

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 08-80736-CIV-MARRA

JANE DOE #1 and JANE DOE #2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

DECLARATION OF JANE DOE 3

1. The Court is familiar with me from my previous declaration in this case. I am currently 31 years old and want to become a part of the case to enforce my rights and possibly allow criminal prosecution of Jeffrey Epstein and others who abused underage girls.
 2. I have seen a Government filing saying that I waited too long before trying to become a part of this case. I don't think that the Government's position tells the full story about me. In fact, I believe the Government is hiding some of the things that it knows about me and about other powerful people involved in this case. I am filing this declaration so that the Court will have more facts to make the decision about whether to let me come into the case.
 3. In its latest filing, the Government seems to be questioning why I was afraid and did not come forward to speak more quickly. To understand my reasons, it is important that I share at least some additional information about why I was so fearful after my abuse by Epstein and others.
 4. The Court can best understand my situation by looking at my previous declaration and then understanding why I was afraid of Epstein, how I eventually escaped from him, and how I was forced to hide from him and others.
 5. I first met Epstein when I was 15 years old. I have told the Court about some of my sexual and physical abuse in my earlier declaration.
 6. As a result of that abuse and my considerable interactions with Epstein and his friends, I knew that Epstein was connected to some of the most powerful people in the world, including a member of the British Royal family, a former President of the United States, and other very powerful lawyers, politicians and businessmen. I was afraid of what would happen if I tried to escape from Epstein or report him to law enforcement.
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7. I also knew what Epstein and Maxwell had been doing the years that I was with them. In addition to constantly finding underage girls to satisfy their personal sexual desires, Epstein and Maxwell also got girls for Epstein's powerful friends and acquaintances. Epstein specifically told me that the reason for him doing this was so that they would "owe him," they would "be in his pocket," and he would "have something on them." Epstein used to brag a lot to me about the important people that owed him favors.

8. Epstein said that he knew people that were very powerful and who were politically involved, and that consequently he was someone you didn't want to mess with. I also knew this to be true from my personal observations with him.

9. Epstein also apparently paid to get protection from authorities. For example, Epstein told me that he paid a substantial "donation" to the Palm Beach police every year to "keep their mouths shut" about his activities. I do not know if his claim is true, but it certainly added to my fear.

10. Epstein arranged for many politically powerful, older men to have sex with underage girls – including me. Because these were crimes – and because some of these men were married – this gave Epstein the ability to blackmail these men and obtain political and other favors. I believe that Epstein's connections and his ability to blackmail these other powerful people could have helped Epstein seek a plea bargain from the authorities that kept him out of prison. I also believe that these connections most likely have prevented him from being arrested in the other locations where he has committed similar offenses.

11. I also knew that Epstein maintained videos in some rooms where I had sex with other powerful people, and I believe that those videos could be used as further blackmail.

12. I have listed a few of the powerful people that Epstein forced me to have sex with in my earlier declaration. There were others, though, who I continue to refrain from naming publicly out of fear for physical repercussions.

13. Part of my fear comes from physical abuse that I suffered when Epstein forced me to have sex with other people. Without going into the details of the sexual activities I was forced to endure, there were times when I was physically abused to the point that I remember fearfully thinking that I didn't know whether I was going to survive.

14. Jeffrey Epstein knew about this physical and sexual abuse because I would detail it for him as part of my debriefing. Epstein didn't care. Epstein said things like, "You get that sometimes." I told him how much I hated having to be with some people, but Epstein still sent me back. I had no choice.

15. I give the Court this information so that it can better understand why I was so afraid of Epstein and what he could do to me. I could provide more details to the Court, if the Court needs more details on this issue. I also wanted to provide this information to the Court because I have been accused of being a "serial prostitute." I don't think that is a fair way to describe my situation, given that I was so young and so many powerful people were forcibly abusing me.

16. Epstein let me know one of his good friends was former President Bill Clinton. While I did not have sex with former President Clinton, Epstein clearly had access to this extremely powerful man. Epstein also made me sexually service other very powerful people, which made me more fearful and feeling like I had nobody to report to without putting myself in more danger. I don't think it is fair for the Government to talk about why I didn't try to join this case sooner without talking about these kinds of facts – facts that I believe it has been able to confirm.

17. After years of abuse and being lent out, I began to look for a way to escape. I had been first forced into all this because I wanted to be a massage therapist. Epstein had taken me into his clutches through promises and talk. But once he had me under his control, I felt trapped.

18. I kept asking Epstein for my promised training and education. Epstein finally got me a plane ticket to Thailand to go to Chaing Mai to learn Thai massage. This sounded like my chance to escape. In September 2002, I packed my bags for good. I knew this would be my only opportunity to break away from Epstein.

19. On September 27, 2002, I flew from JFK in New York to Chaing Mai, Thailand. I arrived around September 29 for my training. But Epstein was going to get something out of this as well. I was supposed to interview a girl to bring back to the United States for Epstein.

20. Exhibit 1 is a list of room charges in Thailand, with the charges going to Epstein's account. This exhibit shows Epstein's telephone numbers and is evidence that he paid for my hotel in Thailand.

21. Exhibit 2 is a set of documents showing my itinerary and flight plans for me going to Thailand, paid for by Epstein.

22. I did the massage training in Chiang Mai. I met a truly great and special guy and told him honestly what I was being forced to do. He told me I should get out of it. I told him that the people I was working for were very powerful and that I could not disobey them without risking my life. He told me he would protect me, and I had confidence in him. I saw my opportunity to escape and to be with someone who truly loved me and would protect me. To make a long story short, I married him and flew to Australia.

23. I called Epstein and told him I was not coming back. He asked why? I said "I've fallen in love." And Epstein basically just said "good luck and have a good life." I could tell he was not happy. I was very afraid of what he was going to do to me. I thought Epstein or one of his powerful friends might send someone to have me killed.

24. I stayed in Australia from that point on, with my husband and away from the life I had been forced to live as Epstein's sex slave. I was in Australia from late 2002 to October 2013. To be clear, I was never in the United States during these years, not even for a short trip to visit my mother. And my absence from the United States was not voluntary – I was hiding from Epstein out of fear of what he would do to me if I returned to the United States.

25. In around 2007, after not hearing from anyone for years, out of the blue I was contacted by someone who identified himself with a plain sounding name and claimed he was with the FBI. It seemed very odd for someone doing an official criminal investigation to just call up on the phone like that. I hadn't heard Epstein's name for years. I didn't know who this person was and what it was really about. I wasn't sure what was going on.

26. This man said he was looking into Jeffrey Epstein. The man asked if I had been involved with Epstein. My first instinct was to say nothing; because I wasn't sure he was really with the FBI or any authorities. I did answer a few basic questions, telling him that I knew Jeffrey Epstein and met him at a young age. The whole conversation didn't feel like it was right. This man never offered to come and meet with me in person. He instead asked me right off the bat about Epstein's sexual practices. I thought it would be strange for a real law enforcement officer to behave that way. I became increasingly uncomfortable and suspicious about who was actually calling me.

27. The way the conversation was going made me doubt whether I was really talking to an FBI agent. It did not seem very official. I became very uncomfortable, so I told him nothing more about Epstein. The conversation probably didn't even last three minutes. The conversation immediately triggered all of the fears of Epstein and his powerful friends that had caused me to escape the first time. If the call accomplished anything, it only put me back in fear and told me that I could be found quite easily and had nobody official protecting me.

28. I suspected that the man who called me was working for Epstein or one of Epstein's powerful friends. If the man who called me was really an FBI agent and was interested in what I knew about Epstein, I thought he would have made some effort to see me personally. I believed that if this was really an agent who was investigating Epstein, then he knew who I was and how I fit into Epstein's sexual crimes in many different places. Such an agent would send someone to meet me in person (who could provide potential protection from Epstein). He never did.

29. Getting a call from this supposed FBI Agent made me very scared. I had left that old life behind me and started a new life in a new country in hopes that the powerful people whose illegal activities I knew all about would never find me. And now I had been tracked down by someone and was frightened.

30. Shortly after this purported FBI call, I was contacted by someone who was clearly working for Epstein. This person discussed an investigation into Epstein, and said that some of the girls were saying Epstein had sexual contact with them. After they made those allegations, they were being discredited as drug addicts and prostitutes. But, on the other hand, if I were to keep quiet, I would "be looked after." The fact that this call came in right after the FBI call reinforced my concern that the man I had talked to earlier was not really working for the FBI, but was really working for Epstein. I didn't think that the FBI and Epstein would both be working together and would both get my phone number at almost exactly the same time. I played along and told this person that I had gotten a call from the "FBI" but that I didn't tell them anything. The person was pleased with that.

31. A short time later, one of Epstein lawyers (not Alan Dershowitz) called me, and then got Epstein on the line at the same time. Epstein and his lawyer basically asked again if I was going to say anything. The clear implication was that I should not say anything. The way they were approaching me, I was afraid of what would happen if I didn't keep quiet. My thought was that if I didn't say the right things, I might get hurt.

32. I promised Epstein and his lawyer that I would keep quiet. They seemed happy with that and that seemed to me the way to most likely keep me and my family safe. And I did what Epstein and his lawyer told me – I kept quiet.

33. I now understand that Epstein reached a non-prosecution agreement with the federal government in 2007 and pled guilty to two state crimes in June 2008. No one told me anything about those events until much later. In fact, nobody called or came to see me to explain what a non-prosecution agreement was, what crimes Epstein could have been charged with, why he was not being charged with the crimes he committed, or anything whatsoever about the case. I was never offered a chance to meaningfully confer with the prosecutor for the Government, and I was never notified of any hearing that could affect me or my rights as a crime victim to ever bring charges.

34. On September 3, 2008, the FBI sent a victim notification letter to me. This was the first written communication I had received from the FBI. The letter was attached as Exhibit 1 to my earlier statement. This kind of written communication, on official FBI stationery, is the way that I thought the FBI really communicated with people that they wanted to talk to. The fact that I got this official letter from them made me wonder even more whether that the call I had received earlier was really from the FBI. The letter that I got did not mention that anyone from the FBI had ever called me before.

35. The letter started off with the sentence: "By virtue of this letter, the United States Attorney's Office for the Southern District of Florida provides you with the following notice because you are an identified victim of a federal offense." That sentence (among others) made it seem like this was the first time the FBI was officially contacting me. That was the first time I was told about my rights as a crime victim.

36. I did not know what was happening about any criminal prosecution of Epstein at this time. I wanted him prosecuted. And given his constant illegal sexual behavior, I thought it was obvious that he should be prosecuted. But after reading the letter, I was confused. The letter did not explain what was actually happening or what role, if any, that I could play. In fact, the letter thanked me for my assistance during the investigations, yet it wasn't clear what that was referring to.

37. Also, the letter did not directly say that Epstein's crimes against me were not going to be prosecuted. It just said that "the United States has agreed to defer federal prosecution in favor of this state plea and sentence" I did not know what that meant. The letter did not inform me how it applied to me. The letter also said that there was "litigation between the United States and two other victims regarding the disclosure of the entire agreement between the United States and Mr. Epstein." Understanding more about that case now, I realize that the letter did not

explain that the real purpose of that litigation was not to get “disclosure of the entire agreement” but instead to get criminal charges filed against Epstein and to uphold the rights of Epstein’s victims. I wish that the Government had told me that was what was really going on.

38. I saw on the letter that I could call a lawyer. The letter also mentioned Jack Goldberger, who I knew to be Epstein’s attorney, which scared me. I first got in touch with the attorneys at the Podhurst Orseck firm. My lawyers filed a lawsuit against Epstein for me, which mentioned that I was abused by Epstein and other powerful people. I was hoping that the information I gave as part of my lawsuit might help to put Epstein away in prison -- where he belongs. But the lawsuit ended up just being about money, which Epstein paid to settle.

39. I continued living in Australia and, in 2011, was contacted by a journalist, who told me she was working for a British newspaper. She asked me if I had information about Prince Andrew. When I said that I did, she came out to Australia to meet with me.

40. At this point, since nothing else seemed to be working to get Epstein and his associates held accountable, I wanted to try by myself to get a message out to the public about what terrible things Epstein and his friends had done to me and other girls. I was very disturbed about how no one was prosecuting Epstein for these crimes. I was also very scared. It seemed that law enforcement was not doing anything with the information they knew about me, which left me and my family more vulnerable and scared.

41. The journalist printed an article using some of the information I told her. Shortly after the article was published, I talked on the phone to Marie Villafaña, a federal prosecutor from Florida. I had seen her name on the official letter from the FBI, so she seemed legitimate. Villafaña seemed very interested in my case and seemed like she really wanted to do something.

42. Within a few weeks of the newspaper article being published, two FBI agents also called me in Australia and then came to meet me. In around March 2011, they met me at the U.S. Consulate in Sidney. They seemed to be very professional and hard working. I thought to myself that I had finally gotten the attention of the people that I wanted to and that these people would do the right things against Epstein and the other criminals. I also thought that they could protect me.

43. When I met with the agents, they mainly focused on Epstein. But while there, I provided them some information about some of the others who were involved in illegal acts as well. I was aware that a false statement to these law enforcement officers was a crime and I told the truth – giving them the information that I could recall at the time about the individuals they inquired about.

44. The agents were clearly prepared to meet me and already knew a lot about Epstein’s crimes. The agents appeared to be very good at investigating and seemed like they really knew how to piece together the whole story. But at the same time, they seemed like they were being blocked from doing what they wanted to do – which I thought was to arrest Epstein and his powerful friends for all of their illegal sexual crimes.

45. During my interview with the real FBI agents, I told them about my contact from the purported FBI agent. They did not tell me that it had been a legitimate call from the FBI.

46. The interview I did with these FBI agents was very stressful for me. My meeting lasted for several hours. It was not easy to talk about all these difficult things, but I went through it. I was crying at points in the interview. The interview also placed stress on my marriage, because my husband had to listen to all the terrible things that happened to me. It was difficult for me to have to discuss being passed around as a sex object among powerful people. It was very hard for both of us.

47. The agents had come from Florida to meet with me in Australia and took my information which gave me reason to believe that Epstein could still be prosecuted for the crimes he committed against me. I was not told even at that point that he could not be prosecuted for the crimes he committed in Florida. I was not told about the CVRA case or that there was any other option for me to enforce my rights. In fact, by the agents meeting with me I believed I was doing exactly what I needed to do to enforce my rights and assist in the prosecution.

48. I have seen the Government's recent brief trying to keep me from joining this case. In that brief, the Government says about me "the Government is aware that petitioners' counsel have been representing her [that is, me] since at least as early as March 2011." This is completely untrue, and I think the Government knows it is untrue. I was not represented by legal counsel in March 2011. The Government has to know that I didn't have an attorney then, because I didn't have an attorney when I met the agents in Sydney. I don't understand why the Government is giving false facts to the court.

49. In around 2011, I spoke to attorney Brad Edwards. He told me he had been sued by Jeffrey Epstein and wanted to know what I knew about Epstein and his associates' involvement with sexually abusing underage girls. I told him about my abuse and trafficking by Epstein. I also told him at that time that I had been sexually abused by Prince Andrew, Ghislaine Maxwell, Jean Luc Brunel, Alan Dershowitz, and other powerful people.

50. In around April 2011, as a follow-up to my earlier call with Brad Edwards, I got a telephone call from him and another attorney, Jack Scarola. They just wanted general information about whether various people had information relevant to the lawsuit. They told me that they were taping the conversation, and I had no problem with that. I cooperated with them and gave them information about which people had information relevant about Epstein's crimes. Because it was over the phone and we did not know each other very well, they were very polite and did not ask me a lot of details about specifically who I had sex with and what sexual activities I was forced to participate in. It was a general, background interview.

51. As the months following the FBI meeting in Sydney passed, I was trying to be patient but I began wondering what was going on about prosecuting Epstein. I continued to be very confused about what was happening. I was hoping that some kind of prosecution would come out of it. But when nothing came of it, I got very upset. I wanted to do something to stop Epstein and the other people he associates with from sexually abusing girls. Law enforcement

had taken my detailed statements, but nothing seemed to be happening. I wasn't sure what to do. While I wanted to do all that I could to get justice for what had happened to me, it was very hard for me to figure out how to get something done in the United States while I was living in a foreign country; especially after I had already gave information to the FBI that I believed they were using to investigate and eventually arrest Epstein.

52. In October 2013, I returned to the United States for the first time since I had left for Thailand.

53. In April 2014, I decided to get back in touch with the FBI. In Sydney, the FBI had seemed like they wanted to be helpful to me, and I have great respect for the FBI agents who met me. It appeared to me they wanted to do the right thing in this case. But my feeling was once the agents collected information about crimes committed against me, someone else stepped in and blocked them from getting charges filed. I also thought that Marie Villafaña really wanted to do the right thing and hold Epstein accountable for the horrible crimes he committed. But, it seemed like the hands of Villafaña and the FBI were always tied by someone else with more authority.

54. I have never been able to figure out who was (and still is) stopping a prosecution. I also haven't been able to figure out who is trying to stop me from being able to participate in a court case to a have a judge determine whether my rights have been violated. It doesn't seem fair to me that the Government can argue that I don't even get the opportunity for a judge review the issue. To me, this is further verification of Epstein's power, which continues to make me very scared.

55. I have asked the FBI to show me the video surveillance and other pictures of me that I believe they have in their possession. They said that I would have to go to the prosecutors to get them. But the prosecutors will not share anything with me. I believe that the prosecutors have lots of information that will support what I have been saying about Epstein and his associates.

56. Based on my knowledge of Epstein and his organization, as well as discussions with the FBI, it is my belief that federal prosecutors likely possess videotapes and photographic images of me as an underage girl having sex with Epstein and some of his powerful friends. I don't understand why they aren't moving forward with what the FBI has given to them. I also don't understand why these pictures haven't been given to me nor why law enforcement officers from any other jurisdictions have never contacted me.

57. It was not until 2014 that I first understood about the way in which Jane Doe No. 1 and Jane Doe No. 2 were trying to invalidate the non-prosecution agreement to allow prosecution of Epstein for crimes he committed against them, and me. I had never really heard anything significant about this case while I was in Australia, and it was hard to get information about what was happening in Florida while I was overseas. Once I heard about the case, I quickly wanted to become a part of it.

58. In light of the way everything has played out, I believe that my rights as a crime victim have been violated. It was never my choice to become the victim of crimes by Epstein and the

people he forced me to have sex with. Epstein dragged me into his web when I was very young and, after that, it was hard for me to escape. After I ran away to Australia, it appears that Epstein reached an agreement in 2007 with the federal prosecutors in Florida blocking him from being prosecuted for the crimes he committed against me.

59. When Epstein pled guilty to two low level crimes in 2008 as part of his agreement, no one told me what was happening or that this plea had anything to do with preventing prosecution of crimes against me or the hundreds of other girls he abused. Nobody told me that I could speak to the Judge or that a hearing was even taking place.

60. Based on all the facts I have described here, I believe some kind of major cover-up is going on to protect Epstein. As I look back on what Epstein and his friends have done, I see a lot of powerful people who knew what they were doing to me and other girls was wrong. But they also seemed to think that they were above the law and they had nothing to worry about. From what I can see, that turned out to be true. There are less powerful people -- like the FBI agents and Marie Villafaña -- that seem like they are trying to get the right thing done. But nothing happens.

61. Because nothing is being done, it makes me think that Epstein was right when he told me he had so many people in his pocket. Maybe those people are still helping him escape being prosecuted for what he did against me. The justice system doesn't seem to respond to the victims in this case. It seems to favor those who have the most money and power and influence.

62. I am also worried that this is a very dangerous circuit. By standing up for what is right, I'm worried that Epstein, or others named here, will come after me. I wonder where this is going to go if the United States government is not on my side. I am intent on seeing this through so that Epstein isn't allowed to hurt other young girls. I can't stop abuse everywhere in the world. But if I help one victim then I have made a positive difference.

63. In April 2014, I asked two good attorneys -- Brad Edwards and Paul Cassell -- to see if they could help me bring Epstein and his friends to justice. They agreed to add me to the existing case. They explained to me that the lawsuit was not asking to get money from Epstein or others. I understand and have always understood that the goal of the case is to simply enforce my rights as a crime victim -- rights that were wrongly taken from me.

64. I want Epstein and the others who committed crimes against me to be punished fairly -- the way other less powerful would be. I also want to be added to the suit filed by the two girls, Jane Doe Number 1 and Jane Doe Number 2, and I want to have rights the way a victim of a less wealthy and powerful criminal would have.

65. Epstein and his friends sexually and physically abused many other girls. They did this in many places around the world. I personally observed this. There are also many people who could confirm what I am saying. I hope that these people will come forward and tell the truth. I hope that they will call my attorney in Fort Lauderdale, Florida -- Brad Edwards -- so that all of the information can be presented to the court about what has happened to me and others.

66. Because of how often Epstein and others were having sex with young girls, and how much it was a centerpiece of their lives, I doubt they have just stopped. It also seems to me that, when I knew them, they believed that they were above the law – too powerful to be prosecuted. That feeling has no doubt been reinforced by the fact Epstein has escaped real punishment with his plea bargain, and the others with whom he traveled have completely escaped. I hope that I can join this case and try to bring them to justice.

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

Executed this 5th day of February, 2015. (Location of signature left undisclosed for security reasons)

JANE DOE 3

EXHIBIT 1



ROYAL PRINCESS

CHIANG MAI
 112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Thai
 Tel: (053) 281-033 Fax: (053) 281-044
 บริษัท รอยัลพรีนเซส จำกัด (มหาชน)
 สาขาโรงแรมรอยัลพรีนเซส เชียงใหม่
 112 ถนนช้างคลาน ต.ช้างคลาน อ.เมือง จ.เชียงใหม่ 50100
 โทร: (053) 281-033 โทรสาร: (053) 281-044
 ทะเบียนการค้าเลขที่ 50 14 02527
 เลขประจำตัวผู้เสียภาษี 3 10 1 61770 2

J.EPSTEIN
 Royal Princess, Chiang Mai, 18/10/02 12:51
 188785
 Room No. : 923 Page No. : 1
 Arr. Date : 29/09/02 Dept Date : 19/10/02
 Guest : 1 Cashier : 11 CHFGAGNT03

Guest Name : DOE 3 USA

DATE	DESCRIPTION	CHARGE	CREDIT
08/10	Room Charges	2700.00	
08/10	Service charge 10%	270.00	
08/10	Government Tax	207.90	
08/10	Provincial Tax (Rm)	21.60	
09/10	Room Charges	2700.00	
09/10	Service charge 10%	270.00	
09/10	Government Tax	207.90	
09/10	Provincial Tax (Rm)	21.60	
09/10	Room Service B/F #923 : CHECK #2098	376.64	
09/10	Minibar #923 :	120.00	
09/10	Long Distance #923 : 061923497	45.00	
09/10	Overseas #923 : 001121275098	384.00	
09/10	Overseas #923 : 001156179290	177.00	
09/10	Overseas #923 : 001121275098	177.00	
10/10	Room Charges	2700.00	
10/10	Service charge 10%	270.00	
10/10	Government Tax	207.90	
10/10	Provincial Tax (Rm)	21.60	
10/10	Room Service B/F #923 : CHECK #2106	129.47	
10/10	Local Call #923 : 053278900	10.00	
10/10	Overseas #923 : 001121275098	177.00	
10/10	Overseas #923 : 001121275098	118.00	
11/10	Room Charges	2700.00	
11/10	Service charge 10%	270.00	
11/10	Government Tax	207.90	
11/10	Provincial Tax (Rm)	21.60	
11/10	Long Distance #923 : 017462088	15.00	
11/10	Long Distance #923 : 017462088	15.00	
11/10	Long Distance #923 : 017462088	15.00	
11/10	Long Distance #923 : 017462088	15.00	
11/10	Overseas #923 : 001121275098	266.00	
11/10	Overseas #923 : 001121275098	59.00	
11/10	Laundry/Valet 01699 pia	1912.70	
12/10	Room Charges	2700.00	
12/10	Service charge 10%	270.00	
12/10	Government Tax	207.90	

Guest's signature _____
 Date _____



ROYAL PRINCESS

CHIANG MAI
 112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Thai
 Tel: (053) 281-033 Fax: (053) 281-044
 บริษัท รอยัลพรีนเซส จำกัด (มหาชน)
 สาขาโรงแรมรอยัลพรีนเซส เชียงใหม่
 112 ถนนช้างคลาน ต.ช้างคลาน อ.เมือง จ.เชียงใหม่ 50100
 โทร: (053) 281-033 โทรสาร: (053) 281-044
 ทะเบียนการค้าเลขที่ 50 14 02527
 เลขประจำตัวผู้เสียภาษีอากร 3 10 1 61770 2

J.EPSTEIN
 Royal Princess, Chiang Mai, 18/10/02 12:51
 188785
 Room No. : 923 Page No. : 2
 Arr. Date : 29/09/02 Dept Date : 19/10/02
 Guest : 1 Cashier : 11 CHFGAGNT03

Guest Name : **DOE 3** USA

DATE	DESCRIPTION	CHARGE	CREDIT
12/10	Provincial Tax (Rm)		
12/10	Long Distance #923 : 019980563	21.60	
12/10	Overseas #923 : 001171983648	30.00	
12/10	Overseas #923 : 001121275098	913.00	
12/10	Overseas #923 : 001121275098	30.00	
12/10	Overseas #923 : 001121275098	89.00	
13/10	Room Charges	2700.00	
13/10	Service charge 10%	270.00	
13/10	Government Tax	207.90	
13/10	Provincial Tax (Rm)	21.60	
13/10	Room Service B/F #923 : CHECK # 117	153.01	
13/10	Long Distance #923 : 069156556	45.00	
13/10	Long Distance #923 : 069156556	30.00	
13/10	Long Distance #923 : 069156556	15.00	
13/10	Overseas #923 : 001156179290	30.00	
13/10	Overseas #923 : 001156124844	30.00	
13/10	Overseas #923 : 001156179045	560.00	
13/10	Overseas #923 : 001156179835	30.00	
13/10	Overseas #923 : 001121275098	30.00	
13/10	Overseas #923 : 001156179290	59.00	
13/10	Overseas #923 : 001156179855	384.00	
13/10	Overseas #923 : 001156179045	89.00	
14/10	Room Charges	2700.00	
14/10	Service charge 10%	270.00	
14/10	Government Tax	207.90	
14/10	Provincial Tax (Rm)	21.60	
14/10	Room Service B/F #923 : CHECK # 129	294.25	
14/10	Minibar #923 :	290.00	
14/10	Overseas #923 : 001121275098	59.00	
14/10	Overseas #923 : 001156130954	59.00	
14/10	Overseas #923 : 001121275098	59.00	
14/10	Overseas #923 : 001156179290	30.00	
15/10	Room Charges	2700.00	
15/10	Service charge 10%	270.00	
15/10	Government Tax	207.90	
15/10	Provincial Tax (Rm)	21.60	
15/10	Minibar #923 :	120.00	

Guest's signature _____
 Date _____



ROYAL PRINCESS

CHIANG MAI
 112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Thalla
 Tel: (053) 281-033 Fax: (053) 281-044
 บริษัท รอยัลพรีนเซส จำกัด (มหาชน)
 สาขาโรงแรมรอยัลพรีนเซส เชียงใหม่
 112 อ.ช้างคลาน ต.ช้างคลาน อ.เมือง จ.เชียงใหม่ 50100
 โทร: (053) 281-033 โทรสาร: (053) 281-044
 ทะเบียนการค้าเลขที่ 60 14 02527
 เลขประจำตัวผู้เสียภาษีอากร 3 10 1 61770 2

J.EPSTEIN
 Royal Princess, Chiang Mai, 18/10/02 12:51
 188785
 Room No. : 923 Page No. : 3
 Arr. Date : 29/09/02 Dept Date : 19/10/02
 Guest : 1 Cashier : 11 CHFGAGNT03

Guest Name : DOE 3 USA

DATE	DESCRIPTION	CHARGE	CREDIT
15/10	Overseas #923 : 001156179290	796.00	
15/10	Overseas #923 : 001156165548	118.00	
15/10	Overseas #923 : 001121275098	354.00	
16/10	Room Charges	2700.00	
16/10	Service charge 10%	270.00	
16/10	Government Tax	207.90	
16/10	Provincial Tax (Rm)	21.60	
16/10	Poolside p.m. #923 : CHECK # 621	29.43	
16/10	Room Service B/F #923 : CHECK # 143	282.48	
16/10	Room Service B/F #923 : CHECK # 147	918.06	
16/10	Minibar #923 :	180.00	
16/10	Local Call #923 : 053224979	10.00	
16/10	Overseas #923 : 001121275098	89.00	
16/10	Overseas #923 : 001121275098	325.00	
16/10	Overseas #923 : 001121275098	148.00	
16/10	Overseas #923 : 001121275098	118.00	
16/10	Overseas #923 : 001121275098	295.00	
16/10	Overseas #923 : 001171983632	30.00	
16/10	Overseas #923 : 001156179045	30.00	
16/10	Overseas #923 : 001121275098	59.00	
17/10	Room Charges	2700.00	
17/10	Service charge 10%	270.00	
17/10	Government Tax	207.90	
17/10	Provincial Tax (Rm)	21.60	
17/10	Room Service B/F #923 : CHECK #2160	306.02	
17/10	Room Service B/F #923 : CHECK # 161	94.16	
17/10	Room Service B/F #923 : CHECK # 162	94.16	
17/10	Minibar #923 :	160.00	
17/10	Overseas #923 : 001121275098	30.00	
17/10	Overseas #923 : 001121275098	148.00	
17/10	Overseas #923 : 001161974392	30.00	
17/10	Overseas #923 : 001156179045	59.00	
17/10	Overseas #923 : 001171983632	471.00	
17/10	Overseas #923 : 001121275098	89.00	
18/10	Room Charges	2700.00	
18/10	Service charge 10%	270.00	

Guest's signature _____
 Date _____



ROYAL PRINCESS

CHIANG MAI

112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Thaila
Tel: (053) 281-033 Fax: (053) 281-044

บริษัท รอยัลพริ้นเซส จำกัด (มหาชน)
สาขาโรงแรมรอยัลพริ้นเซส เชียงใหม่
112 อ.ช้างคลาน ต.ช้างคลาน อ.เมือง จ.เชียงใหม่ 50100
โทร: (053) 281-033 โทรสาร: (053) 281-044
ทะเบียนการค้าเลขที่ 50 14 02527
เลขประจำตัวผู้เสียภาษีอากร 3 10 1 61770 2

J.EPSTEIN

Royal Princess, Chiang Mai, 18/10/02 12:51
188785

Room No. : 923 Page No. : 4
Arr. Date : 29/09/02 Dept Date : 19/10/02
Guest : 1 Cashier : 11 CHFAGANT03

Guest Name : DOE 3 USA
USA

DATE	DESCRIPTION	CHARGE	CREDIT
18/10	Government Tax	207.90	
18/10	Provincial Tax (Rm)	21.60	
18/10	Room Service B/F #923 : CHECK # 171	294.25	
18/10	Room Service B/F #923 : CHECK # 172	188.32	
18/10	Overseas #923 : 001612974392	207.00	
18/10	Cash PHET		48587.45

Total 48587.45 48587.45

Balance 0.00 Baht

Total including VAT 48349.85 Baht
Total without VAT 237.60 Baht
Folio amount net 45424.38 Baht
V A T 7.00% 3163.07 Baht (48349.85)

TAX ID NO. 3 1 0 1 6 1 7 7 0 2
RD NO. 5 0 1 4 9 1 0 0 0 2 3 5
TAX INVOICE NO. 13489
TAX INVOICE(ABB)

Guest's signature _____

Date _____

ROYAL PRINCESS

CHIANG MAI

112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Thail.
Tel: (053) 281-033 Fax: (053) 281-044

บริษัท รอยัลพรีนเซส จำกัด (มหาชน)
สาขาโรงแรมรอยัลพรีนเซส เชียงใหม่
112 ถนนช้างคลาน ต.ช้างคลาน อ.เมือง จ.เชียงใหม่ 50100
โทร: (053) 281-033 โทรสาร: (053) 281-044
ทะเบียนการค้าเลขที่ 50 14 02527
เลขประจำตัวผู้เสียภาษีอากร 3 10 1 61770 2

J.EPSTEIN

Royal Princess, Chiang Mai, 08/10/02 14:14
187916

Room No. : 923 Page No. : 1
Arr. Date : 29/09/02 Dept Date : 19/10/02
Guest : 1 Cashier : 11 CHF6AGNT03

Guest Name : DOE 3
USA

USA

DATE	DESCRIPTION	CHARGE	CREDIT
29/09	Room Charges	2700.00	
29/09	Service charge 10%	270.00	
29/09	Government Tax	207.90	
29/09	Provincial Tax (Rm)	21.60	
29/09	Overseas #923 : 001156179290	118.00	
30/09	Room Charges	2700.00	
30/09	Service charge 10%	270.00	
30/09	Government Tax	207.90	
30/09	Provincial Tax (Rm)	21.60	
30/09	Overseas #923 : 001156179290	737.00	
30/09	Overseas #923 : 001171983632	30.00	
30/09	Overseas #923 : 001171983648	972.00	
30/09	Overseas #923 : 001156179045	30.00	
30/09	Overseas #923 : 001191752031	30.00	
30/09	Overseas #923 : 001156179045	30.00	
30/09	Overseas #923 : 001156179290	325.00	
01/10	Room Charges	2700.00	
01/10	Service charge 10%	270.00	
01/10	Government Tax	207.90	
01/10	Provincial Tax (Rm)	21.60	
01/10	Overseas #923 : 001156179290	30.00	
01/10	Overseas #923 : 001156179290	325.00	
01/10	Overseas #923 : 001156179290	266.00	
01/10	Overseas #923 : 001156179290	59.00	
02/10	Room Charges	2700.00	
02/10	Service charge 10%	270.00	
02/10	Government Tax	207.90	
02/10	Provincial Tax (Rm)	21.60	
02/10	Poolside a.m. #923 : CHECK # 487	564.96	
02/10	Poolside p.m. #923 : CHECK # 491	188.32	
02/10	Poolside p.m. #923 : CHECK # 493	188.32	
02/10	Minibar #923 :	170.00	
02/10	Overseas #923 : 001156179290	30.00	
03/10	Room Charges	2700.00	
03/10	Service charge 10%	270.00	
03/10	Government Tax	207.90	

Guest's signature _____

Date _____



ROYAL PRINCESS

CHIANG MAI
 112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Th.
 Tel: (053) 281-033 Fax: (053) 281-044
 บริษัท รอยัลพรีนเซส จำกัด (มหาชน)
 สาขาโรงแรมรอยัลพรีนเซส เชียงใหม่
 112 ต.ช้างคลาน อ.ช้างคลาน จ.เชียงใหม่ 50100
 โทร: (053) 281-033 โทรสาร: (053) 281-044
 ทะเบียนการค้าเลขที่ 50 14 02527
 เลขประจำตัวผู้เสียภาษีอากร 3 10 1 61770 2

J.EPSTEIN

Royal Princess, Chiang Mai, 08/10/02 14:14
 187916

Room No. : 923 Page No. : 2
 Arr. Date : 29/09/02 Dept Date : 19/10/02
 Guest : 1 Cashier : JJ CHFGAGNT03

Guest Name : DOE 3
 USA

USA

DATE	DESCRIPTION	CHARGE	CREDIT
03/10	Provincial Tax (Rm)	21.60	
03/10	Overseas #923 : 001156179290	207.00	
03/10	Overseas #923 : 001156179045	295.00	
03/10	Overseas #923 : 001156179290	207.00	
04/10	Room Charges	2700.00	
04/10	Service charge 10%	270.00	
04/10	Government Tax	207.90	
04/10	Provincial Tax (Rm)	21.60	
04/10	Poolside p.m. #923 : CHECK # 508	188.32	
04/10	Overseas #923 : 001156179290	1031.00	
04/10	Overseas #923 : 001156179290	2001.00	
04/10	Overseas #923 : 001156179290	707.00	
05/10	Room Charges	2700.00	
05/10	Service charge 10%	270.00	
05/10	Government Tax	207.90	
05/10	Provincial Tax (Rm)	21.60	
05/10	Local Call #923 : 053222615	10.00	
05/10	Local Call #923 : 053211583	10.00	
05/10	Overseas #923 : 001180430615	118.00	
05/10	Overseas #923 : 001156179290	412.00	
05/10	Overseas #923 : 001156179290	1884.00	
05/10	Overseas #923 : 001156179290	1031.00	
06/10	Room Charges	2700.00	
06/10	Service charge 10%	270.00	
06/10	Government Tax	207.90	
06/10	Provincial Tax (Rm)	21.60	
06/10	Poolside p.m. #23517 M00	353.10	
06/10	Poolside p.m. #23521 M00	376.64	
06/10	Local Call #923 : 053222615	10.00	
06/10	Overseas #923 : 001156179290	59.00	
07/10	Room Charges	2700.00	
07/10	Service charge 10%	270.00	
07/10	Government Tax	207.90	
07/10	Provincial Tax (Rm)	21.60	
07/10	Minibar 41616 pia	220.00	
07/10	Long Distance #923 : 061923497	15.00	

Guest's signature _____
 Date _____



ROYAL PRINCESS

CHIANG MAI

112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Thailand.
Tel: (053) 281-033 Fax: (053) 281-044

บริษัท รอยัลพรีนเซส จำกัด (มหาชน)
สาขาโรงแรมรอยัลพรีนเซส เชียงใหม่
112 ถนนคหลาน ค.คหลาน อ.เมือง จ.เชียงใหม่ 50100
โทร: (053) 281-033 โทรสาร: (053) 281-044
ทะเบียนการค้าเลขที่ 50 14 02527
เลขประจำตัวผู้เสียภาษีอากร 3 10 1 61770 2

J.EPSTEIN

Royal Princess, Chiang Mai, 08/10/02 14:14
187916

Room No. : 923 Page No. : 3
Arr. Date : 29/09/02 Dept Date : 19/10/02
Guest : 1 Cashier : 11 CHFGAGRY03

Guest Name : DOE 3
USA

DATE	DESCRIPTION	CHARGE	CREDIT
07/10	Overseas #923 : 001156179290	207.00	
07/10	Overseas #923 : 001156179290	1090.00	
07/10	Overseas #923 : 001121275098	295.00	
07/10	Overseas #923 : 001156179290	148.00	
08/10	Overseas #923 : 001156179290	913.00	
08/10	Cash PHET		44677.16

Total 44677.16 44677.16
Balance 0.00 Baht

PAID

Total including VAT 44722.67 Baht
Total without VAT 44677.07 Baht
Folio amount net 44677.07 Baht
V A T 7.00% 2910.09 Baht (44482.76)

TAX ID NO. 3 1 0 1 6 1 7 7 0 2 -
RD NO. 5 0 1 4 9 1 0 0 0 2 3-5
TAX INVOICE NO. 13025
TAX INVOICE(ABB)

Guest's signature _____
Date _____



ROYAL PRINCESS

CHIANG MAI
 112 Chang Klan Road, T.Chang Klan, A.Muang, Chiang Mai 50100, Thaila
 Tel: (053) 281-033 Fax: (053) 281-044
 บริษัท รอยัลพรีนเซส จำกัด (มหาชน)
 สาขาโรงแรมรอยัลพรีนเซส เชียงใหม่
 112 ถ.ช้างคลาน ต.ช้างคลาน อ.เมือง จ.เชียงใหม่ 50100
 โทร: (053) 281-033 โทรสาร: (053) 281-044
 ทะเบียนการค้าเลขที่ 50 14 02527
 เลขประจำตัวผู้เสียภาษีอากร 3 10 1 61770 2

J.EPSTEIN
 Royal Princess, Chiang Mai, 19/10/02 13:07

Room No. : 923 Page No. : 1
 Arr. Date : 29/09/02 Dept Date : 19/10/02
 Guest : 1 Cashier : 11 CHFGAGNT03

Guest Name : **DOE 3** USA
 USA

DATE	DESCRIPTION	CHARGE	CREDIT
18/10	Room Service B/F #923 : CHECK # 171	294.25	
18/10	Room Service B/F #923 : CHECK # 172	188.32	
18/10	Long Distance #923 : 098181318	15.00	
18/10	Long Distance #923 : 098183189	60.00	
18/10	Overseas #923 : 001612974392	207.00	
18/10	Overseas #923 : 001612974392	384.00	
18/10	Overseas #923 : 001156184460	883.00	
19/10	Room Service B/F #923 : CHECK # 183	400.18	
19/10	Minibar	220.00	

Total 2651.75
 Balance 2651.75 Baht

Total including VAT 2651.75 Baht
 Folio amount net 2473.27 Baht
 V A T 7.00% 178.48 Baht (2651.75)

TAX ID NO. 3 1 0 1 6 1 7 7
 RD NO. 5 0 1 4 9 1 0 0 0

TAX INVOICE(ABB)



Guest's signature _____
 Date _____

EXHIBIT 2

DOE 3

Travel Documents

FOR:

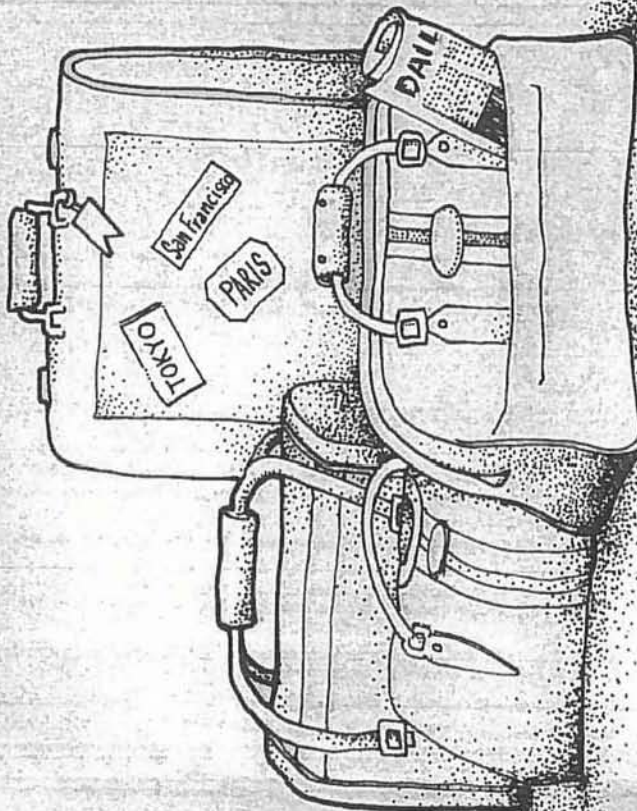


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DOE 3

J EPSTEIN
457 MADISON AVE
4TH FLOOR
NEWYORK NY 10027
ATT:KIMBERLY

TERMS: PAYMENT DUE UPON PRESENTATION

RECORD

AIRLINE	FLT	CL	DATE	FROM	TO	LV	AR	ST
---------	-----	----	------	------	----	----	----	----

DATE: SEP 27 2002

SINGAPORE AIRLINES	27SEP			NEW YORK NY	SINGAPORE	945P	635A	
SQ 25	Q	FRI		JOHN F KENNEDY	CHANGI		20SEP	
	NON SMOKING			TERMINAL 1	TERMINAL 2			
				MEAL				
				RESERVATION CONFIRMED		1 STOP		
						20:50 DURATION		
				NEW YORK	FRANKFURT			
				FRANKFURT	SINGAPORE			
				AIRCRAFT: BOEING 747-400				

SINGAPORE AIRLINES	29SEP			SINGAPORE	BANGKOK	850A	1010A	
SQ 62	Q	SUN		CHANGI	BANGKOK INTL			
	NON SMOKING			TERMINAL 2	TERMINAL 2			
				MEAL				
				RESERVATION CONFIRMED		NON STOP		
				AIRCRAFT: BOEING 747-400		2:20 DURATION		

THAI AIRWAYS INTL	29SEP			BANGKOK	CHIANG MAI	1215P	125P	
TG 110	Y	SUN		BANGKOK INTL	INTERNATIONAL			
	NON SMOKING			TERMINAL DOM				
				RESERVATION CONFIRMED		NON STOP		
				AIRCRAFT: AIRBUS INDUSTRIE A300-600/600C		1:10 DURATION		

HOTEL	29SEP			ROYAL PRINCESS CHIANGMAI				
	1900			112 SANGHAI RD				
				AMPHUR SUANG				
				CHIANG MAI 50100				
				THAI				



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AGENT RS/RS BOOKING REF ZXLL07

DOE 3

J EPSTEIN
457 MADISON AVE
4TH FLOOR
NEWYORK NY 10027
ATT: KIMBERLY

TERMS: PAYMENT DUE UPON PRESENTATION

RECORD

AIRLINE	FLT	CL	DATE	FROM	TO	LV	AR	ST
---------	-----	----	------	------	----	----	----	----

DATE: SEP 27 2002

SINGAPORE AIRLINES	27SEP		NEW YORK NY	SINGAPORE		945P	635A	
SQ 25	Q	FRI	JOHN F KENNEDY	CHANGI			29SEP	
	NON SMOKING		TERMINAL 1	TERMINAL 2				
			MEAL				1 STOP	
			RESERVATION CONFIRMED				20:50 DURATION	

NEW YORK FRANKFURT
FRANKFURT SINGAPORE
AIRCRAFT: BOEING 747-400

SINGAPORE AIRLINES	29SEP		SINGAPORE	BANGKOK		850A	1010A	
SQ 62	Q	SUN	CHANGI	BANGKOK INTL				
	NON SMOKING		TERMINAL 2	TERMINAL 2				
			MEAL				NON STOP	
			RESERVATION CONFIRMED				2:20 DURATION	

AIRCRAFT: BOEING 747-400

THAI AIRWAYS INTL	29SEP		BANGKOK	CHIANG MAI		1215P	125P	
TG 110	Y	SUN	BANGKOK INTL	INTERNATIONAL				
	NON SMOKING		TERMINAL DOM					
			RESERVATION CONFIRMED				NON STOP	
			RESERVATION CONFIRMED				1:10 DURATION	

AIRCRAFT: AIRBUS INDUSTRIE A300-600/600C

HOTEL
29SEP ROYAL PRINCESS CHIANGMAI
19OCT 112 CHANGSIAN ROAD
AMPHOR MUANG
CHIANG MAI 50100
THAILAND
TELEPHONE: 66 53281033-43

FAX: 66 53281044

TELEX: NONE

CONFIRMATION: 102520345

REFERENCE: A03A00

SINGLE ROOM TWIN BED

RATE: COR THB 2700.00 PER NIGHT

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CANCELLATION POLICY:

BY 1600 22SEP2002 LOCAL PROPERTY TIME

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DOE 3

J EPSTEIN
457 MADISON AVE
4TH FLOOR
NEWYORK NY 10027
ATT: KIMBERLY

TERMS: PAYMENT DUE UPON PRESENTATION

RECORD

AIRLINE	FLT	CL	DATE	FROM	TO	LV	AR	ST
DATE: SEP 27 2002								
THAI AIRWAYS INTL	TG 113	Y	19OCT SAT	CHIANG MAI INTERNATIONAL	BANGKOK BANGKOK INTL	315P	425P	
				NON SMOKING	TERMINAL DOM			
						NON STOP	1:10 DURATION	
RESERVATION CONFIRMED								
AIRCRAFT: AIRBUS INDUSTRIE A300-600/600C								
SINGAPORE AIRLINES	SQ 67	Q	19OCT SAT	BANGKOK BANGKOK INTL	SINGAPORE CHANGI	630P	955P	
				NON SMOKING	TERMINAL 2 TERMINAL 2			
MEAL						NON STOP	2:25 DURATION	
RESERVATION CONFIRMED								
AIRCRAFT: BOEING 747-400								
SINGAPORE AIRLINES	SQ 26	Q	19OCT SAT	SINGAPORE CHANGI	NEW YORK NY JOHN F KENNEDY	1150P	1040A	
				NON SMOKING	TERMINAL 2 TERMINAL 1		200CT	
MEAL						1 STOP	22:50 DURATION	
RESERVATION CONFIRMED								
SINGAPORE AIRLINES				FRANKFURT NEW YORK				
AIRCRAFT: BOEING 747-400								
AMERICAN AIRLINES	AA 1701	N	20OCT SUN	NEW YORK NY JOHN F KENNEDY	MIAMI FL MIAMI INTL	250P	606P	
				NON SMOKING	TERMINAL 8			
RESERVATION CONFIRMED						NON STOP	3:16 DURATION	
AIRCRAFT: BOEING 757-200/300								
MISCELLANEOUS			27JUL SUN	CHIANG MAI SHOPPERS TRAVEL				
RESERVATION NUMBER(S) AA/DFNKAZ SQ/JC5MU4 TG/L2QHI4								
THIS TICKET IS NONREFUNDABLE/NONCHANGEABLE								
PENALTY MAY APPLY FOR ANY CHANGE/CANCELLATION								
CHECKIN 2 HOURS BEFORE SCHEDULED DEPARTURE								
RECONFIRM RETURN FLIGHTS 72HOURS IN ADVANCE								
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INTERNATIONAL TRAVEL MAY REQUIRE A PASSPORT								
IT IS YOUR RESPONSIBILITY TO OBTAIN A PASSPORT								

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RECORD

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DATE: SEP 27 2002

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2. Travel agents are not allowed to refund tickets on airlines which have declared bankruptcy. Money given to a travel agent immediately becomes the property of the airlines, and we are required by laws to comply with the airlines' orders.
3. If an airline declares bankruptcy it might continue service, limit service, or stop completely. Other airlines might accept passengers under limited circumstances or may refuse to accept any passengers from the defaulted carrier.
4. Meanwhile there are fine travel insurance plans available for passengers to protect themselves in case of airline bankruptcies.

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This agency cannot guarantee, in view of the deregulation of airline fares, that the fare indicated on ticket, will be the lowest possible fare at departure date. Please contact this agency before departure if you wish to recheck any newly introduced fare, that may correspond with your specific travel requirements.

PLEASE NOTE that retention of tickets, reservations or bookings after issuance shall constitute acceptance of all the provisions in the conditions listed hereto, as well as those terms and conditions set forth in the announcements and circulars of the tour/package, cruise or service.

THANK YOU

Your Travel Check List

- Tickets
- Passport
- Vaccination certificate
- Wallet
- Travelers checks
- Itinerary
- Reservations
- Phone numbers
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General List:

- First Aid supplies
- Camera and film
- Clock
- Clothesline and clips
- Comb
- Deodorant
- Needles and thread
- Plastic bags
- Prescriptions (duplicates)
- Safety pins
- Soap, laundry and bath
- Spot remover
- Suntan lotion
- Tooth brush
- Tooth paste
- Umbrella
- Calling cards
- Business literature
- Pen and paper
- Addresses and stamps
- Glasses
- Medicines
- Aspirin
- Sun glasses

His Check List:

- Bathing trunks
- Beach jackets
- Cuff links, tie clasp
- Gloves
- Handkerchiefs, scarves
- Hat
- Pajamas
- Raincoat or topcoat
- Robe
- Scarf
- Shaving supplies
- Shirts
- Shoes socks
- Slacks
- Slippers or thongs
- Suits (one dark for evening)
- Ties
- Underwear
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-
-

Her Check List:

- Belts
- Blouses
- Coat
- Cosmetic supplies
- Dresses
- Gloves
- Handbag, dress and travel
- Hats
- Hose
- Jewelry
- Lingerie
- Raincoat and boots
- Robe or beach coat
- Scarf, handkerchiefs
- Shoes, dress and walking
- Shower cap
- Slippers, scuffs, or beach thongs
- Swim suit
- Sweaters
- Suits
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 08-80736-CIV-MARRA/JOHNSON

JANE DOE #1 AND JANE DOE #2,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

**REPLY IN SUPPORT OF MOTION
FOR LIMITED INTERVENTION BY ALAN M. DERSHOWITZ**

Alan M. Dershowitz hereby replies in support of his Motion for Limited Intervention (DE 282). Prof. Dershowitz's only interest in joining this case is to strike the false, sensational and irrelevant allegations against him. In its response (DE 290), the government compellingly set forth the many reasons why Jane Does #3 and #4's request, filed over 6 years after the commencement of the CVRA case, should be denied. Jane Doe #3's false allegations against Prof. Dershowitz were not included in her statement to the government, were not made to the FBI when she was initially contacted by that agency, were not included in her civil action against Epstein in 2009, were not included in her recorded interview with her attorneys in 2011 and were not included in her interview with the British press in 2011. These allegations first appeared in Jane Doe #3's Motion for Joinder in December 2014 (DE 279), and therefore have absolutely no relevance as to whether there was a CVRA violation when Epstein and the government executed the Non-Prosecution Agreement in September 2007. The request for limited intervention was initiated to give Dershowitz a voice in the proceedings if and only if the Court allowed the

joinder of Jane Doe 3 and her untimely allegations to the underlying CVRA case. If the Court rejects the pending motion for joinder (DE 279), then the Court should strike the scurrilous allegations against Dershowitz, or, alternatively, determine the possible mootness of his Motion for Limited Intervention. Of course, if the Court strikes the allegations against him *sua sponte*, Prof. Dershowitz will withdraw his motion for limited intervention. However, if the Court grants Jane Does #3 and #4's motion for joinder, then Prof. Dershowitz's motion for limited intervention should be granted for such purposes as may be appropriate including submitting a motion to strike or other relief, so as to give him an opportunity to defend himself against these malicious and false allegations. In support of his Reply in Support of his Motion for Limited Intervention, Prof. Dershowitz states as follows:

Despite swearing under oath to her falsehoods about Prof. Dershowitz, Jane Doe #3 struggles to justify her defamations as having any relevance to the issues in this proceeding. Her Response to Prof. Dershowitz's Motion for Limited Intervention (DE 291) (herein "Response") offers no legitimate reason for defaming Prof. Dershowitz in her Joinder Motion, and she has no right to continue to do so in this Court. Strikingly, the Response does not explain why Jane Doe #3, with an obvious financial motive for fabrication of salacious accusations, waited almost seven years to lob a stink bomb into a proceeding in which she has no right to participate. The Response does not account for why Jane Doe #3 never once asserted her accusations about Prof. Dershowitz until a month ago, even though the alleged transgressions supposedly occurred some fifteen years ago. Although neither Jane Doe #3 nor anyone else had previously asserted any improper sexual contact with Prof. Dershowitz, now Jane Doe #3 cynically exploits the yoke of victimhood to victimize others.

At bottom, Jane Doe #3's Response is nothing but a paper-thin pastiche of conspiracy theory and outright misrepresentation that crumbles upon examination. Invocations of the Fifth Amendment by nonparty witnesses in response to innocuous questions about Prof. Dershowitz are said to take on a "sinister cast"; yet these same witnesses invoked their right against self-incrimination to almost every question asked of them, including their parents' names. Prof. Dershowitz, as Epstein's former legal counsel, is one of hundreds of people listed in an address book purloined by Jeffrey Epstein's criminal butler; yet because Prof. Dershowitz's name is circled in the address book by an unknown person for unknown reasons, the argument is made that Prof. Dershowitz must have sexually abused a minor. The record shows that while Prof. Dershowitz and Jane Doe #3 are both separately mentioned in the flight logs of Mr. Epstein's private plane, they are never listed on the same flight. Plaintiffs, in turn, falsely claim that somehow Prof. Dershowitz single-handedly orchestrated the destruction of logs without any evidence of ability or possibility to do so. The increasingly unfounded accusations and insults are both sad and irresponsible.

It is precisely this toxic mix of irrelevancy, malicious falsehood, and empty accusation that justifies Prof. Dershowitz's intervention to, at least, strike the allegations against him. Jane Doe #3 never had any need to drag Prof. Dershowitz into this action besides to wrongfully use his good name and international stature to stir up media interest in her filing. This is impertinence, plain and simple, and it has no place in this Court. Prof. Dershowitz therefore urges the Court to either allow him to intervene to strike Jane Doe #3's defamatory allegations or deny Jane Doe #3's Joinder Motion so she is no longer afforded the ability to use the docket of this Court to defame others without being held accountable and strike these allegations from the record.

**I. Jane Doe #3's Continued Smears of Prof. Dershowitz
Demonstrate His Need to Intervene**

Jane Doe #3 and her counsel's actions over the past month have confirmed that Prof. Dershowitz's request for intervention stands upon dramatically different circumstances than other intervention motions in this case, or any other case for that matter. Simply put, the scope and tenor of their attacks against Prof. Dershowitz differ both in degree and in kind from other reputational muggings conducted in the case before this Court. Nor is there a single reported decision in federal case law in which the vitriol, severity, and length of the attacks against a nonparty approach those levelled against Prof. Dershowitz here. What has become further apparent is that if Jane Doe #3's Motion for Joinder is granted and Prof. Dershowitz is not allowed to intervene, Jane Doe #3 and her counsel will proceed with their attacks against him, all the more emboldened with complete impunity.

While Jane Doe #3 asks to "prove" her allegations against Prof. Dershowitz, she argues paradoxically that he does not have "any direct interest" in defending these allegations. Instead, she directs Prof. Dershowitz to defend the allegations that she makes in a contrived lawsuit filed by her attorneys against him in Broward County Circuit Court for defamation of them. Moreover, the law cited by Prof. Dershowitz, including the *Sackman* and *Penthouse* cases, demonstrates a need and entitlement to intervene to vindicate his legitimate reputational interest that no other party is situated to protect. "The individual's right to the protection of his own good name reflects no more than our basic concept of essential dignity and worth of every human being – a concept at the root of any decent system of ordered liberty..." *Krauser v. Evolution Holdings, Inc.*, 975 F.Supp. 2d 1247, 1260 (S.D. Fla. 2013); quoting *Spencer v. Kemna*, 523 U.S. 1, 24 n. 5 (1998) (Stevens, J., dissenting).

In an effort to cite contrary law to the Court, Jane Doe #3's Response takes remarkable liberties in describing what is claimed to be the law to Court. For example, the Response quotes *Calloway v. Westinghouse Elec. Corp.*, 115 F.R.D. 73, 74 (M.D. Ga. 1987) for the proposition that "a witness' interest in his reputation alone . . . does not constitute the required 'interest relating to the property or transaction which is the subject of the present action' necessary to allow intervention as a matter of right." Yet what is excised from that quote through the ellipses is the most crucial part of the case: "following a finding by a court that he is not credible." *Calloway* actually stands for the proposition that a witness cannot intervene in a case as of right if the Court has found him not credible in one of its orders. This finding has never been made as to Prof. Dershowitz either in this Court, or in hundreds of others in which he has appeared.

**II. Jane Doe #3's Lies About Prof. Dershowitz
Are Wholly Irrelevant to This Action**

Meanwhile, Jane Doe #3 fails to come up with a single credible reason for naming Prof. Dershowitz in her Joinder Motion. First, she claims she needed to drag Prof. Dershowitz's name through the mud to prove that Jane Doe #3 was a victim of sexual abuse by Jeffrey Epstein. Yet, in her Joinder Motion, she states that "[t]he Government was well aware of Jane Doe #3 when it was negotiating the NPA, as it listed her as a victim in the attachment to the NPA." (DE 279 at 6.) If she was already listed as a victim on the NPA, why would they need to prove that further by adding pages of scurrilous allegations against various individuals? And why did they have to mention Prof. Dershowitz by name, when elsewhere they claim that "numerous prominent" individuals also allegedly committed sexual abuse, but keep those alleged figures anonymous? The bad faith against Prof. Dershowitz is apparent¹.

¹ Similarly, Jane Doe #3's allegations that she named Prince Andrew because of outstanding

Second, Jane Doe #3 claims that she needed to defame Prof. Dershowitz and others in the Joinder Motion because of discovery disputes between the government and Jane Doe #1 and Jane Doe #2. This does not even make sense, legally or factually. Jane Doe #3's right to join in this case has nothing to do with Jane Doe #1 and Jane Doe #2's entitlement to documents in discovery. In fact, the discovery requests that Jane Doe #3 cites to in her Response as purported cover for their sliming of Prof Dershowitz show that their argument is factually bogus. Prof. Dershowitz is mentioned in only two of twenty-five requests for production propounded by Jane Doe #1 and Jane Doe #2. (*See* Jane Doe #1 and Jane Doe #2's First Request for Production to the Government Regarding Information Relevant to Their Pending Action Concern [sic] the Crime Victims Act, at DE 225-1 at 26-38.) Both requests, nos. 8 and 21 seek his communications with the government in his role as Mr. Epstein's defense attorney. There is no issue of complicity or knowledge in any misconduct. Moreover, a fact conveniently omitted by Jane Doe #3 is that Prof. Dershowitz is one of eleven lawyers whose communications Jane Doe #1 and Jane Doe #2 sought in the requests for production. As the Court knows, Prof. Dershowitz had no material connection to this case—as to the merits or as to discovery—before he was dragged in by Jane Doe #3.

Third, Jane Doe #3 claims that the smears against Prof. Dershowitz are relevant to show that Prof. Dershowitz had a motive to negotiate “confidentiality” and “blank check” provisions

discovery requests regarding her belief that Prince Andrew was somehow involved in “lobbying efforts to persuade the Government to give him a more favorable plea arrangement,” and because her allegations against Prince Andrews occurred in London, therefore “affect[ing] foreign commerce” are patently absurd. (DE 291 at 20 and 18, fn. 10.) Because Jane Doe #3's other allegations are replete with allegations of interstate activity and because implications of Prince Andrew's involvement in “lobbying” for the NPA are entirely nonsensical, it is obvious that the inclusion of claims against Prince Andrew were included solely for their intended audience: the media.

into the NPA entered into between the government and Mr. Epstein. Again, this argument makes no sense in the context of this case.² The inclusion of certain provisions in the agreement simply has nothing to do with whether the government complied with its obligations under the Crime Victims' Rights Act ("CVRA"). If anything, it is the government's motive that would be at issue—although even that point is doubtful—not the defense attorneys'. Moreover, because the first time Jane Doe #3 made these contemptible allegations against Prof. Dershowitz was in her Motion for Joinder in December 2014, those allegations are irrelevant as to the inquiry of whether Jane Doe #3's rights under the CVRA were violated at the time the NPA was entered. The government confirms that when Jane Doe #3 was contacted by the FBI about this investigation, she clearly "stated that she did not want to be involved in the federal investigation." (DE 290 at 6.) She was not "kept in the dark" as she alleges in her Response. (DE 291 at 25.) Instead, she apparently chose to stay in the dark. Moreover, she did not make any allegations against Prof. Dershowitz at the time the NPA was entered, nor did she made any allegations against Prof. Dershowitz in her action for civil damages in 2009, nor did she make any allegations against Prof. Dershowitz in her tape recorded interview with her attorney in 2011, nor did she make any allegations against Prof. Dershowitz in her interview with the British press in 2011. The first time these allegations surfaced were in connection with Jane Doe #3's Motion for Joinder in this action. The allegations have absolutely no relevance to the underlying issue of whether Jane Doe #3 was "treated with fairness" when the NPA was entered, as the allegations against Prof. Dershowitz did not surface until approximately eight years later.

² Prof. Dershowitz, along with many other lawyers, was involved in negotiating the plea bargain under which Epstein agreed to plead guilty to State charges in exchange for an agreement not to prosecute him federally. However, he was not involved in drafting the text of the NPA. In fact, two other lawyers did the drafting.

Moreover, if the government had any reason to believe that Prof. Dershowitz was involved in any criminal activity they would have immediately demanded his recusal rather than continuing to work with him as one of Epstein's attorneys in negotiating a plea bargain.

Fourth, Jane Doe #3 then makes the facially absurd and libelous claim that somehow Prof. Dershowitz must have drafted and benefited from the "co-conspirators" clause of the NPA. But the link between the need to include these allegations and their ability to rescind the "co-conspirators" clause goes completely unexplained. The allegations are completely gratuitous, as there is no such link. No such claim existed until fabricated by Jane Doe #3 many years after the NPA was signed and fully performed. Additionally, as stated in Prof. Dershowitz's Supplement to his Motion for Limited Intervention, this "co-conspirator" provision "was intended to apply to four alleged co-conspirators, who were named in the original NPA and later redacted at their request.... Alan Dershowitz was never alleged to be a potential co-conspirator." (DE 285 at 4³.)

Incredibly, Jane Doe #3's counsel, Bradley Edwards, agreed with this reading of the NPA in his Statement of Undisputed Fact during his own personal lawsuit against Jeffrey Epstein (*Jeffrey Epstein v. Scott Rothstein and Bradley J. Edwards*, lawsuit (Case no. 502009-CA-040800)) in Palm Beach County Circuit Court. There, Edwards explained that these co-conspirators were certain individuals who "procured minor females to be molested by Epstein." (DE 291-15 at ¶ 27.) Only now, when convenient as a way to try to justify allegations against Prof. Dershowitz does Edwards argue (on behalf of Jane Doe #3) that the "co-conspirator" provision was actually intended to protect Prof. Dershowitz.

³ Moreover, it is unlikely that anyone who had sexual contact with Jane Doe #3, or any other minor involved in the Epstein case, would be considered to be a "co-conspirator." Instead those individuals would be substantive perpetrators, not covered by the agreement.

Fifth, Jane Doe #3 claims that she needed to include Prof. Dershowitz in her filing because her CVRA claim of “unfair” treatment “implicates a fact-sensitive equitable defense which must be considered in the factual context of the entire interface between Epstein, the relevant prosecutorial authorities and the federal offense victims.” The “facts” to which this “defense” is sensitive, even if Jane Doe #3 is allowed to intervene, are the interactions between the prosecutors and Jane Doe #3, and not anything pertinent to Prof. Dershowitz personally. Nor are attorney-client communications between Epstein and his counsel at issue, or the proper subject of discovery in this action under any scenario.

III. Jane Doe #3’s Efforts to Bolster Her Lies About Prof. Dershowitz Are Remarkably Thin

Setting aside the utter irrelevancy of the allegations against Prof. Dershowitz, having created an international imbroglio by their ill-conceived libels of Prof. Dershowitz, one would expect that Jane Doe #3 would be able to muster at least some credible support for their allegations. Yet the two “incontestable” facts she leads with in support of her claim that Prof. Dershowitz is a serial sex abuser are (1) that Mr. Epstein and Prof. Dershowitz were friends; and (2) Prof. Dershowitz visited Mr. Epstein’s house. Of course, these supposedly “incontestable” facts are evidence of nothing.

In the affidavit she submitted to this court, Jane Doe #3’s lack of credibility is readily apparent. She has now sworn under oath, repeating a fragrant lie that she had previously sold to a British newspaper: namely that “former President Bill Clinton was present on the island [Jeffrey Epstein’s private island] at a time when [Jane Doe #3] was also present on the island.” (DE 291-1 at ¶ 53.) In this easily discredited fabrication⁴, Jane Doe #3 expounded in imaginative

⁴ The name of the publication is intentionally omitted as Jane Doe # 3 reveals her identity

detail about her fictional meeting with former President Clinton, providing an elaborate description about how Mr. Clinton and his secret service detail somehow allowed Ghislaine Maxwell, then a novice helicopter pilot, to fly all of them to Jeffrey's Epstein's private island on Epstein's black helicopter, as well as details about the specific place at the dinner table at which she and Mr. Clinton were seated⁵. *Id.* Jane Doe #3 also gave this British newspaper an account of yet another fictional meeting on the same island, but this time with former vice president Gore and his then wife, Tipper, providing specific details purportedly to enhance the value of her fictional story: "The Gores seemed like a beautiful couple when I met them... Jeffrey [Epstein] didn't ask me to give him a massage... I was planning on voting for him when I turned 18. I thought he was awesome." On information and belief, Prof. Dershowitz represents to the Court

therein. A copy of the publication, or a link to the article, will be provided to the Court at the Court's request.

⁵ The article states, in relevant part: "On one occasion,[Jane Doe #3] adds, Epstein did invite two young brunettes to a dinner which he gave on his Caribbean island for Mr. Clinton shortly after he left office. But, as far as she knows, the ex-President did not take the bait. "'I'd have been about 17 at the time,' [Jane Doe #3] says. 'I flew to the Caribbean with Jeffrey and then Ghislaine Maxwell went to pick up Bill [Clinton] in a huge black helicopter that Jeffrey had bought her. She'd always wanted to fly and Jeffrey paid for her to take lessons, and I remember she was very excited because she got her licence around the first year we met. I used to get frightened flying with her but Bill had the Secret Service with him and I remember him talking about what a good job she did. I only ever met Bill twice but Jeffrey had told me that they were good friends. I asked, 'How come?' and he laughed and said, 'He owes me some favours.' Maybe he was just joking but it constantly surprised me that people with as much to lose as Bill and [Prince] Andrew weren't more careful. Bill must have known about Jeffrey's girls... We all dined together that night. Jeffrey was at the head of the table. Bill was at his left. I sat across from him. [], Ghislaine's bonde British assistant, sat at my right. Ghislaine was at Bill's left and at the left of Ghislaine there were two olive-skinned brunettes who'd flown with us from New York. I'd never met them before. I'd say they were no older than 17, very innocent-looking... Maybe Jeffrey thought they would entertain Bill, but I saw no evidence that he was interested in them. He and Jeffrey and Ghislaine seemed to have a very good relationship. Bill was very funny. He made me laugh a few times. And he and Jeffrey Ghislaine told blokey jokes and the brunettes listed politely and giggled. After dinner I gave Jeffrey an erotic massage. I don't remember seeing Bill again on the trip but I assume Ghislaine flew him back.'"

that evidence will show that former president Clinton, former vice president Al Gore, and Tipper Gore never set foot on Epstein's private island, and that in all events Jane Doe #3's detailed accounts are not merely preposterous on their face but in fact entirely false and her sworn statement to this court is perjurious.

Indeed, while the points raised above show a complete lack of investigation into the credibility of the woman making these scurrilous allegations⁶, what is most remarkable about Jane Doe #3's Response is what it omits. Approximately six years ago, Jane Doe #3 took advantage of the NPA's provisions, sued Mr. Epstein and received a monetary settlement. Ironically, Jane Doe #3 now seeks to overturn the very NPA which required Epstein to waive his right to contest liability by moving to join the instant action which seeks to rescind that very agreement.

Yet, she apparently never once mentioned Prof. Dershowitz's now supposedly systematic sexual abuse of her to the prosecutors or to her own lawyer. No explanation is given for this monumental inconsistency. Nor, despite his supposed status as a co-conspirator in a scheme to cover up an underage sex abuse ring, is there any explanation given for the fact that Prof. Dershowitz was never even investigated—or even mentioned—as a potential suspect. Meanwhile the present case has been proceeding for the last six and a half years, but no explanation has been given for the timing of Jane Doe #3's effort to join this case only last month.

⁶ Prof. Dershowitz reserves the right to promptly file a succinct supplement to this Reply brief with information which he is in the process of confirming presently.

IV. Prof. Dershowitz Immediately Responded to Jane Doe #3's Allegations Against Him by Asking to Defend his Reputation

Jane Doe #3 also argues that Prof. Dershowitz should not be allowed to intervene because “he has declined to defend his reputation in other actions.” (DE 279, at 12.) This is demonstrably false. It is without question that the Motion for Joinder filed by Jane Doe #3 on December 30, 2014 (DE 279) was the *first time* anyone has *ever* alleged that Prof. Dershowitz had any sexual contact with a minor. It necessarily follows that this is the *first opportunity* Prof. Dershowitz has had to defend his reputation related to “his involvement in Epstein’s offenses.” In fact, just six days after these venomous allegations were made, Prof. Dershowitz filed his Motion for Limited Intervention. (DE 282.)

More specifically, Jane Doe #3 argues that when the civil lawsuit was brought by “one of the underage females” against Epstein in 2009 (*Doe v. Epstein*, No. 9:08-80893-KAM (S.D. Fla.), “Dershowitz understood that counsel for many of Epstein’s victims believed that mounting evidence pointed toward his role extending beyond merely being an attorney for Epstein.” (DE 279 at 13.) This, too, is demonstrably false. Despite this rank and self-serving speculation about what Prof. Dershowitz “understood,” there is not one piece of evidence which points to any allegations that he engaged in any sexual contact with any minor, or even observed any criminal activity, prior to the December 30, 2014 Motion for Joinder. Instead, the deposition testimony which Jane Doe #3 points to simply states that Prof. Dershowitz visited Epstein’s home (Deposition Testimony of Alfredo Rodriguez at 199, 278, 279, DE 291-18, herein, “Rodriguez Depo. Tr.”) Rodriguez specifically testified that he has *no idea whether Prof. Dershowitz had any contact at all with any female.*

Q. And did you have any knowledge of why [Dershowitz] was visiting there?

A. No ma'am.

...

Q. And do you have any idea whether or not Mr. Dershowitz was also receiving massages?

A. I don't know, Ma'am.

...

Q. As to whether any of those women were ever associated with Mr. Dershowitz would it be a correct statement that you have absolutely no knowledge?

A. I don't know, sir.

...

Q. Okay. Were you in any way attempting in your response to Ms. Ezell to imply that Mr. Dershowitz had a massage by one of these young ladies?

A. I don't know, sir.

Q. You have no knowledge?

A. No, sir.

(Rodriguez Depo. Tr. at 279, 280, 385, 386.) To be sure, Rodriguez does testify that Prof. Dershowitz was at Epstein's home when young females were present at the home – an allegation which Dershowitz strenuously denies. However, ***Rodriguez did not testify that Prof. Dershowitz saw, interacted with, or touched any of these females.*** Instead, when asked what Prof. Dershowitz did “while those girls were at the house,” Rodriguez answered “He will read a book with a glass of wine by the pool, stay inside.” (Id. at 426, 427.) When asked if Prof. Dershowitz ever even spoke to any of the girls, or “even knew that they were there” Rodriguez answered “I don't know.” (Id. at 427.) This is consistent with the fact that Epstein's home is very large and has separate closed-off quarters where Epstein resided. Prof. Dershowitz never stepped into these private quarters.

Jane Doe #3 also relies upon the September 8, 2009 deposition testimony of Mr. Juan Alessi to “corroborate” Jane Doe #3's sensational and false allegations regarding Prof. Dershowitz. However, a more complete examination of that testimony reveals that ***Alessi did not make any allegations of any wrong doing by Dershowitz.*** (See, DE 291-17, hereinafter

“Alessi Depo. Tr.”) Alessi testified that he saw “many celebrities” at the house... [including] a very famous lawyer[] that I’m sure you know, Alan Dershowitz, who spend [sic] at the house a couple times.” (Alessi Depo. Tr. 70, 71.) However, Alessi made no allegations of improprieties against any of these individuals. Jane Doe #3 asks the Court to infer that because Prof. Dershowitz was at his client’s home, he must have participated in nefarious activities. In fact, Prof. Dershowitz’s friendship with Epstein consisted of the exchange of academic and intellectual ideas. At most, Alessi testified that Prof. Dershowitz visited Epstein’s home and received a massage from an adult massage therapist, which “was a treat for everybody” at the Epstein home. (Id. at 74) (“Q. Did [Dershowitz] have massages sometimes when he was there? A. Yes. A massage was like a treat for everybody. If they want it, we call the massage and they have a massage.”) Alessi explains that he was referring to massages performed by adult massage therapists. (Id. at 184) (“Q. All right. And if I understood your testimony is, the ones the – that is, of the massage therapists as you’ve just described [a hundred, 200 different massage therapists], you saw some men? A. Yes. Q. You saw more women? A. Yes. Q. *And all of the women, at least from your viewpoint, were 18, 19 or older? A. Yes.*”)⁷

Messrs. Alessi and Rodriguez did not allege that Prof. Dershowitz received a massage from any underage females, had any physical contact whatsoever with any underage females, or witnessed anyone engaging in any inappropriate behavior with any underage females. Additionally, despite their allegations to the contrary, it is clear that previous testimony from Rodriguez and Alessi does not corroborate Jane Doe #3’s baseless and utterly false affidavit. (DE 291-1.)

⁷ In fact, the only massage Prof. Dershowitz ever received at any of Epstein’s homes was from a professional massage therapist who was in her 30’s or 40s.

Next, Jane Doe #3 claims that Prof. Dershowitz declined to defend his reputation in the *Edwards v. Epstein* lawsuit (Case no. 502009-CA-040800) in Palm Beach County Circuit Court. (Opp. to Mtn. to Intervene at 13.) In support of this allegation, Jane Doe #3 argues that her attorney in the instant matter, Bradley Edwards (through his attorney Jack Scarola) contacted Prof. Dershowitz to seek his voluntary cooperation in answering questions about Prof. Dershowitz's client, Jeffrey Epstein's conduct. Prof. Dershowitz responded by letter stating

As you may know, I was Jeffrey Epstein's attorney when he submitted his guilty plea. Accordingly, "any knowledge" I may have in connection with that plea is privileged information. If you would let me know what non-privileged information you would seek from me, I would then be able to decide whether to cooperate.

(DE 291-11.) Dershowitz sent a second letter on or about August 29, 2011 explaining that he has "never personally observed Jeffrey Epstein in the presence of underage females," and asking Edwards' attorney to provide him with any alleged basis for his unfounded belief. Edwards' attorney responded by stating that based on "sworn testimony and private interviews" he had "placed [Dershowitz] in the presence of Jeffrey Epstein on multiple occasions... when Jeffrey Epstein was in the company of underage females subsequently identified as victims." (DE 291 at 13, 14.) Again, no allegations were made at that time by Edwards' attorney, or by anyone else, that Prof. Dershowitz engaged in any inappropriate conduct or witnessed any inappropriate conduct related to Jeffrey Epstein and underage females. Instead, Edwards was incorrectly seeking Prof. Dershowitz's cooperation for a civil suit between Dershowitz's client, Jeffrey Epstein, and Edwards himself. Remarkably, because Prof. Dershowitz did not agree to compromise his ethical obligations to his client, by voluntarily cooperating with Epstein's

adversaries, Jane Doe #3 argues that Prof. Dershowitz should not be allowed to intervene in this action⁸.

It is clear from the record, however, that Prof. Dershowitz acted immediately to defend himself the first time he was made aware of any such allegations against him. In fact, just six days after Jane Doe #3 filed her Motion for Joinder, which included vicious allegations against him, Prof. Dershowitz filed his Motion for Limited Intervention. (DE 282.) Accordingly, Prof. Dershowitz should be permitted to intervene for the limited purposes of moving to strike these outrageous and impertinent allegations.

V. Jane Doe #3's Reliance on Other's Invocation of the Fifth Amendment is Improper and Wholly Unpersuasive

Without a shred of physical evidence or witness corroboration for Jane Doe #3's fantasies, she relies on invocations of the Fifth Amendment by Epstein as supportive of an adverse inference as to Prof. Dershowitz. Given that Epstein was taking the Fifth Amendment on virtually all questions, and would have responded in the same way had the opposite questions been asked, there is no inference against Prof. Dershowitz to be made from the invocation of the Fifth Amendment by Epstein⁹. Epstein's interest – in declining to answer any questions whatsoever – was his own personal interest and not that of his lawyers, and lacks even minimal relevance. *Coquina Investments v. TD Bank, N.A.*, 760 F.3d 1300, 1310-11 (11th Cir. 2014)(adverse inferences from the fifth amendment invocation by third parties allowed only

⁸ Jane Doe #3's argument that he has not yet scheduled his deposition in this case, or the recently filed defamation action, is of no moment. At the appropriate time, Prof. Dershowitz will of course, appear for his deposition and testify that Jane Doe #3's allegations as to him are entirely false. This, however, has no bearing as to whether the Court should permit the limited intervention Prof. Dershowitz seeks.

⁹ Had Epstein been asked about anyone – from leading government officials to members of the clergy – he would have similarly invoked the Fifth Amendment.

where inference is “trustworthy under all of the circumstances” including relationship, shared interest and control); *Kontos v. Kontos*, 968 F.Supp. 400, 407-408 (1997) (no adverse inference allowed from invocation of Fifth Amendment by sister of civil defendant in absence of “identity of interests”); *Sebastian v. City of Chicago*, 2008 WL 2875255 *33-34 (N.D. Ill. 2008)(no adverse inference from invocation of Fifth Amendment in absence of close family or business relationship). Similarly, any other witnesses taking the Fifth Amendment and remaining silent to protect themselves are obviously not creating any kind of evidence against Prof. Dershowitz. *See, Coquina Investments*, 760 F.3d at 1310 (11th Cir. 2014).

Conclusion

In conclusion, Prof. Dershowitz has no interest in joining this case other than to strike the scurrilous and irrelevant allegations against him. If the Court grants Jane Does #3 and #4 motion for joinder (DE 279), then Prof. Dershowitz’s motion for limited intervention should be granted for such purposes as may be appropriate including submitting a motion to strike or other relief, so as to give him an opportunity to defend himself against harmful, defamatory and false allegations of the worse kind. If the Court rejects the pending motion for joinder, then the Court should strike the scurrilous allegations against Dershowitz, or, alternatively, determine the possible mootness of his Motion for Limited Intervention. Of course, if the Court strikes the allegations against him *sua sponte*, Prof. Dershowitz will withdraw his motion for limited intervention.

Respectfully submitted,

/s/ Kendall Coffey
Kendall Coffey, Fla. Bar No. 259681
kcoffey@coffeyburlington.com
Gabriel Groisman, Fla. Bar No. 25644
ggroisman@coffeyburlington.com

Benjamin H. Brodsky, Fla. Bar No. 73748
bbrodsky@coffeyburlington.com
COFFEY BURLINGTON, P.L.
2601 South Bayshore Drive, PH1
Miami, Florida 33133
Telephone: (305) 858-2900
Facsimile: (305) 858-5261

- and -

Thomas Scott, Fla. Bar No. 149100
thomas.scott@csklegal.com
COLE, SCOTT & KISSANE, P.A.
Dadeland Centre II
9150 South Dadeland Boulevard, Suite 1400
Miami, Florida 33156
Telephone: (305) 350-5300
Facsimile: (305) 373-2294

Counsel for Prof. Alan M. Dershowitz

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by Notice of Electronic Filing generated by CM/ECF, on this 2nd day of February, 2015, on all counsel or parties of record on the Service List below.

/s/ Kendall Coffey

SERVICE LIST

Bradley J. Edwards
FARMER, JAFFE, WEISSING,
EDWARDS, FISTOS & LEHRMAN, P.L.
425 North Andrews Avenue, Suite 2
Fort Lauderdale, Florida 33301
Telephone (954) 524-2820
Facsimile (954) 524-2822
E-mail: brad@pathtojustice.com

Dexter Lee
A. Marie Villafaña
UNITED STATES ATTORNEY'S OFFICE
500 S. Australian Ave., Suite 400
West Palm Beach, FL 33401
(561) 820-8711
Fax: (561) 820-8777
E-mail: Dexter.Lee@usdoj.gov
E-mail: ann.marie.c.villafana@usdoj.gov

and

Paul G. Cassell
Pro Hac Vice
S.J. Quinney College of Law at the
University of Utah
332 S. 1400 E.
Salt Lake City, UT 84112
Telephone: 801-585-5202
Facsimile: 801-585-6833
E-Mail: cassellp@law.utah.edu

Attorneys for the Government

Attorneys for Jane Doe #1, 2, 3, and 4