mr. Edwards the things that  
 19 you've told us here today?  
 20 MR. LEWIS: Objection. Do not  
 21 answer.  
 22 MR. PAGLIUCA: Privilege?  
 23 MR. LEWIS: Yes.  
 24 MR. PAGLIUCA: So just so the  
 25 record is clear, it seems to me this

Page 135

1 R. Rizzo - Confidential  
 2 would be a subject matter waiver of  
 3 everything that he has talked about. I  
 4 don't know why it makes a difference if  
 5 he is talking about it now and he told  
 6 Mr. Edwards, I think he can talk about  
 7 what he said to Mr. Edwards. It seems  
 8 to me there is a waiver here.  
 9 MR. LEWIS: You are presuming what  
 10 he said to Mr. Edwards. And secondly,  
 11 just because, even if that were the  
 12 case, I'm not saying it is, just because  
 13 you testify to incidents which you tell  
 14 your attorney about doesn't mean the  
 15 disclosures to your attorney are not  
 16 privileged.  
 17 MR. PAGLIUCA: Fair enough. We can  
 18 argue about this later if we need to.  
 19 BY MR. PAGLIUCA:  
 20 Q. Other than Mr. Edwards and your  
 21 wife and your current attorney, have you  
 22 talked to anyone else about the things that  
 23 you've talked about here today?  
 24 A. No, I have not.  
 25 Q. I think you answered this question,

Page 136

1 R. Rizzo - Confidential  
 2 but I want to make sure.  
 3 After that first conversation with  
 4 Mr. Edwards, did you speak with Mr. Edwards  
 5 again in advance of this deposition today?  
 6 MR. LEWIS: You may answer that.  
 7 A. No, I have not.  
 8 Q. Do you know, did Mr. Edwards  
 9 provide a list of questions to your lawyer,  
 10 who is here today, for you to provide those  
 11 answers to your lawyer to give to Mr.  
 12 Edwards?  
 13 MR. LEWIS: I advise the witness to  
 14 only answer that question to the extent  
 15 he knows it outside of any conversations  
 16 that he might have had with me, which  
 17 are privileged.  
 18 A. No.  
 19 Q. So let me explain that question,  
 20 and here is my issue with that, and I don't  
 21 know if this happened or didn't happen, but  
 22 if there are questions that are given  
 23 proposed to you by Mr. Edwards and you give  
 24 them to the client with the expectation he is  
 25 going to give that information to you to give

Page 137

1 R. Rizzo - Confidential  
 2 to Mr. Edwards, it's not privileged.  
 3 MR. LEWIS: I can represent that  
 4 didn't happen.  
 5 MR. PAGLIUCA: That solves the  
 6 problem.  
 7 Q. I'm just closing the loop on this  
 8 and then we are done.  
 9 Have you spoken to anyone who is  
 10 affiliated with Mr. Edwards, either another  
 11 lawyer in his office, paralegal, an  
 12 investigator, about the things that you've  
 13 talked about here today?  
 14 A. No, I have not.  
 15 MR. PAGLIUCA: That's all I have.  
 16 MR. EDWARDS: I don't have any  
 17 questions. I appreciate you taking the  
 18 time. Sorry about your injury.  
 19 THE VIDEOGRAPHER: The time is  
 20 12:58 p.m. and we are going off the  
 21 record.  
 22 (Recess.)  
 23 THE VIDEOGRAPHER: Back on the  
 24 record.  
 25 MR. PAGLIUCA: The parties have

# **EXHIBIT D**

***GIUFFRE***

***VS.***

***MAXWELL***

**Deposition**

***VIRGINIA GIUFFRE***

***05/03/2016***

---

***Agren Blando Court Reporting & Video, Inc.***

***216 16th Street, Suite 600***

***Denver Colorado, 80202***

***303-296-0017***



IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Civil Action No. 15-cv-07433-RWS

---

CONFIDENTIAL VIDEOTAPED DEPOSITION OF  
VIRGINIA GIUFFRE

May 3, 2016

---

VIRGINIA L. GIUFFRE,

Plaintiff,

v.

GHISLAINE MAXWELL,

Defendant.

---

APPEARANCES:

FAMER, JAFFE, WEISSING, EDWARDS, FISTOS &  
LEHRMAN, P.L.

By Brad Edwards, Esq.  
425 N. Andrews Avenue  
Suite 2  
Fort Lauderdale, FL 33301  
Phone: 954.524.2820  
brad@pathtojustice.com  
Appearing on behalf of the  
Plaintiff

BOIES, SCHILLER & FLEXNER LLP

By Sigrid S. McCawley, Esq. (For Portion)  
401 East Las Olas Boulevard  
Suite 1200  
Fort Lauderdale, FL 33301-2211  
Phone: 954.356.0011  
smccawley@bsfllp.com  
Appearing on behalf of the  
Plaintiff



APPEARANCES: (Continued)

HADDON, MORGAN AND FORMAN, P.C.

By Laura A. Menninger, Esq.

Jeffrey S. Pagliuca, Esq.

150 East 10th Avenue

Denver, CO 80203

Phone: 303.831.7364

lmenninger@hmflaw.com

jpagliuca@hmflaw.com

Appearing on behalf of the

Defendant

Also Present:

Brenda Rodriguez, Paralegal

Nicholas F. Borgia, CLVS Videographer

Pursuant to Notice and the Federal Rules of Civil Procedure, the VIDEOTAPED DEPOSITION OF VIRGINIA GIUFFRE, called by Defendant, was taken on Tuesday, May 3, 2016, commencing at 9:00 a.m., at 150 East 10th Avenue, Denver, Colorado, before Kelly A. Mackereth, Certified Shorthand Reporter, Registered Professional Reporter, Certified Realtime Reporter and Notary Public within Colorado.

\* \* \* \* \*

I N D E X

EXAMINATION	PAGE
MS. MENNINGER	8
PRODUCTION REQUEST(S) :	
(None.)	

1 wanted to know about the Prince Andrew incident.

2 Q So that's a different piece of paper?

3 A Yeah, that's just random paper.

4 Q So you had a green spiral notebook that  
5 you began sometime in 2011 or 2012 in which you wrote  
6 down your recollections about what had happened to  
7 you, and you burned that in a bonfire in 2013.

8 Did I get that right?

9 A You got that right.

10 Q And do you have no other names of people  
11 to whom you claim Ghislaine Maxwell directed you to  
12 have sex, correct?

13 A At this time, no.

14 Q Is there any document that would refresh  
15 your recollection that you could look at?

16 A If you have a document you'd like to show  
17 me, I would be glad to look at it and tell you the  
18 names I recognize off of that.

19 Q I'm just asking you if there's a document  
20 you know of that has this list of names in it?

21 A Not in front of me, no.

22 Q Where is the original of the photograph  
23 that has been widely circulated in the press of you  
24 with Prince Andrew?

25 A I probably still have it. It's not in my

1 possession right now.

2 Q Where is it?

3 A Probably in some storage boxes.

4 Q Where?

5 A In Sydney.

6 Q Where in Sydney?

7 A At some family's house. We got the boxes  
8 shipped to Australia, and they were picked up off the  
9 porch by my nephews and brought to their house.

10 Q Which is where?

11 A In Sydney.

12 Q Where in Sydney?

13 A Bass Hill.

14 Q And who lives in that house?

15 A Well, it's owned by my mother-in-law and  
16 father-in-law, but my nephews live in the house.

17 Q What are their names?

18 A I'm not giving you the names of my  
19 nephews.

20 Q What's the address of the house?

21 A Why would you want that?

22 Q I want to know where the photograph is.

23 I'm asking you where the photograph is. And you've  
24 just told me it's somewhere in Bass Hill?

25 A Yes.



1 Q So where in Bass Hill is the photograph  
2 located?

3 A If I can't 100 percent say that the  
4 photograph is there, it could be at my house that I  
5 presently live in. I'm not going to give you the  
6 address of my nephews' residence.

7 Q When is the last time you saw the  
8 photograph in person?

9 A When I packed and left America.

10 Q Colorado?

11 A Yes.

12 Q All right. So you had that photograph  
13 here with you in Colorado?

14 A Yes.

15 Q What's on the back of the photograph?

16 A I'm sorry?

17 Q Is there anything on the back of the  
18 photograph?

19 A There's like the date it was printed, but  
20 no writing or anything.

21 Q Okay. Does it say where it was printed?

22 A I don't believe so. I think it just -- I  
23 don't remember. I just remember there's a date on  
24 it.

25 Q Whose camera was it taken with?

1 A My little yellow Kodak camera.

2 Q Who took the picture?

3 A Jeffrey Epstein.

4 Q And where did you have it developed?

5 A I believe when I got back to America.

6 Q So where?

7 A I don't know.

8 Q Palm Beach?

9 A I don't know.

10 Q What is the date the photograph was  
11 printed?

12 A I believe it's in March 2001.

13 Q Okay.

14 A But that's just off of my photographic  
15 memory. I don't -- it could be different, but I  
16 think it's March 2001.

17 Q You have a photographic memory?

18 A I'm not saying I have a photographic  
19 memory. But if I'd look at the back of the photo and  
20 I remember what it says, I believe it was March 2001.

21 Q Did the photograph ever leave your  
22 possession for a while?

23 A I gave it to the FBI.

24 Q Okay. And when did you get it back?

25 A When they took copies of it.

1 Q When was that?

2 A 2011.

3 Q When they came to interview you?

4 A Yes.

5 Q So from 2011 until you left Colorado it  
6 was in your personal possession?

7 A Yes.

8 Q What other documents related to this case  
9 are in that, storage boxes in Australia?

10 MR. EDWARDS: Object to the form.

11 A Documents related to this case -- there --  
12 I don't know. I really can't tell you. I mean,  
13 there's seven boxes full of Nerf guns, my kids' toys,  
14 photos. I don't know what other documents would be  
15 in there.

16 Q (BY MS. MENNINGER) Did anyone search  
17 those documents after you received discovery requests  
18 from us in this case?

19 A I haven't been able to obtain those boxes.  
20 I can't get them sent back up to me. It's going to  
21 cost me a large amount of money. And right now I'm  
22 trying to look after my family, so I'm not able to  
23 afford to get them up.

24 Q You live in Australia, correct?

25 A I do.



1 Q Okay. How far away are the boxes from  
2 where you live in Australia?

3 A Sydney is down here at the bottom. Cairns  
4 is up here at the top.

5 Q Okay.

6 A It's probably a six-day drive.

7 Q Did you fly here through Sydney?

8 A No.

9 Q Have you been to Sydney since you've moved  
10 back to Australia?

11 A I flew into Sydney with my three kids, but  
12 it was a connecting flight to Brisbane.

13 Q Did you ask your nephews or anyone else to  
14 search those boxes in response to discovery requests  
15 that we issued in this case?

16 A They are my nephews. I would never let  
17 them look at those.

18 Q Other than your green spiral notebook,  
19 what else did you burn in this bonfire in 2013?

20 A That was it.

21 Q That's the only thing?

22 A Yes.

23 Q Did you use wood?

24 A Yes.

25 Q Charcoal?



1           A       My husband built the bonfire out of wood  
2       and I don't know what else he put in it. He's the  
3       one who always makes the fires, not me.

4           Q       Who else was present?

5           A       Just him and I.

6           Q       Were your kids there?

7           A       No. They were inside sleeping.

8           Q       And what beach was this?

9           A       It wasn't a beach. It was in my backyard.

10          Q       What's your address?

11          A       At that time?

12          Q       Um-hum.

13          A       [REDACTED]

14          Q       [REDACTED]

15          A       Yes.

16          Q       Who were your neighbors?

17          A       Sweet people. Ray and -- I could look on  
18       my phone if you want.

19          Q       No, thank you. Do they still live there?

20          A       Yes.

21          Q       Do you keep in touch with them?

22          A       Last time I talked to them was a few  
23       months ago.

24          Q       Did they see the fire?

25          A       They've seen many fires that we've had.

1 We've had lots of bonfires there.

2 Q Did you ever ride in a helicopter with  
3 Ghislaine Maxwell acting as pilot of the helicopter?

4 A Yes.

5 Q Who else was on the flight?

6 A I've been on the helicopter with her  
7 plenty of times. I can't mention how many people  
8 were on the -- on the helicopter at the same time.

9 Q How many times?

10 A I don't know. Do you have helicopter  
11 records that you could show me?

12 Q I'm asking you how many times you were on  
13 the helicopter with Ghislaine Maxwell acting as the  
14 pilot --

15 A It's impossible for me to answer the  
16 question without having the actual physical records  
17 in front of me.

18 Q I'm asking you to look into your memory  
19 and tell me how many times you recall being on a  
20 helicopter with Ghislaine Maxwell at the pilot seat?

21 A There is no number I can give you.  
22 There's plenty of times I've been on her helicopter.

23 Q Where did you go from and to on a  
24 helicopter?

25 A I believe it was -- don't quote me on this

1 because I get confused on the islands there. I want  
2 to say it was St. John's. It could have been  
3 St. Barts. St. John or St. Barts, and then we would  
4 fly straight to Jeffrey's island.

5 Q Okay. Did you ever go anywhere else on  
6 the helicopter?

7 A No.

8 Q Were you ever on the helicopter with Bill  
9 Clinton and Ghislaine Maxwell as the pilot of the  
10 helicopter?

11 A No.

12 Q Were you ever on the helicopter with Bill  
13 Clinton's Secret Service and Ghislaine Maxwell as the  
14 pilot?

15 A No.

16 Q Do you recall telling Sharon Churcher that  
17 you were?

18 A No.

19 Q Did you see the press article in which  
20 Sharon Churcher reported that you were?

21 MR. EDWARDS: Objection. I'd just ask  
22 that if you're going to ask this witness about a  
23 specific article I'd like for her to see the article.  
24 Otherwise she's not going to testify about it.

25 If you have something to show her, then,



1 please.

2 Q (BY MS. MENNINGER) Do you recall seeing a  
3 press article in which Sharon Churcher reported that  
4 you were on a helicopter with Bill Clinton and  
5 Ghislaine Maxwell as the pilot?

6 MR. EDWARDS: Again, I'll let you answer  
7 the question once she's looking at the document that  
8 you're being asked about.

9 MS. MENNINGER: You're not letting her  
10 answer a question about whether she recalls a  
11 particular press statement?

12 MR. EDWARDS: I will let her answer every  
13 question about the press statement as long as she  
14 sees the press statement. I'm okay with that. She  
15 can answer all of them.

16 MS. MENNINGER: No, there is a rule of  
17 civil procedure that allows you to direct a witness  
18 not to answer a question when there's a claim of  
19 privilege.

20 What privilege are you claiming to direct  
21 her not to answer this question?

22 MR. EDWARDS: I thought that you wanted  
23 accurate answers from this witness. If the --

24 MS. MENNINGER: I asked her if she  
25 recalled something --

1 MR. EDWARDS: If the sole purpose is to  
2 just to harass her --

3 MS. MENNINGER: I asked her if she  
4 recalled something --

5 MR. EDWARDS: Then that's just not going  
6 to be what's happening today.

7 Q (BY MS. MENNINGER) All right. So you're  
8 refusing to answer a question about whether you  
9 recall a particular press statement --

10 MR. EDWARDS: She's --

11 Q (BY MS. MENNINGER) -- is that true?

12 MR. EDWARDS: She is not refusing to  
13 answer any questions. She --

14 A I'm not refusing to answer. I just want  
15 to see the article you're talking about so I can be  
16 clear in my statement.

17 Q (BY MS. MENNINGER) Do you recall seeing a  
18 press article written by Sharon Churcher reporting  
19 that you flew on a helicopter with Bill Clinton and  
20 Ghislaine Maxwell as the pilot?

21 A No, I do not recall reading a press  
22 article saying that I was on a helicopter with Bill  
23 Clinton as Ghislaine is the pilot.

24 Q Do you recall telling Sharon Churcher that  
25 you had conversations with Bill Clinton regarding him

1 flying on a helicopter with Ghislaine Maxwell?

2 A I believe that it was taken out of  
3 context. Ghislaine told me that she flew Bill  
4 Clinton in. And Ghislaine likes to talk a lot of  
5 stuff that sounds fantastical. And whether it's true  
6 or not, that is what I do recall telling Sharon  
7 Churcher.

8 Q So you told Sharon Churcher that Ghislaine  
9 Maxwell is the one who told you that she flew Bill  
10 Clinton in the helicopter?

11 A I told Sharon Churcher that Ghislaine flew  
12 Bill Clinton onto the island, based upon what  
13 Ghislaine had told me.

14 Q Not based upon what Bill Clinton had told  
15 you, correct?

16 A Correct.

17 Q Did you ever ask Sharon Churcher to  
18 correct anything that was printed under her name,  
19 concerning your stories to Sharon Churcher?

20 A I wasn't given those stories to read  
21 before they were printed.

22 Q After they were printed did you read them?

23 A I tried to stay away from them. They were  
24 very hard. You have to understand it was a very hard  
25 time for me and my husband to have to have this



1 public -- we didn't think it was going to be this  
2 publicly announced and that big. So we turned off  
3 the news and we stopped reading so many things.

4 Q You didn't read the articles about your  
5 stories to Sharon Churcher --

6 A I've read some articles --

7 Q Let me just finish. You did not read the  
8 articles published by Sharon Churcher about your  
9 stories to Sharon Churcher?

10 A I have read some articles about what  
11 Sharon Churcher wrote. And a lot of the stuff that  
12 she writes she takes things from my own mouth and  
13 changes them into her own words as journalists do.

14 And I never came back to her and told her  
15 to correct anything. What was done was done. There  
16 was nothing else I can do.

17 Q So even if she printed something that were  
18 untrue you didn't ask her to correct it, correct?

19 A There was things that she printed that  
20 really pissed me off, but there was nothing I could  
21 do about it. It's already out there.

22 Q She printed things that were untrue,  
23 correct?

24 MR. EDWARDS: Objection to the form.  
25 Mischaracterization.

1           A       I wouldn't say that they were untrue. I  
2       would just say that she printed them as journalists  
3       take your words and turn them into something else.

4           Q       (BY MS. MENNINGER) She got it wrong?

5                   MR. EDWARDS: Object to the form.  
6       Mischaracterization.

7           A       In some ways, yes.

8           Q       (BY MS. MENNINGER) Did she print things  
9       in her articles that you did not say to her?

10                  MR. EDWARDS: I object and ask that the  
11       witness be given the opportunity to see the document  
12       so that she can review it and answer that question  
13       accurately. Otherwise she's unable to answer the  
14       question. I'm not going to allow her to answer.

15                  MS. MENNINGER: You know the civil rules  
16       tell you not to suggest answers to your client.

17           Q       (BY MS. MENNINGER) And you understand  
18       your lawyer is now directing you to not all of a  
19       sudden remember what your answer is. That's what  
20       he's suggesting that you say. So you're not supposed  
21       to listen to him suggest that to you. You're  
22       supposed to tell me from your memory.

23                  MR. EDWARDS: That is not what I'm --

24           Q       (BY MS. MENNINGER) Did you --

25                  MR. EDWARDS: That's not what I'm doing.



1           You don't get to just talk over me and  
2       tell my client when not to listen to me. All you  
3       have to do to get answers is show her the document  
4       you're talking about, and I'll let her answer every  
5       question. I don't know why we're so scared of the  
6       actual documents.

7           MS. MENNINGER: I don't know why you're  
8       scared of your client's recollection, Mr. Edwards.  
9       But anyway --

10          MR. EDWARDS: Why would you do this to  
11       her?

12          Q       (BY MS. MENNINGER) Did Sharon Churcher  
13       print things that you did not say?

14          MR. EDWARDS: I'm going to instruct my  
15       client not to answer unless you give her what it is  
16       that you're talking about that was printed. And she  
17       will tell you the answer, the accurate answer to your  
18       question. Just without the document to refresh her  
19       recollection and see it, she's not going to answer  
20       the question.

21          Q       (BY MS. MENNINGER) Did Sharon Churcher  
22       print things that you did not say?

23          MR. EDWARDS: Same objection. Same  
24       instruction not to answer.

25          I think I've made a very clear record as

1 to why I want my client to answer all of these  
2 questions, but I want her to have the fair  
3 opportunity to see this document.

4 Q (BY MS. MENNINGER) Did Sharon Churcher  
5 print things that you felt were inaccurate?

6 MR. EDWARDS: Same objection. Same  
7 instruction. If she sees the document, she's going  
8 to answer every one of these questions.

9 Q (BY MS. MENNINGER) Did any other reporter  
10 print statements that you believe are inaccurate?

11 MR. EDWARDS: Same objection. Same  
12 instruction.

13 Q (BY MS. MENNINGER) Did any reporter print  
14 statements about Ghislaine Maxwell that were  
15 inaccurate?

16 MR. EDWARDS: Same objection. Same  
17 instruction.

18 This is harassing. This is harassing a  
19 sexual abuse victim. And all I'm asking is for  
20 fairness, that we just let her see the document so  
21 she can answer this.

22 MS. MENNINGER: Mr. Edwards, please stop  
23 saying anything other than an objection, what the  
24 basis is, or instructing your client not to answer.

25 MR. EDWARDS: I will do that.

1 MS. MENNINGER: That's what the Federal  
2 Rules of Civil Procedure provide.

3 MR. EDWARDS: I hear you. They also  
4 provide for fairness and civility. And all I'm  
5 asking, very calmly, is for her to see this.

6 MS. MENNINGER: Mr. Edwards, this is not  
7 your deposition. I'm asking your client what she  
8 remembers. If she doesn't want to talk about what  
9 she remembers, then let her not answer. But you  
10 cannot instruct her not to answer unless there's a  
11 privilege.

12 What privilege --

13 MR. EDWARDS: I am instructing her not to  
14 answer.

15 Q (BY MS. MENNINGER) All right. You are  
16 refusing to answer questions about whether statements  
17 to the press about Ghislaine Maxwell attributed to  
18 you were inaccurate?

19 MR. EDWARDS: She's not refusing not to  
20 answer.

21 A You are refusing to show me these  
22 documents so I could answer properly. I would give  
23 you an answer if you were to show me some documents.

24 Q (BY MS. MENNINGER) You can't say without  
25 looking at a document whether the press attributed to



1       you is accurate or inaccurate?

2           A       Please show me the document.

3           Q       You can't say from the top of your head  
4       whether any inaccurate statement has been attributed  
5       to you in the press?

6           A       Please show me a document and I will tell  
7       you.

8           Q       Are you refusing to answer my questions  
9       about your knowledge of whether inaccurate statements  
10      have been attributed to you in the press?

11          A       Are you refusing to give me the documents  
12      to look at?

13          Q       Are you refusing to answer the question?

14          A       I am refusing to answer the question based  
15      upon the fact that you are not being fair enough to  
16      let me see the document in order to give you an  
17      honest answer.

18          Q       Ms. Giuffre --

19          A       Yes.

20          Q       -- we are talking about press that has  
21      been published on the Internet, correct?

22          A       Yes.

23          Q       Do you have access to the Internet?

24          A       Yes.

25          Q       Have you looked on the Internet and read

1 articles that attribute statements to you about  
2 Ghislaine Maxwell?

3 A Yes.

4 Q Do you know any statement that has been  
5 attributed to you in a press article on the Internet  
6 about Ghislaine Maxwell that is untrue?

7 MR. EDWARDS: Same objection. Same  
8 instruction.

9 A Please show me a specific document.

10 Q (BY MS. MENNINGER) Do you know of any  
11 such statement about Ghislaine Maxwell attributed to  
12 you by the press that is inaccurate?

13 A If you could please show me a specific  
14 document.

15 Q Tell me what Sharon Churcher asked you to  
16 write for her.

17 A Any knowledge that I had about my time  
18 with Prince Andrew.

19 Q And did you write it?

20 A Um-hum.

21 Q What did you write it in or on?

22 A Paper.

23 Q What kind of paper?

24 A Lined paper.

25 Q Was it in a book or single sheets?

A Single sheets.

Q And did you write a long document or a short document? What was it?

A I can't recall how long the document was, but I would say it would be a few pages.

Q And other than asking you to write whatever you remember about Prince Andrew, did she give you any other directions about what you should write?

A She was interested in two things, really. How Epstein got away with so many counts of child trafficking for sex and how Prince Andrew was involved in it. Those were her two main inquiries.

Q What did she ask you to write?

A She asked me to write about Prince Andrew.

Q Did she tell you to put it in your own handwriting?

A No, she just asked me to write down what I can remember.

Q Did you give her everything that you wrote?

A Did I give her the whole entire pages that I wrote?

Q Yes.

A Yeah, I wrote pages for her specifically.



1 Q In your own handwriting?

2 A In my own handwriting.

3 Q And what you wrote, was that true?

4 A Yes.

5 Q And did you get paid for those pieces of  
6 paper?

7 A Not for the papers, I don't believe.

8 Q Okay. Have you gotten paid when they've  
9 been reprinted?

10 A No.

11 Q Have you negotiated any deal with Radar  
12 Online?

13 A No.

14 Q Have you negotiated any deal with Sharon  
15 Churcher for the purpose of publishing those pieces  
16 of paper?

17 A Not those pieces of paper.

18 Q When did you write those pieces of paper?

19 MR. EDWARDS: Object to the form.

20 A A week before she came out.

21 Q (BY MS. MENNINGER) And when did you give  
22 them to her?

23 A When she came out.

24 Q When was that?

25 A Sometime, I believe, in early 2011.

1 Q What did you get paid for, if not for  
2 those pieces of paper?

3 MR. EDWARDS: Object to the form.

4 A I was paid for the picture with Prince  
5 Andrew with his arm around me, Ghislaine in the  
6 background. And I was paid for the, I guess, the  
7 print of the stories.

8 Q (BY MS. MENNINGER) Anything else?

9 A No.

10 Q You were not paid for those pieces of  
11 paper?

12 A No.

13 Q All right. And how many pieces of paper  
14 did you write?

15 A Like I said, I'm rounding it around three.

16 Q Three pieces of paper?

17 A That's what I -- I don't remember to be  
18 exact on a number. I'm sorry. But over three pages.

19 Q And you wrote those sometime in 2011?

20 A The week that she was coming out to see  
21 me.

22 Q And you gave them to her, right?

23 A I gave them to her.

24 Q Did you keep a copy of that?

25 A No.



# **EXHIBIT F**

United States District Court  
Southern District of New York

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

---

**NOTICE OF SERVICE OF RULE 45 SUBPOENA TO PRODUCE DOCUMENTS,  
INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES  
UPON JEAN LUC BRUNEL**

PLEASE TAKE NOTICE THAT, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Plaintiff, Virginia Giuffre, hereby provides Notice of Service of Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises upon Jean Luc Brunel. A copy of the Subpoena is attached to this Notice as Exhibit A.

Dated: February 16, 2016

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

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

Ellen Brockman  
Boies Schiller & Flexner LLP  
575 Lexington Ave  
New York, New York 10022  
(212) 446-2300

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 16, 2016, I served the foregoing document on the individuals identified below via email.

Laura A. Menninger, 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)

/s/ Sigrid S. McCawley  
Sigrid S. McCawley

## UNITED STATES DISTRICT COURT

for the

Southern District of New York

Virginia L. Giuffre

*Plaintiff*

v.

Ghislaine Maxwell

*Defendant*

Civil Action No. 15-CV-07433-RWS

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: JEAN LUC BRUNEL, c/o Joe Titone, 621 South East 5th Street, Pompano Beach, Florida 33060

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

PLEASE SEE ATTACHED EXHIBIT A.

Place: Boies, Schiller & Flexner LLP  
575 Lexington Avenue  
New York, NY 10022

Date and Time:

03/01/2016 9:00 am

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 02/16/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Virginia Giuffre, who issues or requests this subpoena, are:

Sigrid S. McCawley, BSF, LLP, 401 E Las Olas Blvd, #1200, Ft. Lauderdale, FL 33301 (954)356-0011 smccawley@bsflp.com

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 15-CV-07433-RWS

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
 \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:



**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**TO: JEAN LUC BRUNEL**

**EXHIBIT A**

**DEFINITIONS**

Wherever they hereafter appear the following words and phrases have the following meanings:

1. "Agent" shall mean any agent, employee, officer, director, attorney, independent contractor or any other person acting, or purporting to act, at the discretion of or on behalf of another.
2. "Correspondence" or "communication" shall mean all written or verbal communications, by any and all methods, including without limitation, letters, memoranda, and/or electronic mail, by which information, in whatever form, is stored, transmitted or received; and, includes every manner or means of disclosure, transfer or exchange, and every disclosure, transfer or exchange of information whether orally or by document or otherwise, face-to-face, by telephone, telecopies, e-mail, text, modem transmission, computer generated message, mail, personal delivery or otherwise.
3. "Defendant" shall mean the defendant Ghislaine Maxwell and her employees, representatives or agents.
4. "Document" shall mean all written and graphic matter, however produced or reproduced, and each and every thing from which information can be processed, transcribed, transmitted, restored, recorded, or memorialized in any way, by any means, regardless of technology or form. It includes, without limitation, correspondence, memoranda, notes, notations, diaries, papers, books, accounts, newspaper and magazine articles, advertisements, photographs, videos, notebooks, ledgers, letters, telegrams, cables, telex messages, facsimiles, contracts, offers, agreements, reports, objects, tangible things, work papers, transcripts, minutes, reports and recordings of telephone or other conversations or communications, or of interviews



**TO: JEAN LUC BRUNEL**

**EXHIBIT A**

or conferences, or of other meetings, occurrences or transactions, affidavits, statements, summaries, opinions, tests, experiments, analysis, evaluations, journals, balance sheets, income statements, statistical records, desk calendars, appointment books, lists, tabulations, sound recordings, data processing input or output, microfilms, film negatives, film slides, memory sticks, checks, statements, receipts, summaries, computer printouts, computer programs, text messages, e-mails, information kept in computer hard drives, other computer drives of any kind, computer tape back-up, CD-ROM, other computer disks of any kind, teletypes, telecopies, invoices, worksheets, printed matter of every kind and description, graphic and oral records and representations of any kind, and electronic "writings" and "recordings" as set forth in the Federal Rules of Evidence, including but not limited to, originals or copies where originals are not available. Any document with any marks such as initials, comments or notations of any kind of not deemed to be identical with one without such marks and is produced as a separate document. Where there is any question about whether a tangible item otherwise described in these requests falls within the definition of "document" such tangible item shall be produced.

5. "Employee" includes a past or present officer, director, agent or servant, including any attorney (associate or partner) or paralegal.

6. "Including" means including without limitations.

7. "Jeffrey Epstein" includes Jeffrey Epstein and any entities owned or controlled by Jeffrey Epstein, any employee, agent, attorney, consultant, or representative of Jeffrey Epstein.

8. "Ghislaine Maxwell" includes Ghislaine Maxwell and any entities owned or controlled by Ghislaine Maxwell, any employee, agent, attorney, consultant, or representative of Ghislaine Maxwell.



**TO: JEAN LUC BRUNEL**

**EXHIBIT A**

9. "Person(s)" includes natural persons, proprietorships, governmental agencies, corporations, partnerships, trusts, joint ventures, groups, associations, organizations or any other legal or business entity.

10. "You" or "Your" hereinafter means Jean Luc Brunel and any employee, agent, attorney, consultant, related entities or other representative of Jean Luc Brunel.

**INSTRUCTIONS**

1. Production of documents and items requested herein shall be made at the offices of Boies Schiller & Flexner, LLP, 575 Lexington Avenue, New York, New York.

2. Unless indicated otherwise, the Relevant Period for this Request is from 1996 to the present. A Document should be considered to be within the relevant time frame if it refers or relates to communications, meetings or other events or documents that occurred or were created within that time frame, regardless of the date of creation of the responsive Document.

3. This Request calls for the production of all responsive Documents in your possession, custody or control without regard to the physical location of such documents.

4. If any Document requested was in your possession or control, but is no longer in its possession or control, state what disposition was made of said Document, the reason for such disposition, and the date of such disposition.

5. For the purposes of reading, interpreting, or construing the scope of these requests, the terms used shall be given their most expansive and inclusive interpretation. This includes, without limitation the following:

- a) Wherever appropriate herein, the singular form of a word shall be interpreted as plural and vice versa.
- b) "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any

TO: JEAN LUC BRUNEL

EXHIBIT A

information (as defined herein) which might otherwise be construed to be outside the scope of this discovery request.

- c) "Any" shall be understood to include and encompass "all" and vice versa.
- d) Wherever appropriate herein, the masculine form of a word shall be interpreted as feminine and vice versa.
- e) "Including" shall mean "including without limitation."

6. If you are unable to answer or respond fully to any document request, answer or respond to the extent possible and specify the reasons for your inability to answer or respond in full. If the recipient has no documents responsive to a particular Request, the recipient shall so state.

7. Unless instructed otherwise, each Request shall be construed independently and not by reference to any other Request for the purpose of limitation.

8. The words "relate," "relating," "relates," or any other derivative thereof, as used herein includes concerning, referring to, responding to, relating to, pertaining to, connected with, comprising, memorializing, evidencing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing or constituting.

9. "Identify" means, with respect to any "person," or any reference to the "identity" of any "person," to provide the name, home address, telephone number, business name, business address, business telephone number and a description of each such person's connection with the events in question.

10. "Identify" means, with respect to any "document," or any reference to stating the "identification" of any "document," provide the title and date of each such document, the name and address of the party or parties responsible for the preparation of each such document, the name and address of the party who requested or required the preparation and on whose behalf it

**TO: JEAN LUC BRUNEL**

**EXHIBIT A**

was prepared, the name and address of the recipient or recipients to each such document and the present location of any and all copies of each such document, and the names and addresses of all persons who have custody or control of each such document or copies thereof.

11. In producing Documents, if the original of any Document cannot be located, a copy shall be produced in lieu thereof, and shall be legible and bound or stapled in the same manner as the original.

12. Any copy of a Document that is not identical shall be considered a separate document.

13. If any requested Document cannot be produced in full, produce the Document to the extent possible, specifying each reason for your inability to produce the remainder of the Document stating whatever information, knowledge or belief which you have concerning the portion not produced.

14. If any Document requested was at any one time in existence but are no longer in existence, then so state, specifying for each Document (a) the type of document; (b) the types of information contained thereon; (c) the date upon which it ceased to exist; (d) the circumstances under which it ceased to exist; (e) the identity of all person having knowledge of the circumstances under which it ceased to exist; and (f) the identity of all persons having knowledge or who had knowledge of the contents thereof and each individual's address.

15. All Documents shall be produced in the same order as they are kept or maintained by you in the ordinary course of business.

16. You are requested to produce all drafts and notes, whether typed, handwritten or otherwise, made or prepared in connection with the requested Documents, whether or not used.

17. Documents attached to each other shall not be separated.



**TO: JEAN LUC BRUNEL**

**EXHIBIT A**

18. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession they were located and, where applicable, the natural person in whose possession they were found, and business address of each Document's custodian(s).

19. If any Document responsive to the request is withheld, in all or part, based upon any claim of privilege or protection, whether based on statute or otherwise, state separately for each Document, in addition to any other information requested: (a) the specific request which calls for the production; (b) the nature of the privilege claimed; (c) its date; (d) the name and address of each author; (e) the name and address of each of the addresses and/or individual to whom the Document was distributed, if any; (f) the title (or position) of its author; (g) type of tangible object, e.g., letter, memorandum, telegram, chart, report, recording, disk, etc.; (h) its title and subject matter (without revealing the information as to which the privilege is claimed); (i) with sufficient specificity to permit the Court to make full determination as to whether the claim of privilege is valid, each and every fact or basis on which you claim such privilege; and (j) whether the document contained an attachment and to the extent you are claiming a privilege as to the attachment, a separate log entry addressing that privilege claim.

20. If any Document requested herein is withheld, in all or part, based on a claim that such Document constitutes attorney work product, provide all of the information described in Instruction No. 19 and also identify the litigation in connection with which the Document and the information it contains was obtained and/or prepared.

21. Plaintiff does not seek and does not require the production of multiple copies of identical Documents.

22. This Request is deemed to be continuing. If, after producing these Documents, you obtain or become aware of any further information, Documents, things, or information

TO: JEAN LUC BRUNEL

**EXHIBIT A**

responsive to this Request, you are required to so state by supplementing your responses and producing such additional Documents to Plaintiff.

**DOCUMENTS TO BE PRODUCED PURSUANT TO THIS SUBPOENA**

1. All video tapes, audio tapes, photographs, including film negatives or film slides, CD's, or any other print or electronic media taken that relate to: (1) Alan Dershowitz; (2) Virginia Roberts; (3) Alan Dershowitz in the presence of Virginia Roberts; and (4) Alan Dershowitz in the presence of Jeffrey Epstein and and/or any female agent or employee of Jeffrey Epstein.

2. All video tapes, audio tapes, photographs, including film negatives or film slides, CD's, or any other print or electronic media taken that relate to: (1) Ghislaine Maxwell; (2) Ghislaine Maxwell in the presence of Virginia Roberts; (3) Ghislaine Maxwell in the presence of Jeffrey Epstein and and/or any female agent or employee of Jeffrey Epstein; and (4) Ghislaine Maxwell in the presence of any female under the age of eighteen (18) years old.

3. All video tapes, audio tapes, photographs, including film negatives or film slides, CD's, or any other print or electronic media taken that relate to: (1) Jeffrey Epstein; (2) Jeffrey Epstein in the presence of Virginia Roberts; and (3) Jeffrey Epstein in the presence of any female under the age of eighteen (18) years old.

4. All video tapes, audio tapes, photographs, including film negatives, film slides, CD's, or any other print or electronic media taken that relates to Emmy Taylor, Sarah Kellen, or Nadia Marcinkova.

5. All documents that relate to: (1) Alan Dershowitz; (2) Virginia Roberts; (3) Alan Dershowitz in the presence of Virginia Roberts; and (4) Alan Dershowitz in the presence of Jeffrey Epstein and/or any female agent or employee of Jeffrey Epstein.



6. All documents relating to models or females that you employed who also worked for or interacted with Jeffrey Epstein or Ghislaine Maxwell.

7. All documents relating to Jeffrey Epstein from 1996 – present.

8. All documents relating to Ghislaine Maxwell from 1996 – present.

9. All documents relating to communications with any of the following individuals from 1999 – present: Emmy Taylor, Sarah Kellen and Nadia Marcinkova.

10. All video tapes, audio tapes, photographs or any other print or electronic media taken at a time when you were with Jeffrey Epstein or Ghislaine Maxwell.

11. All video tapes, audio tapes, photographs or any other print or electronic media taken at a time when you were at, or nearby, Jeffrey Epstein or Ghislaine Maxwell's residences, hotel rooms/suites, automobiles, or aircraft.

11. All documents relating to your travel from the period of 1996 – 2008, when that travel was either with Ghislaine Maxwell or Jeffrey Epstein, or to meet Ghislaine Maxwell or Jeffrey Epstein, including but not limited to commercial flights, helicopters, passport records, records indicating passengers traveling with you, hotel records, and credit card receipts.

12. All documents relating to payments made from Jeffrey Epstein, Ghislaine Maxwell, or any related entity to you from 1996 – present.

13. All documents relating to or describing any work you performed with Jeffrey Epstein, Ghislaine Maxwell, or any affiliated entity from 1996 – 2008.

14. All documents relating to any credit cards used that were paid for by Jeffrey Epstein, Ghislaine Maxwell, or any related entity from 1996 – present.

15. All telephone records associated with you, including cell phone records, from 1996 – present, that show any communications with either Jeffrey Epstein or Ghislaine Maxwell.



16. All documents relating to calendars, schedules or appointments for you from 1996 – 2008 that relate to visits with, or communications with, either Jeffrey Epstein or Ghislaine Maxwell.

17. All documents identifying any individuals to whom Virginia Roberts provided a massage.

18. All documents relating to any employee lists or records associated with you, Jeffrey Epstein, Ghislaine Maxwell, or any related entity.

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

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

\_\_\_\_\_ /

**PLAINTIFF'S NOTICE OF TAKING VIDEOTAPED  
DEPOSITION OF JEAN LUC BRUNEL**

**PLEASE TAKE NOTICE THAT**, pursuant to the subpoena we served counsel, the undersigned counsel provides this Notice of Taking the Videotaped Deposition of the below-named individual on the date and hour indicated.

<b>NAME:</b>	Jean Luc Brunel
<b>DATE AND TIME:</b>	June 7, 2016 at 9:00 a.m.
<b>LOCATION:</b>	Boies Schiller & Flexner, LLP 575 Lexington Avenue New York, NY 10022

The videotaped deposition will be taken upon oral examination before Magna Legal Services, or any other notary public authorized by law to take depositions. The oral examination will continue from day to day until completed.

The video operator shall be provided by Magna Legal Services. This deposition is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the rules of this Court.

Dated: May 23, 2016.

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  
(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  
(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  
(801) 585-5202<sup>1</sup>

---

<sup>1</sup> This daytime business address is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah for this private representation.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on the 23rd day of May, 2016, I served the attached document PLAINTIFF'S NOTICE OF TAKING VIDEOTAPED DEPOSITION OF JEAN LUC BRUNEL via Email to the following counsel of record.

Robert Hantman, Esq.  
Hantman & Associates  
1120 Avenue of the Americas, 4<sup>th</sup> Floor  
New York, NY 10036  
Tel: (212) 684-3933  
Email: [rhantman@hantmanlaw.com](mailto:rhantman@hantmanlaw.com)

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)  
Email: [jpagliuca@hmflaw.com](mailto:jpagliuca@hmflaw.com)

\_\_\_\_\_  
/s/ Sigrid S. McCawley  
Sigrid S. McCawley

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

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

\_\_\_\_\_ /

**NOTICE OF SERVICE OF RULE 45 SUBPOENA DUCES  
TECUM UPON JEAN LUC BRUNEL**

**PLEASE TAKE NOTICE THAT**, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Plaintiff, Virginia Giuffre, hereby provides Notice of Service of Subpoena upon Jean Luc Brunel. A copy of the Subpoena is attached to this Notice.

Dated: May 23, 2016

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  
(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  
(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  
(801) 585-5202<sup>1</sup>


---

<sup>1</sup> This daytime business address is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah for this private representation.

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of New York 

Virginia L. Giuffre

*Plaintiff*

v.

Ghislain Maxwell

*Defendant*

Civil Action No. 15-cv-07433

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Jean Luc Brunel, c/o Robert Hantman, Esq., Hantman & Associates  
1120 Avenue of the Americas, 4th Floor, New York, NY 10036*(Name of person to whom this subpoena is directed)*

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Boies Schiller & Flexner, LLP  
Place: 575 Lexington Ave., 7th Floor  
New York, NY 10022; 954-365-0011

Date and Time:  
June 7, 2016 at 9:00 a.m.

The deposition will be recorded by this method: stenography and videography

- ☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Virginia Giuffre  
Sigrid S. McCawley, BSF, LLP, who issues or requests this subpoena, are:  
401 E. Las Olas Blvd., Suite 1200  
Ft. Lauderdale, FL 33301; 954-365-0011; smccawley@bsfilp.com

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 15-cv-07433

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named individual as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



**From:** [Brad Edwards](#)  
**To:** [Laura Menninger](#); [Jeff Pagliuca](#)  
**Cc:** [Smccawley@BSFLLP.com](#); [cassellp@law.utah.edu](#); [mschultz@BSFLLP.com](#)  
**Subject:** Depositions next week  
**Date:** Thursday, June 02, 2016 9:23:30 AM

---

We got an email yesterday from Mr. Brunel's attorney saying he needs to reschedule. I believe he is trying to get us new dates today or tomorrow.

We got a similar email from Mr. Fontanella's lawyer yesterday saying that he is also not available next week. His email said he is available the week of the 27th. I told him I would call him to coordinate a new date once I had spoken with you.

I have not heard from anyone representing [REDACTED] yet. I was hoping you could tell me whether she is represented and whether next week works for her or will also need resetting.

As of right now, the only confirmed depo for next week is that of Mr. Rizzo.

Laura, can you talk later this afternoon to see what we can do about a deposition schedule that makes sense for everyone going forward? I figure Jeff will be flying.

If we don't connect today then I will try to make time to talk with him after the deposition tomorrow. I understand that the hearing did not go forward this morning which is unfortunate as it gives us a little guidance where the court stands on the deposition issues. Maybe you and I can talk and try to figure out some plan that works in the meantime.

Brad

Sent from my iPhone



# **EXHIBIT L**

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 15-cv-07433-RWS

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) [REDACTED]  
on (date) 5/16/16

☒ I served the subpoena by delivering a copy to the named individual as follows:  
[REDACTED]

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ 88.28

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 5/17/16

[Signature]  
Server's signature

DON CORASMIN Process Server  
Printed name and title

3020 HAMBLIN WAY, Wellington, FL 33414  
Server's address

Additional information regarding attempted service, etc.:

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

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

**NOTICE OF SERVICE OF RULE 45 SUBPOENA DUCES  
TECUM UPON** [REDACTED]

**PLEASE TAKE NOTICE THAT**, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Plaintiff, Virginia Giuffre, hereby provides Notice of Service of Subpoena upon [REDACTED] A copy of the Subpoena is attached to this Notice as Exhibit A.

Dated: May 16, 2016

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  
(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  
(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  
(801) 585-5202<sup>1</sup>

---

<sup>1</sup> This daytime business address is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah for this private representation.

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of New York

Virginia L. Giuffre

Plaintiff

v.

Ghislaine Maxwell

Defendant

Civil Action No. 15-cv-07433-RWS

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

(Name of person to whom this subpoena is directed)

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: Boies, Schiller & Flexner LLP  
401 E. Las Olas Blvd., Suite 1200  
Ft. Lauderdale, FL 33301

Date and Time:

06/04/2016 9:00 am

The deposition will be recorded by this method: Videography and Stenography

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: Please see attached Schedule A.

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/13/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Virginia Giuffre, who issues or requests this subpoena, are:

Sigrid McCawley, Esq. of Boies, Schiller & Flexner LLP, 401 E. Las Olas Blvd., Suite 1200, Ft. Lauderdale, FL 33301, Tel: (954) 356-0011; smccawley@bsflp.com

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).



AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 15-cv-07433-RWS

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_

☐ I served the subpoena by delivering a copy to the named individual as follows: \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_  
 \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
 \$ \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.: \_\_\_\_\_

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**EXHIBIT A**

**DEFINITIONS**

Wherever they hereafter appear the following words and phrases have the following meanings:

1. “Agent” shall mean any agent, employee, officer, director, attorney, independent contractor or any other person acting, or purporting to act, at the discretion of or on behalf of another.
2. “Correspondence” or “communication” shall mean all written or verbal communications, by any and all methods, including without limitation, letters, memoranda, and/or electronic mail, by which information, in whatever form, is stored, transmitted or received; and, includes every manner or means of disclosure, transfer or exchange, and every disclosure, transfer or exchange of information whether orally or by document or otherwise, face-to-face, by telephone, telecopies, e-mail, text, modem transmission, computer generated message, mail, personal delivery or otherwise.
3. “Document” shall mean all written and graphic matter, however produced or reproduced, and each and every thing from which information can be processed, transcribed, transmitted, restored, recorded, or memorialized in any way, by any means, regardless of technology or form. It includes, without limitation, correspondence, memoranda, notes, notations, diaries, papers, books, accounts, newspaper and magazine articles, advertisements, photographs, videos, notebooks, ledgers, letters, telegrams, cables, telex messages, facsimiles, contracts, offers, agreements, reports, objects, tangible things, work papers, transcripts, minutes, reports and recordings of telephone or other conversations or communications, or of interviews



or conferences, or of other meetings, occurrences or transactions, affidavits, statements, summaries, opinions, tests, experiments, analysis, evaluations, journals, balance sheets, income statements, statistical records, desk calendars, appointment books, lists, tabulations, sound recordings, data processing input or output, microfilms, checks, statements, receipts, summaries, computer printouts, computer programs, text messages, e-mails, information kept in computer hard drives, other computer drives of any kind, computer tape back-up, CD-ROM, other computer disks of any kind, teletypes, telecopies, invoices, worksheets, printed matter of every kind and description, graphic and oral records and representations of any kind, and electronic “writings” and “recordings” as set forth in the Federal Rules of Evidence, including but not limited to, originals or copies where originals are not available. Any document with any marks such as initials, comments or notations of any kind of not deemed to be identical with one without such marks and is produced as a separate document. Where there is any question about whether a tangible item otherwise described in these requests falls within the definition of “document” such tangible item shall be produced.

4. “Employee” includes a past or present officer, director, agent or servant, including any attorney (associate or partner) or paralegal.

5. “Including” means including without limitations.

6. “Jeffrey Epstein” includes Jeffrey Epstein and any entities owned or controlled by Jeffrey Epstein, any employee, agent, attorney, consultant, or representative of Jeffrey Epstein.

7. “You” or “Your” hereinafter means David Rodgers (a/k/a Dave Rodgers) and any employee, agent, attorney, consultant, related entities or other representative of David Rodgers (a/k/a Dave Rodgers).

### INSTRUCTIONS

1. Production of documents and items requested herein shall be made at the offices of Boies Schiller & Flexner, LLP, 401 East Las Olas Blvd., Suite 1200, Ft. Lauderdale, FL, 33301, no later than five (5) days before the date noticed for your deposition, or, if an alternate date is agreed upon, no later than five (5) days before the agreed-upon date.

2. Unless indicated otherwise, the Relevant Period for this Request is from 1996 to the present. A Document should be considered to be within the relevant time frame if it refers or relates to communications, meetings or other events or documents that occurred or were created within that time frame, regardless of the date of creation of the responsive Document.

3. This Request calls for the production of all responsive Documents in your possession, custody or control without regard to the physical location of such documents.

4. If any Document requested was in your possession or control, but is no longer in its possession or control, state what disposition was made of said Document, the reason for such disposition, and the date of such disposition.

5. For the purposes of reading, interpreting, or construing the scope of these requests, the terms used shall be given their most expansive and inclusive interpretation. This includes, without limitation the following:

- a) Wherever appropriate herein, the singular form of a word shall be interpreted as plural and vice versa.
- b) “And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any information (as defined herein) which might otherwise be construed to be outside the scope of this discovery request.
- c) “Any” shall be understood to include and encompass “all” and vice versa.
- d) Wherever appropriate herein, the masculine form of a word shall be interpreted as feminine and vice versa.



e) “Including” shall mean “including without limitation.”

6. If you are unable to answer or respond fully to any document request, answer or respond to the extent possible and specify the reasons for your inability to answer or respond in full. If the recipient has no documents responsive to a particular Request, the recipient shall so state.

7. Unless instructed otherwise, each Request shall be construed independently and not by reference to any other Request for the purpose of limitation.

8. The words “relate,” “relating,” “relates,” or any other derivative thereof, as used herein includes concerning, referring to, responding to, relating to, pertaining to, connected with, comprising, memorializing, evidencing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing or constituting.

9. “Identify” means, with respect to any “person,” or any reference to the “identity” of any “person,” to provide the name, home address, telephone number, business name, business address, business telephone number and a description of each such person’s connection with the events in question.

10. “Identify” means, with respect to any “document,” or any reference to stating the “identification” of any “document,” provide the title and date of each such document, the name and address of the party or parties responsible for the preparation of each such document, the name and address of the party who requested or required the preparation and on whose behalf it was prepared, the name and address of the recipient or recipients to each such document and the present location of any and all copies of each such document, and the names and addresses of all persons who have custody or control of each such document or copies thereof.

11. In producing Documents, if the original of any Document cannot be located, a copy shall be produced in lieu thereof, and shall be legible and bound or stapled in the same manner as the original.

12. Any copy of a Document that is not identical shall be considered a separate document.

13. If any requested Document cannot be produced in full, produce the Document to the extent possible, specifying each reason for your inability to produce the remainder of the Document stating whatever information, knowledge or belief which you have concerning the portion not produced.

14. If any Document requested was at any one time in existence but are no longer in existence, then so state, specifying for each Document (a) the type of document; (b) the types of information contained thereon; (c) the date upon which it ceased to exist; (d) the circumstances under which it ceased to exist; (e) the identity of all person having knowledge of the circumstances under which it ceased to exist; and (f) the identity of all persons having knowledge or who had knowledge of the contents thereof and each individual's address.

15. All Documents shall be produced in the same order as they are kept or maintained by you in the ordinary course of business.

16. You are requested to produce all drafts and notes, whether typed, handwritten or otherwise, made or prepared in connection with the requested Documents, whether or not used.

17. Documents attached to each other shall not be separated.

18. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession they were located and, where applicable, the natural person in whose possession they were found, and business address of each Document's custodian(s).

19. If any Document responsive to the request is withheld, in all or part, based upon any claim of privilege or protection, whether based on statute or otherwise, state separately for each Document, in addition to any other information requested: (a) the specific request which calls for the production; (b) the nature of the privilege claimed; (c) its date; (d) the name and address of each author; (e) the name and address of each of the addresses and/or individual to whom the Document was distributed, if any; (f) the title (or position) of its author; (g) type of tangible object, *e.g.*, letter, memorandum, telegram, chart, report, recording, disk, etc.; (h) its title and subject matter (without revealing the information as to which the privilege is claimed); (i) with sufficient specificity to permit the Court to make full determination as to whether the claim of privilege is valid, each and every fact or basis on which you claim such privilege; and (j) whether the document contained an attachment and to the extent you are claiming a privilege as to the attachment, a separate log entry addressing that privilege claim.

20. If any Document requested herein is withheld, in all or part, based on a claim that such Document constitutes attorney work product, provide all of the information described in Instruction No. 19 and also identify the litigation in connection with which the Document and the information it contains was obtained and/or prepared.

21. Plaintiff does not seek and does not require the production of multiple copies of identical Documents.

22. This Request is deemed to be continuing. If, after producing these Documents, you obtain or become aware of any further information, Documents, things, or information responsive to this Request, you are required to so state by supplementing your responses and producing such additional Documents to Plaintiff.

**DOCUMENTS TO BE PRODUCED PURSUANT TO THIS SUBPOENA**

1. All documents related to Jeffrey Epstein.
2. All documents relating to Ghislaine Maxwell.
3. All documents related to Sarah Kellen, a/k/a Sarah Vickers, a/k/a Sara Kensington.
4. All documents related to Nadia Marcinkova, a/k/a Nadia Marcinko.

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

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

\_\_\_\_\_ /

**NOTICE OF SERVICE OF RULE 45 SUBPOENA DUCES  
TECUM UPON JOE RECAREY**

**PLEASE TAKE NOTICE THAT**, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Plaintiff, Virginia Giuffre, hereby provides Notice of Service of Subpoena upon Joe Recarey. A copy of the Subpoena is attached to this Notice as Exhibit A.

Dated: May 17, 2016

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  
(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  
(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  
(801) 585-5202<sup>1</sup>

---

<sup>1</sup> This daytime business address is provided for identification and correspondence purposes only and is not intended to imply institutional endorsement by the University of Utah for this private representation.

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of New York

Virginia L. Giuffre

Plaintiff

v.

Ghislaine Maxwell

Defendant

Civil Action No. 15-cv-07433-RWS

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Joe Recarey

(Name of person to whom this subpoena is directed)

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: Boies, Schiller & Flexner LLP  
401 E. Las Olas Blvd., Suite 1200  
Ft. Lauderdale, FL 33301

Date and Time:

06/21/2016 9:00 am

The deposition will be recorded by this method: Videography and Stenography

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: Please see attached Schedule A.

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/13/2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Virginia Giuffre, who issues or requests this subpoena, are:

Sigrid McCawley, Esq. of Boies, Schiller & Flexner LLP, 401 E. Las Olas Blvd., Suite 1200, Ft. Lauderdale, FL 33301, Tel: (954) 356-0011; smccawley@bsflp.com

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 15-cv-07433-RWS

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named individual as follows: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_  
 \_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
 \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.



To: Joe Recarey

**EXHIBIT A**

**DEFINITIONS**

Wherever they hereafter appear the following words and phrases have the following meanings:

1. “Agent” shall mean any agent, employee, officer, director, attorney, independent contractor or any other person acting, or purporting to act, at the discretion of or on behalf of another.
2. “Correspondence” or “communication” shall mean all written or verbal communications, by any and all methods, including without limitation, letters, memoranda, and/or electronic mail, by which information, in whatever form, is stored, transmitted or received; and, includes every manner or means of disclosure, transfer or exchange, and every disclosure, transfer or exchange of information whether orally or by document or otherwise, face-to-face, by telephone, telecopies, e-mail, text, modem transmission, computer generated message, mail, personal delivery or otherwise.
3. “Document” shall mean all written and graphic matter, however produced or reproduced, and each and every thing from which information can be processed, transcribed, transmitted, restored, recorded, or memorialized in any way, by any means, regardless of technology or form. It includes, without limitation, correspondence, memoranda, notes, notations, diaries, papers, books, accounts, newspaper and magazine articles, advertisements, photographs, videos, notebooks, ledgers, letters, telegrams, cables, telex messages, facsimiles, contracts, offers, agreements, reports, objects, tangible things, work papers, transcripts, minutes, reports and recordings of telephone or other conversations or communications, or of interviews



or conferences, or of other meetings, occurrences or transactions, affidavits, statements, summaries, opinions, tests, experiments, analysis, evaluations, journals, balance sheets, income statements, statistical records, desk calendars, appointment books, lists, tabulations, sound recordings, data processing input or output, microfilms, checks, statements, receipts, summaries, computer printouts, computer programs, text messages, e-mails, information kept in computer hard drives, other computer drives of any kind, computer tape back-up, CD-ROM, other computer disks of any kind, teletypes, telecopies, invoices, worksheets, printed matter of every kind and description, graphic and oral records and representations of any kind, and electronic “writings” and “recordings” as set forth in the Federal Rules of Evidence, including but not limited to, originals or copies where originals are not available. Any document with any marks such as initials, comments or notations of any kind of not deemed to be identical with one without such marks and is produced as a separate document. Where there is any question about whether a tangible item otherwise described in these requests falls within the definition of “document” such tangible item shall be produced.

4. “Employee” includes a past or present officer, director, agent or servant, including any attorney (associate or partner) or paralegal.

5. “Including” means including without limitations.

6. “Jeffrey Epstein” includes Jeffrey Epstein and any entities owned or controlled by Jeffrey Epstein, any employee, agent, attorney, consultant, or representative of Jeffrey Epstein.

7. “You” or “Your” hereinafter means David Rodgers (a/k/a Dave Rodgers) and any employee, agent, attorney, consultant, related entities or other representative of David Rodgers (a/k/a Dave Rodgers).

### INSTRUCTIONS

1. Production of documents and items requested herein shall be made at the offices of Boies Schiller & Flexner, LLP, 401 East Las Olas Blvd., Suite 1200, Ft. Lauderdale, FL, 33301, no later than five (5) days before the date noticed for your deposition, or, if an alternate date is agreed upon, no later than five (5) days before the agreed-upon date.

2. Unless indicated otherwise, the Relevant Period for this Request is from 1996 to the present. A Document should be considered to be within the relevant time frame if it refers or relates to communications, meetings or other events or documents that occurred or were created within that time frame, regardless of the date of creation of the responsive Document.

3. This Request calls for the production of all responsive Documents in your possession, custody or control without regard to the physical location of such documents.

4. If any Document requested was in your possession or control, but is no longer in its possession or control, state what disposition was made of said Document, the reason for such disposition, and the date of such disposition.

5. For the purposes of reading, interpreting, or construing the scope of these requests, the terms used shall be given their most expansive and inclusive interpretation. This includes, without limitation the following:

- a) Wherever appropriate herein, the singular form of a word shall be interpreted as plural and vice versa.
- b) “And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope hereof any information (as defined herein) which might otherwise be construed to be outside the scope of this discovery request.
- c) “Any” shall be understood to include and encompass “all” and vice versa.
- d) Wherever appropriate herein, the masculine form of a word shall be interpreted as feminine and vice versa.

e) “Including” shall mean “including without limitation.”

6. If you are unable to answer or respond fully to any document request, answer or respond to the extent possible and specify the reasons for your inability to answer or respond in full. If the recipient has no documents responsive to a particular Request, the recipient shall so state.

7. Unless instructed otherwise, each Request shall be construed independently and not by reference to any other Request for the purpose of limitation.

8. The words “relate,” “relating,” “relates,” or any other derivative thereof, as used herein includes concerning, referring to, responding to, relating to, pertaining to, connected with, comprising, memorializing, evidencing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing or constituting.

9. “Identify” means, with respect to any “person,” or any reference to the “identity” of any “person,” to provide the name, home address, telephone number, business name, business address, business telephone number and a description of each such person’s connection with the events in question.

10. “Identify” means, with respect to any “document,” or any reference to stating the “identification” of any “document,” provide the title and date of each such document, the name and address of the party or parties responsible for the preparation of each such document, the name and address of the party who requested or required the preparation and on whose behalf it was prepared, the name and address of the recipient or recipients to each such document and the present location of any and all copies of each such document, and the names and addresses of all persons who have custody or control of each such document or copies thereof.

11. In producing Documents, if the original of any Document cannot be located, a copy shall be produced in lieu thereof, and shall be legible and bound or stapled in the same manner as the original.

12. Any copy of a Document that is not identical shall be considered a separate document.

13. If any requested Document cannot be produced in full, produce the Document to the extent possible, specifying each reason for your inability to produce the remainder of the Document stating whatever information, knowledge or belief which you have concerning the portion not produced.

14. If any Document requested was at any one time in existence but are no longer in existence, then so state, specifying for each Document (a) the type of document; (b) the types of information contained thereon; (c) the date upon which it ceased to exist; (d) the circumstances under which it ceased to exist; (e) the identity of all person having knowledge of the circumstances under which it ceased to exist; and (f) the identity of all persons having knowledge or who had knowledge of the contents thereof and each individual's address.

15. All Documents shall be produced in the same order as they are kept or maintained by you in the ordinary course of business.

16. You are requested to produce all drafts and notes, whether typed, handwritten or otherwise, made or prepared in connection with the requested Documents, whether or not used.

17. Documents attached to each other shall not be separated.

18. Documents shall be produced in such fashion as to identify the department, branch or office in whose possession they were located and, where applicable, the natural person in whose possession they were found, and business address of each Document's custodian(s).



19. If any Document responsive to the request is withheld, in all or part, based upon any claim of privilege or protection, whether based on statute or otherwise, state separately for each Document, in addition to any other information requested: (a) the specific request which calls for the production; (b) the nature of the privilege claimed; (c) its date; (d) the name and address of each author; (e) the name and address of each of the addresses and/or individual to whom the Document was distributed, if any; (f) the title (or position) of its author; (g) type of tangible object, *e.g.*, letter, memorandum, telegram, chart, report, recording, disk, etc.; (h) its title and subject matter (without revealing the information as to which the privilege is claimed); (i) with sufficient specificity to permit the Court to make full determination as to whether the claim of privilege is valid, each and every fact or basis on which you claim such privilege; and (j) whether the document contained an attachment and to the extent you are claiming a privilege as to the attachment, a separate log entry addressing that privilege claim.

20. If any Document requested herein is withheld, in all or part, based on a claim that such Document constitutes attorney work product, provide all of the information described in Instruction No. 19 and also identify the litigation in connection with which the Document and the information it contains was obtained and/or prepared.

21. Plaintiff does not seek and does not require the production of multiple copies of identical Documents.

22. This Request is deemed to be continuing. If, after producing these Documents, you obtain or become aware of any further information, Documents, things, or information responsive to this Request, you are required to so state by supplementing your responses and producing such additional Documents to Plaintiff.



**DOCUMENTS TO BE PRODUCED PURSUANT TO THIS SUBPOENA**

1. All documents related to Jeffrey Epstein.
2. All documents relating to any investigation of Jeffrey Epstein.
3. All documents relating to Ghislaine Maxwell.
4. All documents relating to any investigation of Ghislaine Maxwell.
5. All documents related to Sarah Kellen, a/k/a Sarah Vickers, a/k/a Sara Kensington.
6. All documents related to any investigation of Sarah Kellen, a/k/a Sarah Vickers, a/k/a Sara Kensington.
7. All documents related to any victims or alleged victims of Jeffrey Epstein, Ghislaine Maxwell, or Sarah Kellen, a/k/a Sarah Vickers, a/k/a Sara Kensington.
8. All communications regarding Jeffrey Epstein, Ghislaine Maxwell, Sarah Kellen, a/k/a Sarah Vickers, a/k/a Sara Kensington.
9. All documents or communications regarding any investigator, police officer, prosecutor, or other government employee that had any involvement in the investigation, arrest, or prosecution of Jeffrey Epstein, including, but not limited to, Barry Kirshner.
10. All documents or communications regarding any agent of Jeffrey Epstein, Ghislaine Maxwell, Sarah Kellen, a/k/a Sarah Vickers, a/k/a Sara Kensington, including, but not limited to, private investigators and attorneys.
11. Any documents or communications regarding any persons or entities who may have conducted any type of surveillance on you.

BOIES, SCHILLER & FLEXNER LLP

401 EAST LAS OLAS BOULEVARD • SUITE 1200 • FORT LAUDERDALE, FL 33301-2211 • PH. 954.356.0011 • FAX 954.356.0022

Sigrid S. McCawley, Esq.  
E-mail: [smccawley@bsflp.com](mailto:smccawley@bsflp.com)

June 17, 2016

VIA E-MAIL

Laura A. Menninger, Esq.  
HADDON, MORGAN AND FOREMAN, P.C.  
150 East 10<sup>th</sup> Avenue  
Denver, Colorado 80203  
[lmenninger@hmflaw.com](mailto:lmenninger@hmflaw.com)

Re: *Giuffre v. Maxwell*  
Case No. 15-cv-07433-RWS

Dear Ms. Menninger:

On behalf of the Plaintiff, Virginia Giuffre, documents, Bates-stamped GIUFFRE005614 through GIUFFRE006279, are being produced pursuant to Defendant's Request for Production. All of the documents within this production have been designated as CONFIDENTIAL in accordance with the Protective Order. Please treat these documents accordingly.

This production consists of the March 19, 2010 deposition of Detective Joseph Recarey with exhibits, and an unredacted version of the Police Incident Report that was used in redacted form as Exhibit 2 in that deposition.

If you have any questions concerning the foregoing, or if there are any issues with the media, please do not hesitate to contact me at (954) 356-0011.

Sincerely,



Sigrid S. McCawley

SSM:dk  
Enclosures

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
VIRGINIA L. GIUFFRE,  
Plaintiff,  
v.  
GHISLAINE MAXWELL,  
Defendant.  
-----X

15-cv-07433-RWS

**DEFENDANT'S MOTION FOR RULE 37(b) &(c) SANCTIONS FOR FAILURE TO  
COMPLY WITH COURT ORDER AND FAILURE TO COMPLY WITH RULE 26(a)**

Laura A. Menninger  
Jeffrey S. Pagliuca  
HADDON, MORGAN, AND FOREMAN, P.C.  
East 10<sup>th</sup> Avenue  
Denver, CO 80203  
303.831.7364

## TABLE OF CONTENTS

CERTIFICATE OF CONFERRAL .....	1
INTRODUCTION .....	1
BACKGROUND FACTS .....	2
I. SANCTIONS AVAILABLE FOR FAILURE TO COMPLY WITH DISCOVERY ORDER OR PROVIDE RULE 26(A) DISCLOSURES .....	6
A. Rule 37(b) Factors for Failure to Comply With Court Order .....	8
1. Plaintiff’s actions were willful .....	8
2. Lesser sanctions will be insufficient and Ms. Maxwell has been prejudiced .....	10
3. Plaintiff has been non-compliant since the outset of discovery .....	11
4. Plaintiff and her counsel are fully aware of sanctions for non-compliance with Court orders .....	14
B. Additional Rule 37(c) Factors for Failure to Comply With Initial Disclosure Requirements .....	15
1. The information withheld is critically important .....	15
2. Ms. Maxwell would require an extension of the discovery period .....	17
II. STRIKING CLAIMS FOR MEDICAL AND EMOTIONAL DISTRESS DAMAGES IS CONSISTENT WITH THE PURPOSE OF RULE 37, COMMENSURATE WITH THE INFORMATION WITHHELD, AND LESS HARSH THAN THE AVAILABLE DISMISSAL SANCTION.....	18
CONCLUSION.....	19
CERTIFICATE OF SERVICE .....	21





Defendant Ghislaine Maxwell (“Ms. Maxwell”) files this Motion for Rule 37(b) &(c) Sanctions for Failure to Comply with Court Order and Failure to Comply with Rule 26(a), stating as follows:

### **CERTIFICATE OF CONFERRAL**

The undersigned has conferred with Plaintiff’s counsel on multiple occasions in an attempt to obtain records and interrogatory responses Ordered by the Court, including by letter dated April 25, 2016, outlining the expected productions and information. Menninger Decl., Ex. L. As set forth below, Plaintiff has not produced the documents and did not provide complete or accurate information.

### **INTRODUCTION**

Plaintiff is playing a game of catch and release. She is withholding information the Court ordered be produced and only releasing that information when she is caught in her deception.

At the April 21, 2016 hearing on Ms. Maxwell’s Motion to Compel, the Court clearly Ordered Plaintiff to disclose all of her treating health care providers since 1999 and produce their records. Plaintiff did not do so, and still has not provided this information to date. It is only through deposition testimony that Ms. Maxwell became aware of at least five – if not more – treating health care providers who were never previously identified. Yet, Plaintiff has never supplemented her discovery responses to include these health care providers. Plaintiff has also failed to provide records, or has provided incomplete records, of several of the health care professionals, both disclosed and newly discovered, despite her counsel’s assurances to this Court that all records have been produced. Further, Plaintiff has still failed to provide an actual computation of her damages, or any documentation supporting those claims.

These discovery abuses cannot be condoned. All of this information is directly relevant to, and necessary to defend against, Plaintiff's damages claims for "psychological and psychiatric injuries and resulting medical expenses" and "past, present and future pain and suffering, mental anguish, humiliation, embarrassment, loss of self-esteem." Plaintiff's claims for these categories of damages must be stricken or evidence as to these damages precluded from trial under Fed. R. Civ. P. 37(b)(2)(A)(ii)&(iii) and Fed. R. Civ. P. 37(c)(1)(C).

### **BACKGROUND FACTS**

On February 12, 2016, Ms. Maxwell served Interrogatories on Plaintiff for the identities and locations of any Health Care Provider from whom she has "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" (Interrogatory No. 12) and "*prior to* the Alleged Defamation." Interrogatory No. 13 (emphasis added). As to both, Ms. Maxwell provided releases for Plaintiff's signature.

On March 16, 2016, Plaintiff refused to provide the names of any of Plaintiff's treating physicians, nor the requested releases, claiming "privilege." Menninger Decl., Ex. A.

On March 22, 2016, Plaintiff served Supplemental Responses & Objections and then Amended Supplemental Responses & Objections. Menninger Decl., Ex. B. Neither contained responses as to Plaintiff's health care providers. On March 22, 2016, Plaintiff also provided an Addendum to Plaintiff's Rule 26 Initial Disclosures in which she listed as potential witnesses, Dr. Steven Olson and Dr. Carol Hayek. Menninger Decl., Ex. C.

In her Initial Disclosures, Plaintiff included medical records as documents that she intends to use to establish her damages claims. Menninger Decl., Ex. D. On March 22, 2016,

Ms. Maxwell was forced to file a Motion to Compel Plaintiff to Disclose Pursuant to Fed. R. Civ. P. 26(a)(1). Docket Entry (“DE”) 64.<sup>1</sup>

On March 31, 2016, Ms. Maxwell was forced to file a Motion to Compel Plaintiff, *inter alia*, to properly respond to Interrogatory Nos. 12 and 13. Docket Entry (“DE”) 75.

On April 21, 2016, Plaintiff’s counsel represented to the Court during oral argument that “We have disclosed the names. She has those names. We have also disclosed the records, the more recent records. We have not contested that.... But we have disclosed the names of the providers.” (Tr. at 21-22) Plaintiff’s counsel stated the only missing doctors were “in the past.... years and years ago.” (Tr. at 22-23) attached to Menninger Decl., Ex. E.

At the April 21, 2016 hearing, the Court ordered Plaintiff to produce the records from Ms. Giuffre’s medical doctors (apart from pre-1999) and to respond fully to the interrogatories concerning all of her treating physicians after 1999. *Id.* (Tr. 20-21).

On April 29, 2016, Plaintiff served Second Amended Supplemental Responses & Objections. Menninger Decl., Ex. F. As to Interrogatory No. 12 (seeking the names of treatment providers subsequent to the Alleged Defamation). Plaintiff listed:

- Dr. Steven Olson
- Dr. Chris Donahue
- Dr. John Harris and Dr. Majaliyana
- Dr. Wah Wah
- Dr. Sellathuri
- Royal Oaks Medical Center
- Dr. Carol Hayek
- NY Presbyterian Hospital
- Campbelltown Hospital
- Sydney West Hospital
- Westmead Hospital
- Dr. Karen Kutikoff
- Wellington Imaging Associates
- Growing Together.

---

<sup>1</sup> That motion remains open.

For some providers, Plaintiff provided records, and the nature of treatment was identified by reference to the records. For other providers, no records were produced. Where no documents were produced, Plaintiff failed to identify the dates and nature of the treatment received, as requested in the Interrogatory. *Id.* Plaintiff failed therein to identify any treatment providers *prior to* the alleged defamation, despite the Court's order concerning 1999-2015.

At Plaintiff's deposition on May 3, 2016, she described receiving treatment from Dr. Donahue and a Dr. Judith Lightfoot from October 2015 to the present. Menninger Decl., Ex. G at 308-14 & 328-331. Plaintiff also described obtaining prescriptions from Dr. Donahue [REDACTED] from Dr. Olson. She claimed she was not treated by any other physicians that had not been previously listed. *Id.*

During the deposition of Plaintiff's mother, Lynn Miller, on May 24, 2016, Ms. Maxwell learned that [REDACTED]. Menninger Decl., Ex. H at 144.

On June 1, 2016, Plaintiff produced additional documentation from Centura Health for treatment received by Plaintiff in March 2015 ([REDACTED]) and May 2015. These documents identify three *additional* health care professionals who treated Plaintiff, including Dr. Scott Robert Geiger, Dr. Joseph Heaney, and Donna Oliver P.A. Menninger Decl., Ex. I at 144.

On May 25, 2016, Plaintiff sent Ms. Maxwell additional records obtained from Plaintiff's treatment at Centura in June 2015. Those documents identify another medical provider, Dr. Michele Streeter. Menninger Decl., Ex. J at 144.

Further, during the deposition of Dr. Olson on May 26, 2016, Ms. Maxwell learned that he had additional records in his laptop that had not been produced prior to his deposition.<sup>2</sup>

Menninger Decl., Ex. K, p. 36.

As of today's date, more than four months after Ms. Maxwell first sought the identities of Plaintiff's health care providers and the records concerning the same, more than a month and a half since the Court ordered Plaintiff to produce such identities and records, and 10 days before the end of fact discovery in this case, Ms. Maxwell has learned of at least five additional doctors who have treated Plaintiff since the time of the alleged defamatory statement: Dr. Lightfoot, Dr. Geiger, Dr. Heaney, Donna Oliver P.A and Dr. Streeter. In each case, documents relating to these doctors were not provided *until after* their identities became known through deposition or other independent investigation by Ms. Maxwell.

Plaintiff still has failed to produce any records from: (a) Dr. Donahue, (b) Dr. Hayek, (c) Dr. Kutikoff, (d) Wellington Imaging Assocs., (e) Growing Together, (f) post 2011 records from Dr. Lightfoot, and (g) the remaining documents for treatment by Dr. Olson.

With respect to Dr. Donahue, Dr. Hayek, Dr. Kutikoff, Wellington Imaging Assocs., Growing Together and Dr. Olson, Plaintiff has failed to provide complete responses to the Interrogatories including the dates and nature or treatment. Menninger Decl., Ex. F.

Plaintiff has alleged the following categories of damages:

- (A) "Physical, psychological and psychiatric injuries and resulting medical expenses—in the approximate amount of \$102,200 present value";
- (B) "Past, present and future pain and suffering, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of standing in the community, loss of dignity, and invasion of privacy in her public and private life not less than \$30,000,000.00"; and
- (C) Estimated lost income of \$180,000 annually. Present value \$3,461,000 to \$5,407,000"

---

<sup>2</sup> At the deposition, copies were produced that were difficult to read. Despite requests, legible copies have not been provided.



Pl's Supp. Discl., at 15-18, Menninger Decl., Ex. D.

**I. SANCTIONS AVAILABLE FOR FAILURE TO COMPLY WITH DISCOVERY ORDER OR PROVIDE RULE 26(A) DISCLOSURES**

Federal Rule of Civil Procedure 37(b)(2) sets forth the sanctions for a party's failure to comply with a Court's discovery order, providing in relevant part:

(A) *For Not Obeying a Discovery Order.* If a party or a party's officer, director, or managing agent—or a witness designated under [Rule 30\(b\)\(6\)](#) or [31\(a\)\(4\)](#)—fails to obey an order to provide or permit discovery, including an order under [Rule 26\(f\)](#), [35](#), or [37\(a\)](#), the court where the action is pending may issue further just orders. They may include the following:

- (i) directing that the matters embraced in the order or other designated facts be taken as established for purposes of the action, as the prevailing party claims;
- (ii) prohibiting the disobedient party from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;
- (iii) striking pleadings in whole or in part;
- (iv) staying further proceedings until the order is obeyed;
- (v) dismissing the action or proceeding in whole or in part;
- (vi) rendering a default judgment against the disobedient party; or
- (vii) treating as contempt of court the failure to obey any order except an order to submit to a physical or mental examination.

(C) *Payment of Expenses.* Instead of or in addition to the orders above, the court **must** order the disobedient party, the attorney advising that party, or both to pay the reasonable expenses, including attorney's fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust.

These same sanctions are available for Plaintiff's failure to provide required disclosures under Fed. R. Civ. Procedure 26(a).<sup>3</sup> Specifically, Rule 37(c) provides:

---

<sup>3</sup> Rule 26(a)(iii) requires the Plaintiff to provide “a computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under [Rule 34](#) the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, *including materials bearing on the nature and extent of injuries suffered*.”

(1) *Failure to Disclose or Supplement*. If a party fails to provide information or identify a witness as required by [Rule 26\(a\)](#) or (e), the party is not allowed to use that information or witness to supply evidence on a motion, at a hearing, or at a trial, unless the failure was substantially justified or is harmless. In addition to or instead of this sanction, the court, on motion and after giving an opportunity to be heard

(A) may order payment of the reasonable expenses, including attorney's fees, caused by the failure;

(B) may inform the jury of the party's failure; and

(C) may impose other appropriate sanctions, including any of the orders listed in [Rule 37\(b\)\(2\)\(A\)\(i\)–\(vi\)](#).

“Under Rule 37(b)(2), courts enjoy broad discretion to sanction parties that fail to obey discovery orders. This discretion includes, but is not limited to, the power to issue an order ‘dismissing the action or proceeding in whole or in part.’” *Naguib v. Pub. Health Sols.*, No. 12-CV-2561 ENV LB, 2014 WL 3695965, at \*3 (E.D.N.Y. July 24, 2014), *appeal dismissed* (Nov. 5, 2014). In “exercise [ ] its broad discretion to order sanctions under Rule 37,” a court may consider a number of factors in issuing sanctions for failure to comply with a Court Order, “including: (1) the willfulness of the non-compliant party or the reason for the noncompliance; (2) the efficacy of lesser sanctions; (3) the duration of the period of noncompliance, and (4) whether the noncompliant party had been warned of the consequences of his non-compliance.” *Nieves v. City of New York*, 208 F.R.D. 531, 535 (S.D.N.Y.2002); *see also S. New England Tel. Co. v. Glob. NAPs Inc.*, 624 F.3d 123, 144 (2d Cir. 2010) (same). This list is not exclusive, and many courts also consider the prejudice to the opposing party in determination of the sanction that should be awarded. *See id.* (factors not exclusive); *Labib v. 1141 Realty LLC*, No. 10 CIV. 8357 MHD, 2013 WL 1311002, at \*7 (S.D.N.Y. Mar. 29, 2013)(examining the prejudicial impact of the non-compliance).

The factors considered in evaluation precluded as a sanction for non-disclosure under rule 26(a) are: “(1) the party's explanation for the failure to comply with the discovery [requirement]; (2) the importance of ... the precluded [evidence]; (3) the prejudice suffered by the opposing party as a result of having to prepare to meet the new testimony; and (4) the possibility of a continuance.” *Mikulec v. Town of Cheektowaga*, 302 F.R.D. 25, 29-30 (W.D.N.Y. 2014) (quoting *Ritchie Risk-Linked Strategies Trading (Ir.), Ltd. v. Coventry First LLC*, 280 F.R.D. 147, 157 (S.D.N.Y. 2012)).

The examination of these factors demonstrates that preclusion of Plaintiff's claims regarding physical and emotional distress damages is the appropriate sanction for Plaintiff's failure to comply with the Court's April 21, 2015 discovery order and failure to provide medical information that bear directly on her damages claims under Rule 26(a)(iii).

#### **A. Rule 37(b) Factors for Failure to Comply With Court Order**

##### **1. Plaintiff's actions were willful**

“Noncompliance with discovery orders is considered willful when the court's orders have been clear, when the party has understood them, and when the party's non-compliance is not due to factors beyond the party's control.” *Davidson v. Dean*, 204 F.R.D. 251, 255 (S.D.N.Y. 2001) (citing *Davis v. Artuz*, 96 Civ. 7699(GBD), 2001 WL 50887 at \*3 (S.D.N.Y. Jan. 19, 2001)).

The Court's Order at the April 21, 2016 hearing was entirely clear – Plaintiff was required to fully respond to the Interrogatory identifying all of her medical providers from 1999 to present, including the dates of treatment, reasons for treatment, and costs of treatment, as well as providing records relating to her treatment. Menninger Decl., Ex. E. For avoidance of doubt, undersigned counsel sent a confirming letter to Plaintiff's counsel setting forth the precise information required, and requesting that it be produced in advance of Plaintiff's deposition to so that Plaintiff could be fully examined on these issues. Menninger Decl., Ex. L.

At the hearing, Plaintiff's counsel represented to undersigned counsel and this Court that the identities and all medical records for Plaintiff's treatment providers after the alleged defamation had been provided. Menninger Decl., Ex. E at 21-23. This was simply false. At this point, there are at least five treatment providers that had not been disclosed. None of their records were disclosed until after their identities were uncovered through depositions.

Plaintiff was and is capable of *at a minimum* identifying the physicians and psychologists who have treated her – the matter is fully in her control. Yet, she completely failed to identify at least five health care providers. These were providers who she is currently seeing or has seen in the recent past, who have prescribed her medication, and are treating her for emotional and mental issues – the very things for which she is seeking damages. There can be no argument that the failure to identify and produce records from these doctors was anything but an intentional and willful violation.

Additionally, at her deposition, Plaintiff intentionally concealed other treating physicians who treated her [REDACTED]

[REDACTED]

[REDACTED] See Menninger Decl., Ex. I. As fully briefed, the existence of other or intervening physical and emotional distress damages was the primary purpose for requesting medical information and treatment providers. See Motion to Compel at 18-19 (DE 75). [REDACTED]

[REDACTED]

[REDACTED].

Plaintiff's intentional refusal to obey this Court's Order, including failure to disclose her treating psychologist she is still seeing to this day for the very injuries she claims in this lawsuit, is ground for precluding her damage claims for physical and emotional distress.

**2. Lesser sanctions will be insufficient and Ms. Maxwell has been prejudiced**

Plaintiff's pattern of discovery abuses and failure to disclose necessary and required information makes clear that no lesser sanction will deter Plaintiff's continuing discovery abuses. "[T]he purposes of Rule 37 sanctions, [is] 'to 'ensure that a party will not benefit from its own failure to comply,' to 'obtain compliance with a particular order issued,' and to 'serve a general deterrent effect on the case at hand and on other litigation, provided that the party against whom they are imposed was in some sense at fault.'" *Szafrankowska v. AHRC Home Care Servs., Inc.*, 2008 WL 186206, \*1 (S.D.N.Y. Jan. 22, 2008) (quoting *Update Art, Inc. v. Modiin Pub., Ltd.*, 843 F.2d 67, 71 (2d Cir.1988)); see also *S. New England*, 624 F.3d at 149.

Ms. Maxwell has been severely prejudiced by Plaintiff's failure to provide the required identifying information and documents from her health care providers. One health care provider identified by Plaintiff in her deposition is a psychiatrist, Judith Lightfoot, who is located in Australia. Plaintiff's specifically claims [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Obviously, Dr. Lightfoot has relevant information concerning Plaintiff's emotional state both before and after the alleged defamatory statement. Indeed, her testimony could conclusively prove that Plaintiff's mental state has been unaffected by the alleged defamation. Despite this, Plaintiff purposefully omitted Dr. Lightfoot from her



sworn interrogatory responses and has not produced any records from Dr. Lightfoot's recent treatment of Plaintiff.<sup>4</sup> With less than ten days left in discovery, arranging for and taking the deposition of Dr. Lightfoot – a person living in a foreign county, is nearly impossible.

Likewise, Plaintiff has seen another doctor, Dr. Donahue, [REDACTED]. She has met with him [REDACTED] on two occasions, both after the alleged defamatory statement. Yet, Plaintiff failed to identify this as the nature of Dr. Donahue's treatment in her Interrogatory Responses. Nor did she identify the time frame in which she was treated by Dr. Donahue. She has never provided his records. Obviously, Dr. Donahue also has relevant information, which was entirely unclear from the Interrogatory response provided. [REDACTED]

[REDACTED] This information is all relevant, discoverable, and was purposefully hidden by Plaintiff.

Any action short of precluding claims for physical, psychological and emotional distress damages will fall short of serving Rule 37's purpose to "ensure that a party will not benefit from its own failure to comply" with court orders. *S. New England*, 624 F.3d at 149. To permit Plaintiff to get away with her purposeful non-compliance would reward her by allowing her to conceal relevant discoverable information that might fully disprove causation between Ms. Maxwell's statement and Plaintiff's alleged physical symptoms and emotional distress.

### **3. Plaintiff has been non-compliant since the outset of discovery**

From the initiation of discovery, Plaintiff has played hide the ball. Starting with the service of Rule 26(a) disclosures, Plaintiff has simply refused to turn over required and necessary

---

<sup>4</sup> After Plaintiff revealed Dr. Lightfoot's identity in her deposition, Plaintiff belatedly produced a single document from Dr. Lightfoot concerning Plaintiff's initial consultation with her in 2011. No records from her more recent treatment have been produced.

information. In her initial Rule 26(a) disclosures in November 2015, Plaintiff failed to provide any information on the calculation of or supporting evidence for her damages claim. When she supplemented her Rule 26(a) disclosures, she provided none of the necessary information or an actual computation of damages, relying on other people's alleged earning potential and average damage awards in other cases with completely different claim types. *See* Motion to Compel Rule 26(a) Disclosure at 5-6 (DE 64).<sup>5</sup> To date, over six months after her Rule 26(a) disclosures were required and with less than 10 days left in discovery, Plaintiff has failed and refused to provide any supporting documentation for her damages claims or an actual computation of her damages based on her alleged injury as required by Fed. R. Civ. P. 26(a)(iii). At a minimum, reliance on any calculation, information or evidence that has not been provided as of this filing of this motion must be precluded.

Plaintiff's Rule 26 failures do not end with the damages calculations. It has now become clear that Plaintiff failed to disclose witnesses with relevant information based on the subpoenas she has served in this matter. Plaintiff repeatedly has issued subpoenas to witnesses for depositions and document production before including them on her Rule 26 disclosures. To wit,

- Allyson Chambers – subpoena February 12; disclosed March 11
- Aviation Insurance – subpoena April 27; never disclosed
- [REDACTED] – subpoena notice May 16; disclosed June 1
- Joe Recarey – subpoena notice May 17; disclosed June 1
- Michael Reiter – subpoena notice May 17; disclosed June 1
- Shopper's Paradise – subpoena notice April 26; never disclosed

How many other witnesses are there with relevant information that Plaintiff has hidden?

---

<sup>5</sup> No ruling had been made on this Motion.

Plaintiff has been equally evasive in responding to written discovery. Until Ms. Maxwell was forced to file a Motion to Compel, Plaintiff failed to give even the most basic relevant and fully discoverable information, including the identities of Plaintiff's physicians, information on her work and education history, and even the identity of her counsel and the matters on which they represent her. *See* DE 75. After being ordered to provide this information, Plaintiff continued her strategy of providing made up or false information, or simply refusing to provide the ordered information.

First, despite being ordered to produce all documents relating to alleged law enforcement inquiries *other than* Plaintiff's own statements (which would be provided for *in camera* review), she simply provided *all* documents relating to alleged law enforcement inquiries for *in camera* review, attempting to re-litigate the issue instead of complying with the Court's order. *See* DE 139. Second, she and her attorneys have fabricated and backdated a string of engagement letters attempting to substantiate their privilege claims, as fully detailed in Ms. Maxwell's Reply in Support of Motion to Compel Non-Privileged Documents. *See* DE 191, p. -9. As shown above, Plaintiff only selectively and belatedly turned over medical records and the identity of her medical providers, and only after Ms. Maxwell uncovered their existence. Similarly, Plaintiff was specifically asked for photographs of Plaintiff with certain individuals (including Prince Andrew), and production of those photographs in native format. Plaintiff claimed she produced documents she had, but did not possess any native format pictures. Menninger Decl., Ex. E at 26-27. In Plaintiff's deposition, she revealed that she had a box of documents that included pictures, including perhaps a photograph of herself and Prince Andrew, but that she did not look through the box or provide any of its contents. Menninger Decl., Ex. G at 208-13. Shortly thereafter, Plaintiff's counsel produced 60 pages of pictures previously withheld. Menninger

Decl., Ex. M. Plaintiff still not provided the native versions of these photographs. This pattern was repeated again in just the past few days when Plaintiff turned over additional relevant documents from Plaintiff's iCloud account, but only did so after Ms. Maxwell's counsel ferreted out that account through detailed review of documents produced showing that the account was used by Plaintiff including in her correspondence with her counsel. Plaintiff failed to disclose the account, the identity of which was requested discovery. *Compare* Menninger Decl., Ex. F at 8-9 *with* Menninger Decl., Ex. G at 277; Menninger Decl., Ex. N (letter re: iCloud account).

While Ms. Maxwell has been able to unearth some of the information Plaintiff has purposefully withheld, there is simply no telling what else she is still hiding. "The sanctions imposed by [Rule 37](#) for obstructing or failing to comply with discovery procedures would be hollow indeed if they could be imposed only on those whose efforts at concealment proved to be successful. Plaintiff may not properly escape the consequences of [plaintiff's] own wrongful conduct because the defendants were diligent and persistent enough to overcome the obstacles which [plaintiff] placed in their path." *Nittolo v. Brand*, 96 F.R.D. 672 (S.D.N.Y. 1983). Put simply, Plaintiff's discovery abuses have been rampant since the beginning of this case. In the case of withholding required documents and information regarding health care providers that are central to the defense claimed damages, these abuses necessitate preclusion of the claims.

**4. Plaintiff and her counsel are fully aware of sanctions for non-compliance with Court orders**

"Although formal warnings often precede the imposition of serious sanctions, this court has never considered warning an absolute condition precedent." *Davidson v. Dean*, 204 F.R.D. 251, 257 (S.D.N.Y. 2001). Plaintiff is represented by no less than four law firms and has seven attorneys of record in this case. Each should be fully aware, without need for warning, that the failure to comply with this Court's orders can result in Rule 37 sanctions. "[I]t is an elementary

fact and expectation of legal practice that an attorney who fails to abide by a court rule or order may be subject to sanctions or other adverse consequences.” *In re Payne*, 707 F.3d 195, 206 (2d Cir. 2013); *see also Gurvey v. Cowan, Liebowitz & Lathman, P.C.*, No. 06 CIV. 1202 LGS HBP, 2014 WL 715612, at \*6 (S.D.N.Y. Feb. 25, 2014) (“Although [the offending party] was not expressly warned of the consequences of disobeying my Orders, she is an attorney and is chargeable with knowing the consequences of violating a court order.” (footnote omitted)).

**B. Additional Rule 37(c) Factors for Failure to Comply With Initial Disclosure Requirements**

The factors considered under Rule 37(b) and (c) largely overlap, and the issues of willfulness and prejudice are addressed above. The two additional factors considered in imposing the sanctions for failure to provide required Rule 26(a) damages calculations and documents -- the importance of the information withheld and possibility of continuance -- also warrant imposition of striking the claims for physical and emotional distress damages.

**1. The information withheld is critically important**

As fully explained in the Motion to Compel Rule 26(a) disclosures, to date Plaintiff still has not provided an actual computation of the physical and emotional distress damages she claims. Despite specific discovery requests, Plaintiff failed to provide the information about her most current physical and mental health treatment providers -- those people whom she saw after the alleged defamation. This information is critical to the defense against Plaintiff’s damages claims. The undisclosed records demonstrate that Plaintiff did not seek any treatment immediately following the alleged defamatory statement on January 2, 2015. The first treatment she sought thereafter was on March 5, 2015 and was *unrelated* to any physical or emotional distress caused by the alleged defamatory statement. Instead, she was treated at a hospital for a domestic violence incident in which her husband strangled and punched her. This highly



[REDACTED]

[REDACTED]. Yet, Plaintiff did not report this treatment or identify these health care providers in her Initial Disclosures or Interrogatory Responses. She also purposefully left this information out of her testimony relating to doctors she has seen after January 2, 2015. [REDACTED]

[REDACTED]. Plaintiff is obviously trying to hide this very serious other intervening cause of her damages – and she almost got away with it.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Dr. Lightfoot is perhaps the most relevant health care provider, yet her name appears nowhere in the Disclosures or in the Interrogatory Responses. Plaintiff still has not produced a single record from Dr. Lightfoot for any treatment after the alleged defamatory statement.

A third doctor, Dr. Donahue, may have been named, but the nature and dates of the treatment he provided were never disclosed. [REDACTED]

[REDACTED]

[REDACTED]. No records have been produced. [REDACTED]

[REDACTED]

[REDACTED]. Menninger Decl., Ex. G, p. 336. There is a clear need to depose Dr. Donahue regarding this failure to mitigate damages. Yet, his records have not been produced, and his role in Plaintiff's treatment was not disclosed until Plaintiff's deposition.

One can only assume Dr. Carol Hayek has relevant information – she was actually included in Plaintiff’s Second Supplemental Responses & Objections. Plaintiff nevertheless fails to identify the nature of Dr. Hayek’s treatment of her and no records have been produced. Plaintiff cannot be permitted to identify people with relevant information that she plans on relying on and yet refuse to inform the defense the content of the information.

The information that was withheld and only produced after Ms. Maxwell’s counsel discovered its existence is of paramount importance to the damages claims. It is likely that the still undisclosed evidence is equally compelling.

## **2. Ms. Maxwell would require an extension of the discovery period**

Ms. Maxwell does not wish to extend the discovery deadlines in this matter and has diligently worked to meet all deadlines so that this case can proceed on the schedule set out in the Scheduling Order. Ms. Maxwell obtained the deposition testimony of the one treatment provider Plaintiff did initially identify<sup>6</sup> – Dr. Olsen – who has provided valuable information that disproves any physical or emotional distress damages caused by the alleged defamation. Now, on the eve of discovery closing, Ms. Maxwell has learned of at least five other medical treatment providers in the most relevant timeframe – people providing medical and mental health services post the alleged defamatory statement in January 2015. Plaintiff’s discovery failures in hiding relevant treating physician information have prevented Ms. Maxwell from obtaining what now appears to be critical information. Two of these providers – Drs. Lightfoot and Donahue -- are located in Australia, requiring significant travel to obtain their deposition, and potentially requiring service of process through other means. Four other treatment providers – Dr. Geiger,

---

<sup>6</sup> Plaintiff also originally disclosed a Dr. Carol Hayek as a treatment provider. However, no information has been provided on what Dr. Hayek treated Plaintiff for or when she was treated, and no medical records have been produced.

Dr. Heaney, Donna Oliver P.A and Dr. Streeter – reside in Colorado. Because they are outside of the jurisdiction, they are not subject to be compelled to appear at trial, requiring that their depositions be taken to present their testimony.

Ms. Maxwell does not wish to drag this case out, and should not be forced to incur the time and expense that would be required to obtain discovery from these hidden health care providers, especially at this late stage.

**II. STRIKING CLAIMS FOR MEDICAL AND EMOTIONAL DISTRESS DAMAGES IS CONSISTENT WITH THE PURPOSE OF RULE 37, COMMENSURATE WITH THE INFORMATION WITHHELD, AND LESS HARSH THAN THE AVAILABLE DISMISSAL SANCTION.**

Under Rule 37, Ms. Maxwell could certainly request the more severe sanction of dismissal of the case.<sup>7</sup> This most severe sanction would be appropriate in this circumstance. Dismissal is consistent with the sanctions imposed by many courts in this district and throughout New York in similar situations where medical records have been withheld despite a court order to produce, and those medical records are central to the issue in the case. *See Nittolo v. Brand*, 96 F.R.D. 672 (S.D.N.Y. 1983) (dismissing plaintiff's claims under Rule 37 for providing false and evasive answers concerning material facts including medical history); *Skywark v. Isaacson*, No. 96 CIV. 2815 JFK, 1999 WL 1489038, at \*1 (S.D.N.Y. Oct. 14, 1999), *aff'd*, No. 96 CIV. 2815 (JFK), 2000 WL 145465 (S.D.N.Y. Feb. 9, 2000) (dismissal of Plaintiff's claims for failure to turn over medical records relevant to claims, and withholding Court ordered information until uncovered by defendant); *In re Consol. RNC Cases*, No. 127, 2009 WL 130178, at \*13 (S.D.N.Y. Jan. 8, 2009) (dismissal of emotional distress claims under Rule 37 for failure to turn over relevant medical records despite Court Order); *Witharana v. Dorsey*, No. 13-CV-3102 ENV

---

<sup>7</sup> Obviously, the Court has the power to elect this sanction on its own should it so choose.

MDG, 2015 WL 4510273, at \*5 (E.D.N.Y. July 24, 2015) (dismissal of claims under Rule 37 for failure to provide Court Ordered medical releases relevant to claims).

Here, Ms. Maxwell seeks the lesser sanction of striking the claim or precluding evidence only on the damages that relate to the withheld documents and information. The information being withheld – medical and psychological providers and their records – related directly to the claims for physical, psychological and emotional distress damages. The sanction sought is commensurate with and directly related to Plaintiff's violation of the Court's Order. Given the ten days left in discovery Ms. Maxwell cannot adequately get discovery on this newly disclosed evidence. In light of Plaintiff's continuing and persistent discovery misconduct, the punishment fits.

### **CONCLUSION**

WHEREFORE, Ms. Maxwell requests that this Court enter an Order:

- 1) Striking Plaintiff Damages Claims for psychological pain and suffering, mental anguish and emotional distress (Complaint ¶ 19), Physical, psychological and psychiatric injuries and resulting medical expenses (Rule 26(a) Disclosures, Paragraph (C)(1)) and "Past, present and future pain and suffering, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of standing in the community, loss of dignity and invasion of privacy in her public and private life" (Rule 26(a) Disclosures, Paragraph (C)(1));
- 2) For attorneys' fees and costs incurred in filing this Motion; and
- 3) Warning Plaintiff that further violation of this Court orders or the discovery rules may result in the sanction of dismissal of her claims.

Dated: June 20, 2016

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 10<sup>th</sup> Avenue  
Denver, CO 80203  
Phone: 303.831.7364  
Fax: 303.832.2628  
lmenninger@hmflaw.com

*Attorneys for Ghislaine Maxwell*



**CERTIFICATE OF SERVICE**

I certify that on June 20, 2016, I electronically served this *Defendant's Motion for Rule 37(B) &(C) Sanctions for Failure to Comply with Court Order and Failure to Comply with Rule 26(A)* via ECF on the following:

Sigrid S. McCawley  
Meridith Schultz  
BOIES, SCHILLER & FLEXNER, LLP  
401 East Las Olas Boulevard, Ste. 1200  
Ft. Lauderdale, FL 33301  
smccawley@bsflfp.com  
mschultz@bsflfp.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.  
GHISLAINE MAXWELL,  
  
Defendant.  
-----X

**15-cv-07433-RWS**

**Declaration Of Laura A. Menninger In Support Of Defendant's Motion  
For Rule 37(B) &(C) Sanctions For Failure To Comply With Court Order  
And Failure To Comply With Rule 26(A)**

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 ("Maxwell") in this action. I respectfully submit this declaration in support of Defendant's Motion for Rule 37(b) &(c) Sanctions for Failure to Comply with Court Order and Failure to Comply with Rule 26(a).

2. Attached as Exhibit A is a true and correct copy of excerpts from Plaintiff's Response and Objections to Defendant's First Set of Discovery Requests to Plaintiff, served March 16, 2016.

3. Attached as Exhibit B is a true and correct copy of excerpts from Plaintiff's Amended and Supplemental Response and Objections to Defendant's First Set of Discovery Requests to Plaintiff, served March 22, 2016.

4. Attached as Exhibit C is a true and correct copy of Addendum to Plaintiff's Rule 26 Initial Disclosures, served March 22, 2016.

5. Attached as Exhibit D is a true and correct copy of Plaintiff, Virginia Giuffre's Revised Disclosure Pursuant to Fed. R. Civ. P. 26, served March 11, 2016.

6. Attached as Exhibit E is a true and correct copy of the transcript of the hearing held before this Court on April 21, 2016.

7. Attached as Exhibit F is a true and correct copy of Plaintiff's Second Amended Supplemental Response and Objections to Defendant's First Set of Discovery Requests to Plaintiff, served April 29, 2016.

8. Attached as Exhibit G (filed under seal) is a true and correct copy of excerpts from the Deposition of Virginia Giuffre taken in the above captioned matter on May 3, 2016, and designated by Plaintiff as Confidential under the Protective Order.

9. Attached as Exhibit H (filed under seal) is a true and correct copy of excerpts from the Deposition of Lynn Trude Miller taken in the above captioned matter on May 24, 2016, and designated by Plaintiff as Confidential under the Protective Order.

10. Attached as Exhibit I (filed under seal) is a true and correct copy of medical records bates labeled GIUFFRE005498-005569, produced by Plaintiff on June 1, 2016.

11. Attached as Exhibit J (filed under seal) is a true and correct copy of medical records bates labeled GIUFFRE005492-5496, produced by Plaintiff on May 25, 2016.

12. Attached as Exhibit K (filed under seal) is a true and correct copy of excerpts from the Deposition of Dr. Steven Olsen taken in the above captioned matter on May 26, 2016, and designated by Plaintiff as Confidential under the Protective Order.

13. Attached as Exhibit L is a true and correct copy of a letter from Laura A. Menninger to Sigrid McCawley dated April 25, 2016 concerning discovery.

14. Attached as Exhibit M is a true and correct copy of a letter from Sigrid McCawley to Laura A. Menninger and documents produced by Plaintiff bates labeled GIUFFRE005370-5430, produced by Plaintiff on May 12, 2016.

15. Attached as Exhibit N is a true and correct copy of a letter from Sigrid McCawley to Laura A. Menninger enclosing documents based labeled GIUFFRE005607-5613, produced by Plaintiff on June 14, 2016.

By: /s/ Laura A. Menninger  
Laura A. Menninger

**CERTIFICATE OF SERVICE**

I certify that on June 20, 2016, I electronically served this *Declaration Of Laura A. Menninger In Support Of Defendant's Motion For Rule 37(B) &(C) Sanctions For Failure To Comply With Court Order And Failure To Comply With Rule 26(A)* via ECF on the following:

Sigrid S. McCawley  
Meridith 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



# **EXHIBIT G**

***IUFFRE***

***VS.***

***MAXWELL***

**D position**

***VIR INIA IUFFRE***

*05/03/2016*

***Agren Blando Court Reporting & Video, Inc.***

*216 16th street, suite 600*

*Denver Colorado, 80202*

*303-296-0017*

age 205	age 207
<p>1 <b>another prince, the large hotel chain owner and</b></p> <p>2 <b>Marvin Minsky, is there anyone else that Ghislaine</b></p> <p>3 <b>Maxwell directed you to go have sex with?</b></p> <p>4 A I am definitely sure there is. But can I</p> <p>5 remember everybody's name? No.</p> <p>6 <b>Q Okay. Can you remember anything else</b></p> <p>7 <b>about them?</b></p> <p>8 A Look, I've given you what I know right</p> <p>9 now. I'm sorry. This is very hard for me and very</p> <p>10 frustrating to have to go over this. I don't -- I</p> <p>11 don't recall all of the people. There was a large</p> <p>12 amount of people that I was sent to.</p> <p>13 <b>Q Do you have any notes of all these people</b></p> <p>14 <b>that you were sent to?</b></p> <p>15 A No, I don't.</p> <p>16 <b>Q Where are your notes?</b></p> <p>17 A I burned them.</p> <p>18 <b>Q When did you burn them?</b></p> <p>19 A In a bonfire when I lived at Titusville</p> <p>20 because I was sick of going through this shit.</p> <p>21 <b>Q Did you have lawyers who were representing</b></p> <p>22 <b>you at the time you built a bonfire and burned these</b></p> <p>23 <b>notes?</b></p> <p>24 A I've been represented for a long time, but</p> <p>25 it was not under the instruction of my lawyers to do</p>	<p>1 <b>Q Including Mr. Edwards, who is sitting</b></p> <p>2 <b>right here, correct?</b></p> <p>3 A Correct.</p> <p>4 <b>Q What did that journal look like?</b></p> <p>5 A It was green.</p> <p>6 <b>Q And what else?</b></p> <p>7 A It was just a spiral notebook.</p> <p>8 <b>Q Okay. And what did you put into that</b></p> <p>9 <b>green spiral notebook?</b></p> <p>10 A Bad memories. Things that I've gone</p> <p>11 through, lots of things, you know. I can't tell you.</p> <p>12 There was a lot of pages. It was over 300 pages in</p> <p>13 that book.</p> <p>14 <b>Q Did you ever show that book to your</b></p> <p>15 <b>lawyers?</b></p> <p>16 A No.</p> <p>17 <b>Q Did you show that book to anyone?</b></p> <p>18 A My husband.</p> <p>19 <b>Q Did you show it to anyone else besides</b></p> <p>20 <b>your husband?</b></p> <p>21 A No.</p> <p>22 <b>Q Did you tear out pages and give them to</b></p> <p>23 <b>Sharon Churcher?</b></p> <p>24 A No, I wrote -- those pages that you're</p> <p>25 talking about, I wrote for her specifically. She</p>
age 206	age 208
<p>1 this. My husband and I were pretty spiritual people</p> <p>2 and we believed that these memories were worth</p> <p>3 burning.</p> <p>4 <b>Q So you burned notes of the men with whom</b></p> <p>5 <b>you had sex while you were represented by counsel in</b></p> <p>6 <b>litigation, correct?</b></p> <p>7 MR. EDWARDS: Object to the form.</p> <p>8 A This wasn't anything that was a public</p> <p>9 document. This was my own private journal, and I</p> <p>10 didn't want it anymore. So we burned it.</p> <p>11 <b>Q (BY MS. MENNINGER) When did you write</b></p> <p>12 <b>that journal?</b></p> <p>13 A Just over time. I started writing it</p> <p>14 probably in, I don't know, I can't speculate, 2012,</p> <p>15 2011.</p> <p>16 <b>Q So you did not write this journal at the</b></p> <p>17 <b>time it happened?</b></p> <p>18 A No.</p> <p>19 <b>Q You started writing this journal</b></p> <p>20 <b>approximately a decade after you claim you finished</b></p> <p>21 <b>being sexually trafficked, correct?</b></p> <p>22 A Yes.</p> <p>23 <b>Q And you started writing a journal after</b></p> <p>24 <b>you had a lawyer, correct?</b></p> <p>25 A Correct.</p>	<p>1 wanted to know about the rince Andrew incident.</p> <p>2 <b>Q So that's a different piece of paper?</b></p> <p>3 A Yeah, that's just random paper.</p> <p>4 <b>Q So you had a green spiral notebook that</b></p> <p>5 <b>you began sometime in 2011 or 2012 in which you wrote</b></p> <p>6 <b>down your recollections about what had happened to</b></p> <p>7 <b>you, and you burned that in a bonfire in 2013.</b></p> <p>8 <b>Did I get that right?</b></p> <p>9 A You got that right.</p> <p>10 <b>Q And do you have no other names of people</b></p> <p>11 <b>to whom you claim Ghislaine Maxwell directed you to</b></p> <p>12 <b>have sex, correct?</b></p> <p>13 A At this time, no.</p> <p>14 <b>Q Is there any document that would refresh</b></p> <p>15 <b>your recollection that you could look at?</b></p> <p>16 A If you have a document you'd like to show</p> <p>17 me, I would be glad to look at it and tell you the</p> <p>18 names I recognize off of that.</p> <p>19 <b>Q I'm just asking you if there's a document</b></p> <p>20 <b>you know of that has this list of names in it?</b></p> <p>21 A Not in front of me, no.</p> <p>22 <b>Q Where is the original of the photograph</b></p> <p>23 <b>that has been widely circulated in the press of you</b></p> <p>24 <b>with rince Andrew?</b></p> <p>25 A I probably still have it. It's not in my</p>

age 209	age 211
<p>1 possession right now.</p> <p>2 <b>Q Where is it?</b></p> <p>3 A Probably in some storage boxes.</p> <p>4 <b>Q Where?</b></p> <p>5 A In Sydney.</p> <p>6 <b>Q Where in Sydney?</b></p> <p>7 A At some family's house. We got the boxes</p> <p>8 shipped to Australia, and they were picked up off the</p> <p>9 porch by my nephews and brought to their house.</p> <p>10 <b>Q Which is where?</b></p> <p>11 A In Sydney.</p> <p>12 <b>Q Where in Sydney?</b></p> <p>13 A [REDACTED]</p> <p>14 <b>Q And who lives in that house?</b></p> <p>15 A Well, it's owned by my mother-in-law and</p> <p>16 father-in-law, but my nephews live in the house.</p> <p>17 <b>Q What are their names?</b></p> <p>18 A I'm not giving you the names of my</p> <p>19 nephews.</p> <p>20 <b>Q What's the address of the house?</b></p> <p>21 A Why would you want that?</p> <p>22 <b>Q I want to know where the photograph is.</b></p> <p>23 <b>I'm asking you where the photograph is. And you've</b></p> <p>24 <b>just told me it's somewhere in [REDACTED]</b></p> <p>25 A Yes.</p>	<p>1 A My little yellow Kodak camera.</p> <p>2 <b>Q Who took the picture?</b></p> <p>3 A Jeffrey Epstein.</p> <p>4 <b>Q And where did you have it developed?</b></p> <p>5 A I believe when I got back to America.</p> <p>6 <b>Q So where?</b></p> <p>7 A I don't know.</p> <p>8 <b>Q Palm Beach?</b></p> <p>9 A I don't know.</p> <p>10 <b>Q What is the date the photograph was</b></p> <p>11 <b>printed?</b></p> <p>12 A I believe it's in March 2001.</p> <p>13 <b>Q Okay.</b></p> <p>14 A But that's just off of my photographic</p> <p>15 memory. I don't -- it could be different, but I</p> <p>16 think it's March 2001.</p> <p>17 <b>Q You have a photographic memory?</b></p> <p>18 A I'm not saying I have a photographic</p> <p>19 memory. But if I'd look at the back of the photo and</p> <p>20 I remember what it says, I believe it was March 2001.</p> <p>21 <b>Q Did the photograph ever leave your</b></p> <p>22 <b>possession for a while?</b></p> <p>23 A I gave it to the FBI.</p> <p>24 <b>Q Okay. And when did you get it back?</b></p> <p>25 A When they took copies of it.</p>
age 210	age 212
<p>1 <b>Q So where in [REDACTED] is the photograph</b></p> <p>2 <b>located?</b></p> <p>3 A If I can't 100 percent say that the</p> <p>4 photograph is there, it could be at my house that I</p> <p>5 presently live in. I'm not going to give you the</p> <p>6 address of my nephews' residence.</p> <p>7 <b>Q When is the last time you saw the</b></p> <p>8 <b>photograph in person?</b></p> <p>9 A When I packed and left America.</p> <p>10 <b>Q Colorado?</b></p> <p>11 A Yes.</p> <p>12 <b>Q All right. So you had that photograph</b></p> <p>13 <b>here with you in Colorado?</b></p> <p>14 A Yes.</p> <p>15 <b>Q What's on the back of the photograph?</b></p> <p>16 A I'm sorry?</p> <p>17 <b>Q Is there anything on the back of the</b></p> <p>18 <b>photograph?</b></p> <p>19 A There's like the date it was printed, but</p> <p>20 no writing or anything.</p> <p>21 <b>Q Okay. Does it say where it was printed?</b></p> <p>22 A I don't believe so. I think it just -- I</p> <p>23 don't remember. I just remember there's a date on</p> <p>24 it.</p> <p>25 <b>Q Whose camera was it taken with?</b></p>	<p>1 <b>Q When was that?</b></p> <p>2 A 2011.</p> <p>3 <b>Q When they came to interview you?</b></p> <p>4 A Yes.</p> <p>5 <b>Q So from 2011 until you left Colorado it</b></p> <p>6 <b>was in your personal possession?</b></p> <p>7 A Yes.</p> <p>8 <b>Q What other documents related to this case</b></p> <p>9 <b>are in that, storage boxes in Australia?</b></p> <p>10 MR. EDWARDS: Object to the form.</p> <p>11 A Documents related to this case -- there --</p> <p>12 I don't know. I really can't tell you. I mean,</p> <p>13 there's seven boxes full of Nerf guns, my kids' toys,</p> <p>14 photos. I don't know what other documents would be</p> <p>15 in there.</p> <p>16 <b>Q (BY MS. MENNINGER) Did anyone search</b></p> <p>17 <b>those documents after you received discovery requests</b></p> <p>18 <b>from us in this case?</b></p> <p>19 A I haven't been able to obtain those boxes.</p> <p>20 I can't get them sent back up to me. It's going to</p> <p>21 cost me a large amount of money. And right now I'm</p> <p>22 trying to look after my family, so I'm not able to</p> <p>23 afford to get them up.</p> <p>24 <b>Q You live in Australia, correct?</b></p> <p>25 A I do.</p>

<p style="text-align: right;">age 213</p> <p>1 <b>Q Okay. How far away are the boxes from</b></p> <p>2 <b>where you live in Australia?</b></p> <p>3 A Sydney is down here at the bottom. Cairns</p> <p>4 is up here at the top.</p> <p>5 <b>Q Okay.</b></p> <p>6 A It's probably a six-day drive.</p> <p>7 <b>Q Did you fly here through Sydney?</b></p> <p>8 A No.</p> <p>9 <b>Q Have you been to Sydney since you've moved</b></p> <p>10 <b>back to Australia?</b></p> <p>11 A I flew into Sydney with my three kids, but</p> <p>12 it was a connecting flight to Brisbane.</p> <p>13 <b>Q Did you ask your nephews or anyone else to</b></p> <p>14 <b>search those boxes in response to discovery requests</b></p> <p>15 <b>that we issued in this case?</b></p> <p>16 A They are my nephews. I would never let</p> <p>17 them look at those.</p> <p>18 <b>Q Other than your green spiral notebook,</b></p> <p>19 <b>what else did you burn in this bonfire in 2013?</b></p> <p>20 A That was it.</p> <p>21 <b>Q That's the only thing?</b></p> <p>22 A Yes.</p> <p>23 <b>Q Did you use wood?</b></p> <p>24 A Yes.</p> <p>25 <b>Q Charcoal?</b></p>	<p style="text-align: right;">age 215</p> <p>1 We've had lots of bonfires there.</p> <p>2 <b>Q Did you ever ride in a helicopter with</b></p> <p>3 <b>Ghislaine Maxwell acting as pilot of the helicopter?</b></p> <p>4 A Yes.</p> <p>5 <b>Q Who else was on the flight?</b></p> <p>6 A I've been on the helicopter with her</p> <p>7 plenty of times. I can't mention how many people</p> <p>8 were on the -- on the helicopter at the same time.</p> <p>9 <b>Q How many times?</b></p> <p>10 A I don't know. Do you have helicopter</p> <p>11 records that you could show me?</p> <p>12 <b>Q I'm asking you how many times you were on</b></p> <p>13 <b>the helicopter with Ghislaine Maxwell acting as the</b></p> <p>14 <b>pilot --</b></p> <p>15 A It's impossible for me to answer the</p> <p>16 question without having the actual physical records</p> <p>17 in front of me.</p> <p>18 <b>Q I'm asking you to look into your memory</b></p> <p>19 <b>and tell me how many times you recall being on a</b></p> <p>20 <b>helicopter with Ghislaine Maxwell at the pilot seat?</b></p> <p>21 A There is no number I can give you.</p> <p>22 There's plenty of times I've been on her helicopter.</p> <p>23 <b>Q Where did you go from and to on a</b></p> <p>24 <b>helicopter?</b></p> <p>25 A I believe it was -- don't quote me on this</p>
<p style="text-align: right;">age 214</p> <p>1 A My husband built the bonfire out of wood</p> <p>2 and I don't know what else he put in it. He's the</p> <p>3 one who always makes the fires, not me.</p> <p>4 <b>Q Who else was present?</b></p> <p>5 A Just him and I.</p> <p>6 <b>Q Were your kids there?</b></p> <p>7 A No. They were inside sleeping.</p> <p>8 <b>Q And what beach was this?</b></p> <p>9 A It wasn't a beach. It was in my backyard.</p> <p>10 <b>Q What's your address?</b></p> <p>11 A At that time?</p> <p>12 <b>Q Um-hum.</b></p> <p>13 A [REDACTED]</p> <p>14 <b>Q [REDACTED]</b></p> <p>15 A Yes.</p> <p>16 <b>Q Who were your neighbors?</b></p> <p>17 A Sweet people. Ray and -- I could look on</p> <p>18 my phone if you want.</p> <p>19 <b>Q No, thank you. Do they still live there?</b></p> <p>20 A Yes.</p> <p>21 <b>Q Do you keep in touch with them?</b></p> <p>22 A Last time I talked to them was a few</p> <p>23 months ago.</p> <p>24 <b>Q Did they see the fire?</b></p> <p>25 A They've seen many fires that we've had.</p>	<p style="text-align: right;">age 216</p> <p>1 because I get confused on the islands there. I want</p> <p>2 to say it was St. John's. It could have been</p> <p>3 St. Barts. St. John or St. Barts, and then we would</p> <p>4 fly straight to Jeffrey's island.</p> <p>5 <b>Q Okay. Did you ever go anywhere else on</b></p> <p>6 <b>the helicopter?</b></p> <p>7 A No.</p> <p>8 <b>Q Were you ever on the helicopter with Bill</b></p> <p>9 <b>Clinton and Ghislaine Maxwell as the pilot of the</b></p> <p>10 <b>helicopter?</b></p> <p>11 A No.</p> <p>12 <b>Q Were you ever on the helicopter with Bill</b></p> <p>13 <b>Clinton's Secret Service and Ghislaine Maxwell as the</b></p> <p>14 <b>pilot?</b></p> <p>15 A No.</p> <p>16 <b>Q Do you recall telling Sharon Churcher that</b></p> <p>17 <b>you were?</b></p> <p>18 A No.</p> <p>19 <b>Q Did you see the press article in which</b></p> <p>20 <b>Sharon Churcher reported that you were?</b></p> <p>21 MR. EDWARDS: Objection. I'd just ask</p> <p>22 that if you're going to ask this witness about a</p> <p>23 specific article I'd like for her to see the article.</p> <p>24 Otherwise she's not going to testify about it.</p> <p>25 If you have something to show her, then,</p>



age 277	age 279
<p>1 A Oh, like I said, I don't recognize it, but</p> <p>2 it obviously comes from --</p> <p>3 <b>Q Your e-mail address?</b></p> <p>4 A Yes.</p> <p>5 <b>Q Now, what e-mail address is that, exactly,</b></p> <p>6 <b>on the first page of this exhibit?</b></p> <p>7 A @icloud.com, that must be from a phone.</p> <p>8 <b>Q So that's different from the other e-mail</b></p> <p>9 <b>address?</b></p> <p>10 A Yeah, I don't actually know about that</p> <p>11 e-mail address. I obviously used it. It has my</p> <p>12 husband's name on it, Robert Giuffre.</p> <p>13 <b>Q And is the e-mail signed by your husband?</b></p> <p>14 A No, it's signed by me.</p> <p>15 <b>Q Okay. And in the subject line you wrote</b></p> <p>16 <b>Virginia Roberts (Jane Doe 102), correct?</b></p> <p>17 A Subject line?</p> <p>18 <b>Q The very top line of that page.</b></p> <p>19 A Oh, yeah, I see.</p> <p>20 <b>Q Okay. And it was to</b></p> <p>21 <b>jason.richards2@ic.fbi.gov, correct?</b></p> <p>22 A Correct.</p> <p>23 <b>Q And is that Jason Richards we were just</b></p> <p>24 <b>referring to?</b></p> <p>25 A Yes.</p>	<p>1 <b>Q Right.</b></p> <p>2 A But anything they had of me.</p> <p>3 <b>Q And Brad Edwards, who is sitting right</b></p> <p>4 <b>here, was your attorney at the time and you</b></p> <p>5 <b>identified him as such in the e-mail, correct?</b></p> <p>6 A Correct.</p> <p>7 <b>Q You did not identify Mr. -- Judge Cassell</b></p> <p>8 <b>as your attorney in this e-mail, correct?</b></p> <p>9 A I knew him as a former judge, and I just</p> <p>10 wrote down, Judge Paul Cassal (sic) as it looks. But</p> <p>11 he was my attorney -- I don't know if he was my</p> <p>12 attorney at that time. But yes -- he's always --</p> <p>13 he's been with me since the beginning, so --</p> <p>14 <b>Q So he's representing you in this case now,</b></p> <p>15 <b>correct?</b></p> <p>16 A Yes.</p> <p>17 <b>Q But at that time you don't know if he was</b></p> <p>18 <b>your attorney?</b></p> <p>19 A I think he was. I mean, I've been talking</p> <p>20 with him since the beginning. And this is dated</p> <p>21 2014. So I believe at this time he was my attorney</p> <p>22 at the time as well.</p> <p>23 <b>Q Okay. When do you recall first speaking</b></p> <p>24 <b>with him?</b></p> <p>25 A Speaking with Paul, I'm not too sure. I</p>
age 278	age 280
<p>1 <b>Q All right. And you had some e-mails with</b></p> <p>2 <b>Jason Richards over time; is that fair?</b></p> <p>3 A Sure.</p> <p>4 <b>Q These ones that came from your computer,</b></p> <p>5 <b>right?</b></p> <p>6 A Sure, yes.</p> <p>7 <b>Q Okay. You talk about having spoken with</b></p> <p>8 <b>Judge Paul Cassell in this first page, correct?</b></p> <p>9 A I am here to get this BS non-prosecution</p> <p>10 agreement thrown out and speaking with Judge Paul</p> <p>11 Cassal (sic). He suggested trying to get ahold of</p> <p>12 any photos or video recordings released by the FBI to</p> <p>13 assist our case further in providing (sic) how much</p> <p>14 pedophilia occurred by Jeffrey and the many other</p> <p>15 monsters he obliged with underage girls.</p> <p>16 <b>Q Okay.</b></p> <p>17 A If this is a possibility, please let me</p> <p>18 know so I can give you Brad Edwards (my attorney) his</p> <p>19 contact details. Many thanks for your time and I</p> <p>20 hope we should meet again.</p> <p>21 <b>Q Okay. And so you were going back to Jason</b></p> <p>22 <b>and trying to get any evidence that the FBI had about</b></p> <p>23 <b>your case, right?</b></p> <p>24 A Correct. Any photographs pertaining to</p> <p>25 what -- myself, not of anyone else.</p>	<p>1 can't remember if I spoke to Paul in the phone in</p> <p>2 Australia or if I met him in person in Florida.</p> <p>3 <b>Q Do you remember when you signed any kind</b></p> <p>4 <b>of fee agreement with him?</b></p> <p>5 MR. EDWARDS: Object to the form.</p> <p>6 A Um, the -- well, the first time I would</p> <p>7 have signed an agreement would have been in Florida.</p> <p>8 <b>Q (BY MS. MENNINGER) When you were living</b></p> <p>9 <b>[REDACTED] ?</b></p> <p>10 A As far as my knowledge reminds me. I</p> <p>11 mean, I'm looking at e-mails that I can't even</p> <p>12 remember sending. It's a possibility I could have</p> <p>13 signed earlier, but as far as I remember.</p> <p>14 <b>Q Okay. Do you recall ever having e-mail</b></p> <p>15 <b>communications with Sharon Churcher about her</b></p> <p>16 <b>publishing the first serial of your book?</b></p> <p>17 A Serial, what does that mean? I'm sorry.</p> <p>18 <b>Q Like a sequel.</b></p> <p>19 A A sequel to my book?</p> <p>20 <b>Q Um-hum.</b></p> <p>21 A My book has never been published.</p> <p>22 <b>Q Right. Do you remember ever e-mailing</b></p> <p>23 <b>with Sharon about her being the one who would publish</b></p> <p>24 <b>any subsequent follow-up book?</b></p> <p>25 A If you have something in front of you to</p>

<p style="text-align: right;">age 305</p> <p>1 answered. Lacks predicate.</p> <p>2 A I have been suffering from Ghislaine</p> <p>3 Maxwell and Jeffrey Epstein since the summer of 2000.</p> <p>4 So hearing again in 2011 that she's denied it, of</p> <p>5 course, it's going to hurt me.</p> <p>6 Did I hear about this in 2011? I can't</p> <p>7 tell you I honestly have.</p> <p>8 In 2015 is when I know that she denied it.</p> <p>9 And again, I haven't stopped suffering from the</p> <p>10 repercussions that they put me through.</p> <p>11 <b>Q (BY MS. MENNINGER) And I'm asking you to</b></p> <p>12 <b>separate, if you can, any symptoms that you</b></p> <p>13 <b>experienced anew in March of 2015 -- I mean, excuse</b></p> <p>14 <b>me, March of 2011, as a consequence of this statement</b></p> <p>15 <b>being issued, which I believe you said you don't</b></p> <p>16 <b>recall seeing at the time; is that fair?</b></p> <p>17 A But you're asking me now about 2015?</p> <p>18 <b>Q Nope. March of 2011. Sorry, I misspoke</b></p> <p>19 <b>there.</b></p> <p>20 A You're still on 2011?</p> <p>21 <b>Q Yes. Did you start taking any new</b></p> <p>22 <b>medications in March of 2011?</b></p> <p>23 <b>Let me ask you that.</b></p> <p>24 A I've been taking medication to control my</p> <p>25 [REDACTED] since 2002.</p>	<p style="text-align: right;">age 307</p> <p>1 can't believe you've been through this. I never</p> <p>2 knew. I'm so sorry. You know, that kind of stuff.</p> <p>3 So they never -- I never spoke to anybody about this</p> <p>4 except for my husband.</p> <p>5 <b>Q All right. So the first time you recall</b></p> <p>6 <b>any sort of people in your community referencing</b></p> <p>7 <b>things to you is when the press picked up on it in</b></p> <p>8 <b>2014 or 2015?</b></p> <p>9 A Yeah, I think it may be end of 2014, early</p> <p>10 2015.</p> <p>11 <b>Q All right. And so in March of 2011 you</b></p> <p>12 <b>don't recall any neighbors or anybody saying anything</b></p> <p>13 <b>to you about this?</b></p> <p>14 A No, I don't recall.</p> <p>15 <b>Q Did anyone tell you in March of 2011 about</b></p> <p>16 <b>Defendant's Exhibit 26, the statement on behalf of</b></p> <p>17 <b>Ghislaine Maxwell?</b></p> <p>18 A No, otherwise I would have been able to</p> <p>19 recall it.</p> <p>20 <b>Q Okay. Do you remember anyone in 2011</b></p> <p>21 <b>ridiculing you because of Defendant's Exhibit 26?</b></p> <p>22 A Well, because nobody knew me as Virginia,</p> <p>23 everybody knows me as Jenna, no one probably put two</p> <p>24 and two together. And like I told you, I didn't tell</p> <p>25 anybody. So there was nobody there to ridicule me in</p>
<p style="text-align: right;">age 306</p> <p>1 <b>Q Okay. So did you take any new medications</b></p> <p>2 <b>or any additional amounts of medications in March of</b></p> <p>3 <b>2011?</b></p> <p>4 A I have been taking the same medication</p> <p>5 since 2002.</p> <p>6 <b>Q Okay.</b></p> <p>7 A And that's due to [REDACTED]</p> <p>8 caused from the pain that I suffered at the hands of</p> <p>9 Ghislaine Maxwell and Jeffrey Epstein.</p> <p>10 <b>Q Did you -- do you recall any neighbors or</b></p> <p>11 <b>other moms at the school or anybody in 2011</b></p> <p>12 <b>referencing to you in any way the fact that Ghislaine</b></p> <p>13 <b>Maxwell had issued a denial of the allegations about</b></p> <p>14 <b>her that had been published in the media in March of</b></p> <p>15 <b>2011?</b></p> <p>16 A No. I didn't speak to any -- I didn't</p> <p>17 speak to any moms about what I had gone through. I</p> <p>18 mean, when it came out in the press, I don't think</p> <p>19 any -- like, Australians don't pay attention to news,</p> <p>20 number one.</p> <p>21 Number two, the first time that my friends</p> <p>22 contacted me they were shocked. And this was, I</p> <p>23 believe in -- when the press picked it up again, I</p> <p>24 think, was 2014/2015. And I got a whole bunch of</p> <p>25 like Facebook texts from them saying, Oh, my God, I</p>	<p style="text-align: right;">age 308</p> <p>1 2011 over this.</p> <p>2 <b>Q Where were you living in 2011 when Shaza</b></p> <p>3 <b>came to see you --</b></p> <p>4 A Oh, [REDACTED]</p> <p>5 <b>Q Do you recall applying for any job in or</b></p> <p>6 <b>around 2011 and someone referencing Defendant's</b></p> <p>7 <b>Exhibit 26 and denying you a job?</b></p> <p>8 A I don't -- I don't think I applied for a</p> <p>9 job in 2011.</p> <p>10 <b>Q Okay. Did you go see a doctor and talk to</b></p> <p>11 <b>any doctor about Defendant's Exhibit 26?</b></p> <p>12 A Not about this. Not about this paper</p> <p>13 right here. But I have talked to doctors about my</p> <p>14 abuse at the hands of Ghislaine and Jeffrey.</p> <p>15 <b>Q Have you talked to a doctor about any</b></p> <p>16 <b>statements in the press made by Ghislaine Maxwell?</b></p> <p>17 A Recent statements, yes.</p> <p>18 <b>Q Which doctor did you speak to about that?</b></p> <p>19 A Her name is Judith Lightfoot.</p> <p>20 <b>Q And where is she?</b></p> <p>21 A She's in Australia.</p> <p>22 <b>Q Where in Australia?</b></p> <p>23 A She's in Sydney, but we do phone</p> <p>24 conversations.</p> <p>25 <b>Q Have you ever met her in person?</b></p>

age 309

1 A Yes.

2 **Q When?**

3 A In 2011.

4 **Q All right. And is she affiliated with an**

5 **office or a hospital or what?**

6 A She's a psychiatrist.

7 **Q All right. Have you seen her in person**

8 **since 2011?**

9 A No, because I've lived so far away and

10 she's kind of the only person that -- like, I've seen

11 a lot of doctors. And I can honestly tell you --

12 it's really hard for them to break down the walls and

13 be comfortable enough to talk to them about this

14 stuff. Judith is different. She's somebody that I

15 feel I can trust. She's 76 and she's just a very

16 lovely lady.

17 And she offers me other ways to deal with

18 my pain and suffering. And I continue to see her

19 over the phone because I can't see her in person.

20 **Q Do you recall ever discussing with her**

21 **Defendant's Exhibit 26?**

22 A I can't recall ever seeing this exhibit.

23 So --

24 **Q Okay.**

25 **(Exhibit 27 marked.)**

age 310

1 **Q (BY MS. MENNINGER) I'm going to give you**

2 **Defendant's Exhibit 27.**

3 A Yes.

4 **Q All right. Have you seen this document**

5 **before?**

6 A Yes.

7 **Q And what do you understand it to be?**

8 A Ross@acuityreputation sounds like a R, if

9 I'm not right -- if I'm not wrong. Sent -- or

10 subject is Ghislaine Maxwell. I don't know [REDACTED],

11 [REDACTED],

12 [REDACTED]

13 It says: To whom it may concern, lease

14 find attached credible statement on behalf of

15 Ms. Maxwell.

16 And then it goes on, to hear about that

17 she is saying: Each time the story is retold it

18 changes with new salacious details about public

19 figures and world leaders and now it is alleged by

20 Ms. Roberts that Alan Dershowitz is involved in

21 having sexual relations with her, which he denies.

22 Ms. Roberts' claims are obvious lies and

23 should be treated as such and not publicized as news,

24 as they are defamatory. Ghislaine Maxwell's original

25 response to the lies and defamatory claims remains

age 311

1 the same. Maxwell strongly denies -- excuse me.

2 Excuse me -- strongly denies allegations of an

3 unsavory nature, which have appeared in the British

4 press and elsewhere and reserves her right to seek

5 redress at the repetition of such old defamatory

6 claims.

7 **Q All right. Have you seen this statement**

8 **before?**

9 A I've seen it recently, yes.

10 **Q All right. What -- have you discussed**

11 **this statement with Ms. Lightfoot? I don't know if**

12 **she's a doctor or what.**

13 A sychiatrist, yeah.

14 **Q Is she an MD?**

15 A I don't know what her levels of credential

16 are. I'm sure she is.

17 **Q Okay. When is the first time that you saw**

18 **the statement?**

19 A This full statement I have only seen

20 through discovery. The original statement that I saw

21 in the press was, Ms. Roberts' claims are obvious

22 lies and so on, so forth. I don't remember seeing

23 this in the press.

24 **Q Okay. So the part that you remember**

25 **seeing in the press is Ms. Roberts' claims are**

age 312

1 **obvious lies?**

2 A Yes.

3 **Q Anything else about this?**

4 A I can't remember what else she printed in

5 the press. It's a very horrible thing for her to do,

6 turn around and call me a liar after everything that

7 she knows she's done. And I didn't expect her to

8 come out and be truthful.

9 Jeffrey Epstein hasn't even issued a

10 statement.

11 **Q Sorry. I'm sorry if you misunderstood my**

12 **question.**

13 A Yes.

14 **Q Was there anything else within this**

15 **statement that you recall seeing in the press besides**

16 **the line, Ms. Roberts' claims are obvious lies?**

17 A Without saying 100 percent, I think that

18 the original allegations are not new and have been

19 fully responded to be shown to be untrue. I don't

20 know if that's in the press or not, but I've read

21 this before.

22 So I don't know if I'm confusing this with

23 what I've read out of this or what I've read in the

24 press. The main thing is, I know she called me a

25 liar, and that's what she publicized.

<p style="text-align: right;">age 313</p> <p>1 <b>Q And when you say she called you a liar,</b></p> <p>2 <b>that's the Ms. Roberts' claims are obvious lies part?</b></p> <p>3 A Yes.</p> <p>4 <b>Q Okay. When is the first time that you saw</b></p> <p>5 <b>this whole document?</b></p> <p>6 A I guess when you guys handed it over for</p> <p>7 discovery.</p> <p>8 <b>Q Okay. And who showed it to you?</b></p> <p>9 A It was sent to me by e-mail.</p> <p>10 <b>Q Okay. Just through the course of</b></p> <p>11 <b>communicating with your attorneys?</b></p> <p>12 A Yes.</p> <p>13 <b>Q You've never seen it published?</b></p> <p>14 A Not this whole e-mail, no.</p> <p>15 <b>Q All right. Did you -- I'm sorry, did you</b></p> <p>16 <b>discuss this publication of what you saw in the press</b></p> <p>17 <b>with Judith Lightfoot?</b></p> <p>18 A Yes.</p> <p>19 <b>Q All right. And when did you discuss it</b></p> <p>20 <b>with her?</b></p> <p>21 A When I got back to Australia, Judith and I</p> <p>22 started seeing each other again. Before then, I</p> <p>23 spoke with a doctor in Colorado about this. His name</p> <p>24 is Dr. Olsen. And it was causing me a lot of</p> <p>25 distress to have to deal with being called a liar all</p>	<p style="text-align: right;">age 315</p> <p>1 a liar from the people that abused me.</p> <p>2 <b>Q Okay. Do you recall specifically</b></p> <p>3 <b>mentioning to him Ghislaine Maxwell's statement to</b></p> <p>4 <b>the press?</b></p> <p>5 A I mentioned a lot of names to him.</p> <p>6 <b>Q Okay. What new symptoms did you</b></p> <p>7 <b>experience following January 2nd, 2015?</b></p> <p>8 A I think it's one thing to be a victim of</p> <p>9 sexual abuse and survive it and come out trying to</p> <p>10 tell the world my story, and then another thing for</p> <p>11 it to be shut down because these people, Ms. Maxwell</p> <p>12 and others are calling me liars (sic).</p> <p>13 <b>Q And I asked you what symptoms had you</b></p> <p>14 <b>experienced --</b></p> <p>15 MR. EDWARDS: She's going to finish her</p> <p>16 answer to this question. You cut her off so many</p> <p>17 times.</p> <p>18 MS. MENNINGER: It has nothing to do with</p> <p>19 this.</p> <p>20 MR. EDWARDS: It absolutely does. Because</p> <p>21 this is a psychological damages claim, and she is</p> <p>22 trying to explain to you what those damages are.</p> <p>23 <b>Q (BY MS. MENNINGER) Okay. What are your</b></p> <p>24 <b>symptoms that you experienced since January 2nd, 2015</b></p> <p>25 <b>that are new?</b></p>
<p style="text-align: right;">age 314</p> <p>1 over again, when I know I'm standing up doing the</p> <p>2 right thing. And the doctor prescribed me</p> <p>3 [REDACTED] And, yeah.</p> <p>4 <b>Q Okay. So my question was, when did you</b></p> <p>5 <b>discuss it with Judith Lightfoot?</b></p> <p>6 <b>I think I now understand you did that</b></p> <p>7 <b>after you returned to Australia in November or so of</b></p> <p>8 <b>2015; is that right?</b></p> <p>9 A I returned to Australia in October, and</p> <p>10 that's when I picked up talking to her again.</p> <p>11 <b>Q All right. And you're saying that at</b></p> <p>12 <b>another point in time you talked to another doctor,</b></p> <p>13 <b>Dr. Olsen, in Colorado, correct?</b></p> <p>14 A Correct.</p> <p>15 <b>Q And when did you meet with Dr. Olsen?</b></p> <p>16 A I don't know the first date that I met</p> <p>17 with him.</p> <p>18 <b>Q Did you meet with him more than once?</b></p> <p>19 A I believe so.</p> <p>20 <b>Q And you believe you spoke with him about</b></p> <p>21 <b>Ghislaine Maxwell's published statement in the press</b></p> <p>22 <b>that Ms. Roberts' claims are obvious lies.</b></p> <p>23 <b>That's what you believe you spoke with</b></p> <p>24 <b>Dr. Olsen about?</b></p> <p>25 A I spoke with Dr. Olsen about being called</p>	<p style="text-align: right;">age 316</p> <p>1 A Very strong anxiety attacks, bad panic</p> <p>2 attacks. My throat closes up, I can't breathe. I</p> <p>3 vomit when I have anxiety attacks. My -- this is</p> <p>4 personal, but my sex life has suffered. My marriage</p> <p>5 has suffered. Psychologically, it's just hurt me all</p> <p>6 over again. I mean, they've hurt me before, and now</p> <p>7 they've hurt me again by doing this.</p> <p>8 And I felt like I was in the process of</p> <p>9 healing before this came out because I had opened up</p> <p>10 this wonderful charity called Victims Refuse Silence.</p> <p>11 And then my aim was to heal by helping other girls</p> <p>12 get out of the situations that I was in before.</p> <p>13 And my lawyers were nice enough to help</p> <p>14 me. I have this beautiful website where you can</p> <p>15 click on in any state and you can find a place. I</p> <p>16 have personally called all of them and they will help</p> <p>17 you get out of the situation that you're in. They</p> <p>18 will get you medical help. They will get you legal</p> <p>19 advice. I think I was in the really good process of</p> <p>20 healing. And when this came out, it just ruined me</p> <p>21 all over again.</p> <p>22 <b>Q (BY MS. MENNINGER) All right. Tell me</b></p> <p>23 <b>all of the damages that you claim occurred to you</b></p> <p>24 <b>because of Defendant's Exhibit 27.</b></p> <p>25 A My reputation, my psychological abuse,</p>

<p style="text-align: right;">age 325</p> <p>1 <b>Q And that hurt your feelings?</b></p> <p>2 A Badly.</p> <p>3 <b>Q Did Buckingham place issue a denial of</b></p> <p>4 <b>your allegation?</b></p> <p>5 A Yes, that's another one.</p> <p>6 <b>Q Did Prince Andrew make a public statement</b></p> <p>7 <b>in which he denied your allegations?</b></p> <p>8 MR. EDWARDS: Form.</p> <p>9 A I think he did.</p> <p>10 <b>Q (BY MS. MENNINGER) How do you know which</b></p> <p>11 <b>harm you've suffered is attributable to Ghislaine</b></p> <p>12 <b>Maxwell's denial versus Alan Dershowitz's denial or</b></p> <p>13 <b>Prince Andrew's denial?</b></p> <p>14 A Ghislaine Maxwell brought me into the sex</p> <p>15 trafficking industry. She's the one who abused me on</p> <p>16 a regular basis. She's the one that procured me,</p> <p>17 told me what to do, trained me as a sex slave, abused</p> <p>18 me physically, abused me mentally.</p> <p>19 She's the one who I believe, in my heart</p> <p>20 of hearts, deserves to come forward and have justice</p> <p>21 happen to her more than anybody. Being a woman, it's</p> <p>22 disgusting.</p> <p>23 <b>Q So you cannot delineate what harm you have</b></p> <p>24 <b>suffered in terms of all of the psychological damage</b></p> <p>25 <b>you just disclosed?</b></p>	<p style="text-align: right;">age 327</p> <p>1 <b>context?</b></p> <p>2 MR. EDWARDS: Object to the form of the</p> <p>3 question.</p> <p>4 A Can I point to a person -- I'm sorry. I</p> <p>5 don't understand. Can you rephrase it for me --</p> <p>6 <b>Q (BY MS. MENNINGER) All right.</b></p> <p>7 A -- so I can understand what you mean?</p> <p>8 <b>Q Where you live in Australia now, has</b></p> <p>9 <b>anyone referenced the name Ghislaine Maxwell to you?</b></p> <p>10 A After all of the news hits, after the</p> <p>11 press hits in 2015 and, you know, everyone is calling</p> <p>12 me a liar, all of my friends in Australia called me</p> <p>13 and talked to me and said, I can't believe this. I</p> <p>14 can't believe what you went through.</p> <p>15 That was very embarrassing for something</p> <p>16 that I tried to keep separate from my other life</p> <p>17 where I would like to help victims. I didn't want</p> <p>18 the friends of my kids parents knowing about that</p> <p>19 stuff. You know, and of course they all felt sorry</p> <p>20 for me. And you know, like I said. I didn't know</p> <p>21 anybody in enrose. So there's nobody that could</p> <p>22 have come up to me and talked to me about it. My</p> <p>23 mom.</p> <p>24 <b>Q This question was about Australia, sorry.</b></p> <p>25 A Oh, sorry, I thought you were talking</p>
<p style="text-align: right;">age 326</p> <p>1 A Oh, of course.</p> <p>2 <b>Q -- if that is attributable to Ghislaine</b></p> <p>3 <b>Maxwell's statement on January 2nd versus Alan</b></p> <p>4 <b>Dershowitz calling you a serial liar on Good Morning</b></p> <p>5 <b>America?</b></p> <p>6 A Of course, it all hurts. Okay? I know</p> <p>7 Alan Dershowitz is lying himself. I know Prince</p> <p>8 Andrew is lying himself. Of course those hurt. It</p> <p>9 doesn't feel good to have people who have done</p> <p>10 something to you deny something that's happened, when</p> <p>11 I'm actually brave enough to come forward and talk</p> <p>12 about it.</p> <p>13 What hurts me the worst is that Ghislaine</p> <p>14 Maxwell brought me into this. Not only has she hurt</p> <p>15 me once, but she's hurt me twice coming forward and</p> <p>16 saying, This is not true, this is categorically</p> <p>17 untrue and obvious lies.</p> <p>18 That to me is a stick in the mud and that</p> <p>19 to me is what caused the most harm to me.</p> <p>20 <b>Q Okay. And so can you point to any person</b></p> <p>21 <b>who has referenced Ghislaine Maxwell's denial in the</b></p> <p>22 <b>press or to your face or anywhere?</b></p> <p>23 A Can I point to a person?</p> <p>24 <b>Q Can you point to any time that someone has</b></p> <p>25 <b>referenced Ghislaine Maxwell's denial to you in any</b></p>	<p style="text-align: right;">age 328</p> <p>1 about pointing out people.</p> <p>2 <b>Q No.</b></p> <p>3 A Okay, well in Australia, yes, at least a</p> <p>4 dozen friends.</p> <p>5 <b>Q They came up and they mentioned Ghislaine</b></p> <p>6 <b>Maxwell's denial to the press to you?</b></p> <p>7 A They couldn't believe what I had been</p> <p>8 through and, you know, that these were, you know,</p> <p>9 being denied, and they felt sorry for me. And, you</p> <p>10 know, it was the whole circumference of things.</p> <p>11 <b>Q So the people in Australia that came up to</b></p> <p>12 <b>you had sympathy for you and believed you, correct?</b></p> <p>13 A Yes.</p> <p>14 <b>Q All right. And when you spoke to</b></p> <p>15 <b>Dr. Olsen you recall specifically mentioning</b></p> <p>16 <b>Ghislaine Maxwell's press release?</b></p> <p>17 MR. EDWARDS: Object to the form.</p> <p>18 A Yes, I remember mentioning her, as well as</p> <p>19 the press release, as well as other press releases.</p> <p>20 And the abuse that I had occurred (sic) from the</p> <p>21 hands of Jeffrey and Ghislaine.</p> <p>22 <b>Q (BY MS. MENNINGER) Okay. When have you</b></p> <p>23 <b>been diagnosed with a mental health condition, first?</b></p> <p>24 A I don't know. I mean, I've been told that</p> <p>25 I've [REDACTED] You know --</p>



age 329

**Q When were you first told that?**

A Well, early in -- early in 2003, I believe is the first time that I was suffering from

And then my doctor, Judith Lightfoot, has in 2011

And, you know, I've recently seen another doctor who said that I've got the exact same symptoms that Judith Lightfoot mentioned, which is

**Q Which doctor is that?**

A You know, I don't honestly know his name.

**Q When did you see this new doctor?**

A Um --

MR. EDWARDS: Sorry. If you're referring to a doctor that's been sent to you by one of your lawyers --

THE DE ONENT: Yes.

MR. EDWARDS: -- at this time, I'm instructing you not to answer.

THE DE ONENT: Okay.

MS. MENNINGER: Wait. What is it? You've seen a doctor and you're not going to answer what doctor you've seen?

age 330

MR. EDWARDS: Sure. If it's a consulting witness in this case that has seen her at the direction of an attorney, that has not yet been disclosed per any expert witness disclosure, then I'm instructing her not to answer that question.

If that's what you're referring to. I don't know if that's what you're referring to.

THE DE ONENT: That's what I'm referring to.

**Q (BY MS. MENNINGER) All right. So you recall seeing Dr. Lightfoot. You recall seeing Dr. Olsen. And you recall seeing a new unnamed doctor recently.**

**Anyone else you've seen since January 2nd, 2015?**

A Dr. Olsen, Dr. Lightfoot. Oh, Dr. Donahue.

**Q Where is Dr. Donahue located?**

A He's in my suburb or he's a suburb next to me in Australia.

**Q And is that a psychiatric-type doctor, a medical-type doctor?**

A He's medical.

**Q And what did you see him for or her for?**

A I didn't have anybody to basically -- I

age 331

just got to Australia and Judith Lightfoot was

helping me.

And I told him the reason.

**Q And this is since you returned to Australia?**

A Correct.

**Q And this is the first time you had seen that doctor?**

A I've seen that doctor twice now.

**Q I'm sorry, what was the name again? I know you already said it, but I just --**

A Dr. Donahue.

**Q Donahue, all right.****This doctor that you haven't yet disclosed, where did you see that person? In what country?**

A United States.

**Q And in what state?**

A San Francisco.

**Q And when did you see that doctor?**

A Um, Friday. Last Friday.

**Q And how many times have you seen that doctor?**

A Once. Well, twice actually. I saw him

age 332

the next day, too.

**Q All right. Did you suffer from anxiety before meeting Jeffrey Epstein?**

A I was never prescribed anything for anxiety before I met Jeffrey Epstein.

**Q That wasn't my question.**

A Did I --

**Q Were you suffering from anxiety before you met Jeffrey Epstein?**

A I think a person who has gone through as much trauma as I have in my life would suffer from quite a few problems. But like I said, I was never prescribed anything until I met Jeffrey Epstein.

**Q Did you suffer from panic attacks before meeting Jeffrey Epstein?**

A Nowhere near as bad, no.

**Q So you did suffer from They just weren't as severe; is that what your testimony is?**

A No, what I'm trying to say is I did have

I did have I had lived a very hard life prior to meeting Jeffrey Epstein as well.

After meeting Jeffrey Epstein and Ghislaine Maxwell, everything escalated. That's when I started to take Xanax and smoke marijuana to help

age 333

1 calm the anxiety and everything down.

2 **Q Before you met Jeffrey Epstein, had you**

3 **used any drugs?**

4 A Sure, yes.

5 **Q Which drugs had you used prior to meeting**

6 **Jeffrey Epstein?**

7 A I smoked pot. I've taken Ecstasy.

8 **Q Cocaine?**

9 A Yeah, I would have snorted cocaine,

10 um-hum.

11 **Q Did you ever abuse alcohol before meeting**

12 **Jeffrey Epstein?**

13 A No, I was -- I wasn't even of age to be

14 able to buy it. I mean, if there was alcohol at

15 parties I would have drank it, but I wouldn't say I

16 abused it.

17 **Q Okay. Were there ever occasions upon**

18 **which you were observed to be drunk by other people,**

19 **prior to meeting Jeffrey Epstein?**

20 A If you're drinking, the possibility of

21 getting drunk is always there. I don't -- I can't

22 recall exact situation where that was the case,

23 but --

24 **Q Were you diagnosed as a drug addict prior**

25 **to meeting Jeffrey Epstein?**

age 334

1 A No, I was not diagnosed as a drug addict.

2 **Q Were you sent to live at a rehabilitation**

3 **facility because of your use of drugs?**

4 A No, that was more of a group home. Yes,

5 it was also a rehab facility, but it wasn't because I

6 was a drug addict. I wasn't coming off of anything.

7 **Q Had you abused drugs prior to meeting**

8 **Jeffrey Epstein?**

9 A I took drugs. I didn't abuse them, but I

10 took them.

11 **Q Okay.**

12 A Recreationally.

13 **Q How often do you see Dr. Lightfoot?**

14 A Once a week every Monday. I've skipped

15 this week because I've been over here and it's

16 expensive to call back home right now, unless you

17 FaceTime, but --

18 **Q Has Dr. Lightfoot recommended that you see**

19 **a treating doctor in person?**

20 A No, she's -- she knows my history pretty

21 well. And she's a very wonderful woman and I

22 honestly wouldn't -- Dr. Donahue wants me to go see

23 another psychiatrist in person, but I prefer to stay

24 with Judith because she's someone I can personally

25 relate to.

age 335

1 **Q How much does it cost you every time you**

2 **talk to Dr. Lightfoot?**

3 A Her normal fee is \$200.

4 **Q And how much do you pay?**

5 A She doesn't charge me anything anymore.

6 **Q When did she stop charging you?**

7 A Since I got back to Australia.

8 **Q So before you left for Titusville,**

9 **Florida, you saw her and you were paying \$200 per**

10 **session?**

11 A Yes.

12 **Q And what has Dr. Lightfoot recommended**

13 **that you do in order to get better?**

14 A She loves what I'm doing with speaking

15 out. She thinks the more that I speak out about it,

16 the stronger I'll become. She recommends that I

17 write my book, I tell my story. She thinks not only

18 will it help me, but by helping me it'll help others

19 find a way to get out of the situation and to know

20 that there's other girls who have gone through what

21 I've gone through and what they're going through.

22 She recommends meditation, breathing

23 techniques, focus techniques.

24 **Q Does she prescribe medications for you?**

25 A No, she doesn't. She's a spiritual

age 336

1 doctor.

2 **Q Is there anything that she's recommended**

3 **that you do that you're not doing?**

4 A Is there anything that I do that she

5 recommends I don't? Sorry, say that one more time.

6 **Q That's okay. Is there anything that**

7 **Dr. Lightfoot has recommended that you do that you**

8 **are not actually doing?**

9 **Are you following her advice?**

10 A Yes, I am.

11 **Q Okay. And what has Dr. Donahue**

12 **recommended that you do?**

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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  
to Reopen Deposition of Plaintiff Virginia Giuffre**

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 ("Maxwell") in this action. I respectfully submit this declaration in support of Defendant's Motion to Reopen Deposition of Plaintiff Virginia Giuffre.
2. Attached as Exhibit A is a true and correct copy of the transcript of the hearing held before this Court on April 21, 2016.
3. Attached as Exhibit B is a true and correct copy of a letter from Laura A. Menninger to Sigrid McCawley dated April 25, 2016 concerning discovery.
4. Attached as Exhibit C is a true and correct copy of Plaintiff's Second Amended Supplemental Response and Objections to Defendant's First Set of Discovery Requests to Plaintiff, served April 29, 2016.

5. Attached as Exhibit D (filed under seal) is a true and correct copy the Deposition of Virginia Giuffre taken in the above captioned matter on May 3, 2016, and designated by Plaintiff as Confidential under the Protective Order.

6. Attached as Exhibit E (filed under seal) is a true and correct copy of medical records bates labeled GIUFFRE005431-5438, produced by Plaintiff on May 12, 2016.

7. Attached as Exhibit F (filed under seal) is a true and correct copy of medical records bates labeled GIUFFRE005492-5496, produced by Plaintiff on May 25, 2016.

8. Attached as Exhibit G (filed under seal) is a true and correct copy of excerpts from the Deposition of Lynn Trude Miller taken in the above captioned matter on May 24, 2016, and designated by Plaintiff as Confidential under the Protective Order.

9. Attached as Exhibit H (filed under seal) is a true and correct copy of medical records bates labeled GIUFFRE005498-005569, produced by Plaintiff on June 1, 2016.

10. Attached as Exhibit I (filed under seal) is a true and correct copy of excerpts from the Deposition of Dr. Steven Olsen taken in the above captioned matter on May 26, 2016, and designated by Plaintiff as Confidential under the Protective Order.

11. Attached as Exhibit K (filed under seal) is a true and correct copy of a letter from Sigrid McCawley to Laura A. Menninger enclosing documents bates labeled GIUFFRE005607-5613, produced by Plaintiff on June 10, 2016.

12. Attached as Exhibit L is a true and correct copy of a letter from Laura A. Menninger to Sigrid McCawley and Meredith Shultz dated June 13, 2016 concerning discovery.

13. Attached as Exhibit M (filed under seal) is a true and correct copy of the Errata Sheet served relating to the Deposition of Virginia Giuffre taken in the above captioned matter, served on June 1, 2016.

14. Attached as Exhibit N (filed under seal) is a true and correct copy of Plaintiff, Virginia Giuffre's Third Revised Disclosure Pursuant to Fed. R. Civ. P. 26, served June 1, 2016.

By: /s/ Laura A. Menninger

Laura A. Menninger

#### CERTIFICATE OF SERVICE

I certify that on June 20, 2016, I electronically served this *Declaration Of Laura A. Menninger In Support Of Defendant's Motion to Reopen Deposition of Plaintiff Virginia Giuffre* via ECF on the following:

Sigrid S. McCawley  
Meridith 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@pathtojjustice.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 C**

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

Virginia L. Giuffre,

Plaintiff,

Case No.: 15-cv-07433-RWS

v.

Ghislaine Maxwell,

Defendant.

---

**PLAINTIFF'S SECOND AMENDED SUPPLEMENTAL RESPONSE AND  
OBJECTIONS TO DEFENDANT'S FIRST SET OF  
DISCOVERY REQUESTS TO PLAINTIFF**

Plaintiff hereby serves her second amended supplemental responses and objections to Defendant's First Set of Discovery Requests.

**GENERAL OBJECTIONS**

Defendant's First Set of Discovery Requests violates Local Civil Rule 33.3. Defendant has served interrogatories that are in direct violation of that Rule because the interrogatories are not "restricted to those seeking names of witnesses with knowledge of information relevant to the subject matter of the action, the computation of each category of damage alleged, and the existence, custodian, location and general description of relevant documents, including pertinent insurance agreements, and other physical evidence, or information of a similar nature." Local Civil Rule 33.3(a). Instead, they seek information under subsections (b) and (c) of Local Civil Rule 33.3, and therefore, they should not be served because they are not "a more practical method of obtaining the information sought than a request for production or a deposition," and because they were served in advance of the period "30 days prior to the discovery cut-off date."

Local Civil Rule 33.3(b), (c). The interrogatories you served violate Local Rule 33.3 and we ask that you immediately withdraw those interrogatories. *See* Rule 33.3, Local Rules for the Southern District of New York; *see also Shannon v. New York City Transit Auth.*, No. 00 CIV. 5079 (Sweet, J.), 2001 WL 286727, at \*3 (S.D.N.Y. Mar. 22, 2001); accord *Gary Friedrich Enterprises, LLC v. Marvel Enterprises, Inc.*, No. 08 CIV. 1533 BSJ JCF, 2011 WL 1642381, at \*4 (S.D.N.Y. Apr. 26, 2011). Specifically, Rule 33.3 provides:

- (a) Unless otherwise ordered by the Court, at the commencement of discovery, interrogatories will be restricted to those seeking names of witnesses with knowledge of information relevant to the subject matter of the action, the computation of each category of damage alleged, and the existence, custodian, location and general description of relevant documents, including pertinent insurance agreements, and other physical evidence, or information of a similar nature.
- (b) During discovery, interrogatories other than those seeking information described in paragraph (a) above may only be served (1) if they are a more practical method of obtaining the information sought than a request for production or a deposition, or (2) if ordered by the Court.
- (c) At the conclusion of other discovery, and at least 30 days prior to the discovery cut-off date, interrogatories seeking the claims and contentions of the opposing party may be served unless the Court has ordered otherwise.

Similarly, Requests for Production numbers 1, 2, 4, 6(i), 9, 12, 30, 35 and 37 also violate Local Rule 33.3 in that they rely on the offending interrogatory requests. The Rule provides that a party must first try to obtain discovery through document production and testimony. Discovery does not close in this case until July 1, 2016, and Defendant has not yet noticed a deposition. As such, these interrogatories violate Local Rule 33.3 and are premature.

Defendant's First Set of Discovery Requests also violates 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, including subparts,

in violation of Rule 33. We ask that you immediately withdraw those interrogatories that exceed the 25 interrogatory limit set by Rule 33.

Ms. Giuffre objects to Defendant's First 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/common interest privilege, public interest privilege, and any other applicable privilege.

Ms. Giuffre objects to the requests to the extent Defendant's First Set of Discovery Requests call for the production of documents or information that is already in the possession, custody, or control of the Defendant. Ms. Giuffre further objects to the requests to the extent that Defendant's First Set of Discovery Requests is duplicative of documents and information that can equally or more readily be obtained by the Defendant.

Ms. Giuffre objects to the requests to the extent that they seek documents that are not relevant, material, or necessary to this action and, thus, are not reasonably calculated to lead to the discovery of admissible evidence. Many of the requests in the Defendant's First Set of Discovery seek documents that are in no way limited to their relation to this case. Indeed, they seek documents that are not important to resolving the issues; documents that are not relevant to any party's claim or defense; and documents that are not proportional to the needs of the case. Such requests create a heavy burden on Ms. Giuffre that outweighs any benefit. Such discovery is prohibited by the Federal Rules of Civil Procedure, particularly under the 2015 amendments to Rule 26(b)(1), Fed. R. Civ. P., and is wholly inappropriate.

Ms. Giuffre objects to the requests to the extent that they are overly broad and unduly burdensome, as individually logging all privileged responsive documents would be overly burdensome. Plaintiff contends that requests targeting such privileged information are overly

broad under Rule 26(b)(1), Fed. R. Civ. P. Specifically, Ms. Giuffre objects to the requests as overly burdensome to the extent that they would require logging voluminous and ever-increasing privileged communications between Ms. Giuffre and her counsel after the date litigation commenced on September 21, 2015. Ms. Giuffre objects to the requests as overly burdensome to the extent that they would require logging voluminous privileged documents between Ms. Giuffre and her counsel related to *Jane Doe #1 and Jane Doe #2 v. United States*, Case no. 08-80736-CIV-Marra, pending in the Southern District of Florida; *Bradley Edwards and Paul Cassell v. Alan Dershowitz*, Case no. CACE 15-000072, pending in the Seventeenth Judicial Circuit, Broward County, Florida; and *Jane Doe No. 102 v. Jeffrey Epstein*, Case No. 09-80656-CIV-Marra/Johnson (Southern District of Florida). Accordingly, due 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 victim of sexual trafficking. Ms. Giuffre objects to the requests to the extent they are overly broad and unduly burdensome.

Ms. Giuffre objects to Defendant's definition of "your attorneys" because it includes names of attorneys that do not represent her, including Spencer Kuvin and Jack Scarola.

Ms. Giuffre's responses to Defendant's First 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 is producing documents and information herewith, and she will continue to review and produce relevant documents until completion.



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

### **INTERROGATORIES**

1. State:
  - a. Your present residential address;
  - b. Each residential address You have had since 1998, including any residential treatment facilities;
  - c. the dates You lived at each address;
  - d. the other Persons who lived with You at each address and for what period of time they lived at such address.

#### **Response to Interrogatory One:**

Ms. Giuffre objects to this interrogatory in part because it violates Rule 33.3. Ms. Giuffre objects to this interrogatory in that it seeks information that is sought by Defendant only to harass and intimidate Ms. Giuffre who was a victim of sexual trafficking. Per the Plaintiff's First Responses and Objections, and per our representations during the March 21, 2016 meet and confer phone call, we are working diligently to find information to supplement the below information with regard to address and dates, and once that information is obtained, Plaintiff will serve supplemental responses. Additionally, per the March 21, 2016 meet and confer phone call, we are addressing with the Plaintiff whether she will reveal her address to Defendant's counsel confidentially and we will update you with her response.

- a. Due to safety concerns with respect to Ms. Giuffre and her minor children, she is not at liberty to reveal her present residential location. To ensure that Defendant is not prejudiced by the failure to provide information about Ms.

Giuffre's specific residential location, Ms. Giuffre agrees to have her attorney's accept service on her behalf of any necessary communication or filings in this matter to be addressed to: Sigrid McCawley, Esq. Boies Schiller & Flexner LLP, 401 East Las Olas Blvd., Suite 1200, Fort Lauderdale, FL 33316.

- b. Ms. Giuffre can recall living at the following addresses during the period of 1998 to the present. Ms. Giuffre may have lived at other locations for which she does not presently have the address. Ms. Giuffre is providing the information she has presently to the best of her recollection and review of documents and will supplement to the extent she obtains additional information responsive to this interrogatory.

- c. Ms. Giuffre believes she has lived at the following residences:

In January 1998, Ms. Giuffre was 14 years old. Ms. Giuffre recalls one facility named "Growing Together" that was located in or around Palm Beach, but she does not recall the dates when she resided at the facility.

From 2000-2002, Ms. Giuffre lived and travelled with Jeffrey Epstein and stayed at his various mansions in New York (9 E. 71st Street, New York, NY 10021-4102), Palm Beach (358 El Brillo Way, Palm Beach, Florida 33480, New Mexico (Zorro Ranch, 49 Zorro Ranch Rd., Stanley, New Mexico 87056), U.S.V.I. (Little St. James, 6100 Red Hook Quarters, Suite B3,

St. Thomas, Virgin Islands 00802), and Paris (22 Avenue Foch Apt 2DD, Paris, France 75116).

Jeffrey Epstein also rented a residence for Ms. Giuffre in Royal Palm Beach, the exact address and dates of rental are in the possession, custody and control of Jeffrey Epstein. Tony Figueroa, James Michael Austrich and a few other individuals for whom Ms. Giuffre cannot recall the names of, stayed with her from time to time at the residence that Jeffrey Epstein rented.

Ms. Giuffre's parents' address was 12959 Rackley Road, Loxahatchee, Florida 33470, and she lived there from time to time with her mother, her father, and her brothers.

2C Quentin St. Basshill NSW in approximately 2003, but she is not certain of that date. At this location, Ms. Giuffre lived with Robert Giuffre.

N. Paramentata, NSW from approximately 2003 - 2005, but she is not certain of those dates. At this location, Ms. Giuffre lived with Robert Giuffre.

Blue Bay, NSW from approximately 2005 - 2008 but is not certain of those dates. At this location, Ms. Giuffre lived with Robert Giuffre.

3 Elk St., NSW from approximately 2008 - 2009 but is not certain of those dates. At this location, Ms. Giuffre lived with Robert Giuffre.

50 Robertson Road, Basshill, NSW, from 2009 through January of 2010. At this location, Ms. Giuffre lived with Robert Giuffre.

50 Bundeena Rd., Glenning Valley, NSW from approximately January of 2010 through October 13, 2013. At this location, Ms. Giuffre lived with Robert Giuffre.

5035 Winchester Drive, Titusville, FL from approximately November 6, 2013 to October of 2014. At this location, Ms. Giuffre lived with Robert Giuffre.

1270 J. Street, Penrose, CO 81240, from approximately October of 2014 through October of 2015. At this location Ms. Giuffre lived with Robert Giuffre.

2. Identify any email address, email account, cellphone number and cellphone provider, social media account and login or screen name, text or instant messaging account name and number, that You have used, applied for or been supplied between 1998 and the present.

**Response to Interrogatory No. 2**

Ms. Giuffre objects to this request in that it violates Rule 33.3. Ms. Giuffre objects to this request in that it is overly broad and seeks information solely to harass and intimidate Ms. Giuffre.

For the period of 1998 to the present Ms. Giuffre provides the following information. During the time period that she was sexually trafficked by Jeffrey Epstein and the defendant, the defendant provided Ms. Giuffre with a cellphone so that she could be reached by the Defendant and Jeffrey Epstein at any time. Defendant is in possession of the information relating to this cellphone that she provided to Ms. Giuffre. Ms. Giuffre is responding with the information she can presently recall, but to the extent she obtains additional information she will supplement this response. Ms. Giuffre's e-mail address is [robiejennag@y7mail.com](mailto:robiejennag@y7mail.com). She can recall having the following cell numbers (321) 271-4948, +61414651273, 0407.433.252. Ms. Giuffre had a

Facebook account for a short time but it is no longer active. Per our representations during the March 21, 2015 meet and confer phone call, we are working diligently to find information to supplement the above information, and once that information is obtained, Plaintiff will serve supplemental responses.

3. Identify each attorney who has represented you from 1998 to the present, the dates of any such representation, and the nature of the representation.

**Response to Interrogatory No. 3**

Ms. Giuffre objects to this interrogatory as it seeks privileged information relating to her representation by attorneys.

Ms. Giuffre responds as follows: Bob Josefsberg, Katherine W. Ezell, Amy Ederi (among other possible Podhurst Orseck, P.A. attorneys) represented Ms. Giuffre as a party in the litigation styled as *Jane Doe No. 102 v. Jeffrey Epstein, Case No. 09-80656-CIV-Marra/Johnson*, starting on January 27, 2009.

Stan Pottinger, David Boies, and Sigrid McCawley (along with other Boies Schiller & Flexner LLP (“Boies Schiller”) attorneys) represented Ms. Giuffre as a non-party in the litigation styled as *Bradley Edwards and Paul Cassell v. Alan Dershowitz*, Case no. 15-000072, Seventeenth Judicial Circuit, Broward County, Florida, starting in February, 2015.

Brad Edwards (along with other Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, P.L. (“Farmer Jaffe”) attorneys), Paul Cassell, Stan Pottinger, David Boies and Sigrid McCawley (along with other Boies Schiller attorneys) represent Ms. Giuffre as a party in the litigation styled *Giuffre v. Maxwell*, 15-cv-07433-RWS in the Southern District of New York, the complaint of which was filed in September, 2015.

Paul Cassell represents Ms. Giuffre as a non-party in the litigation styled as *Jane Doe #1 and Jane Doe #2 v. United States*, Case No. 08-80736-CIV-Marra, Southern District of Florida, starting in May of 2014.

Brad Edwards (along with other Farmer, Jaffe attorneys) represents Ms. Giuffre as a non-party in the litigation styled as *Jane Doe #1 and Jane Doe #2 v. United States*, Case No. 08-80736-CIV-Marra, Southern District of Florida, starting in 2011.



Brad Edwards provided Ms. Giuffre with legal advice concerning media inquiries Ms. Giuffre had received starting in 2011.

Paul Cassell, Brad Edwards (along with other Farmer, Jaffe, attorneys), Stan Pottinger, David Boies (along with other Boies Schiller attorneys) represented Ms. Giuffre regarding investigations into potential legal action starting in the second half of 2014.

Paul Cassell, Brad Edwards (along with other Farmer, Jaffe, attorneys), Stan Pottinger, David Boies, and Sigrid McCawley (along with other Boies Schiller attorneys) represent Ms. Giuffre as a cooperating witness with regard to a law enforcement investigation, starting in May, 2015.

Paul Cassell provided Ms. Giuffre with legal advice concerning potential legal action starting in early 2011.

Paul Cassell and Brad Edwards (along with other Farmer, Jaffe, attorneys) represented Ms. Giuffre and Victims Refuse Silence, giving advice regarding Victims Refuse Silence, starting in October, 2014.

Meg Garvin (law professor at Lewis & Clark Law School, and the Executive Director of the National Crime Victim Law Institute ) represented Ms. Giuffre and Victims Refuse Silence, giving advice regarding Victims Refuse Silence, starting in October, 2014.

Sigrid McCawley (along with other Boies Schiller attorneys) represented Ms. Giuffre and Victims Refuse Silence, giving advice regarding Victims Refuse Silence, starting in February 2015.

4. Identify each Communication, including the transmission of any Document, that You or Your Attorneys have had with any local, state or federal law enforcement agent or agency, whether in the United States or any other country, whether in Your capacity as a purported victim, witness, or perpetrator of any criminal activity, and whether as a juvenile or as an adult, including without limitation:

a. the date of any such Communication;

- b. the form of any such Communication, whether oral or written and if written, the format of any such Communication;
- c. the identities of all persons involved in the Communication, including the identity of the law enforcement agency with whom the agent is or was affiliated;
- d. the case number associated with any such Communication;
- e. the subject matter of any such Communication;
- f. the disposition of any case associated with any such Communication, irrespective of whether the matter was sealed, expunged or later dismissed.

**Response to Interrogatory No. 4**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects to this interrogatory in that it seeks protected information regarding confidential investigations. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre objects to the extent this seeks information regarding sexual assaults that occurred prior to her involvement with the Defendant and Jeffrey Epstein. Ms. Giuffre responds as follows: Ms. Giuffre, in accordance with the Court's direction at the hearing on April 21, 2016, has submitted documents to the Court for *In Camera* review. Ms. Giuffre met with the FBI on or about March 17, 2011. Ms. Giuffre also corresponded with Maria Villafano from the U.S. Attorney's office and that correspondence has been produced.

5. Identify each Communication that You or Your Attorneys have had with 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 to the same, including:

- a. the date of any such Communication;
- b. the form of any such Communication, whether oral or written and if written, the format of any such Communication;
- c. the identities of all persons involved in such Communication, including the identity of the media organization with whom the agent is or was affiliated;
- d. the article title, date of publication, and means of publication of any article, report, or re-printing of any such Communication made by You or Your Attorneys;
- e. the amount of Income that You and/or Your Attorneys received in exchange for any such Communication;
- f. the dates on which You and/or Your Attorneys received any such Income for any such Communication.

**Response to Interrogatory No. 5**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre objects in that this request is overly broad and unduly burdensome.

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 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.

**Response to Interrogatory No. 6**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre further objects because the information requested above is in the possession of Defendant who has failed to comply with her production obligations in this matter.

7. State whether You believe that You have ever been defamed by anyone other than Ghislaine Maxwell. If so, as to each alleged act of Defamation, state

- 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.

**Response to Interrogatory No. 7**

Ms. Giuffre objects to this request in that it violates Local Rule 33.3. Ms. Giuffre objects to this request in that it seeks information protected by the attorney client and work product privileges. Ms. Giuffre objects to this interrogatory in that it is not limited in time or to the subject nature of this litigation.

8. Identify the individuals referenced in Your pleadings filed in the U.S. District Court for the Southern District of Florida, *Jane Doe 1 and Jane Doe 2 v. United States of America*, 08-cv-80736-KAM, as the “high-profile non-party individuals” to whom Mr. Jeffrey Epstein sexually trafficked You, “including numerous prominent American politicians, powerful business executives, foreign presidents, a well-known Prime Minister, and other world leaders,” including as to each episode of alleged sexual trafficking:

- a. the date of any such sexual trafficking;
- b. the location of any such sexual trafficking;
- c. any witnesses to any such sexual trafficking;
- d. any Income You received in exchange for such sexual trafficking; and
- e. any Documents You have to support or corroborate Your claim of such sexual trafficking.

**Response to Interrogatory No. 8**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work



product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Additionally, Ms. Giuffre objects to this interrogatory because naming some such individuals would jeopardize her physical safety based on credible threats to the same. Ms. Giuffre refers to the list of witnesses identified in her Revised Rule 26 Disclosures.

9. Identify any Employment You have had from 1996 until the present, including without limitation, the name of Your employer or the name of any Person who engaged You for such Employment, the address and telephone number for any such Employment, the beginning and ending dates of any such Employment, Your job title in such Employment, and Your Income from such Employment.

**Response to Interrogatory No. 9**

Ms. Giuffre objects to this request in that it is overly broad and unduly burdensome, and seeks information that is not relevant to this case.

Ms. Giuffre responds as follows:

Ms. Giuffre worked at Mar a Lago as a locker room attendant for the spa area. Records produced in this case identify the date of employment as 2000, and she recalls being there in the summer. Ms. Giuffre previously attempted to gather employment records from Mar-A-Lago. *See* Giuffre002726. She earned approximately \$9 per hour. The address is 1100 South Ocean Boulevard, Palm Beach, Florida 33480, with the telephone number of 561-832-2600

Ms. Giuffre worked at Roadhouse Grill as a waitress in approximately 2002, but Ms. Giuffre is unsure of the exact dates of employment. Her wages primarily consisted of tips. Ms. Giuffre does not recall the location of Roadhouse Grill. A Google search for

the same yields an address at 8865 Southern Blv., West Palm Beach, FL 33411 and a telephone number of 561-651-0400.

Ms. Giuffre worked at Employment Training and Recruitment Australia from approximately 2005 through January of 2006, but Ms. Giuffre is unsure of the exact dates of employment. Ms. Giuffre was a receptionist earning approximately \$15 per hour to the best of her recollection. Upon information and belief, this corporation is currently located in a different location from the location at which Ms. Giuffre was employed.

Upon information and belief, based on an internet search, the new location of this entity is 123 Donniform Street, Gofford NSW 2250, with a telephone number of 02-4323-1233

Ms. Giuffre worked at Gemma Catering/Wedding Receptions in approximately 2004.

She received approximately \$10/hr. She does not recall the name of the proprietor nor its location.

Ms. Giuffre worked at Manway Logistics in approximately 2003. Ms. Giuffre recalls it located in or around Sydney, Australia. An internet search yielded an address of 246 Miller Road, Villawood NSW 2163, and a phone number of 02-8707-2300. Ms. Giuffre worked as a receptionist and earned approximately \$20/hr.

10. Identify any Income from any source other than Your Employment that You have received from January 1, 1996 until the present, including the Person or entity providing such Income, the amount of the Income, the dates on which any such Income was received, and the nature of the Income, whether a loan, investment proceeds, legal settlement, asset sale, gift, or other source.

**Response to Interrogatory No. 10**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects to this request in that it is overly broad and seeks confidential financial information. Ms. Giuffre objects to this interrogatory in that it seeks information covered by confidentiality provisions. Ms. Giuffre objects to this information in that any payment information for the sexual trafficking she endured at the hands of Jeffrey Epstein and Ghislaine Maxwell is in the possession, custody and control of the Defendant and Jeffrey Epstein.

Ms. Giuffre is in possession of a responsive document that contains a confidentiality provision. If Defendant obtains, and produces to Ms. Giuffre, a written waiver from her co-conspirator, Mr. Epstein, of the confidentiality provision, freeing Ms. Giuffre from any liability whatsoever under the confidentiality provision, she will produce the document.

11. Identify any facts upon which You base Your contention that You have suffered as a result of the Alleged Defamation by Ghislaine Maxwell “past and future lost wages and past and future loss of earning capacity and actual earnings – precise amounts yet to be computed, but not less than \$5,000,000.”

**Response to Interrogatory No. 11**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects to this interrogatory in that it prematurely seeks expert witness disclosures. Ms. Giuffre incorporates by reference herein her Revised Rule 26 disclosures, which includes her computation of damages.

12. Identify any Health Care Provider from whom You received any treatment for any

physical, mental or emotional condition, that You suffered from subsequent to any

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.

**Response to Interrogatory No. 12**

Pursuant to this Court's Order, Ms. Giuffre will provide information for health care providers from 1999 through the present. Ms. Giuffre continues to search for medical providers that appear in documents.

Dr. Steven Olson, St. Thomas More Hospital, 1338 Phay Avenue, Canon City, CO 81212, treated Ms. Giuffre as described in the medical records produced at [GIUFFE005342-5346](#).

Dr. Mona Devansean, 11476 Okeechobee Blvd., Royal Palm Beach, FL. It appears Dr. Devansean is retired. We produced the letter we sent her as well as a document indicating the practice was closed at [GIUFFRE005335-GIUFFRE0005338](#).

Dr. Chris Donahue, 12 Clifton Village Shopping Centre, Captain Hook Hwy, Clifton Beach, QLD 4879 is believed to have treated Ms. Giuffre. Ms. Giuffre has sent a release to Dr. Donahue, and is awaiting a response.

Dr. John Harris and Dr. Darshanee Majaliyana at The Entrance Medical Centre, 120 The Entrance Road, The Entrance 2261, 43321300, treated Ms. Giuffre as described in the records produced at GIUFFRE005315-5322.

Dr. Wah Wah, Central Coast Family Medicine, Unit 2, 17 Anzac Rd., Tuggerah 2259, 0243518777 treated Ms. Giuffre as described in the medical records produced at GIUFFRE005339-5341.

Dr. M. Sellathurai (a/k/a Dr. Sella), Buss Hill Plaza, Medical Center, 753 Hume Highway, Bass Hill NSW 2197, 02297555292 treated Ms. Giuffre as described in the medical records produced at GIUFFRE005089-5091.

Royal Oaks Medical Center, 1855 Knox McRae Dr., Titusville, FL 32780, was believed to have possibly treated Ms. Giuffre, but Medical Center responded stating that they have no records for Ms. Giuffre, *see* GIUFFRE005347-5349.

Dr. Carol Hayek, Denison Road, Dulwich Hill, NSW 2203. Records have been requested, but thus far have been denied. Another medical release was sent and is pending.

New York Presbyterian Hospital treated Ms. Giuffre as described in the medical records produced at Giuffre003258-3298.

Campbelltown Hospital, 8 Moncreff [illegible] Close, St. Helens treated Ms. Giuffre as described in the medical records produced at Giuffre003193-3257.



Sydney West Hospital treated Ms. Giuffre as described in the medical records produced at Giuffre003291-3298.

Westmead Hospital treated Ms. Giuffre on as described in the medical records produced at GIUFFRE003291-003298.

As Defendant requested, Medical releases have been provided for:

Dr. Karen Kutikoff

Wellington Imaging Associates, PA

Growing Together

13. 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 prior 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.

**Response to Interrogatory No. 13**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects to this request in that it is overbroad and seeks confidential medical information of a sex

abuse victim and is not limited in scope to the issues in this case. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request in that it is not limited in scope to the medical information relating to the abuse she suffered from Defendant and Jeffrey Epstein.

14. Identify any Person who You believe subjected You to, or with whom You engaged in, any illegal or inappropriate sexual contact, conduct or assault prior to June 1999, including the names of the individuals involved, the dates of any such illegal or inappropriate sexual contact, conduct or assault, whether Income was received by You or anyone else concerning such event, whether a police report was ever filed concerning such event and the outcome of any such case, as well as the address and location of any such event.

**Response to Interrogatory No. 14**

Ms. Giuffre objects to this interrogatory in that it violates Local Rule 33.3. Ms. Giuffre objects to this request in that it is overbroad and seeks confidential medical information of a sex abuse victim. Ms. Giuffre objects to this request in that it seeks sexual assault information for a period prior to the sexual abuse at issue in this matter for a period when she was a minor child from the time Ms. Giuffre was born until she was 15. Ms. Giuffre objects to this request in that it is sought solely to harass, and intimidate Ms. Giuffre who is a victim of sexual abuse by the defendant.

**REQUESTS FOR PRODUCTION**

1. **All Communications and Documents identified in Interrogatories 1-14, above.**

**Response to Request No. 1**

Ms. Giuffre objects to this request in that Defendant's interrogatories violate Local Rule 33.3. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request on the grounds that it is overly broad and unduly burdensome, incorporating the interrogatories that total 59 subparts, and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request in that it seeks to invade the privacy rights of a sex abuse victims, and is meant for the improper purpose of harassing and intimidating this victim.

Subject to and without waving the above objections, Ms. Giuffre is withholding production of documents that are privileged pursuant to the attorney-client privilege, the work product privilege, and the public interest privilege. Ms. Giuffre is also withholding electronic renditions of photographs that depict the faces of her minor children, including school portraits and other photographs taken that reveal the faces of her minor children.

Subjection to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request limited to documents that do not depict images of her minor children as described *supra* and will continue to supplement her production.

**2. All Documents reviewed or relied upon in answering Interrogatory Nos. 1-14 above.**

**Response to Request No. 2**

Ms. Giuffre objects to this request in that defendant's interrogatories violate Local Rule 33.3. Ms. Giuffre objects to this request in that it seeks information that is protected by the attorney client, work product, and public interest, and other applicable privileges. Ms. Giuffre objects to this request in that it is overly broad incorporating the interrogatories that total 59 subparts. Ms. Giuffre objects to this request in that it seeks to invade the privacy rights of a sex abuse victims and is meant for the improper purpose of harassing and intimidating this victim.

Subject to and without waving the above objections, Ms. Giuffre is withholding production of documents that are privileged pursuant to the attorney-client privilege, the work product privilege, and the public interest privilege. Ms. Giuffre is also withholding electronic renditions of photographs that depict the faces of her minor children, including school portraits and other photographs taken that reveal the faces of her minor children.

Subjection to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request limited to documents that do not depict images of her minor children as described *supra* and will continue to supplement her production.

**3. All Documents from any law enforcement agency, whether local, state or federal, whether in the United States or elsewhere, which concern or relate to You in any way. These Documents should include, without limitation, any witness statements, including statements made by You.**

**Response to Request No. 3**

Ms. Giuffre objects to this request in that it seeks information that is protected by the attorney client, work product, public interest privilege and other applicable privileges. Ms. Giuffre objects to this request in that it is not limited in time period.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request and will continue to supplement her production. Ms. Giuffre is withholding documents that concern or relate to any currently ongoing investigation by any law enforcement agency under the public interest privilege and other applicable privileges.

**4. All Documents reflecting any letter of engagement, any fee agreement, or any other type of writing reflecting an engagement of any attorney identified in response to Interrogatory No. 3.**

**Response to Request No. 4**

Ms. Giuffre objects to this request in that it seeks information that is protected by the attorney client, work product, joint defense and other applicable privileges. Ms. Giuffre is withholding documents based on this objection. Specifically, Ms. Giuffre is withholding documents reflecting the engagements between herself and her attorneys she has engaged in relation to the above-captioned action and other actions as those documents involve privileged communications.

**5. All Documents relating to any Communications occurring from 1998 to the present with any of the following individuals or with their attorneys, agents or representatives:**



- a. **Jeffrey Epstein;**
- b. **Ghislaine Maxwell**
- c. **Any witness disclosed in Plaintiff's Rule 26(a) disclosures;**
- d. **Any witness identified by You in response to Interrogatory No. 8 and No. 14;**
- e. **Sky Roberts;**
- f. **Lynn Roberts;**
- g. **Kimberley Roberts;**
- h. **Daniel LNU, half-brother of Plaintiff;**
- i. **Carol Roberts Kess;**
- j. **Philip Guderyon;**
- k. **Anthony Valladares;**
- l. **Anthony Figueroa;**
- m. **Ron Eppinger**

**Response to Request No. 5**

Ms. Giuffre objection to this request on the grounds that it is overly broad and unduly burdensome, particularly as it seeks documents relating to over 60 individuals, and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects because compliance with this request is unduly burdensome. Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein with whom she claims a joint defense privilege and defendant has refused to produce responsive documents to Ms. Giuffre's request seeking communications between the Defendant and Ms.

Giuffre and between Jeffrey Epstein and Ms. Giuffre. Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney-client, work product, joint defense, public interest or any other applicable privilege. Ms. Giuffre objects to this request in that it is sought solely to harass and intimidate Ms. Giuffre, and invade her privacy, by seeking her private communications with her various family members, including aunts, uncles and parents and siblings.

Subject to and without waving the above objections, Ms. Giuffre is withholding production of documents that are privileged pursuant to the attorney-client privilege, the work product privilege, and the public interest privilege. Ms. Giuffre is also withholding electronic renditions of photographs that depict the faces of her minor children, including school portraits and other photographs taken that reveal the faces of her minor children.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request limited to documents that do not depict images of her minor children as described *supra* and will continue to supplement this production.

**6. All photographs or video containing any image of You and the following individuals. To the extent You have such photographs and video in their original, native format, please produce them in that format (not a paper copy).**

- a. Ghislaine Maxwell**
- b. Alan Dershowitz**
- c. Jeffrey Epstein**
- d. Andrew Albert Christian Edward, the Duke of York (aka Prince Andrew)**

- e. **Ron Eppinger**
- f. **Bill Clinton**
- g. **Stephen Hawking**
- h. **Al Gore**
- i. **Any of the individuals identified by You in response to Interrogatory No. 8 and No. 14.**

**Response to Request No. 6**

Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein with whom she claims a joint defense privilege and defendant has refused to produce responsive documents to Ms. Giuffre's request seeking communications between the Defendant and Ms. Giuffre and between Jeffrey Epstein and Ms. Giuffre.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request and will continue to supplement her production. Ms. Giuffre does not have "original, native format," as requested so she is producing the paper copies she has in her possession, custody and control.

**7. All photographs and video of You in any of Jeffrey Epstein's properties, including, but not limited to: his home in Palm Beach, Florida; his home in New York City, New York; his ranch in Santa Fe, New Mexico; and Little Saint James Island in the U.S. Virgin Islands. To the extent You have such photographs and video in their original, native format, please produce them in that format (not a paper copy).**

**Response to Request No. 7**

Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein with whom she claims a joint defense privilege and defendant has refused to produce responsive documents to Ms. Giuffre's request seeking communications between the Defendant and Ms. Giuffre and between Jeffrey Epstein and Ms. Giuffre.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce documents responsive to this Request and will continue to supplement her production. Ms. Giuffre does not have "original, native format," as requested so she is producing the paper copies she has in her possession, custody and control. The Defendant has documents responsive to this request that she should produce.

**8. All photographs or video of You in any of Ms. Maxwell's properties, including her home in London, England and her home in New York City, New York. To the extent You have such photographs or video in their original, native format, please produce them in that format (not a paper copy).**

**Response to Request No. 8**

Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein with whom she claims a joint defense privilege and defendant has refused to produce responsive documents to Ms. Giuffre's request seeking communications between the Defendant and Ms. Giuffre and between Jeffrey Epstein and Ms. Giuffre.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request and will continue to supplement her production. Ms. Giuffre does not have “original, native format,” as requested so she is producing the paper copies she has in her possession, custody and control. The Defendant has documents responsive to this request that she should produce.

**9. Any Documents reflecting rental agreements or purchase agreements for the residential addresses identified by You in response to Interrogatory No. 1.**

**Response to Request No. 9**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request in that it seeks confidential financial information that is irrelevant to this action. Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney client, work product, joint defense, public interest or any other applicable privilege. Ms. Giuffre objects to this request in that the information regarding rental agreements for the apartments that Defendant and Jeffrey Epstein rented for her are in the Defendant’s possession, control and custody.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement this production.

**10. All Documents relating to Your Employment and/or association with the Mar-a-Lago Club located in Palm Beach, Florida, including any application for Employment.**

**Response to Request No. 10**

Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney client, work product, joint defense, public interest or any other applicable privilege.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement this production.

**11. Any Document reflecting any confidentiality agreement by and between, or concerning, You and the Mar-a-Lago Club.**

**Response to Request No. 10**

Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney client, work product, joint defense, public interest or any other applicable privilege.

Ms. Giuffre has been unable to locate any such documents.

**12. All Documents concerning any Employment by You from 1998 to the present or identified by You in response to Interrogatory No. 9, including any records of Your Employment at the Roadhouse Grill in Palm Beach, Florida.**

**Response to Request No. 12**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not



reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney-client, work product, joint defense, public interest or any other applicable privilege.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement this production.

**13. All Documents concerning any allegations of theft by You from the Roadhouse Grill in Palm Beach, Florida from 1999 – 2002.**

**Response to Request No. 13**

Ms. Giuffre objects to this request in that it seeks information solely to harass, embarrass, and intimidate Ms. Giuffre. Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, public interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request in that it wrongfully characterizes a “theft by You”. Ms. Giuffre objects to this request as it seeks documents of sealed juvenile records, and the only means of obtaining such records are either through court order or illegal means.

Ms. Giuffre has been unable to locate any such documents.

**14. A copy of Your federal, state or local tax returns for the years 1998 to the present, whether from the United States or any other country.**

**Response to Request No. 14**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not

reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request in that it seeks confidential financial information that is irrelevant to this action. Ms. Giuffre objects to this request in that it seeks financial information from her when she was a minor child starting at age 14. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the accountant client privilege, and any other applicable privilege.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement this production.

**15. All Documents concerning Your attendance at or enrollment in any school or educational program of whatever type, from 1998 to the present.**

**Response to Request No. 15**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request in that her school records from when she was a minor child are an invasion of privacy, and sought only to harass and embarrass her.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-

privileged documents responsive to this Request, and will continue to supplement this production.

**16. Any diary, journal or calendar concerning Your activities between 1996 – 2002.**

**Response to Request No. 16**

Ms. Giuffre objections to this Request on the grounds that the time period is overly broad and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request to the extent it seeks proprietary and copyright protected materials. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request in that it seeks highly personal and sensitive material from a time when she was being sexually trafficked.

Ms. Giuffre has been unable to locate any such documents.

**17. All Documents relating to Your travel from the period of 1998 to the present, including, but not limited to a copy of Your passport that was valid for any part of that time period, any visa issued to You for travel, any visa application that You prepared or which was prepared on Your behalf, and travel itinerary, receipt, log, or Document (including any photograph) substantiating Your travel during that time period.**

**Response to Request No. 17**

Ms. Giuffre objections to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not

reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request in that it is overly broad and not limited to travel records relevant to the abuse she suffered. Ms. Giuffre objects to this request in that it seeks information that is wholly irrelevant to this lawsuit.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement this production. Per the agreements made in the March 21, 2016 meet and confer, we will attempt to locate and make copies of Plaintiff's current passport book.

**18. All Documents showing any payments or remuneration of any kind made by Jeffrey Epstein or any of his agents or associates to You from 1999 until the present.**

**Response to Request No. 18**

Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein with whom she claims a joint defense privilege and defendant has refused to produce responsive documents. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege.

At this point in time, Ms. Giuffre has been unable to locate any such documents, but continues to search for responsive documents.

**19. Any Document reflecting a confidentiality agreement, settlement agreement, or any contractual agreement of any kind, between You and Jeffrey Epstein, or any attorneys for You and/or Mr. Epstein.**

**Response to Request No. 19**

Ms. Giuffre objects to this request in that the documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein with whom she claims a joint defense privilege and defendant has refused to produce responsive documents. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre is in possession of a responsive document that contains a confidentiality provision. As discussed during the March 21, 2016 meet and confer, If Defendant obtains, and produces to Ms. Giuffre, a written waiver from her co-conspirator, Mr. Epstein, of the confidentiality provision, releasing Ms. Giuffre from any liability whatsoever under the confidentiality provision, she will produce the document.

**20. Any Document reflecting Your intent, plan or consideration of, asserting or threatening a claim or filing a lawsuit against another Person, any Document reflecting such a claim or lawsuit, including any complaint or draft complaint, or any demand for consideration with respect to any such claim or lawsuit against any Person.**

**Response to Request No. 20**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms.

Giuffre objects to this request to the extent it seeks documents protected by the attorney client, work product, joint defense or any other applicable privilege. Ms. Giuffre objects because this request is overly broad and unduly burdensome in that it seeks wholly privileged communications from other cases the logging of which on a privilege log would be unduly burdensome. As such, Ms. Giuffre is providing categorical privilege entries relating to those matters.

At this point in time, Ms. Giuffre has not found any non-privileged documents responsive to this request, but continues to search for responsive documents.

**21. All Documents relating to Your driver's license from 1998 – 2002.**

**Response to Request No. 21**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein for whom she claims a joint defense privilege and defendant has refused to produce responsive documents.

At this point in time, Ms. Giuffre has not found any documents responsive to this request, but continues to search for responsive documents.

**22. A copy of Your marriage license(s) from 1999 to the present.**

**Response to Request No. 22**

Ms. Giuffre objects to this Request on the grounds that it is irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre



objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this request, and will continue to supplement this production.

**23. All documents concerning Your naturalization application to Australia from 1999 to the present.**

**Response to Request No. 23**

Ms. Giuffre objects to this Request on the grounds that it is irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege.

Ms. Giuffre has been unable to locate any such documents.

**24. All Documents concerning Your Employment in Australia, including, but not limited to employment applications, pay stubs, Documents reflecting Your Income including any tax Documents.**

**Response to Request No. 24**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request in that it seeks confidential financial information Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney client, work product, joint defense, or

any other applicable privilege. Ms. Giuffre objects to this request in that it seeks overly broad financial information not tailored to the sexual abuse and defamation issues in this case.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this request, and will continue to supplement this production.

**25. All Documents concerning any massage therapist license obtained by You, including any massage therapy license issued in the United States, Thailand and/or Australia.**

**Response to Request No. 25**

Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein for whom she claims a joint defense privilege and defendant has refused to produce responsive documents. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege.

At this point in time, Ms. Giuffre has not found any non-privileged documents responsive to this request, but continues to search for responsive documents.

**26. All Documents concerning any prescription drugs taken by You, including the prescribing doctor, the dates of said prescription, and the dates of any fulfillment of any such prescription.**

**Response to Request No. 26**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms.

Giuffre objects to this request in that it is not limited in date range in any way; therefore if she was on a prescription drug **when she was 2 years old**, she would have to produce that document. Ms. Giuffre also objects to this request in that it is not limited to prescription drugs she has taken as a result of the abuse she endured. Ms. Giuffre objects to this request to the extent it seeks confidential medical records that are not relevant to this action. Ms. Giuffre objects to this request to the extent it seeks documents protected by the attorney-client, work product, or any other applicable privilege.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and is producing non-privileged documents responsive to the Request limited to documents relating to prescription drugs relating to her treatment for sexual abuse she suffered at the hands of the Defendant and Jeffrey Epstein, and relating to conditions or symptoms arising after Defendant's defamatory statement, and will continue to supplement this production.

**27. All Documents, written or recorded, which reference by name, or other description, Ghislaine Maxwell.**

**Response to Request No. 27**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary or copyright protected materials.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-

privileged documents responsive to this Request, and will continue to supplement her production.

**28. All Documents reflecting notes of, or notes prepared for, any statements or interviews in which You referenced by name or other description, Ghislaine Maxwell.**

**Response to Request No. 28**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary or copyright protected materials.

At this point in time, Ms. Giuffre has not found any non-privileged documents responsive to this request, but continues to search for responsive documents.

**29. All Documents concerning any Communications by You or on Your behalf with any media outlet, including but not limited to the *Daily Mail*, *Daily Express*, the *Mirror*, *National Enquirer*, *New York Daily News*, *Radar Online*, and the *New York Post*, whether or not such communications were “on the record” or “off the record.”**

**Response to Request No. 29**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary or copyright protected materials.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will

produce non-privileged documents responsive to this Request, and will continue to supplement her production.

**30. All Documents concerning any Income received by You from any media outlet in exchange for Your statements (whether “on the record” or “off the record”) regarding Jeffery Epstein, Alan M. Dershowitz, Prince Andrew, Bill Clinton or Ghislaine Maxwell or any of the individuals identified by You in response to Interrogatory Nos. 8 and 14.**

**Response to Request No. 30**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary or copyright protected materials. Ms. Giuffre objects to this request in that it seeks confidential financial information.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement her production.

**31. All Documents concerning any actual or potential book, television or movie deals concerning Your allegations about being a sex slave, including but not limited to a potential book by former New York Police Department detective John Connolly and writer James Patterson.**

**Response to Request No. 31**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary or copyright protected materials. Ms. Giuffre objects to this request in that it seeks confidential financial information.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement her production.

**32. All manuscripts and/or other writings, whether published or unpublished, created in whole or in part by or in consultation with You, concerning, relating or referring to Jeffrey Epstein, Ghislaine Maxwell or any of their agents or associates.**

**Response to Request No. 32**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary or copyright protected materials. Ms. Giuffre objects to this request in that it seeks confidential financial information.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement her production.



**33. All Documents concerning or relating to Victims Refuse Silence, the organization referred to in the Complaint, including articles of incorporation, any financial records for the organization, any Income You have received from the organization, and any Documents reflecting Your role within the organization or any acts taken on behalf of the Organization.**

**Response to Request No. 33**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary or copyright protected materials. Ms. Giuffre objects to this request in that it seeks confidential financial information.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement her production.

**34. To the extent not produced in response to the above list of requested Documents, all notes, writings, photographs, and/or audio or video recordings made or recorded by You or of You at any time that refer or relate in any way to Ghislaine Maxwell.**

**Response to Request No. 34**

Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein for whom she claims a joint defense privilege and defendant has refused to produce responsive documents. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work

product privilege, and any other applicable privilege. Ms. Giuffre objects to this request to the extent it seeks proprietary and copyright protected material.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement her production.

**35. All phone records, including text messages, emails, social media Communications, letters or any other form of Communication, from or to You or associated with You in any way from 1998 to the present, which concern, relate to, identify, mention or reflect Ghislaine Maxwell, Jeffrey Epstein, Alan Dershowitz, Prince Andrew, Bill Clinton, or any of the individuals identified in response to Interrogatory Nos. 8 and 14.**

**Response to Request No. 35**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request to the extent it seeks documents from “anyone associated with you” as that is vague and ambiguous. Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein for whom she claims a joint defense privilege and defendant has refused to produce responsive documents. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, the public interest privilege, and any other applicable privilege.

Ms. Giuffre objects to this request to the extent it seeks proprietary and copyright protected material.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement her production. While Ms. Giuffre has produced her documents, Ms. Giuffre's response does not include documents "from anyone associated with you" based on the above referenced objection.

**36. All Documents relating to massages, including but not limited to any Documents reflecting the recruiting or hiring of masseuses, advertising for masseuses, flyers created for distribution at high schools or colleges, and records reflecting e-mails or calls to Persons relating to massages.**

**Response to Request No. 36**

Ms. Giuffre objects to this Request on the grounds that it is overly broad and unduly burdensome and calls for the production of documents that are irrelevant to this action and not reasonably calculated to lead to the discovery of admissible evidence. Ms. Giuffre objects to this request in that it is not time limited in any way. Ms. Giuffre objects to this request in that documents responsive to this request are within the possession, custody and control of the defendant and Jeffrey Epstein for whom she claims a joint defense privilege and defendant has refused to produce responsive documents. Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, public interest privilege, and any other applicable privilege.

Ms. Giuffre has been unable to locate any such documents.

**37. Statements or records from any bank into which You deposited money received from Jeffrey Epstein, any Person identified in Interrogatory No. 8 or 14, any witness disclosed in Your Rule 26(a) disclosures, any media organization or any employee or affiliate of any media organization.**

**Response to Request No. 37**

Ms. Giuffre objects in that it seeks information protected by the attorney-client privilege, the attorney work product privilege, joint defense/common interest privilege, the public interest privilege, and any other applicable privilege. Ms. Giuffre objects to this request in that it seeks personal financial information. Ms. Giuffre objects to this request in that it is overly broad as it has no time limitation.

Subject to and without waiving the above objections, Ms. Giuffre has already produced documents Bates labelled GIUFFRE000001 to GIUFFRE005353, and will produce non-privileged documents responsive to this Request, and will continue to supplement her production.

Dated: April 29, 2016

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  
(954) 356-0011

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

**CERTIFICATE OF SERVICE**

I certify that on April 29, 2016, I electronically served *Plaintiff Virginia Giuffre's Second Amended Supplemental Responses and Objections to Defendant's First Set of Discovery Requests* on the following:

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)  
[jpagliuca@hmflaw.com](mailto:jpagliuca@hmflaw.com)

By: /s/ Sigrid McCawley  
Sigrid McCawley