

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

IN RE: OPERATION LEAP YEAR

COPY

Federal Grand Jury, 07-103
West Palm Beach, Florida
May 8, 2007

APPEARANCES:

██████████ ESQUIRE
Assistant United States Attorney

████████████████████ Foreperson

TESTIMONY
OF
████████████████████

1 The sworn testimony of [REDACTED]
2 was taken before the Federal Grand Jury, West Palm
3 Beach Division, West Palm Beach, Palm Beach County,
4 State of Florida, on the 8th day of May, 2007.

5 Philip W. May, Court Reporter, was authorized to
6 and did report the sworn testimony.

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1 (The witness entered the grand jury room.)

2 [REDACTED]

3 having been duly sworn by the grand jury foreperson,
4 was examined and testified on her oath as follows:

5 EXAMINATION

6 BY [REDACTED]:

7 Q Could you start by reminding us of your name and
8 where you're employed.

9 A [REDACTED]

10 [REDACTED]. I work for the FBI here in West
11 Palm Beach on their violent crimes squad.

12 Q And you are one of the case agents in Operation
13 Leap Year?

14 A Yes, I am.

15 Q Did you recently participate in an interview of
16 [REDACTED]?

17 A Yes.

18 Q Can you tell us [REDACTED] date of birth?

19 A [REDACTED] was born on July 26, 1988.

20 Q And you spoke with her recently?

21 A Yes, we did.

22 Q So she was 18 at the time of the interview?

23 A Yes, I believe she was.

24 Q Who is [REDACTED]?

25 A [REDACTED] was identified by the Palm Beach

1 Police Department as one of the girls who had frequented
2 Mr. Epstein's house.

3 Q How exactly did the Palm Beach Police Department
4 determine that she was one of those girls?

5 A When they did their search warrant at
6 Mr. Epstein's residence, some message pads were obtained
7 at his residence, and they had several calls from a girl
8 named [REDACTED], and phone numbers. So they were able to
9 track back those messages back to [REDACTED].

10 Q Did the Palm Beach Police Department try to
11 interview [REDACTED]?

12 A They did.

13 Q Did she agree to speak with them?

14 A No. She stated that she loved Jeffrey Epstein,
15 and that she would not say anything positive or negative
16 about what occurred.

17 Q After the FBI became involved in this
18 investigation, did you try to interview [REDACTED]?

19 A We did, as well, with no such luck, as well.

20 Q How long ago was it that you first made contact
21 with [REDACTED]?

22 A It was back in November of '06.

23 Q Did you try to serve her with a subpoena issued
24 on behalf of this grand jury?

25 A Yes, we did.

1 Q What happened?

2 A She refused service of the grand jury subpoena.
3 But she was notified of when her appearance was expected
4 here, and a subpoena was left with her.

5 Q After that, did she obtain an attorney?

6 A Yes, she did.

7 Q Who was that?

8 A Jim Eisenberg. He's a well-known defense
9 attorney here in West Palm Beach.

10 Q Who paid for that attorney?

11 A Mr. Epstein is paying for [REDACTED] attorney.

12 Q Now once [REDACTED] secured the attorney, did
13 she agree to be interviewed?

14 A Yes, she did, after she was granted 6001
15 immunity. She requested immunity.

16 Q Did the justice department authorize that grant
17 of immunity?

18 A Yes, they did.

19 Q After that, did she agree to be interviewed?

20 A Yeah. It was only after she was given that
21 immunity that she would talk with us.

22 Q When did the interview take place?

23 A It took place at the end of April of this year,
24 so just a few weeks ago.

25 Q Who was present at that interview?

1 A Myself; my partner, agent [REDACTED]; the AUSA,
2 [REDACTED]; her attorney, Jim Eisenberg, and his
3 investigator; as well as [REDACTED].

4 Q What did [REDACTED] tell you about Jeffrey
5 Epstein?

6 A She stated that she had met an individual by the
7 name of [REDACTED] at a party who had asked her if she
8 wanted to make a few bucks by giving a man a massage. She
9 was told that Mr. Epstein preferred them to be topless,
10 and she agreed to go to his house to give him a massage.

11 Q How old did [REDACTED] tell you she was at that
12 time?

13 A She stated she was 16 when she first started
14 giving Mr. Epstein massages.

15 Q Based upon your review of the evidence, is that
16 correct?

17 A No. We have phone records where [REDACTED]
18 (phonetic), Mr. Epstein's assistant, is contacting [REDACTED]
19 on her cell phone, or using her cell phone to call [REDACTED]
20 cell phone starting in April of 2004, which makes [REDACTED]
21 15.

22 Q So she said that she was 16, but your evidence
23 shows that she was 15, and she said that she was told she
24 could make a few bucks giving a topless massage?

25 A Yes.

1 Q What else did [REDACTED] tell you?

2 A That she went to Mr. Epstein's residence, that
3 [REDACTED] took her there the first time, that when she went
4 upstairs she was paid \$200 when she first got there by
5 [REDACTED]. Then she goes upstairs, and Mr. Epstein
6 comes in, he disrobes, puts on a towel, lays down on the
7 massage table and she begins to massage him.

8 She tells Epstein that she heard he likes
9 topless massages, and he told her that he did. And she
10 said, "Who wouldn't?" And she ended up taking off her top
11 during the first massage. But [REDACTED] is clear that Mr.
12 Epstein did not at any point touch her during the massage.

13 Q But does she admit that he touched himself?

14 A Yes. On the second massage, Mr. Epstein asked
15 her to leave her phone number with [REDACTED]. Her phone number
16 was left there. On the second massage, she returned the
17 very next day and gave him another massage. This time,
18 Mr. Epstein masturbated in front of her.

19 Q Did [REDACTED] admit that he masturbated on
20 more than one occasion in her presence?

21 A Yes, masturbated. And I think her term was that
22 he "released," meaning that he ejaculated.

23 Q How long of a period of time did [REDACTED]
24 tell you that she performed massages?

25 A She wasn't able to give us a number of massages,

1 but just said that it was a lot, and that she had been
2 giving him massages for a year.

3 Q You mentioned to the grand jury that [REDACTED]
4 said that Mr. Epstein never touched her, correct?

5 A Yes.

6 Q And she was very adamant about that?

7 A Yes, she was.

8 Q Were there other things that she was adamant
9 about in her interview with you?

10 A Well, she talked about what she would tell the
11 girls that -- and that she told Mr. Epstein that she was
12 18. I'm sorry, I take that back. She was told to say
13 that she was 18, and she told us that she had a fake I.D.
14 showing that she was 18.

15 So she passed that information along to the
16 other girls when she brought -- eventually she brought
17 other girls to perform massages, and that was one of the
18 things that she told -- she told us first that she brought
19 18- to 20-year old girls. And then she stated that if the
20 girls lied, and they were underage, she told them that
21 they needed to tell Epstein that they were 18.

22 Q Have you been able to identify some of the girls
23 that [REDACTED] brought to Mr. Epstein's home?

24 A Yes.

25 Q Were any of those girls over 18?

1 A No, not that we found so far.

2 Q Have any of the girls told investigators about
3 what Mr. Epstein knew about their ages?

4 A I'm sorry, say that again.

5 Q Have any of the girls who came through [REDACTED]
6 [REDACTED] been interviewed about what Mr. Epstein knew about
7 their ages?

8 A We did interview them regarding that, and I'm
9 not sure if he asked them. They were all told to say they
10 were 18, but not on every occasion would Mr. Epstein
11 inquire about their age.

12 Q Do you want to check your records on that?

13 A Yes, could I do that?

14 Q Yes, please do.

15 A I can tell you that one of the girls that she
16 brought -- this girl told Mr. Epstein that she was in high
17 school, and actually told him her true age, which was
18 under 18.

19 Q So what [REDACTED] told you about, that wasn't
20 really the case?

21 A No, that wasn't. Sorry.

22 Q That's all right, I just wanted to make sure
23 it's clear.

24 So [REDACTED] told you that she had been told
25 to say she was 18, and she also told you that she had a

1 fake I.D.?

2 A Yes.

3 Q Did she ever say that Mr. Epstein either asked
4 for her age or asked to see her I.D.?

5 A No, the topic never came up.

6 Q Did you also ask her about how appointments were
7 made?

8 A Yes. She was very clear in the fact that [REDACTED]
9 [REDACTED] would call her to arrange the appointments, but
10 that [REDACTED] would call her once Jeffrey was in town.

11 Q So she was adamant that the calls only happened
12 when she was already here?

13 A Yes.

14 Q Were you made aware that Epstein's counsel was
15 informed that he was being investigated for traveling to
16 engage in prostitution, which means that the appointments
17 would have been made before the traveling?

18 A Yes.

19 Q Was there anything else, besides the issue of
20 age and the issue of when the appointments were made, that
21 sounded coached or that she was especially adamant about?

22 A No, I wouldn't say coached. I mean, we talked
23 about the preferences that Jeffrey discussed, as far as
24 which girls he would like [REDACTED] to bring.

25 Once [REDACTED] started giving massages to Epstein,

1 ██████ told us that he liked different faces, so he would
2 ask her to bring other girls. We asked her if he ever
3 gave any preferences of what he preferred, and her
4 response was that Epstein liked girls like her, which is
5 thin and blond and attractive.

6 Q And how old was she at the time?

7 A She was 15.

8 Q So thin, blonde, attractive and --

9 A Young, girls like her. I guess we asked if she
10 ever made a mistake, or ever brought somebody that Mr.
11 Epstein didn't take to. She said that she had screwed up
12 and that she had brought a black girl to Mr. Epstein, and
13 that Epstein was not interested in black girls. But he
14 did pay her, and said that he wasn't a racist. He paid
15 her the \$200 for her time, but did not want her to perform
16 a massage for him.

17 Q And he didn't allow that girl to perform a
18 massage?

19 A No.

20 Q Was there anything else that ████████ talked
21 about in the interview that you want to share with the
22 grand jury?

23 A I did ask her at the end of the interview if she
24 was in love with Mr. Epstein. She looked into the camera
25 and said that she loved him like a friend. But then she

1 kind of looked into the camera and gave a wink and a smile
2 and said, "But with your money, I'd marry you any time,
3 Jeffrey."

4 Q Did she also say that she considered him to be
5 an "awesome guy"?

6 A Several times she referred to him as an "awesome
7 guy". She said that the girls begged her to come and that
8 the girls didn't have a complaint, and the girls would
9 share with her everything that happened after the massage,
10 and that Jeffrey never touched any of the girls. But as I
11 informed you, we did interview some of the girls that she
12 took, and he has touched them.

13 Q In preparation for your testimony today, did you
14 also speak with someone who is considered to be an expert
15 in these cases?

16 A Yes.

17 Q And what is that person's name?

18 A Ken Lanning.

19 Q Has Mr. Lanning been qualified to testify as an
20 expert in federal and state courts in cases that involve
21 what he calls "compliant victims"?

22 A Yes.

23 Q What does he mean by the term "compliant
24 victims"?

25 A A compliant victim is when a victim is not

1 necessarily forced into the conduct that the offender
2 wants them to engage into, that they actually consent to
3 that kind of activity.

4 Q So that would include minors who are subjected
5 to sexual activity but weren't necessarily kidnapped or
6 forced at gunpoint, or something like that?

7 A Exactly.

8 Q Did he discuss with you the difficulties that
9 exist when you interview those types of victims?

10 A Yes. He stated that a compliant victim is often
11 times embarrassed that they went along with the behavior.
12 They are also likely to deny the behavior, especially when
13 being interviewed by investigators, that they'll deny it
14 or they'll minimize it. Sometimes it takes two, three or
15 multiple interviews to get compliant victims to either
16 trust their interviewer or realize that their interviewer
17 is not going to be judgemental.

18 Q In this case, have you found that to be the case
19 with some of the interviews?

20 A Yes, I have.

21 Q In addition to being embarrassed, sometimes
22 these victims feel guilty about the fact that they were
23 involved in this type of activity?

24 A Oh, yes.

25 Q Does Mr. Lanning also have expertise in sexual

1 preference of offenders?

2 A Yes, he does.

3 Q Did he explain why an offender would select the
4 types of victims that are involved in this case, girls
5 between 14 and 17-years-old?

6 A This type of offender, the sexual preference he
7 has is for post-pubescent females that are physically
8 developed but not necessarily mentally matured. The girls
9 ranging in this age are sometimes inexperienced, they are
10 possibly naive, not as worldly.

11 An offender of this type could also maybe not
12 feel sexually adequate or feel competent dealing with his
13 own age group. So knowing that these girls are less
14 experienced, may focus on them as well.

15 Q In addition to their emotional immaturity, did
16 Mr. Lanning talk about whether or not younger girls are
17 easier to manipulate than grown women?

18 A Yes.

19 Q Did he talk to you about "grooming"?

20 A Yeah. That's what an offender will use with a
21 compliant victim. He told us that grooming is a technique
22 where you gain the cooperation of those victims by
23 focusing on their interests and playing up to those
24 interests. It's a type of seduction, he called it. That
25 was his words for it. And we actually see this in this

1 case.

2 Q Can you give us an example of some of the types
3 of grooming that Mr. Epstein used?

4 A With one of the girls we're going to talk about
5 today, [REDACTED], it's very apparent interviewing her how
6 Epstein groomed her. She only went to three or four
7 massages at this time, that she's admitted to. We feel
8 that due to her phone conversations, the multiple calls,
9 that there may be more there. At this point she has
10 stated to us that she has performed three or four massages
11 for Mr. Epstein.

12 What he did is when she first went there he
13 played upon -- she was very shy, and he would play upon
14 that shyness. He told her that she was pretty. He asked
15 her to remove her clothing, and she would not. So he kind
16 of kidded around with her shyness and complimented her,
17 showed interest in her, talked about her boyfriend and
18 different interests she had.

19 At the end of that interview, because she did
20 not take off her clothes, he tells her that if she's
21 willing to do more, she will make more. He also tells her
22 that he would pay her if she would bring other girls. As
23 the massages increased, you can see that the next time she
24 comes he plays again to that shyness, but he gets a little
25 bit more -- I guess he sees that it's not working. This

1 time she does comply and takes off her -- he asked her to
2 disrobe on the second massage. She takes off her blouse,
3 but she refuses to take off the bra after Mr. Epstein
4 asked her to.

5 So you can see that he tries through showing
6 interest. And then he actually -- when he sees that this
7 isn't working, he takes a more authoritative role with her
8 in the last massage. She said that throughout all of
9 these massages he was very nice, and then at the end he
10 was much more frustrated and irritated. She does get down
11 to her bra and panties on that one, he's just much
12 more authoritative.

13 So he started with the grooming process, tried
14 to get her interest, tried to use that to get her to
15 comply with removing her clothes. But as often happens,
16 at the end of this, he took over and was much more
17 forceful with his requests.

18 Q Have other girls described that same situation
19 where every time they went back, he tried to push it one
20 step further and one step further?

21 A Yes. Several of the girls have said that he
22 would always push for more and more.

23 Q Did Mr. Lanning explain why it is that a
24 compliant child victim cannot legally consent to the
25 sexual conduct?

1 A Yeah. He stated that -- you know, we talked
2 about how the law protects children, and stated that we
3 hold adults accountable. When it comes to adolescents,
4 they go through normal tendencies that mature offenders
5 may try to take advantage of. But the law is in place for
6 that reason, to protect -- in the federal law, to protect
7 those individuals under the age of 18.

8 Q And that's because of the different maturity
9 levels of the --

10 A The offender versus the victims, exactly.

11 Q Did you put together the photographs of the
12 defendants in this case?

13 A Yes, I did.

14 Q Are these photographs of the four human
15 defendants who are named in the proposed indictment?

16 A Yes.

17 Q With their names underneath them?

18 A Yes.

19 Q Agent, who is in the top left-hand corner?

20 A That's Jeffrey Epstein.

21 Q When was this photograph taken?

22 A Recently. There was an article that just came
23 out regarding Mr. Epstein and his connection, or his
24 personal relationship with Prince Andrew, and that was a
25 picture that was in that article.

1 Q Who is in the top right-hand corner?

2 A That's [REDACTED] [REDACTED].

3 Q Again, this is a relatively recent photograph?

4 A Yes, that's his personal assistant.

5 Q And the bottom left-hand corner?

6 A Again, that is one of Mr. Epstein's personal
7 assistants, that's [REDACTED] (phonetic).

8 Q Has Miss [REDACTED] since gotten married?

9 A Yes, her name now is [REDACTED].

10 Q And the bottom right-hand corner?

11 A That is [REDACTED]. She is, again, a
12 personal assistant to Mr. Epstein. There has been some
13 talk that she is also romantically -- or I should say
14 sexually involved with Mr. Epstein.

15 Q How old are the defendants?

16 A Jeffrey is in his mid-fifties, and the three
17 girls are in their early twenties.

18 Q Do you have a copy of the draft indictment in
19 front of you?

20 A Yes, I do.

21 Q You mentioned when we were looking at the
22 photographs that the three females work as personal
23 assistants for Mr. Epstein, is that correct?

24 A Yes.

25 Q So he is their employer?

1 A Yes.

2 Q Are you familiar with the property located at
3 358 El Brillo Way in Palm Beach?

4 A That's Mr. Epstein residence.

5 Q And he owns that residence?

6 A Yes, he does.

7 Q Are you familiar with Defendant J.E.G.E., Inc.?

8 A Yes. J.E.G.E., Inc. is owned by Jeffrey
9 Epstein. He is the president, the owner, the sole
10 director. It's a business that is solely used for the
11 activities of one of Mr. Epstein's airplanes, which is his
12 Boeing 727. Its tail number is N908JE.

13 Q And you mentioned that he is the president and
14 the sole director. Is he also the sole shareholder?

15 A Yes, he is.

16 Q Are you familiar with Hyperion Air, Inc.?

17 A Yes. Hyperion Air, Inc. is also a business
18 owned by Mr. Epstein. He is also the president, the
19 director and the sole shareholder of that company as well.
20 That company solely does business with his other aircraft,
21 which is a Gulf Stream G-1159B. It bears a tail number
22 N909JE.

23 Q Is that a smaller aircraft than the Boeing?

24 A Yes.

25 Q Just to briefly remind the grand jury about

1 where the evidence has been collected in this case, was
2 the start of your investigation information that you
3 received from the Palm Beach Police Department?

4 A Yes, it was.

5 Q And that included evidence seized during a
6 search of Mr. Epstein's home at El Brillo Way?

7 A Yes.

8 Q Also controlled calls that the Palm Beach Police
9 Department placed?

10 A Yes.

11 Q And interviews of girls and other people by the
12 Palm Beach Police Department?

13 A Yes, as well as trash pulls that the Palm Beach
14 Police Department conducted on Mr. Epstein's residence.

15 Q Then when the FBI became involved, the FBI did
16 additional interviews of girls and of recruiters?

17 A Yes.

18 Q They obtained phone records?

19 A Yes, we have.

20 Q And records of payments?

21 A Yes.

22 Q Did this grand jury also subpoena travel
23 records?

24 A Yes.

25 Q Including the flight manifests of the planes

1 owned by Hyperion and J.E.G.E.?

2 A Yes.

3 Q Did you also get corporate documents related to
4 those two planes?

5 A Yes, we have.

6 Q Once you had obtained all of this information,
7 did the FBI analyze the data, specifically the call
8 information and the flight information to put together a
9 pattern of activity by the defendants?

10 A Yes, we did.

11 Q So you have a series of phone calls coming from
12 these three assistants who were on the board, the two
13 girls who have been identified through this investigation?

14 A Yes.

15 Q When you spoke with those girls, did any of them
16 tell you that they had developed some sort of a personal
17 relationship with the assistants so that they were just
18 chatting over the telephone?

19 A No, not at all.

20 Q All of them said what about the phone calls?

21 A Said that the phone calls were made to set up
22 appointments for Mr. Epstein.

23 Q And the girls referred to it as appointments to
24 work, is that right?

25 A Yes, they were appointments to work. There is

1 one exception, [REDACTED]. We're going to talk about her
2 probably next week. She did say on one or two occasions
3 that [REDACTED] had called her when she had gone out
4 to California on a trip, I believe. But that is the only
5 time that that was ever mentioned. In fact, we asked, and
6 those phone calls were made for the purpose of setting up
7 appointments for Mr. Epstein.

8 Q Is the investigation continuing?

9 A Yes, it is.

10 Q Are you still trying to locate and interview
11 more girls?

12 A Yes.

13 Q Let's turn to the specific evidence reporting
14 the overt acts and offenses relating to Jane Doe's 1
15 through 5. I know that every member of the grand jury has
16 a copy of the draft indictment before them, and also a
17 chart.

18 Do you have a copy of that chart as well?

19 A I do.

20 Q Do you have photographs of the five girls that
21 we are going to talk about today?

22 A Yes.

23 Q And these are photographs of the people that we
24 are calling Jane Doe's 1 through 5?

25 A Yes.

1 Q And Jane Doe Number 1, you have previously
2 testified about her?

3 A Yes, I have, that's [REDACTED].

4 Q Jane Doe Number 2?

5 A That is [REDACTED].

6 Q Jane Doe Number 3?

7 A That is [REDACTED].

8 Q Jane Doe Number 4?

9 A [REDACTED].

10 Q And Jane Doe Number 5?

11 A That is [REDACTED].

12 JUROR: The purpose of Epstein's business with
13 his planes, did he transport?

14 THE WITNESS: To travel around.

15 JUROR: So it wasn't like a business of
16 transporting other people?

17 THE WITNESS: He flew other guests, sometimes
18 unaccompanied, sometimes accompanied.

19 JUROR: [REDACTED], [REDACTED] and [REDACTED], do you have
20 any evidence that they started young, like the rest
21 of the recruits?

22 THE WITNESS: We have evidence that they are his
23 personal assistants employed by him, not that it was
24 anything like what we were discussing.

25 JUROR: There was an allegation that was made

1 earlier, back in February, during one of these
2 discussions, about a specific act that was performed.
3 Can I ask about that? We were told back in February
4 that one of the girls when interviewed had alleged
5 rape, and I hadn't heard about that allegation
6 recently.

7 THE WITNESS: That's probably Jane Doe Number 6.
8 We're going to talk about her, that he forcibly put
9 her on the table and penetrated her. Yeah, she will
10 be coming up. We're going to do her probably next
11 week. She'll be the first one we'll talk about.

12 BY [REDACTED]:

13 Q So turning to Jane Doe Number 1, [REDACTED]. You
14 testified about her earlier before this grand jury,
15 correct?

16 A Yes, I did.

17 Q And she also testified before this grand jury,
18 correct?

19 A Yes.

20 Q Can you remind us of her date of birth?

21 A She was born on [REDACTED], 1986.

22 Q Could you briefly refresh the grand jury's
23 recollection of how she was recruited?

24 A She was approached on a beach by [REDACTED] and
25 Tony Figurello (phonetic). They approached her on a beach

1 and asked her if she wanted to perform massages for
2 Mr. Epstein and make some money.

3 Q From the review of the phone records that you
4 have received, were you able to identify a telephone
5 number associated with Tony Figurello?

6 A Yes.

7 Q In fact, has Tony Figurello been interviewed?

8 A Yes, he has.

9 Q And has he admitted to being a recruiter for Mr.
10 Epstein?

11 A Yes, recruiter and driver.

12 Q If you could take a look at Overt Act Number 2,
13 which appears on page five. That states, "On or about
14 March 12, 2004, defendants Jeffrey Epstein and [REDACTED]
15 caused Jane Doe Number 1 to travel to 358 Brillo Way of
16 Palm Beach, Florida."

17 Can you tell us what evidence you have regarding
18 that?

19 A We have reviewed phone records for [REDACTED] and
20 [REDACTED] that indicate the calls took place, as well as phone
21 records for Tony Figurello and [REDACTED] and calls that took
22 place on or about those dates. We've also looked at a
23 flight manifest, and were able to show that Mr. Epstein
24 arrived the day before, on the 11th. We also have [REDACTED]
25 statement where she describes the sexual activity that

1 took place.

2 Q On that date, March 12 of 2004, [REDACTED] described
3 going to Mr. Epstein's house and performing a sexual
4 massage?

5 A Yes, on or about that day.

6 Q On or about that date, what did [REDACTED] state
7 about being paid?

8 A She was paid \$200.

9 Q And that relates to Overt Act Number 3?

10 A Yes.

11 Q And she stated that Mr. Epstein is the person
12 who gave her that?

13 A She told us that in her statement.

14 Q If you could take a look at Overt Act Number 95,
15 which is on page 17. On or about February 6, 2005,
16 Epstein had Jane Doe Number 1 to make one or more
17 telephone calls to Jane Doe Number 2.

18 First of all, who is Jane Doe Number 2?

19 A That would be [REDACTED], our youngest victim.

20 Q Can you tell us what evidence you have related
21 to that overt act?

22 A We have the girl's statements that calls were
23 made. We also reviewed the phone records that indicated
24 that there was telephonic contact between the numbers
25 belonging to [REDACTED] and [REDACTED].

1 Q And in the statement of both girls, did they
2 describe that [REDACTED] is the person who called [REDACTED]
3 looking for someone to come and work at Mr. Epstein's
4 house?

5 A Yes.

6 Q Looking at Overt Act Number 96. On or about
7 February 6, 2005, Epstein caused Jane Doe Number 1 to
8 transport Jane Doe Number 2 to 358 El Brillo Way.

9 What is the evidence related to that?

10 A Again, the statements of [REDACTED] and [REDACTED] support
11 that as further evidence, and also reviewing the phone
12 records they indicate that there was telephonic contact
13 between [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED].

14 Q Overt Act Number 97, on or about February 6,
15 2005, Epstein made a payment of \$300 to Jane Doe Number 2
16 and a payment of \$200 to Jane Doe Number 1.

17 What was the evidence of that?

18 A Both [REDACTED] and [REDACTED] stated in their statements
19 that [REDACTED] was paid \$300, and [REDACTED] was paid \$200 for
20 bringing [REDACTED].

21 Q Did [REDACTED] explain why she was paid \$300?

22 A Yes, she was paid \$300 because she performed her
23 massage. Mr. Epstein digitally penetrated and used a
24 massager on [REDACTED] vagina.

25 Q After this date, after February 6, 2005, was

1 \$300 found in [REDACTED]'s purse when it was searched at her
2 school?

3 A Yes, it was, by a school administrator.

4 Q If you could look at Overt Act Number 117, which
5 is on page 19, and that states that on or about March 30,
6 2005, [REDACTED] caused one or more calls to be made to a
7 telephone used by Jane Doe Number 1.

8 What evidence do you have related to that?

9 A We reviewed the phone records of [REDACTED] and
10 [REDACTED] that indicate this.

11 Q And Overt Act 120, on or about March 31, [REDACTED]
12 caused one or more calls to be made to a telephone used by
13 Jane Doe Number 1.

14 A Again, we reviewed the phone records that
15 indicated there was telephonic contact between the numbers
16 belonging to [REDACTED] and [REDACTED].

17 Q Then we have Overt Act Number 122, which is also
18 March 31, that Epstein and [REDACTED] caused Jane Doe Number 1
19 to make a call to a telephone used by Jane Doe Number 2.

20 What evidence do you have related to that?

21 A We have phone records that we have reviewed
22 belonging to [REDACTED] and [REDACTED]. In this case, we also have a
23 voice mail that was provided to us by the Palm Beach
24 Police Department, a voice mail of [REDACTED] leaving a voice
25 mail message on [REDACTED] phone.

1 Q And Overt Act Number 123 refers to April 1st.
2 What evidence do you have related to that?

3 A We have reviewed the phone records of [REDACTED] and
4 [REDACTED] that indicate telephonic contact was made on this
5 day. We also again have another recorded voice mail by
6 [REDACTED], left on [REDACTED] phone.

7 Q These later calls, the March-April calls, are
8 those the controlled calls that the Palm Beach Police
9 Department was involved in?

10 A There was controlled calls placed to [REDACTED]
11 cell phone and to [REDACTED] place of work by [REDACTED], under the
12 supervision of the Palm Beach Police Department.

13 Q And the voice mail message that you referred to
14 of [REDACTED] calling [REDACTED], what information was [REDACTED] leaving
15 in that voice mail message?

16 A [REDACTED] was asking for [REDACTED] to get back in touch,
17 that she had set up an appointment for [REDACTED] at Epstein's
18 house on the following day, on that Saturday at around
19 10:30 or 11:00.

20 Q In addition to the phone records, was there
21 anything that the Palm Beach Police Department found that
22 also confirmed that this appointment actually was made.

23 A As I mentioned earlier, the Palm Beach Police
24 Department was doing trash pulls on Mr. Epstein's
25 residence. In there, there were two messages or notes in

1 there on Epstein's personalized stationary. On it it
2 said, "██████ with ██████ on Saturday at 10:30, and ██████ on
3 Saturday with ██████ at 10:30." That's the exact message on
4 the two notes that were found in his trash when they
5 retrieved it on April 8.

6 Q If I could direct your attention to Count Number
7 Five, which appears on page 26. That is the charge of
8 enticement of a minor, referring to Jane Doe Number 1, and
9 Mr. Epstein and Miss ██████ are charged.

10 I know that you talked about the telephone
11 traffic. The calls between ██████ and Tony Figurello, did
12 they fall within that March 7 through March 11 time
13 period?

14 A A review of their telephone records do indicate
15 that there were phone calls made during that time.

16 Q And Jane Doe Number 1 actually went to Mr.
17 Epstein's home?

18 A Yes, and performed a massage for him in the
19 nude.

20 Q And she was paid for that?

21 A Yes, she was paid \$200.

22 Q And he masturbated in front of her, correct?

23 A Yes, he did. I would like to include that ██████
24 ██████ took ██████ upstairs for that massage, and she also
25 set up the massage table and arranged the oil and lotions

1 for [REDACTED] to do that massage.

2 Q And also, just so it's clear, how old was [REDACTED]
3 at that time?

4 A She was 17.

5 [REDACTED]: Are there any questions about
6 either how that evidence was presented or about the
7 charges related to Jane Doe Number 1? Seeing no
8 questions, we'll turn to Jane Doe Number 2.

9 BY [REDACTED]:

10 Q You previously mentioned that that was [REDACTED].?

11 A Yes.

12 Q Let's turn to Count Number Six, which is on page
13 26, which is the enticement of [REDACTED]. If you could tell
14 the grand jury about the evidence related to that.

15 A [REDACTED] date of birth is [REDACTED], 1990.

16 Q So during this period of February 5, 2005 to the
17 6th, how old was she?

18 A She was 14.

19 Q Can you remind the grand jury about the evidence
20 related to the enticement of [REDACTED].

21 A As we stated earlier, we talked about the
22 telephone calls. We have shown that the facility of
23 interstate commerce was used by the telephone calls made
24 by their cell phones. We examined specifically [REDACTED]
25 [REDACTED], [REDACTED] and [REDACTED]. Those calls were made to

1 set up and arrange appointments for Mr. Epstein to have
2 his massages.

3 Pertaining to [REDACTED], during the massage that
4 occurred on those dates, February 6, in particular, I
5 think I have discussed with you before what occurred on
6 that, that he fingered [REDACTED] -- and that was his term for
7 it -- and that he used a massager on her.

8 He did masturbate during that massage, and she
9 believed he ejaculated because he wiped off his penis with
10 a towel. She was paid \$300, and we know that she was 14
11 at the time.

12 Q If we could turn to Count Number 43, which
13 appears on page 31. Count 43 is one of the travel counts.
14 If you could tell the grand jury, did a trip occur on
15 March 31, 2005?

16 A Yes, we have flight records that indicate a
17 flight occurred on that date.

18 Q What type of plane was used?

19 A I'm going to refer to the J.E.G.E., Incorporated
20 aircraft as just the Boeing 727. If we talk about the
21 Hyperion Air, Incorporated aircraft, which is the Gulf
22 Stream, I will just say the Gulf Stream. So on that date
23 he did travel on his Boeing 727, on 3-31.

24 Q And Mr. Epstein was aboard the plane on that
25 day?

1 A Yes, he was.

2 Q With respect to the March 31st trip, was there
3 evidence of him setting up the appointment with [REDACTED] prior
4 to that trip?

5 A We do have telephonic contact between [REDACTED] and
6 [REDACTED], as well as [REDACTED] and [REDACTED] on the day before
7 and the day of travel.

8 Q And even though that appointment was never kept,
9 that [REDACTED] never went to that appointment, you have the
10 notes that were retrieved from the garbage that showed
11 that Mr. Epstein was expecting [REDACTED] to show up for that
12 appointment?

13 A Yes.

14 Q Anything else with respect to that particular
15 count?

16 A We also have the controlled calls and the voice
17 mails.

18 Q Turning to Count Number 60, which appears on
19 page 34, that is the attempted enticement of [REDACTED].
20 during the period of March 30 to April 1.

21 Again, at that point, [REDACTED]. was how old?

22 A She was 14.

23 Q And we had talked about the telephone calls that
24 were used. One of the things that is relevant to this
25 particular count was that in addition to the fact that

1 [REDACTED]. was 14, did you interview a girl who went with
2 [REDACTED] when she went to Mr. Epstein's house back in
3 February?

4 A Yes, we did, that would be [REDACTED].

5 Q And Serena was interviewed?

6 A Yes, she was interviewed by the Palm Beach
7 Police Department.

8 Q What did [REDACTED]. say about [REDACTED] appearance?

9 A That she was the youngest looking girl that
10 came.

11 Q When you talked with [REDACTED], did [REDACTED] talk about
12 girls that Mr. Epstein liked in particular?

13 A Yes.

14 Q And was [REDACTED]. one of those girls?

15 A Yes, she was one of his preferences. [REDACTED] also
16 told us that Mr. Epstein said to her on one occasion, "The
17 younger, the better."

18 Q And there was never any attempt to get [REDACTED]
19 I.D. or to confirm her actual age?

20 A No.

21 Q As we discussed before, [REDACTED] never actually went
22 to that point, right, so that is just an attempt?

23 A Yes.

24 [REDACTED]: Are there any questions from the
25 grand jury? Seeing no questions, we'll see you next

1 week. Thank you.

2 (Witness excused.)

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CERTIFICATE OF REPORTER

9

10 I CERTIFY pages 1 to 35 is a true transcript of

11 my shorthand notes of the testimony of [REDACTED]

12 [REDACTED], before the Federal Grand Jury, West Palm

13 Beach, Florida, on the 8th day of May, 2007.

14 Dated at West Palm Beach, Florida this 23rd day

15 of May, 2007.

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Philip W. May

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Philip W. May, Court Reporter

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