

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL
CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and PAUL G.
CASSELL,,

Plaintiffs,

vs.

ALAN M. DERSHOWITZ,

Defendant.

_____ /

CONTINUED VIDEOTAPE DEPOSITION OF

ALAN M. DERSHOWITZ

VOLUME 2

Pages 180 through 333

Friday, October 16, 2015
9:18 a.m. - 12:26 p.m.

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13 ALSO PRESENT:

14 Joni Jones, Utah Attorney General Office

15 Travis Gallagher, Videographer

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1 VIDEOGRAPHER: Going on the record. This

2 is day two of Alan Dershowitz's deposition.

3 The date is October 16, 2015, and the time is

4 approximately 9:18 a.m.

5 MR. SCAROLA: Would you please reswear the

6 witness.

7 THE COURT REPORTER: Would you raise your

8 right hand, please?

9 Do you swear or affirm that the testimony

10 you are about to give will be the truth, the

11 whole truth, and nothing but the truth?

12 THE WITNESS: Yes.

13 Thereupon:

14 ALAN M. DERSHOWITZ

15 having been first duly sworn, was examined and

16 testified as follows:

17 DIRECT EXAMINATION

18 BY MR. SCAROLA:

19 Q. Mr. Dershowitz, what is rhetorical

20 hyperbole?

21 A. Rhetorical means verbal and hyperbole

22 means exaggeration.

23 Q. Something other than the truth, correct?

24 A. Truth --

25 MR. SCOTT: Objection, form, relevancy.

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1 A. Truth has many, many meanings and is a
 2 continuum. The Supreme Court has held that
 3 rhetorical hyperbole cannot be the basis, for
 4 example, of perjury prosecutions or generally of a
 5 defamation prosecution.
 6 So it depends on the context. You might
 7 just look at the dictionary and probably get a
 8 variety of definitions for it.
 9 BY MR. SCAROLA:
 10 **Q. Well, what I'm concerned about,**
 11 **Mr. Dershowitz, is not a dictionary definition. I**
 12 **want to know what your understanding of rhetorical**
 13 **hyperbole is.**
 14 **And do you agree that pursuant to your**
 15 **understanding of rhetorical hyperbole, it is an**
 16 **exaggeration beyond the facts?**
 17 MR. SCOTT: Objection, argumentative and
 18 compound, three questions.
 19 A. No --
 20 MR. SCOTT: You can answer.
 21 A. -- I would not agree with that definition.
 22 BY MR. SCAROLA:
 23 **Q. Okay. Then define it for us, if you**
 24 **would, please.**
 25 A. I think I have already.

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1 **Q. I'm sorry, I missed the definition. Could**
 2 **you tell us what rhetorical hyperbole is?**
 3 MR. SCOTT: Objection, repetitious. He's
 4 done it.
 5 A. Why don't we just read back my answer.
 6 BY MR. SCAROLA:
 7 **Q. Because I didn't understand it, so I would**
 8 **like you to try to give us a direct response to that**
 9 **question if you're able to.**
 10 A. I will repeat exactly what I said. A
 11 rhetorical means verbal and hyperbole means some
 12 exaggeration of the facts for political or other
 13 reasons, but generally it is truthful in a literal
 14 sense but perhaps -- it all depends on context.
 15 And if you tell me the context in which I
 16 used it, I will be happy to describe what I meant in
 17 that context. But I don't think you can really
 18 answer a question about what two words put together
 19 mean without understanding the context.
 20 **Q. Okay. Well, we're going to talk about**
 21 **some context.**
 22 **Do you recall having been interviewed on**
 23 **CNN Tonight on January 5, 2015?**
 24 A. I have no current recollection of --
 25 MR. SCOTT: Do you have a copy of the

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1 transcript of the interview? We'd like to see
 2 it.
 3 MR. SCAROLA: That's exactly what I gave
 4 you, the photocopy.
 5 MR. SCOTT: We're doing it right now.
 6 Maybe we can move on and come back then.
 7 MR. SCAROLA: No, I would like to proceed.
 8 MR. SCOTT: Then let's stop until I get a
 9 copy of it. Because he -- I want --
 10 MR. SCAROLA: I don't think that's
 11 necessary because your client has told us that
 12 he has a superb memory and one of the things I
 13 would like to know is what he's able to recall.
 14 If he needs to refresh his memory, the
 15 transcripts will be here in just a moment, but
 16 I don't want to delay going forward.
 17 MR. SCOTT: Do you need the transcript to
 18 refresh your memory?
 19 THE WITNESS: Well, I have no memory of
 20 what specifically I said on a particular day in
 21 a particular interview.
 22 MR. SCOTT: Since you have a copy in front
 23 of him, why don't you just show him your copy
 24 then? Read the -- ask your question and let
 25 him read it.

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1 BY MR. SCAROLA:
 2 **Q. Do you recall having been interviewed on**
 3 **CNN Tonight by Don Lemon?**
 4 A. Yes, I do.
 5 **Q. Do you recall having been interviewed on**
 6 **CNN Tonight by Don Lemon in early January of 2015,**
 7 **where you spoke about matters that have become the**
 8 **subject of this litigation?**
 9 A. Yes, I do.
 10 **Q. Did you make the following statement**
 11 **during the course of that interview: "As to the**
 12 **airplanes, there are manifests that will prove**
 13 **beyond any doubt that I was never on a private**
 14 **airplane with this woman or any other underage**
 15 **girl"?**
 16 MR. SCOTT: You need to see the
 17 transcript?
 18 THE WITNESS: No. No.
 19 A. That is a truthful statement. I would
 20 repeat it right now. I've reviewed the manifests.
 21 First, I know I was never on the airplane
 22 with any underage woman. I know that for a fact. I
 23 have absolutely no doubt in my mind about that. And
 24 the records that I have reviewed confirm that.
 25 They have Virginia Roberts on a number of

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1 airplane flights with Jeffrey Epstein. They have me
 2 on a number of flights, none -- let me emphasize,
 3 none within the relevant time period, none within
 4 the relevant time period. That is, there are no
 5 manifests that have me on Jeffrey Epstein's airplane
 6 during the time that Virginia Roberts claims to
 7 have -- falsely claims to have had sex with me.
 8 So, yes, not only recall making that
 9 statement, but I repeat it here today. And it is
 10 absolutely true. And it just confirms what I know,
 11 and that is that Virginia Roberts made up the entire
 12 story.
 13 BY MR. SCAROLA:
 14 **Q. Your statement --**
 15 MR. SCOTT: What page are you reading
 16 from?
 17 MR. SCAROLA: Page 5.
 18 **Q. Your statement was that you were never on**
 19 **a private airplane with this woman, which I assume**
 20 **was a reference to Virginia Roberts, correct?**
 21 A. It is, yes.
 22 **Q. Or any other underage girl?**
 23 A. That's right.
 24 **Q. All right. How many times --**
 25 A. Well, let me be very clear. I have no

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1 idea who was in the front cabin of the airplane with
 2 the pilots. Obviously what I intended to say and
 3 what I say here now is I never saw an underage
 4 person on an airplane.
 5 Now, when I -- when I flew with Jeffrey
 6 Epstein to the launch, my recollection is that there
 7 may have been a couple on the plane with their child
 8 who was going to see the launch. But that was
 9 certainly not the context in which I made the
 10 statement.
 11 I never saw any underage, young person who
 12 would be the subject or object of any improper
 13 sexual activities. Had I seen Jeffrey Epstein ever
 14 in the presence of an underage woman in a context
 15 that suggested sexuality, I would have, A, left the
 16 scene; B, reported it; and, C, never had any further
 17 contact with Jeffrey Epstein.
 18 **Q. You have also made the statement that you**
 19 **were never on a private airplane with any underage**
 20 **women or any young women, correct?**
 21 A. The context was underage women in a sexual
 22 context. If it was a -- you know, a four-year-old
 23 child being carried by her mother, that would not be
 24 included in what I intended to say.
 25 **Q. Your sworn testimony yesterday, according**

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1 **to the transcription, the official transcription of**
 2 **that testimony, was that, quote:**
 3 **"Let me emphasize that the manifests that**
 4 **do exculpate me do not show me flying with Virginia**
 5 **Roberts, they do not show me flying with any young**
 6 **women."**
 7 **That was the testimony you gave under**
 8 **oath. Do you stand by that testimony today?**
 9 A. The manifests that I saw corroborate my
 10 own memory -- my own memory is as clear as could
 11 be -- that I never saw any inappropriately aged,
 12 underage women on any airplane to my knowledge that
 13 were visible to me at any time that I flew. That is
 14 my testimony, yes.
 15 **Q. Well, that's not a response to the**
 16 **question that I asked. Is it your testimony today**
 17 **that you never flew on a private airplane with,**
 18 **quote, "any young women"?**
 19 MR. SCOTT: Objection, form.
 20 A. By young women, I obviously meant in that
 21 context underage women. And underage women in the
 22 context of sexuality. And, yes, I -- I stand by
 23 that statement.
 24 BY MR. SCAROLA:
 25 **Q. All right. So your -- your clarification**

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1 **of your earlier testimony is that you never saw any**
 2 **young women in a sexual context?**
 3 A. That's not clarification. I think that's
 4 what I initially said. That's what I initially
 5 intended. And that's the way any reasonable -- any
 6 reasonable person would interpret what my original
 7 testimony was. So I don't believe my original
 8 testimony required any clarification.
 9 **Q. So what you meant to convey by the**
 10 **statement that you made when you said you never flew**
 11 **with any underage girl or any young women was you**
 12 **never flew with any underage girl or young women in**
 13 **a sexual context?**
 14 MR. SCOTT: Objection, form.
 15 BY MR. SCAROLA:
 16 **Q. Is that correct?**
 17 A. Let me simply repeat the fact and that is,
 18 to my knowledge, I never flew on an airplane or was
 19 ever in the presence on an airplane with any
 20 underage woman who would be somebody who might be in
 21 a sexual context. I say that only to eliminate the
 22 possibility that some four-year-old was on the lap
 23 of a mother or somebody was on the airplane with
 24 family members.
 25 But, no, I do not recall -- and I'm very

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1 firm about this -- being on an airplane with anybody
2 who I believed could be the subject of Jeffrey
3 Epstein or anyone else's improper sexual activities.
4 MR. SCAROLA: All right. Let's mark the
5 transcript that we've been referring to as
6 Exhibit Number 1, please. That's the
7 transcript of the television interviews that
8 we'll be discussing.
9 (Thereupon, marked as Plaintiff Exhibit
10 1.)
11 MR. SCOTT: This is actually 2, right? We
12 had one yesterday, an article from the British
13 newspaper?
14 MR. SCAROLA: No. It was not marked as an
15 exhibit. This is the first exhibit that's been
16 marked.
17 MR. SCOTT: No, I know that, but I thought
18 we were going to mark that one. Maybe I was --
19 I asked for that. Okay.
20 It was an answer and counterclaim about
21 the allegation shown to the witness.
22 MR. SCAROLA: And Exhibit Number 2 will be
23 the transcript from yesterday's proceedings
24 that I have just referenced.
25 (Thereupon, marked as Plaintiff

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1 Exhibit 2.)
2 MR. SCOTT: You don't have a copy of that,
3 do you, of the transcript?
4 MR. SCAROLA: No. Got sent to you. I
5 assume you have it.
6 BY MR. SCAROLA:
7 **Q. I'm going to hand you what we'll now mark**
8 **as Exhibit Number 3.**
9 **(Thereupon, marked as Plaintiff**
10 **Exhibit 3.)**
11 MR. SCOTT: There's no question.
12 MR. SWEDER: Yes.
13 BY MR. SCAROLA:
14 **Q. Do you recognize that young woman,**
15 **Mr. Dershowitz?**
16 A. No.
17 **Q. Never saw her?**
18 A. Not that I know of.
19 **Q. Never flew on an private airplane with**
20 **her?**
21 A. Not that I know of.
22 **Q. Do you recognize the name Tatiana?**
23 A. I do recall that Jeffrey Epstein had a
24 friend named Tatiana.
25 **Q. That you flew with?**

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1 A. I don't remember that I flew with her or
2 not. I may have. But I don't recall necessarily.
3 But I did meet -- I remember meeting a woman named
4 Tatiana. This does not look like Tatiana, like the
5 woman I met.
6 **Q. Okay. So that's a -- that's a different**
7 **Tatiana?**
8 A. No, I don't know.
9 MR. SCOTT: Objection, form,
10 argumentative.
11 A. I have no idea. I do not recognize this
12 woman. She's not familiar to me at all.
13 I can tell you this: Without any doubt, I
14 never met anybody dressed like this on any airplane
15 or in the presence of Jeffrey Epstein or in any
16 context --
17 BY MR. SCAROLA:
18 **Q. Did she have --**
19 A. -- related to this case.
20 **Q. -- more clothes on or less clothes on when**
21 **you met her?**
22 MR. SCOTT: Objection, form. He said he
23 never met her. Misrepresent --
24 BY MR. SCAROLA:
25 **Q. When you met the woman that you're**

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1 **referencing, did she have more clothes on or less**
2 **clothes on than that woman?**
3 A. Every woman that I met in the presence of
4 Jeffrey Epstein was properly dressed, usually in
5 suits and dresses and -- and appropriately covered
6 up. I never met any women in the context of Jeffrey
7 Epstein who were dressed anything like this.
8 **Q. Would you agree that that is a young woman**
9 **in that photograph?**
10 A. I have no idea what her age is.
11 **Q. So you don't know whether she was underage**
12 **or overage or a young woman or not a young woman?**
13 A. I don't --
14 MR. SCOTT: Objection, form.
15 A. -- know this woman, so I have no idea how
16 old a woman in a picture is. She could be -- she
17 could be 30. She could be 25. I have no idea.
18 BY MR. SCAROLA:
19 **Q. Or she could be 15 or 16?**
20 A. I don't think so.
21 **Q. But you don't know?**
22 A. This doesn't -- well, I don't know how old
23 you are. This does not strike me --
24 **Q. Old enough to know that --**
25 MR. SCOTT: You're cutting --

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1 BY MR. SCAROLA:
 2 **Q. -- that's a young woman.**
 3 MR. SCOTT: Objection. You're cutting the
 4 witness off. You're not letting him finish.
 5 A. This looks like a picture out of a Playboy
 6 or Penthouse magazine. It does not look to me like
 7 a person who is under the age of 16 or 17 or 18.
 8 But I don't think you can tell anything from the
 9 picture. I think you can tell much more from
 10 meeting somebody and being with them and having a
 11 conversation with them.
 12 MR. SCAROLA: Let's mark this photograph,
 13 if we could, as Exhibit Number 4.
 14 (Thereupon, marked as Plaintiff
 15 Exhibit 4.)
 16 BY MR. SCAROLA:
 17 **Q. Does Exhibit Number 4 help you at all to**
 18 **recognize this young woman?**
 19 A. I've never -- I have no -- no recollection
 20 of this young woman at all.
 21 **Q. All right. Would you describe for us,**
 22 **please, the Tatiana that you flew with Jeffrey**
 23 **Epstein on November 17, 2005?**
 24 A. First, I want to emphasize that that's
 25 three years later than any of the issues involved in

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1 this case. I have no recollection of flying with
 2 this woman. I saw the name Tatiana on a manifest.
 3 And my recollection of Tatiana -- I have
 4 no recollection of flying with her, but my
 5 recollection of Tatiana is that she was a serious,
 6 mid 20s woman friend of Jeffrey Epstein, who I may
 7 have met on one or two or three occasions when he
 8 was with her in -- perhaps at Harvard University
 9 where he was meeting with academics and scholars, or
 10 perhaps -- I think that's probably the context
 11 where -- where she might have been.
 12 **Q. But you never flew with her?**
 13 A. I have no recollection of flying with her.
 14 **Q. Okay. Well, let me see if this helps to**
 15 **refresh your recollection, Mr. Dershowitz.**
 16 MR. SCAROLA: Let's mark this as Exhibit
 17 Number 5, please.
 18 THE WITNESS: Uh-huh, yes.
 19 (Thereupon, marked as Plaintiff
 20 Exhibit 5.)
 21 BY MR. SCAROLA:
 22 **Q. Do you see that the name of the woman in**
 23 **the photographs I have handed you is Tatiana**
 24 **Kovylna, K-O-V-Y-L-I-N-A, a Victoria Secrets model?**
 25 **The photographs, sir, look at the**

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1 **photographs. The photographs identify the woman as**
 2 **Tatiana Kovylna, correct?**
 3 A. Yes, but --
 4 MR. SCOTT: Mr. Dershowitz, take your
 5 time --
 6 THE WITNESS: Yeah.
 7 MR. SCOTT: -- review the exhibits. Don't
 8 be rushed by Mr. Scarola.
 9 A. Yes, it's a different -- different
 10 spelling of the name. The Tatiana on the manifest
 11 is spelled T-A-I-T-A-N-N-A.
 12 The Tatiana in the photograph is
 13 T-A-T-I-N -- I-A-N-A. I have no idea whether --
 14 BY MR. SCAROLA:
 15 **Q. The last name --**
 16 A. -- they are the same person.
 17 **Q. -- is the same, Kovylna, right?**
 18 A. There's no last name.
 19 **Q. Well, read down a little bit further, if**
 20 **you would, Mr. Dershowitz.**
 21 A. You mean as to a different flight?
 22 **Q. Yes, sir. Identifying the return flight**
 23 **for the same Tatiana.**
 24 A. I have no idea that it's a return flight.
 25 I have nothing on the record that suggests that it's

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1 a return flight. And it has different people on it.
 2 So I have no reason to believe it's a return flight.
 3 **Q. Is the last -- the question that I asked**
 4 **you, Mr. Dershowitz, is: Is the last name spelled**
 5 **exactly the same as the last name is spelled in the**
 6 **two photographs I have shown you?**
 7 A. Let me look. So, on the 20th of
 8 November --
 9 **Q. Is the last name --**
 10 MR. SCOTT: Whoa, whoa --
 11 BY MR. SCAROLA:
 12 **Q. -- spelled the same way on both the flight**
 13 **log and the two photographs I have shown you?**
 14 A. On -- you mean on a flight log that I was
 15 not on the flight? Is that right? You're talking
 16 about a flight log that I was not on the flight,
 17 right?
 18 **Q. That flight log shows you on multiple**
 19 **flights, does it not?**
 20 A. It shows me not on that flight. It shows
 21 me on a number of flights, but not on that flight.
 22 MR. SCOTT: What's the date of the
 23 flights?
 24 THE WITNESS: The date of that flight
 25 is -- looks like November 20th, 2005, more

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1 than three years after Virginia Roberts left
2 for --
3 BY MR. SCAROLA:
4 **Q. Mr. Dershowitz --**
5 MR. SCOTT: You're cutting the witness
6 off.
7 MR. SCAROLA: He's not answering my
8 question, Tom.
9 MR. SCOTT: Well --
10 MR. SCAROLA: I want to know whether the
11 last name is spelled the same or it isn't
12 spelled the same on the flight log marked as an
13 exhibit and on the photographs. That's a very
14 direct question. It calls for a very direct
15 yes or no response.
16 And this witness has demonstrated a clear
17 refusal to respond directly to direct
18 questions, which will result, when we resume
19 this deposition, in our requesting that the
20 Court appoint a special master so that this
21 deposition doesn't take two weeks to complete.
22 MR. SCOTT: You know, Mr. Scarola, that's
23 a nice speech and I appreciate it.
24 MR. SCAROLA: Thank you.
25 MR. SCOTT: I don't agree with your

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1 characterization. And if you recall, months
2 ago I suggested a special master for this
3 deposition, for your clients' depositions and
4 for Virginia Roberts' and your response to me
5 was: I'll consider it, I won't pay for it. If
6 your client wants to pay for it -- so basically
7 you blew me off.
8 So, I appreciate you finally come around.
9 And your clients.
10 MR. SCAROLA: Your client's misconduct has
11 clearly convinced me, having now considered it,
12 that it is absolutely necessary.
13 MR. SCOTT: Okay. Now --
14 BY MR. SCAROLA:
15 **Q. So now could I get an answer to my**
16 **question --**
17 MR. SCOTT: Now that we have --
18 BY MR. SCAROLA:
19 **Q. -- whether the last name on the flight log**
20 **is spelled exactly the same way as the last name in**
21 **the photographs?**
22 MR. SCOTT: Now that all the lawyers'
23 speeches are done, read the question back and
24 the witness will answer it.
25 MR. SCAROLA: I will repeat the question.

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1 BY MR. SCAROLA:
2 **Q. Is the last name on the photograph spelled**
3 **exactly the same way as the last name on the flight**
4 **log?**
5 A. If you're talking about a flight log that
6 I was not on that flight, the answer is yes.
7 **Q. All right. Thank you very much, sir.**
8 **Now, that flight log also shows you flying**
9 **repeatedly in the company of a woman named Tatiana,**
10 **correct?**
11 A. I've only seen one reference to Tatiana on
12 November 17. If you want to show me any other
13 references, I'd be happy to look at them.
14 **Q. All right, sir. Thank you.**
15 **Let's go back to the --**
16 MR. SCOTT: Are we done with this exhibit?
17 MR. SCAROLA: We are done with the
18 exhibit.
19 MR. SCOTT: Okay. Then let's collect the
20 exhibits so that we don't have a big -- then
21 we'll turn them over to the court reporter to
22 keep safekeeping.
23 There you go, young lady, don't lose
24 those, don't get them wet. And we'll proceed.
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1 BY MR. SCAROLA:
2 **Q. Did you state during the same interview,**
3 **the CNN Don Lemon interview: "She has said that**
4 **Bill Clinton was with her at an orgy on Jeffrey's**
5 **island"?**
6 A. I did state that, yes.
7 **Q. Was that statement intended as fact,**
8 **opinion, or was it intended as rhetorical hyperbole?**
9 MR. SCOTT: Do you understand the
10 question?
11 THE WITNESS: Yes, I do.
12 A. It was a statement based on what I
13 believed were the facts at the time I said them.
14 Various newspapers and blogs had placed
15 Bill Clinton on, quote, "orgy island" on -- in the
16 presence of Jeffrey Epstein when there were orgies.
17 And at the time I made that statement, I had a
18 belief that she had accused Bill Clinton of
19 participating or being -- as being a part of or an
20 observer or -- or a witness or a participant in
21 orgies on what was called Jeffrey Epstein's orgy
22 island. That was my state of belief, honest belief
23 at the time I made that statement.
24 BY MR. SCAROLA:
25 **Q. Yes, sir. And what I want to know is what**

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1 **the source of that honest belief was? Identify any**
2 **source that attributed to Virginia Roberts the**
3 **statement that Bill Clinton was with her at an orgy**
4 **on Jeffrey's island.**
5 A. We can provide you about, I think, 20
6 newspaper articles and blogs which certainly raise
7 the implication that Bill Clinton had improperly
8 participated in sexual activities on the island
9 either as an observer or as a participant. The
10 issue was raised on Sean Hannity's program. The
11 headlines in various British media had suggested
12 that.
13 It's my belief that Virginia Roberts
14 intended to convey that impression when she was
15 trying to sell her story to various media, which she
16 successfully sold her story to in Britain, that she
17 wanted to keep that open as a possibility.
18 And then when I firmly declared, based on
19 my research, that Bill Clinton had almost certainly
20 never been on that island, she then made a firm
21 statement that she -- which was a -- which was a
22 perjurious statement, a firm perjurious statement
23 saying that although Bill Clinton had been with her
24 on the island and had had dinner with her, the
25 perjurious statement was that Bill Clinton had been

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1 on the island with her.
2 The lie was that she described in great
3 detail a dinner with Bill Clinton and two underage
4 Russian women who were offered to Bill Clinton for
5 sex but that Bill Clinton turned down.
6 So she then put in her affidavit that
7 although -- perjuringly, although she had seen Bill
8 Clinton on that island, she then stated that she had
9 not had sex with Bill Clinton. To my knowledge,
10 that was -- to my knowledge at least, that was the
11 first time she stated that -- that she not had sex
12 with Bill Clinton. She had certainly implied, or at
13 least some of the media had inferred from her
14 statements that she may very well have observed Bill
15 Clinton in a sexually compromising position.
16 So, when I made that statement to Don
17 Lemon, I had a firm belief, based on reading
18 newspaper accounts and blogs, that it was true.
19 **Q. Can you identify a single newspaper that**
20 **attributed to Virginia Roberts the statement that**
21 **Bill Clinton was with her at an orgy on Jeffrey's**
22 **island?**
23 A. I think there -- I don't have them in my
24 head right now. But I do recall reading headlines
25 that talked about things like, sex slave places

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1 Clinton on orgy island, things of that kind. I
2 would be happy to provide them for you. I don't
3 have them on the top of my head.
4 **Q. There's a big difference between saying**
5 **that Bill Clinton was on Jeffrey's island and saying**
6 **that Bill Clinton was at an orgy on Jeffrey's**
7 **island, isn't there?**
8 MR. SCOTT: Objection --
9 BY MR. SCAROLA:
10 **Q. Do you recognize a distinction between**
11 **those statements?**
12 MR. SCOTT: Form.
13 A. I don't think that distinction was clearly
14 drawn by the media.
15 BY MR. SCAROLA:
16 **Q. I'm asking whether you recognize the**
17 **distinction?**
18 A. Oh, I -- I certainly recognize a
19 distinction.
20 **Q. Oh, so --**
21 A. Let me finish. I certainly recognize a
22 distinction between Bill Clinton being on the
23 island, which I believe she perjuringly put in her
24 affidavit, and Bill Clinton participating actively
25 in an orgy. I also think it's a continuum.

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1 And there is the possibility, which I
2 don't personally believe to be true, that he was on
3 the island. There was the possibility, which I
4 don't believe to be true, that he was on the island
5 when orgies were taking place. There was the
6 possibility that he was on the island and observed
7 an orgy, and there was the possibility that he was
8 on the island and participated in an orgy.
9 Newspapers picked up those stories. I'll
10 give you an example of a newspaper that actually
11 said that that she had placed or that I was on the
12 island and -- that I participated in an orgy along
13 with Stephen Hawkins [sic.], the famous physicist
14 from Cambridge University, that was a newspaper
15 published in the Virgin Islands, which falsely
16 claimed that I was at an orgy with Stephen Hawkins.
17 So, many newspapers were suggesting,
18 implying, and I inferred from reading those
19 newspapers that that's what she had said to the
20 media.
21 If I was wrong about that based on
22 subsequent information, I apologize. But I
23 certainly, at the time I said it, believed it and
24 made the statement in good faith in the belief that
25 it was an honest statement.

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1 **Q. Okay. So you now are withdrawing the**
 2 **statement that you made that Virginia Roberts said**
 3 **that Bill Clinton was with her at an orgy on**
 4 **Jeffrey's island; that was wrong?**
 5 A. I don't know whether she ever said that.
 6 I would not repeat that statement and have not
 7 repeated that statement based on her denial. As
 8 soon as she denied it, I never again made that
 9 statement and would not again make that statement.
 10 **Q. You --**
 11 A. But I did reiterate the fact that she
 12 committed perjury when she said she was on the
 13 island with Bill Clinton.
 14 MR. SCAROLA: Move to strike the
 15 nonresponsive --
 16 A. That was the perjurious statement.
 17 MR. SCAROLA: Move to strike the
 18 nonresponsive portions of the answer.
 19 BY MR. SCAROLA:
 20 **Q. You have made a reference during that same**
 21 **CNN interview to this woman, referring to Virginia**
 22 **Roberts, having a criminal record?**
 23 A. That's right.
 24 **Q. Okay. What -- what is a criminal record?**
 25 A. Well, the way I used the term is that she

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1 committed a crime and legal -- some kind of
 2 proceedings resulted from her committing a crime.
 3 The crime she committed was stealing money from a
 4 restaurant that she worked at while she was also
 5 working for Jeffrey Epstein. And it was my
 6 information that there was a criminal record of her
 7 theft.
 8 **Q. How old was she at the time this alleged**
 9 **offense occurred?**
 10 A. I don't know. But old enough to be held
 11 criminally responsible in the State of Florida, to
 12 my knowledge. To my knowledge, I -- I recall a case
 13 where a 14-year-old boy was sentenced as an adult
 14 for --
 15 MR. SCAROLA: Mr. Scott --
 16 A. -- a serious --
 17 MR. SCAROLA: -- did my question ask
 18 anything about a 14-year-old boy?
 19 A. You asked if --
 20 MR. SCAROLA: Do we really need to listen
 21 to this?
 22 MR. SCOTT: You're asking questions, my
 23 client is providing his response.
 24 MR. SCAROLA: No, your client is not
 25 responding. Your client is filibustering.

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1 Your client is doing everything he can to avoid
 2 giving direct answers to these questions.
 3 I would appreciate it if you would take a
 4 break, counsel your client that the speeches
 5 are not helpful to anyone, and especially not
 6 helpful to him.
 7 MR. SCOTT: If you want to take a break,
 8 I'll take a break and I will advise my client
 9 whatever I feel is appropriate, not what you
 10 instruct me to do.
 11 MR. SCAROLA: Okay. Well, if you think it
 12 might help at all in the progress of this
 13 deposition, then I do want to take a break. If
 14 you don't think taking a break would be
 15 helpful, I don't want to take a break.
 16 MR. SCOTT: Do you want to take a break or
 17 not?
 18 THE WITNESS: I'm going to leave it to
 19 your judgment. I'm happy to proceed --
 20 MR. SCOTT: Okay. I'll be glad to take a
 21 break.
 22 MR. SCAROLA: Thank you.
 23 MR. SCOTT: I can't say --
 24 MR. SCAROLA: Five minutes.
 25 MR. SCOTT: -- it will help you or

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1 anything but --
 2 MR. SCAROLA: I can understand that you
 3 don't -- you don't have that control, but if
 4 there's any reasonable --
 5 MR. SCOTT: You know, Counsel --
 6 MR. SCAROLA: -- prospect that it might
 7 help, let's give it a try.
 8 MR. SCOTT: You know, I really don't
 9 appreciate the comments about my abilities as
 10 an attorney, like I don't have that control and
 11 things of nature. It really is --
 12 MR. SCAROLA: I don't have the control
 13 either.
 14 MR. SCOTT: It's not --
 15 MR. SCAROLA: I'm not trying to disparage
 16 you at all in any respect. I'm just suggesting
 17 that --
 18 MR. SCOTT: Okay.
 19 MR. SCAROLA: -- there is reason to doubt
 20 that it will do any good. But I want to give
 21 it a try.
 22 MR. SCOTT: Okay. Fine. Thank you.
 23 MR. SCAROLA: Thank you.
 24 VIDEOGRAPHER: Going off the record. The
 25 time is approximately 9:49 a.m.

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1 (Recess was held from 9:49 a.m. until 10:01 a.m.)
 2 VIDEOGRAPHER: Going back on the record.
 3 The time is approximately 10:01 a.m.
 4 MR. SCOTT: If you've finished your bagel,
 5 we're ready to proceed, I think.
 6 MR. SCAROLA: I think we are. I was
 7 actually ready to proceed a little bit earlier,
 8 but we'll proceed now.
 9 BY MR. SCAROLA:
 10 **Q. Mr. Dershowitz, do you agree with the**
 11 **basic concept that one is presumed to be innocent**
 12 **until proven guilty?**
 13 A. Yes.
 14 **Q. Has Virginia Roberts ever been proven to**
 15 **be guilty of any crime at any time, anywhere, at any**
 16 **age?**
 17 A. I don't know the answer to that question,
 18 but I do know that she was brought into the legal
 19 system for stealing money from her employer and I
 20 think it's fair to characterize that as her having a
 21 criminal record, yeah.
 22 **Q. To the extent that anyone might interpret**
 23 **your comment that Virginia Roberts was ever**
 24 **convicted of a crime, they would be drawing a false**
 25 **conclusion as far as you know, correct?**

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1 A. As far as I know, I don't know of her
 2 having convicted of any crime. But I do know that
 3 she was proceeded against for having stolen money.
 4 And I don't think she contested that. I don't think
 5 there's any dispute about the fact that she stole
 6 money and engaged in other crimes as well.
 7 **Q. When did you find out about this alleged**
 8 **crime?**
 9 A. As soon as the false allegation against me
 10 was made public, I got call after call after call
 11 from people telling me about Virginia Roberts, about
 12 your 22 clients. The calls just kept coming in
 13 because there was such outrage at this false
 14 allegation being directed against me.
 15 MR. SCAROLA: Move to strike the
 16 unresponsive portion of the answer.
 17 BY MR. SCAROLA:
 18 **Q. You found out as soon as the CVRA**
 19 **complaint was -- the CVRA allegations referencing**
 20 **you were filed; is that correct?**
 21 A. I didn't say that. I said as soon as they
 22 were made public and as soon as the newspapers
 23 carried these false stories, I received phone calls
 24 and I learned about -- I learned about her encounter
 25 with the criminal justice system.

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1 **Q. That would certainly have been prior to**
 2 **February 23rd of 2015, correct?**
 3 A. Yes.
 4 MR. SCOTT: Are you going back to the
 5 exhibit now with the newspapers and --
 6 MR. SCAROLA: Not yet.
 7 MR. SCOTT: Okay.
 8 BY MR. SCAROLA:
 9 **Q. Having reviewed the available airplane**
 10 **flight logs, you are aware that Bill Clinton flew on**
 11 **at least 15 occasions with Jeffrey Epstein on his**
 12 **private plane, correct?**
 13 A. Yes.
 14 **Q. Have you ever attempted to get flight log**
 15 **information with regard to Former President**
 16 **Clinton's other private airplane travel?**
 17 A. No.
 18 **Q. Never made a public records request --**
 19 **A. Yes.**
 20 **Q. -- under the Freedom of Information Act**
 21 **with regard to those records?**
 22 A. Well, we have made a Freedom of
 23 Information request. My -- my attorney in New York,
 24 Louis Freeh, the former head of the FBI, has made a
 25 FOIA request for all information that would

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1 conclusively prove that Bill Clinton was never on
 2 Jeffrey Epstein's island, yes.
 3 **Q. And you were denied those records,**
 4 **correct?**
 5 A. No, no, no.
 6 **Q. Oh, you got them?**
 7 MR. SCOTT: Well, wait a minute. Let's
 8 take it slow. Ask a question.
 9 A. As any lawyer knows, FOIA requests take a
 10 long, long period of time. So they were neither
 11 denied nor were they given to us. They are very
 12 much in process.
 13 BY MR. SCAROLA:
 14 **Q. When was --**
 15 A. While we're talking about -- may I
 16 complete -- I want to amend one answer I gave
 17 previously.
 18 While we're talking about the plane logs,
 19 I must say that during the recess, my wife Googled
 20 Tatiana and found out that she was, in fact, 24
 21 years old in 1995, at the time she flew on that
 22 airplane. So that my characterization of her as
 23 about 25 years old is absolutely correct.
 24 And the implication that you sought to
 25 draw by showing me those pictures was not only

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1 demonstrably false, but you could have easily
 2 discovered that the implication you were drawing was
 3 demonstrably false by simply taking one second and
 4 Googling her name as my wife did.
 5 BY MR. SCAROLA:
 6 **Q. And so at 25 years old, she wasn't a young**
 7 **woman?**
 8 A. She was not the kind of woman that I was
 9 describing as underage. She was a mature, serious,
 10 I think I said in my public statements a model. I
 11 wasn't aware at the time that see was working for
 12 Victoria's Secrets, but Google demonstrates that.
 13 And I described her exactly, in exactly the right
 14 terms, a serious person.
 15 I always saw her dressed when I saw her --
 16 I saw her maybe on two or three occasions, dressed
 17 appropriately. She was a serious adult worker and I
 18 think you insult and demean her when you suggest
 19 that anything other than that she was a serious
 20 adult when she flew on that airplane.
 21 **Q. You were asked on the occasion of that**
 22 **same Don Lemon CNN interview what possible motive**
 23 **the attorneys, Brad Edwards and Paul Cassell, could**
 24 **have had to have identified you in the pleading that**
 25 **was filed in the Crime Victim's Rights Act case.**

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1 **Do you remember that?**
 2 A. That's right, yes.
 3 **Q. And your response was, quote --**
 4 MR. SCOTT: Here's your transcript if you
 5 need to refer to it.
 6 BY MR. SCAROLA:
 7 **Q. -- "They want to be able to challenge the**
 8 **plea agreement and I was one of the lawyers who**
 9 **organized the plea agreement. I got the very good**
 10 **deal for Jeffrey Epstein."**
 11 **Did you make that response?**
 12 A. Yes.
 13 **Q. So, you recognized as of January 5, 2015,**
 14 **that the reason why the statements were filed in the**
 15 **Crime Victim's Rights Act case was because the Crime**
 16 **Victim's Rights Act case had, as an objective,**
 17 **setting aside the plea agreement that you had**
 18 **negotiated for Jeffrey Epstein, correct?**
 19 MR. SCOTT: Objection, form. Go ahead if
 20 you can answer it.
 21 A. There were multiple motives. One of the
 22 motives was crassly financial. They were trying to
 23 line their pockets with money. But as I also said,
 24 and I said this over and over again, they profiled
 25 me. They sat down with their client, knowing that

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1 she has a history of lying, knowing that she is
 2 easily suggestible, and they basically pressured
 3 her, according to my sources, into including me when
 4 she didn't want to include me, because by including
 5 me, they could make a claim, false as it was, could
 6 make a false claim that a person who negotiated the
 7 NPA was also criminally involved with her.
 8 They also lied -- lied unethically and
 9 unprofessionally by saying that I negotiated that
 10 provision of the NPA, which gave me, myself, any
 11 kind of immunity from prosecution had I had improper
 12 sex with Virginia Roberts, which, of course, I did
 13 not. And that was one of the bases on which I was
 14 certain that they had engaged in unprofessional,
 15 disbarable and unethical conduct by including that
 16 provision, as well as including a provision that
 17 Prince Andrew was included because he, Prince
 18 Andrew, pressured a United States attorney to try to
 19 get a good deal for Jeffrey Epstein.
 20 That is so laughable. How any lawyer
 21 could put that in a pleading, it doesn't pass even
 22 the minimal giggle test. And I'm embarrassed for
 23 Professor Cassell that he would have signed his name
 24 to a pleading that alleges that Prince Andrew would
 25 pressure the United States attorney for the Southern

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1 District of Florida into giving Jeffrey Epstein a
 2 good deal.
 3 MR. SCAROLA: Move to strike the
 4 unresponsive portions of the answer. And
 5 obviously the break didn't do any good.
 6 MR. SCOTT: Let's proceed.
 7 MR. SCAROLA: We're going to.
 8 BY MR. SCAROLA:
 9 **Q. You stated, quote: "If they," referring**
 10 **to Bradley Edwards and Paul Cassell, "could find a**
 11 **lawyer who helped draft the agreement" --**
 12 A. Right.
 13 **Q. -- "who also was a criminal having sex,**
 14 **wow, that could help them blow up the agreement."**
 15 **Did you make that statement on --**
 16 A. Yes. I just repeated it now, yes, under
 17 oath, yes.
 18 **Q. Did you state the following in that same**
 19 **interview: "So they," referring to Bradley Edwards,**
 20 **Paul Cassell and Virginia Roberts, "sat down**
 21 **together, the three of them, these two sleazy,**
 22 **unprofessional disbarable lawyers" --**
 23 A. Uh-huh, uh-huh.
 24 **Q. -- "they said" --**
 25 MR. SCOTT: Let him ask the question.

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1

2 BY MR. SCAROLA:

3 **Q. -- "who would fit into this description?**

4 **They and the woman got together and contrived and**

5 **made this up."**

6 **Did you make that statement on national**

7 **television?**

8 A. Yes, and I just repeated it under oath. I

9 believe that to be the case. I think that's exactly

10 what happened. And I think that my source has

11 corroborated that.

12 By the way, can I add at this point -- I

13 don't mean to distract you, but I think the record

14 would be more complete if I indicated that I did get

15 a phone call last night from Michael, who told me

16 that he had received numerous phone calls and texts

17 from Virginia Roberts trying to persuade her not to

18 talk to me or cooperate with me and offering the

19 help of a lawyer.

20 And I also -- although you didn't ask the

21 question, Mr. Scarola, I think for completeness and

22 fullness, I do want to say that you asked me whether

23 or not I knew about what could be taped and what

24 couldn't be taped. I did tape record some of what

25 Virginia Roberts [sic.] told me, with her

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1 permission, and I have those tape recordings.

2 **Q. Well, you're getting a little bit**

3 **overexcited, Mr. Dershowitz, because you never tape**

4 **recorded anything that Virginia Roberts told you.**

5 A. Did I say Virginia Roberts?

6 **Q. You misspoke.**

7 A. I misspoke. You wouldn't know that. But,

8 in fact, let me be clear.

9 I tape recorded, with her permission,

10 Rebecca's statements to me about what Virginia

11 Roberts had told her. And I just want to make sure

12 that for completeness, even though you didn't ask

13 the question yesterday, that's part of the record.

14 **Q. Well, I actually did ask the question and**

15 **my recollection is that you said you didn't even**

16 **think about tape recording anything --**

17 MR. SCOTT: No, that's not accurate. You

18 never asked that.

19 BY MR. SCAROLA:

20 **Q. But can you tell us, please, did you turn**

21 **over those tape recordings in the discovery that you**

22 **were required to make in this case?**

23 A. The discovery -- these events occurred

24 after April of 2015. And I certainly turned over

25 the recordings and the -- recordings to my lawyers,

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1 who made transcripts of them.

2 **Q. Did you turn them over to opposing**

3 **counsel --**

4 MR. SCOTT: The transcripts --

5 BY MR. SCAROLA:

6 **Q. -- in the course of discovery?**

7 MR. SCOTT: The transcripts we consider to

8 be work product. If you make a request to

9 produce, we'll provide them.

10 MR. SIMPSON: Just for completeness, they

11 were also after your discovery request.

12 MR. SCOTT: Request to produce, we'll

13 consider providing them.

14 BY MR. SCAROLA:

15 **Q. Is there an entry in any privilege log**

16 **that identifies these allegedly privileged work**

17 **product documents?**

18 MR. SIMPSON: We will -- the lawyers will

19 address the document production issues. But

20 two things, Mr. Scarola, first, they postdate

21 your request and you have said several times

22 there's no duty to supplement. And second,

23 they're work product.

24 MR. SCAROLA: Well, sir, if they postdated

25 a full and complete production, which we are

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1 now told they do not, then you wouldn't be

2 obliged to supplement the production that had

3 already been completed. But it is not the date

4 of the request that matters, it is the date of

5 the production that matters.

6 And what we're now being told is there are

7 allegedly highly relevant transcripts of a

8 telephone conversation that occurred months ago

9 when the last production that we received,

10 which we are told still is not complete,

11 occurred approximately two weeks ago.

12 So, there's no privilege log entry.

13 There's no production of these documents. And

14 there is clearly a very significant discovery

15 violation if, in fact, such documents exist.

16 MR. SIMPSON: I'm not going to debate it

17 here, Mr. Scarola, but your assertions are not

18 accurate.

19 MR. SCAROLA: All right. There also was a

20 subpoena duces tecum that was responded to

21 tomorrow -- I'm sorry, yesterday. Can you tell

22 us whether the documents that are now being

23 described are included in response to the

24 subpoena duces tecum on the flash drive that

25 you provided to us?

1 MR. SIMPSON: The flash drive is the same
2 as the document production.
3 MR. SCAROLA: So the answer is no, they're
4 not there; is that correct?
5 MR. SIMPSON: Correct.
6 MR. SCAROLA: Okay. And what's the
7 explanation for that?
8 MR. SIMPSON: I'm not going to debate this
9 on the record with you, Mr. Scarola.
10 MR. SCAROLA: All right. Thank you.
11 BY MR. SCAROLA:
12 **Q. Which conversation with Rebecca did you**
13 **tape record?**
14 A. I tape recorded a conversation with her
15 permission where she told me that she was pressured,
16 she didn't -- where Rebecca told me that Virginia
17 was pressured and that she didn't want to name me
18 but she was pressured to name me, that she had never
19 previously named me.
20 By the way, I told this to Virginia
21 Roberts' lawyer.
22 MS. McCAWLEY: Objection. To the extent
23 you're going to reveal anything that was said
24 during settlement discussions, I'm moving for
25 sanctions, period. We're not doing this today.

1 Please instruct the witness.
2 MR. SCOTT: Avoid that. We discussed that
3 yesterday.
4 THE WITNESS: That's fine.
5 BY MR. SCAROLA:
6 **Q. What was the date of the phone**
7 **conversation that you tape recorded?**
8 A. I don't recall. But it's on the
9 transcript.
10 **Q. And does it also reflect that the**
11 **recording is being made with her permission?**
12 A. Uh-huh.
13 **Q. That's a yes?**
14 A. Yes. Yes, that's a yes.
15 **Q. What is Rebecca's last name?**
16 A. You know Rebecca's last name and she has
17 asked me not to reveal it to the press. And so I
18 would like to comply with that -- with that request.
19 For purposes of discovery, you know her name, you
20 know her husband's name, you know her phone number,
21 and she has been called. But there's no reason for
22 me to reveal it so that it appears in the press that
23 she would be called by newspapers and by the media.
24 **Q. Mr. Dershowitz, how do you know what I**
25 **know if you haven't told me?**

1 A. I know what you know because I'm a logical
2 person and I know that Virginia -- I know that
3 Virginia Roberts repeatedly called this -- this
4 woman and her husband, repeatedly text her, and
5 knows her name. And you and Virginia Roberts'
6 lawyers are operating in privity here. You're
7 whispering to each other, you're passing notes. You
8 are part of a joint legal team.
9 And if you want to know her name, all you
10 have to do is ask Sigrid McCawley and she'll tell
11 you her name. I'm sure you know her name. And if
12 you don't know her name, it's because you haven't
13 asked.
14 **Q. Okay. Well, I'm asking you --**
15 A. I'm not going to tell you --
16 **Q. -- and I'm telling you I don't know her**
17 **name.**
18 A. Okay.
19 **Q. Okay? As an officer of the court, I am**
20 **telling you I don't know her name. And you are**
21 **under oath and obliged to answer material and**
22 **relevant questions, and I want to know what her name**
23 **is.**
24 MR. SCOTT: I will provide you the name
25 off the record, but I'm not -- if he feels it's

1 inappropriate because of what -- he's not going
2 to answer the question. I will provide you the
3 name.
4 BY MR. SCAROLA:
5 **Q. Okay. She has still insisted that her**
6 **name not be revealed; is that correct?**
7 A. Her husband asked me to do whatever I
8 could not to put her name in front of the press, in
9 front of the media.
10 **Q. There's no -- there's no one from the**
11 **press here today.**
12 MR. SCOTT: Yeah, but they're going to
13 order the transcript and they're going to see,
14 so that's the same thing. And I've already
15 told --
16 A. You will have her name in five --
17 MR. SCOTT: I will give you her name --
18 A. -- minutes. All you have to do is --
19 MR. SCOTT: And, Jack, if you want to take
20 a break now --
21 THE REPORTER: Hold on. Hold on,
22 gentlemen. You can't talk at the same time.
23 MR. SCOTT: Let me do the talking at this
24 point.
25 THE WITNESS: Please.

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1 BY MR. SCAROLA:
2 **Q. What's her phone number?**
3 A. Her phone number is known to Virginia
4 Roberts and presumably -- and to Virginia Roberts'
5 lawyers because she received phone calls from
6 Virginia Roberts' lawyers. So all you have to do is
7 ask your colleagues and you will get that. But I
8 think there's no reason to put her phone number in
9 the public record so that she will receive massive
10 amounts of phone calls from the media. Seems to me
11 that any -- that a judge would try to prevent that
12 from happening. I would hope so. And I'm -- you
13 can get the name and the phone number from my lawyer
14 as long as it's --
15 MR. SCOTT: We'll provide that.
16 A. -- done off the record, not so that the
17 media can see it.
18 BY MR. SCAROLA:
19 **Q. You just swore under oath that lawyers**
20 **contacted Rebecca; is that correct?**
21 A. I swore under oath that I was told by
22 Michael that lawyers contacted Rebecca, yes.
23 **Q. Which lawyers?**
24 A. I don't know the answer to that.
25 **Q. Did you ask him?**

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1 A. I did.
2 **Q. And he said, I --**
3 A. He wouldn't answer that.
4 **Q. -- refuse to tell you?**
5 A. No, he didn't know the answer to that
6 either because he didn't return the phone calls. He
7 said --
8 **Q. How did he know they were lawyers if he**
9 **didn't return the phone calls?**
10 A. Because they left messages, presumably.
11 **Q. With names that identified them as**
12 **lawyers; is that right?**
13 MR. SCOTT: You're arguing with the
14 witness --
15 A. I don't know the answer to that.
16 MR. SCAROLA: No, I'm trying to find out
17 whether there's any logical basis for the
18 stories that the witness is telling.
19 MR. SCOTT: And I think he's trying to
20 explain it. And I think he's trying to do it
21 in an easy, slow format. So, you know --
22 MR. SCAROLA: Okay. Well, let's take it
23 easy --
24 MR. SCOTT: -- if we all take -- if we all
25 take the tension down here, maybe we can get

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1 more accomplished.
2 MR. SCAROLA: Let's take it easy and slow.
3 BY MR. SCAROLA:
4 **Q. How did Michael tell you he knew these**
5 **people he didn't speak to were lawyers?**
6 A. He told me that he received a phone call
7 from Virginia Roberts. That then his wife received
8 numerous phone calls and texts from her all through
9 the night. And that they received phone calls as
10 well from her lawyers. One of them had a Miami
11 phone number.
12 And I don't know how he knew they were
13 lawyers. But that's what he conveyed to me. All I
14 can tell you is what he told me, and I'm telling you
15 that.
16 **Q. Did you ask him for the phone number?**
17 A. I did not.
18 **Q. Why not?**
19 A. I didn't think it was appropriate or
20 necessary.
21 **Q. What was inappropriate about asking for**
22 **the phone number to find out who was attempting to**
23 **contact this witness?**
24 A. I was not particularly interested in that.
25 All I was interested in was getting the truth from

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1 the witness and trying to prevent her from having a
2 media barrage that would interfere with their lives.
3 **Q. You told Don Lemon on CNN that the flight**
4 **manifests would exonerate you, prove that you were**
5 **not in the same place at the same time as Virginia**
6 **Roberts, correct?**
7 A. That's right. And that's true.
8 **Q. You also told Don Lemon, quote, "I am**
9 **waiving the statute of limitations or any immunity."**
10 A. That's right.
11 **Q. You were then subsequently asked to waive**
12 **the statute of limitations and refused to, correct?**
13 A. Absolutely false.
14 I waived the statute of limitations by
15 submitting a statement under oath. Had I not
16 submitted that statement under oath, the statute of
17 limitations would have been long gone. But by
18 stating under oath categorically that I did not have
19 any sexual contact with her, I waived the statute of
20 limitations and could be prosecuted for the next
21 five or so years for perjury in what I said was
22 false.
23 But what I said was true, so I have no
24 fear of any statute of limitations or any criminal
25 prosecution. So, yes, I did waive the statute of

233

1 limitations, yes.

2 **Q. You refused to waive the statute of**

3 **limitations with regard to sexual crimes, correct?**

4 A. I didn't refuse anything. I didn't feel I

5 had any obligation to respond to you. And I did

6 not.

7 **Q. So, you were asked to waive the statute of**

8 **limitations with regard to your sexual crimes and**

9 **you refused to respond?**

10 A. I was asked by you, utterly

11 inappropriately, and what I had said -- and if you

12 check what I said, I said if any reasonable

13 prosecutor were to investigate the case and find

14 that there was any basis, I would then waive the

15 statute of limitations. I didn't waive the statute

16 of limitations because you, a lawyer, for two

17 unprofessional, unethical lawyers asked me to do so,

18 what obligation do I have to respond to you?

19 **Q. Well, you have no obligation to respond to**

20 **me at all, Mr. Dershowitz, except now while you are**

21 **under oath and I am asking you questions and I would**

22 **greatly appreciate you responding to the questions**

23 **that I ask.**

24 MR. SCOTT: I think he's trying.

25

234

1 BY MR. SCAROLA:

2 **Q. You made the further statement in that**

3 **same interview, "They dropped the dime on the media**

4 **when they filed it," referring to the CVRA**

5 **pleading --**

6 A. Right.

7 **Q. -- in which were you named?**

8 A. Right.

9 **Q. What is the basis for that statement?**

10 A. The basis for that statement was that the

11 filing was done virtually on the eve of New Year's

12 on a day that the press was completely dead. And

13 nonetheless, immediately upon the filing, I got a

14 barrage of phone calls that led me to conclude, and

15 led many, many, many other lawyers who called me to

16 conclude that obviously somebody tipped somebody off

17 that they didn't just happen to file -- to find in

18 the middle of an obscure pleading which didn't even

19 have a heading that indicated that I was involved or

20 anybody else was involved.

21 So, I'm certain that a dime was dropped to

22 somebody saying, by the way, you want an interesting

23 story, there's -- Prince Andrew of Great Britain and

24 Alan Dershowitz have been accused of sexual

25 misconduct. I still believe that.

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1 **Q. And by dropping the dime on the media when**

2 **they filed it, you intended to convey the message**

3 **that Paul Cassell and Bradley Edwards intentionally**

4 **generated the focus of press attention on that**

5 **filing; is that correct?**

6 A. Absolutely. Absolutely without any doubt.

7 Why else would they have brought Prince Andrew into

8 this filing? Prince Andrew had no connection to the

9 NPA, no relevance at all. But they knew that by

10 including Prince Andrew, this would drag my name

11 into every single newspaper and media outlet in the

12 world.

13 It was outrageous for them to do this.

14 Particularly because they did so little, if any,

15 investigation, which will, of course, be determined

16 when they're deposed. And -- and --

17 **Q. Well, you've already made that**

18 **determination, right?**

19 MR. SCOTT: Wait.

20 A. I'm convinced that -- that they did little

21 or no investigation. They never even bothered to

22 call me. That would have been --

23 BY MR. SCAROLA:

24 **Q. We'll get to that in just a moment.**

25 A. -- a simple basic thing.

236

1 **Q. But right now -- right now could you**

2 **please tell us was there anything other than your**

3 **inferring that they must have contacted the media to**

4 **support your conclusion that either Paul Cassell or**

5 **Brad Edwards did, in fact, alert the media at the**

6 **time of the filing of this pleading?**

7 A. Yes.

8 **Q. What else besides your inference?**

9 A. When the BBC came to see me, the BBC

10 reporter showed me an e-mail from Paul Cassell,

11 which urged him, the BBC reporter, to ask me a

12 series of questions. So I knew that Paul Cassell

13 was in touch with the British media and was trying

14 to stimulate and initiate embarrassing questions to

15 be asked of me.

16 And when I spoke to a number of reporters,

17 they certainly -- obviously reporters have

18 privilege, but they said things that certainly led

19 me to infer that they had been in close touch with

20 your clients or representatives on their behalf.

21 **Q. What was the date of the e-mail --**

22 A. I don't know.

23 **Q. -- that you referenced in that response?**

24 A. I don't know.

25 **Q. Well --**

1 A. It was whenever -- I'm not sure I ever saw
2 the date. He just quickly showed me the e-mail and
3 I quickly looked at it.

4 **Q. The e-mail that you are referencing, in
5 fact, occurred after you had begun all of your media
6 appearances with respect to this filing --**

7 A. Let me be very clear about --

8 **Q. -- didn't it, sir?**

9 A. Let me be very clear about my media
10 appearances so that I --

11 **Q. How about just answering the questions?**

12 A. I'm trying to answer the question. All of
13 my media appearances --

14 **Q. The question is: Did it occur before or
15 after your media -- your media appearances? That
16 doesn't call for a speech --**

17 A. It came --

18 **Q. -- it calls for before or after.**

19 A. It came before some and after some. It
20 came, for example, before my appearance on the BBC
21 because they showed me the e-mail before they
22 interviewed me for the BBC. So some occurred -- it
23 occurred before some and it occurred after some.

24 **Q. All right. So it is your assertion that
25 this single e-mail that you have made reference to**

1 MR. SCOTT: I think he's answered that
2 twice.

3 A. It came after. It came after.

4 BY MR. SCAROLA:

5 **Q. Thank you, sir. On January 5, you made
6 another CNN Live appearance in an interview with
7 Hala Gorani. Do you recall that?**

8 A. I do not recall the name of the person --

9 **Q. Take a look at the transcript, if you
10 would, please, page 15.**

11 MR. SCOTT: Take a moment to review the
12 transcript, please, Mr. Dershowitz.

13 THE WITNESS: Page 15.

14 MR. SCOTT: Take your time to review that.

15 A. Yeah, that name is not familiar to me but,
16 of course, I remember doing an interview, yes.

17 BY MR. SCAROLA:

18 **Q. All right, sir. And during the course of
19 that interview, you said: "There are flight
20 manifests. They will prove I was never on any
21 private airplane with any young woman." Correct?**

22 A. Yes.

23 **Q. Go to page 17, if you would.**

24 A. Uh-huh.

25 **Q. At line 4 of transcript of that same**

1 **where Paul Cassell says "asks Dershowitz these
2 questions" occurred before your -- your media
3 appearances and after your media appearances; is
4 that correct?**

5 MR. SCOTT: Objection, form, argumentative
6 and repetitious.

7 A. It occurred before some of the media
8 appearances, and it occurred after some of media
9 appearances, yes.

10 BY MR. SCAROLA:

11 **Q. Did it occur before your first media
12 appearances?**

13 A. My first media appearances came as the
14 result of phone calls I received from --

15 **Q. That's nonresponsive to my question, sir.**

16 A. -- newspapers --

17 **Q. I didn't ask you anything about what your
18 first media appearances occurred --**

19 A. Yes, you did.

20 **Q. -- as a result of. I asked you --**

21 MR. SCOTT: Let him ask his question.

22 BY MR. SCAROLA:

23 **Q. -- whether the e-mail that you claimed to
24 have seen was sent before or after your first media
25 appearance?**

1 **interview, you said: "She made the whole thing up
2 out of whole cloth. I can prove it by flight
3 records. I can prove it by my travel records."**

4 **Did you make those statements?**

5 A. Yes, and they're absolutely true.

6 **Q. Okay. I am going to hand you every flight
7 record that has been produced in connection with
8 this litigation.**

9 A. Uh-huh.

10 MR. SCAROLA: Could we mark that as the
11 next composite exhibit, please?

12 (Thereupon, marked as Plaintiff
13 Exhibit 6.)

14 MR. SCAROLA: And mark this as the next
15 composite exhibit, which will be 7.

16 MR. SCOTT: These are all the flight
17 manuals?

18 MR. SCAROLA: As far as I know.

19 MR. SCOTT: Okay.

20 MR. SCAROLA: They're the only ones that
21 have been produced in discovery. If there are
22 more, I'm going to be interested to hear about
23 it.

24 (Thereupon, marked as Plaintiff
25 Exhibit 7.)

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1 (Discussion off the record.)
 2 THE WITNESS: What's Number 6 then? I'm
 3 confused, there were two.
 4 BY MR. SCAROLA:
 5 **Q. Have you ever seen Exhibit Number 6**
 6 **before?**
 7 A. Exhibit Number 6. I don't believe so. It
 8 doesn't look familiar to me.
 9 **Q. No?**
 10 A. It does not look familiar to me.
 11 **Q. Did you bother at any time to review**
 12 **discovery that was produced by Bradley Edwards and**
 13 **Paul Cassell responding to requests for information**
 14 **that supported the allegations of Virginia Roberts?**
 15 A. I'm not clear what you're asking.
 16 **Q. I want to know --**
 17 A. In which case? In which case are we
 18 talking?
 19 **Q. This case. This case.**
 20 A. Right.
 21 **Q. Did you ever bother to review the**
 22 **discovery produced in this case responding to**
 23 **requests for all of the information that supported**
 24 **their belief in the truthfulness of Virginia**
 25 **Roberts' allegations against you?**

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1 A. I don't know if I reviewed everything.
 2 But I certainly, in preparation for this deposition,
 3 reviewed some of the documents that were produced in
 4 discovery. But I can't say I reviewed them all.
 5 **Q. Well, having placed such substantial**
 6 **emphasis during the course of your public**
 7 **appearances on the flight logs exonerating you, it**
 8 **would certainly seem logical that one of the things**
 9 **that you would want to review would be all of the**
 10 **available -- all of the available flight logs,**
 11 **right?**
 12 A. No.
 13 MR. SCOTT: Objection, argumentative.
 14 A. No.
 15 BY MR. SCAROLA:
 16 **Q. No?**
 17 A. No. Look, I knew I was never on a plane
 18 with any underage females under any circumstances.
 19 I knew that. I knew that as certainly as I'm
 20 sitting here today. So, I knew absolutely that if
 21 the manifests and the flight logs were accurate,
 22 they would, of course, exonerate me because I am
 23 totally, completely, unequivocally innocent of any
 24 of these charges.
 25 So of course I knew that I would be

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1 exonerated by any flight logs that were innocent --
 2 that were complete and accurate, of course.
 3 **Q. So you made the public statements**
 4 **repeatedly that the flight logs would exonerate you**
 5 **without having examined the flight logs to see**
 6 **whether they were accurate or not; is that correct?**
 7 A. Well, I knew -- I knew that --
 8 **Q. Did you say those things without having**
 9 **examined the flight logs?**
 10 A. I said those things having looked at some
 11 of the flight logs at some point in time. But I
 12 knew for sure that the flight logs would exonerate
 13 me because I knew I was never on Jeffrey Epstein's
 14 plane with Virginia Roberts or any other young
 15 underage girls. So, I knew that to an absolute
 16 certainty. And I was prepared to say it. I'm
 17 prepared to say it again under oath here.
 18 And if your clients had simply called me
 19 and told me they were planning to do this, we
 20 wouldn't be here today because I could have shown
 21 them in one day that it was impossible for me to
 22 have had sex with their client on the island, in the
 23 ranch, on the airplanes, in Palm Beach. And they
 24 would have, if they were decent and ethical lawyers,
 25 not filed that.

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1 And there are cases, legal ethics cases
 2 that say that lawyers are obliged to make that phone
 3 call. Lawyers are obliged to check if it's easy to
 4 check. Lawyers are obliged to, particularly when
 5 they're making extremely heinous charges against a
 6 fellow lawyer, do very, very, detailed
 7 investigations. And they didn't do that in this
 8 case.
 9 **Q. I will represent to you that I have handed**
 10 **you all of the available flight logs produced in the**
 11 **discovery of this case. Could you show me, please,**
 12 **which of these flight logs exonerates you?**
 13 A. The absence of evidence is evidence of
 14 absence. None of the flight logs have me on an
 15 airplane with Virginia Roberts. None of the flight
 16 logs have me on an airplane during the relevant
 17 period of time when Virginia Roberts claims that she
 18 had sex with me in the presence of another woman.
 19 So, the flight logs clearly exonerate me.
 20 There's absolutely no doubt about that.
 21 **Q. Well, the flight logs, in fact, confirm**
 22 **that you were in the same places at the same time as**
 23 **Virginia Roberts, don't they?**
 24 A. No, they do not.
 25 **Q. Do you -- do you deny that they confirm**

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1 **that you were in the same place at the same time --**
2 A. First --
3 **Q. -- as Virginia Roberts?**
4 MR. SCOTT: Let him ask the question.
5 THE WITNESS: Okay.
6 MR. SCOTT: Then you answer the question.
7 And Mr. Scarola will try to, you know, keep the
8 emotion down, I'm sure, so we can get through
9 this with less acrimony between everybody here.
10 A. Your client has adamantly refused, as well
11 as the lawyer --
12 BY MR. SCAROLA:
13 **Q. No, sir, that's nonresponsive to my**
14 **question.**
15 MR. SCOTT: Wait a minute.
16 BY MR. SCAROLA:
17 **Q. My question is: Do you deny that the**
18 **flight logs corroborate that you were in the same**
19 **place at the same time as Virginia Roberts?**
20 A. So the question includes the word "time"
21 and, therefore, I must answer in this way. Your
22 client --
23 **Q. How to build a watch?**
24 MR. SCOTT: Wait a minute, you're cutting
25 him off. He's been trying to answer the

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1 question.
2 A. Your client has adamantly refused, and her
3 lawyers and your clients have refused to give me any
4 timeframes, any timeframes when your client claims
5 that she had improper -- falsely claims,
6 perjuringly claims that she had improper sexual
7 encounters with me.
8 So how can you possibly ask me a question
9 that includes the word "timeframes" when your client
10 has refused -- when Virginia Roberts has refused to
11 give any timeframes? How can it be possible that
12 the flight logs show me being in the same time and
13 same place with her when she has refused to describe
14 any of the times that she claims to have been in
15 those places?
16 So the answer to the question is
17 categorically no, sir.
18 BY MR. SCAROLA:
19 **Q. What is the question that you are**
20 **answering no to?**
21 A. Whether or not the timeframe shows that I
22 could have been in the same place at the same time
23 as your client. Absolutely not. Because we don't
24 know what times your client -- now, if you know
25 that, you should have produced them in discovery and

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1 I would be very anxious to see any timeframes when
2 Virginia Roberts claims she was with me on the
3 island, claims she was with me on -- at the ranch,
4 claims she was with me on the airplanes, claims she
5 was with me in Palm Beach. And they will all
6 conclusively --
7 **Q. You forgot --**
8 A. -- prove --
9 **Q. -- New York. Didn't you mean New York**
10 **also?**
11 A. No, I did not mean New York --
12 **Q. Oh, okay.**
13 A. -- because New York is very different. I
14 was, in fact, in New York for large periods of time.
15 I was not, in fact, on the island during the
16 relevant timeframe. I was not in the airplane in
17 the relevant timeframe. I was not in Jeffrey
18 Epstein's Palm Beach home in the relevant timeframe.
19 And I was once in the ranch but under circumstances
20 where it would have been absolutely impossible for
21 me to have had any contact with her.
22 So if you will give me the timeframe, I
23 will be happy to answer your question. But without
24 timeframes, that question is an absolutely
25 inappropriate question. And the answer to it is no.

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1 **Q. Well, Mr. Dershowitz, it might be**
2 **inappropriate if you had not repeatedly made the**
3 **public statements that the flight logs exonerate**
4 **you.**
5 A. They do.
6 **Q. So what I am attempting to find out is the**
7 **basis upon which you can contend that the flight**
8 **logs exonerate you if you are now telling us you**
9 **don't even know when it is that you are alleged to**
10 **have been in the same place at the same time as**
11 **Virginia Roberts.**
12 A. Okay.
13 **Q. So how -- how can you make both those**
14 **statements?**
15 A. Very simple, because I know the timeframe
16 that Virginia Roberts, A, knew Jeffrey Epstein. And
17 during that timeframe, I can conclusively prove that
18 I was never on Jeffrey Epstein's island where she
19 claimed to have sex with me. That the only time I
20 was at the ranch was with my wife, with the Ashe
21 family, with my daughter, the house was under
22 construction, we just simply stayed outside the
23 house and looked around. That the manifests show I
24 was never on Jeffrey Epstein's plane during that
25 period of time. And the manifests show that I never

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1 flew down to Palm Beach during that relevant period
2 of time.
3 So I have a timeframe not that was
4 provided by your client but that was provided by the
5 externalities of the case. And that timeframe
6 coupled with the manifests clearly exonerate me
7 without any doubt.
8 **Q. I want to make sure that I understood what
9 you just said. "I never flew down to Palm Beach
10 during the relevant timeframe"?**
11 A. I never flew down and stayed at Jeffrey's
12 house in Palm Beach during that relevant period of
13 time.
14 **Q. Okay. So you want to withdraw the
15 statement that you never flew down to Palm Beach --**
16 MR. SCOTT: Objection.
17 BY MR. SCAROLA:
18 **Q. -- during that relevant period of time --**
19 A. Let me be --
20 MR. SCOTT: Objection.
21 BY MR. SCAROLA:
22 **Q. -- and what you want to say is, "I never
23 flew down to Palm Beach and stayed at Jeffrey
24 Epstein's house during that timeframe period,"
25 correct?**

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1 MR. SCOTT: Objection, argumentative --
2 A. Let me be --
3 MR. SCOTT: -- mischaracterization.
4 A. Let me be clear. A, I never flew down on
5 Jeffrey Epstein's plane during the relevant period
6 of time.
7 BY MR. SCAROLA:
8 **Q. Flew down to where?**
9 A. To Palm Beach or anywhere else. I was
10 never on Jeffrey Epstein's plane, according to the
11 flight manifests and according to my own records,
12 during the relevant period of time.
13 I have independent records of my travel
14 which demonstrate that I was not in Jeffrey
15 Epstein's house during the relevant period of time.
16 And -- but the -- talking about the manifests, the
17 manifests conclusively prove that I was never on the
18 airplane during the relevant period of time.
19 So I don't know how you can claim that the
20 manifests show that I was with Virginia Roberts
21 during the relevant period of time. They do not do
22 that. And if you would testify under oath to that,
23 I think you could be subject to pretty -- pretty
24 scathing cross examination. So your statement is
25 categorically false, sir.

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1 **Q. Which of the manifests are you referring
2 to when you claim what you have claimed about the
3 manifests, Exhibit Number 6 or Exhibit Number 7?**
4 A. I can only tell you that I have reviewed
5 the manifests and they show, to me, that I was never
6 on Jeffrey Epstein's airplane during the relevant
7 period of time. That's all I can tell you now.
8 I'm not in a position where I look at all
9 these documents now. If you point me to any
10 particular trip that shows that I was on Jeffrey
11 Epstein's plane, I would be happy to respond to
12 that.
13 **Q. There are two separate collections of
14 documents purporting to be flight manifests for
15 Jeffrey Epstein's plane. When you made the public
16 statements that you made regarding the flight logs
17 or manifests exonerating you, were you referring to
18 Exhibit Number 6 or Exhibit Number 7?**
19 A. I have no recollection as to which
20 particular exhibits, which are formed for purposes
21 of the legal case, I had reviewed. I know I had
22 reviewed the manifests. Not only had I reviewed the
23 manifests, but others reviewed the manifests and
24 have conclusively told me that their review of the
25 manifests shows that I was right.

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1 **Q. Who else --**
2 MR. SCOTT: Avoid any attorney-client
3 communications either with Ms. -- you know,
4 with your current lawyers, please.
5 THE WITNESS: Okay.
6 BY MR. SCAROLA:
7 **Q. Who told you that they had reviewed the
8 manifests and they confirmed your position?**
9 MR. SCOTT: Objection, work product.
10 MR. SCAROLA: Well, you know, Mr. Scott,
11 he can't have it both ways. He can't insert
12 into the record the gratuitous statements that
13 he inserts into the record regarding others
14 having corroborated his inaccurate testimony,
15 and then refuse to tell us who those others
16 are. It constitutes a waiver of whatever
17 privilege might exist.
18 MR. SCOTT: He can -- he can tell who they
19 are. I'm just saying he can't go into
20 communications with them.
21 MR. SCAROLA: Well, he's already said what
22 the communication was. The communication was
23 these manifests prove your position.
24 MR. SCOTT: And he's answered that because
25 based on his review of them, Mr. Scarola.

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1 BY MR. SCAROLA:
 2 **Q. Who told you that the manifests confirm**
 3 **the accuracy of your public statements?**
 4 MR. SCOTT: If it involves lawyer-client
 5 privilege, don't answer it.
 6 THE WITNESS: Okay.
 7 BY MR. SCAROLA:
 8 **Q. You're refusing to answer?**
 9 A. No, I would like --
 10 MR. SCOTT: Instruct you not to answer.
 11 A. -- to answer. But I've been instructed
 12 not to answer. I would like to answer.
 13 You've made a statement --
 14 MR. SCOTT: There's no question pending.
 15 THE WITNESS: But he made a statement --
 16 MR. SCOTT: But there's no question
 17 pending, sir.
 18 BY MR. SCAROLA:
 19 **Q. What does it mean to make something up out**
 20 **of whole cloth?**
 21 A. It means that Virginia Roberts and your
 22 clients --
 23 **Q. No, sir, I haven't asked you anything**
 24 **about Virginia Roberts. I haven't asked you**
 25 **anything about my clients.**

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1 **I want to know what the words "making**
 2 **something up out of whole cloth" mean.**
 3 A. I said those words in the context of
 4 Virginia Roberts.
 5 MR. SCOTT: That's -- that's fine. Go
 6 ahead.
 7 BY MR. SCAROLA:
 8 **Q. What do the words mean?**
 9 A. That there was absolutely no basis for
 10 Virginia Roberts' claim that she had any sexual
 11 contact with me. That the story was entirely false.
 12 I don't know where the metaphor derives about whole
 13 cloth, but certainly that's the common
 14 understanding. And I repeat under oath that
 15 Virginia Roberts made up the entire story about
 16 having sexual contact with me out of whole cloth.
 17 **Q. During the course of the same interview**
 18 **that we have been referencing with Hala Gorani --**
 19 **for the record, that's H-A-L-A, G-O-R-A-N-I.**
 20 A. What page?
 21 **Q. Page 19.**
 22 **You were asked: "I'm wondering, have you**
 23 **spoken to Jeffrey Epstein about this since these**
 24 **allegations came out in this suit in the United**
 25 **States? Have conversations happened there?"**

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1 MR. INDYKE: Objection. This is Darren.
 2 Anything that relates to your conversations
 3 with Jeffrey --
 4 THE REPORTER: He's going to have to speak
 5 up.
 6 MR. SCOTT: You're going to have to speak
 7 up a little bit more, Counsel.
 8 MR. INDYKE: Objection. This is Darren
 9 Indyke. Anything that Alan might have to say
 10 to that, to the extent they are covered under
 11 conversations with Jeffrey Epstein, privileged
 12 under attorney-client privileges as well as
 13 common interest privileges.
 14 MR. SCOTT: Do you understand?
 15 THE WITNESS: I do.
 16 BY MR. SCAROLA:
 17 **Q. To which your response was: "Sure, sure,**
 18 **certainly I have been his lawyer and I did speak**
 19 **him about it. I wanted to make sure that his memory**
 20 **and mine coordinated about when I was at his island.**
 21 **He was able to check. I was able to check. I**
 22 **checked with my friends who went with me."**
 23 **Did you make that answer to that question?**
 24 A. Yes.
 25 **Q. Disclosing the contents of your**

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1 **communication with Jeffrey Epstein, correct?**
 2 A. I disclosed that I had spoken to him to
 3 find out whether he had any records of when I was on
 4 his island. And, yes.
 5 MR. INDYKE: Again, this is Darren Indyke.
 6 Jeffrey does not waive any attorney-client
 7 privileges here.
 8 BY MR. SCAROLA:
 9 **Q. Well, the reason why you were able to**
 10 **answer that question and discuss with the press what**
 11 **Jeffrey Epstein was telling you was because you**
 12 **weren't his lawyer at that time, right?**
 13 A. No, I was his lawyer at that time. I'm
 14 still his lawyer.
 15 **Q. Oh, what were you representing him on**
 16 **then --**
 17 A. The ongoing --
 18 **Q. -- that is, on January --**
 19 MR. SCOTT: Whoa.
 20 BY MR. SCAROLA:
 21 **Q. -- on January 5, 2015?**
 22 A. The ongoing --
 23 MR. INDYKE: My objection stands.
 24 MR. SCOTT: You can answer what you were
 25 representing him on, I think.

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1 A. The ongoing issues --
2 MR. SCOTT: But nothing about
3 communications.
4 A. Right. The ongoing issues relating to the
5 NPA, which continue to this day. And I regard
6 myself as his lawyer basically on all those -- all
7 those issues.
8 BY MR. SCAROLA:
9 **Q. So, when the pleadings were filed in the**
10 **Crime Victims Rights Act regarding your conduct in**
11 **relationship to Virginia Roberts and Jeffrey**
12 **Epstein, you were and still are his lawyer in the**
13 **Crime Victim's Rights Act case; is that correct?**
14 A. I certainly am bound by lawyer-client
15 privilege and communications, yes.
16 **Q. Okay. You go on to say in that same**
17 **interview: "Only once in my life have I been in**
18 **that area," referring to New Mexico.**
19 A. Yes.
20 **Q. "Only once in my life did my travel**
21 **records show I was in New Mexico."**
22 A. Uh-huh.
23 **Q. Is that an accurate statement?**
24 A. To the best of my knowledge. I have no
25 recollection of being in New Mexico other than

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1 during that visit to the Ashes, which was not during
2 the -- the narrower timeframe.
3 The narrower timeframe, remember, is
4 Virginia Roberts meets Jeffrey Epstein in the late
5 summer, the summer just before she's turning 16, of
6 1999. She says she didn't commence having sexual
7 activities with any of Epstein's friends until nine
8 months later. That would put it in March or April
9 of 2000. This visit occurred in January of 2000.
10 It's the only time I recall having been in
11 New Mexico.
12 **Q. Okay. I want to be sure now. You're not**
13 **just saying that you were only at Jeffrey Epstein's**
14 **ranch in New Mexico once; you are confirming your**
15 **statement on national television that you have only**
16 **been in New Mexico one time?**
17 A. My recollection right now is that I was
18 only there once. I have no -- no other recollection
19 of -- it's conceivable when I was a very young man,
20 I could have been there. But I have no recollection
21 of having been there. It certainly -- certainly I
22 haven't been there recently. And during the
23 relevant time period, I know I haven't been there.
24 **Q. "Recently" means --**
25 A. Fifteen --

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1 **Q. -- the last 10 years?**
2 A. I would say 15 --
3 **Q. Last 15 --**
4 A. -- years.
5 **Q. -- how about the last 20 years?**
6 A. I have -- I don't think so.
7 **Q. Okay.**
8 A. As I stand here today, I have no
9 recollection of ever being in New Mexico except to
10 visit the Ashes in January of 2000.
11 I'm 77 years old. I've lived a long life.
12 It is certainly possible that at some earlier point
13 in my life -- I mean, I've been in most of the
14 states. But I have no recollection of ever being in
15 New Mexico.
16 And I can tell you unequivocally the only
17 time I was ever at Jeffrey Epstein's ranch was that
18 one time with my wife with the Ashes, with my
19 daughter. And we only stayed there for an hour and
20 the house was not completed. It was under
21 construction. And I certainly did not have any
22 sexual encounter or any encounter with Virginia
23 Roberts during that visit.
24 MR. SCAROLA: Move to strike the
25 unresponsive portions of the answer.

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1 MR. SCOTT: We don't agree on that point,
2 so let's go ahead.
3 MR. SCAROLA: It's of any help, I can
4 agree that you don't agree to any of my
5 objections.
6 MR. SCOTT: No, that's not true. I mean,
7 I'm trying to work with you, sir.
8 I have to tell you, this -- this is
9 obviously one of the most acrimonious
10 depositions I've sat through in my 40 plus
11 years because of the personalities involved
12 here and because of the personal issues. And
13 it's quite difficult for everybody in this
14 room.
15 MR. SCAROLA: I agree.
16 MR. SCOTT: And all I'm saying, and my
17 client is -- who's 77, is trying to defend his
18 life. And I understand you're trying to
19 vigorously -- and you're a great lawyer --
20 represent your clients. And it's -- this is
21 not the typical deposition. And we're trying
22 our very best, both of us.
23 MR. SCAROLA: Thank you. And you're
24 right, you and I do agree on something.
25 MR. SCOTT: As you said yesterday, more

1 often than we usually say.

2 MR. SCAROLA: Yes, sir.

3 BY MR. SCAROLA:

4 **Q. In interviews on January 4 and January 5,**
5 **you claim to have completed the necessary work to**
6 **identify documents exonerating you within an hour**
7 **after learning of the accusations that were made,**
8 **correct?**

9 A. I don't remember having said that. But
10 within a minute, I had clear knowledge that every
11 document in the world would exonerate me because I
12 knew for absolute certainty that every aspect of her
13 allegation was totally false. That's why I
14 challenged the other side to produce videos, to
15 produce photographs. I knew that there could be no
16 evidence inculpatory me because I knew I was
17 innocent. So I knew that all of my records would
18 prove that.

19 Facts are facts. And I just wasn't in any
20 contact or any sexual contact with Virginia Roberts,
21 and I knew with absolute certainty that the facts
22 would completely exonerate me. And if your clients
23 had just called me, at the courtesy of simply
24 calling me, I would have been able to point them to
25 Professor Michael Porter of the Harvard Business

1 A. Where? Where? Can you point to that?

2 BY MR. SCAROLA:

3 **Q. Well, I'm asking you, sir, based upon your**
4 **superb memory whether you remember having said --**

5 MR. SCOTT: No, we're going to do --

6 BY MR. SCAROLA:

7 **Q. -- on Jan --**

8 MR. SCOTT: He's going to take a moment to
9 review the transcript and -- and that's -- any
10 witness is entitled to do that. So why don't
11 we take a break, he'll review transcript and
12 we'll come back? We've been going an hour --

13 MR. SCAROLA: Because I haven't asked him
14 a question about the transcript.

15 MR. SCOTT: You've asked --

16 MR. SCAROLA: I'm asking him a question
17 about his recollection.

18 MR. SCOTT: Based upon what he said in the
19 transcript.

20 MR. SCAROLA: No, I'm asking him whether
21 he has a recollection of having made public
22 statements that within an hour, he had gathered
23 the documents that proved his innocence,
24 exonerated him.
25

1 School. I would have been able to -- to alert them
2 to the Ashes. I would have been able to tell them
3 that I keep little black books which have all of my
4 travel information. Although they were in the
5 basement of Martha's Vineyard, I would have been
6 happy to go up and get them.

7 If they had just simply called me, I would
8 have been able to persuade them without any doubt
9 that these allegations were false. If they needed
10 any persuading because I believe, as I sit here
11 today, that they knew they were false at the time --
12 certainly should have known, but I believe knew they
13 were false at the time that they leveled them.

14 **Q. My question related to your gathering**
15 **documents that you claim exonerated you --**

16 A. That's right.

17 **Q. -- and your public statements were that**
18 **within an hour, you --**

19 A. Can you --

20 **Q. -- had gathered the documents --**

21 MR. SCOTT: Listen to the question.

22 BY MR. SCAROLA:

23 **Q. -- you had gathered the documents that**
24 **exonerated you, correct?**

25 MR. SCOTT: You can refer.

1 BY MR. SCAROLA:

2 **Q. Do you remember having made those**
3 **statements?**

4 A. I do not, but it's true. I was able to
5 gather documents literally within an hour. I was
6 able to call Tom Ashe. He was able to access his
7 daughter's journal notes that I had taught his
8 daughter's class. I was able to find out where my
9 other documents were.

10 My wife made some phone calls immediately.
11 We called the Canyon Ranch. We called and
12 determined the dates of when I was in Florida. We
13 called the Porters. We very, very, very quickly
14 were able to gather information that conclusively
15 would prove that she was lying about me having had
16 sex with me on the island, in the ranch,
17 particularly those two I was able to prove
18 conclusively.

19 And when a woman lies deliberately and
20 willfully about two instances where she in great
21 detail claims she had had sex, I think you can be
22 clear that you should discount any other -- any
23 other false allegations.

24 MR. SCOTT: We've been going for an hour.

25 Let's take a break for a few minutes. Then we

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1 have another hour.

2 MR. SCAROLA: I'm almost ready to take a

3 break.

4 MR. SCOTT: Okay.

5 MR. SCAROLA: Could you read back the last

6 question, please?

7 First of all, I move to strike the

8 unresponsive speech.

9 And now read back the last question, if

10 you would.

11 (Requested portion read back as follows:)

12 THE REPORTER: "Do you remember having

13 made those statements?"

14 Do you want me to read prior to that?

15 MR. SCAROLA: No, that's fine. That's the

16 question that I asked.

17 BY MR. SCAROLA:

18 **Q. Is the answer yes?**

19 A. I don't remember specifically. I do

20 generally remember having said that your clients

21 could have easily discovered conclusive proof that

22 Virginia Roberts was lying about me and that I

23 had -- because I knew, of course, it was false --

24 MR. SCAROLA: Tom --

25 A. -- been able to uncover such proof.

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1 MR. SCAROLA: That has nothing to do with

2 the question I asked --

3 MR. SCOTT: Let's take -- let's take a

4 break like I suggested and we'll come back and

5 then you can ask your question and -- okay?

6 MR. SCAROLA: Well, while the question is

7 pending, I would like an answer to the question

8 before we break.

9 MR. SCOTT: Did you answer the question?

10 THE WITNESS: I thought I did.

11 A. But what -- could you repeat the question?

12 I'll try to answer it in a yes or no if I can.

13 BY MR. SCAROLA:

14 **Q. Did you make the statement that within an**

15 **hour of learning of these allegations, you had**

16 **gathered documents that completely exonerated you?**

17 A. I don't recall those specific words --

18 **Q. Thank you, sir.**

19 A. -- but the truth --

20 MR. SCOTT: That's it, and I think he

21 indicated that before.

22 MR. SCAROLA: That would be very helpful

23 if we said that and then we stopped and we can

24 take a break.

25 MR. SCOTT: He previously had said that

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1 and then explained it but now you have it

2 directly answered. So we're -- we're at a

3 break point.

4 MR. SCAROLA: Thank you.

5 VIDEOGRAPHER: Going off the record. The

6 time is approximately 11:01 a.m.

7 (Recess was held from 11:01 a.m. until 11:23 a.m.)

8 VIDEOGRAPHER: Going back on the record.

9 The time is approximately 11:23 a.m.

10 BY MR. SCAROLA:

11 **Q. When did you last travel from outside the**

12 **State of Florida to arrive in Florida?**

13 A. The day before yesterday, I think.

14 **Q. And where did you travel from?**

15 A. New York.

16 **Q. When were you last in Boston, in the**

17 **Boston area?**

18 A. About two weeks ago.

19 **Q. So, if anyone had represented that you**

20 **were going to be traveling from Boston to Florida**

21 **this past weekend, that would have been a**

22 **misrepresentation; is that correct?**

23 A. I have no idea what you're talking about.

24 **Q. Well, I'm talking about your personal**

25 **travels. If anyone had represented that you were**

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1 **going to travel from Boston to Florida and canceled**

2 **travel arrangements from Boston to Florida this past**

3 **weekend, that would have been a misrepresentation,**

4 **correct?**

5 A. I have no idea what you're talking about.

6 I'm sorry.

7 **Q. Well, what is it that you don't understand**

8 **about that question? Either you were in --**

9 A. The basis --

10 **Q. -- Boston and were planning on traveling**

11 **from Boston to Florida this past weekend or the last**

12 **time you were in Boston was two weeks ago, so you**

13 **couldn't have been planning --**

14 A. I --

15 **Q. -- on traveling from Boston to Florida.**

16 A. I was actually in Boston -- now that I

17 checked my calendar, I was actually in Boston --

18 here, I have -- aha. It says -- and my calendar

19 says I was in Boston. Then it says leave for

20 Florida, but that got changed. Yes, that got

21 changed, right.

22 **Q. May I see that, please?**

23 A. No, this is my personal calendar.

24 **Q. Yes, I'm sorry, but if you refer to**

25 **anything to refresh your recollection --**

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1 A. I have --

2 **Q. -- during the course of the deposition, I**

3 **am permitted to examine it.**

4 A. I have lawyer-client privileged

5 information in here, so I can't give it to you. I

6 can give it to you in a redacted form. I have a

7 quote from David Boies in here, which I'm sure --

8 MR. SCOTT: Don't --

9 A. -- nobody is going to want to see --

10 MR. SCOTT: We'll make a copy and give it

11 to you.

12 MR. SCAROLA: Thank you. Would you hand

13 it to your counsel, please?

14 MR. SCOTT: On that note, hold on to that.

15 THE WITNESS: But I need that back.

16 MR. SCOTT: Of course. Don't worry.

17 MR. SIMPSON: Hold on to it.

18 MR. SCOTT: That's why I gave it to him

19 because I'd lose it.

20 BY MR. SCAROLA:

21 **Q. Before January 21, 2015, what information**

22 **did you have regarding what Bradley Edwards and Paul**

23 **Cassell had gathered in the course of investigating**

24 **the accuracy of Virginia Roberts' accusations**

25 **against you?**

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1 A. Well, first, I knew that anything they

2 gathered --

3 MR. INDYKE: Objection to the extent that

4 requires --

5 MR. SCOTT: Whoa.

6 MS. McCAWLEY: -- you to disclose anything

7 you gave --

8 THE COURT REPORTER: I can't hear.

9 I'm sorry, Mr. Indyke, can you repeat your

10 objection?

11 MR. SCOTT: Can you say that a little

12 louder?

13 MR. INDYKE: Darren Indyke. I would

14 object to the extent that your answer would

15 disclose anything you -- you obtained or

16 learned or any knowledge you gained in

17 connection with your representation of Jeffrey

18 Epstein.

19 MR. SCOTT: Do you understand that

20 instruction?

21 THE WITNESS: I do, yes.

22 Could you repeat the question?

23 BY MR. SCAROLA:

24 **Q. Yes, sir. I want to know what information**

25 **you had regarding what Bradley Edwards and Paul**

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1 **Cassell had done in the course of their**

2 **investigation of the credibility of the accusations**

3 **made by Virginia Roberts against you?**

4 A. Well, first and foremost, the most

5 important piece of information I had was my firm and

6 complete knowledge and memory that I had never had

7 any sexual contact with Virginia Roberts ever under

8 any circumstances or any other underage girls. So I

9 knew --

10 **Q. The question I'm asking, sir --**

11 A. -- this information --

12 **Q. -- focuses on what knowledge you had**

13 **regarding what Bradley Edwards and Paul Cassell did**

14 **in the course of their investigation of the**

15 **credibility of the accusations against you made by**

16 **Virginia Roberts?**

17 A. That was the first and most important bit

18 of information; namely, that I couldn't have done it

19 and didn't do it. So I knew for sure that they

20 could not have conducted any kind of valid

21 investigation.

22 Second, I knew from -- that they also had

23 a letter from Mr. Scarola that said that multiple

24 witnesses had placed me in the presence of Jeffrey

25 Epstein and underage girls and I knew that

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1 Mr. Scarola's letter was a patent lie. And they had

2 access to that letter and that information.

3 I also knew they were relying on

4 depositions of two house people of Jeffrey Epstein.

5 And I've read these two depositions. And I'm sure I

6 knew of other -- other information as well.

7 I knew that they had stated -- I knew that

8 they had stated publicly, or you had stated publicly

9 on their behalf as a witness, that you had stated

10 publicly that you had tried to depose me on these --

11 on this subject. I knew that that was a blatant lie

12 and unethical conduct because nobody ever tried to

13 depose me on this subject.

14 I had never been accused, nor did I have

15 any knowledge that anybody had ever falsely accused

16 me of having any sexual encounters. And I had a

17 great deal of information about the paucity or

18 absence of any legitimate investigation. And I also

19 knew that they hadn't called me, they hadn't tried

20 to call me, there was no record of an attempt to

21 call me or e-mail me. My e-mail is available on my

22 website. My phone number is available on my

23 website.

24 The most basic thing they could have done,

25 as courts have said, when you're accusing somebody

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1 of outrageous, horrible, inexcusable misconduct, at
2 least call the person and ask them if they can
3 disprove it before you file a -- a statement. Not
4 even asking for a hearing on it, not even basically
5 seeking to prove it, just -- just putting it in a
6 pleading as if scrolling on a bathroom stall.
7 So, yes, I had -- I had a great basis for
8 making that kind of statement and I repeat it here
9 today. And we will find out in depositions what
10 basis they actually had. And I'm anxiously awaiting
11 Mr. Cassell's deposition this afternoon.
12 MR. SCAROLA: Move to strike the
13 non-responsive portion of that answer.
14 Could I have a standing objection to
15 unresponsive --
16 MR. SCOTT: Sure.
17 MR. SCAROLA: -- answers? That would be
18 helpful. Thank you. I appreciate that. That
19 will save us --
20 MR. SCOTT: Absolutely. No, any time.
21 MR. SCAROLA: -- save us some time.
22 MR. SCOTT: Thank you, sir.
23 BY MR. SCAROLA:
24 **Q. The one portion of what you just said that**
25 **directly responded to my question was you knew in**

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1 **early January of 2015 that Bradley Edwards and Paul**
2 **Cassell had the sworn testimony of two -- did you**
3 **refer to them as house --**
4 A. House people.
5 **Q. House staff?**
6 A. House staff.
7 **Q. House staff of Jeffrey Epstein's --**
8 A. That's right.
9 **Q. -- correct?**
10 **And those two individuals are Juan Alessi**
11 **and Alfredo Rodriguez, correct?**
12 A. That's right.
13 **Q. And you, in fact, were aware of the**
14 **existence of that testimony from shortly after the**
15 **time that the testimony was given, weren't you?**
16 A. Well, I was certainly aware of it at the
17 time I made these statements.
18 **Q. Yes, sir. But you also knew as far back**
19 **as 2009, when this sworn testimony was given, that**
20 **you were specifically identified by name in the**
21 **sworn testimony of Jeffrey Epstein's house staff**
22 **members, right?**
23 A. I was identified by name in a manner that
24 completely exculpated me, yes.
25 **Q. Okay. Well, let's -- let's take a look at**

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1 **your assertion that the testimony of these two**
2 **individuals completely exculpates you.**
3 A. Uh-huh.
4 **Q. The following question was asked of --**
5 MR. SCOTT: What you are reading from?
6 MR. SCAROLA: I'm reading from the
7 deposition transcript.
8 BY MR. SCAROLA:
9 **Q. The following question was asked of --**
10 MR. SCOTT: The deposition transcript --
11 BY MR. SCAROLA:
12 **Q. -- of Mr. Juan -- Mr. Juan Alessi and --**
13 MR. SCOTT: Let me object to the -- first
14 of all, let me object to this format because he
15 has not been provided a part of the deposition.
16 You're reading portions from the deposition --
17 MR. SCAROLA: Yes, I am.
18 MR. SCOTT: -- which can be taken out of
19 context. He has not had the ability to review
20 the deposition. This is improper.
21 MR. SCAROLA: Okay.
22 MR. SCOTT: Cross-examination.
23 BY MR. SCAROLA:
24 **Q. Do you recall the following questions**
25 **having been asked of Mr. Alessi and the following**

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1 **answers have been given during the course of this**
2 **deposition which you contend completely exonerates**
3 **you?**
4 "Question: Do you have any recollection
5 of VR, referring to Virginia Roberts, coming to
6 the house when Prince Andrew was there?
7 "Answer: It could have been, but I'm not
8 sure.
9 "Question: When Mr. Dershowitz was
10 visiting --
11 "Answer: Uh-huh.
12 "Question: -- how often did he come?
13 "Answer: He came pretty -- pretty often.
14 I would say at least four or five times a year.
15 "Question: And how long would he stay
16 typically?
17 "Answer: Two to three days.
18 "Question: Did he have massages sometimes
19 when he was there?
20 "Answer: Yes. A massage was like a treat
21 for everybody. If they wanted, we call the
22 massage, and they get -- excuse me -- and they
23 have a massage.
24 "Question: You said that you set up the
25 massage tables, and would you also set up the

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1 oils and towels?
 2 "Answer: Yes, ma'am.
 3 "Question: And did you ever have occasion
 4 to go upstairs and clean up after the massages?
 5 "Answer: Yeah, uh-huh.
 6 "Question: Did you ever find any
 7 vibrators in that area?
 8 "Answer: Yes. I told him yes.
 9 "Question: Would you describe for me what
 10 kinds of vibrators you found?
 11 "Answer: I'm not too familiar with the
 12 names, but they were like big dildos, what they
 13 call the big rubber things like that
 14 (indicating). And I used to go and put my
 15 gloves on and pick them up, put them in the
 16 sink, rinse it off and put it in Ms. Maxwell --
 17 Ms. Maxwell had in her closet, she had like a
 18 laundry basket. And you put laundry in. She
 19 have full of those toys."
 20 Is that testimony that exonerates you,
 21 Mr. Dershowitz? Is that what you were referring to?
 22 MR. SCOTT: Let me -- objection to the
 23 form, improper cross examination by taking
 24 excerpts out of depositions of witnesses.
 25

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1 BY MR. SCAROLA:
 2 **Q. Is it your contention that that testimony,**
 3 **under oath, of your friend, Mr. Epstein's staff**
 4 **person, exonerates you?**
 5 A. First, a little background. Mr. Alessi
 6 was fired for theft of material from Mr. Epstein, so
 7 Mr. Alessi was not on a friendly basis with Jeffrey
 8 Epstein.
 9 Second, the description of the dildos and
 10 sex toys clearly refers to the area of the house
 11 that I was never in, the area of Ms. Maxwell's room,
 12 rather than the area of the room that I stayed in.
 13 Third, he gives no timeframe for the
 14 visits.
 15 And, fourth, he certainly didn't in any
 16 way confirm that I was there while Virginia Roberts
 17 was there. His answer was simply that I was there
 18 from time to time. He's wrong about that. During
 19 the relevant timeframe, I was never in the house.
 20 And even taking outside the relevant
 21 timeframe, the only time I was in the house for more
 22 than one day was when my family, my wife, my son, my
 23 daughter-in-law, my then probably seven or
 24 eight-year-old granddaughter, who just graduated
 25 Harvard, and my probably four-year-old grandson, who

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1 is a third-year student at Harvard, were all there
 2 with me. That was the only time that I stayed over
 3 more than one night. And I never stayed even one
 4 night during the relevant timeframe.
 5 But most importantly, he gives no
 6 timeframe. And clearly his reference to the sex
 7 toys is a reference to the part of the house that I
 8 was never permitted in and never entered.
 9 **Q. What is the question that you think you**
 10 **were answering?**
 11 A. Whether --
 12 MR. SCOTT: He was explaining to you
 13 exactly why he felt that that was
 14 inappropriate, which is exactly what you asked
 15 him.
 16 MR. SCAROLA: No, it is not.
 17 MR. SCOTT: Well, it is my recollection,
 18 so I don't know --
 19 MR. SCAROLA: Well, then --
 20 MR. SCOTT: I think he was defending --
 21 MR. SCAROLA: Let me try the same question
 22 over again.
 23 MR. SCOTT: I think he was defending
 24 his -- his position.
 25 THE WITNESS: Right.

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1 BY MR. SCAROLA:
 2 **Q. The question was: Is that part of the**
 3 **time that you claim exonerates you?**
 4 A. Well, I think if you read the whole
 5 testimony, it clearly exonerates me and I think that
 6 part of the testimony in no way inculcates me and no
 7 reasonable person reading that could use that as a
 8 basis for making allegations that I had sexual
 9 encounters or misconduct with Virginia Roberts.
 10 So, when -- if that's the best testimony
 11 that your unprofessional clients relied on, then
 12 clearly that exonerates me.
 13 Again, the absence of evidence is evidence
 14 of absence. And the very idea that this is seen as
 15 some basis for concluding that I had sexual
 16 encounters with -- with Virginia Roberts, why wasn't
 17 he asked did he ever see me have a massage by
 18 Virginia Roberts? Did he ever see me have a sexual
 19 encounter with Virginia Roberts? Did he ever go to
 20 the room I was staying in and find any sex toys?
 21 The answers to all those questions, if
 22 truthful, would be no.
 23 **Q. What was Mr. Alessi's motive against you?**
 24 **You've told us he was fired by Jeffrey Epstein, so**
 25 **he may have had some motive against Mr. Epstein.**

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1 **What was his motive against you?**
2 A. I was Jeffrey Epstein's friend and lawyer
3 and, in fact -- well, I can't get into this. But I
4 can say this, I gave advice --
5 MR. SCOTT: Be careful about anything
6 involving --
7 THE WITNESS: Okay.
8 MR. SCOTT: -- Mr. Epstein, please.
9 A. He could easily have believed that I was
10 one of the causes of his firing.
11 BY MR. SCAROLA:
12 **Q. So, he was -- he may have been angry at**
13 **you because you assisted in getting him fired?**
14 A. It's --
15 MR. SCOTT: Objection,
16 mischaracterization.
17 A. It's conjecture. It's possible. But in
18 any event, even --
19 BY MR. SCAROLA:
20 **Q. It's conjecture, is that what you were**
21 **about to say?**
22 A. I'm saying I have -- I don't know what he
23 was thinking, but there is a basis for him believing
24 that. But most -- most important, even if you take
25 everything he says as true, which it's not, it's

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1 exculpatory because it has no suggestion that I ever
2 had any sexual encounter with Virginia Roberts.
3 And if I were a lawyer reading that --
4 MR. SCOTT: It's okay?
5 A. -- I certainly would not base this heinous
6 accusation on that flimsy read.
7 BY MR. SCAROLA:
8 **Q. You know the context in which that**
9 **deposition was taken, don't you?**
10 A. I don't recall it as I'm sitting here
11 today.
12 **Q. Do you remember that the lawsuit in which**
13 **that deposition was taken was a lawsuit in which**
14 **Virginia Roberts was being represented by Bob**
15 **Josefsberg?**
16 A. No.
17 **Q. You know Bob Josefsberg, don't you?**
18 A. We -- we were classmates at law school.
19 **Q. You know Bob Josefsberg to be an extremely**
20 **ethical, highly professional and extraordinarily**
21 **well-respected lawyer, right?**
22 A. Absolutely, yes.
23 **Q. Absolutely?**
24 A. Yeah.
25 **Q. A man of impeccable honesty and integrity?**

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1 A. Yes.
2 **Q. A man who would never undertake to advance**
3 **the cause of a client whom he believed to be**
4 **incredible, right?**
5 A. Yes. And a man who told me and a man
6 who --
7 MR. SCOTT: That's it.
8 A. Okay. And a man who believes I'm
9 innocent.
10 BY MR. SCAROLA:
11 **Q. You know that Bob Josefsberg would never**
12 **file charges on behalf of a client alleging that she**
13 **was lent out by Jeffrey Epstein for purposes of**
14 **sexual abuse while she was a minor to academicians**
15 **unless he absolutely had confidence that those**
16 **statements were true --**
17 MR. SCOTT: Let me object --
18 BY MR. SCAROLA:
19 **Q. -- right?**
20 MR. SCOTT: -- that this is completely
21 irrelevant to the issues in this case.
22 Whatever Mr. Josefsberg thinks has nothing to
23 do with this lawsuit. This is all your effort
24 to try to put Josefsberg into this case to try
25 to give some justification to your position.

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1 A. I'll answer that question.
2 BY MR. SCAROLA:
3 **Q. Thank you.**
4 A. And I also know Bob Josefsberg and know
5 that he would never maintain a friendship, as he has
6 with me, if he believed that I was one of the,
7 quote, academicians --
8 **Q. Well, how about --**
9 A. -- with whom --
10 **Q. -- answering my question --**
11 MR. SCOTT: Wait a minute. No, no, no.
12 A. You're going to let me finish.
13 BY MR. SCAROLA:
14 **Q. I know I'm going to go, but I don't have**
15 **to like it --**
16 MR. SCOTT: Yeah, but --
17 BY MR. SCAROLA:
18 **Q. -- when you're not being responsive to the**
19 **questions that are being asked.**
20 MR. SCOTT: Yeah, but you're
21 interjecting --
22 BY MR. SCAROLA:
23 **Q. And --**
24 MR. SCOTT: You're interjecting questions
25 that are irrelevant utilizing Bob Josefsberg's

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1 relationship with him and he has an ability to
2 justify and explain his position in response --
3 MR. SCAROLA: If it's responsive to the
4 question.
5 A. It's responsive. And as far as the
6 filibustering is --
7 BY MR. SCAROLA:
8 **Q. Do you remember what the question is?**
9 A. -- is concerned, I was here --
10 **Q. Do you remember what the question was?**
11 A. Yes. Yes.
12 **Q. What is the question?**
13 A. The question is -- no, why don't you
14 repeat the question.
15 **Q. Yes, sir.**
16 A. So --
17 **Q. You know that Bob Josefsberg would not**
18 **advance allegations on behalf of a client that that**
19 **client had been lent out by Jeffrey Epstein to**
20 **satisfy the sexual desires of friends of Jeffrey**
21 **Epstein, including academicians, unless Bob**
22 **Josefsberg believed those allegations to be true,**
23 **right?**
24 A. I believe that -- I know that Bob
25 Josefsberg would never maintain a friendship with

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1 me, as he has, if he believed that I was one of
2 those academicians. Bob Josefsberg knows that I was
3 not one of those academicians, and the inference of
4 your question is beneath contempt, sir.
5 **Q. Could we try to answer the question now?**
6 A. The answer is that Bob Josefsberg would
7 never maintain a friendship with me if he believed
8 that there was any possibility that I was among the
9 academicians who she was accusing of sexual
10 misconduct. I do not believe that she ever accused
11 me of sexual misconduct to Bob Josefsberg, to the
12 FBI, to the U.S. attorney, or even, sir, to you and
13 Bradley Edwards, as she says in 2000, I think, '11.
14 I think she made up this story on the eve of the
15 filing in 2014.
16 **Q. You do agree that Bob Josefsberg would not**
17 **have advanced the claims that he advanced if he did**
18 **not have confidence that they were true, correct?**
19 A. I have no idea what he believed or knew at
20 the time. I would say this: I know Bob Josefsberg
21 is an extraordinarily ethical lawyer. I don't know
22 what his responsibilities were in the case. I don't
23 know whether his responsibilities were to make those
24 kinds of judgments or whether his responsibility was
25 simply to make sure that money was paid to each of

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1 the people who the FBI had put on the -- the list.
2 I just don't know what his responsibility was.
3 I can say with confidence that he would
4 only act ethically and would, A, not represent --
5 not make any false statements the way your clients
6 made them, and that I wish your clients had the
7 ethics of Bob Josefsberg.
8 **Q. You then agree that if Bob Josefsberg**
9 **advanced the claims that I have described in a**
10 **complaint on behalf of a client, he would not have**
11 **done so unless he believed those allegations to be**
12 **true, having conducted a fair and reasonable**
13 **investigation, correct?**
14 MR. SCOTT: Objection, asked and answered
15 several times.
16 A. I don't know the answer to that question
17 because I don't know the context in which he made
18 these arguments. All I do know is that he never
19 would maintain a friendship with me if he believed
20 in any way that I was one of the people that she had
21 accused.
22 BY MR. SCAROLA:
23 **Q. Did Alfredo Rodriguez, another one of your**
24 **friend's staff persons, have a motive to lie against**
25 **you?**

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1 A. Alberto Rodriguez --
2 **Q. No, sir, Alfredo Rodriguez.**
3 A. Alfredo Rodriguez, I never knew him by
4 name. He was, of course, there out -- well outside
5 of the timeframe of the alleged events in this case.
6 And so anything that he would be able to testify to
7 would bear no relationship whatsoever to the -- the
8 allegations here.
9 He was criminally prosecuted, to my
10 memory, for having stolen material and turned it
11 over to Bradley Edwards is my recollection. And as
12 the result of that clearly had a motive to lie. And
13 the same with Mr. Alessi, clearly would have a basis
14 for believing that I may have played a role as
15 Jeffrey Epstein's lawyer in seeking to do harm to
16 him.
17 But again, there's nothing in
18 Mr. Rodriguez's testimony which is in any way
19 inculpatory of me. I think he has me sitting and --
20 and reading a book and drinking a glass of wine.
21 **Q. In the presence of young women?**
22 A. No.
23 **Q. No?**
24 A. I don't --
25 **Q. Do you --**

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1 A. -- believe that.

2 **Q. -- recall the following testimony --**

3 A. It wouldn't be true if he said it.

4 **Q. Yes, sir. Well, do you recall the**

5 **following testimony having been given by Mr. Alfredo**

6 **Rodriguez in a deposition that was taken on**

7 **August 7, 2009?**

8 **"Question: Mr. Rodriguez, you stated last**

9 **time that there were guests at the house,**

10 **frequent guests from Harvard. Do you remember**

11 **that testimony?**

12 **"Answer: Yes, ma'am.**

13 **"Question: Was there a lawyer from**

14 **Harvard named Alan Dershowitz?**

15 **"Answer: Yes, ma'am.**

16 **"Question: And are you familiar with the**

17 **fact that he's a famous author and famous**

18 **lawyer?**

19 **"Answer: Yes, ma'am.**

20 **"Question: How often during the six**

21 **months or so that you were there was**

22 **Mr. Dershowitz there?**

23 **"Answer: Two or three times.**

24 **"Question: And did you have any knowledge**

25 **of why he was visiting there?**

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1 **"Answer: No, ma'am.**

2 **"Question: You don't know whether or not**

3 **he was a lawyer acting as a lawyer or whether**

4 **he was there as a friend?**

5 **"Answer: I believe as a friend.**

6 **"Question: Were there also young ladies**

7 **in the house at the time he was there?**

8 **"Answer: Yes, ma'am.**

9 **"Question: And would those have included,**

10 **for instance, Sarah Kellen, Nada Marcinkova?**

11 **"Answer: Yes, ma'am.**

12 **"Question: Were there other young ladies**

13 **there when Mr. Dershowitz was there?**

14 **"Answer: Yes, ma'am.**

15 **"Question: Do you have any idea who those**

16 **young women were?**

17 **"Answer: No, ma'am.**

18 **"Question: Were there any of these --**

19 **excuse me. Were any of these young women that**

20 **you have said came to give massages?**

21 **"Answer: Yes, ma'am."**

22 **Do you recall that testimony having been**

23 **given --**

24 A. Yes.

25 **Q. -- and those answers having been given to**

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1 **that testimony?**

2 A. Yes.

3 MR. SCOTT: Objection. This is totally

4 improper cross examination of a witness by

5 trying to use a deposition. The only purpose

6 of doing this is to interject this into the

7 record, which has no relevance and would not be

8 admissible at trial. And in any case, he never

9 actually has my client doing any of the things

10 that you've accused him of.

11 Go ahead, let's go ahead and do it.

12 Answer the question. Answer the question.

13 MR. SCAROLA: He did.

14 A. Yes, I remember that.

15 MR. SCAROLA: He said yes.

16 A. Yes, I remember that, yes.

17 BY MR. SCAROLA:

18 **Q. And do you know why it was that back in**

19 **19 -- excuse me, back in 2009, August of 2009, four**

20 **and a half years before you allege that this story**

21 **about you was being made up out of whole cloth, that**

22 **lawyers representing Jeffrey Epstein's victims,**

23 **including Katherine Ezell, E-Z-E-L-L from Bob**

24 **Josefsberg's office, who had filed the complaint**

25 **alleging that you had -- excuse me, that Virginia**

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1 **Roberts had been lent out for sexual purposes to**

2 **academicians, were asking specific questions about**

3 **you? Do you know why it was in 2009 they were doing**

4 **that?**

5 A. I have no idea that it happened. And I

6 imagine that they had a list of every academic that

7 was in the house. Probably included --

8 MR. SCOTT: I want to object to this whole

9 procedure because you're taking pieces out of

10 the record and not reading other pieces that

11 totally absolve my client. For example,

12 there's testimony by him that says --

13 MR. SCAROLA: Is this an objection?

14 MR. SCOTT: Yes, it's a statement into the

15 record just like you're putting into the

16 record. There's -- I want to show this to my

17 client and refresh his memory as to some other

18 testimony by this witness --

19 MR. SCAROLA: There's no question pending

20 as to what you can -- as to what you can

21 refresh your client's memory. What you are

22 doing is coaching him.

23 MR. SCOTT: No, I'm not.

24 MR. SCAROLA: Improperly.

25 MR. SCOTT: And you are improperly reading

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1 excerpts out of a deposition to try to imply
2 something when there's other parts that totally
3 are inconsistent with that. And if you're
4 going to do that, then he has the ability under
5 our rules to review the entire transcript of
6 the deposition and that's what I'm permitting
7 him to do, just like when we're in court.
8 MR. SCAROLA: What I am doing,
9 Mr. Scott -- what I am doing, Mr. Scott --
10 MR. SCOTT: Have you read that now, sir?
11 MR. SCAROLA: -- is reviewing the evidence
12 that was relied upon by Bradley Edwards and by
13 Paul Cassell in coming to the conclusion that
14 the allegations that had been made by Virginia
15 Roberts were, in fact, credible allegations.
16 MR. SCOTT: And I'm --
17 MR. SCAROLA: Because your own client has
18 acknowledged that this is information that was
19 available to both him and to them back in 2009.
20 MR. SCOTT: And what I am doing is showing
21 him portions of the same deposition that
22 totally take a different position from this
23 witness from what you have read, so that this
24 record is a complete record and not a partial
25 record with your inference only. And I feel

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1 that that's totally appropriate. If we were in
2 a courtroom, a judge would permit him to do it.
3 So you have your position and I have mine.
4 MR. SWEDER: Can we have the witness read
5 that?
6 BY MR. SCAROLA:
7 **Q. Do you recall the following testimony**
8 **having been given in that same deposition?**
9 **"Question: All right. This is follow-up**
10 **to questioning by Ms. Ezell. Ms. Ezell asked**
11 **you about Mr. Dershowitz being present in**
12 **Mr. Epstein's home, and I think you said -- I**
13 **think you said Mr. Epstein and he and**
14 **Mr. Dershowitz were friends?**
15 **"Answer: Yes.**
16 **"Question: She also, I think, asked was**
17 **Mr. Dershowitz ever there when one of the young**
18 **women who gave a massage was present in the**
19 **home.**
20 **"Answer: I don't remember that.**
21 **"Question: That's where I want to clear**
22 **up. Is it your testimony that Mr. Dershowitz**
23 **was there when any of the women came to**
24 **Mr. Epstein's home to give a massage?**
25 **"Answer: Yes."**

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1 **Do you remember that testimony having been**
2 **given?**
3 A. I assume that when your clients used the
4 transcript as a basis for their false conclusion
5 that I was guilty, they read the whole transcripts,
6 not just the --
7 BY MR. SCAROLA:
8 **Q. Every word.**
9 MR. SCOTT: Don't interrupt him.
10 BY MR. SCAROLA:
11 **Q. You don't need to assume that. I will**
12 **stipulate they read every word.**
13 MR. SCOTT: Mr. Scarola, he's speaking.
14 You don't have a right to do this.
15 A. And if you read every word, you will see
16 that it's totally exculpatory, that I have no idea
17 whether there were any young women in one part of
18 the house when I was in another part of the house.
19 It's completely consistent with my testimony that I
20 have never seen any underage women. Let's see.
21 And if you read the whole transcript,
22 you'll see, I think:
23 "Was Dershowitz ever there when one of the
24 woman gave a massage?
25 "I don't remember that.

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1 "Were you in -- were you in any way
2 attempting in your response to imply that
3 Mr. Dershowitz had a massage by one of these
4 young ladies?
5 "I don't know, sir.
6 "You have no knowledge?
7 "No, sir.
8 "And you certainly weren't implying that
9 that occurred; you just have no knowledge,
10 correct?
11 "Answer: I don't know."
12 And I would hope that your clients would
13 be reading the whole thing in context, unlike what
14 you've tried to do to try to create a false
15 impression that this testimony in any way exculpates
16 me.
17 I have to say if this is what they relied
18 on, my confirmation of their unethical and
19 unprofessional conduct has been strongly
20 corroborated by that and you're helping my case.
21 BY MR. SCAROLA:
22 **Q. Would it have been reasonable for Bradley**
23 **Edwards and Paul Cassell to have relied upon the**
24 **detailed reports of Palm Beach police department?**
25 A. I don't know. I don't know what the Palm

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1 Beach police department says.
2 **Q. You never read those reports?**
3 A. I don't know which reports you're
4 referring to.
5 **Q. All of the reports about Jeffrey Epstein.**
6 MR. SCOTT: Asked and answered yesterday
7 on this whole line.
8 A. I probably did not read all the reports on
9 Jeffrey Epstein. I'm sure I've read some of them.
10 I do not recall --
11 MR. SCOTT: Be careful about any work --
12 attorney-client privilege.
13 THE WITNESS: Right.
14 A. I don't remember my name coming up. I was
15 the lawyer during that period of time.
16 BY MR. SCAROLA:
17 **Q. To the extent that Bradley Edwards and**
18 **Paul Cassell relied upon detailed reports from the**
19 **Palm Beach police department in order to assess the**
20 **credibility of Virginia Roberts, would it be**
21 **reasonable for them to rely upon police reports?**
22 A. I would hope that they would rely on all
23 the police reports, including the ones that showed
24 that she was involved in criminal actions, including
25 the ones that would show that she took money as an

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1 adult to provide sexual services to people.
2 I would hope they would look at all the
3 reports, not just selected portions of those
4 reports.
5 **Q. Would that include the reports of the**
6 **Federal Bureau of Investigation?**
7 A. I would hope so.
8 **Q. Would that include the information**
9 **provided by the U.S. Attorney's Office?**
10 A. I would sure hope so, and I could tell you
11 that the --
12 **Q. Would that include --**
13 A. Let me just say that the U.S. Attorney's
14 Office has told me unequivocally that my name never
15 came up in any context of any accusation against me
16 during the negotiations.
17 **Q. Is this part of your work product that**
18 **you're waiving right now?**
19 MR. SWEDER: No, no.
20 A. My conversation with Jeffrey Sloman is not
21 work product.
22 MR. SCOTT: Here's a --
23 BY MR. SCAROLA:
24 **Q. What is the work product --**
25 MR. SCOTT: Excuse me. Please review

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1 this.
2 A. Excuse me one second.
3 MR. SCOTT: You know, you think this is
4 funny and I think this man's -- and I think
5 this man's --
6 MR. SCAROLA: I think it's improper for
7 you to be coaching the witness in the middle of
8 examination. If you think that there's
9 something that needs to be brought out, you do
10 that in cross examination. You don't feed him
11 information that you want him to be reading in
12 the middle of my examination of this witness.
13 MR. SCOTT: No. But it's also true that
14 under our rules, when you read portions of a
15 deposition, he has the ability to read other
16 portions of the deposition which clarify the
17 answers. That's done in every courtroom on
18 every time a witness -- you have selected
19 portions of it that are not accurate based on
20 other portions and I am having him review them
21 since you did not offer him the deposition to
22 review.
23 MR. SCAROLA: And that's what you do --
24 MR. SCOTT: And I think that's totally
25 proper --

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1 MR. SCAROLA: -- in cross examination. It
2 is --
3 MR. SCOTT: -- to do. No --
4 MR. SCAROLA: -- improper.
5 MR. SCOTT: No.
6 MR. SCAROLA: There's no question pending
7 as to which that's relevant. But let's take a
8 look at what you're showing him.
9 MR. SCOTT: Sure. Why don't you read it
10 into the record?
11 THE WITNESS: I've read it.
12 MR. SCOTT: Read it into the record so
13 that Mr. Scarola is advised.
14 A. "Okay. When Alan Dershowitz was in the.
15 house, I understand you to say that these local
16 Palm Beach girls would come over to the house
17 while he was there, but you're not sure if he
18 had a massage from any of these girls?
19 "Exactly.
20 "And what would he do while these girls
21 were in the house?
22 "He would read a book with a glass of
23 wine by the pool, stay inside.
24 "Did he ever talk to any of the girls?
25 "I don't know, sir.

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1 "Certainly he knew they were there?"
2 "I don't know, sir."
3 That's the best you can do? That's really
4 the best you can do? You think a professional
5 lawyer would make these allegations based on "I
6 don't know, sir."
7 MR. SCAROLA: Is there a question pending,
8 Mr. Scott?
9 MR. SCOTT: He's reading -- you asked him
10 what he was reading --
11 MR. SCAROLA: Yes, sir.
12 MR. SCOTT: -- from and I had him publish
13 it.
14 MR. SCAROLA: Yeah, I know, and then he
15 went on to make a speech. So I know I don't
16 have to do it, but I'm compelled to move to
17 strike the unresponsive speeches.
18 MR. SCOTT: And I consider these to be a
19 response to the interrogation that you did
20 taking excerpts improperly and not having the
21 entire record in front of him, which he's
22 entitled to do to make that the record is
23 complete. And I intend to protect him in that
24 way.
25

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1 BY MR. SCAROLA:
2 **Q. So we have agreed that it was reasonable**
3 **for Bradley Edwards and Paul Cassell, in assessing**
4 **the credibility of Virginia Roberts, to rely upon**
5 **police reports, FBI reports, U.S. Attorney's Office**
6 **information, and information from the Palm Beach**
7 **County State Attorney's Office, correct?**
8 A. No.
9 **Q. No?**
10 A. No. It would not be enough for them to do
11 that --
12 **Q. I didn't ask you whether it was enough.**
13 A. You said it was --
14 **Q. I asked you: Would it reasonable for them**
15 **to rely upon those sources of information in**
16 **assessing the credibility of Virginia Roberts?**
17 A. Not alone, not without looking at --
18 **Q. That wasn't my question.**
19 A. -- other sources of information.
20 MR. SCOTT: Wait a minute.
21 BY MR. SCAROLA:
22 **Q. Well, what he's relying upon --**
23 MR. SCOTT: You're not the judge here.
24 Let him -- ask a question and let him answer it
25 and not cut him off, please.

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1 A. Let me answer. "Rely" connotes to me that
2 they would place a heavy emphasis on that to the
3 exclusion of other things and that it would be
4 enough. And so my answer is, yes, they certainly
5 should have read all the reports. They certainly
6 should have read all the transcripts. But they also
7 should have called me, they should have made other
8 inquiry, and they should have made sure that they
9 read all of these depositions and reports in
10 context.
11 And if you're implying that there are FBI
12 reports that in any way inculpate me, that's
13 inconsistent with the information I have from Former
14 Chief of Assistant Jeffrey Sloman, who was prepared
15 to file an affidavit saying that that wasn't the
16 case but was prevented from doing so by the Justice
17 Department.
18 MR. SCOTT: It's about noon now. So I
19 guess we're heading -- we're wrapping this up?
20 MR. SCAROLA: Not quite yet.
21 BY MR. SCAROLA:
22 **Q. You do agree that the allegations that**
23 **Virginia Roberts made against Prince Andrew were**
24 **well-founded allegations, correct?**
25 A. I have absolutely no idea. I've met

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1 Prince Andrew on a number of occasions in a public
2 context. He came and spoke in my class at Harvard
3 law school. The dean then had a dinner in his -- or
4 lunch in his honor. I was then invited to a dinner
5 at the British Consulate.
6 I've never seen him in the presence of any
7 underaged women, so I have absolutely no basis for
8 reaching any conclusion whatsoever about
9 Prince Andrew.
10 **Q. So you don't know one way or another**
11 **whether those allegations are true or false?**
12 A. Neither do you. Nobody would know except
13 two people, I imagine. But I don't know. Of course
14 not.
15 **Q. All right.**
16 A. But I presume --
17 **Q. You say you have never seen him --**
18 A. -- people innocent --
19 **Q. -- in the presence of any underaged women,**
20 **but you've seen photographs of him in the presence**
21 **of an underaged woman, correct?**
22 A. I have, yes.
23 MR. SCAROLA: May we mark this as the next
24 numbered exhibit, please.
25 A. And I want to note --

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1 THE REPORTER: Hold on. Hold on.
 2 A. -- the absence of any --
 3 MR. SCOTT: She can't take it down.
 4 THE WITNESS: Sorry.
 5 (Thereupon, marked as Plaintiff
 6 Exhibit 8.)
 7 THE REPORTER: It's okay. Go ahead.
 8 A. And I want to note the absence of any
 9 photograph of me with Virginia Roberts.
 10 BY MR. SCAROLA:
 11 **Q. That's the photograph that you were**
 12 **referring to?**
 13 A. I've seen this photograph in the
 14 newspapers.
 15 **Q. Yes, sir. And the woman on the far right**
 16 **of that photograph, who is that?**
 17 A. Ghislaine Maxwell.
 18 **Q. The woman that you and your friend Jeffrey**
 19 **Epstein have traveled with repeatedly, correct?**
 20 A. No. A woman who I may have traveled with
 21 on two or three occasions. I can't think of more
 22 times than that that I traveled with her, but it's
 23 possible. But not -- I wouldn't say repeated
 24 occasions. I've --
 25 **Q. Well --**

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1 A. -- probably been in her presence fewer
 2 than a dozen times.
 3 **Q. I'm going to hand you --**
 4 A. But just to be clear, what I knew about
 5 Ghislaine Maxwell was that she was the daughter of a
 6 prominent British publisher --
 7 **Q. I haven't asked you what you knew about**
 8 **Ghislaine Maxwell. I asked you --**
 9 A. Well, you asked --
 10 **Q. -- whether or not you recognized her in**
 11 **the photograph?**
 12 A. Yes. Yes.
 13 **Q. Thank you very much, sir.**
 14 **I'm going to hand you an airport codes log**
 15 **that identifies the airports that are identified by**
 16 **abbreviations in the case -- in case that is of some**
 17 **assistance to you in answering the next series of**
 18 **questions that I'm about to ask you.**
 19 A. Right.
 20 **Q. And I'm going to hand you this composite**
 21 **exhibit, which we will mark as the next numbered**
 22 **composite.**
 23 A. Uh-huh, right.
 24 (Thereupon, marked as Plaintiff
 25 Exhibit 9.)

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1 THE WITNESS: Excuse me, I need to a take
 2 a very quick bathroom break.
 3 MR. SCAROLA: That's fine.
 4 THE WITNESS: Probably be two minutes or
 5 less than two minutes.
 6 VIDEOGRAPHER: Going off the record. The
 7 time is approximately 12:03 p.m.
 8 (Sidebar held off the record.)
 9 MR. SCAROLA: While we're waiting, let me
 10 mark the next numbered exhibits as well. That
 11 will save us some time.
 12 MR. SCOTT: What is this?
 13 MR. SCAROLA: Her calendar, his calendar.
 14 MR. SCOTT: Who's calendar is this,
 15 Carolyn's?
 16 MR. SCAROLA: Okay. This is Number 10.
 17 MR. SCOTT: Carolyn's calendar.
 18 (Thereupon, marked as Plaintiff
 19 Exhibit 10.)
 20 MR. SCAROLA: This is Number 11.
 21 (Thereupon, marked as Plaintiff
 22 Exhibit 11.)
 23 MR. SCAROLA: This is Number 12.
 24 (Thereupon, marked as Plaintiff
 25 Exhibit 12.)

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1 BY MR. SCAROLA:
 2 **Q. Mr. Dershowitz, I have handed you a**
 3 **composite exhibit that is marked as Number 9.**
 4 A. Yes.
 5 **Q. The first document in that composite is a**
 6 **page from --**
 7 MR. SCOTT: Here's Number 9.
 8 BY MR. SCAROLA:
 9 **Q. -- is a page from your wife's calendar; is**
 10 **that correct?**
 11 A. Yes.
 12 MR. SCOTT: Take a moment to review the
 13 exhibit, please.
 14 A. Yes, it looks like -- I'm looking at the
 15 first page. It looks like my wife's -- my wife's
 16 handwriting, yes.
 17 BY MR. SCAROLA:
 18 **Q. And the second page is another page from**
 19 **your wife's calendar; is that correct?**
 20 A. Looks like it, yes.
 21 **Q. And --**
 22 MR. SCOTT: Take the time to review it
 23 before you answer questions, please.
 24 A. Right.
 25

309

1 BY MR. SCAROLA:

2 **Q. And can you determine from the calendar**

3 **entries here where your wife is during the period of**

4 **time that's covered by these calendar entries?**

5 A. I would have to look at a particular

6 entry. If it describes where she is, yes.

7 **Q. Okay. Well, tell me where she is.**

8 A. What day?

9 MR. SCOTT: Which one? What point?

10 BY MR. SCAROLA:

11 **Q. The period covered by this calendar**

12 **between December 7 and December 13.**

13 A. What year?

14 **Q. You know what, I can't tell you what year**

15 **it is from these calendars. So you tell me.**

16 **I suggest to you that this is a calendar**

17 **from December of 2000, since the next two months at**

18 **the top of the calendar are January 2001 and**

19 **February 2001. So let's assume that since it is a**

20 **page from a calendar that appears to be December of**

21 **2000, that it's December of 2000.**

22 **That would be a reasonable conclusion,**

23 **wouldn't it?**

24 A. I have no idea.

25 **Q. You don't know?**

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1 A. I don't know. I mean, I don't know -- you

2 said you don't -- you can't tell what the year is,

3 so --

4 **Q. Well, I'm telling --**

5 A. -- I can't tell what the year is.

6 **Q. -- you that it appears to be December 2000**

7 **because the next two months at the top of the**

8 **calendar are January of 2001 and February of 2001.**

9 A. I only see -- I'm sorry, we're probably

10 looking at different things. I see November 2000,

11 December 2000. I don't see January or anything like

12 that. Maybe you can show them to me. Oh, it's on

13 the first page.

14 **Q. First page, yes, sir.**

15 A. So it's in reverse order.

16 Yeah, so the pages are in reverse order.

17 The first page says on top January 2001,

18 February 2001 and the second page says

19 November 2000, December 2000, yeah.

20 **Q. So it appears we're looking at**

21 **December 2000, correct?**

22 A. When we're looking at which page? When

23 we --

24 **Q. Both pages.**

25 A. Well, one is January/February and one is

311

1 December.

2 **Q. One shows the subsequent two months and**

3 **the --**

4 A. Okay.

5 **Q. -- other one shows --**

6 A. Yes.

7 **Q. -- the preceding and following month,**

8 **correct?**

9 A. Yes, that does look like it's December of

10 2000, yes.

11 **Q. Okay, sir. So look at the calendar and**

12 **tell me where it appears your wife is during this**

13 **period of time.**

14 A. The whole period of time?

15 MR. SCOTT: Please read the exhibit, all

16 the pages, thoroughly, so that you have a full

17 context.

18 A. It says, A.D. in Boston. That means I was

19 in -- in Boston.

20 It says Charleston, New York. It says

21 book fair. It says book fair. It says A.D. in

22 Boston.

23 It then says the Halbreiches arrive.

24 They -- they were probably our guests.

25

312

1 BY MR. SCAROLA:

2 **Q. Your guests at home in Cambridge,**

3 **Massachusetts, right?**

4 A. No, I don't know. I don't know.

5 Halbreiches arrive.

6 And I can't really tell from here where

7 Carolyn is. McDonalds -- let's see, this is 2000

8 and what year? 2001. 2000. Yeah, yeah.

9 So tell me what you're looking for. I'll

10 try to --

11 **Q. I want to know where your wife was during**

12 **this period of time if you can tell from the**

13 **calendar entries.**

14 A. Well, she may have been in -- there's

15 something about Charleston. There's something about

16 New York. There's something about me being in

17 Boston. I really can't tell much beyond that.

18 **Q. Okay. So you don't know one way or**

19 **another from these calendar entries where your wife**

20 **was during this period of time; is that correct?**

21 A. I can't tell that from this entry, no.

22 **Q. What we can tell from the entry in the**

23 **bottom right-hand corner --**

24 MR. SCOTT: Which page?

25 A. Which page?

313

1 BY MR. SCAROLA:
2 **Q. Of the first page of this composite is**
3 **that there is a notation that says Alan Dershowitz**
4 **11:45 a.m., New York City, right?**
5 A. Eleven -- A.D. 11:45 and then there's a
6 word that I can't read.
7 **Q. How about a.m.?**
8 A. Oh, 5:00 a.m., New York City, yes.
9 **Q. Okay. Thank you, sir.**
10 **And the next page, where did -- where did**
11 **your wife have opera instructions?**
12 A. I have no idea. We go to the opera in
13 Boston, we go to the opera in New York, we go to the
14 opera in Florida. We do a lot -- a lot of opera. I
15 don't know what "opera instructions" means.
16 Maybe it would be best if you asked my
17 wife about these things. It's her calendar.
18 **Q. I -- I intend to, sir, but --**
19 A. Sure.
20 **Q. -- these are calendars that you produced**
21 **as part of the evidence that you contend exonerates**
22 **you. So, I assumed that you had some knowledge of**
23 **the meaning of these pages.**
24 A. No.
25 **Q. But I may be wrong.**

314

1 A. We have --
2 **Q. So you're telling me that you don't know**
3 **where she was and that's --**
4 A. We just -- we just gave you everything we
5 had --
6 MR. SCOTT: We provided hundreds and
7 hundreds of pages. You're picking out one.
8 BY MR. SCAROLA:
9 **Q. Let's go -- let's go to the next page, if**
10 **we could, please, the third page in this composite.**
11 A. The third, okay. Third, okay.
12 **Q. And can we agree that this is a calendar**
13 **from December of 2000?**
14 A. Yes.
15 **Q. Can we agree it's your calendar from**
16 **December of 2000?**
17 A. That's right, yeah.
18 **Q. And can we also agree that during this**
19 **period of time, you were making regular appearances**
20 **in New York on Court TV?**
21 MR. SCOTT: Review the document before you
22 answer the question, please.
23 A. It says 12/30, Court TV, yes. There was a
24 period of time where I had a contract with Court TV
25 and I would appear when they asked me to, yeah.

315

1 BY MR. SCAROLA:
2 **Q. And you would appear in New York --**
3 A. Well, no --
4 **Q. -- for those Court TV appearances --**
5 A. I would appear --
6 **Q. -- on a regular basis, correct?**
7 A. I would appear wherever I was. So when I
8 was in New York, I appeared in New York, but they
9 would do it by remote when I was in a different
10 city. And I clearly did some remotes for Court TV.
11 **Q. In fact, you took an apartment in New York**
12 **for purposes of convenience to facilitate your**
13 **New York Court TV appearances, correct?**
14 A. Totally false.
15 **Q. Did you have an apartment in New York**
16 **during this period of time in December of 2000?**
17 A. I had an apartment for -- I've had an
18 apartment in New York for 30 -- 30 years or more.
19 But I certainly didn't take an apartment for
20 purposes of Court TV, no.
21 **Q. On Tuesday, December 12, the entry is**
22 **1:30, Jeff, correct?**
23 A. Right. Yeah.
24 **Q. And that's a reference to Jeffrey Epstein,**
25 **correct?**

316

1 A. I don't -- I don't know.
2 **Q. Well, what other Jeff might it be?**
3 A. I know -- I know many, many Jeffs.
4 **Q. Tell me which other Jeffs it might have**
5 **been a reference to --**
6 A. I have no idea.
7 **Q. -- on this calendar page.**
8 A. I just have no idea. I would be
9 speculating.
10 **Q. During the same period of time on**
11 **December 12 when there's a calendar entry that**
12 **reflects 1:30, Jeff, we know from the flight logs**
13 **that Jeffrey Epstein traveled on December 11 from**
14 **Palm Beach International Airport to Teterboro**
15 **Airport, which is the private plane facility that**
16 **services the New York Metropolitan area.**
17 A. I have no idea.
18 **Q. You don't know?**
19 A. No, I have no idea whether he was on that
20 plane. I haven't seen the flight log.
21 **Q. Well, I'm calling your attention to the**
22 **flight log. It's the next page.**
23 A. It's the next page here?
24 **Q. Yes, sir.**
25 A. Okay.

317

1 **Q. December 11, 2000, PBI to Teterboro,**
 2 **passengers, Jeffrey Epstein --**
 3 A. Wait a second. I have to find it.
 4 MR. SCOTT: Well, let him -- let him read
 5 the exhibit.
 6 A. What -- what's the date?
 7 BY MR. SCAROLA:
 8 **Q. December 11.**
 9 A. December 11. Yes, I see that.
 10 **Q. Palm Beach International Airport to**
 11 **Teterboro?**
 12 A. Right, yeah.
 13 **Q. Passengers, Jeffrey Epstein?**
 14 A. Right.
 15 **Q. GM, a reference to Ghislaine -- excuse me,**
 16 **Ghislaine Maxwell.**
 17 A. Uh-huh.
 18 **Q. And ET and Virginia, right?**
 19 A. That's what it says, yes, sir.
 20 **Q. And then we see three of the same four**
 21 **passengers leaving the New York area.**
 22 A. Uh-huh.
 23 **Q. To fly to another destination three days**
 24 **later on December 14, correct?**
 25 A. Yes.

318

1 **Q. And let's look at the next page of your**
 2 **wife's diary for December 13, the period of time**
 3 **when the flight log shows Jeffrey Epstein and**
 4 **Virginia in New York --**
 5 A. Uh-huh.
 6 **Q. -- at the same time when it would appear**
 7 **that you were in New York. And at the bottom of**
 8 **this calendar, Wednesday, December 13, A.D.,**
 9 **message, right?**
 10 A. 10:00 a.m. it says? What is it?
 11 **Q. It says 10, 10-A.D. message?**
 12 A. Yeah.
 13 **Q. Okay.**
 14 **Let's go to the next composite.**
 15 A. I don't have -- there's another page after
 16 that. Oh, the next composite.
 17 **Q. Yes, sir.**
 18 A. Yeah.
 19 **Q. Composite Number 10.**
 20 A. Uh-huh. But -- but I just want to be
 21 clear. So you're saying Carolyn was with me in
 22 New York during that period of time.
 23 **Q. No, I'm not saying that at all, sir. I**
 24 **suggest that when we take a close look at the**
 25 **calendar, it's going to reveal something other than**

319

1 **that, but that you were in New York at the same time**
 2 **Jeffrey Epstein --**
 3 A. And that Carolyn --
 4 **Q. -- and Virginia were in New York and you**
 5 **were --**
 6 A. And that Carolyn arranged for a massage.
 7 **Q. -- having a massage.**
 8 A. And that my wife arranged for a massage.
 9 **Q. No, I didn't say that at all, sir?**
 10 MR. SCOTT: Well, that's what he's saying
 11 that the record reflects.
 12 A. The record --
 13 MR. SCOTT: Don't cut him off.
 14 A. -- reflects that Carolyn -- Carolyn always
 15 wanted me to have massages because she thought it
 16 would relax me. I don't like massages particularly,
 17 but when Carolyn arranged massages, almost always we
 18 had them together at the same time. We would have
 19 the same masseuse, sometimes a man, sometimes a
 20 woman, come to the house and give us massages
 21 together.
 22 The idea that my wife would arrange for me
 23 to have a massage with an underage girl for sexual
 24 purposes is so bizarre and absurd as to defy any
 25 kind of credibility, but go on.

320

1 BY MR. SCAROLA:
 2 **Q. Yes. Thank you very much, sir.**
 3 A. Go on.
 4 **Q. I intend --**
 5 MR. SCOTT: Since you're both smiling,
 6 there seems to be some humor that I'm missing
 7 here. I guess I --
 8 MR. SCAROLA: Well, I'm missing the humor
 9 too.
 10 BY MR. SCAROLA:
 11 **Q. Let's go to Composite Exhibit Number 10.**
 12 A. Yeah.
 13 **Q. The first page of that composite exhibit**
 14 **is a photocopy of pages from your personal calendar**
 15 **in January 2001, correct?**
 16 A. That's right, yes.
 17 **Q. Another Court TV appearance on January 11,**
 18 **correct?**
 19 A. January 11.
 20 **Q. Yes, sir. Thursday, January 11, entry in**
 21 **the left-hand column, Court TV.**
 22 A. Entry on -- yes, January -- I see it as --
 23 I see it on January 12. I don't see it on
 24 January 11, but...
 25

321

1 BY MR. SCAROLA:
2 **Q. I'm sorry, maybe it is January 12, but**
3 **some time between the 11th and 12th, either on the**
4 **11th or on the 12th, it's Court TV, correct?**
5 A. No, no, no. You're just totally --
6 **Q. It's the 12th --**
7 A. -- wrong -- it's the 12th, yes.
8 **Q. Okay. Good. Thank you.**
9 A. It's clearly stated on the 12, yeah.
10 **Q. Okay. And then on Friday, the 19th, a**
11 **week later, another Court TV appearance, correct?**
12 A. 19th. Yes.
13 **Q. Okay. And on the 26th on Friday,**
14 **another Court TV appearance, correct?**
15 A. That's what it says, yes. These were
16 all --
17 **Q. During this period of time --**
18 MR. SCOTT: Whoa. Let -- let him finish
19 his answer.
20 A. These are all scheduled appearances. I
21 assume that I did them. These -- these were -- when
22 they requested me to -- to do them, I would do them,
23 yes.
24 BY MR. SCAROLA:
25 **Q. Okay. And it looks like you're appearing**

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1 **on a scheduled basis every Friday during this period**
2 **of time?**
3 A. I don't think that was right. Yeah, I
4 don't think that was right. I think that they
5 called me when they wanted me. And it may have been
6 several Fridays in a row, but I think it depended on
7 breaking news at the --
8 **Q. What is "scheduled appearance" --**
9 MR. SCOTT: Well, wait a minute. Let him
10 finish his questions [sic].
11 A. It would depend very much on whether there
12 was a particular trial because I would be the
13 commentator on the trial, along with other lawyers.
14 And there were some days when there were trials and
15 some days when there weren't and I would be
16 available because I was living in New York at the
17 time.
18 BY MR. SCAROLA:
19 **Q. On Tuesday, the 16th, there is an entry**
20 **that says Epstein, right?**
21 A. On Tuesday, the 16th?
22 **Q. Yes, sir.**
23 A. Where are we? Which calendar now?
24 **Q. Page 2. Page 2 of the composite, Tuesday,**
25 **the 16th, Epstein.**

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1 MR. SCOTT: Wait a minute. Let him get to
2 it.
3 A. 2 of the composite. Page 2, and what --
4 what day are we on?
5 MR. SWEDER: Do we even have it?
6 MR. SCOTT: I'm sorry. Excuse me. Do we
7 have copies of this exhibit?
8 MR. SCAROLA: I've given you copies of
9 everything --
10 THE WITNESS: Were these produced in
11 discovery?
12 MR. SCOTT: I assume.
13 A. Okay. What are we up to? What page?
14 BY MR. SCAROLA:
15 **Q. Page 2 of Composite Exhibit Number 10.**
16 MR. SCOTT: Okay. Now, stop.
17 BY MR. SCAROLA:
18 **Q. Tuesday, the 16th.**
19 MR. SCOTT: What year are we talking about
20 now?
21 MR. SCAROLA: 2001, the only year covered
22 in this composite exhibit.
23 A. Yeah, dinner foreign policy Epstein, that
24 was dinner we had at Jeffrey Epstein's house with a
25 group of very distinguished foreign policy experts,

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1 yes.
2 BY MR. SCAROLA:
3 **Q. All right, sir. Let's go to the next**
4 **page. I've just focused on this period of time in**
5 **January 2001 and on Friday, January 12 --**
6 A. So we're going back to Friday, January 12.
7 Yeah.
8 **Q. Your wife is in Cambridge, correct?**
9 A. No, I don't think so. My wife was living
10 in New York with me at the time. I don't see any
11 record of her being in Cambridge.
12 She was -- we were living together in
13 New York at NYU downtown. I was a visiting scholar.
14 Having been appointed by John Sexton of NYU to be a
15 visiting scholar, we were there for the year. And
16 my wife was with me during the year. Our daughter
17 was in school in New York. She went to Little Red
18 Schoolhouse in New York. And we had -- our life was
19 in New York for a period of one year.
20 **Q. And on Friday, January 12, you had another**
21 **message, right?**
22 A. I don't see anything on my record that --
23 **Q. Message, A.D.?**
24 A. We must be looking at the different pages.
25 **Q. Friday, January 12, page 4 --**

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1 A. Who's --
2 **Q. -- of Composite Exhibit 10.**
3 MR. SCOTT: Let me see the page you're
4 talking about so he can --
5 MR. SCAROLA: I've given you the entire
6 calendar.
7 MR. SCOTT: Come on, Jack.
8 MR. SCAROLA: I've given you the entire
9 composite --
10 THE WITNESS: So you're talking about my
11 wife's --
12 MR. SCAROLA: Fourth page -- fourth page
13 of Exhibit 10. You have Exhibit 10, I've given
14 a copy of that.
15 MR. SCOTT: I understand it and he has it
16 front of him and I'm trying to get him to the
17 right page. Thank you. Please take it down.
18 BY MR. SCAROLA:
19 **Q. Fourth page, Composite Exhibit 10.**
20 A. Yes.
21 **Q. Friday, January 12.**
22 A. Okay. That's very simple. We were both
23 in Cambridge and I had a massage in Cambridge. How
24 do I know that? Because it had basketball. And
25 that's where I play and watch basketball was in

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1 Cambridge. So probably I was in Cambridge if it
2 says B ball 3:30, 4:15 and says Cambridge with Ella,
3 so I'm sure I was in Cambridge.
4 **Q. All right. So --**
5 A. But I'm -- I'm looking at my wife's
6 calendar. I can't tell you and nor can you tell me
7 where I was at that period of time.
8 **Q. So, the basketball entries are references**
9 **to your watching basketball in Cambridge?**
10 A. No. They could be playing basketball. I
11 played basketball in those days --
12 **Q. Watching or playing basketball?**
13 MR. SCOTT: Let him finish his answer,
14 please.
15 A. I either watched basketball or played
16 basketball, yeah. I did not go to basketball games
17 in New York, to my recollection, unless the Celtics
18 were in New York and maybe we can check --
19 MR. SCOTT: You've got about five minutes,
20 Counsel.
21 BY MR. SCAROLA:
22 **Q. The Celtics didn't play from 4:15 to 5:00,**
23 **did they?**
24 A. No, but I did.
25 **Q. You did?**

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1 A. Uh-huh.
2 **Q. Okay. Or from 3:30 to 4:15, that would be**
3 **a playing time for you in Cambridge; is that**
4 **correct?**
5 A. You'd be asking me to speculate. I can't
6 speculate based on my wife's calendar. It says
7 utility bill, Reservoir address. That suggests
8 Cambridge. Reservoir is our house in Cambridge.
9 **Q. So, it would appear that this is another**
10 **massage that you got somewhere?**
11 A. But I would like to also say one thing. I
12 don't -- I at least wonder were these records
13 available to your clients at the time they made the
14 false accusations against me or are they
15 after-the-fact constructs designed to simply try to
16 find excuses to justify their false allegations? It
17 seems to me the latter is probably the case.
18 **Q. And you are going to have an opportunity**
19 **through your counsel to ask those questions.**
20 A. And we will.
21 **Q. And my clients are anxious to be able to**
22 **answer those questions.**
23 A. Not as anxious as I am to hear their
24 answers.
25 **Q. Okay.**

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1 MR. SCOTT: Okay. Let's wrap it up.
2 MR. SCAROLA: Not quite.
3 MR. SCOTT: Yeah, it's 12:30. I'm ending
4 this. That gives you three and a half hours.
5 We take a lunch break and then we have three
6 and a half.
7 MR. SCAROLA: We don't need three and a
8 half hours for lunch.
9 MR. SCOTT: No, I didn't say that. I said
10 we take an hour break and then we have three
11 and a half hours with your client, just like...
12 MR. SCAROLA: If -- if that's what you
13 want to do --
14 MR. SCOTT: That's the fair thing to do
15 because that's why we're dividing it equally
16 and I suggested that --
17 MR. SCAROLA: I will state -- I will state
18 for the record that Exhibits 2, 3 and 4 --
19 excuse me, Exhibits 9, 10, 11 and 12,
20 composite exhibits, directly conflict with the
21 witness's assertion --
22 MR. SCOTT: This is all a speech on your
23 part.
24 MR. SCAROLA: It is a speech.
25 MR. SCOTT: It is a speech and --

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1 MR. SCAROLA: I'm giving you notice as to
 2 what you can do to do your homework. Okay?
 3 They directly conflict with the witness's
 4 assertion that the flight logs exonerate him.
 5 In fact --
 6 MR. SCOTT: Wait a minute.
 7 MR. SCAROLA: -- the flight logs -- the
 8 flight logs corroborate Virginia Roberts'
 9 assertions.
 10 MR. SCOTT: And I thank you very much for
 11 that explanation and we look forward to
 12 resuming this at the appropriate time and
 13 responding to that.
 14 THE WITNESS: And that is a false
 15 statement.
 16 MR. SCOTT: Thank you.
 17 VIDEOGRAPHER: Going off the record. The
 18 time is approximately 12:26 p.m.
 19 (The proceedings ADJOURNED at 12:26 p.m.)
 20
 21
 22
 23
 24
 25

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CERTIFICATE OF REPORTER

STATE OF FLORIDA
 COUNTY OF BROWARD

I, KIMBERLY FONTALVO, Registered
 Professional Reporter, do hereby certify that I
 was authorized to and did stenographically report
 the foregoing videotape deposition of ALAN M.
 DERSHOWITZ; pages through 145; that a review of
 the transcript was requested; and that the
 transcript is a true record of my stenographic
 notes.

I FURTHER CERTIFY that I am not a
 relative, employee, attorney, or counsel of any
 of the parties, nor am I a relative or employee
 of any of the parties' attorneys or counsel
 connected with the action, nor am I financially
 interested in the action.

Dated this 16th day of October, 2015.


 KIMBERLY FONTALVO, RPR, FPR, CLR

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CERTIFICATE OF OATH

STATE OF FLORIDA
 COUNTY OF BROWARD

I, the undersigned authority, certify
 that ALAN M. DERSHOWITZ personally appeared
 before me and was duly sworn on the 16th day of
 October, 2015.
 Signed this 16th day of October, 2015.


Kimberly Fontalvo
 KIMBERLY FONTALVO, RPR, FPR, CLR
 Notary Public, State of Florida
 My Commission No. EE 161994
 Expires: 2/01/16

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October 16, 2015

COLE, SCOTT & KISSANE, P.A.
 Dadeland Centre II - Suite 1400
 9150 South Dadeland Boulevard
 Miami, Florida 33156
 BY: THOMAS EMERSON SCOTT, JR., ESQ.
 Re: Edwards v. Dershowitz
 Please take notice that on the 16th day of October,
 2015, you gave your deposition in the above cause.
 At that time, you did not waive your signature.
 The above-addressed attorney has ordered a copy of
 this transcript and will make arrangements with you
 to read their copy. Please execute the Errata
 Sheet, which can be found at the back of the
 transcript, and have it returned to us for
 distribution to all parties.

If you do not read and sign the deposition within a
 reasonable amount of time, the original, which has
 already been forwarded to the ordering attorney, may
 be filed with the Clerk of the Court.
 If you wish to waive your signature now, please sign
 your name in the blank at the bottom of this letter
 and return to the address listed below.
 Very truly yours,

KIMBERLY FONTALVO, RPR, FPR, CLR
 Phipps Reporting, Inc.
 1615 Forum Place, Suite 500
 West Palm Beach, Florida 33401
 I do hereby waive my signature.

 ALAN M. DERSHOWITZ

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