DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION IN THE MATTER OF THE ESTATE OF SUPERIOR COURT JEFFREY E. EPSTEIN, Case No. ST-19-PB-80 Deceased.

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

Notice of Filing of Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe I, a victim of the Estate of Jeffrey E. Epstein, and submit for the consideration of the Court, the attached Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages.

Dated: Christiansted, St. Croix January 31, 2020

Respectfully Submitted

Melody D. Westfall, Esq.

V.I. Bar Number 77057

WESTFALL LAW PLLC

5032 Anchor Way, Suite 8 Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe I

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION

			JAN 3 1 2020
IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	-)))	Case No. ST-19-PB-80	OF THE V.I.
Deceased.)		

Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe I ("Claimant"), a victim of the Estate of Jeffrey E. Epstein (the "Estate"), and file this Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages, and in support thereof state:

- 1. This motion and the subsequent notice of claim are timely and properly filed pursuant to Virgin Islands Probate and Fiduciary Rule 11 titled Notice to Creditors and Persons Indebted to the Estate which notes that "...all persons having claims against the estate [are] to present, or deliver to the executor or administrator, their claim(s), verified by affidavit, to a place within the territory specific in the notice, within six months from the date of notice..." as such a notice was dated September 13, 2019, filed on September 18, 2019 and directed such claims to be presented to the offices of their attorneys or the Clerk of this Court. See also 15 VI.C. § 391 Publication of Notice of Administration.
- 2. The undersigned currently represents twelve victims, including Claimant, who has a claim to be made against the Estate of Jeffrey E. Epstein. On December 3, 2019, nine of those twelve victims, including Claimant, filed suit against the above-referenced Estate and its executors in the Supreme Court of the State of New York, County of New York. See Jane Doe I et al v.

Darren K. Indyke et al (Index No.: 950230/2019) (Hon. George J. Silver, J.S.C.). A true and correct copy of the Summons and Verified Complaint are attached hereto as Exhibit "1".

- 3. It is important to note that in that complaint, Claimant filed anonymously using the "Jane Doe" pseudonym.
- 4. Furthermore, on December 5, 2019, Bennet J. Moskowitz of Troutman Sanders LLP, attorneys for the executors of the Estate, filed a stipulation with request to so order Claimant's requests for anonymity on consent from all parties involved in that litigation. Attached hereto as Exhibit "2" is a true and correct of the fully executed stipulation.
- 5. The only reason that this stipulation has not been so ordered at this time is due to the current Administrative Stay placed on the case, and all other cases of similar nature, pending in the Supreme Court. Attached hereto as Exhibit "3" is a true and correct copy of the Administrative Order of Hon. George J. Silver, J.S.C.
- 6. Accordingly, the undersigned respectfully requests that this Court also grant Claimant the ability to present her Notice of Claim anonymously under pseudonym.
- 7. If the fact that both of the parties in this proceeding have already agreed for Claimant to file anonymously is not persuasive enough, courts in this Circuit have also granted such relief even when it is opposed.
- 8. First and foremost, this sort of decision is within the direct purview of this Court. See Doe v. C.A.R.S. Protection Plus, Inc., 527 F.3d 358, 371 (3rd Cir. 2008) ("[T]he decision whether to allow a [claimant] to proceed anonymously rests within the sound discretion of the court.").
- 9. Indeed, in making such decisions, courts in this circuit have continually applied a balancing test type approach using several factors outlined by the Third Circuit in the case of <u>Doe</u>

- v. Megless and its progeny. See Doe v. Megless, 654 F.3d 404 (3rd Cir. 2011) ("Megless"); see also D.M. v. Cty. of Berks, 929 F. Supp. 2d 390 (E.D. Pa. 2013) ("Berks"); Doe v. Rutgers, 2019 U.S. Dist. LEXIS 75139 (D.N.J. 2019) ("Rutgers").
- 10. In this case, it is clear that when applying the nine <u>Megless</u> factors (six that favor anonymity and three that disfavor anonymity), an overwhelming majority of them support Claimant's use of a pseudonym while the few that do not are either not applicable to the case or do not do enough to tip the scales. <u>See Megless</u>, 654 F.3d at 409.
- 11. Regarding the first factor in favor of anonymity, the facts of this case stand in sharp contrast to instances where courts have found that anonymity would be futile because the movant's name was already widely known. See Rutgers at 5-6 (citing to Megless at 410 ([movant's] name, picture and home address had been disclosed on a publicly circulated flyer)). Here, the facts align more with Rutgers as Claimant has gone above and beyond to maintain her confidentiality, which has never been made public, including by filing her lawsuit as a "Jane Doe" and stipulating with the Estate to the same. See Megless at 410; see also Rutgers, 2019 U.S. Dist. LEXIS 75139 at 5.
- 12. Second, as for the reasonableness of the harm that the litigant is seeking to avoid, here, similar to the facts of <u>Rutgers</u>, Claimant wishes to proceed anonymously in order to protect her mental and physical health and right to fully and fairly litigate this action. <u>See Rutgers</u> at 6-7; <u>see also Doe v. Roman Catholic Archdiocese of New York</u>, 64 Misc. 3d 1220(A) (Sup Ct., Westchester Cty. 2019).
- 13. Indeed, as opposed to using a pseudonym merely to avoid the annoyance and criticism that may attend any litigation, Claimant seeks to proceed anonymously to preserve her privacy in this matter of a sensitive and highly personal nature that will have a lifelong impact on her and her families' lives. See Rutgers at 6-7; see also Doe v. Szul Jewelry Inc., 2008 NY Misc.

LEXIS 8733 (Sup. Ct., New York Cty. 2008); <u>Doe v. New York Univ.</u>, 6 Misc. 3d 866 (Sup. Ct., New York Cty. 2004); <u>Sealed Plaintiff v. Sealed Defendant</u>, 537 F.3d 185 (2nd Cir. 2008).

- 14. Third, unlike <u>Megless</u> where the District Court recognized that there is no allegation that falsely create suspicious person alert are a widespread problem, here the facts are more similar to <u>Berks</u> in that disallowing anonymity would likely deter those who have been falsely accused of sexual abuse from vindicating their rights due to the stigma that invariably attaches from having one's name publicly attached to such a deplorable act. <u>See Megless</u> at 410; <u>see also Berks</u>, 929 F. Supp. 2d at 402.
- 15. Fourth, similar to <u>Rutgers</u>, there is a strong chance that this claim will not be resolved on its merits if the litigant is denied the opportunity to proceed using a pseudonym as Claimant will potentially sacrifice a potentially valid claim simply to preserve her anonymity. <u>See Rutgers</u> at 7-8. The Court here should decide in conformity with the court in <u>Rutgers</u> where they agreed with the movant's argument that the public is harmed when alleged abuse goes unchallenged because movant's fear litigating publicly. <u>See id</u>.
- 16. As for the final factor weighing in favor of anonymity, Claimant is not seeking to use a pseudonym for nefarious reasons, nor has there been any allegations that Claimant has an illegal or ulterior motive in her desire to hide her name. See Megless at 411; see also Rutgers at 10. As opposed to simple public humiliation and embarrassment, which have been determined not to be sufficient grounds for allowing a Claimant to proceed anonymously, in this case, there is no "illegitimate ulterior motive", because, as referenced above, identification of Claimant's true identity "poses a risk of mental or physical harm" and the case involves "information of the utmost intimacy". See Megless at 411; see also Rutgers at 10; Doe, 2008 NY Misc. LEXIS at 16-17; Doe, 6 Misc. 3d at 879; Sealed Plaintiff, 537 F.3d at 189-190; 1991 McKinney's Session Laws of New

York at 2211- 2212 ("sexual assault victims have unfortunately had to endure a terrible invasion of their physical privacy. They have a right to expect that this violation will not be compounded by a further invasion of their privacy").

- 17. Furthermore, even when turning to the other side of the scale and the factors disfavoring anonymity, Claimant still comes out ahead.
- 18. While Claimant acknowledges that there is a thumb on the scale that is the universal interest in favor of open judicial proceedings, she is not asking the record to be sealed, rather simply to proceed anonymously.
- 19. Next, the Court must consider "whether, because of the subject matter of this litigation, the status of a litigant as a public figure, or otherwise, there is a particularly strong interest in knowing the litigant's identities." <u>See Megless</u> at 411; <u>see also Rutgers</u> at 12. Here, the Claimant is not a public figure.
- This litigation also involves "a member of a particularly vulnerable class" or "the subject matter is highly personal," the "public has an interest in protecting the identity of the litigant." See Rutgers at 12 (citing to Doe v. Rider Univ., 2018 U.S. Dist. LEXIS 133146 (D.N.J. 2018)). Here, Claimant alleges that she is a victim of sexual assault, so allowing her to proceed as a "Jane Doe" while preserving the public's right to access the docket and proceedings in this case strikes the appropriate balance between these competing interests. See Rutgers at 12 (citing to L.A. v. Hoffman, 2015 U.S. Dist. LEXIS 94564 (D.N.J. 2015) (granting [movant's] motion to proceed anonymously and observing that "although the identities of the [movants] will not be included in the filings in this matter, the public will maintain access to the docket and filings in this case.")).
- 21. Finally, the last factor weighing against disclosure is not applicable as there is no party opposing the use of a pseudonym.

22. Applying the factors referenced in the litany of case law to the specific facts of Claimant's case makes clear that she should be permitted to proceed pseudonymously. She is a victim of sexual abuse, a matter of a highly sensitive and personal nature; she is not seeking to avoid mere embarrassment, but rather to protect her physical and mental well-being along; it is well known that victims of sexual crimes are often not believed and have their reputations are put into question, thus identification of her poses a serious risk of retaliatory harm to her; and, the Estate will not be prejudiced because her identity will be known to it and their counsel, and thus they will be able to properly investigate her claim. As such, the Court here should find that the totality of the factors and circumstances favor anonymity.

WHEREFORE, Claimant prays that the Court grant (a) her motion seeking the right to proceeding in this action under pseudonym in its entirety; and, (c) all other further relief as this Court may deem just and proper.

Dated: Christiansted, St. Croix January 3, 2020

Respectfully Submitted,

Melody D. Westfall, Esq.

V.J. Bar Number 12052

WESTFALL LAW PLLC

5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe I

CERTIFICATE OF SERVICE

I hereby certify that on January 315, 2020, I caused a true and correct copy of the foregoing Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecure Damages to be served on the following:

William Blum, Esq. KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Darren K. Indyke, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Richard Kahn, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Douglas B. Chanco, Esq. CHANCO SCHIFFER LAW, LLC 9053 Sugar Estate, Suite 103 St. Thomas, USVI 00802

A. Jeffrey Weiss, Esq. A.J. WEISS & ASSOCIATES 6934 Vessup Lane St. Thomas, USVI 00802

Sean E. Foster, Esq. Robert V. Goldsmith III, Esq. MAJORIE RAWLS ROBERTS, P.C. 5093 Dronningens Gade, Suite 1 St. Thomas, USVI 00802

Richard P. Bourne-Vanneck, Esq. RICHARD P. BOURNE-VANNECK, P.C. d/b/a LAW OFFICES OF RICHARD P. BOURNE-VANNECK 9800 Buccaneer Mall, Suite 9 St. Thomas, USVI 00802 Mariann Meier Wang, Esq. Daniel Mullkoff, Esq. CUTI HECKER WANG LLP 305 Broadway, Suite 607 New York, NY 10007

Gloria Allred, Esq. ALLRED, MAROKO & GOLDBERG 305 Broadway, Suite 607 New York, NY 10007

John H. Benham, Esq. LAW OFFICE OF JOHN H. BENHAM, P.C. 9800 Buccaneer Mall Building 2, Suite 9 P.O. Box 11720 St. Thomas, USVI 00801

EXHIBIT

1

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Index No.: _____/19

Plaintiffs designate

NEW YORK COUNTY

as place of trial.

The basis of venue is the location where a

substantial part of the events or omissions giving rise to these claims

occurred, the residence of at least one plaintiff and the residence of defendant

Kahn

SUPREME COURT	OF THE STATE	OF NEW	YORK
COUNTY OF NEW '	YORK		

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Plaintiffs,

-against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

<u>SUMMONS</u>

Plaintiffs reside in New York and other States

To the above-named defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York) and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, NEW YORK COUNTY ON 12/3/19 IN COMPLIANCE WITH CPLR §§305(a) AND 306(a).

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs

150 East 58th Street, 34th Floor New York, New York 10155

(212) 603-9100

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/201

RECEIVED NYSCEF: 12/03/201

Defendants' Addresses:

RICHARD D. KAHN, in his capacity as a co-executor of the ESTATE OF JEFFREY EDWARD EPSTEIN 130 East 75th Street
New York, NY 10021

DARREN K. INDYKE, in his capacity as a co-executor of the ESTATE OF JEFFREY EDWARD EPSTEIN 6030 Le Lac Road Boca Raton, FL 33496

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO!

INDEX NO. 950230/2019 RECEIVED NYSCEF: 12/03/2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Index No.: /19

Plaintiffs,

-against -

VERIFIED COMPLAINT

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

COMPLAINT AND JURY TRIAL DEMANDED

Plaintiffs JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX, by and through their counsel at MERSON LAW, PLLC, and as for their complaint in this action against defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, hereby allege the following:

NATURE OF THE CLAIMS

- Jeffrey Edward Epstein (hereinafter, "Epstein") sexually abused, assaulted and battered many women and children, including the plaintiffs herein.
- These nine women come forward to stand up for themselves and others, after they
 were sexually abused and assaulted by Epstein.
 - 3. Some of these women were raped by Epstein, repeatedly.
- 4. All of these women were sexually battered, assaulted, and abused by Epstein as a part of the same conduct, occurrence, plan, scheme and transaction that was perpetrated,

RECEIVED NYSCEF: 12/03/201!

conducted, organized and/or performed in New York City, Palm Beach, Florida, New Mexico.

the U.S. Virgin Islands and other places by Epstein and his associates.

- 5. Epstein orchestrated a massive sex trafficking network to obtain hundreds of girls for himself for sexual gratification, and additionally lent these girls out to other wealthy and/or powerful individuals within his network to be sexually abused.
- 6. As expressed by United States District Judge Kenneth Marra in his opinion in *Doe 1. V. United States*, "From between 1999 and 2007, Jeffrey Epstein abused more than thirty minor girls... at his mansion in Palm Beach, Florida, and elsewhere in the United States and overseas... In addition to his own sexual abuse of the victims, Epstein directed other persons to abuse the girls sexually... Epstein worked in concert with others to obtain minors not only for his own sexual gratification, but also for the sexual gratification of others." (*Doe 1. v. United States*, 359 F. Supp. 3d 1201, 1204)
- 7. Epstein committed sexual assault, sexual battery, intentional infliction of emotional distress and negligent infliction of emotional distress pursuant to New York common law.

VENUE, JURISDICTION AND TIMELINESS

- 8. The Estate of Jeffrey Epstein, which is being presided over by defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the estate of JEFFREY EDWARD EPSTEIN, includes a residence in New York, New York, that was occupied by Jeffrey Epstein before his death earlier this year.
- 9. On information and belief, this Court has personal jurisdiction over the Estate of Jeffrey Epstein pursuant to New York Civil Practice Law and Rules ("C.P.L.R.") Sections 301 and 302 because defendant RICHARD D. KAHN is a resident of New York, plaintiffs reside in

New York and other States, defendants operate in New York, transact business in New York, and own, use or possess real property within New York and many of the acts of sexual abuse and as part of this nefarious plan and course of conduct perpetrated by Epstein occurred in New York. New York.

- 10. This action has been timely filed pursuant to the Child Victims Act (CPLR § 214-g). The actions described herein constitute sexual offenses by Epstein under New York Penal Law Article 130, and were committed against several of the named plaintiffs when they were children less than eighteen years of age, for which they suffered physical, psychological and other injuries as a result.
- 11. This action has also been timely filed pursuant to CPLR § 215(8)(a) which provides that a plaintiff shall have at least one year from the termination of a criminal action against the same defendant to commence an action with respect to the event or occurrence from which the criminal action arose. A criminal action against Epstein with respect to the same sex trafficking enterprise and sexual conduct, including sex with minors and by force, from which plaintiffs' claims arise, was terminated on August 29, 2019.
- 12. Any statute of limitations applicable to plaintiffs' claims, if any, is tolled due to the continuous and active deception, duress, fraud, threats of retaliation and other forms of misconduct that Epstein and his co-conspirators used to silence his many victims, including plaintiffs. Epstein's actions deprived plaintiffs of their opportunity to commence this lawsuit before his death.
- 13. Defendants are equitably estopped from asserting a statute of limitations defense.

 Allowing defendants to do so would be unjust. Epstein and his employees intimidated each of his victims into silence by threatening their lives and their livelihoods. Epstein and his employees

1 RECEIVED NYSCEF: 12/03/201:

therefore prevented plaintiffs from commencing this lawsuit before his death. By using threats in accompaniment with his wealth and power, Epstein was able to escape punishment for his intolerable and brutal crimes against countless young women and underage girls, including plaintiffs, for the duration of his life.

- 14. The plaintiffs intend to take full discovery of the Estate of Jeffrey Epstein and all associates, family members and friends to determine who knew what and when.
- 15. At all material times herein mentioned, Epstein, and his associates, operated, transacted business, owned, used, maintained and/or possessed real and other property, equipment and apparatus within New York City, which he utilized as the base of his operations for his sexual exploitation of minor girls and women, including plaintiffs herein.

PARTIES

- 16. Several of the named plaintiffs, victims of sex trafficking and sexual abuse, have been identified by pseudonym because this matter is of a highly sensitive and personal nature, and public disclosure of their identities may subject them to further humiliation, shame, and emotional distress.¹
- 17. Plaintiffs are all United States citizens, domiciled in New York and several other States.
- 18. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and

¹ Plaintiffs use a pseudonyms because they are victims of sex crimes pursuant to N.Y. Civ. Rights § 50-b and other statutory and common law principles.

responsibilities. On information and belief, the Estate of Jeffrey Epstein maintained multiple properties in the United States, including, but not limited to, New York, New York and Palm Beach, Florida.

- 19. Defendant Darren K. Indyke is sued in his capacity as appointed executor of the Estate of Jeffrey Edward Epstein.
- Defendant Richard D. Kahn is sued in his capacity as appointed executor of the
 Estate of Jeffrey Edward Epstein.

FACTS OF THE CASE

- 21. Starting in or about 1990 and continuing for a period of time thereafter, when plaintiff Jane Doe I was approximately fourteen-years-old. Epstein and his associates repeatedly sexually assaulted, abused, battered and raped her.
- 22. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff

 Jane Doe I suffered severe and serious injuries, including severe emotional distress, physical

 manifestations of, physical and other injuries.
- 23. Starting in or about 1985, when plaintiff Jane Doe II was twenty-three-years-old, Epstein sexually assaulted, abused, and battered her.
- 24. As a result of the aforementioned sexual assault, abuse and battery, plaintiff Jane Doe II suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.
- 25. Starting in or about 2003 and continuing for a period of time thereafter, when plaintiff Jane Doe III was approximately thirteen-years-old, Epstein and his associates repeatedly sexually assaulted, abused, battered and raped her.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

26. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff

Jane Doe III suffered severe and serious injuries, including severe emotional distress, physical

manifestations of, physical and other injuries.

- 27. Starting in or about 2001 and continuing for a period of time thereafter, when plaintiff Jane Doe IV was approximately fifteen-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her.
- 28. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff

 Jane Doe IV suffered severe and serious injuries, including severe emotional distress, physical

 manifestations of, physical and other injuries.
- 29. Starting in or about 2004 and continuing for a period of time thereafter, when plaintiff Jane Doe V was nineteen-years-old. Epstein sexually assaulted, abused, battered and forced her to perform oral sex on him.
- 30. As a result of the aforementioned sexual assault, abuse, battery and forced oral sex, plaintiff Jane Doe V suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.
- 31. Starting in or about 2001 and continuing for a period of time thereafter, when plaintiff Jane Doe VI was nineteen-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her.
- 32. As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff

 Jane Doe VI suffered severe and serious injuries, including severe emotional distress, physical
 manifestations of, physical and other injuries.

33. Starting in or about 2007 and continuing for a period of time thereafter, when plaintiff Jane Doe VII was twenty-one-years-old, Epstein and his associates sexually assaulted, abused, and battered her.

- 34. As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff

 Jane Doe VII suffered severe and serious injuries, including severe emotional distress, physical

 manifestations of, physical and other injuries.
- 35. Starting in or about 2000 and continuing for a period of time thereafter, when plaintiff Jane Doe VIII was twenty-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her.
- 36. As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff Jane Doe VIII suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.
- 37. Starting in or about 2002 and continuing for a period of time thereafter, when plaintiff Jane Doe IX was twenty-two-years-old. Epstein and his associates sexually assaulted, abused, battered and raped her.
- 38. As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff

 Jane Doe IX suffered severe and serious injuries, including severe emotional distress, physical

 manifestations of, physical and other injuries.

AS AND FOR A FIRST CAUSE OF ACTION FOR BATTERY OF JANE DOE I AS TO JEFFREY EDWARD EPSTEIN

39. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 38., inclusive, with the same force and effect as if hereafter set forth at length.

INDEX NO. 950230/2019

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

40. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 41. In or about 1990 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe I on several occasions when she was a minor child.
- 42. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 43. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 44. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and Plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 45. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

RECEIVED NYSCEF: 12/03/201

46. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

47. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SECOND CAUSE OF ACTION FOR ASSAULT OF JANE DOE I AS TO JEFFREY EDWARD EPSTEIN

- 48. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 47., inclusive, with the same force and effect as if hereafter set forth at length.
- 49. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 50. Epstein's predatory, sexual and unlawful acts against plaintiff, created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 51. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 52. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

RECEIVED NYSCEF: 12/03/201

- 53. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 54. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 55. This action falls within the exceptions to Article 16 of the C.P.L.R

AS AND FOR A THIRD CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE I AS TO JEFFREY EDWARD EPSTEIN

- 56. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 55., inclusive, with the same force and effect as if hereafter set forth at length.
- 57. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 58. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 59. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.

RECEIVED NYSCEF: 12/03/2019

60. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.

- 61. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 62. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTH CAUSE OF ACTION FOR BATTERY OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 63. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 62., inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 65. In or about 1985, Jeffrey Edward Epstein sexually abused plaintiff when she was twenty-three-years-old.
- 66. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 67. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional

and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.

- 68. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 69. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 70. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 71. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 72. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 71., inclusive, with the same force and effect as if hereafter set forth at length.
- 73. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 74. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 75. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 76. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 77. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 78. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 79. This action falls within the exceptions to Article 16 of the C.P.L.R.

| -

AS AND FOR A SIXTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 80. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 79., inclusive, with the same force and effect as if hereafter set forth at length.
- 81. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 82. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 83. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 84. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 85. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 86. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS FOR A SEVENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 87. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 86., inclusive, with the same force and effect as if hereafter set forth at length.
- 88. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 89. In or about 2003, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe III when she was a minor child.
- 90. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 92. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/2019

- 93. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 94. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 95. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN EIGHTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 96. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 95., inclusive, with the same force and effect as if hereafter set forth at length.
- 97. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 98. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 99. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

RECEIVED NYSCEF: 12/03/2019

100. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 101. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 102. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 103. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A NINTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 104. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 103., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

NYSCEF DOC. NO

- 106. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 107. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 108. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 109. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 110. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 111. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 110., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 113. In or about 2001, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe IV when she was a minor child.

NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 12/03/2019

114. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 115. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 116. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 117. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 118. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 119. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN ELEVENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

120. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 119., inclusive, with the same force and effect as if hereafter set forth at length.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 122. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 123. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 124. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 125. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 126. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 127. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWELTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 128. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 127., inclusive, with the same force and effect as if hereafter set forth at length.
- 129. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 130. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 131. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 132. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 133. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 134. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A THIRTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 135. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 134., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 137. In or about 2004, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe V when she was nineteen-years-old.
- 138. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 139. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 140. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

conduct.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/201

141. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar

- 142. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 143. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE V AS TO DEFENDANT JEFFREY EDWARD EPSTEIN

- 144. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 143., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 146. Epstein's predatory, sexual and unlawful acts against plaintiff, created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 147. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

148. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 149. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 150. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 151. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 152. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 151., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

RECEIVED NYSCEF: 12/03/201

154. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 156. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 157. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 158. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SIXTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- 159. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 158., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 161. In or about 2001 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VI when she was approximately nineteen-years-old.

by him to her without consent.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

162. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally

- 163. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 164. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 165. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 166. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 167. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SEVENTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

168. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 167., inclusive, with the same force and effect as if hereafter set forth at length.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 170. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 171. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 172. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 173. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 174. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 175. This action falls within the exceptions to Article 16 of the C.P.L.R.

NYSCEF DOC. NO 1 RECEIVED NYSCEF: 12/03/201

AS AND FOR AN EIGHTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- 176. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 175., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 178. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 179. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 180. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 181. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 182. This action falls within the exceptions to Article 16 of the C.P.L.R.

INDEX NO. 950230/20:

RECEIVED NYSCEF: 12/03/20:

AS AND FOR A NINTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE VII AS TO JEFFREY EDWARD EPSTEIN

- 183. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 182., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 185. In or about 2007 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VII when she was approximately twenty-one-years-old.
- 186. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 187. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 188. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/201

189. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 190. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 191. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTIETH CAUSE OF ACTION FOR ASSAULT OF JANE DOE VII AS TO JEFFREY EDWARD EPSTEIN

- 192. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 191., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 194. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 195. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

INDEX NO. 950230/2019

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO.

RECEIVED NYSCEF: 12/03/2019

196. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 197. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 198. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 199. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-FIRST CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VII AS TO JEFFREY EDWARD EPSTEIN

- 200. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 199., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

NYSCEF DOC. NO 1 RECEIVED NYSCEF: 12/03/2019

202. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 203. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 204. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 205. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 206. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SECOND CAUSE OF ACTION FOR BATTERY OF JANE DOE VIII AS TO JEFFREY EDWARD EPSTEIN

- 207. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 206., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 209. In or about 2000 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VIII when she was approximately twenty-years-old.

NYSCEF DOC. NO!

- 210. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 211. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 212. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and Plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 213. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 214. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 215. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-THIRD CAUSE OF ACTION FOR ASSAULT OF JANE DOE VIII AS TO JEFFREY EDWARD EPSTEIN

216. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 215, inclusive, with the same force and effect as if hereafter set forth at length.

RECEIVED NYSCEF: 12/03/201

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 218. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 219. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 220. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 221. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 222. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 223. This action falls within the exceptions to Article 16 of the C.P.L.R.

NYSCEF DOC. NO! 1

AS AND FOR A TWENTY-FOURTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VIII AS TO JEFFREY EDWARD EPSTEIN

- 224. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 223., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 226. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, Plaintiff to suffer severe emotional distress.
- 227. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 228. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 229. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 230. This action falls within the exceptions to Article 16 of the C.P.L.R.

NYSCEF DOC. NO

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWENTY-FIFTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 231. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 230., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 233. In or about 2002 and continuing thereafter, Jeffrey Edward Epstein sexually abused Plaintiff Jane Doe IX when she was approximately twenty-two-years-old.
- 234. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 235. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 236. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

INDEX NO. 950230/201 RECEIVED NYSCEF: 12/03/201

237. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar

conduct.

238. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

239. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SIXTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

240. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 239., inclusive, with the same force and effect as if hereafter set forth at length.

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 242. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 243. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

244. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention

in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional

distress, mental anguish, embarrassment and humiliation.

245. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.

246. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

247. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SEVENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

248. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 247., inclusive, with the same force and effect as if hereafter set forth at length.

249. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

INDEX NO. 950230/20

RECEIVED NYSCEF: 12/03/20

250. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 251. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 252. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling Plaintiff to recover punitive damages in amounts to be proven at trial.
- 253. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 254. This action falls within the exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiffs demand judgement against defendants in such sum as a jury would find fair, adequate and just containing the following relief:

- A. A declaratory judgement that the actions, conduct and practices of defendants complained of herein violated the laws of the State of New York;
- B. An injunction and order permanently restraining defendants from engaging in such unlawful conduct;
- C. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate plaintiffs for all monetary and/or economic harm; harm to their personal and professional reputations and loss of career fulfillment; for all non-monetary and/or compensatory harm, including but not limited to, compensation for physical anguish and mental

NEW YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO!

INDEX NO. 950230/2

RECEIVED NYSCEF: 12/03/2

anguish; all other monetary and/or non-monetary losses suffered by plaintiffs; and that by reasor of the foregoing, plaintiffs sustained damages in a sum, pursuant to C.P.L.R. §3017, which exceeds the jurisdictional limits of all lower courts;

- An award of punitive damages; D.
- An award of costs that plaintiffs have incurred in this action, as well as plaintiffs E. reasonable attorney's fees to the fullest extent permitted by law; and.
 - F. Such other and further relief as this Honorable Court may deem just and proper.

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

Ву: _

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street 34th Floor New York, New York 10155

(212) 603-9100

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO! :

INDEX NO. 950230/201

RECEIVED NYSCEF: 12/03/201

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Index No.: _____/19

Plaintiffs,

-against -

ATTORNEY VERIFICATION

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC, attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true;

That the sources of his information and knowledge are investigations and records in the file; and,

That the reason this verification is made by affirmant and not by the plaintiffs is that the plaintiff are not within the County where the attorney has his office.

Dated: New York, New York December 3, 2019

JORDAN K. MERSON

YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/20

RECEIVED NYSCEF: 12/03/20

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX

Plaintiffs,

Index No.:

-against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

CLIENT VERIFICATION

Defendants.

STATE OF NEW YORK

) \$5.:

COUNTY OF NEW YORK)

REDACTED , being duly sworn, deposes and says that:

I am a plaintiff in the within action; I have read the foregoing Complaint of know the contents thereof; the same is true to my own knowledge, except as to the market therein state to be alleged on information and belief, and as to those matters I believe a be true.

Dated: New York, New York December 2, 2019

REDACTED

REDACTED

Sworn to before me this 2nd day of December 2019

NOTARY PUBLIC

LEIDEN E APARICIO Notary Public, State of New York No. 01AP6371383 Qualified in Queens County Commission Expires February 26, 2023

NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/20 RECEIVED NYSCEF: 12/03/20

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Plaintiffs,

- against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC

Attorneys for Plaintiffs

Office and P.O Address, Telephone

150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100

All Parties

EXHIBIT

2

EXHIBIT

3

FILED: NEW YORK COUNTY CLERK 12/11/2019 04:26 PM

NYSCEF DOC. NO. 9

INDEX NO. 950230/201 RECEIVED NYSCEF: 12/11/201



STATE OF NEW YORK
UNIFIED COURT SYSTEM
111 CENTRE STREET
NEW YORK, N.Y. 10013
(646) 386-4200

LAWRENCE K. MARKS Chief Administrative Judge

GEORGE J. SILVER
Deputy Chief Administrative Judge
New York City Courts

ADMINISTRATIVE ORDER #371 AMENDED

By the authority vested in me as Deputy Chief Administrative Judge of the courts within New York City, and as the coordinating judge of all cases filed under the Child Victims Act¹ (the "CVA") within that jurisdiction, I hereby order as follows:

- This Order applies to all cases filed or hereafter filed in the Supreme Courts in and for the counties of Bronx, Kings, New York, Queens, and Richmond pursuant to the CVA, including any such matters filed before the one-year window commenced on August 14, 2019, and which were then stayed pending the opening of the window on August 14, 2019.
- 2. While a steering committee negotiates a Case Management Order to address the efficient prosecution and defense of cases filed under the CVA, all Preliminary Conferences currently scheduled or requested as of the effective date of this Order, and any requests for Preliminary Conferences made after the effective date of this Order are adjourned to a control date of January 31, 2020.²
- The time to respond to any discovery demands served by the parties as of the effective date
 of this Order is adjourned without a date. No demands for discovery shall be served by
 any party until further Order of this Court.
- 4. Plaintiffs' time to respond to stipulations and orders that consent to or direct the production of identifying information, consisting of a plaintiff's name (including maiden name, if any), date of birth, social security number, parents and/or guardian's names, current address, and address at the time of the alleged abuse, for plaintiffs proceeding under pseudonyms is extended to December 20, 2019. Plaintiffs shall provide such identifying information to

¹ L. 2019 c.11.

² Parties may make an application to extend this, and other deadlines, as necessary.

YORK COUNTY CLERK 12/11/2019 04:26 PM NEW

NYSCEF DOC. NO. 9

INDEX NO. 950230/20

RECEIVED NYSCEF: 12/11/20

defense counsel in a manner other than disclosure in a public filing on NYSCEF and as agreed to by the parties. Nothing in this Order prevents plaintiffs from voluntarily providing such identifying information at any time.

- 5. All papers in opposition to any Order to Show Cause or Notice of Motion, including motions to dismiss under CPLR §3211 or §3212, but excluding motions to proceed anonymously or by pseudonym, are adjourned until January 31, 2020. Should the motion(s) not be resolved and withdrawn by the parties as of that date, the Court will set any additional due dates as necessary. No motions, other than motions to proceed anonymously or by pseudonym, shall be filed prior to January 31, 2020 without permission of the Court. As such, no motions to dismiss under CPLR §3211 or §3212 shall be filed prior to January 31, 2020.
- 6. The time to answer, move against, or otherwise respond to any complaint that has been served as of the effective date of this Order is extended until further Order of the Court. This Order supersedes any due dates for answers or motions previously stipulated to by the parties and/or ordered by this Court.
- 7. The time to answer, move against, or otherwise respond to any complaint that is served after the effective date of this Order, but prior to January 31, 2020, shall be extended until a date stipulated to by the parties or as directed by further Order of the Court.
- 8. Notwithstanding any stipulation or Court Order to the contrary, no motion to sever shall be filed prior to January 31, 2020. Consistent with the CPLR, motions to sever may be filed after January 31, 2020.
- 9. Counsel shall make a good faith effort to resolve any motions to dismiss or motions to sever prior to filing such motions.

Dated: December 11, 2019

Deputy Chief Administrative Judge New York City Courts

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK		
JANE DOE I, et al.,	- X :	
Plaintiffs.	:	Index No. 950230/2019
	:	Hon. George J. Silver
- against -	:	STIPULATION AND [PROPOSED] ORDER ON PLAINTIFFS'
DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,	:	ANONYMITY
Defendants.	: : :	(Motion Seq. 001)
	\wedge	

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys, that any person subject to this Order, including the parties to this action and their respective counsel of record, shall adhere to the following terms:

- 1. Within three (3) days of entry of this Order, Counsel of Record for Plaintiffs shall disclose Plaintiffs' identities to Counsel of Record for Defendants, in writing.
- Counsel of Record for Defendants may disclose Plaintiffs' identities only to Defendants
 and any attorneys, paralegals, and clerical or other assistants working with or for
 Defendants on matters related to this action; and the recipients of such information shall
 not disclose it to any other persons.
- 3. If Defendants wish to disclose Plaintiffs' identities to any person not otherwise permitted to receive such information under this Order, Defendants are limited to doing so in connection with defending this action, and must require such person to first execute a non-disclosure agreement, in a form agreed to by the parties, that prevents such person from disclosing Plaintiffs' identities to any other persons. Defendants must maintain a list of all such persons to whom Plaintiffs' identities are disclosed and copies of the executed non-disclosure agreements, all of which are subject to in camera inspection.
- 4. All portions of pleadings, motions or other papers filed with the Court that disclose Plaintiffs' identities shall be filed under seal with the Clerk of the Court and kept under seal until further order of the Court. All parties shall use their best efforts to minimize such sealing. Any party filing a motion or any other papers with the Court under seal

shall also publicly file a redacted copy of the same, via NYSCEF, that redacts the Plaintiffs' identities and text that would reveal Plaintiffs' identities.

- The parties may seek to modify or amend this Order at any time upon motion to the Court or by stipulation.
- 6. Motion Seq. 001 is resolved by entry of this Order; and the hearing on Motion Seq. 001 currently set for December 17, 2019 at 3:00 p.m. is canceled.

AND IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be

executed in counterparts; and facsimile signatures are deemed originals.

Dated: New York, New York December 5, 2019

MERSON LAW, PLLC

TROUTMAN SANDERS LLP

By:	Tordon 1950			
	Jordan K. Merson			
	150 East 58th Street, 34th Floor			
	New York, NY 10155			
	(212) 603-9100			

Attorneys for Plaintiffs

CAADDEDED

By: hoskowitz
Bennet J. Moskowitz
875 Third Avenue
New York, NY 10022
(212) 704-6000

Attorneys for Defendants Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein

SO ORDERED.	
Date:	
New York, New York	HON. GEORGE J. SILVER, J.S.C

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN, Deceased.	-)) Case No. ST-19-PB-80)	SUPERIOR COURT OF THE V.I.
Claim for XI 19	-'	6873346

Claim for Unliquidated and Unsecured Damages

COME NOW, Claimant Jane Doe I ("Claimant"), through her attorney Melody D. Westfall, Esq. of Westfall Law, PLLC, 5032 Anchor Way, Suite 8, Christiansted, St. Croix 00820, and hereby present and file this claim for unliquidated and unsecured damages from the estate in the above-referenced matter, and state as follows:

- 1. Prior to being arrested and brought into custody on July 6, 2019 by federal authorities in New York, the decedent, Jeffrey E. Epstein (the "Decedent"), was the subject of multiple on-going investigations into his criminal conduct including, but not limited to, his sex trafficking and sexual abuse of dozens of women, some of whom were underage. Claimant is one of those victims.
- 2. On information and belief, after his arrest, the decedent conspired with multiple individuals, including his attorneys and the two men named as the co-executors of his estate, to fraudulently convey and prevent the distribution of his assets to his numerous victims, including Claimant, in the event that they sought damages through civil recourse.
- 3. The deceased was able to do this by executing a Last Will and Testament on August 8, 2019, which included a newly formed pour-over trust known as The 1953 Trust (the "Trust"), just two days before his death by suicide on August 10, 2019. There is no doubt that these documents were set-up to defraud his creditors, including Ms. Claimant. A true and correct copy

of the decedent's Last Will and Testament is annexed hereto as Exhibit "1" and a true and correct copy of decedent's death certificate is attached hereto as Exhibit "2".

- 4. In decedent's petition for probate and letters testamentary, the value of personal property and total estate property is listed at \$577,672,654.00. See Exhibit 1.
- 5. On December 3, 2019, Claimant and eight of her fellow survivors filed a civil action in the Supreme Court of the State of New York, County of New York (New York County Index No.: 950230/2019) seeking damages against the decedent's estate. A true and correct copy of the Summons and Verified Complaint is annexed hereto as Exhibit "3".
- 6. Because Claimant was a minor when she was abused by the deceased, her claim was brought timely pursuant to New York's recently enacted Child Victims Act and NY CPLR § 214-g.
- 7. Furthermore, Claimant's claim is also timely pursuant to NY CPLR § 215(8)(a) which provides that a claimant shall have at least one year from the termination of a criminal action against the same defendant to commence an action with respect to the event or occurrence from which the criminal action arose. A criminal action against the deceased with respect to the same sex trafficking enterprise and sexual conduct from which Claimant's claim arises, was terminated less than a year ago on August 29, 2019.
- 8. Specifically, starting in or about 1990 and continuing for a period of time thereafter, when Claimant was approximately fourteen years old, Epstein and his associates repeatedly sexually assaulted, abused, battered and raped her, which caused severe and serious injuries.
- 9. As such, Claimant, by and through the above-referenced claim, has a right to money damages, whether it is in the form of a judgment or liquidated, fixed or matured damages, and therefore, has an equitable lien on all unencumbered assets and property of the decedent's estate.

10. Accordingly, Claimant's claim requires that this Court not only secure sufficient

asses from the estate to pay her for whatever damages and losses she may be deemed entitled to

for which further information can be provided upon request, but also prevent the sale, transfer or

waste of any assets or property that are part of the decedent's estate.

WHEREFORE, Claimant prays that the Court (a) enter judgment against decedent's estate

in an amount sufficient to satisfy her Final Judgment in all pending matters, along with interest,

attorneys' fees and punitive damages related to the decedent's fraudulent scheme and activities;

(b) or in the alternative, stay all further proceedings in this matter pending the disposition of

Claimant's New York lawsuit against the Estate; and, (c) all other further relief as this Court may

deem just and proper.

This Claim is verified by counsel, pursuant to 15 V.I.C. § 393 and 5 V.I.C. § 699, as it is

sworn under penalties of perjury that the contents hereof are true and correct to the best of the

undersigned counsel's knowledge, information and belief.

Dated: Christiansted, St. Croix

January 51, 2020

Respectfully Submitted,

Melody D. Westfall, Esq.

V.I. Bar Number 2052

WESTFALL LAW PLLC

5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe I

CERTIFICATE OF SERVICE

I hereby certify that on January 31,2020, I caused a true and correct copy of the foregoing

Claim for Unliquidated and Unsecured Damages to be served on the following:

William Blum, Esq. KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Darren K. Indyke, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Richard Kahn, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Douglas B. Chanco, Esq. CHANCO SCHIFFER LAW, LLC 9053 Sugar Estate, Suite 103 St. Thomas, USVI 00802

A. Jeffrey Weiss, Esq. A.J. WEISS & ASSOCIATES 6934 Vessup Lane St. Thomas, USVI 00802

Sean E. Foster, Esq.
Robert V. Goldsmith III, Esq.
MAJORIE RAWLS ROBERTS, P.C.
5093 Dronningens Gade, Suite 1
St. Thomas, USVI 00802

Richard P. Bourne-Vanneck, Esq. RICHARD P. BOURNE-VANNECK, P.C. d/b/a LAW OFFICES OF RICHARD P. BOURNE-VANNECK 9800 Buccaneer Mall, Suite 9 St. Thomas, USVI 00802 Mariann Meier Wang, Esq. Daniel Mullkoff, Esq. CUTI HECKER WANG LLP 305 Broadway, Suite 607 New York, NY 10007

Gloria Allred, Esq. ALLRED, MAROKO & GOLDBERG 305 Broadway, Suite 607 New York, NY 10007

John H. Benham, Esq. LAW OFFICE OF JOHN H. BENHAM, P.C. 9800 Buccaneer Mall Building 2, Suite 9 P.O. Box 11720 St. Thomas, USVI 00801

EXHIBIT

1

LAST WILL AND TESTAMENT

OF

JEFFREY E. EPSTEIN

I, JEFFREY E. EPSTEIN, a resident and domiciliary of St. Thomas, United States Virgin Islands, do make, publish and declare this to be my Will hereby revoking all prior Wills and Codicils made by me.

- 1: I direct my Executor to pay from my estate all expenses of my last illness, my funeral and burial expenses, the administration expenses of my estate and all of my debts duly proven and allowed against my estate.
- A. I direct my Executor to pay from my estate, as compensation to each Executor for serving as Executor hereunder, the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to each Executor upon the completion of probate of my estate. No Executor shall receive any other compensation for serving as Executor hereunder; provided, however, that my Executor shall be reimbursed from my estate for all reasonable costs, expenses, charges, and liabilities incurred or paid in respect thereto, including fees and expenses of counsel or any other agents hired by my Executor, and my Executor shall not be liable therefor individually.
- B. I direct my Executor to pay from my estate the federal and state transfer taxes described in Paragraph B(1) of Article SEVENTH.
- C. I direct my Executor to pay from my estate all expenses of storing, insuring, packing, shipping and delivering my tangible personal property in accordance with the provisions of Article SECOND.
- 2: I give all of my property, real and personal, wherever situated, after the payments and distributions provided in Article FIRST, to the then acting Trustees of The 1953 Trust ("Trust") created under that certain Trust Agreement of The 1953 Trust (the "Trust Agreement") dated August 8, 2019, as the same may be amended from time to time, to be held in accordance with the provisions comprising the Trust Agreement at the time of my death.
- 3: I appoint DARREN K. INDYKE and RICHARD D. KAHN to serve as the Executors of this Will. If any one or more of my Executors fails to qualify, is unable or unwilling to serve or ceases to act, I appoint BORIS NIKOLIC, as successor Executor. If any successor Executor fails to qualify, is unable or unwilling to serve or ceases to act, I authorize the last acting Executor to designate his or her successor. Such designation shall be made by written instrument delivered to such designated successor Executor.
- A. If my estate must be administered in whole or in part in any jurisdiction other than the state or territory of my domicile at the date of my death, and if my Executor is unable or unwilling to serve in such jurisdiction, then I appoint the successor Executor of my estate designated in Paragraph A of Article THIRD as successor Executor in such

1/0

a and the second

the power:

jurisdiction only, provided that he or she is able and willing to serve in such jurisdiction. If no Executor or successor Executor is able and willing to serve in such jurisdiction, my Executor shall designate a successor Executor to serve in such jurisdiction. Such designation shall be made by written instrument delivered to such successor Executor.

B. No bond or other security shall be required of any Executor in any jurisdiction.

C. Any Executor may resign in the manner provided for by the governing statutes of the state or territory having jurisdiction of the administration of my estate or in the absence of such statutory guidance, by filing a written notice of resignation with the Court having jurisdiction of the administration of my estate. Any Executor who resigns shall not be entitled to any compensation hereunder for any services rendered as Executor prior to his or her resignation.

D. My Executor shall not be accountable or responsible to any person interested in my estate for the manner in which my Executor in good faith exercises or declines to exercise any discretionary authority or power of my Executor. My Executor shall not be liable for any loss or depreciation in value occasioned by reason of any negligence, error or mistake of judgment in entering into any transaction, in making any sale or investment, in continuing to hold any property or by reason of any action or omission, whether by my Executor or any other fiduciary, unless my Executor has acted in bad faith. In the absence of proof by affirmative evidence to the contrary, each Executor shall be deemed to have acted within the scope of my Executor's authority, to have exercised reasonable care, diligence and prudence and to have acted impartially as to all interested persons. An Executor shall not be liable for the acts or defaults of another Executor.

. 4: The following provisions shall apply to my estate and to my Executor, except as is otherwise specifically provided in this Will:

A. My Executor has the entire care and custody of all assets of my estate. My Executor has the power to do everything my Executor in good faith deems advisable without necessity of any judicial authorization or approval, even though but for this power it would not be authorized or appropriate for fiduciaries under any statutory or other rule of law. My Executor shall exercise my Executor's best judgment and discretion for what my Executor believes to be in the best interests of the beneficiaries hereunder. Except as otherwise specifically provided in this Will, if two Executors are empowered to participate in the decision to exercise or not to exercise any fiduciary power granted by this Will or by law, such decision shall be made by such Executors acting unanimously. If more than two Executors are empowered to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law, a majority of such Executors shall be empowered to make such decision.

B. Except as otherwise provided herein, my Executor shall have

(1) to enter upon and take possession of the assets of my estate and collect the income and profits from such assets, and to invest and reinvest such assets in real, personal or mixed assets (including the common trust funds of a corporate



				82	
,	¥				

fiduciary) or in undivided interests therein without being limited by any present or future investment laws;

(2) to retain all or any part of the assets of my estate (without regard to the proportion that any one asset or class of assets may bear to the whole) in the form in which such assets were received or acquired by my Executor;

(3) to sell or dispose of, exchange, transfer, invest or loan all or any part of the assets of my estate which may, at any time, be held by my Executor for such sums or upon such terms as to payment, security or otherwise as my Executor determines, either by public or private transactions;

(4) to buy and sell options, warrants, puts, calls or other rights to purchase or sell (collectively "options") relating to any security or securities, regardless of whether such security or securities are then held by my Executor, and whether such options are purchased or sold on a national securities exchange, and to exercise with respect to such options all powers which an individual owner thereof could exercise, including, without limitation, the right to allow the same to expire;

(5) with respect to oil, natural gas, minerals, and all other natural resources and rights to and interests therein (together with all equipment pertaining thereto), including, without limiting the generality of the foregoing, oil and gas royalties, leases, or other oil and gas interests of any character, whether owned in fee, as lessee, lessor, licensee, concessionaire or otherwise, or alone or jointly with others as partner, joint tenant, or joint venture in any other noncorporate manner, (a) to make oil, gas and mineral leases or subleases; (b) to pay delay rentals, lease bonuses, royalties, overriding royalties, taxes, assessments, and all other charges; (c) to sell, lease, exchange, mortgage, pledge or otherwise hypothecate any or all of such rights and interests; (d) to surrender or abandon, with or without consideration, any or all of such rights and interests; (e) to make farm-out, pooling, and unitization agreements; (f) to make reservations or impose conditions on the transfer of any such rights or interests; (g) to employ the most advantageous business form in which properly to exploit such rights and interests, whether as corporations, partnerships, limited partnerships, mining partnerships, limited liability companies, joint ventures, co-tenancies, or otherwise exploit any and all such rights and interests; (h) to produce, process, sell or exchange all products recovered through the exploitation of such rights and interests, and to enter into contracts and agreements for or in respect of the installation or operation of absorption, reprocessing or other processing plants; (i) to carry any or all such interests in the name or names of a nominee or nominees; (i) to delegate, to the extent permitted by law, any or all of the powers set forth herein to the operator of such property; and (k) to employ personnel, rent office space, buy or lease office equipment, contract and pay for geological surveys and studies, procure appraisals, and generally to conduct and engage in any and all activities incident to the foregoing powers, with full power to borrow and pledge in order to finance such activities; together with the power to allocate between principal and income any net proceeds received as consideration, whether as rovalties or otherwise, for the permanent severance from lands of oil, natural gas, minerals, and all other natural resources;

(6) to hold all or any part of the assets of my estate in cash or in bank accounts without the necessity of investing the same;



ř			

(7) to improve, repair, partition, plat or subdivide all or any part of the assets of my estate;

(8) to litigate, defend, compromise, settle, abandon or submit to arbitration on such terms and conditions as my Executor determines any claims in favor of or against my estate or the assets of my estate;

(9) to loan or borrow money in such amounts and upon such terms and conditions as my Executor determines, assume such obligations or give such guarantees as my Executor determines, for the purpose of the acquisition, improvement, protection, retention or preservation of the assets of my estate, or for the welfare of the beneficiaries of my estate;

(10) to carry on for as long and in such manner as my Executor determines any business enterprise in which I owned any interest at my death, either individually, or as a partner, member, joint venture, stockholder or trust beneficiary; to sell such business enterprise as an ongoing business; to consolidate, merge, encumber, dissolve, liquidate or undertake any other extraordinary corporate transaction relating to such business enterprise;

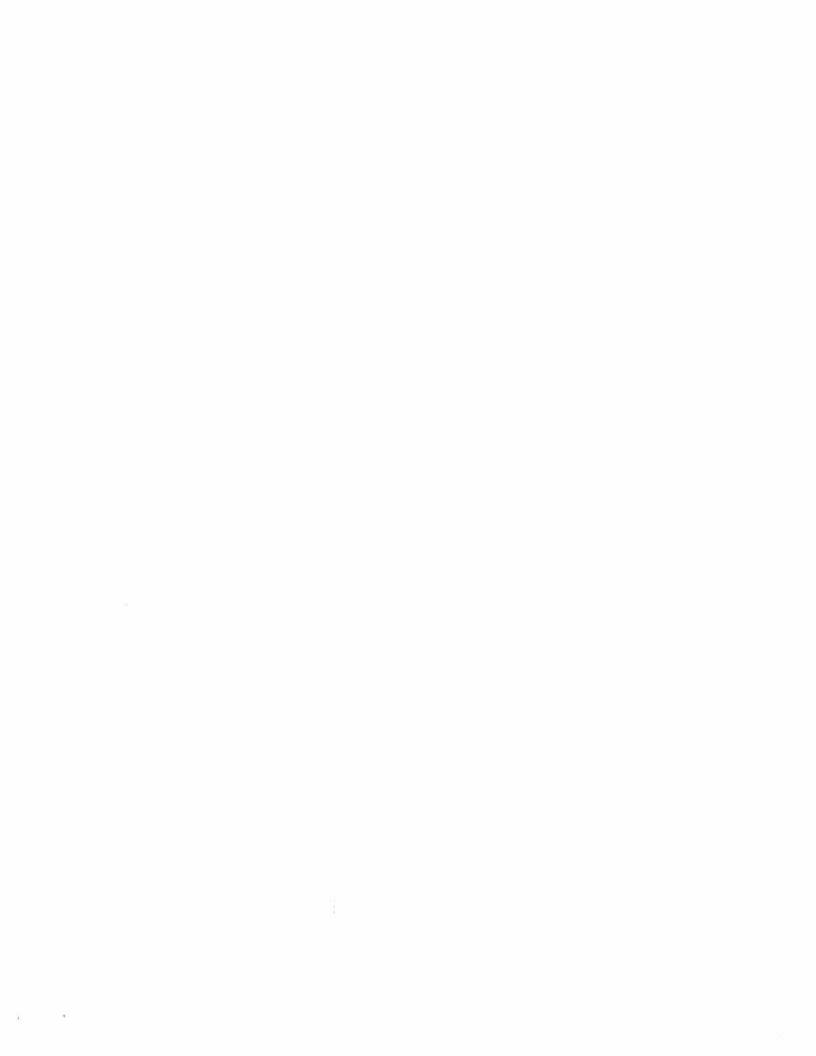
(11) to vote in person or by proxy any and all stock or securities and to become a party to any voting trusts, reorganization, consolidation or other capital or debt readjustment of any corporation, association, partnership, limited liability partnership, limited liability company or individual with respect to stocks, securities or debts held by my estate;

(21) of this Article Fourth, to enter into any good faith transactions with any Executor individually or with any corporation, partnership or other entity in which any Executor has an ownership interest;

(13) To purchase from my estate any stocks, bonds, securities, real or personal property, or other assets, or make loans to my estate even though the same person or persons occupy the office of my Trustee and the office of the Executor of my estate;

(14) to lease, mortgage, pledge, grant a security interest in or otherwise encumber all or any part of the assets of my estate for any term of years whether or not beyond the duration of my estate (including, without limitation, any such action for the benefit of any of the beneficiaries of my estate);

(15) to abandon any property of my estate, real or personal, which my Executor may deem worthless or not of sufficient value to warrant keeping or protecting; to abstain from the payment of taxes, water rents or assessments and to forego making repairs, maintaining or keeping up any such property; and to permit such property to be lost by tax sale or other proceedings or to convey any such property for a nominal consideration or without consideration so as to prevent the imposition of any liability by reason of the continued ownership thereof;



the power:

(16) to elect the mode of distribution of the proceeds payable to my estate from any profit-sharing plan, pension plan, employee benefit plan, individual retirement plan, insurance contract or annuity contract pursuant to the terms of such plan;

(17) to allocate, in my Executors discretion, any adjustment to basis provided to my estate under the provisions of Federal and State law with respect to property comprising my estate, without any obligation to make a compensatory adjustment among the beneficiaries hereunder on account of such allocation;

(18) to conduct any audit, assessment or investigation with respect to any asset of my estate regarding compliance with any law or regulation having as its object protection of public health, natural resources or the environment ("Environmental Laws"); to pay from the assets of my estate to remedy any failure to comply with any Environmental Law (even to the exhaustion of all of the assets of my estate); and, as may be required in my Executor's judgment by any Environmental Law, to notify any governmental authority of any past, present or future non-compliance with any Environmental Law; and

(19) to sell to the Trustee under the Trust Agreement any stocks, bonds, securities, real or personal property or other assets or borrow from the Trustee under the Trust Agreement even though the same person or persons occupy the office of the Executor of my estate and the Trustee under the Trust Agreement.

(20) No executor shall directly or indirectly buy or sell any property for the estate from or to himself, or from or to his relative, employer, employee, partner, or other business associate.

(21) No executor shall lend estate funds to himself, or to his relative, employer, employee, partner, or other business associate.

C. Except as otherwise provided herein, my Executor shall have

(1) to employ agents, attorneys-at-law, consultants, investment advisers (to whom my Executor has discretion to delegate my Executor's investment authority and responsibility), other executors and other fiduciaries in the administration of my Executor's duties; to delegate to such persons, or to one or more of my Executors, the custody, control or management of any part of my estate as my Executor determines and to pay for such services from the assets of my estate, without obtaining judicial authorization or approval;

or persons the authority and power to (a) sign checks, drafts or orders for the payment or withdrawal of funds, securities and other assets from any bank, brokerage, custody or other account in which funds, securities or other assets of my estate shall be deposited, (b) endorse for sale, transfer or delivery, or sell, transfer or deliver, or purchase or otherwise acquire, any and all property, stocks, stock warrants, stock rights, options, bonds or other securities whatsoever, (c) gain access to any safe deposit box or boxes in which my assets or assets of my estate may be located or which may be in the name of my Executor and remove part or all of the contents of any such safe



A)	8				

deposit box or boxes and release and surrender the same, and (d) take any other action that my Executor may have the power to take with respect to my estate and the property thereof; no person or corporation acting in reliance on any such delegation shall be charged with notice of any revocation or change of such delegation unless such person or corporation receives actual notice thereof;

(3) to pay any property distributable to a beneficiary under a legal disability or who has not attained the age of 21, without liability to my Executor, by paying such property (a) to such beneficiary, (b) for the use of such beneficiary, (c) to a legal representative of such beneficiary appointed by a court or if none, to a relative for the use of such beneficiary, or (d) to a custodian for such beneficiary designated by my Executor, to hold until age 21 or such earlier age as shall be the maximum permitted under applicable law;

(4) to distribute to any of the beneficiaries of my estate in kind or in cash, or partly in kind and partly in cash, and to allocate different kinds or disproportionate shares of assets or undivided interests in assets among all of such beneficiaries;

(5) to have evidence of ownership of any security maintained in the records of a Federal Reserve Bank under the Federal Reserve Book Entry System; to deposit funds in any bank or trust company; to carry in the name of my Executor or the nominee or nominees of my Executor and with or without designation of fiduciary capacity, or to hold in bearer form, securities or other property requiring or permitting of registration; and to cause any securities to be held by a depository corporation of which an Executor is a member or by an agent under a safekeeping contract; provided, however, that the books and records of my Executor shall at all times show that such investments are part of my estate;

(6) to renounce and disclaim, in whole or in part, and in accordance with applicable law, any assets, interests, rights or powers (including any power of appointment) which are payable to (or exercisable by) me or my estate, which are includible in my estate or Gross Estate or over which I have any right, title, interest or power; and

(7) to make, execute and deliver any and all such instruments in writing as shall be necessary or proper to carry out any power, right, duty or obligation of my Executor or any disposition whatsoever of my estate or any asset of my estate and to exercise any and all other powers incidental or necessary to carry out or to fulfill the terms, provisions and purposes of my estate.

D. In connection with any insurance policy or annuity on the life of an Executor which is included in my estate, such Executor shall not participate in the decision to exercise or not exercise any fiduciary power in connection with any incidents of ownership for such policy or annuity, including, without limitation, any decision to continue, assign, terminate or convert such policy or annuity or to name the beneficiary of such policy or annuity.

E. An Executor hereunder may by a written notice delivered to the other Executor decline to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law.

F. If an Executor is not empowered (because of a conflict of

REM

interest, declination to act or otherwise) to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law, then the remaining Executor shall be empowered to make such decision. If no Executor is empowered to participate in such decision, then the successor Executor of my estate designated in Paragraph A of Article THIRD and able and willing to act shall be empowered to make such decision. If no Executor or successor Executor is empowered to participate in such decision, my Executor may designate a successor Executor to serve as Executor of my estate who shall be empowered to make such decision but shall have no other power or authority of my Executor. Such designation shall be by written notice delivered to such successor Executor.

- G. Except as otherwise specifically provided in this Paragraph G(1) of this Article, and except as provided in Paragraph G(2) of this Article, my Executor shall allocate receipts and disbursements in accordance with sound trust accounting principles and shall have discretion to allocate receipts and disbursements when the treatment is uncertain under applicable laws or generally accepted accounting principles in the judgment of my Executor.
- (1) Except as otherwise specifically provided in this Will, my Executor shall not treat any part of the principal amount of the proceeds of sale of any asset of my estate as income distributable to or for the benefit of any beneficiary entitled to distributions of income; provided, however, that my Executor shall treat a portion of any proceeds of sale of any financial instrument originally issued or acquired at a discount equal to the amount which (a) has previously been characterized as ordinary income for income tax purposes or (b) will be characterized as ordinary income for income tax purposes in the year of such sale, as income for trust accounting purposes.
- 5: Where a party to any proceeding with respect to my estate has the same interest as a person under a disability, it shall not be necessary to serve legal process on the person under a disability.
- 6: If any beneficiary under the Trust shall in any way directly or indirectly (a) contest or object to the probate of my Will or to the validity of any disposition or provision of my Will or of the Trust or (b) institute or prosecute, or be in any way directly or indirectly instrumental in the institution or prosecution of, any action, proceeding, contest, objection or claim for the purpose of setting aside or invalidating my Will or the Trust or any disposition therein or provision thereof, then I direct that (a) any and all provisions in the Trust for such beneficiary and his issue in any degree shall be null and void and (b) my estate, whether passing under my Will or the Trust or pursuant to the laws of intestacy, shall be disposed of as if such beneficiary and his issue in any degree had all failed to survive me.

7: A. As used herein:

(1) The term "Executor" of a person's estate means all persons or entities who occupy the office of executor, administrator, personal representative, or ancillary administrator while such persons or entities occupy such office, whether one or more persons or entities occupy such office at the same time or times, and includes any



		€.	
N.			

successor or successors to that office. The term "Trustee" means all persons or entities who occupy the office of Trustee under the Trust Agreement while such persons or entities occupy such office, whether one or more persons or entities occupy the office of Trustee at the same time or times, and includes any successor Trustee or Trustees. A reference to a person's estate or probate estate means that person's estate which is subject to probate administration. A reference to a person's Will means such person's Last Will and Testament and any Codicil or Codicils thereto.

the Internal Revenue Code of 1986, as amended, or the corresponding provision of any successor Internal Revenue law, as in effect as of the date of my death.

(3) A reference to any tax also includes any interest or penalties thereon. A reference to a person's "Gross Estate" means such person's gross estate as finally determined for purposes of computing such person's federal estate tax.

same shall include the plural, and the masculine gender shall include the feminine and neuter genders.

B. The federal and state transfer taxes which my Executor shall be obligated to pay pursuant to Paragraph B of Article FIRST shall consist of all federal and state estate, inheritance, succession, and similar taxes (including any federal or state generation-skipping transfer tax) imposed upon my probate estate or by reason of my death in respect to all assets which pass under this Will or the Trust Agreement. Subject to Paragraph B(2) of this Article, all federal estate taxes with respect to assets not passing under this Will or the Trust Agreement (such assets are referred to as the "Apportionment Assets") and any applicable state estate taxes with respect to the Apportionment Assets shall be apportioned among all persons interested in the Apportionment Assets. My Executor shall make reasonable efforts to collect all federal estate taxes and state estate, inheritance, succession and similar taxes allocable to the Apportionment Assets from the recipients of the Apportionment Assets. Without changing the apportionment of taxes in this Paragraph B(1), my Executor has discretion, but is not required, to pay all or part of such taxes allocable to the Apportionment Assets. To the extent my Executor pays such taxes allocable to the Apportionment Assets, my Executor shall seek reimbursement for such taxes from the recipients of the Apportionment Assets. My Executor shall not be personally liable for any of such taxes if my Executor is unable, with reasonable efforts, to collect payment (or reimbursement) from any recipient of any Apportionment Assets for any or all of such taxes allocable to such assets.

Trustee of the Trust Agreement to pay all or any portion of the taxes which my Executor is directed or obligated to pay pursuant to Paragraph B of Article FIRST and this Paragraph B pursuant to a written direction delivered to the Trustee under the Trust Agreement. Any taxes which my Executor directs the Trustee under the Trust Agreement to pay shall be allocated and paid from the trusts under the Trust Agreement as provided under the Trust Agreement.

C. Except as otherwise specifically provided in this Will, a bequest or devise to an individual who does not survive me shall lapse notwithstanding any law to the contrary.



Last Will & Testament of Jeffrey E. Epstein Page 9 of 11

D. To the extent that the distribution to the Trustee under the Trust Agreement pursuant to Article SECOND shall not be effective, I give all the rest of my property, real and personal, wherever situated, after the payments and distributions provided in Article FIRST, to the person or persons named as Trustee or Trustees under the Trust Agreement, be to held in trust under this Will in accordance with the provisions comprising the Trust Agreement at the time of my death, which provisions are incorporated in this Will by reference.

IN WITNESS WHEREOF, I have duly executed this Will this 8th day of August, 2019.

EKPREYÉ. EPSTEIN

 $n_{ij}r_{ij}$

5 5 5 5 6 6 6 6 6 6 6

The foregoing instrument, consisting of eleven (11) pages, was signed in our presence by Jeffrey E. Epstein and was declared by him to be his last Will. We, at the request of and in the presence of Jeffrey E. Epstein and in the presence of each other, have subscribed our names below as witnesses. We declare that we are of sound mind and of the proper age to witness a will, that to the best of our knowledge the testator is of the age of majority, or is otherwise legally competent to make a will, and appears of sound mind and under no undue influence or constraint. Under penalty of perjury, we declare these statements are true and correct on this 8th day of August, 2019 at New York, New York.

Warel	residing at	
Mariel A. Colón Miró		
Sulvora TALI	residing at	
GULNORA TALI		7 6

e res in Tokke west

10 100

8 3

AFFIDAVIT

signed to the attached instrument in those of authority and first being duly sworn, do hereb perjury that the Testator declared, signed, ar willingly; he/she executed it as his free and each of the witnesses, at the request of the presence of each other, signed the will as will	Marie. A. Colon Miró and tator and the witnesses respectively, whose names are capacities, personally appearing before the undersigned by declare to the undersigned authority under penalty of and executed the instrument as his last will; he signed it voluntary act for the purposes therein expressed; and Testator, in his or her hearing and presence, and in the itness and that to the best of his or her knowledge the of age or older, of sound mind and under no constraint
STATE OF NEW YORK))ss:
COUNTY OF NEW YORK)
known to me or who has produced tersionally known to me or	who has produced as identification, who is personally who has produced as identification, who is personally known to me or who has produced
Sworn to before me this 8th day of August, 20	01.

Malan Welalz Notary Public

MARLANA A. MELENDEZ
Notary Public, State of New York
No. 02MB6371741
Qualified in New York County
Communication Expires Murch 5th, 20 2-2-

500 G G

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

	THE MATTER OF THE ESTATE OF OFFREY E. EPSTEIN PROBATE	NO. ST-19-PB
	Deceased. ACTION F	OR TESTATE RATION
	OATH OF WILLINGNESS TO SERVE AS EXECUT APPOINTMENT OF LOCAL COUNSEL	OR AND
	I. Darren K. Indyke, hereby declare, certify, verify, and state unde	penalty of perjury under
the lav	e laws of the United States Virgin Islands that:	
1	1. I am an adult of sound mind, have never been convicted of any fe	ony or of a misdemeanor
	involving moral turpitude, and I am not a judicial officer.	
2.	2. I am a resident of Florida.	0.
3.	3. The Last Will and Testament of Jeffrey E. Epstein nominates	and appoints me as an
	Executor of the Estate of Jeffrey E. Epstein, deceased.	
4.	4. I am willing to act as Executor of the above-captioned Estate acc	cording to the law and to
	the best of my ability and I will faithfully discharge the duties and	obligations of Executor.
5.	5. I will render a true accounting of all monies and property comin	g into my possession for
	which I am responsible	
6.	6. I am willing to act as Executor of the above-captioned Estate and	request that the Court act
	upon and grant all the prayers of the Petition for Probate.	
7.	7. I am a non-resident of the Virgin Islands, and thus, I appoint the la	w office of Kellerhals
	FERGUSON KROBLIN PLLC, located in the Virgin Islands, spec-	eifically at Royal Palms
	Professional Building, 9053 Estate Thomas, Suite 101, St. Th	omas. VI 00802. as my
	attorney upon whom service of all papers may be made	
		N Saustra
SUBS	Darren K. In BSCRIBED AND SWORN to before	ayke

Notary Public State of Florida
Elie Macius
My Commission GG 137817
Expires 08/24/2021

me this _/ \s day of __ \s 2019.

NOTARY

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF)	
JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
)	
Deceased.)	ACTION FOR TESTATE
		ADMINISTRATION

OATH OF WILLINGNESS TO SERVE AS EXECUTOR AND APPOINTMENT OF LOCAL COUNSEL

- I, Richard D. Kahn, hereby declare, certify, verify, and state under penalty of perjury under the laws of the United States Virgin Islands that:
 - I am an adult of sound mind, have never been convicted of any felony or of a misdemeanor involving moral turpitude, and I am not a judicial officer.
 - 2. I am a resident of New York, New York.
 - 3. The Last Will and Testament of Jeffrey E. Epstein nominates and appoints me as an Executor of the Estate of Jeffrey E. Epstein, deceased.
 - 4. I am willing to act as Executor of the above-captioned Estate according to the law and to the best of my ability and I will faithfully discharge the duties and obligations of Executor.
 - 5. I will reader a true accounting of all monies and property coming into my possession for which I am responsible.
 - 6. I am willing to act as Executor of the above-captioned Estate and request that the Court act upon and grant all the prayers of the Petition for Probate.
 - 7. I am a non-resident of the Virgin Islands, and thus, I appoint the law office of Kellerhal's Ferguson Kroblin Pllc, located in the Virgin Islands, specifically at Royal Palms Professional Building, 9053 Estate Thomas, Suite 101, St. Thomas, VI 00802, as my attorney upon whom service of all papers may be made

Richard D. Kahn

SUBSCRIBED AND SWORN to before

me this 15th day of MGUST, 2019.

NOTARY

MARIANNE BARNETT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01BA6276845

10103

Qualified in Suffolk County Term expires February 25, 2021

IN THE MATTER OF THE ESTATE OF)	
JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
)	
Deceased.)	ACTION FOR TESTATE
- Th)	ADMINISTRATION

PETITION FOR PROBATE AND FOR LETTERS TESTAMENTARY

COME NOW Petitioners DARREN K. INDYKE and RICHARD D. KAHN, Executors of the Estate of Jeffrey E. Epstein, by and through Kellerhals Ferguson Kroblin PLLC, and petition this Honorable Court to grant the instant petition pursuant to V.I. Code Ann. tit. 15, § 161 and Rule 3 of the Virgin Islands Rules for Probate and Fiduciary Proceedings. In support thereof, Petitioners state the following:

- That Petitioners Darren K. Indyke and Richard D. Kahn ("Petitioners") are citizens of the United States of America and residents of Florida and New York, respectively.
- 2) The original Last Will and Testament of Decedent, dated August 8, 2019, which is attached the control of the Estate.
- 3) The Decedent, Jeffrey E. Epstein, died testate on August 10, 2019 in New York, New York, and was domiciled in and a resident of St. Thomas, Virgin Islands at the time of his death, as supported by the copy of Certificate of Death attached hereto.¹
- Decedent left certain assets in trust.
- 5) The Decedent died possessed of certain property within the Territory of the U.S. Virgin Islands and within the jurisdiction of the Court as herein described:

¹ The original death certificate, or a certified copy thereof, will be filed with the Court upon Counsel's receipt of the same.

Estate of Jeffrey E.	Epstein	
Petition for Probate	and Letters	Testamentary

Probable No. ST-19-PB-Page No. Page 2 of 4

r Probate and Letters Testamentary	Page No. P
PERSONAL PROPERTY ²	VALUE
Cash	\$ 56,547,773.00
Fixed Income Investments	\$ 14,304,679.00
Equities	\$ 112,679,138.00
Aviation Assets, Automobiles and Boats	\$ 18,551,700.00
Fine Arts, Antiques, Collectibles, Valuables & Other Personal Property	TBD subject to appraisal/valuation
Hedge Funds & Private Equity Investments	\$ 194,986,301.00
10,000 shares of Maple, Inc., a U.S. Virgin Islands corporation which holds title to 9 East 71" Street New York, NY 10021	6.55.034.060.60
10,000 shares of Cypress, Inc., a U.S. Virgin Islands Corporation, which holds title to 49 Zorro Ranch Road Stanley, New Mexico 87056	\$ 55,931,000.00 \$ 17,246,208.00
10,000 shares of Laurel, Inc., a U.S. Virgin Islands Corporation, which holds title to 358 El Brillo Way Palm Beach, Florida 33480	\$ 12,380,209.00
999 shares of SCI JEP, a French Company which holds title to units 47 with mezzanine, 48 and 81 on the 2nd floor, units 63 and 74 on the 5th floor and units 5 and 22 (cellars) in the basement 22 Avenue Foch	
Patis, France 75116	\$ 8,672.823.00
10,000 shares of Poplar, Inc., a U.S. Virgin Islands	

10,000 shares of Poplar, Inc., a U.S. Virgin Islands Corporation, which holds title to Great St. James Island No. 6A Red Hook Quarter St. Thomas, Virgin Islands

\$ 22,498,600.00

10,000 shares of Nautilus, Inc., a U.S. Virgin Islands Corporation, which holds title to Little St. James Island No. 6B Red Hook Quarter Parcels A, B & C St. Thomas, Virgin Islands

\$ 63,874,223,00

TOTAL PERSONAL PROPERTY:

\$ 577,672,654.00

TOTAL ESTATE PROPERTY:

\$ 577,672,654.00

² Values are subject to appraisal and/or update to their date of death valuation, which will be confirmed in verified inventory to be filed with the Court.

e 4	

- Petitioners are investigating potential debts and claims of the Estate and at this time they are unknown.
- 7) That the names and addresses, insofar as known to Petitioners, of the heirs and next of kin of the deceased, who would be entitled to share the estate if he had left no will; the relation of each such person to him; the proportion due each such person, and whether each of them is an adult or an infant are as follows:

NAMES	RELATIONSHIP	CAPACITY	SHARE
Mark Epstein	Brother	Adult	100%

- 8) That Petitioners Darren K. Indyke and Richard D. Kahn be appointed Executors. They are adults of sound mind, are not convicted of any crime involving moral turpitude, and are not judicial officers of this Honorable Court.
- Although Petitioners are not residents of the Virgin Islands, they are qualified to serve as Executors pursuant to 15 V.I.C. § 235(c) because they otherwise qualify under 15 V.I.C. § 235(a) and they have appointed the law firm of Kellerhals Ferguson Kroblin PLLC, which has offices on St. Thomas, Virgin Islands, to accept service of all papers for purposes of the probate of Decedent's estate.
- The Decedent's Last Will and Testament provides that "No bond or other security shall be required of any Executor in any jurisdiction." See original Last Will and Testament attached hereto at Article THIRD, subsection B on page 2. Accordingly, Petitioners pray that the bond be waived pursuant to V.I. R. Prob. 3.

	et	
65		

WHEREFORE, Petitioners pray:

- A. That the Estate of Jeffrey E. Epstein be entered into Probate;
- B. That a citation be issued to any heir or next of kin who has not signed a Waiver;
- C. That this Honorable Court order the issuance of a notice to creditors and claims procedure order in substantial form of that which will be separately proposed to the court forthwith;
- D. That the Last Will and Testament of Jeffrey E. Epstein, attached hereto, be admitted to Probate,
- E. That Darren K. Indyke and Richard D. Kahn be appointed Executors and Letters
 Testamentary be issued to them;
- F. That the bond be waived; and
- G. That the Petition be granted.

Respectfully,

DATED: August 15, 2019

WILLIAM BLUM, ESQ., Of Counsel

V.I. Bar No. 136

KELLERHALS FERGUSON KROBLIN PLLC

Royal Palms Professional Building 9053 Estate Thomas, Suite 101

St. Thomas, V.I. 00802-3602

Telephone: (340) 779-2564 Facsimile: (888) 316-9269

Email: wblum@solblum.com

u t		

VERIFICATION OF PETITION

I, Darren K, Indyke, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records show.

DATED:	America	1	2019

Darren K. Indyke

SUBSCRIBED AND SWORN to before me



VERIFICATION OF PETITION

I, Richard D. Kahn, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records

DATED: August 15, 2019

show.

Richard D. Kahn

SUBSCRIBED AND SWORN to before me

this 15th day of August, 2019. Manaine Coarnett

MARIANNE BARNETT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 018A6276845
Qualified in Suffolk County
Term expires February 25, 2021

116

- day

de

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

THE MATTER OF THE EGGATE OF

JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
Deceased.)))	ACTION FOR TESTATE ADMINISTRATION

AFFIDAVIT

I. Erika A. Kellerhals, hereby depose or otherwise state that I do not know of any will or codicil of Jeffrey E. Epstein, deceased, other than the instrument in writing dated August 8, 2019; that I received the Last Will and Testament of Jeffrey E. Epstein from Jeffrey E. Epstein, and the said Jeffrey E. Epstein died on or about August 10, 2019.

Erika A. Kellerhals

SUBSCRIBED AND SWORN to before me

This 15 day of August, 2019.

Brett A. Geary
Notary Public: NP-144-15
Commission Expires: December 24, 2019
St. Thomas / St. John, USVI

THE CITY OF NEW YORK

3.7 VITAL RECORDS CERTIFICATE \$ 5-

DEATH TRANSCRIPT

DATE FILED THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH

Certificate No. 156-19-032838

1. DECEDENT'S LEGAL NAME	JEFFREY	EDWARD	EPSTEIN

-7								A mark sent	Ann, Link							- 50	
	Plecs Of Death	2b. Scrough Amerikation 1 Li Hospital Injudent 2 Microbatic Injudent 2 Microbatic Injudent 3 Li Dead on Arrival				UCA/pale	pellent 4 O Decedent's Residence			26. Ally Hospital care in last 30 glaps 1 D Vac 2 E No 3 C Unknown		Sin. Harre of hospital or etter tacity (i) not tacity, eteat address O New York-Presbyterlan-Lower Manhattan Hospital					
	or Fou	He and Time of Death Se. (Month) Found Dead August					77 (Wes-yyy) St. Time WAM 4.8ex 0 2019 7:36 CIPM Male						5. OCME Case No. M19019432				
	E.C	P	a. Inter	edate ca	Pendi	ng Furt	her Study						l	18.1	3015	702	
	, v	R	b. Cue	10 OF 85	1									╌╢╟			
	0 40	i	c. Due	to or as i			5.5	- 735.05	v 1964 - 6	e (7				-			
THESE IN By The OCIME)	H	PART II	Other	igri temi	conditions co.	nintring (o death but no	and he be	e undathing b	-	Piert I, Iracl	ade operation vilori	nelion.	_15_1			
	7a. Inji	ry Oele (h	nn dd y	בל (נכנר	Time CJAM CJAM	76. AI We 1 3 Yes 2 3 No	- 1	i trany -di for				94.					
ſ	75. Hou	r Injury Oc	curred			850	1.0		25.13			12.50					
	0 DA 3 Pm	rareportan er/Operan senger er Spacity	r O Pe		8. Merver of ® Penting Is G Natural C C Acottent C				4.1	Spender Spender	-	79 3 89	MAN	D.O. M.D.	Dute L	AUG-11-201	
	US	ual Reside Vinglin I	elandi	3	St. Thoma	19				araniana Salta sam	r ee-lele		<i>4</i>	00802	Hel	ind (in the law) Vac 2 (in the law)	
		s of Mith	noin) unst	Bry	20	93 3	(years)	8					de Sea	nlly No.	L334	8	
	5e. Ud 10.000	STAL DOCUM	ettos (1) 43 Gd	ipp of mo	ork done during	of Dist	plang the. 1	the local part but			on an	A 12.3					
 	7 Bird	yphon (Ci	y & SPan	er Fore	ton Country 1		Sp. (Chair in	TOTAL CONTRACTOR	Candiday By				al the time gree jug ea., PIO,	rus of chan LMA, MG, SelO) or	(1) MEng. 8	NEC LARRY MINA	
1	Jarm Cli Ye	In 1/.8. od Forces 2 GF No	15	Married, I Other, Sp	2 CI Demes but separated sody	es at broke De Pandhau S OF the		No.	2 53	× 1			prior to		go) Fin	rai, LLIK, JD) ti, Milddin, Edoq	
L		or's Home		Acidle, La	ы) Seymour E	pstein	7.		3 70	7500		Pauls Stok	First, Mich	de, Laur)			
1		rment's N	Mark	Epste	ain	1	345. Patation Br	440		والمعارضة	, ,	N		242		ZIP Code) 33411-0219	
1 5	C Sur Li Oth	or Specify	Greenet	ion	3 8 Entombro		4 Ci Olly Ceims	57.8.5	365.144	e) of Okayonia	in (Hara)	d adday, also a più ja	Kory, offic	(place)			
Ш					ate or Foreign C	curity)		III			12	SSd. Date of Disposit		100 08	dd 13	777 2019	
Î	ia. Fut	ord East		·	4 (32 (32	,				Madison i		w York, NY 1	S State 0028-0	0237	20	* Code)	
M	o Com	ection His	kary ***		19.	3		-									

EV1201908377726

September Ven Wye. Gity Registrar as of 8/1/18

August 11, 2019

YR 18 (flor, \$7.69)

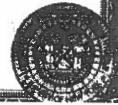
This is to certify that the foregoing is a true copy of a record on file in the Department of Health and Mantal Hygiene. The Department of Health and Mantal Hygiene does not certify to the truffs of the statements made thereon, as no inquiry as to the facts has been provided by time.

Steven P. Schwartz, Ph.D., City Region

Do not accept this transcript unless it bears the security features i step on the beat. Reproduction or alteration of this transcript is prohibited by §3.19(b) of the New York City Health Code if the purpose is the evapion or violation of any provision of the Mesiah Code or any other law.



Y D 1 3 8 3 2 1 5



EXHIBIT

2

THE CITY OF NEW YORK

A VUAL RECORDS CERTIFICATE S &

DEATH TRANSCRIPT

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

CERTIFICATE OF DEATH AUG-11-2019 07:36 PM

Certificate No. 156-19-032838

1. DECEDENT'S JEFFREY	EDWARD	EPSTEIN
-----------------------	--------	---------

Prico Ct 2s. New York City Sc. Type of Place 4 CI Hursing NomeAung Term Ct 2s. Sorough 1 Ci Hospital Inpitions 5 Ci Hospital Facility 2 St. Emergency Dept/Cupitions 6 Ci Decaded in Residence 3 Ci Dead on Arrival 7 Ci Other Specify		·	Cate Facility 26. Any Hespite core in less 30 days 1 1 We 2 12 No 3 O Unknown		2in. Name of hospital or other facility (if not lacklig, street edition Naw York-Presbyterlan-Lower Manhattan Hospi						
Sets and Time of a Found Dead	Death 3s	(Month) August	(Day) 10	(Year-yyyy) 2019	7:36	G AM	4, 8ex		S. OCME C	M190	10432
E.C p	s. Immede	Pendir	on Further	Sharke	1		10001			3	104.12
8 6	b. Due to o	744.0	ig ratatet	auty					-	<u> </u>	
al T	counsedo	ance of				4				12	
9 1	c Dire to o					100	STORY SEE			18	
PART II	Other signi	icani conditions cor	raibuting to deal	th but not married by	Instruction be	200	Part I. Ind	Lade operation value	metion.	-	
a. Injury Date (m	ומיניני bb מ	70. Time	7c. Al Work	Cince of triary — Al A	orto, factorio, pare	4.00		ed i			
2 1 1 2 2 2 2 4 4 4 4 4 4 4 4 4 4 4 4 4		□ PM		Location	200	-	-				
T. How Injury Out	urred		147		JF 133	7. 18.75	2000	- 14		-	
g. It Transportatio	n Inlury Sp	Idly 8. Merver of	David 6	9. Autop	484	ALC: U	- 0			Salar d	
Drive/Operator		G Bandra L	and the same of	Sill Yes	1110	deples and	1	70	ann, as any og		h coourned du
Pateenger		Ci Natural Ci Ci Accident Ci	Rickle Cities	Ho A	Service Comments	Cignoture.	C THE	Aria Ali	man	MD. De	AUG-11-
Other Specify				0.00	Super Colle	NAME OF	TUNA	THE PAR	MAN	Metica	Exercise
4. Usual Plesiche	ce State	th Courty	्र विद्राप्त	Ty or Your	7114.69	and the same	da an		MONA CLASS	Cods (1)	a builde City L
US Virgin la	lands	St Thoma		St. Themas	Latters	gent fan	nin-lula	nd T			1 D Yes 28
2. Date of Blitts	(Month)	(Day) (Nie	410 13. NO	i, at the latting	100	Trees V	194	TOWE CLE			
	lanuary		993 1	66	加岭	100	10	MESSIA		STATE OF THE PARTY.	348
ic. Utani Occupa	HONE (T) HOUSE	of work done during	Major of an Authorities	No. 18b. Notice to	bin v big	House	ude of Alt	4			040
Statement Com	CODS		N Barrella	1.5	rence	dia.		1	*****		
Brook	yn, Nev	y York		Charles for the Control of the Contr	arts on	404	de lavel de jan		f of the large o regress (e.g., b) lead, Frill, Boll	of claudis) N, MS, MSn N or	a med mont
Swirln U.S. Armed Forces?	4114	al Partnership State	rs. Of Drain bit chief	P. 150		and obsessed	7				, DWN, ELB, JD Phys, Alleide, E
Father's Name		lo, Leu)		- Ladding	100 Alexander	1	3.00	-	First Mode	1445	
a. Informers's Na		Seymour E		whether the Cartes			72.	Pauls Stor	ofsky		
	Merk E	stein	240.1	Brother					-	arte -	29P Code 334 11-6
L. Method of Dia		A D Const.			20.74	STATE OF THE PARTY OF	-	of clothetry, orders	etry, other pi	ece)	
J Other Specify		S E Entombro	m 400	Olly Cornellary							
		State or Foreign C	oursey)				2000	25d. Date of	-	dd	
. Fureral Expert	diment	-			700, 444	mes (Street s	und Much	- Chapoth	- 00	1 13	
		Control of	0.00	5.5%				W York, NY	6 Blata (0028-02	37	ZP Opda)
Correction Histo	ary ***							1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		91	
	417.8										

Alayestan Ven Wye. Gretchar Van Wye, Ph.D., City Fediatra as or 8/1/18

August 11, 2019

This is to certify that the foregoing is it mus capy of a nutor of an file in the Department of Health and Mental Hygiene. The Department of Health and Mental Hygiene does not certify to the ULUL of the statements reade thereon, as no linguity as to the facts has been provided by the.

Steen P. Solve

On not accept this transcript unless in bears the security features is set on the beat. Approposition or aftered on in this transcript is prohibited by §3.19(b) of the hime fork City Health Code if the purpose is the evasion or storation of any provision of the Massin Code or any other law.



YOLBABELS Y



CLERK'S OFFICE ST GROIX DISTRICT

2020 JAN 31 PH 4: 11-6

Į.

...

35

NYSCEF DOC. NO.

AS FOR A SEVENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 87. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 86., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 89. In or about 2003, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe III when she was a minor child.
- 90. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 92. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 12/03/2019

93. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 94. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 95. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN EIGHTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 96. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 95., inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 98. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 99. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

NYSCEF DOC. NO!

100. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 101. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 102. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 103. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A NINTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE HI AS TO JEFFREY EDWARD EPSTEIN

- 104. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 103., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

NYSCEE DOC. NO

RECEIVED NYSCEF: 12/03/2019

106. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 107. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 108. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 109. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 110. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 111. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 110., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 113. In or about 2001, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe IV when she was a minor child.

RECEIVED NYSCEF: 12/03/2019

114. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 115. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 116. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 117. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 118. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 119. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN ELEVENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

120. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 119., inclusive, with the same force and effect as if hereafter set forth at length.

NYSCEF DOC. NO

4 Sec. 15

FOR SAME E

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 122. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 123. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and lumiliation.
- 124. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 125. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 126. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 127. This action falls within the exceptions to Article 16 of the C.P.L.R.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWELTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 128. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 127, inclusive, with the same force and effect as if hereafter set forth at length.
- 129. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 130. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial,
- 132. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- The amount of damages sought exceeds the jurisdiction of all lower courts which 133. would otherwise have jurisdiction.
 - 134. This action falls within the exceptions to Article 16 of the C.P.L.R.

NYSCEF DOC. NO.

AS AND FOR A THIRTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 135. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 134., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 137. In or about 2004, Jeffrey Edward Epstein sexually abused plaintiff Jane Doc V when she was nineteen-years-old.
- 138. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 139. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 140. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

141. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 142. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 143. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE V AS TO DEFENDANT JEFFREY EDWARD EPSTEIN

- 144. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 143., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 146. Epstein's predatory, sexual and unlawful acts against plaintiff, created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 147. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

148. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 149. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 150. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 151. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 152. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 151, inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

154. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 155. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 156. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 157. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 158. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SIXTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- 159. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 158., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 161. In or about 2001 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VI when she was approximately nineteen-years-old.

16.

RECEIVED NYSCEF: 12/03/2019

162. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 163. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 164. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 165. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 166. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 167. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SEVENTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

168. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 167., inclusive, with the same force and effect as if hereafter set forth at length.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

anguish; all other monetary and/or non-monetary losses suffered by plaintiffs; and that by reason of the foregoing, plaintiffs sustained damages in a sum, pursuant to C.P.L.R. §3017, which exceeds the jurisdictional limits of all lower courts;

- D. An award of punitive damages;
- E. An award of costs that plaintiffs have incurred in this action, as well as plaintiffs reasonable attorney's fees to the fullest extent permitted by law; and.
 - F. Such other and further relief as this Honorable Court may deem just and proper.

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street 34th Floor New York, New York 10155 (212) 603-9100

NEW | YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

COUNTY OF NEW YORK	KK
	X
JANE DOE I, JANE DOE II, JANE DOE III, JANE	DOE
IV TANE DOE'V TANE DOE'VE TANE DOE'VILLE	ANE

Index No.: /19

Plaintiffs,

ATTORNEY VERIFICATION

-against -

DOE VIII and JANE DOE IX,

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN.

Defendants.

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC, attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true;

That the sources of his information and knowledge are investigations and records in the file; and,

That the reason this verification is made by affirmant and not by the plaintiffs is that the plaintiff are not within the County where the attorney has his office.

Dated: New York, New York December 3, 2019

JORDAN K. MERSON

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK	
JANE DOE I, JANE DOE II, JANE DOE III, JANE	

DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX

Plaintiffs,

-against -

CLIENT VERIFICATION

Index No.:

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

STATE OF NEW YORK

) \$5.:

COUNTY OF NEW YORK)

REDACTED . being duly sworn, deposes and says that:

I am a plaintiff in the within action; I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge, except as to the near the therein state to be alleged on information and belief, and as to those matters I belief to be true.

Dated: New York, New York December 2, 2019

REDACTED

REDACTED

Sworn to before me this 2nd day of December 2019

NOTARY PUBLIC

LEIDEN E APARICIO
Notary Public, State of New York
No. 01 AP6371383
Qualified in Queens County
Commission Expires February 26, 20

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Index No. Year 2019 SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV. JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX, Plaintiffs, - against -DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, Defendants. SUMMONS AND VERIFIED COMPLAINT Merson Law, PLLC Attorneys for Plaintiffs Office and P.O Address. Tetephone

> 150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100

All Parties

EXHIBIT

2

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK	
JANE DOE I, et al.,	X
* 1	0.40
Plaintiffs.	: Index No. 950230/2019
• • • • • • • • • • • • • • • • • • • •	Hon. George J. Silver
- against -	STIPULATION AND
DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,	ANONYMITY
Defendants.	: (Motion Seq. 001) : X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys, that any person subject to this Order, including the parties to this action and their respective counsel of record, shall adhere to the following terms:

- 1. Within three (3) days of entry of this Order, Counsel of Record for Plaintiffs shall disclose Plaintiffs' identities to Counsel of Record for Defendants, in writing.
- 2. Counsel of Record for Defendants may disclose Plaintiffs' identities only to Defendants and any attorneys, paralegals, and clerical or other assistants working with or tor Defendants on matters related to this action; and the recipients of such information shall not disclose it to any other persons.
- 3. If Defendants wish to disclose Plaintiffs' identities to any person not otherwise permitted to receive such information under this Order, Defendants are limited to doing so in connection with defending this action, and must require such person to first execute a non-disclosure agreement, in a form agreed to by the parties, that prevents such person from disclosing Plaintiffs' identities to any other persons. Defendants must maintain a list of all such persons to whom Plaintiffs' identities are disclosed and copies of the executed non-disclosure agreements, all of which are subject to in camera inspection.
- 4. All portions of pleadings, motions or other papers filed with the Court that disclose Plaintiffs' identities shall be filed under seal with the Clerk of the Court and kept under seal until further order of the Court. All parties shall use their best efforts to minimize such sealing. Any party filing a motion or any other papers with the Court under seal

shall also publicly file a redacted copy of the same, via NYSCEF, that redacts the Plaintiffs' identities and text that would reveal Plaintiffs' identities.

- 5. The parties may seek to modify or amend this Order at any time upon motion to the Court or by stipulation.
- 6. Motion Seq. 001 is resolved by entry of this Order; and the hearing on Motion Seq. 001 currently set for December 17, 2019 at 3:00 p.m. is canceled.

AND IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be

executed in counterparts; and facsimile signatures are deemed originals.

Dated: New York, New York December 5, 2019

MERSON LAW, PLLC

TROUTMAN SANDERS LLP

Ву:	Tordan Mosa	By: Bennet I moskowitz / K.			
	Jordan K. Merson	Bennet J. Moskowitz			
	150 East 58th Street, 34th Floor	875 Third Avenue			
	New York, NY 10155	New York, NY 10022			
	(212) 603-9100	(212) 704-6000			
	Attorneys for Plaintiffs	Attorneys for Defendants Darren K. Indyke and			

Attorneys for Defendants Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein

SO ORDERED.	
Date: New York, New York	HON. GEORGE J. SILVER, J.S.C.

EXHIBIT

3

I

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/11/2019

A Sale of New York

NYSCEF DOC. NO. 9

LAWRENCE K. MARKS
Chief Administrative Judge

STATE OF NEW YORK
UNIFIED COURT SYSTEM
111 CENTRE STREET
NEW YORK, N.Y. 10013
(646) 386-4200

GEORGE J. SILVER
Deputy Chief Administrative Judge
New York City Courts

ADMINISTRATIVE ORDER #371 AMENDED

By the authority vested in me as Deputy Chief Administrative Judge of the courts within New York City, and as the coordinating judge of all cases filed under the Child Victims Act¹ (the "CVA") within that jurisdiction, I hereby order as follows:

- This Order applies to all cases filed or hereafter filed in the Supreme Courts in and for the counties of Bronx, Kings, New York, Queens, and Richmond pursuant to the CVA, including any such matters filed before the one-year window commenced on August 14, 2019, and which were then stayed pending the opening of the window on August 14, 2019.
- 2. While a steering committee negotiates a Case Management Order to address the efficient prosecution and defense of cases filed under the CVA, all Preliminary Conferences currently scheduled or requested as of the effective date of this Order, and any requests for Preliminary Conferences made after the effective date of this Order are adjourned to a control date of January 31, 2020.²
- 3. The time to respond to any discovery demands served by the parties as of the effective date of this Order is adjourned without a date. No demands for discovery shall be served by any party until further Order of this Court.
- 4. Plaintiffs' time to respond to stipulations and orders that consent to or direct the production of identifying information, consisting of a plaintiff's name (including maiden name, if any), date of birth, social security number, parents and/or guardian's names, current address, and address at the time of the alleged abuse, for plaintiffs proceeding under pseudonyms is extended to December 20, 2019. Plaintiffs shall provide such identifying information to

L. 2019 c.11.

² Parties may make an application to extend this, and other deadlines, as necessary.

NYSCEF DOC. NO. 9

RECEIVED NYSCEF: 12/11/2019

defense counsel in a manner other than disclosure in a public filing on NYSCEF and as agreed to by the parties. Nothing in this Order prevents plaintiffs from voluntarily providing such identifying information at any time.

- 5. All papers in opposition to any Order to Show Cause or Notice of Motion, including motions to dismiss under CPLR §3211 or §3212, but excluding motions to proceed anonymously or by pseudonym, are adjourned until January 31, 2020. Should the motion(s) not be resolved and withdrawn by the parties as of that date, the Court will set any additional due dates as necessary. No motions, other than motions to proceed anonymously or by pseudonym, shall be filed prior to January 31, 2020 without permission of the Court. As such, no motions to dismiss under CPLR §3211 or §3212 shall be filed prior to January 31, 2020.
- 6. The time to answer, move against, or otherwise respond to any complaint that has been served as of the effective date of this Order is extended until further Order of the Court. This Order supersedes any due dates for answers or motions previously stipulated to by the parties and/or ordered by this Court.
- 7. The time to answer, move against, or otherwise respond to any complaint that is served after the effective date of this Order, but prior to January 31, 2020, shall be extended until a date stipulated to by the parties or as directed by further Order of the Court.
- 8. Notwithstanding any stipulation or Court Order to the contrary, no motion to sever shall be filed prior to January 31, 2020. Consistent with the CPLR, motions to sever may be filed after January 31, 2020.
- 9. Counsel shall make a good faith effort to resolve any motions to dismiss or motions to sever prior to filing such motions.

Dated: December 11, 2019

Deputy Chief Administrative Judge

New York City Courts

THE CITY OF NEW YORK

N/ VITAL RECORDS CERTIFICATE

DEATH TRANSCRIPT

DATE EILED

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH

Certificate No. 156-19-032838

1. DECEDENT'S JEFFREY EDWARD EPSTEIN (Firet, Middle, Lest) 2s. New York City
2b. Scrough
1 O Hospits Implifient
2 Strangency Dept/O
3 CI Dead on Arrival 4 D Hunding Horte-Long Term Care Facility 5 G Hospice Facility L 6 G Decadest's Res in tool 30 1 12 Vibe 2 15 Mo Death 7 Ci Other Specify .. 3 Ca Unio Date and Time of Death 5. OCME Case N Male M19019432 or Found Dead August 2019 7:36 L terredute cause Pending Further Study b. Due to or as a summittee of c. Due to or es a Med in by I've Other significant conditions contributing to death but not walkers in the and there also be a few or a PART II 3 7s. Injury Date (mm. dd yyyy) 2b. Time C) AM 1 C) Yes 76. Place of Injury - A for C) PM 2 C) No. 76. Looplish 71. How Injury Occurred 7g. If Transportation Injury Specify

G. Menner of Death

G. Menner of Death

G. Menner of Death

G. Meterel G. Hosterel

G. Hosterel

G. Hosterel

G. Hosterel C Passenser Cl Acctions Cl Bigliothe Chipments 0744 11m Usual Residence State 11h. County 00802 11 Yes 28 Mg St. Thomas St. Thomas US Virgin Islands 18. Ago, at Bot In Prope (New division) 12 Date of Bluth (No 18h) (Day) (yes:s) 152: Usual Comperton (Type of workdone during the Descrimentation Consultant 17 Simpleon (City & State or Foreign Country) theres (e.g., MC, MG, MGsg, MGd, MGN, MG ma (e.g., PRO, Bill) or first dagree (e.g., MD, DDA, DMA, LLB, UD) Brooklyn, New York 20. Marital Partnership States at less bit of 1 U Marries 2 U Domestic Pentius 14 U Married, but expensed 5 th home 19. Everin U.S. Annual Forces? 1 D Married 2 C 4 D Married but se 7 D Otter, Specify 22. Father's Hame (First, Middle, Last)
Seymour Epstein ZIP Code) 33411-9219 Merk Epstein 1 D Burtal 2 D Cremetion 4 City Centeloty 5 L3 Other Specify . 25c. Leaving of Chronition (Chy II, State or Foreign Country) 7771 2019 ÔΑ 13 City & State 20b. Address (Street and Humber 28s. Funeral Establishment 1076 Medison Ave New York, NY 10028-0237 No Correction History." V21 18 (Flow, \$1.00) Des States Var Wyc. Gretchen Von Wys. Ph.D., City Registrar as of 3/1/19 Augnat 11, 2019 EVT201908377726

Steven P. Schwartz, Ph.D., City

This is to certify that the foregoing is a true capy of a record an size in the Department of Health and Mantal Hygiene. The Department of Health and Mantal Hygiene Ross not certify to the MATE of the statements made thereon, as no inquiry as to the facts has been provided by law.

Do not accept this transcript refees it bears the security faitures is set on the book. Reproductives of abertation of this transcript is prohibited by \$3.19(b) of the New York City Health Code if the purpose is the easien of malaben of any provision of the Health Code of any other law

Y D 1 3 8 3 2 1 5



EXHIBIT

2

THE CITY OF NEW YORK

N / VITAL RECORDS CERTIFICATE

DEATH TRANSCRIPT

DATE FILED

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH

Certificate No. 156-19-032838

1. DECEDENT'S JEFFREY EDWARD ERSTEIN (Piret, Middle, Lesi) 2s. New York City Sc. Type of Place
2b. Borough 1 @ Hospital Ingiliant 4 D Nustry Home/Long 5 O Hospice Facility 6 G Deceleratis Pensider 2b. Borough Death Manhattan à CI Dead on Arrivel 7 C Other Specify 3 Ci Link Date and Time of Death or Found Dead S. OCME Com No M19019432 August 2019 7:36 Male a Immediate cause Pending Further Study b. Due to or as a someoguence of c. Due to or as a consequence of Other significant conditions contributing to death but not well G AM 10 Yes 20 PM 2 10 Location 7s. Injury Date (mm old yyyy) 7b. Time 71. How Injury Occurred 7g. If Transportation Injury Specify

© Driver/Operator © Pedestrian

© Pedestrian

© Natural © Houseld C) Patnerner C Acottert C Subide Citi He Usual Pleasterner State 11h County 1 12 Yes 2 1 Mo St. Thomas 00802 St. Thomas US Virgin Islands 12. Date of Birth (North) (Day) 15s. Usual Occupation (Type of work done du Do noruse (city & State or Foreign Country) gree jag., Mil., Mis., Mises, Mise, Mise. Mg., 1980., Selliy or Brooklyn, New York 10. Ever in U.S. Armad Forces? 1 © Yes 2 49 No. 7 © Other, Spendy 22. Fether's Hame (First, Middle, Lear)
Seymour Epstein 24s. Informert's Name Mark Epstein 29P Code) 33411-9219 25a. Melhod of Dis-4 Cit Oily Complety 1 Citurial 2 Committee 5 LI Other Specify c. Locality of Chica on ICay & State or Foreign Country! 2019 08 13 City & Sta 28s. Funeral Establishment 26b. Address (Street and Humber 1076 Madison Ave New York, NY 10028-0237 No Correction History.*** 101, 14 May, 87,000. Gretchier Van Wye. Ph.D., City Registrer as of 8/1/18 August 11, 2019 EVT201908377726

This is to cartify that the foregoing is a true copy of a record on the In the Department of Health and Mental Hygiene. The Department of Health and Mental Hygiene does not certify to the truth of the statements reads thereon, as no inquiry as to the facts has been provided by law.

Do not accept this transcript unless it bears the security features I step on the back. Reproduction of alteration of this transcript is prohibated by §3.19(b) of the New York City Health Code if the purpose is the evasion of violation of any provision of the Health Code or any other law.

Steven P. Schwartz, Ph.D., City Registra



Y01383215



INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWENTY-FOURTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VIII AS TO JEFFREY EDWARD EPSTEIN

- 224. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 223., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 226. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, Plaintiff to suffer severe emotional distress.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 228. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 229. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 230. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWENTY-FIFTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 231. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 230., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 233. In or about 2002 and continuing thereafter, Jeffrey Edward Epstein sexually abused Plaintiff Jane Doe IX when she was approximately twenty-two-years-old.
- 234. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 235. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 236. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

237. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 238. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 239. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SIXTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 240. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 239., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 242. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 243. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

244. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 245. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 246. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 247. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SEVENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 248. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 247., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

RECEIVED NYSCEF: 12/03/2019

250. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 251. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 252. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling Plaintiff to recover punitive damages in amounts to be proven at trial.
- 253. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 254. This action falls within the exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiffs demand judgement against defendants in such sum as a jury would find fair, adequate and just containing the following relief:

- A. A declaratory judgement that the actions, conduct and practices of defendants complained of herein violated the laws of the State of New York;
- B. An injunction and order permanently restraining defendants from engaging in such unlawful conduct;
- C. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate plaintiffs for all monetary and/or economic harm; harm to their personal and professional reputations and loss of career fulfillment; for all non-monetary and/or compensatory harm, including but not limited to, compensation for physical anguish and mental

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM
NYSCEF DOC. NO 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

anguish; all other monetary and/or non-monetary losses suffered by plaintiffs; and that by reason of the foregoing, plaintiffs sustained damages in a sum, pursuant to C.P.L.R. §3017, which exceeds the jurisdictional limits of all lower courts;

- D. An award of punitive damages;
- E. An award of costs that plaintiffs have incurred in this action, as well as plaintiffs reasonable attorney's fees to the fullest extent permitted by law; and.
 - F. Such other and further relief as this Honorable Court may deem just and proper.

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street 34th Floor New York, New York 10155 (212) 603-9100

42 cf 45

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM
NYSCEF DOC. NO. 1

INDEX NO. 950230/2019 RECEIVED NYSCEF: 12/03/2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VIII, JANE DOE VIII and JANE DOE IX.

Index No.: _____/19

Plaintiffs,

-against -

ATTORNEY VERIFICATION

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN.

Defendants.

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC, attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true;

That the sources of his information and knowledge are investigations and records in the file; and,

That the reason this verification is made by affirmant and not by the plaintiffs is that the plaintiff are not within the County where the attorney has his office.

Dated: New York, New York December 3, 2019

JORDAN K. MERSON

YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

COUNTY OF NEW YORK	
JANE DOE I, JANE DOE II, JANE DOE III, JANE	

DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX

Plaintiffs,

Index No.:

-against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

CLIENT VERIFICATION

Defendants.

STATE OF NEW YORK

) SS. 1

COUNTY OF NEW YORK)

REDACTED , being duly sworn, deposes and says that:

I am a plaintiff in the within action; I have read the foregoing Complaint god know the contents thereof: the same is true to my own knowledge, except as to the many therein state to be alleged on information and belief, and as to those matters I believes a be true.

Dated: New York, New York December 2, 2019

REDACTED

REDACTED

Sworn to before me this 2nd day of December 2019

NOTARY PUBLIC

LEIDEN E APARICIO Notary Public, State of New York No. 01AP6371383 Qualified in Queens County Commission Expires February 28, 20

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Plaintiffs,

- against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC

Attorneys for Plaintiffs

Office and P.O Address, Telephone

150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100

Tol: All Parties

EXHIBIT

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK		
JANE DOE I, et al.,	- X :	
Plaintiffs.	75 : (a)	Index No. 950230/2019
	:	Hon. George J. Silver
- against -		STIPULATION AND [PROPOSED] ORDER ON PLAINTIFFS'
DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,		ANONYMITY
Defendants.	: X	(Motion Seq. 001)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys, that any person subject to this Order, including the parties to this action and their respective counsel of record, shall adhere to the following terms:

- 1. Within three (3) days of entry of this Order, Counsel of Record for Plaintiffs shall disclose Plaintiffs' identities to Counsel of Record for Defendants, in writing.
- Counsel of Record for Defendants may disclose Plaintiffs' identities only to Defendants
 and any attorneys, paralegals, and clerical or other assistants working with or for
 Defendants on matters related to this action; and the recipients of such information shall
 not disclose it to any other persons.
- 3. If Defendants wish to disclose Plaintiffs' identities to any person not otherwise permitted to receive such information under this Order, Defendants are limited to doing so in connection with defending this action, and must require such person to first execute a non-disclosure agreement, in a form agreed to by the parties, that prevents such person from disclosing Plaintiffs' identities to any other persons. Defendants must maintain a list of all such persons to whom Plaintiffs' identities are disclosed and copies of the executed non-disclosure agreements, all of which are subject to in camera inspection.
- 4. All portions of pleadings, motions or other papers filed with the Court that disclose Plaintiffs' identities shall be filed under seal with the Clerk of the Court and kept under seal until further order of the Court. All parties shall use their best efforts to minimize such sealing. Any party filing a motion or any other papers with the Court under seal

shall also publicly file a redacted copy of the same, via NYSCEF, that redacts the Plaintiffs' identities and text that would reveal Plaintiffs' identities.

- 5. The parties may seek to modify or amend this Order at any time upon motion to the Court or by stipulation.
- 6. Motion Seq. 001 is resolved by entry of this Order; and the hearing on Motion Seq. 001 currently set for December 17, 2019 at 3:00 p.m. is canceled.

AND IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be

executed in counterparts; and facsimile signatures are deemed originals.

Dated: New York, New York December 5, 2019

MERSON LAW, PLLC

TROUTMAN SANDERS LLP

By: Jordan K. Merson
150 East 58th Street, 34th Floor
New York, NY 10155
(212) 603-9100

Attorneys for Plaintiffs

By: Senset hostionite / L. S Bennet J. Moskowitz 875 Third Avenue New York, NY 10022 (212) 704-6000

Attorneys for Defendants Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein

SO ORDERED.	
Date:	
New York, New York	HON, GEORGE J. SILVER, J.S.C.

EXHIBIT

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/11/2019

* Old B OT New Torr

NYSCEF DOC. NO. 9

STATE OF NEW YORK
UNIFIED COURT SYSTEM
111 CENTRE STREET
NEW YORK, N.Y. 10013
(646) 386-4200

LAWRENCE K. MARKS Chief Administrative Judge GEORGE J. SILVER Deputy Chief Administrative Judge New York City Courts

ADMINISTRATIVE ORDER #371 AMENDED

By the authority vested in me as Deputy Chief Administrative Judge of the courts within New York City, and as the coordinating judge of all cases filed under the Child Victims Act¹ (the "CVA") within that jurisdiction, I hereby order as follows:

- This Order applies to all cases filed or hereafter filed in the Supreme Courts in and for the counties of Bronx, Kings, New York, Queens, and Richmond pursuant to the CVA, including any such matters filed before the one-year window commenced on August 14, 2019, and which were then stayed pending the opening of the window on August 14, 2019.
- 2. While a steering committee negotiates a Case Management Order to address the efficient prosecution and defense of cases filed under the CVA, all Preliminary Conferences currently scheduled or requested as of the effective date of this Order, and any requests for Preliminary Conferences made after the effective date of this Order are adjourned to a control date of January 31, 2020.²
- 3. The time to respond to any discovery demands served by the parties as of the effective date of this Order is adjourned without a date. No demands for discovery shall be served by any party until further Order of this Court.
- 4. Plaintiffs' time to respond to stipulations and orders that consent to or direct the production of identifying information, consisting of a plaintiff's name (including maiden name, if any), date of birth, social security number, parents and/or guardian's names, current address, and address at the time of the alleged abuse, for plaintiffs proceeding under pseudonyms is extended to December 20, 2019. Plaintiffs shall provide such identifying information to

¹ L. 2019 c.11.

² Parties may make an application to extend this, and other deadlines, as necessary.

RECEIVED NYSCEF: 12/11/2019

defense counsel in a manner other than disclosure in a public filing on NYSCEF and as agreed to by the parties. Nothing in this Order prevents plaintiffs from voluntarily providing such identifying information at any time.

- 5. All papers in opposition to any Order to Show Cause or Notice of Motion, including motions to dismiss under CPLR §3211 or §3212, but excluding motions to proceed anonymously or by pseudonym, are adjourned until January 31, 2020. Should the motion(s) not be resolved and withdrawn by the parties as of that date, the Court will set any additional due dates as necessary. No motions, other than motions to proceed anonymously or by pseudonym, shall be filed prior to January 31, 2020 without permission of the Court. As such, no motions to dismiss under CPLR §3211 or §3212 shall be filed prior to January 31, 2020.
- 6. The time to answer, move against, or otherwise respond to any complaint that has been served as of the effective date of this Order is extended until further Order of the Court. This Order supersedes any due dates for answers or motions previously stipulated to by the parties and/or ordered by this Court.
- 7. The time to answer, move against, or otherwise respond to any complaint that is served after the effective date of this Order, but prior to January 31, 2020, shall be extended until a date stipulated to by the parties or as directed by further Order of the Court.
- 8. Notwithstanding any stipulation or Court Order to the contrary, no motion to sever shall be filed prior to January 31, 2020. Consistent with the CPLR, motions to sever may be filed after January 31, 2020.
- 9. Counsel shall make a good faith effort to resolve any motions to dismiss or motions to sever prior to filing such motions.

Dated: December 11, 2019

Deputy Chief Administrative Judge

New York City Courts

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

PR	OBATE DIVISION	34561
IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN, Deceased.	-)) Case No. ST-19-PB-80)	RECEIVED JAN 3 1 2020 SUPERIOR COURT OF THE V.I.

Claim for Unliquidated and Unsecured Damages

COME NOW, Claimant Jane Doe II ("Claimant"), through her attorney Melody D. Westfall, Esq. of Westfall Law, PLLC, 5032 Anchor Way, Suite 8, Christiansted, St. Croix 00820, and hereby present and file this claim for unliquidated and unsecured damages from the estate in the above-referenced matter, and state as follows:

- 1. Prior to being arrested and brought into custody on July 6, 2019 by federal authorities in New York, the decedent, Jeffrey E. Epstein (the "Decedent"), was the subject of multiple on-going investigations into his criminal conduct including, but not limited to, his sex trafficking and sexual abuse of dozens of women, some of whom were underage. Claimant is one of those victims.
- 2. On information and belief, after his arrest, the decedent conspired with multiple individuals, including his attorneys and the two men named as the co-executors of his estate, to fraudulently convey and prevent the distribution of his assets to his numerous victims, including Claimant, in the event that they sought damages through civil recourse.
- 3. The deceased was able to do this by executing a Last Will and Testament on August 8, 2019, which included a newly formed pour-over trust known as The 1953 Trust (the "Trust"), just two days before his death by suicide on August 10, 2019. There is no doubt that these documents were set-up to defraud his creditors, including Ms. Claimant. A true and correct copy

of the decedent's Last Will and Testament is annexed hereto as Exhibit "1" and a true and correct copy of decedent's death certificate is attached hereto as Exhibit "2".

- 4. In decedent's petition for probate and letters testamentary, the value of personal property and total estate property is listed at \$577,672,654.00. See Exhibit 1.
- 5. On December 3, 2019, Claimant and eight of her fellow survivors filed a civil action in the Supreme Court of the State of New York, County of New York (New York County Index No.: 950230/2019) seeking damages against the decedent's estate. A true and correct copy of the Summons and Verified Complaint is annexed hereto as Exhibit "3".
- 6. Claimant's claim is timely pursuant to NY CPLR § 215(8)(a) which provides that a claimant shall have at least one year from the termination of a criminal action against the same defendant to commence an action with respect to the event or occurrence from which the criminal action arose. A criminal action against the deceased with respect to the same sex trafficking enterprise and sexual conduct from which Claimant's claim arises, was terminated less than a year ago on August 29, 2019.
- 7. Specifically, starting in or about 1985 and continuing for a period of time thereafter, when Claimant was approximately twenty-three years old, Epstein and his associates repeatedly sexually assaulted, abused, battered and raped her, which caused severe and serious injuries.
- 8. As such, Claimant, by and through the above-referenced claim, has a right to money damages, whether it is in the form of a judgment or liquidated, fixed or matured damages, and therefore, has an equitable lien on all unencumbered assets and property of the decedent's estate.
- 9. Accordingly, Claimant's claim requires that this Court not only secure sufficient asses from the estate to pay her for whatever damages and losses she may be deemed entitled to

for which further information can be provided upon request, but also prevent the sale, transfer or waste of any assets or property that are part of the decedent's estate.

WHEREFORE, Claimant prays that the Court (a) enter judgment against decedent's estate in an amount sufficient to satisfy her Final Judgment in all pending matters, along with interest, attorneys' fees and punitive damages related to the decedent's fraudulent scheme and activities; (b) or in the alternative, stay all further proceedings in this matter pending the disposition of Claimant's New York lawsuit against the Estate; and, (c) all other further relief as this Court may deem just and proper.

This Claim is verified by counsel, pursuant to 15 V.I.C. § 393 and 5 V.I.C. § 699, as it is sworn under penalties of perjury that the contents hereof are true and correct to the best of the undersigned counsel's knowledge, information and belief.

Dated: Christiansted, St. Croix January (1), 2020

Respectfully Submitted,

Melody D. Westfall, Esq.

V.I. Bar Number 7 2052

WESTFALL LAW PLLC 5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe II

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2020, I caused a true and correct copy of the foregoing

Claim for Unliquidated and Unsecured Damages to be served on the following:

William Blum, Esq. KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Darren K. Indyke, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Richard Kahn, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Douglas B. Chanco, Esq. CHANCO SCHIFFER LAW, LLC 9053 Sugar Estate, Suite 103 St. Thomas, USVI 00802

A. Jeffrey Weiss, Esq. A.J. WEISS & ASSOCIATES 6934 Vessup Lane St. Thomas, USVI 00802

Sean E. Foster, Esq.
Robert V. Goldsmith III, Esq.
MAJORIE RAWLS ROBERTS, P.C.
5093 Dronningens Gade, Suite 1
St. Thomas, USVI 00802

Richard P. Bourne-Vanneck, Esq. RICHARD P. BOURNE-VANNECK, P.C. d/b/a LAW OFFICES OF RICHARD P. BOURNE-VANNECK 9800 Buccaneer Mall, Suite 9 St. Thomas, USVI 00802 Mariann Meier Wang, Esq. Daniel Mullkoff, Esq. CUTI HECKER WANG LLP 305 Broadway, Suite 607 New York, NY 10007

Gloria Allred, Esq. ALLRED, MAROKO & GOLDBERG 305 Broadway, Suite 607 New York, NY 10007

John H. Benham, Esq. LAW OFFICE OF JOHN H. BENHAM, P.C. 9800 Buccaneer Mall Building 2, Suite 9 P.O. Box 11720 St. Thomas, USVI 00801

EXHIBIT

LAST WILL AND TESTAMENT

OF

JEFFREY E. EPSTEIN

I, JEFFREY E. EPSTEIN, a resident and domiciliary of St. Thomas, United States Virgin Islands, do make, publish and declare this to be my Will hereby revoking all prior Wills and Codicils made by me.

1: I direct my Executor to pay from my estate all expenses of my last illness, my funeral and burial expenses, the administration expenses of my estate and all of my debts duly proven and allowed against my estate.

A. I direct my Executor to pay from my estate, as compensation to each Executor for serving as Executor hereunder, the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to each Executor upon the completion of probate of my estate. No Executor shall receive any other compensation for serving as Executor hereunder; provided, however, that my Executor shall be reimbursed from my estate for all reasonable costs, expenses, charges, and liabilities incurred or paid in respect thereto, including fees and expenses of counsel or any other agents hired by my Executor, and my Executor shall not be liable therefor individually.

B. I direct my Executor to pay from my estate the federal and state transfer taxes described in Paragraph B(1) of Article SEVENTH.

C. I direct my Executor to pay from my estate all expenses of storing, insurisig, packing, shipping and delivering my tangible personal property in accordance with the provisions of Article SECOND.

2: I give all of my property, real and personal, wherever situated, after the payments and distributions provided in Article FIRST, to the then acting Trustees of The 1953 Trust ("Trust") created under that certain Trust Agreement of The 1953 Trust (the "Trust Agreement") dated August 8, 2019, as the same may be amended from time to time, to be held in accordance with the provisions comprising the Trust Agreement at the time of my death.

3: I appoint DARREN K. INDYKE and RICHARD D. KAHN to serve as the Executors of this Will. If any one or more of my Executors fails to qualify, is unable or unwilling to serve or ceases to act, I appoint BORIS NIKOLIC, as successor Executor. If any successor Executor fails to qualify, is unable or unwilling to serve or ceases to act, I authorize the last acting Executor to designate his or her successor. Such designation shall be made by written instrument delivered to such designated successor Executor.

A. If my estate must be administered in whole or in part in any jurisdiction other than the state or territory of my domicile at the date of my death, and if my Executor is unable or unwilling to serve in such jurisdiction, then I appoint the successor Executor of my estate designated in Paragraph A of Article THIRD as successor Executor in such

1/a

Last Will & Testament of Jeffrey E. Epsten: Page 2 of 11

the power:

jurisdiction only, provided that he or she is able and willing to serve in such jurisdiction. If no Executor or successor Executor is able and willing to serve in such jurisdiction, my Executor shall designate a successor Executor to serve in such jurisdiction. Such designation shall be made by written instrument delivered to such successor Executor.

B. No bond or other security shall be required of any Executor in any jurisdiction.

C. Any Executor may resign in the manner provided for by the governing statutes of the state or tertitory having jurisdiction of the administration of my estate or in the absence of such statutory guidance, by filing a written notice of resignation with the Court having jurisdiction of the administration of my estate. Any Executor who resigns shall not be entitled to any compensation hereunder for any services rendered as Executor prior to his or her resignation.

D. My Executor shall not be accountable or responsible to any person interested in my estate for the manner in which my Executor in good faith exercises or declines to exercise any discretionary authority or power of my Executor. My Executor shall not be liable for any loss or depreciation in value occasioned by reason of any negligence, error or mistake of judgment in entering into any transaction, in making any sale or investment, in continuing to hold any property or by reason of any action or omission, whether by my Executor or any other fiduciary, unless my Executor has acted in bad faith. In the absence of proof by affirmative evidence to the contrary, each Executor shall be deemed to have acted within the scope of my Executor's authority, to have exercised reasonable care, diligence and prudence and to have acted impartially as to all interested persons. An Executor shall not be liable for the acts or defaults of another Executor.

. The following provisions shall apply to my estate and to my Executor, except as is otherwise specifically provided in this Will:

A. My Executor has the entire care and custody of all assets of my estate. My Executor has the power to do everything my Executor in good faith deems advisable without necessity of any judicial authorization or approval, even though but for this power it would not be authorized or appropriate for fiduciaries under any statutory or other rule of law. My Executor shall exercise my Executor's best judgment and discretion for what my Executor believes to be in the best interests of the beneficiaries hereunder. Except as otherwise specifically provided in this Will, if two Executors are empowered to participate in the decision to exercise or not to exercise any fiduciary power granted by this Will or by law, such decision shall be made by such Executors acting unanimously. If more than two Executors are empowered to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law, a majority of such Executors shall be empowered to make such decision.

B. Except as otherwise provided herein, my Executor shall have

(1) to enter upon and take possession of the assets of my estate and collect the income and profits from such assets, and to invest and reinvest such assets in real, personal or mixed assets (including the common trust funds of a corporate

Last Will & Testament of Jeffrey E. Epstein Page 3 of 11

fiduciary) or in undivided interests therein without being limited by any present or future investment laws:

estate (without regard to the proportion that any one asset or class of assets may bear to the whole) in the form in which such assets were received or acquired by my Executor;

invest or loan all or any part of the assets of my estate which may, at any time, be held by my Executor for such sums or upon such terms as to payment, security or otherwise as my Executor determines, either by public or private transactions;

or other rights to purchase or sell (collectively "options") relating to any security or securities, regardless of whether such security or securities are then held by my Executor, and whether such options are purchased or sold on a national securities exchange, and to exercise with respect to such options all powers which an individual owner thereof could exercise, including, without limitation, the right to allow the same to expire;

with respect to oil, natural gas, minerals, and (5)all other natural resources and rights to and interests therein (together with all equipment pertaining thereto), including, without limiting the generality of the foregoing, oil and gas royalties, leases, or other oil and gas interests of any character, whether owned in fee, as lessee, lessor, licensee, concessionaire or otherwise, or alone or jointly with others as partner, joint tenant, or joint venture in any other noncorporate manner, (a) to make oil, gas and mineral leases or subleases; (b) to pay delay rentals, lease bonuses, royalties, overriding royalties, taxes, assessments, and all other charges; (c) to sell, lease, exchange, mortgage, pledge or otherwise hypothecate any or all of such rights and interests; (d) to surrender or abandon, with or without consideration, any or all of such rights and interests; (e) to make farm-out, pooling, and unitization agreements; (f) to make reservations or impose conditions on the transfer of any such rights or interests; (g) to employ the most advantageous business form in which properly to exploit such rights and interests, whether as corporations, partnerships, limited partnerships, mining partnerships, limited liability companies, joint ventures, co-tenancies, or otherwise exploit any and all such rights and interests; (h) to produce, process, sell or exchange all products recovered through the exploitation of such rights and interests, and to enter into contracts and agreements for or in respect of the installation or operation of absorption, reprocessing or other processing plants; (i) to carry any or all such interests in the name or names of a nominee or nominees; (j) to delegate, to the extent permitted by law, any or all of the powers set forth herein to the operator of such property; and (k) to employ personnel, rent office space, buy or lease office equipment, contract and pay for geological surveys and studies, procure appraisals, and generally to conduct and engage in any and all activities incident to the foregoing powers, with full power to borrow and pledge in order to finance such activities; together with the power to allocate between principal and income any net proceeds received as consideration, whether as royalties or otherwise, for the permanent severance from lands of oil, natural gas, minerals, and all other natural resources;

(6) to hold all or any part of the assets of my estate in each or in bank accounts without the necessity of investing the same;



all or any part of the assets of my estate; (7) to improve, repair, partition, plat or subdivide

abandon or submit to arbitration on such terms and conditions as my Executor determines any claims in favor of or against my estate or the assets of my estate;

and upon such terms and conditions as my Executor determines, assume such obligations or give such guarantees as my Executor determines, for the purpose of the acquisition, improvement, protection, retention or preservation of the assets of my estate, or for the welfare of the beneficiaries of my estate;

my Executor determines any business enterprise in which I owned any interest at my death, either individually, or as a partner, member, joint venture, stockholder or trust beneficiary; to sell such business enterprise as an ongoing business; to consolidate, merge, encumber, dissolve, liquidate or undertake any other extraordinary corporate transaction relating to such business enterprise;

stock or securities and to become a party to any voting trusts, reorganization, consolidation or other capital or debt readjustment of any corporation, association, partnership, limited liability partnership, limited liability company or individual with respect to stocks, securities or debts held by my estate;

(21) of this Article Fourth, to enter into any good faith transactions with any Executor individually interest:

bonds, securities, real or personal property, or other assets, or make loans to my estate even though the same person or persons occupy the office of my Trustee and the office of the Executor of my estate;

interest in or otherwise encumber all or any part of the assets of my estate for any term of years whether or not beyond the duration of my estate (including, without limitation, any such action for the benefit of any of the beneficiaries of my estate);

personal, which my Executor may deem wordless or not of sufficient value to warrant keeping or protecting; to abstain from the payment of taxes, water rents or assessments and to forego making repairs, maintaining or keeping up any such property; and to permit such property to be lost by tax sale or other proceedings or to convey any such property for a nominal consideration or without consideration so as to prevent the imposition of any liability by reason of the continued ownership thereof;

proceeds payable to my estate from any profit-sharing plan, pension plan, employee benefit plan, individual retirement plan, insurance contract or annuity contract pursuant to the terms of such plan;

adjustment to basis provided to my estate under the provisions of Federal and State law with respect to property comprising my estate, without any obligation to make a compensatory adjustment among the beneficiaries hereunder on account of such allocation;

(18) to conduct any audit, assessment or investigation with respect to any asset of my estate regarding compliance with any law or regulation having as its object protection of public health, natural resources or the environment ("Environmental Laws"); to pay from the assets of my estate to remedy any failure to comply with any Environmental Law (even to the exhaustion of all of the assets of my estate); and, as may be required in my Executor's judgment by any Environmental Law, to notify any governmental authority of any past, present or future non-compliance with any Environmental Law; and

Agreement any stocks, bonds, securities, real or personal property or other assets or borrow from the Trustee under the Trust Agreement even though the same person or persons occupy the office of the Executor of my estate and the Trustee under the Trust Agreement.

sell any property for the estate from or to himself, or from or to his relative, employer, employee, partner, or other business associate.

or to his relative, employer, employee, partner, or other business associate.

C. Except as otherwise provided herein, my Executor shall have the power:

(1) to employ agents, attorneys-at-law, consultants, investment advisers (to whom my Executor has discretion to delegate my Executor's investment authority and responsibility), other executors and other fiduciaries in the administration of my Executor's duties; to delegate to such persons, or to one or more of my Executors, the custody, control or management of any part of my estate as my Executor determines and to pay for such services from the assets of my estate, without obtaining judicial authorization or approval;

(2) to delegate, in whole or in part, to any person or persons the authority and power to (a) sign checks, drafts or orders for the payment or withdrawal of funds, securities and other assets from any bank, brokerage, custody or other account in which funds, securities or other assets of my estate shall be deposited. (b) endorse for sale, transfer or delivery, or sell, transfer or deliver, or purchase or otherwise acquire, any and all property, stocks, stock warrants, stock rights, options, bonds or other securities whatsoever, (c) gain access to any safe deposit box or boxes in which my assets or assets of my estate may be located or which may be in the name of my Executor and remove part or all of the contents of any such safe



Last Will & Testament of Jeffrey E. Epstein Page 6 of 11

deposit box or boxes and release and surrender the same, and (d) take any other action that my Executor may have the power to take with respect to my estate and the property thereof; no person or corporation acting in reliance on any such delegation shall be charged with notice of any revocation or change of such delegation unless such person or corporation receives actual notice thereof;

(3) to pay any property distributable to a beneficiary under a legal disability or who has not attained the age of 21, without liability to my Executor, by paying such property (a) to such beneficiary, (b) for the use of such beneficiary, (c) to a legal representative of such beneficiary appointed by a court or if none, to a relative for the use of such beneficiary, or (d) to a custodian for such beneficiary designated by my Executor, to hold until age 21 or such earlier age as shall be the maximum permitted under applicable law;

estate in kind or in cash, or partly in kind and partly in cash, and to allocate different kinds or disproportionate shares of assets or undivided interests in assets among all of such beneficiaries;

maintained in the records of a Federal Reserve Bank under the Federal Reserve Book Entry System; to deposit funds in any bank or trust company; to carry in the name of my Executor or the nominee or nominees of my Executor and with or without designation of fiduciary capacity, or to hold in bearer form, securities or other property requiring or permitting of registration; and to cause any securities to be held by a depository corporation of which an Executor is a member or by an agent under a safekeeping contract; provided, however, that the books and records of my Executor shall at all times show that such investments are part of my estate;

and in accordance with applicable law, any assets, interests, rights or powers (including any power of appointment) which are payable to (or exercisable by) me or my estate, which are includible in my estate or Gross Estate or over which I have any right, title, interest or power; and

instruments in writing as shall be necessary or proper to carry out any power, right, duty or obligation of my Executor or any disposition whatsoever of my estate or any asset of my estate and to exercise any and all other powers incidental or necessary to carry out or to fulfill the terms, provisions and purposes of my estate.

D. In connection with any insurance policy or annuity on the life of an Executor which is included in my estate, such Executor shall not participate in the decision to exercise or not exercise any fiduciary power in connection with any incidents of ownership for such policy or annuity, including, without limitation, any decision to continue, assign, terminate or convert such policy or annuity or to name the beneficiary of such policy or annuity.

E. An Executor hereunder may by a written notice delivered to the other Executor decline to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law.

F. If an Executor is not empowered (because of a conflict of

NO

interest, declination to act or otherwise) to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law, then the remaining Executor shall be empowered to make such decision. If no Executor is empowered to participate in such decision, then the successor Executor of my estate designated in Paragraph A of Article THIRD and able and willing to act shall be empowered to make such decision. If no Executor or successor Executor is empowered to participate in such decision, my Executor may designate a successor Executor to serve as Executor of my estate who shall be empowered to make such decision but shall have no other power or authority of my Executor. Such designation shall be by written notice delivered to such successor Executor.

Paragraph G(1) of this Article, and except as provided in Paragraph G(2) of this Article, my Executor shall allocate receipts and disbursements in accordance with sound trust accounting principles and shall have discretion to allocate receipts and disbursements when the treatment is uncertain under applicable laws or generally accepted accounting principles in the judgment of my Executor.

my Executor shall not treat any part of the principal amount of the proceeds of sale of any asset of my estate as income distributable to or for the benefit of any beneficiary entitled to distributions of income; provided, however, that my Executor shall treat a portion of any proceeds of sale of any financial instrument originally issued or acquired at a discount equal to the amount which (a) has previously been characterized as ordinary income for income tax purposes or (b) will be characterized as ordinary income for income tax purposes or sale, as income for trust accounting purposes.

5: Where a party to any proceeding with respect to my estate has the same interest as a person under a disability, it shall not be necessary to serve legal process on the person under a disability.

6: If any beneficiary under the Trust shall in any way directly or indirectly (a) contest or object to the probate of my Will or to the validity of any disposition or provision of my Will or of the Trust or (b) institute or prosecute, or be in any way directly or indirectly instrumental in the institution or prosecution of, any action, proceeding, contest, objection or claim for the purpose of setting aside or invalidating my Will or the Trust or any disposition therein or provision thereof, then I direct that (a) any and all provisions in the Trust for such beneficiary and his issue in any degree shall be null and void and (b) my estate, whether passing under my Will or the Trust or pursuant to the laws of intestacy, shall be disposed of as if such beneficiary and his issue in any degree had all failed to survive me.

7: A. As used herein:

(1) The term "Executor" of a person's estate means all persons or entities who occupy the office of executor, administrator, personal representative, or ancillary administrator while such persons or entities occupy such office, whether one or more persons or entities occupy such office at the same time or times, and includes any

Last Will & Testament of Jeffrey E. Epstein Page 8 of 11

successor or successors to that office. The term "Trustee" means all persons or entities who occupy the office of Trustee under the Trust Agreement while such persons or entities occupy such office, whether one or more persons or entities occupy the office of Trustee at the same time or times, and includes any successor Trustee or Trustees. A reference to a person's estate or probate estate means that person's estate which is subject to probate administration. A reference to a person's Will means such person's Last Will and Testament and any Codicil or Codicils thereto.

the Internal Revenue Code of 1986, as amended, or the corresponding provision of any successor Internal Revenue law, as in effect as of the date of my death.

interest or penalties thereon. A reference to a person's "Gross Estate" means such person's gross estate as finally determined for purposes of computing such person's federal estate tax.

same shall include the plural, and the masculine gender shall include the feminine and neuter

B. The federal and state transfer taxes which my Executor shall be obligated to pay putsuant to Paragraph B of Article FIRST shall consist of all federal and state estate, inheritance, succession, and similar taxes (including any federal or state generation-skipping transfer tax) imposed upon my probate estate or by reason of my death in respect to all assets which pass under this Will or the Trust Agreement. Subject to Paragraph B(2) of this Article, all federal estate taxes with respect to assets not passing under this Will or the Trust Agreement (such assets are referred to as the "Apportionment Assets") and any applicable state estate taxes with respect to the Apportionment Assets shall be apportioned among all persons interested in the Apportionment Assets. My Executor shall make reasonable efforts to collect all rederal estate taxes and state estate, inheritance, succession and similar taxes allocable to the Apportionment Assets from the recipients of the Apportionment Assets. Without changing the apportionment of taxes in this Paragraph B(1), my Executor has discretion, but is not required, to pay all or part of such taxes allocable to the Apportionment Assets. To the extent my Executor pays such taxes allocable to the Apportionment Assets, my Executor shall seek reimbursement for such taxes from the recipients of the Apportionment Assets. My Executor shall not be personally liable for any of such taxes if my Executor is unable, with reasonable efforts, to collect payment (or reimbursement) from any recipient of any Apportionment Assets for any or all of such taxes allocable to such assets.

Trustee of the Trust Agreement to pay all or any portion of the taxes which my Executor is directed or obligated to pay pursuant to Paragraph B of Article FIRST and this Paragraph B pursuant to a written direction delivered to the Trustee under the Trust Agreement. Any taxes which my Executor directs the Trustee under the Trust Agreement to pay shall be allocated and paid from the trusts under the Trust Agreement as provided under the Trust Agreement.

bequest or devise to an individual who does not survive me shall lapse notwithstanding any law to

Con !

Last Will & Testament of Jeffrey E. Epstein Page 9 of 11

D. To the extent that the distribution to the Trustee under the property, real and personal, wherever situated, after the payments and distributions provided in Article FIRST, to the person or persons named as Trustee or Trustees under the Trust Agreement, Agreement at the time of my death, which provisions are incorporated in this Will by reference.

IN WITNESS WHEREOF, I have duly executed this Will this 8th day of August,

2019.

CX2

Last Will & Testament of Jeffrey E. Epstein Page 10 of 11

The foregoing instrument, consisting of eleven (11) pages, was signed in our presence by Jeffrey E. Epstein and was declared by him to be his last Will. We, at the request of and in the presence of Jeffrey E. Epstein and in the presence of each other, have subscribed our names below as witnesses. We declare that we are of sound mind and of the proper age to witness a will, that to the best of our knowledge the testator is of the age of majority, or is otherwise legally competent to make a will, and appears of sound mind and under no undue influence or constraint. Under penalty of perjury, we declare these statements are true and correct on this 8th day of August, 2019 at New York, New York.

Warel	residing at		
Mariel/A. Colon Miró			
Sulvey Jahi GULNORA TALI	residing at		
GULNORA TALI		7	

AFFIDAVIT

signed to the attached instrument in those authority and first being duly sworn, do here perjury that the Testator declared, signed, a willingly; he/she executed it as his free and each of the witnesses, at the request of the presence of each other, signed the will as y	and estator and the witnesses respectively, whose names are capacities, personally appearing before the undersigned beby declare to the undersigned authority under penalty of and executed the instrument as his last will; he signed it divoluntary act for the purposes therein expressed; and Testator, in his or her hearing and presence, and in the vitness and that to the best of his or her knowledge the of age or older, of sound mind and under no constraint
1	JEFEREY E. EPSTEIN
MILLER	
residing at	n = ma = m = d'
Julnora Tali residing at	
8	
*	
STATE OF NEW YORK))ss:
COUNTY OF NEW YORK)
a witness who is personally known to me o	FFREY E. EPSTEIN, the Testator, who is personally as identification, and by Marie as identification, as who has produced as identification, as who is personally known to me or who has produced
as identification, on August 8, 2019.	
Sworn to before me this 8th day of August, 2	201.

Malan Welalz Notary Public

MARLANA A. MELENDEZ
Notary Public, State of New York
No. 02b(86371741
Qualified in New York County
Commission Expires March 5th, 20 2-2.

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN	PROBATE NO. ST-19-PB
Deceased.) ACTION FOR TESTATE ADMINISTRATION
OATH OF WILLINGNESS TO APPOINTMENT OF	SERVE AS EXECUTOR AND LOCAL COUNSEL
I. Darren K. Indyke, hereby declare, certif	y, verify, and state under penalty of perjury unde
the laws of the United States Virgin Islands that:	
1. I am an adult of sound mind, have never b	peen convicted of any felony or of a misdemeano
involving moral turpitude, and I am not a	judicial officer.
2. I am a resident of Florida.	-
3. The Last Will and Testament of Jeffrey	y E. Epstein nominates and appoints me as as
Executor of the Estate of Jeffrey E. Epste	in, deceased.
4. I am willing to act as Executor of the abo	ove-captioned Estate according to the law and to
the best of my ability and I will faithfully	discharge the duties and obligations of fixecutor
 I will render a true accounting of all more which I am responsible. 	nies and property coming into my possession fo
 I am willing to act as Executor of the above upon and grant all the prayers of the Petit 	e-captioned Estate and request that the Court action for Probate.
7. I am a non-resident of the Virgin Islands, a	and thus, I appoint the law office of Kellerhals
FERGUSON KROBLIN PLLC. located in t	he Virgin Islands, specifically at Royal Palms
Professional Building, 9053 Estate Thor	mas. Suite 101. St. Thomas, VI 00802, as my
attorney upon whom service of all papers	may be made.
SUBSCRIBED AND SWORN to before	Darren K. Indyke
me this day of 2010	

Notary Public State of Florids
Elie Macus
My Commission GG 137817
Expires 08/24/2021

NOTARY

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

	******	*****
	THE MATTER OF THE ESTATE OF FREY E. EPSTEIN) PROBATE NO. ST-19-PB
	Deceased.) ACTION FOR TESTATE
		SERVE AS EXECUTOR AND
	APPOINTMENT OF	LOCAL COUNSEL
	I, Richard D. Kahn, hereby declare, certif	y, verify, and state under penalty of perjury under
the la	iws of the United States Virgin Islands that:	
1	. I am an adult of sound mind, have never b	een convicted of any felony or of a misdemeanor
	involving moral turpitude, and I am not a	
2	I am a resident of New York, New York.	19
3.	. The Last Will and Testament of Jeffrey	E Epstein nominates and appoints me as an
	Executor of the Estate of Jeffrey E. Epste	
4.	I am willing to act as Executor of the abo	ove-captioned Estate according to the law and to
		discharge the duties and obligations of Executor.
5.		ies and property coming into my possession for
	which I am responsible.	1 2
б.	I am willing to act as Executor of the above	e-captioned Estate and request that the Court act
	upon and grant all the prayers of the Petiti	
7	I am a non regident of the Vivoir Islands	and the area in the control of the c

7. I am a non-resident of the Virgin Islands, and thus, I appoint the law office of Kellerhal's FERGUSON KROBLIN PLLC, located in the Virgin Islands, specifically at Royal Palms Professional Building, 9053 Estate Thomas, Suite 101, St. Thomas, VI 00802, as my

attorney upon whom service of all papers may be made,

Richard D. Kahn

SUBSCRIBED AND SWORN to before

me this

day of AUGUST.

, 2019.

NOTARY

MARIANNE BARNETT NOTARY PUBLIC, STATE OF NEW YORK NO. 01BA6276845 Qualified in Suffolk County

01(02)

Term expires February 25, 2021

IN THE MATTER OF THE ESTATE OF)	
JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB-
)	
Deceased.)	ACTION FOR TESTATE
)	ADMINISTRATION

PETITION FOR PROBATE AND FOR LETTERS TESTAMENTARY

COME NOW Petitioners DARREN K. INDYKE and RICHARD D. KAHN, Executors of the Estate of Jeffrey E. Epstein, by and through Kellerhals Ferguson Kroblin PLLC, and petition this Honorable Court to grant the instant petition pursuant to V.I. Code Ann. tit. 15. § 161 and Rule 3 of the Virgin Islands Rules for Probate and Fiduciary Proceedings. In support thereof, Petitioners state the following:

- 1) That Petitioners Darren K. Indyke and Richard D. Kahn ("Petitioners") are citizens of the United States of America and residents of Florida and New York, respectively.
- 2) The original Last Will and Testament of Decedent, dated August 8, 2019, which is attached hereto, appoints Petitioners as Executors of the Estate.
- 3) The Decedent, Jeffrey E. Epstein, died testate on August 10, 2019 in New York, New York, and was domiciled in and a resident of St. Thomas, Virgin Islands at the time of his death, as supported by the copy of Certificate of Death attached hereto.
- 4) Decedent left certain assets in trust.
- 5) The Decedent died possessed of certain property within the Territory of the U.S. Virgin Islands and within the jurisdiction of the Court as herein described:

¹ The original death certificate, or a certified copy thereof, will be filed with the Court upon Counsel's receipt of the same.

PERSONAL PROPERTY

VALUE

Cash

\$ 56,547,773.00

Fixed Income Investments

\$ 14,304,679.00

Equities

\$ 112,679,138.00

Aviation Assets, Automobiles and Boats

\$ 18,551,700.00

Fine Arts, Anuques, Collectibles,

Valuables & Other Personal Property

TBD subject to appraisal/valuation

Hedge Funds & Private Equity Investments

\$ 194,986,301.00

10,000 shares of Maple, Inc., a U.S. Virgin Islands corporation which holds title to

9 East 71st Street New York, NY 10021

\$ 55,931,000.00

10,000 shares of Cypress, Inc., a U.S. Virgin Islands Corporation, which holds title to

49 Zorro Ranch Road Stanley, New Mexico 87056

\$ 17,246,208.00

10,000 shares of Laurel, Inc., a U.S. Virgin Islands Corporation, which holds title to 358 El Brillo Way

Palm Beach, Florida 33480

\$ 12,380,209.00

999 shares of SCI JEP, a French Company which holds title to units 47 with mezzanine, 48 and 81 on the 2nd floor, units 63 and 74 on the 5th floor and units 5 and 22 (cellars) in the basement 22 Avenue Foch

Paris, France 75116

\$ 8,672,823.00

10.000 shares of Poplar, Inc., a U.S. Virgin Islands Corporation, which holds title to Great St. James Island

Great St. James Island No. 6A Red Hook Quarter St. Thomas, Virgin Islands

\$ 22,498,600.00

10,000 shares of Nautilus, Inc., a U.S. Virgin Islands Corporation, which holds title to

Little St. James Island
No. 6B Red Hook Quarter

Parcels A, B & C

St. Thomas, Virgin Islands

\$ 63,874,223.00

TOTAL PERSONAL PROPERTY:

\$ 577,672,654.00

TOTAL ESTATE PROPERTY:

\$ 577,672,654.00

² Values are subject to appraisal and/or update to their date of death valuation, which will be confinned in verified inventory to be filed with the Court.

- 6) Petitioners are investigating potential debts and claims of the Estate and at this time they are unknown.
- That the names and addresses, insofar as known to Petitioners, of the heirs and next of kin of the deceased, who would be entitled to share the estate if he had left no will; the relation of each such person to him; the proportion due each such person, and whether each of them is an adult or an infant are as follows:

NAMES	RELATIONSHIP	CAPACITY	SHARE
Mark Epstein	Brother	Adult	100%

- That Pentioners Darren K. Indyke and Richard D. Kahn be appointed Executors. They are adults of sound mind, are not convicted of any crime involving moral turpitude, and are not judicial officers of this Honorable Court.
- Although Petitioners are not residents of the Virgin Islands, they are qualified to serve as Executors pursuant to 15 V.I.C. § 235(c) because they otherwise qualify under 15 V.I.C. § 235(a) and they have appointed the law firm of Kellerhals Ferguson Kroblin PLLC, which has offices on St. Thomas, Virgin Islands, to accept service of all papers for purposes of the probate of Decedent's estate.
- The Decedent's Last Will and Testament provides that "No bond or other security shall be required of any Executor in any jurisdiction." See original Last Will and Testament attached hereto at Article THIRD, subsection B on page 2. Accordingly, Petitioners pray that the bond be waived pursuant to V.I. R. Prob. 3.

WHEREFORE, Petitioners pray:

- A. That the Estate of Jeffrey E. Epstein be entered into Probate;
- B. That a citation be issued to any heir or next of kin who has not signed a Waiver;
- C. That this Honorable Court order the issuance of a notice to creditors and clauns procedure order in substantial form of that which will be separately proposed to the court forthwith;
- D. That the Last Will and Testament of Jeffrey E. Epstein, attached hereto, be admitted to Probate;
- E. That Darren K. Indyke and Richard D. Kahn be appointed Executors and Letters Testamentary be issued to them;
- F. That the bond be waived; and
- G. That the Petition be granted.

Respectfully,

DATED: August 15, 2019

WILLIAM BLUM, ESQ., Of Counsel

V.I. Bar No. 136

KELLERHALS FERGUSON KROBLIN PLLC

Royal Palms Professional Building

9053 Estate Thomas, Suite 101

St. Thomas, V.I. 00802-3602 Telephone: (340) 779-2564

Facsimile: (888) 316-9269

Email: wblum@solblum.com

VERIFICATION OF PETITION

I, Darren K, Indyke, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records show.

DATED:	Amoust	. 2019
	A S LAZE CHIST	. 41117

Darren K. Indyke

SUBSCRIBED AND SWORN to before me

this _____ day of _______. 2019.



- lardy

15

11-

VERIFICATION OF PETITION

I, Richard D. Kahn, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records

DATED: August 15, 2019

show.

Richard D. Kahn

SUBSCRIBED AND SWORN to before me

this 15th day of August, 2019. Manain Barnett

MARIANNE BARNETT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01BA6276845
Qualified in Suffolk County
Term expires February 25, 2021

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN PROBATE NO. ST-19-PB-Deceased. **ACTION FOR TESTATE ADMINISTRATION**

AFFIDAVIT

I, Erika A. Kellerhals, hereby depose or otherwise state that I do not know of any will or codicil of Jeffrey E. Epstein, deceased, other than the instrument in writing dated August 8, 2019; that I received the Last Will and Testament of Jeffrey E. Epstein from Jeffrey E. Epstein, and the said Jeffrey E. Epstein died on or about August 10, 2019.

SUBSCRIBED AND SWORN to before me

day of Aug

Brett A. Geary Notary Public: NP-144-15

Commission Expires: December 24, 2019

St. Thomas / St. John, USVI

EXHIBIT

THE CITY OF NEW YORK

A VITAL RECORDS CERTIFICALLS &

DEATH TRANSCRIPT

DATE FILED THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH

Certificate No. 156-19-032838

Place Of Death	20. Bon	hattan	1 (2) Hospital Impaide 2 El Emergency Dep 3 (2) Dept on Arrival	rii 5Q) UOulpideni 6Q; 7Q;	(First, Mitchin, Lead) 4 (1 Nursing Normallung Terr Cate Fa 5 (2 Hospite Feelby Adjacted 6 (3 Decelerit Residence 7 (1 Other Speelby			acting 2d. Any Huspite care in test 30 stays 1 12 Nos 20 Ho Naw York 2 10 Ho 3 13 Unknown			hospital or other facility (if not facility stress middle k-Presbyterian-Lower Manhalten Hospi S. OCME Care No.			
	ind Time o ind Dead	(Cleath	August	(Day) 10	2019	7:36	EAM CIPM	Male		3.00		01943	2	
6. C	p s. intres		date cause Pendi	ng Further S	itudy			Access		31		S W	W	
0		b. Due to	OF BAR IS	-										
9			quence of										-	
0		c. Due to or as a consequence of the constituting to death but it is resulting in the anderty in base of the latest latest introduce operation information.												
A H	PART II	- Care -		rance of a comm	VE-			3.04						
	ury Dale ()	nn dd yy	75. Time Class	76. AL WHIRL THE	Chart of Injury -416	phis, fection, 34	ed. 105	-	11.				-	
	2.00	•	G PM	2 D No 78	Location	100			14.4					
71. Ho	w Injury O	COURTEC	2250000000	13		Ar CA			. "					
7g. tf	Transporta	don Injury			9. Autop	ey The	a Paragraph		n proffer tolerables	ction. In a	y opinion, e	dwellh occ	until them	
	ver/Operat	or C3 Ped	earter @ Pending		D Ho A	Calif	a Skribers	46	dia XI	ama	2_ MD.	Date A	JG-11-21	
	regnées			O Main Ouns	elembrat (Principle	Line 3	-	Rive	70	MAN	COLUMN 1		apine	
	ner Elpacity			-	13,494	ages F	7.77	A Section	al wheepfork	Dipuly C	20° Code	Printer.	de Obr Lie	
	Vingtn		St. Thorn	4	St. Thomas	1 100	250	naie-tela	od San		00802		Yes 200	
	Amgai	THE RESERVE	-	the same of the same of	at he bridge	/30	ar I New	754		Rodal So	custy No.		- 27	
		Jenu			end eas	100	10.72	1	Made			3348	0000045	
		pation (1)	pe of work done durin	distant of addition	Ste. 15b. Kinglat t	dalan o fa		hady or 645	43	•				
			osultant	The Boards	1	rence	d	- 6	ot.	27	tions of class	del		
17.61	rençance (C	ay a sum	i'or Foreign Country)	TIZ die precion		a Home col		un carpan	The second secon	Author to		-		
	Broc	001094000	lew York	a Carrier Control	guestare or GED.	4 D Budliste	AND DESCRIPTION OF THE PERSON NAMED IN	-		i Jag., Pil rud daga	D, \$40) or may MD,	006, DV	d, LLE, ad)	
Ar.	erin U.S. med Force	•7 4H	dedtel/Partnembe \$1 Married & C. Doon Married, but reparate	DESCRIPTION OF THE PERSON OF T	A D Deposed in a	4	nhing Spour	7		rno prior 1	o fire mark	igej(Flout	Middle, L	
	-	1/4	Other, Sheoly Vicidle, (Lest)			500 MA	-	-	to but marriage) (First, N	Adda, LAR			
22. Fa			Seymour	Epstein 246.		3 (40)		2	Paule Sk	Hofaky			ZIP Code	
	OCHODALT &	Meri	Epstein	2740. 1	Brother			11		1130		- 5	33411-8	
24a. 6						387.4	Box of Display	STORY PROPERTY.	of containing and	matery, of	mer place)			
24s. 6	Method of a			4D/										
24s. 6 25s. 1	Method of a	C) Creme		ment 400	Olly Cometery			-		W. N	100	15		
24s. 6 25s. 1 1 (3 6 5 (3 0	Method of i wrist 2 Wher Speci	Creme			Olly Cemetery				25d. Oate		dis	dd A D	707	
25a i 1 0 a 5 U o	Method of i wrist 2 Wher Speci	Creme ly	Son 3 to Entomb		Olly Cornellory		sidence (Stron		Dispo		90	13	707 2019	

Do not accept this transcript unless 4 bears the security features I step on the back. Approximation or afterstoon of this transcript is prohibited by §3.19(b) of the New York City Health Code of the purpose is the evasion or includen all any provision of Kie Health Code of any ather law.

THE CITY OF NEW YORK

3. (VHALRECORDS CERTHICALL S.C.

DEATH TRANSCRIPT

DATE FILED THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH

Certificate No. 156-19-032838

1000	2s M-	York City on			NAME JEFF	idde, LesiÇ	WARD					- (S	
Ot Death	Zo. Soro Mant	ugh 16 attan 35	Type of Place I Hospital Inglident I Emergency Dept.A I Dead on Arrival	H 🗗 5 D 🗗 8 Inelactic	Lusing HomerLong T lospice Featility lecitiest's Plesidens Water Speatly	02.00	2d. Any He in helt 30 st 1 C3 Wes 2 E No 3 C3 Linking		2n. Name of Rospi Naw York-Pre				
or For	rnd Time of und Dead	Depth 36.	(Hore) August	(Day) 10	2019	7:36	EI AM	4.8ex Male		S. OCME Co	■ No. M190194	32	
G 4Dem Or	P	a. immedate	^{ceuce} Pendin	Further S	tudy			1		1	13015-	OZ.	
	Ŕ	b. Due to or a				-					-		
		c. Due to or m	14								-		
0 84	PART II		ther significant conditions considuring to death but not explain a fine and the business group in Fact I, include operation information.										
, ii					. £	300		576	mon other secon seco	rampos,			
7a. Inji	ury Date (m	ת (תרת שם בי		C Al Work Inc.	Place of Injury — is a	olia, focaso _{a, N} o	4.5	14	11				
7. Ho	w binny Oc		□ PM	2 Calle 76 L	acetion	The Con	4		14.1			200	
_				. W		144.4		. 6		32.0			
		n Iriuy Specif			9. Autopi	7.00	3000	-	n a till or begoing	don, in my opid	ion, death ec	curred du	
	Ténger		G Natural G		TO Make	Contra	Signature .	c de	Stin All	aman	D.O. Out 🚣	UG-11-2	
I ON	er Specify		- CAUDONA CO		0.45	Code	The same	Kind	10	MAN S	latical E		
		noe State 115	County &	ple. Chy		STILLER		diameter.		Disher Cress a		d Etgeni dis (Sr L	
_	Virgin I	-	St. Thomas	Andrew St. Co., St. C	St. Thomas	3 atter	girt fan	na-isia	nd	008		Yes 25	
2 04	no of Distri	110.709.90	(Day) (War-)	195 13. Age,		1	THE Y	-64	1045(1)	ingel Becarity I	lo.	- 0000	
Se. Di		January	20 100 work done during	2.11	68	-	- 77	166	- Transport	1	-3341	3	
B. (10)	USE THERE	Consult	lant 📉	an of managing to	a. 18b. Kingles to	tence .		may or AN	1				
7 BH	hphios (Cit)	a State or Fo	reign Coursey) Sil	Control of the Contro	er de box staj des	Charles and the	area day	e or level	of property and property	र्ज के प्रेक क्षिक ले	change)	-	
	Brook	yn, New Y			en pe Sabera entre e Sabera		60	AS .	/S.	Ingres (e.g., 545, (e.g., FRD, 540)	MS, MEng, ob or	SG, WOWL I	
	r in IJ.S. ad Forces?	20. Martini i 1 U Marriso	artnership States	Top to the	-	21 Sun	ving Spound	4.00		uil degree (e.g., ne prior to first at	MD, DDB, DW	A SAME A	
	ero Percept? er 2.00 No	4 Li Marriec 7 Ci Other, S		- Carrie	and Page Name	1	3		1		and all and	management, C.	
L Fatt	we's Marine	(First, Middle.	Lucai)	-	10000	and the second	45.4	13.		•			
la, inf	brenerz's Ne	-	Seymour Ep	stein 246. Ref		3 7	*	54	Pauls Sto	(First, Madde, L Offsky	##C)	25	
		Mark Eps	lein	2040. Page	Brother	71		1	Art No.	200		ZP Code 33411-6	
	ethod of Dis tel 202	poettion Cerestion	3 Entombrane	400	Cemelory	36.74	d Chapter	on the same	of chidalaty, man	mory, other play	(e)		
D Bur						. 3		NAME OF TAXABLE PARTY.	Name and Address of the Owner, where	NA MILEO			
C) Start L) Oth		marking Why at	State or Foreign Cov	irity)			-	-	25d. Date of		dd	יומיד	
T Only						100.44	maa (Street a		Otepoti	UG.	13	2019	
D Bur Li Oth K. Lo			7							& Chate	20	Code?	
D Bur J Oth S Los	ofenel (to		NS ENTER					Ave Ne		10028-023	7	-	
O Bur Li Oth Sc. Los se. Fur	ofenel (to	atoment			~			Ave Ne	w York, NY	10028-023	7		
O Bur Li Oth Sc. Los se. Fur	orfor of the	atoment	ág a ci					Ave Ne		10028-023	7		
O Bur Li Oth Sc. Los Se. Fur	orfor of the	atoment	USE CONTRACTOR					Ave Ne		10028-023	7		

Thus is to cartily that the foregoing is a true copy at a record on this in the Department of Health and Mantal Hyglene. The Department of Health and Mantal Hyglene does not certify to the trush of the attainments made thereon, as no linguity as to the facts has been provided by law.

Do not accept like transcript unless it bears the security features listed on the back. Reproduction of aftersion of this transcript is prohibited by §3.19(b) of the fless for City feath, Code if the purpose is the avasion or violation of any provision of the Mauth Code or any other law.

Sittem Y Schwartz, Ph.D., Chy Registra





IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,)))	Case No. ST-19-PB-80	12	RECEIVED JAN 3 1 2020 PERIOR COURT OF THE V.I.
Deceased.)			0168 193

Notice of Filing of Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe III, a victim of the Estate of Jeffrey E. Epstein, and submit for the consideration of the Court, the attached Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages.

Dated: Christiansted, St. Croix January 1, 2020

Respectfully Submitted,

Melody D. Westfall, Esq. V.I. Bar Number 122052

WESTFALL LAW PLLC

5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820 mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe III

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,		Case No. ST-19-PB-80	REC JAN 3
Deceased.) -		OF TH

Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe III ("Claimant"), a victim of the Estate of Jeffrey E. Epstein (the "Estate"), and file this Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages, and in support thereof state:

- 1. This motion and the subsequent notice of claim are timely and properly filed pursuant to Virgin Islands Probate and Fiduciary Rule 11 titled Notice to Creditors and Persons Indebted to the Estate which notes that "...all persons having claims against the estate [are] to present, or deliver to the executor or administrator, their claim(s), verified by affidavit, to a place within the territory specific in the notice, within six months from the date of notice..." as such a notice was dated September 13, 2019, filed on September 18, 2019 and directed such claims to be presented to the offices of their attorneys or the Clerk of this Court. See also 15 VI.C. § 391 Publication of Notice of Administration.
- 2. The undersigned currently represents twelve victims, including Claimant, who has a claim to be made against the Estate of Jeffrey E. Epstein. On December 3, 2019, nine of those twelve victims, including Claimant, filed suit against the above-referenced Estate and its executors in the Supreme Court of the State of New York, County of New York. See Jane Doe I et al v.

Darren K. Indyke et al (Index No.: 950230/2019) (Hon. George J. Silver, J.S.C.). A true and correct copy of the Summons and Verified Complaint are attached hereto as Exhibit "1".

- 3. It is important to note that in that complaint, Claimant filed anonymously using the "Jane Doe" pseudonym.
- 4. Furthermore, on December 5, 2019, Bennet J. Moskowitz of Troutman Sanders LLP, attorneys for the executors of the Estate, filed a stipulation with request to so order Claimant's requests for anonymity on consent from all parties involved in that litigation. Attached hereto as Exhibit "2" is a true and correct of the fully executed stipulation.
- 5. The only reason that this stipulation has not been so ordered at this time is due to the current Administrative Stay placed on the case, and all other cases of similar nature, pending in the Supreme Court. Attached hereto as Exhibit "3" is a true and correct copy of the Administrative Order of Hon. George J. Silver, J.S.C.
- 6. Accordingly, the undersigned respectfully requests that this Court also grant Claimant the ability to present her Notice of Claim anonymously under pseudonym.
- 7. If the fact that both of the parties in this proceeding have already agreed for Claimant to file anonymously is not persuasive enough, courts in this Circuit have also granted such relief even when it is opposed.
- 8. First and foremost, this sort of decision is within the direct purview of this Court.

 See Doe v. C.A.R.S. Protection Plus, Inc., 527 F.3d 358, 371 (3rd Cir. 2008) ("[T]he decision whether to allow a [claimant] to proceed anonymously rests within the sound discretion of the court.").
- 9. Indeed, in making such decisions, courts in this circuit have continually applied a balancing test type approach using several factors outlined by the Third Circuit in the case of <u>Doe</u>

- v. Megless and its progeny. See Doe v. Megless, 654 F.3d 404 (3rd Cir. 2011) ("Megless"); see also D.M. v. Cty. of Berks, 929 F. Supp. 2d 390 (E.D. Pa. 2013) ("Berks"); Doe v. Rutgers, 2019 U.S. Dist. LEXIS 75139 (D.N.J. 2019) ("Rutgers").
- 10. In this case, it is clear that when applying the nine <u>Megless</u> factors (six that favor anonymity and three that disfavor anonymity), an overwhelming majority of them support Claimant's use of a pseudonym while the few that do not are either not applicable to the case or do not do enough to tip the scales. <u>See Megless</u>, 654 F.3d at 409.
- 11. Regarding the first factor in favor of anonymity, the facts of this case stand in sharp contrast to instances where courts have found that anonymity would be futile because the movant's name was already widely known. See Rutgers at 5-6 (citing to Megless at 410 ([movant's] name, picture and home address had been disclosed on a publicly circulated flyer)). Here, the facts align more with Rutgers as Claimant has gone above and beyond to maintain her confidentiality, which has never been made public, including by filing her lawsuit as a "Jane Doe" and stipulating with the Estate to the same. See Megless at 410; see also Rutgers, 2019 U.S. Dist. LEXIS 75139 at 5.
- 12. Second, as for the reasonableness of the harm that the litigant is seeking to avoid, here, similar to the facts of <u>Rutgers</u>, Claimant wishes to proceed anonymously in order to protect her mental and physical health and right to fully and fairly litigate this action. <u>See Rutgers</u> at 6-7; <u>see also Doe v. Roman Catholic Archdiocese of New York</u>, 64 Misc. 3d 1220(A) (Sup Ct., Westchester Cty. 2019).
- 13. Indeed, as opposed to using a pseudonym merely to avoid the annoyance and criticism that may attend any litigation, Claimant seeks to proceed anonymously to preserve her privacy in this matter of a sensitive and highly personal nature that will have a lifelong impact on her and her families' lives. See Rutgers at 6-7; see also Doe v. Szul Jewelry Inc., 2008 NY Misc.

LEXIS 8733 (Sup. Ct., New York Cty. 2008); <u>Doe v. New York Univ.</u>, 6 Misc. 3d 866 (Sup. Ct., New York Cty. 2004); <u>Sealed Plaintiff v. Sealed Defendant</u>, 537 F.3d 185 (2nd Cir. 2008).

- 14. Third, unlike <u>Megless</u> where the District Court recognized that there is no allegation that falsely create suspicious person alert are a widespread problem, here the facts are more similar to <u>Berks</u> in that disallowing anonymity would likely deter those who have been falsely accused of sexual abuse from vindicating their rights due to the stigma that invariably attaches from having one's name publicly attached to such a deplorable act. <u>See Megless</u> at 410; <u>see also Berks</u>, 929 F. Supp. 2d at 402.
- 15. Fourth, similar to <u>Rutgers</u>, there is a strong chance that this claim will not be resolved on its merits if the litigant is denied the opportunity to proceed using a pseudonym as Claimant will potentially sacrifice a potentially valid claim simply to preserve her anonymity. <u>See Rutgers</u> at 7-8. The Court here should decide in conformity with the court in <u>Rutgers</u> where they agreed with the movant's argument that the public is harmed when alleged abuse goes unchallenged because movant's fear litigating publicly. <u>See id</u>.
- 16. As for the final factor weighing in favor of anonymity, Claimant is not seeking to use a pseudonym for nefarious reasons, nor has there been any allegations that Claimant has an illegal or ulterior motive in her desire to hide her name. See Megless at 411; see also Rutgers at 10. As opposed to simple public humiliation and embarrassment, which have been determined not to be sufficient grounds for allowing a Claimant to proceed anonymously, in this case, there is no "illegitimate ulterior motive", because, as referenced above, identification of Claimant's true identity "poses a risk of mental or physical harm" and the case involves "information of the utmost intimacy". See Megless at 411; see also Rutgers at 10; Doe, 2008 NY Misc. LEXIS at 16-17; Doe, 6 Misc. 3d at 879; Sealed Plaintiff, 537 F.3d at 189-190; 1991 McKinney's Session Laws of New

York at 2211-2212 ("sexual assault victims have unfortunately had to endure a terrible invasion of their physical privacy. They have a right to expect that this violation will not be compounded by a further invasion of their privacy").

- 17. Furthermore, even when turning to the other side of the scale and the factors disfavoring anonymity, Claimant still comes out ahead.
- 18. While Claimant acknowledges that there is a thumb on the scale that is the universal interest in favor of open judicial proceedings, she is not asking the record to be sealed, rather simply to proceed anonymously.
- 19. Next, the Court must consider "whether, because of the subject matter of this litigation, the status of a litigant as a public figure, or otherwise, there is a particularly strong interest in knowing the litigant's identities." See Megless at 411; see also Rutgers at 12. Here, the Claimant is not a public figure.
- This litigation also involves "a member of a particularly vulnerable class" or "the subject matter is highly personal," the "public has an interest in protecting the identity of the litigant." See Rutgers at 12 (citing to Doe v. Rider Univ., 2018 U.S. Dist. LEXIS 133146 (D.N.J. 2018)). Here, Claimant alleges that she is a victim of sexual assault, so allowing her to proceed as a "Jane Doe" while preserving the public's right to access the docket and proceedings in this case strikes the appropriate balance between these competing interests. See Rutgers at 12 (citing to L.A. v. Hoffman, 2015 U.S. Dist. LEXIS 94564 (D.N.J. 2015) (granting [movant's] motion to proceed anonymously and observing that "although the identities of the [movants] will not be included in the filings in this matter, the public will maintain access to the docket and filings in this case.")).
- 21. Finally, the last factor weighing against disclosure is not applicable as there is no party opposing the use of a pseudonym.

22. Applying the factors referenced in the litany of case law to the specific facts of Ms.

Claimant's case makes clear that she should be permitted to proceed pseudonymously. She is a

victim of sexual abuse, a matter of a highly sensitive and personal nature; she is not seeking to

avoid mere embarrassment, but rather to protect her physical and mental well-being along; it is

well known that victims of sexual crimes are often not believed and have their reputations are put

into question, thus identification of her poses a serious risk of retaliatory harm to her; and, the

Estate will not be prejudiced because her identity will be known to it and their counsel, and thus

they will be able to properly investigate her claim. As such, the Court here should find that the

totality of the factors and circumstances favor anonymity.

WHEREFORE, Claimant prays that the Court grant (a) her motion seeking the right to

proceeding in this action under pseudonym in its entirety; and, (c) all other further relief as this

Court may deem just and proper.

Dated: Christiansted, St. Croix January 1, 2020

Respectfully Submitted,

Melody D. Westfall Esq.

V.I. Bar Number

12025

WESTFALL LAWPLLC

5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe III

CERTIFICATE OF SERVICE

I hereby certify that on January 4/, 2020, I caused a true and correct copy of the foregoing

Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecure Damages to be

served on the following:

William Blum, Esq. KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Darren K. Indyke, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Richard Kahn, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Douglas B. Chanco, Esq. CHANCO SCHIFFER LAW, LLC 9053 Sugar Estate, Suite 103 St. Thomas, USVI 00802

A. Jeffrey Weiss, Esq. A.J. WEISS & ASSOCIATES 6934 Vessup Lane St. Thomas, USVI 00802

Sean E. Foster, Esq. Robert V. Goldsmith III, Esq. MAJORIE RAWLS ROBERTS, P.C. 5093 Dronningens Gade, Suite 1 St. Thomas, USVI 00802

Richard P. Bourne-Vanneck, Esq. RICHARD P. BOURNE-VANNECK, P.C. d/b/a LAW OFFICES OF RICHARD P. BOURNE-VANNECK 9800 Buccaneer Mall, Suite 9 St. Thomas, USVI 00802 Mariann Meier Wang, Esq. Daniel Mullkoff, Esq. CUTI HECKER WANG LLP 305 Broadway, Suite 607 New York, NY 10007

Gloria Allred, Esq. ALLRED, MAROKO & GOLDBERG 305 Broadway, Suite 607 New York, NY 10007

John H. Benham, Esq. LAW OFFICE OF JOHN H. BENHAM, P.C. 9800 Buccaneer Mall Building 2, Suite 9 P.O. Box 11720 St. Thomas, USVI 00801

EXHIBIT

1

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO! 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT C	F THE STATE	OF NEW YORK
COUNTY OF NEW Y	ORK	

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Plaintiffs,

-against -

To the above-named defendants:

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

Index No.: ____/19

Plaintiffs designate NEW YORK COUNTY as place of trial.

The basis of venue is the location where a substantial part of the events or omissions giving rise to these claims occurred, the residence of at least one plaintiff and the residence of defendant Kahn

SUMMONS

Plaintiffs reside in New York and other States

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York) and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, NEW YORK COUNTY ON 12/3/19 IN COMPLIANCE WITH CPLR §§305(a) AND 306(a).

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100 FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Defendants' Addresses.

RICHARD D. KAHN, in his capacity as a co-executor of the ESTATE OF JEFFREY EDWARD EPSTEIN 130 East 75th Street New York, NY 10021

DARREN K. INDYKE, in his capacity as a co-executor of the ESTATE OF JEFFREY EDWARD EPSTEIN 6030 Le Lac Road Boca Raton, FL 33496

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO

ำ

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
JANE DOE I, JANE DOE II, JANE DOE III, JANE
DOE IV, JANE DOE V, JANE DOE VI, JANE DOE

Index No.: /19

Plaintiffs,

-against -

VII, JANE DOE VIII and JANE DOE IX,

VERIFIED COMPLAINT

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.	Defen	dants.
-------------	-------	--------

COMPLAINT AND JURY TRIAL DEMANDED

Plaintiffs JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX, by and through their counsel at MERSON LAW, PLLC, and as for their complaint in this action against defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, hereby allege the following:

NATURE OF THE CLAIMS

- 1. Jeffrey Edward Epstein (hereinafter, "Epstein") sexually abused, assaulted and battered many women and children, including the plaintiffs herein.
- These nine women come forward to stand up for themselves and others, after they
 were sexually abused and assaulted by Epstein.
 - 3. Some of these women were raped by Epstein, repeatedly.
- 4. All of these women were sexually battered, assaulted, and abused by Epstein as a part of the same conduct, occurrence, plan, scheme and transaction that was perpetrated,

RECEIVED NYSCEF: 12/03/2019

26. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff

Jane Doe III suffered severe and serious injuries, including severe emotional distress, physical

manifestations of, physical and other injuries.

- 27. Starting in or about 2001 and continuing for a period of time thereafter, when plaintiff Jane Doe IV was approximately fifteen-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her.
- 28. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff

 Jane Doe IV suffered severe and serious injuries, including severe emotional distress, physical
 manifestations of, physical and other injuries.
- 29. Starting in or about 2004 and continuing for a period of time thereafter, when plaintiff Jane Doe V was nineteen-years-old. Epstein sexually assaulted, abused, battered and forced her to perform oral sex on him.
- 30. As a result of the aforementioned sexual assault, abuse, battery and forced oral sex, plaintiff Jane Doe V suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.
- 31. Starting in or about 2001 and continuing for a period of time thereafter, when plaintiff Jane Doe VI was nineteen-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her.
- 32. As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff

 Jane Doe VI suffered severe and serious injuries, including severe emotional distress, physical
 manifestations of, physical and other injuries.

RECEIVED NYSCEF: 12/03/2019

- 60. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 61. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 62. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTH CAUSE OF ACTION FOR BATTERY OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 63. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 62,, inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD 64. D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 65. In or about 1985, Jeffrey Edward Epstein sexually abused plaintiff when she was twenty-three-years-old.
- 66. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 67. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional

RECEIVED NYSCEF: 12/03/2019

and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.

- 68. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 69. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 70. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 71. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 72. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1 through 71., inclusive, with the same force and effect as if hereafter set forth at length.
- 73. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN. act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

RECEIVED NYSCEF: 12/03/2019

74. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.

- 75. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 76. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 77. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 78. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 79. This action falls within the exceptions to Article 16 of the C.P.L.R.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A SIXTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 80. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 79., inclusive, with the same force and effect as if hereafter set forth at length.
- 81. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 82. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she 83. has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 84. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- The amount of damages sought exceeds the jurisdiction of all lower courts which 85. would otherwise have jurisdiction.
 - 86. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

NYSCEF DOC. NO.

AS FOR A SEVENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 87. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 86., inclusive, with the same force and effect as if hereafter set forth at length.
- 88. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 89. In or about 2003, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe III when she was a minor child.
- 90. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 91. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 92. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/2019

93. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 94. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 95. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN EIGHTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 96. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 95., inclusive, with the same force and effect as if hereafter set forth at length.
- 97. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 98. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 99. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

100. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 101. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 102. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 103. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A NINTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 104. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 103., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

RECEIVED NYSCEF: 12/03/2019

106. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 107. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 108. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 109. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 110. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 111. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 110., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 113. In or about 2001, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe IV when she was a minor child.

RECEIVED NYSCEF: 12/03/2019

114. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 115. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 116. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 117. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 118. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 119. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN ELEVENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

120. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 119., inclusive, with the same force and effect as if hereafter set forth at length.

RECEIVED NYSCEF: 12/03/2019

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and

responsibilities.

122. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.

123. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

- 124. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 125. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 126. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 127. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWELTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 128. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 127., inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the 130. intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- Jeffrey Edward Epstein committed the acts alleged herein maliciously, 132. fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- The amount of damages sought exceeds the jurisdiction of all lower courts which 133. would otherwise have jurisdiction.
 - This action falls within the exceptions to Article 16 of the C.P.L.R. 134.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A THIRTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 135. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 134., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 137. In or about 2004, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe V when she was nineteen-years-old.
- 138. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 139. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 140. By reason of the foregoing, plaintiff was caused to sustain severe and scrious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/2019

141. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 142. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 143. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE V AS TO DEFENDANT JEFFREY EDWARD EPSTEIN

- 144. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 143., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 146. Epstein's predatory, sexual and unlawful acts against plaintiff, created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 147. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

RECEIVED NYSCEF: 12/03/2019

148. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 149. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 150. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 151. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 152. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 151., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

RECEIVED NYSCEF: 12/03/2019

154. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 155. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 156. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 157. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 158. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SIXTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- 159. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 158., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 161. In or about 2001 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VI when she was approximately nineteen-years-old.

RECEIVED NYSCEF: 12/03/2019

- 162. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 163. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 164. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 165. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 166. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 167. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SEVENTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

168. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 167., inclusive, with the same force and effect as if hereafter set forth at length.

RECEIVED NYSCEF: 12/03/2019

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 170. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 171. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 172. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 173. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 174. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 175. This action falls within the exceptions to Article 16 of the C.P.L.R.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS AND FOR AN EIGHTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- Plaintiffs repeat reiterate, and reallege each and every allegation contained in 176. those paragraphs of the Complaint marked and designated 1, through 175., inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the 178. intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- Jeffrey Edward Epstein committed the acts alleged herein maliciously, 180. fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- The amount of damages sought exceeds the jurisdiction of all lower courts which 181. would otherwise have jurisdiction.
 - This action falls within the exceptions to Article 16 of the C.P.L.R. 182.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWENTY-FIFTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 231. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 230., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 233. In or about 2002 and continuing thereafter, Jeffrey Edward Epstein sexually abused Plaintiff Jane Doe IX when she was approximately twenty-two-years-old.
- 234. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 235. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 236. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/2019

237. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 238. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 239. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SIXTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 240. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 239., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 242. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 243. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

244. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 245. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 246. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 247. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SEVENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 248. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 247., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

250. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 251. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 252. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling Plaintiff to recover punitive damages in amounts to be proven at trial.
- 253. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 254. This action falls within the exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiffs demand judgement against defendants in such sum as a jury would find fair, adequate and just containing the following relief:

- A. A declaratory judgement that the actions, conduct and practices of defendants complained of herein violated the laws of the State of New York;
- B. An injunction and order permanently restraining defendants from engaging in such unlawful conduct;
- C. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate plaintiffs for all monetary and/or economic harm; harm to their personal and professional reputations and loss of career fulfillment; for all non-monetary and/or compensatory harm, including but not limited to, compensation for physical anguish and mental

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

anguish; all other monetary and/or non-monetary losses suffered by plaintiffs; and that by reason of the foregoing, plaintiffs sustained damages in a sum, pursuant to C.P.L.R. §3017, which exceeds the jurisdictional limits of all lower courts;

- D. An award of punitive damages;
- E. An award of costs that plaintiffs have incurred in this action, as well as plaintiffs' reasonable attorney's fees to the fullest extent permitted by law; and.
 - F. Such other and further relief as this Honorable Court may deem just and proper.

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street 34th Floor New York, New York 10155 (212) 603-9100

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO. 1

INDEX NO. 950230/2019
RECEIVED NYSCEF: 12/03/2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Index No.: ____/19

Plaintiffs,

-against -

ATTORNEY VERIFICATION

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC, attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true;

That the sources of his information and knowledge are investigations and records in the file; and,

That the reason this verification is made by affirmant and not by the plaintiffs is that the plaintiff are not within the County where the attorney has his office.

Dated: New York, New York December 3, 2019

JORDAN K. MERSON

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT	OF THE	STATE OF	NEW	YORK
COUNTY OF NEW	YORK			

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII, JANE DOE VIII and JANE DOE IX

Plaintiffs,

Index No.: _______19

-against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

CLIENT VERIFICATION

Defendants.

STATE OF NEW YORK

) ss.:

COUNTY OF NEW YORK)

REDACTED . being duly sworn, deposes and says that:

I am a plaintiff in the within action: I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge, except as to the many therein state to be alleged on information and belief, and as to those matters I believe to be true.

Dated: New York, New York December 2, 2019

REDACTED

REDACTED

Sworn to before me this 2nd day of December 2019

NOTARY PUBLIC

LEIDEN E APARICIO
Notary Public, State of New York
No. 01 AP6371383
Qualified in Queens County
Commission Expires February 26, 20

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Plaintiffs,

- against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC

Attorneys for Plaintiffs

Office and P.O Address, Telephone

150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100

To All Parties

EXHIBIT

2

V
- X
: Index No. 950230/2019
: Hon. George J. Silver
: STIPULATION AND : [PROPOSED] ORDER : ON PLAINTIFFS'
ANONYMITY
: (Motion Seq. 001) :

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys, that any person subject to this Order, including the parties to this action and their respective counsel of record, shall adhere to the following terms:

- 1. Within three (3) days of entry of this Order, Counsel of Record for Plaintiffs shall disclose Plaintiffs' identities to Counsel of Record for Defendants, in writing.
- Counsel of Record for Defendants may disclose Plaintiffs' identities only to Defendants
 and any attorneys, paralegals, and clerical or other assistants working with or for
 Defendants on matters related to this action; and the recipients of such information shall
 not disclose it to any other persons.
- 3. If Defendants wish to disclose Plaintiffs' identities to any person not otherwise permitted to receive such information under this Order, Defendants are limited to doing so in connection with defending this action, and must require such person to first execute a non-disclosure agreement, in a form agreed to by the parties, that prevents such person from disclosing Plaintiffs' identities to any other persons. Defendants must maintain a list of all such persons to whom Plaintiffs' identities are disclosed and copies of the executed non-disclosure agreements, all of which are subject to in camera inspection.
- 4. All portions of pleadings, motions or other papers filed with the Court that disclose Plaintiffs' identities shall be filed under seal with the Clerk of the Court and kept under seal until further order of the Court. All parties shall use their best efforts to minimize such sealing. Any party filing a motion or any other papers with the Court under seal

shall also publicly file a redacted copy of the same, via NYSCEF, that redacts the Plaintiffs' identities and text that would reveal Plaintiffs' identities.

- 5. The parties may seek to modify or amend this Order at any time upon motion to the Court or by stipulation.
- 6. Motion Seq. 001 is resolved by entry of this Order; and the hearing on Motion Seq. 001 currently set for December 17, 2019 at 3:00 p.m. is canceled.

AND IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be

executed in counterparts; and facsimile signatures are deemed originals.

Dated: New York, New York December 5, 2019

Attorneys for Plaintiffs

MERSON LAW, PLLC

TROUTMAN SANDERS LLP

By:	ladol 1 1950	By: Bernet moskoutes/	1.3.
•	Jordan K. Merson	Bennet J. Moskowitz	
	150 East 58th Street, 34th Floor	875 Third Avenue	
	New York, NY 10155	New York, NY 10022	
	(212) 603-9100	(212) 704-6000	

Attorneys for Defendants Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein

SO ORDERED.	
Date:	
New York, New York	HON, GEORGE J. SILVER, J.S.C.

EXHIBIT

3

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/11/2019

Solde of New Your

NYSCEF DOC. NO.

STATE OF NEW YORK
UNIFIED COURT SYSTEM
111 CENTRE STREET
NEW YORK, N.Y. 10013
(646) 386-4200

LAWRENCE K. MARKS Chief Administrative Judge GEORGE J. SILVER Deputy Chief Administrative Judge New York City Courts

ADMINISTRATIVE ORDER #371 AMENDED

By the authority vested in me as Deputy Chief Administrative Judge of the courts within New York City, and as the coordinating judge of all cases filed under the Child Victims Act¹ (the "CVA") within that jurisdiction, I hereby order as follows:

- This Order applies to all cases filed or hereafter filed in the Supreme Courts in and for the counties of Bronx, Kings, New York, Queens, and Richmond pursuant to the CVA, including any such matters filed before the one-year window commenced on August 14, 2019, and which were then stayed pending the opening of the window on August 14, 2019.
- 2. While a steering committee negotiates a Case Management Order to address the efficient prosecution and defense of cases filed under the CVA, all Preliminary Conferences currently scheduled or requested as of the effective date of this Order, and any requests for Preliminary Conferences made after the effective date of this Order are adjourned to a control date of January 31, 2020.²
- 3. The time to respond to any discovery demands served by the parties as of the effective date of this Order is adjourned without a date. No demands for discovery shall be served by any party until further Order of this Court.
- 4. Plaintiffs' time to respond to stipulations and orders that consent to or direct the production of identifying information, consisting of a plaintiff's name (including maiden name, if any), date of birth, social security number, parents and/or guardian's names, current address, and address at the time of the alleged abuse, for plaintiffs proceeding under pseudonyms is extended to December 20, 2019. Plaintiffs shall provide such identifying information to

¹L. 2019 c.11.

² Parties may make an application to extend this, and other deadlines, as necessary.

RECEIVED NYSCEF: 12/11/2019

defense counsel in a manner other than disclosure in a public filing on NYSCEF and as agreed to by the parties. Nothing in this Order prevents plaintiffs from voluntarily providing such identifying information at any time.

- 5. All papers in opposition to any Order to Show Cause or Notice of Motion, including motions to dismiss under CPLR §3211 or §3212, but excluding motions to proceed anonymously or by pseudonym, are adjourned until January 31, 2020. Should the motion(s) not be resolved and withdrawn by the parties as of that date, the Court will set any additional due dates as necessary. No motions, other than motions to proceed anonymously or by pseudonym, shall be filed prior to January 31, 2020 without permission of the Court. As such, no motions to dismiss under CPLR §3211 or §3212 shall be filed prior to January 31, 2020.
- 6. The time to answer, move against, or otherwise respond to any complaint that has been served as of the effective date of this Order is extended until further Order of the Court. This Order supersedes any due dates for answers or motions previously stipulated to by the parties and/or ordered by this Court.
- 7. The time to answer, move against, or otherwise respond to any complaint that is served after the effective date of this Order, but prior to January 31, 2020, shall be extended until a date stipulated to by the parties or as directed by further Order of the Court.
- 8. Notwithstanding any stipulation or Court Order to the contrary, no motion to sever shall be filed prior to January 31, 2020. Consistent with the CPLR, motions to sever may be filed after January 31, 2020.
- 9. Counsel shall make a good faith effort to resolve any motions to dismiss or motions to sever prior to filing such motions.

Dated: December 11, 2019

Deputy Chief Administrative Judge
New York City Courts

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
PROBATE DIVISION

	_		(D)	TOTIVED	13
IN THE MATTER OF THE ESTATE OF)		12	RECEIVED	124
JEFFREY E. EPSTEIN,)	Case No. ST-19-PB-80	MA	SUPERIOR COURT	[N
Deceased.)		1 Po	OF THE V.V.	353
	_'			110168	

Claim for Unliquidated and Unsecured Damages

COME NOW, Claimant Jane Doe III ("Claimant"), through her attorney Melody D. Westfall, Esq. of Westfall Law, PLLC, 5032 Anchor Way, Suite 8, Christiansted, St. Croix 00820, and hereby present and file this claim for unliquidated and unsecured damages from the estate in the above-referenced matter, and state as follows:

- 1. Prior to being arrested and brought into custody on July 6, 2019 by federal authorities in New York, the decedent. Jeffrey E. Epstein (the "Decedent"), was the subject of multiple on-going investigations into his criminal conduct including, but not limited to, his sex trafficking and sexual abuse of dozens of women, some of whom were underage. Claimant is one of those victims.
- 2. On information and belief, after his arrest, the decedent conspired with multiple individuals, including his attorneys and the two men named as the co-executors of his estate, to fraudulently convey and prevent the distribution of his assets to his numerous victims, including Claimant, in the event that they sought damages through civil recourse.
- 3. The deceased was able to do this by executing a Last Will and Testament on August 8, 2019, which included a newly formed pour-over trust known as The 1953 Trust (the "Trust"), just two days before his death by suicide on August 10, 2019. There is no doubt that these documents were set-up to defraud his creditors, including Ms. Claimant. A true and correct copy

of the decedent's Last Will and Testament is annexed hereto as Exhibit "1" and a true and correct copy of decedent's death certificate is attached hereto as Exhibit "2".

- 4. In decedent's petition for probate and letters testamentary, the value of personal property and total estate property is listed at \$577,672,654.00. See Exhibit 1.
- 5. On December 3, 2019, Claimant and eight of her fellow survivors filed a civil action in the Supreme Court of the State of New York, County of New York (New York County Index No.: 950230/2019) seeking damages against the decedent's estate. A true and correct copy of the Summons and Verified Complaint is annexed hereto as Exhibit "3".
- 6. Because Claimant was a minor when she was abused by the deceased, her claim was brought timely pursuant to New York's recently enacted Child Victims Act and NY CPLR § 214-g.
- 7. Furthermore, Claimant's claim is also timely pursuant to NY CPLR § 215(8)(a) which provides that a claimant shall have at least one year from the termination of a criminal action against the same defendant to commence an action with respect to the event or occurrence from which the criminal action arose. A criminal action against the deceased with respect to the same sex trafficking enterprise and sexual conduct from which Claimant's claim arises, was terminated less than a year ago on August 29, 2019.
- 8. Specifically, starting in or about 2003 and continuing for a period of time thereafter, when Claimant was approximately thirteen years old, Epstein and his associates repeatedly sexually assaulted, abused, battered and raped her, which caused severe and serious injuries.
- 9. As such, Claimant, by and through the above-referenced claim, has a right to money damages, whether it is in the form of a judgment or liquidated, fixed or matured damages, and therefore, has an equitable lien on all unencumbered assets and property of the decedent's estate.

10. Accordingly, Claimant's claim requires that this Court not only secure sufficient

asses from the estate to pay her for whatever damages and losses she may be deemed entitled to

for which further information can be provided upon request, but also prevent the sale, transfer or

waste of any assets or property that are part of the decedent's estate.

WHEREFORE, Claimant prays that the Court (a) enter judgment against decedent's estate

in an amount sufficient to satisfy her Final Judgment in all pending matters, along with interest,

attorneys' fees and punitive damages related to the decedent's fraudulent scheme and activities;

(b) or in the alternative, stay all further proceedings in this matter pending the disposition of

Claimant's New York lawsuit against the Estate; and, (c) all other further relief as this Court may

deem just and proper.

This Claim is verified by counsel, pursuant to 15 V.I.C. § 393 and 5 V.I.C. § 699, as it is

sworn under penalties of perjury that the contents hereof are true and correct to the best of the

undersigned counsel's knowledge, information and belief.

Dated: Christiansted, St. Croix January 1, 2020

Respectfully Submitted,

Melody D. Westfall, Esq.

V.I. Bar Number P205

WESTFALL LAW PLLC

5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe III

CERTIFICATE OF SERVICE

I hereby certify that on January 3/, 2020, I caused a true and correct copy of the foregoing

Claim for Unliquidated and Unsecured Damages to be served on the following:

William Blum, Esq. KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Darren K. Indyke, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Richard Kahn, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Douglas B. Chanco, Esq. CHANCO SCHIFFER LAW, LLC 9053 Sugar Estate, Suite 103 St. Thomas, USVI 00802

A. Jeffrey Weiss, Esq. A.J. WEISS & ASSOCIATES 6934 Vessup Lane St. Thomas, USVI 00802

Sean E. Foster, Esq. Robert V. Goldsmith III, Esq. MAJORIE RAWLS ROBERTS, P.C. 5093 Dronningens Gade, Suite 1 St. Thomas, USVI 00802

Richard P. Bourne-Vanneck, Esq. RICHARD P. BOURNE-VANNECK, P.C. d/b/a LAW OFFICES OF RICHARD P. BOURNE-VANNECK 9800 Buccaneer Mall, Suite 9 St. Thomas, USVI 00802 Mariann Meier Wang, Esq. Daniel Mullkoff, Esq. CUTI HECKER WANG LLP 305 Broadway, Suite 607 New York, NY 10007

Gloria Allred, Esq. ALLRED, MAROKO & GOLDBERG 305 Broadway, Suite 607 New York, NY 10007

John H. Benham, Esq. LAW OFFICE OF JOHN H. BENHAM, P.C. 9800 Buccaneer Mall Building 2, Suite 9 P.O. Box 11720 St. Thomas, USVI 00801

EXHIBIT

1

LAST WILL AND TESTAMENT

OF

JEFFREY E. EPSTEIN

- I, JEFFREY E. EPSTEIN, a resident and domiciliary of St. Thomas, United States Virgin Islands, do make, publish and declare this to be my Will hereby revoking all prior Wills and Codicils made by me.
- 1: I direct my Executor to pay from my estate all expenses of my last illness, my funeral and burial expenses, the administration expenses of my estate and all of my debts duly proven and allowed against my estate.
- A. I direct my Executor to pay from my estate, as compensation to each Executor for serving as Executor hereunder, the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to each Executor upon the completion of probate of my estate. No Executor shall receive any other compensation for serving as Executor hereunder; provided, however, that my Executor shall be reimbursed from my estate for all reasonable costs, expenses, charges, and liabilities incurred or paid in respect thereto, including fees and expenses of counsel or any other agents hired by my Executor, and my Executor shall not be liable therefor individually.
- B. I direct my Executor to pay from my estate the federal and state transfer taxes described in Paragraph E(1) of Article SEVENTH.
- C. I direct my Executor to pay from my estate all expenses of storing, insuring, packing, shipping and delivering my tangible personal property in accordance with the provisions of Article SECOND.
- 2: I give all of my property, real and personal, wherever situated, after the payments and distributions provided in Article FIRST, to the then acting Trustees of The 1953 Trust ("Trust") created under that certain Trust Agreement of The 1953 Trust (the "Trust Agreement") dated August 8, 2019, as the same may be amended from time to time, to be held in accordance with the provisions comprising the Trust Agreement at the time of my death.
- 3: I appoint DARREN K. INDYKE and RICHARD D. KAHN to serve as the Executors of this Will. If any one or more of my Executors fails to qualify, is unable or unwilling to serve or ceases to act, I appoint BORIS NIKOLIC, as successor Executor. If any successor Executor fails to qualify, is unable or unwilling to serve or ceases to act, I authorize the last acting Executor to designate his or her successor. Such designation shall be made by written instrument delivered to such designated successor Executor.
- A. If my estate must be administered in whole or in part in any jurisdiction other than the state or territory of my domicile at the date of my death, and if my Executor is unable or unwilling to serve in such jurisdiction, then I appoint the successor Executor of my estate designated in Paragraph A of Article THIRD as successor Executor in such

1/0

the power:

jurisdiction only, provided that he or she is able and willing to serve in such jurisdiction. If no Executor or successor Executor is able and willing to serve in such jurisdiction, my Executor shall designate a successor Executor to serve in such jurisdiction. Such designation shall be made by written instrument delivered to such successor Executor.

B. No bond or other security shall be required of any Executor in any jurisdiction.

C. Any Executor may resign in the manner provided for by the governing statutes of the state or territory having jurisdiction of the administration of my estate or in the absence of such statutory guidance, by filing a written notice of resignation with the Court having jurisdiction of the administration of my estate. Any Executor who resigns shall not be entitled to any compensation hereunder for any services rendered as Executor prior to his or her resignation.

D. My Executor shall not be accountable or responsible to any person interested in my estate for the manner in which my Executor in good faith exercises or declines to exercise any discretionary authority or power of my Executor. My Executor shall not be liable for any loss or depreciation in value occasioned by reason of any negligence, error or mistake of judgment in entering into any transaction, in making any sale or investment, in continuing to hold any property or by reason of any action or omission, whether by my Executor or any other fiduciary, unless my Executor has acted in bad faith. In the absence of proof by affirmative evidence to the contrary, each Executor shall be deemed to have acted within the scope of my Executor's authority, to have exercised reasonable care, diligence and prudence and to have acted impartially as to all interested persons. An Executor shall not be liable for the acts or defaults of another Executor.

. 4: The following provisions shall apply to my estate and to my Executor, except as is otherwise specifically provided in this Will:

A. My Executor has the entire care and custody of all assets of my estate. My Executor has the power to do everything my Executor in good faith deems advisable without necessity of any judicial authorization or approval, even though but for this power it would not be authorized or appropriate for fiduciaries under any statutory or other rule of law. My Executor shall exercise my Executor's best judgment and discretion for what my Executor believes to be in the best interests of the beneficiaries hereunder. Except as otherwise specifically provided in this Will, if two Executors are empowered to participate in the decision to exercise or not to exercise any fiduciary power granted by this Will or by law, such decision shall be made by such Executors acting unanimously. If more than two Executors are empowered to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law, a majority of such Executors shall be empowered to make such decision.

B. Except as otherwise provided herein, my Executor shall have

(1) to enter upon and take possession of the assets of my estate and collect the income and profits from such assets, and to invest and reinvest such assets in real, personal or mixed assets (including the common trust funds of a corporate



fiduciary) or in undivided interests therein without being limited by any present or future investment laws:

(2) to retain all or any part of the assets of my estate (without regard to the proportion that any one asset or class of assets may bear to the whole) in the form in which such assets were received or acquired by my Executor;

(3) to sell or dispose of, exchange, transfer, invest or loan all or any part of the assets of my estate which may, at any time, be held by my Executor for such sums or upon such terms as to payment, security or otherwise as my Executor determines, either by public or private transactions;

(4) to buy and sell options, warrants, puts, calls or other rights to purchase or sell (collectively "options") relating to any security or securities, regardless of whether such security or securities are then held by my Executor, and whether such options are purchased or sold on a national securities exchange, and to exercise with respect to such options all powers which an individual owner thereof could exercise, including, without limitation, the right to allow the same to expire;

(5)with respect to oil, natural gas, minerals, and all other natural resources and rights to and interests therein (together with all equipment pertaining thereto), including, without limiting the generality of the foregoing, oil and gas royalties, leases, or other oil and gas interests of any character, whether owned in fee, as lessee, lessor, licensee, concessionaire or otherwise, or alone or jointly with others as partner, joint tenant, or joint venture in any other noncorporate manner, (a) to make oil, gas and mineral leases or subleases; (b) to pay delay rentals, lease bonuses, royalties, overriding royalties, taxes, assessments, and all other charges; (c) to sell, lease, exchange, mortgage, pledge or otherwise hypothecate any or all of such rights and interests; (d) to surrender or abandon, with or without consideration, any or all of such rights and interests; (e) to make farm-out, pooling, and unitization agreements; (f) to make reservations or impose conditions on the transfer of any such rights or interests; (g) to employ the most advantageous business form in which properly to exploit such rights and interests, whether as corporations, partnerships, limited partnerships, mining partnerships, limited liability companies, joint ventures, co-tenancies, or otherwise exploit any and all such rights and interests; (h) to produce, process, sell or exchange all products recovered through the exploitation of such rights and interests, and to enter into contracts and agreements for or in respect of the installation or operation of absorption, reprocessing or other processing plants; (i) to carry any or all such interests in the name or names of a nominee or nominees; (j) to delegate, to the extent permitted by law, any or all of the powers set forth herein to the operator of such property; and (k) to employ personnel, rent office space, buy or lease office equipment, contract and pay for geological surveys and studies, procure appraisals, and generally to conduct and engage in any and all activities incident to the foregoing powers, with full power to borrow and pledge in order to finance such activities; together with the power to allocate between principal and income any net proceeds received as consideration, whether as royalties or otherwise, for the permanent severance from lands of oil, natural gas, minerals, and all other natural resources;

(6) to hold all or any part of the assets of my estate in each or in bank accounts without the necessity of investing the same;



all or any part of the assets of my estate; (7) to iroprove, repair, partition, plat or subdivide

abandon or submit to arbitration on such terms and conditions as my Executor determines any claims in favor of or against my estate or the assets of my estate;

and upon such terms and conditions as my Executor determines, assume such obligations or give such guarantees as my Executor determines, for the purpose of the acquisition, improvement, protection, retention or preservation of the assets of my estate, or for the welfare of the beneficiaries of my estate;

(10) to carry on for as long and in such manner as my Executor determines any business enterprise in which I owned any interest at my death, either individually, or as a partner, member, joint venture, stockholder or trust beneficiary; to sell such business enterprise as an ongoing business; to consolidate, merge, encumber, dissolve, liquidate or undertake any other extraordinary corporate transaction relating to such business enterprise;

stock or securities and to become a party to any voting trusts, reorganization, consolidation or other capital or debt readjustment of any corporation, association, partnership, limited liability partnership, limited liability company or individual with respect to stocks, securities or debts held by my estate;

(21) of this Article Fourth, to enter into any good faith transactions with any Executor individually or with any corporation, partnership or other entity in which any Executor has an ownership interest;

bonds, securities, real or personal property, or other assers, or make loans to my estate even though the same person or persons occupy the office of my Trustee and the office of the Executor of my estate;

interest in or otherwise encumber all or any part of the assets of my estate for any term of years whether or not beyond the duration of my estate (including, without limitation, any such action for the benefit of any of the beneficiaries of my estate);

personal, which my Executor may deem worthless or not of sufficient value to watrant keeping or protecting; to abstain from the payment of taxes, water rents or assessments and to forego making repairs, maintaining or keeping up any such property; and to permit such property to be lost by tax sale or other proceedings or to convey any such property for a nominal consideration or without consideration so as to prevent the imposition of any liability by reason of the continued ownership thereof;



(16) to elect the mode of distribution of the proceeds payable to my estate from any profit-sharing plan, pension plan, employee benefit plan, individual retirement plan, insurance contract or annuity contract pursuant to the terms of such plan;

adjustment to basis provided to my estate under the provisions of Federal and State law with respect to property comprising my estate, without any obligation to make a compensatory adjustment among the beneficiaries hereunder on account of such allocation;

(18) to conduct any audit, assessment or investigation with respect to any asset of my estate regarding compliance with any law or regulation having as its object protection of public health, natural resources or the environment ("Environmental Laws"); to pay from the assets of my estate to remedy any failure to comply with any Environmental Law (even to the exhaustion of all of the assets of my estate); and, as may be required in my Executor's judgment by any Environmental Law, to notify any governmental authority of any past, present or future non-compliance with any Environmental Law; and

(19) to sell to the Trustee under the Trust Agreement any stocks, bonds, securities, real or personal property or other assets or borrow from the Trustee under the Trust Agreement even though the same person or persons occupy the office of the Executor of my estate and the Trustee under the Trust Agreement.

(20) No executor shall directly or indirectly buy or sell any property for the estate from or to himself, or from or to his relative, employer, employee, partner, or other business associate.

(21) No executor shall lend estate funds to himself, or to his relative, employer, employee, partner, or other business associate.

C. Except as otherwise provided herein, my Executor shall have the power:

(1) to employ agents, attorneys-at-law, consultants, investment advisers (to whom my Executor has discretion to delegate my Executor's investment authority and responsibility), other executors and other fiduciaries in the administration of my Executor's duties; to delegate to such persons, or to one or more of my Executors, the custody, control or management of any part of my estate as my Executor determines and to pay for such services from the assets of my estate, without obtaining judicial authorization or approval;

or persons the authority and power to (a) sign checks, drafts or orders for the payment or withdrawal of funds, securities and other assets from any bank, brokerage, custody or other account in which funds, securities or other assets of my estate shall be deposited. (b) endorse for sale, transfer or delivery, or sell, transfer or deliver, or purchase or otherwise acquire, any and all property, stocks, stock warrants, stock rights, options, bonds or other securities whatsoever, (c) gain access to any safe deposit box or boxes in which my assets or assets of my estate may be located or which may be in the name of my Executor and remove part or all of the contents of any such safe



deposit box or boxes and release and surrender the same, and (d) take any other action that my Executor may have the power to take with respect to my estate and the property thereof; no person or corporation acting in reliance on any such delegation shall be charged with notice of any revocation or change of such delegation unless such person or corporation receives actual notice thereof;

(3) to pay any property distributable to a beneficiary under a legal disability or who has not attained the age of 21, without liability to my Executor, by paying such property (a) to such beneficiary, (b) for the use of such beneficiary, (c) to a legal representative of such beneficiary appointed by a court or if none, to a relative for the use of such beneficiary, or (d) to a custodian for such beneficiary designated by my Executor, to hold until age 21 or such earlier age as shall be the maximum permitted under applicable law;

(4) to distribute to any of the beneficiaries of my estate in kind or in cash, or partly in kind and partly in cash, and to allocate different kinds or disproportionate shares of assets or undivided interests in assets among all of such beneficiaries;

(5) to have evidence of ownership of any security maintained in the records of a Federal Reserve Bank under the Federal Reserve Book Entry System; to deposit funds in any bank or trust company, to carry in the name of my Executor or the nominee or nominees of my Executor and with or without designation of fiduciary capacity, or to hold in bearer form, securities or other property requiring or permitting of registration; and to cause any securities to be held by a depository corporation of which an Executor is a member or by an agent under a safekeeping contract; provided, however, that the books and records of my Executor shall at all times show that such investments are part of my estate;

(6) to renounce and disclaim, in whole or in part, and in accordance with applicable law, any assets, interests, rights or powers (including any power of appointment) which are payable to (or exercisable by) me or my estate, which are includible in my estate or Gross Estate or over which I have any right, title, interest or power; and

(7) to make, execute and deliver any and all such instruments in writing as shall be necessary or proper to carry out any power, right, duty or obligation of my Executor or any disposition whatsoever of my estate or any asset of my estate and to exercise any and all other powers incidental or necessary to carry out or to fulfill the terms, provisions and purposes of my estate.

D. In connection with any insurance policy or annuity on the life of an Executor which is included in my estate, such Executor shall not participate in the decision to exercise or not exercise any fiduciary power in connection with any incidents of ownership for such policy or annuity, including, without limitation, any decision to continue, assign, terminate or convert such policy or annuity or to name the beneficiary of such policy or annuity.

E. An Executor hereunder may by a written notice delivered to the other Executor decline to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law.

F. If an Executor is not empowered (because of a conflict of



interest, declination to act or otherwise) to participate in the decision to exercise or not exercise any fiduciary power granted by this Will or by law, then the remaining Executor shall be empowered to make such decision. If no Executor is empowered to participate in such decision, then the successor Executor of my estate designated in Paragraph A of Article THIRD and able and willing to act shall be empowered to make such decision. If no Executor or successor Executor is empowered to participate in such decision, my Executor may designate a successor Executor to serve as Executor of my estate who shall be empowered to make such decision but shall have no other power or authority of my Executor. Such designation shall be by written notice delivered to such successor Executor.

G. Except as otherwise specifically provided in this Paragraph G(1) of this Article, and except as provided in Paragraph G(2) of this Article, my Executor shall allocate receipts and disbursements in accordance with sound trust accounting principles and shall have discretion to allocate receipts and disbursements when the treatment is uncertain under applicable laws or generally accepted accounting principles in the judgment of my Executor.

(1) Except as otherwise specifically provided in this Will, my Executor shall not treat any part of the principal amount of the proceeds of sale of any asset of my estate as income distributable to or for the benefit of any beneficiary entitled to distributions of income; provided, however, that my Executor shall treat a portion of any proceeds of sale of any financial instrument originally issued or acquired at a discount equal to the amount which (a) has previously been characterized as ordinary income for income tax purposes or (b) will be characterized as ordinary income for income tax purposes in the year of such sale, as income for trust accounting purposes.

- 5: Where a party to any proceeding with respect to my estate has the same interest as a person under a disability, it shall not be necessary to serve legal process on the person under a disability.
- 6: If any beneficiary under the Trust shall in any way directly or indirectly (a) contest or object to the probate of my Will or to the validity of any disposition or provision of my Will or of the Trust or (b) institute or prosecute, or be in any way directly or indirectly instrumental in the institution or prosecution of, any action, proceeding, contest, objection or claim for the purpose of setting aside or invalidating my Will or the Trust or any disposition therein or provision thereof, then I direct that (a) any and all provisions in the Trust for such beneficiary and his issue in any degree shall be null and void and (b) my estate, whether passing under my Will or the Trust or pursuant to the laws of intestacy, shall be disposed of as if such beneficiary and his issue in any degree had all failed to survive me.

7: A. As used herein:

(1) The term "Executor" of a person's estate means all persons or entities who occupy the office of executor, administrator, personal representative, or ancillary administrator while such persons or entities occupy such office, whether one or more persons or entities occupy such office at the same time or times, and includes any

0

successor or successors to that office. The term "Trustee" means all persons or entities who occupy the office of Trustee under the Trust Agreement while such persons or entities occupy such office, whether one or more persons or entities occupy the office of Trustee at the same time or times, and includes any successor Trustee or Trustees. A reference to a person's estate or probate estate means that person's estate which is subject to probate administration. A reference to a person's Will means such person's Last Will and Testament and any Codicil or Codicils thereto.

(2) The term "IRC section" means a section of the Internal Revenue Code of 1986, as amended, or the corresponding provision of any successor Internal Revenue law, as in effect as of the date of my death.

(3) A reference to any tax also includes any interest or penalties thereon. A reference to a person's "Gross Estate" means such person's gross estate as finally determined for purposes of computing such person's federal estate tax.

(4) Whenever the singular number is used, the same shall include the plural, and the masculine gender shall include the feminine and neuter genders.

В. The federal and state transfer taxes which my Executor shall be obligated to pay pursuant to Paragraph B of Article FIRST shall consist of all federal and state estate, inheritance, succession, and similar taxes (including any federal or state generation-skipping transfer tax) imposed upon my probate estate or by reason of my death in respect to all assets which pass under this Will or the Trust Agreement. Subject to Paragraph B(2) of this Article, all federal estate taxes with respect to assets not passing under this Will or the Trust Agreement (such assets are referred to as the "Apportionment Assets") and any applicable state estate taxes with respect to the Apportionment Assets shall be apportioned among all persons interested in the Apportionment Assets. My Executor shall make reasonable efforts to collect all federal estate taxes and state estate, inheritance, succession and similar taxes allocable to the Apportionment Assets from the recipients of the Apportionment Assets. Without changing the apportionment of taxes in this Paragraph B(1), my Executor has discretion, but is not required, to pay all or part of such taxes allocable to the Apportionment Assets. To the extent my Executor pays such taxes allocable to the Apportionment Assets, my Executor shall seek reimbursement for such taxes from the recipients of the Apportionment Assets. My Executor shall not be personally liable for any of such taxes if my Executor is unable, with reasonable efforts, to collect payment (or reimbursement) from any recipient of any Apportionment Assets for any or all of such taxes allocable to such assets.

Trustee of the Trust Agreement to pay all or any portion of the taxes which my Executor is directed or obligated to pay pursuant to Paragraph B of Article FIRST and this Paragraph B pursuant to a written direction delivered to the Trustee under the Trust Agreement. Any taxes which my Executor directs the Trustee under the Trust Agreement to pay shall be allocated and paid from the trusts under the Trust Agreement as provided under the Trust Agreement.

C. Except as otherwise specifically provided in this Will, a bequest or devise to an individual who does not survive me shall lapse not withstanding any law to the contrary.



Last Will & Testament of Jeffrey E. Epstein Page 9 of 11

2019.

Trust Agreement pursuant to Article SECOND shall not be effective, I give all the rest of my property, real and personal, wherever situated, after the payments and distributions provided in Article FIRST, to the person or persons named as Trustee or Trustees under the Trust Agreement, be to held in trust under this Will in accordance with the provisions comprising the Trust Agreement at the time of my death, which provisions are incorporated in this Will by reference.

IN WITNESS WHEREOF, I have duly executed this Will this 8th day of August,

EKPREYÉ. EPSTEIN

The foregoing instrument, consisting of eleven (11) pages, was signed in our presence by Jeffrey E. Epstein and was declared by him to be his last Will. We, at the request of and in the presence of Jeffrey E. Epstein and in the presence of each other, have subscribed our names below as witnesses. We declare that we are of sound mind and of the proper age to witness a will, that to the best of our knowledge the testator is of the age of majority, or is otherwise legally competent to make a will, and appears of sound mind and under no undue influence or constraint. Under penalty of perjury, we declare these statements are true and correct on this 8th day of August, 2019 at New York, New York.

and A		
Mary	residing at	
Mariel A. Colón Miró		
GULNORA TALI	residing at	
GULNORA TALI		7

AFFIDAVIT

We, Jeffrey E. Epstein the Tesigned to the attached instrument in those authority and first being duly sworn, do here perjury that the Testator declared, signed, a willingly; he/she executed it as his free and each of the witnesses, at the request of the presence of each other, signed the will as we testator was at that time eighteen (18) years or undue influence.	estator and the witnesses respectively capacities, personally appearing befine eby declare to the undersigned authorand executed the instrument as his led voluntary act for the purposes the Testator, in his or her hearing and evitness and that to the best of his or	y, whose names are ore the undersigned rity under penalty of ast will; he signed it erein expressed; and presence, and in the
Л		
MA & lb	JEFFREY E. EPSTEIN	
residing at		
Adnora Tali residing at		
N.		
STATE OF NEW YORK)	
COUNTY OF NEW YORK))	
Subscribed and sworn to before me by JEH known to me or who has produced a witness who is personally known to me or and	who has produced	as identification
Sworn to before me this 8th day of August, 20	01.	

MARLANA A. MELENDEZ
Notary Public, State of New York
No. 07MB6371741
Qualified in New York County
Commission Expires March 5th, 20 2-2-

Malan Welaly Notary Public

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN	PROBATE NO. ST-19-PB
Deceased.) ACTION FOR TESTATE ADMINISTRATION
OATH OF WILLINGNESS TO APPOINTMENT OF	

- I. Darren K. Indyke, hereby declare, certify, verify, and state under penalty of perjury under the laws of the United States Virgin Islands that:
 - I am an adult of sound mind, have never been convicted of any felony or of a misdemeanor involving moral turpitude, and I am not a judicial officer.
 - 2. I am a resident of Florida.
 - The Last Will and Testament of Jeffrey E. Epstein nominates and appoints me as an Executor of the Estate of Jeffrey E. Epstein, deceased.
 - 4. I am willing to act as Executor of the above-captioned Estate according to the law and to the best of my ability and I will faithfully discharge the duties and obligations of Executor.
 - I will render a true accounting of all monies and property coming into my possession for which I am responsible.
 - 6. I am willing to act as Executor of the above-captioned Estate and request that the Court act upon and grant all the prayers of the Petition for Probate.
 - 7. I am a non-resident of the Virgin Islands, and thus, I appoint the law office of Kellerhal's FERGUSON KROBLIN PLLC, located in the Virgin Islands, specifically at Royal Palms Professional Building, 9053 Estate Thomas, Suite 101, St. Thomas, VI 00802, as my autorney upon whom service of all papers may be made.

attorney upon whom service of all papers ma	Part Day
	Darren K. Indyke
SUBSCRIBED AND SWORN to before	
me this day of	
* A A A A A A A A A A A A A A A A A A A	
NOTARY	



IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
Deceased.))	ACTION FOR TESTATE ADMINISTRATION

OATH OF WILLINGNESS TO SERVE AS EXECUTOR AND APPOINTMENT OF LOCAL COUNSEL

I, Richard D. Kahn, hereby declare, certify, verify, and state under penalty of perjury under the laws of the United States Virgin Islands that:

- I am an adult of sound mind, have never been convicted of any felony or of a misdemeanor involving moral turpitude, and I am not a judicial officer.
- 2. I am a resident of New York, New York.
- 3. The Last Will and Testament of Jeffrey E. Epstein nominates and appoints me as an Executor of the Estate of Jeffrey E. Epstein, deceased.
- 4. I am willing to act as Executor of the above-captioned Estate according to the law and to the best of my ability and I will faithfully discharge the duties and obligations of Executor.
- 5. I will reader a true accounting of all monies and property coming into my possession for which I am responsible.
- I am willing to act as Executor of the above-captioned Estate and request that the Court act upon and grant all the prayers of the Petition for Probate.
- 7. I am a non-resident of the Virgin Islands, and thus, I appoint the law office of Kellerhals
 Ferguson Kroblin PLLC, located in the Virgin Islands, specifically at Royal Palms
 Professional Building, 9053 Estate Thomas, Suite 101, St. Thomas, VI 00802, as my
 attorney upon whom service of all papers may be made.

Richard D. Kahn

SUBSCRIBED AND SWORN to before

me this 13 day of AUGUST, 20

NOTARY

MARIANNE BARNETT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01BA6276845

511 2131

Qualified in Suffolk County

Term expires February 25, 2021

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
Deceased.)	ACTION FOR TESTATE ADMINISTRATION

PETITION FOR PROBATE AND FOR LETTERS TESTAMENTARY

COME NOW Petitioners DARREN K. INDYKE and RICHARD D. KAHN, Executors of the Estate of Jeffrey E. Epstein, by and through Kellerhals Ferguson Kroblin Pllc, and petition this Honorable Court to grant the instant petition pursuant to V.I. Code Ann. tit. 15, § 161 and Rule 3 of the Virgin Islands Rules for Probate and Fiduciary Proceedings. In support thereof, Petitioners state the following:

- That Petitioners Darren K. Indyke and Richard D. Kahn ("Petitioners") are citizens of the United States of America and residents of Florida and New York, respectively.
- 2) The original Last Will and Testament of Decedent, dated August 8, 2019, which is attached hereto, appoints Petitioners as Executors of the Estate.
- 3) The Decedent, Jeffrey E. Epstein, died testate on August 10, 2019 in New York, New York, and was domiciled in and a resident of St. Thomas, Virgin Islands at the time of his death, as supported by the copy of Certificate of Death attached hereto.¹
- 4) Decedent left certain assets in trust.
- 5) The Decedent died possessed of certain property within the Territory of the U.S. Virgin Islands and within the jurisdiction of the Court as herein described:

The original death certificate, or a certified copy thereof, will be filed with the Court upon Counsel's receipt of the same.

Estate of Jeffrey E. Epstein Petition for Probate and Letters Testamentary

Prob. No. ST-19-PB-Page No. Page 2 of 4

PERSONAL PROPERTY

VALUE

Cash

\$ 56,547,773.00

Fixed Income Investments

\$ 14,304.679.00

Equities

\$ 112,679,138.00

Aviation Assets, Automobiles and Boats

\$ 18,551,700.00

Fine Arts, Antiques, Collectibles,

Valuables & Other

TBD subject to appraisal/valuation

Personal Property

\$ 194,986.301.00

10,000 shares of Maple, Inc., a U.S. Virgin Islands

Hedge Funds & Private Equity Investments

corporation which holds title to

9 East 719 Street New York, NY 10021

\$ 55,931,000.00

10,000 shares of Cypress, Inc., a U.S. Vitgin Islands

Corporation, which holds title to

49 Zorro Ranch Road Stanley, New Mexico 87056

\$ 17,246,208.00

10,000 shares of Laurel, Inc., a U.S. Virgin Islands Corporation, which holds title to

558 El Brillo Way

Palm Beach, Florida 33480

\$ 12,380,209.00

999 shares of SCI JEP, a French Company which holds title to units 47 with mezzanine, 48 and 81 on the 2nd floor, units 63 and 74 on the 5th floor and units 5 and 22 (cellars) in the basement 22 Avenue Foch

Faris, France 75116

\$ 8,672.823.00

10,000 shares of Poplar, Inc., a U.S. Virgin Islands Corporation, which holds title to

Great St. James Island No. 6A Red Hook Quarter

St. Thomas, Virgin Islands \$ 22,498,600.00

10,000 shares of Nautilus, Inc., a U.S. Virgin Islands

Corporation, which holds title to

Little St. James Island No. 6B Red Hook Quarter

Parcels A, B & C St. Thomas, Virgin Islands

\$ 63,874,223.00

TOTAL PERSONAL PROPERTY:

\$ 577,672,654.00

TOTAL ESTATE PROPERTY:

\$ 577,672,654.00

² Values are subject to appraisal and/or update to their date of death valuation, which will be confirmed in verified inventory to be filed with the Court.

- Petitioners are investigating potential debts and claims of the Estate and at this time they are unknown.
- That the names and addresses, insofar as known to Petitioners, of the heirs and next of kin of the deceased, who would be entitled to share the estate if he had left no will; the relation of each such person to him; the proportion due each such person, and whether each of them is an adult or an infant are as follows:

NAMES	RELATIONSHIP	<u>CAPACITY</u>	SHARE
Mark Epstein	Brother	Adult	100%

- 8) That Petitioners Darren K. Indyke and Richard D. Kahn be appointed Executors. They are adults of sound mind, are not convicted of any crime involving moral turpitude, and are not judicial officers of this Honorable Court.
- Although Petitioners are not residents of the Virgin Islands, they are qualified to serve as Executors pursuant to 15 V.I.C. § 235(c) because they otherwise qualify under 15 V.I.C. § 235(a) and they have appointed the law firm of Kellerhals Ferguson Kroblin PLLC, which has offices on St. Thomas, Virgin Islands, to accept service of all papers for purposes of the probate of Decedent's estate.
- The Decedent's Last Will and Testament provides that "No bond or other security shall be required of any Executor in any jurisdiction." See original Last Will and Testament attached hereto at Article THIRD, subsection B on page 2. Accordingly, Petitionets pray that the bond be waived pursuant to V.I. R. Prob. 3.

WHEREFORE, Petitioners pray:

- A. That the Estate of Jeffrey E. Epstein be entered into Probate;
- B. That a citation be issued to any heir or next of kin who has not signed a Waiver;
- C. That this Honorable Court order the issuance of a notice to creditors and claims procedure order in substantial form of that which will be separately proposed to the court forthwith;
- D. That the Last Will and Testament of Jeffrey E. Epstein, attached hereto, be admitted to Probate;
- E. That Darren K. Indyke and Richard D. Kahn be appointed Executors and Letters
 Testamentary be issued to them;
- F. That the bond be waived; and
- G. That the Petition be granted.

Respectfully,

DATED: August 15, 2019

WILLIAM BLUM, ESQ., Of Counsel

V.I. Bar No. 136

KELLERHALS FERGUSON KROBLIN PLLC

Royal Palms Professional Building 9053 Estate Thomas, Suite 101

St. Thomas, V.I. 00802-3602

Telephone: (340) 779-2564 Facsimile: (888) 316-9269

Email: wblum@solblum.com

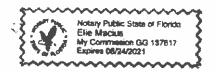
VERIFICATION OF PETITION

I, Darren K, Indyke, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records show.

DATED: August ______, 2019

Darren K. Indyke

SUBSCRIBED AND SWORN to before me



a light by

15

15

VERIFICATION OF PETITION

I, Richard D. Kahn, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records

DATED: August 15, 2019

show.

Richard D. Kahn

SUBSCRIBED AND SWORN to before me

this 15th day of August, 2019. Manaine Barnett

MARIANNE BARNETT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01BA6276845
Qualified in Suffolk County

Term expires February 25, 2021

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
Deceased.)))	ACTION FOR TESTATE ADMINISTRATION

AFFIDAVIT

I. Erika A. Kellerhals, hereby depose or otherwise state that I do not know of any will or codicil of Jeffrey E. Epstein, deceased, other than the instrument in writing dated August 8, 2019; that I received the Last Will and Testament of Jeffrey E. Epstein from Jeffrey E. Epstein, and the said Jeffrey E. Epstein died on or about August 10, 2019.

Erika A. Kellerhals

SUBSCRIBED AND SWORN to before me

This

day of

2019

Brett A. Geary
Notary Public: NP-144-15
Commission Expires: December 24, 2019
St. Thomas / St. John, USVI

THE CITY OF NEW YORK

NAVITAL RECORDS CERTHICALL & &

DEATH TRANSCRIPT

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07.36 PM

CERTIFICATE OF DEATH

Certificate No. 156-19-032838

Place Oi Death	20. Boro	ugh	Rc. Type of Place 1 G Hospital Inpident 2 B Emergency Dept/C 3 G Dead on Arrival	SQ: Apalent 6 Q:	Number HomerLong To Hospice Facility	1.4	2st. Any He in test 50 p 1 12 Yea 2 15 No 3 13 Union		Sa. Nerve of I	enplini or oth Presbyteri	er tackly (# n len-Lower	ot lacitly. Maryhad	ten Hoef
	ind Time of and Dead	Death 3	August	(Day) 10	2019	7:36	G AM	4. dex Mal	8	6. OC	ME Case M	90194:	32
E. C. A.D.	P A R	p s. immediate cause Pendin		Further \$	Further Study								
P	ī	c. Dum to	THE PERSON NAMED IN COLUMN TWO				3						
8 4	PART II		rificant conditions conti	buting to death	but not quality of	no underlying b	200	Part I. In	Aude operation	uniformation.			
79. II O DA O Pa CLI OR US 12. D. 156. L. D. 17. B1	Virgin i an of Sirch Jernal Coccus Lucia Judia ringheon (Cl Brock	en Injury i I D Pede mas Stands (Nonth Janus D Col by & Stand	Specify 8. Manner of D 8 Pending fail 19 Natural 19 Accident D 19 (Day) 19 20 19 pe of work done during that 10 Foreign Country) 8 W York 2 2 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	2 CI No 70 2 CI No 70 No abbits CI Uno 70 10 D D D D D D D D D D D D D D D D D D D	Or high St. Triomath e. at fact investigations (66) Sto. 18b. Tib. Regular is r leas; hong r leas; hong made; are bishoms				and	ine. P	Chief Chief 29° Code 00802 equily No.	Com Afficial E	uG-11-2 carning d Barrin de Cay Li Yes 2 S
1 12 Y	min U.S. med Forces Sea 2 W M sher's Maro	130	edul Perhenhip States Aerried & C.I Demesti Aerried, but separated Stres, Specity Kidle, Luer)	TUX.	£78.	1	Aing Spool		Y	, name pro- se en- taga) (First.			
	nkorment's f	lame	Seymour E		water and the Control	3 700			Paule	Stolorak	A Dans		ZIP Code
100	Nethod of D urtal 25 ther Specifi	eposition Cremate	Epstein on 3 th Entombrie	H 40(Brother :		ob of Dispo		ng of challeng	advalor.	obser place)		33411-4
_		-	City & State or Foreign Co	urary)						late of Republich	900	dd 13	791 2019
ega. F	ureni Esti	hilaterari	Platta be				Madiso		nter New York,	City & Sta NY 1002	10		Code)
No Co	orrection Hi	Mary."	0.50										

On not accept this transcript unless it bears the security futures is sell on the book. Reproduction or alteration of this transcript is prohibited by §3.19(b) of the New York City Health Code if the purpose is the evacion or inclusion of any provision of the Health Code or any other law.





EXHIBIT

2

THE CITY OF NEW YORK

DEATH TRANSCRIPT

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH Certificate No. 156-19-032838

TECO .			Sc. Type	of Place		Number Home Lan	, Mickele, La g Term Cale	Facility 24.4	usy Head	gina care	So. Morrie of fixe	plini or oth	or Sucillay (1) n	at hedily, s	ired odd
2 8 Emergency Dept/Outpellerit 6 C			O Decedett's Pasidonce			1 Di You 2 Si No 3 Ci Unknown		New York-Presbyterlen-Lower Manhatten Hosp							
	nd Time of nd Dead		Au	oren) gust	(Day) 10	(Year-yyy) 2019	7:3		M 3 PM	4.8m Male		6.00	ME Cas N M1	6. 901943	12
i. ç	P	a. Imme	dala causa	Pendin	g Further	Study							1.		
2	A R T	b. Due 1	o or me a iquence of						- 1						
9	i i	c. Due t	o or as s	100000		1.0		2 24/32							
DEAD	PART II	-	-	ndisions conf	alburing to dea	di but not repairing	rijin arde	lying bases g	-	Part I, Inc	lude operation in	formation.			
L înji	ory Date (in	m dd y	700 7tb. Thr	• 0.44	G. AL WORL TO	Citate of tracy	Al fights, tes	No. Mont. et	5		N	-			
				DAH QPM	THE SHOP	Lacetion	16.0%	10010			1.0				
. Ho	w kajuny Od	Curred				1			1						17,
	irarupertar			Marner of I	Death	4	Appley 1	Property live	ΞŤ		a applications in	gation. In	my opinion.		urnd di
-	/er/Opecate	y CJ Pas		Pending Na Natural (3	World ich	1		CHIEF SU	alters	S.	idia M	Dome	0.0 H.D	Deb A	JG-11-
	menger ver Epacity		Ē	Acottent C	Battle Class	determined of Pales	per olas	ته على	1	KRM	1	1.		dical P	oarbio
-			-		2 214	to the	A Section	100	117	ALC: NO	and applications	ADD-N	CHAID (CM	d photos	ERMO
	Virgin		11b Cou	Thoma		St. Thomas		the San	1	neio-lab	and	11.0	00802	10	Yes 21
	de of Bloth		1		475 Ta. A	On at that Ithriboty	- K	/ Sept 19			100	inger 1	lecusity Ho.	_	
		Janu	ery 20) 1	P\$13	66					- The state of	1		-3348	ł
e U	sual Occu	T) not an	pe of work	pone during	miga: qi aniqatic	g Bb. 15b. Kings		1	165	many or 5	N A		••	10.10.000	1000
			orsultan		I hatteride	Chack the box the	A CHARLE	that the high	44	at of feet	of substitution	and at the	e time of de	ath)	
		•	lew Yor	- 1		or less; horse		ns cologie dis	en las Product		ADviede	is degree	(49. MA, ME 10. MAID) or 100 (44. MC	S. Malina, Mil	50, 148m
. 5x	er In U.S.	20.	destroky art	vership State	कि पर	gustary or DED	1	The same of the same of the same of	Spore	THE PARTY	Marie Marie	tenue buo herais (m)	n frat mar	fagoj (Flori	Alldello.
	ned Forces	1 4	Married, ter	a tra Statistic	Do Panhara In	A CONTRACTOR	-	3 5	1	5 100					
_		1/4	Other, Manc		-	200	planetin "			-			Made Lan	-	
	ram it Leint	e (rest,		ymour E			15			*	Paula	blorsk	Mickle, Lea	4	
la. In	dermare's		Epstel	3	246.	Brother	-				1	NAME	A Salar		ZIP Co 33411
	lefted of E	Nepouli lo	9					10 P 40 W	Dispo	Steen Steen	of chickery,	nerality.	other place)		
	erial 2 (ther Speci		non 3	Spilombrh	ers 4 Ci	Olly Complety	1			CENTRAL		ria est		-	
_			Situa Sta	or Foreign (Country	1 222				-	254 Oc		499	dá	ונענ
6				-		_						notition	06	13	201
e. F	unumi Est		N.	-				200 Addms 4			ter lew York, N	City & 8t		Ze	* Code)
			- 1. mark	A Local D	and seed			1010 WH	U-BO	- NEG I	104 104/1	100			
o Ca	rrection H	-tony.""				9									
											100				
					60	111								٧	90 18 (Fl er
		V 350 12	08377726	-			- A- A	VarW	V 4		Awans	247£0			

and Mantal Hygiene. The Department of Hearth and Martis Hygiene does not certify to the truth of the statements made thereon, as no inquiry as to the facts has been sucvided by line.

On not accept him transcript unless it bears the security features historics the back. Repriziumine of alteration of this transcript is prohibited by §3.19(b) of the films York City Health Code 2 tha

Y01383215



IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. THOMAS AND ST. JOHN

PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF

JEFFREY E. EPSTEIN,

Case No. ST-19-PB-80

Deceased.

Notice of Filing of Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe IV, a victim of the Estate of Jeffrey E. Epstein, and submit for the consideration of the Court, the attached Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages.

Dated: Christiansted, St. Croix January 3, 2020

Respectfully Submitted,

Melody D. Westfall, Esq.

V. Bar Number

WESTFALL LAWPLLC

5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe IV

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION

	_	DE SO A STATE	\
IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,)	Case No. ST-19-PB-80 RECEIVED JAN 3 1 2020 SUPERIOR COURT OF THE V.I.	DM 1 2 3
Deceased.	_)	6 2 1 1 01 6 8 1 9 5	

8 9 10 7

Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe IV ("Claimant"), a victim of the Estate of Jeffrey E. Epstein (the "Estate"), and file this Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages, and in support thereof state:

- 1. This motion and the subsequent notice of claim are timely and properly filed pursuant to Virgin Islands Probate and Fiduciary Rule 11 titled Notice to Creditors and Persons Indebted to the Estate which notes that "...all persons having claims against the estate [are] to present, or deliver to the executor or administrator, their claim(s), verified by affidavit, to a place within the territory specific in the notice, within six months from the date of notice..." as such a notice was dated September 13, 2019, filed on September 18, 2019 and directed such claims to be presented to the offices of their attorneys or the Clerk of this Court. See also 15 VI.C. § 391 Publication of Notice of Administration.
- 2. The undersigned currently represents twelve victims, including Claimant, who has a claim to be made against the Estate of Jeffrey E. Epstein. On December 3, 2019, nine of those twelve victims, including Claimant, filed suit against the above-referenced Estate and its executors in the Supreme Court of the State of New York, County of New York. See Jane Doe I et al v.

Darren K. Indyke et al (Index No.: 950230/2019) (Hon. George J. Silver, J.S.C.). A true and correct copy of the Summons and Verified Complaint are attached hereto as Exhibit "1".

- 3. It is important to note that in that complaint, Claimant filed anonymously using the "Jane Doe" pseudonym.
- 4. Furthermore, on December 5, 2019, Bennet J. Moskowitz of Troutman Sanders LLP, attorneys for the executors of the Estate, filed a stipulation with request to so order Claimant's requests for anonymity on consent from all parties involved in that litigation. Attached hereto as Exhibit "2" is a true and correct of the fully executed stipulation.
- 5. The only reason that this stipulation has not been so ordered at this time is due to the current Administrative Stay placed on the case, and all other cases of similar nature, pending in the Supreme Court. Attached hereto as Exhibit "3" is a true and correct copy of the Administrative Order of Hon. George J. Silver, J.S.C.
- 6. Accordingly, the undersigned respectfully requests that this Court also grant Claimant the ability to present her Notice of Claim anonymously under pseudonym.
- 7. If the fact that both of the parties in this proceeding have already agreed for Claimant to file anonymously is not persuasive enough, courts in this Circuit have also granted such relief even when it is opposed.
- 8. First and foremost, this sort of decision is within the direct purview of this Court.

 See Doe v. C.A.R.S. Protection Plus, Inc., 527 F.3d 358, 371 (3rd Cir. 2008) ("[T]he decision whether to allow a [claimant] to proceed anonymously rests within the sound discretion of the court.").
- 9. Indeed, in making such decisions, courts in this circuit have continually applied a balancing test type approach using several factors outlined by the Third Circuit in the case of <u>Doe</u>

- v. Megless and its progeny. See <u>Doc v. Megless</u>. 654 F.3d 404 (3rd Cir. 2011) ("<u>Megless</u>"); see <u>also D.M. v. Cty. of Berks</u>, 929 F. Supp. 2d 390 (E.D. Pa. 2013) ("<u>Berks</u>"); <u>Doe v. Rutgers</u>, 2019 U.S. Dist. LEXIS 75139 (D.N.J. 2019) ("<u>Rutgers</u>").
- 10. In this case, it is clear that when applying the nine <u>Megless</u> factors (six that favor anonymity and three that disfavor anonymity), an overwhelming majority of them support Claimant's use of a pseudonym while the few that do not are either not applicable to the case or do not do enough to tip the scales. <u>See Megless</u>, 654 F.3d at 409.
- 11. Regarding the first factor in favor of anonymity, the facts of this case stand in sharp contrast to instances where courts have found that anonymity would be futile because the movant's name was already widely known. See Rutgers at 5-6 (citing to Megless at 410 ([movant's] name, picture and home address had been disclosed on a publicly circulated flyer)). Here, the facts align more with Rutgers as Claimant has gone above and beyond to maintain her confidentiality, which has never been made public, including by filing her lawsuit as a "Jane Doe" and stipulating with the Estate to the same. See Megless at 410; see also Rutgers, 2019 U.S. Dist. LEXIS 75139 at 5.
- 12. Second, as for the reasonableness of the harm that the litigant is seeking to avoid, here, similar to the facts of <u>Rutgers</u>, Claimant wishes to proceed anonymously in order to protect her mental and physical health and right to fully and fairly litigate this action. <u>See Rutgers</u> at 6-7; <u>see also Doe v. Roman Catholic Archdiocese of New York</u>, 64 Misc. 3d 1220(A) (Sup Ct., Westchester Cty. 2019).
- 13. Indeed, as opposed to using a pseudonym merely to avoid the annoyance and criticism that may attend any litigation, Claimant seeks to proceed anonymously to preserve her privacy in this matter of a sensitive and highly personal nature that will have a lifelong impact on her and her families' lives. See Rutgers at 6-7; see also Doe v. Szul Jewelry Inc., 2008 NY Misc.

LEXIS 8733 (Sup. Ct., New York Cty. 2008): <u>Doe v. New York Univ.</u>, 6 Misc. 3d 866 (Sup. Ct., New York Cty. 2004); <u>Sealed Plaintiff v. Sealed Defendant</u>, 537 F.3d 185 (2nd Cir. 2008).

- 14. Third, unlike <u>Megless</u> where the District Court recognized that there is no allegation that falsely create suspicious person alert are a widespread problem, here the facts are more similar to <u>Berks</u> in that disallowing anonymity would likely deter those who have been falsely accused of sexual abuse from vindicating their rights due to the stigma that invariably attaches from having one's name publicly attached to such a deplorable act. <u>See Megless</u> at 410; <u>see also Berks</u>, 929 F. Supp. 2d at 402.
- 15. Fourth, similar to <u>Rutgers</u>, there is a strong chance that this claim will not be resolved on its merits if the litigant is denied the opportunity to proceed using a pseudonym as Claimant will potentially sacrifice a potentially valid claim simply to preserve her anonymity. <u>See Rutgers</u> at 7-8. The Court here should decide in conformity with the court in <u>Rutgers</u> where they agreed with the movant's argument that the public is harmed when alleged abuse goes unchallenged because movant's fear litigating publicly. <u>See id</u>.
- 16. As for the final factor weighing in favor of anonymity, Claimant is not seeking to use a pseudonym for nefarious reasons, nor has there been any allegations that Claimant has an illegal or ulterior motive in her desire to hide her name. See Megless at 411; see also Rutgers at 10. As opposed to simple public humiliation and embarrassment, which have been determined not to be sufficient grounds for allowing a Claimant to proceed anonymously, in this case, there is no "illegitimate ulterior motive", because, as referenced above, identification of Claimant's true identity "poses a risk of mental or physical harm" and the case involves "information of the utmost intimacy". See Megless at 411; see also Rutgers at 10; Doe, 2008 NY Misc. LEXIS at 16-17; Doe, 6 Misc. 3d at 879; Sealed Plaintiff, 537 F.3d at 189-190; 1991 McKinney's Session Laws of New

- York at 2211-2212 ("sexual assault victims have unfortunately had to endure a terrible invasion of their physical privacy. They have a right to expect that this violation will not be compounded by a further invasion of their privacy").
- 17. Furthermore, even when turning to the other side of the scale and the factors disfavoring anonymity, Claimant still comes out ahead.
- 18. While Claimant acknowledges that there is a thumb on the scale that is the universal interest in favor of open judicial proceedings, she is not asking the record to be sealed, rather simply to proceed anonymously.
- 19. Next, the Court must consider "whether, because of the subject matter of this litigation, the status of a litigant as a public figure, or otherwise, there is a particularly strong interest in knowing the litigant's identities." See Megless at 411; see also Rutgers at 12. Here, the Claimant is not a public figure.
- 20. This litigation also involves "a member of a particularly vulnerable class" or "the subject matter is highly personal," the "public has an interest in protecting the identity of the litigant." See Rutgers at 12 (citing to Doe v. Rider Univ., 2018 U.S. Dist. LEXIS 133146 (D.N.J. 2018)). Here, Claimant alleges that she is a victim of sexual assault, so allowing her to proceed as a "Jane Doe" while preserving the public's right to access the docket and proceedings in this case strikes the appropriate balance between these competing interests. See Rutgers at 12 (citing to L.A. v. Hoffman, 2015 U.S. Dist. LEXIS 94564 (D.N.J. 2015) (granting [movant's] motion to proceed anonymously and observing that "aithough the identities of the [movants] will not be included in the filings in this matter, the public will maintain access to the docket and filings in this case.")).
- 21. Finally, the last factor weighing against disclosure is not applicable as there is no party opposing the use of a pseudonym.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

therefore prevented plaintiffs from commencing this lawsuit before his death. By using threats in accompaniment with his wealth and power, Epstein was able to escape punishment for his intolerable and brutal crimes against countless young women and underage girls, including plaintiffs, for the duration of his life.

- 14. The plaintiffs intend to take full discovery of the Estate of Jeffrey Epstein and all associates, family members and friends to determine who knew what and when.
- 15. At all material times herein mentioned, Epstein, and his associates, operated, transacted business, owned, used, maintained and/or possessed real and other property, equipment and apparatus within New York City, which he utilized as the base of his operations for his sexual exploitation of minor girls and women, including plaintiffs herein.

PARTIES

- been identified by pseudonym because this matter is of a highly sensitive and personal nature, and public disclosure of their identities may subject them to further humiliation, shame, and emotional distress.¹
- Plaintiffs are all United States citizens, domiciled in New York and several other
 States.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and

¹ Plaintiffs use a pseudonyms because they are victims of sex crimes pursuant to N.Y. Civ. Rights § 50-b and other statutory and common law principles.

RECEIVED NYSCEF: 12/03/2019

and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.

- 68. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 69. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 70. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 71. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 72. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 71., inclusive, with the same force and effect as if hereafter set forth at length.
- 73. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

RECEIVED NYSCEF: 12/03/2019

74. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.

- 75. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 76. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 77. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 78. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 79. This action falls within the exceptions to Article 16 of the C.P.L.R.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A SIXTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 80. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 79., inclusive, with the same force and effect as if hereafter set forth at length.
- 81. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD **EPSTEIN**, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 82. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 83. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- Jeffrey Edward Epstein committed the acts alleged herein maliciously, 84. fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 85. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - This action falls within the exceptions to Article 16 of the C.P.L.R. 86.

NYSCEF DOC. NO.

AS FOR A SEVENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 87. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 86., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 89. In or about 2003, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe III when she was a minor child.
- 90. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 92. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 12/03/2019

93. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 94. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 95. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN EIGHTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 96. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 95., inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 98. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 99. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

NYSCEF DOC. NO. 1

100. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 101. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 102. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 103. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A NINTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE HI AS TO JEFFREY EDWARD EPSTEIN

- 104. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 103., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

NYSCEE DOC. NO

RECEIVED NYSCEF: 12/03/2019

106. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 107. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 108. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 109. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 110. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 111. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 110., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 113. In or about 2001, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe IV when she was a minor child.

RECEIVED NYSCEF: 12/03/2019

114. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 115. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 116. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 117. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 118. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 119. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN ELEVENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

120. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 119., inclusive, with the same force and effect as if hereafter set forth at length.

NYSCEF DOC. NO

4 Sec. 15

FOR SAME E

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 122. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 123. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and lumiliation.
- 124. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 125. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 126. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 127. This action falls within the exceptions to Article 16 of the C.P.L.R.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWELTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 128. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 127, inclusive, with the same force and effect as if hereafter set forth at length.
- 129. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 130. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial,
- 132. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- The amount of damages sought exceeds the jurisdiction of all lower courts which 133. would otherwise have jurisdiction.
 - 134. This action falls within the exceptions to Article 16 of the C.P.L.R.

NYSCEF DOC. NO.

AS AND FOR A THIRTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 135. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 134., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 137. In or about 2004, Jeffrey Edward Epstein sexually abused plaintiff Jane Doc V when she was nineteen-years-old.
- 138. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 139. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 140. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

141. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 142. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 143. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE V AS TO DEFENDANT JEFFREY EDWARD EPSTEIN

- 144. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 143., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 146. Epstein's predatory, sexual and unlawful acts against plaintiff, created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 147. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

148. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 149. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 150. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 151. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 152. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 151, inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

154. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 155. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 156. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 157. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 158. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SIXTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- 159. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 158., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 161. In or about 2001 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VI when she was approximately nineteen-years-old.

16.

RECEIVED NYSCEF: 12/03/2019

162. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 163. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 164. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 165. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 166. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 167. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SEVENTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

168. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 167., inclusive, with the same force and effect as if hereafter set forth at length.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

anguish; all other monetary and/or non-monetary losses suffered by plaintiffs; and that by reason of the foregoing, plaintiffs sustained damages in a sum, pursuant to C.P.L.R. §3017, which exceeds the jurisdictional limits of all lower courts;

- D. An award of punitive damages;
- E. An award of costs that plaintiffs have incurred in this action, as well as plaintiffs reasonable attorney's fees to the fullest extent permitted by law; and.
 - F. Such other and further relief as this Honorable Court may deem just and proper.

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street 34th Floor New York, New York 10155 (212) 603-9100

NEW | YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

COUNTY OF NEW YORK	KK
	X
JANE DOE I, JANE DOE II, JANE DOE III, JANE	DOE
IV TANE DOE'V TANE DOE'VE TANE DOE'VILLE	ANE

Index No.: /19

Plaintiffs,

ATTORNEY VERIFICATION

-against -

DOE VIII and JANE DOE IX,

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN.

Defendants.

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC, attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true;

That the sources of his information and knowledge are investigations and records in the file; and,

That the reason this verification is made by affirmant and not by the plaintiffs is that the plaintiff are not within the County where the attorney has his office.

Dated: New York, New York December 3, 2019

JORDAN K. MERSON

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK	
JANE DOE I, JANE DOE II, JANE DOE III, JANE	

DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX

Plaintiffs,

-against -

CLIENT VERIFICATION

Index No.:

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

STATE OF NEW YORK

) \$5.:

COUNTY OF NEW YORK)

REDACTED . being duly sworn, deposes and says that:

I am a plaintiff in the within action; I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge, except as to the near the therein state to be alleged on information and belief, and as to those matters I belief to be true.

Dated: New York, New York December 2, 2019

REDACTED

REDACTED

Sworn to before me this 2nd day of December 2019

NOTARY PUBLIC

LEIDEN E APARICIO
Notary Public, State of New York
No. 01 AP6371383
Qualified in Queens County
Commission Expires February 26, 20

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Index No. Year 2019 SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV. JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX, Plaintiffs, - against -DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, Defendants. SUMMONS AND VERIFIED COMPLAINT Merson Law, PLLC Attorneys for Plaintiffs Office and P.O Address. Tetephone

> 150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100

All Parties

EXHIBIT

2

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK	
JANE DOE I, et al.,	X
* 1	0.40
Plaintiffs.	: Index No. 950230/2019
• • • • • • • • • • • • • • • • • • • •	Hon. George J. Silver
- against -	STIPULATION AND
DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,	ANONYMITY
Defendants.	: (Motion Seq. 001) : X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys, that any person subject to this Order, including the parties to this action and their respective counsel of record, shall adhere to the following terms:

- 1. Within three (3) days of entry of this Order, Counsel of Record for Plaintiffs shall disclose Plaintiffs' identities to Counsel of Record for Defendants, in writing.
- Counsel of Record for Defendants may disclose Plaintiffs' identities only to Defendants
 and any attorneys, paralegals, and clerical or other assistants working with or tor
 Defendants on matters related to this action; and the recipients of such information shall
 not disclose it to any other persons.
- 3. If Defendants wish to disclose Plaintiffs' identities to any person not otherwise permitted to receive such information under this Order, Defendants are limited to doing so in connection with defending this action, and must require such person to first execute a non-disclosure agreement, in a form agreed to by the parties, that prevents such person from disclosing Plaintiffs' identities to any other persons. Defendants must maintain a list of all such persons to whom Plaintiffs' identities are disclosed and copies of the executed non-disclosure agreements, all of which are subject to in camera inspection.
- 4. All portions of pleadings, motions or other papers filed with the Court that disclose Plaintiffs' identities shall be filed under seal with the Clerk of the Court and kept under seal until further order of the Court. All parties shall use their best efforts to minimize such sealing. Any party filing a motion or any other papers with the Court under seal

shall also publicly file a redacted copy of the same, via NYSCEF, that redacts the Plaintiffs' identities and text that would reveal Plaintiffs' identities.

- 5. The parties may seek to modify or amend this Order at any time upon motion to the Court or by stipulation.
- 6. Motion Seq. 001 is resolved by entry of this Order; and the hearing on Motion Seq. 001 currently set for December 17, 2019 at 3:00 p.m. is canceled.

AND IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be

executed in counterparts; and facsimile signatures are deemed originals.

Dated: New York, New York December 5, 2019

MERSON LAW, PLLC

TROUTMAN SANDERS LLP

Ву:	Tordan Mosa	By: Bennet J. Moskowitz / K.B
,	Jordan K. Merson	Bennet J. Moskowitz
	150 East 58th Street, 34th Floor	875 Third Avenue
	New York, NY 10155	New York, NY 10022
	(212) 603-9100	(212) 704-6000
	Attorneys for Plaintiffs	Attorneys for Defendants Darren K. Indyke and

Attorneys for Defendants Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein

SO ORDERED.	
Date: New York, New York	HON. GEORGE J. SILVER, J.S.C.

EXHIBIT

3

I

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/11/2019

A Sale of New York

NYSCEF DOC. NO. 9

LAWRENCE K. MARKS
Chief Administrative Judge

STATE OF NEW YORK
UNIFIED COURT SYSTEM
111 CENTRE STREET
NEW YORK, N.Y. 10013
(646) 386-4200

GEORGE J. SILVER
Deputy Chief Administrative Judge
New York City Courts

ADMINISTRATIVE ORDER #371 AMENDED

By the authority vested in me as Deputy Chief Administrative Judge of the courts within New York City, and as the coordinating judge of all cases filed under the Child Victims Act¹ (the "CVA") within that jurisdiction, I hereby order as follows:

- This Order applies to all cases filed or hereafter filed in the Supreme Courts in and for the counties of Bronx, Kings, New York, Queens, and Richmond pursuant to the CVA, including any such matters filed before the one-year window commenced on August 14, 2019, and which were then stayed pending the opening of the window on August 14, 2019.
- 2. While a steering committee negotiates a Case Management Order to address the efficient prosecution and defense of cases filed under the CVA, all Preliminary Conferences currently scheduled or requested as of the effective date of this Order, and any requests for Preliminary Conferences made after the effective date of this Order are adjourned to a control date of January 31, 2020.²
- 3. The time to respond to any discovery demands served by the parties as of the effective date of this Order is adjourned without a date. No demands for discovery shall be served by any party until further Order of this Court.
- 4. Plaintiffs' time to respond to stipulations and orders that consent to or direct the production of identifying information, consisting of a plaintiff's name (including maiden name, if any), date of birth, social security number, parents and/or guardian's names, current address, and address at the time of the alleged abuse, for plaintiffs proceeding under pseudonyms is extended to December 20, 2019. Plaintiffs shall provide such identifying information to

L. 2019 c.11.

² Parties may make an application to extend this, and other deadlines, as necessary.

NYSCEF DOC. NO. 9

RECEIVED NYSCEF: 12/11/2019

defense counsel in a manner other than disclosure in a public filing on NYSCEF and as agreed to by the parties. Nothing in this Order prevents plaintiffs from voluntarily providing such identifying information at any time.

- 5. All papers in opposition to any Order to Show Cause or Notice of Motion, including motions to dismiss under CPLR §3211 or §3212, but excluding motions to proceed anonymously or by pseudonym, are adjourned until January 31, 2020. Should the motion(s) not be resolved and withdrawn by the parties as of that date, the Court will set any additional due dates as necessary. No motions, other than motions to proceed anonymously or by pseudonym, shall be filed prior to January 31, 2020 without permission of the Court. As such, no motions to dismiss under CPLR §3211 or §3212 shall be filed prior to January 31, 2020.
- 6. The time to answer, move against, or otherwise respond to any complaint that has been served as of the effective date of this Order is extended until further Order of the Court. This Order supersedes any due dates for answers or motions previously stipulated to by the parties and/or ordered by this Court.
- 7. The time to answer, move against, or otherwise respond to any complaint that is served after the effective date of this Order, but prior to January 31, 2020, shall be extended until a date stipulated to by the parties or as directed by further Order of the Court.
- 8. Notwithstanding any stipulation or Court Order to the contrary, no motion to sever shall be filed prior to January 31, 2020. Consistent with the CPLR, motions to sever may be filed after January 31, 2020.
- 9. Counsel shall make a good faith effort to resolve any motions to dismiss or motions to sever prior to filing such motions.

Dated: December 11, 2019

Deputy Chief Administrative Judge

New York City Courts

THE CITY OF NEW YORK

N/ VITAL RECORDS CERTIFICATE

DEATH TRANSCRIPT

DATE EILED

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH

Certificate No. 156-19-032838

1. DECEDENT'S JEFFREY EDWARD EPSTEIN (Firet, Middle, Lest) 2s. New York City
2b. Scrough
1 O Hospits Implifient
2 Strangency Dept/O
3 CI Dead on Arrival 4 🖾 Hundry Horte-Long Term Care Facility 5 C Hospice Facility L 6 C Decadest's Res in tool 30 1 12 Vibe 2 15 Mo Death 7 Ci Other Specify .. 3 Ca Unio Date and Time of Death 5. OCME Case N Male M19019432 or Found Dead August 2019 7:36 L terredute cause Pending Further Study b. Due to or as a summittee of c. Due to or es a Med in by I've Other significant conditions contributing to death but not walkers in the and there also be a few or a PART II 3 7s. Injury Date (mm. dd yyyy) 2b. Time C) AM 1 C) Yes 76. Place of Injury - A for C) PM 2 C) No. 76. Looplish 71. How Injury Occurred 7g. If Transportation Injury Specify

G. Menner of Death

G. Menner of Death

G. Menner of Death

G. Meterel G. Hosterel

G. Hosterel C Passenser Cl Acctions Cl Bigliothe Chipments 0744 11m Usual Residence State 11h. County 00802 11 Yes 28 Mg St. Thomas St. Thomas US Virgin Islands 18. Ago, at Bot In Prope (New day) 12 Date of Bluth (No 18h) (Day) (yes:s) 152: Usual Comperton (Type of workdone during the Descrimentation Consultant 17 Simpleon (City & State or Foreign Country) theres (e.g., MC, MG, MGsg, MGd, MGN, MG ma (e.g., PRO, Bill) or first dagree (e.g., MD, DDA, DMA, LLB, UD) Brooklyn, New York 20. Marital Partnership States at less bit of 1 U Marries 2 U Domestic Pentius 14 U Married, but expensed 5 th home 19. Everin U.S. Annual Forces? 1 D Married 2 C 4 D Married but se 7 D Otter, Specify 22. Father's Hame (First, Middle, Last)
Seymour Epstein ZIP Code) 33411-9219 Merk Epstein 1 D Burtal 2 D Cremetion 4 City Centeloty 5 L3 Other Specify . 25c. Leaving of Chronition (Chy II, State or Foreign Country) 7771 2019 ÔΑ 13 City & State 20b. Address (Street and Humber 28s. Funeral Establishment 1076 Medison Ave New York, NY 10028-0237 No Correction History." V21 18 (Flow, \$1.00) Augnat 11, 2019 EVT201908377726

Des States Var Wyc. Gretchen Von Wys. Ph.D., City Registrar as of 3/1/19

Steven P. Schwartz, Ph.D., City

This is to certify that the foregoing is a true capy of a record an size in the Department of Health and Mantal Hygiene. The Department of Health and Mantal Hygiene Ross not certify to the MATE of the statements made thereon, as no inquiry as to the facts has been provided by law.

Y D 1 3 8 3 2 1 5

Do not accept this transcript refees it bears the security faitures is set on the book. Reproductives of abertation of this transcript is prohibited by \$3.19(b) of the New York City Health Code if the purpose is the easien of malaben of any provision of the Health Code of any other law



EXHIBIT

2

THE CITY OF NEW YORK

NA VITAL RECORDS CERTIFICALLY &

DEATH TRANSCRIPT

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH Certificate No. 156-19-032838

	2a Na-	York Ch	(the Years of Street	LEGAL	(First, N	ldde, LesiÇ	24. Am He	apine days	So. Home of hos	pital or other	r facility (II no	i facility, s	'n
Paco 2s. New York City 2s. Type of Place 4 12 Nursing Homer∠ Term C Ol 2s. Bonough 1 12 Hospital Inplicant 5 12 Hospital Residence 6 12 Decedent's Residence 3 12 Dead on Arrival 7 12 Other Specity		- 22	in test 30 stays 1 © Vive 2 to No 3 © Unknown		20. Name of templas or other facility (if not facility, about within New York-Presbyterten-Lower Marthaltan Hossi								
	nd Time o nd Dead	Death	a. (Mores) August	(Day) 10	(New 1999) 2019	3b. Time 7:36	E AM Li Pal	4. Sex Mali		5. OCI	ME Case No M19	01943	32
E.C	p at		eduli cause Pending Further Study										
E.C.	1 1	b. Due	In to or as a										
P			Due to or as a consequence of										
	PART II		Other algrificant conditions constituting to death but not resident a time to death the time of the like the like the like the constitution reformation.										
M. Inj	ury Date (t	nm dd y	(1) To. Time	7c. Al Work	Place of traver - of	colon, fection, No	el.altr	- 15	-M				
	***		DAM DPM	A LANGE TO A STATE OF THE PARTY	Location	1397			130				
i, Ho	w Injury O	DOWNED		14		4.00		2.00	- 1				
g. If	Travaporta	don Injury	Specify 8. Marver of	Death	9 Aug	Py TAG	10.11	-	in profess traped	paten. In r	my opinion,	death on	ourned diss
	ver/Opecal	or (3 Pe	jection 12 Peopling N (2 Natural (House to	D to	Guitti	Signature	3	who A	ama	2 D.O.	0m A	UG-11-2
	smerger		C Acottent C	Salte Class	mention of Principle	Que Co	- Alle	NAME OF	THE	MAN			enthine
	ar Spacity			A	Carelo-	CV 00	1.77			Alimber (Charle (Charle		d Engels als Ole Li
	Virgin			-47	St. Thomain	Lane	Staffit Ja	mein-lab		Mary .	00802		Yes 28
-	ats of Blot	-		- AVE TO ADD	at the threater	1/10	V Tree			angia o	esudy No.		-
		Janu	arv 20	943 pe	66	1			-			-3341	3
Se l	Isual Occ	Dation (1	you of work done during	Man Hampiton	Bb. Kingfur I		6 7 64	anny di f	IN THE				
			onsultant	I house o	heck the box might	rence	highed day	on or feet	I di malanda			eh)	
65		200	New York			with the same of the	go apade Sagran (n.a.) Capran (n.a.) Sagran	and distributed	A T	t degree	time of deep leg. MA, MS ID, SelD) or me leg. MD.	MERS, M	EC MEN, I
Ar	rer in U.S. med Force	40	Martine 2 Ci Dome Martine 2 Ci Dome Martine, but reparated		D Dynamid	A 17	white Species	7		name prior	to first avent	goj(Fee	Alleide, I
		74	Middle, Lest) Seymour	Englain		DD DD	-	4	Division S	olofsk	Mitche, Laux		
da. i	olormari's		k Epsteln	24b. R		-			1 24 1		1/ 000		28º Cod 33411-
	Method of I			Net 400	By Camplety	36.7	and of Display	and the second	ne of chelatory, o	Mirabil (rever place)		
	ther Speci									STATE OF			
esc.	ecorbo of		State or Foreign	Country					25d On	e àf polition	08	dd 13	7017 2019
28a. S	iveni Br	ablatas	rt				ddrese (Stre			City & State		Zi	P Code)
<u> 2005</u>	200	1	Para Para India			110/1	Madiso	M WAS I	New York, I	1Y 1UU4	25-0231		
Mp C	orraction t	Netcry."											
									V.				

This is to carify that the foregoing is a true copy of a record on file in the Department of Health and Mantal Hygiene, The Department of Health and Mental Hygiene does not certify to the Liuth of the statements made thereon, as no inquiry as to the facts has been provided by law.

Statu Y School

Do not accept this transcript unless it bears the security features I sted on the back. Reproduction of alteration of this transcript is prohibited by §3.19(b) of the New York City Health Code if the purpose is the evasion or violation of any provision of the Health Code or any other law





IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	-))	Case No. ST-19-PB-80	RECEIVED JAN 3 1 2020 SUPERIOR COURT
Deceased.	ĵ		OF THE V.I.
Notice of Filing of Mo	= otion 1	to Proceed Anonymously	67 11 01 6 8 7 3 3

in Filing a Notice of Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe V, a victim of the Estate of Jeffrey E. Epstein, and submit for the consideration of the Court, the attached Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages.

Dated: Christiansted, St. Croix January 27, 2020

Respectfully Submitted,

Melody D. Westfall, Esq.

V.I. Bar Number

WESTFALL LAW PLLC 5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe V

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,)	Case No. ST-19-PB-80	AM 1239	RECEIVED JAN 31 2020 JAN 31 2020 SUPERIOR COURT OF THE V.I.	M 12345
Deceased.)			MX 211101681	3/

Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecured Damages

COME NOW, the undersigned counsel, on behalf of Claimant Jane Doe V ("Claimant"), a victim of the Estate of Jeffrey E. Epstein (the "Estate"), and file this Motion to Proceed Anonymously in Filing a Notice of Claim for Unliquidated and Unsecured Damages, and in support thereof state:

- This motion and the subsequent notice of claim are timely and properly filed pursuant to Virgin Islands Probate and Fiduciary Rule 11 titled Notice to Creditors and Persons Indebted to the Estate which notes that "...all persons having claims against the estate [are] to present, or deliver to the executor or administrator, their claim(s), verified by affidavit, to a place within the territory specific in the notice, within six months from the date of notice..." as such a notice was dated September 13, 2019, filed on September 18, 2019 and directed such claims to be presented to the offices of their attorneys or the Clerk of this Court. See also 15 VI.C. § 391 Publication of Notice of Administration.
- The undersigned currently represents twelve victims, including Claimant, who has 2. a claim to be made against the Estate of Jeffrey E. Epstein. On December 3, 2019, nine of those twelve victims, including Claimant, filed suit against the above-referenced Estate and its executors in the Supreme Court of the State of New York, County of New York. See Jane Doe I et al v.

Darren K. Indyke et al (Index No.: 950230/2019) (Hon. George J. Silver, J.S.C.). A true and correct copy of the Summons and Verified Complaint are attached hereto as Exhibit "1".

- 3. It is important to note that in that complaint, Claimant filed anonymously using the "Jane Doe" pseudonym.
- 4. Furthermore, on December 5, 2019, Bennet J. Moskowitz of Troutman Sanders LLP, attorneys for the executors of the Estate, filed a stipulation with request to so order Claimant's requests for anonymity on consent from all parties involved in that litigation. Attached hereto as Exhibit "2" is a true and correct of the fully executed stipulation.
- 5. The only reason that this stipulation has not been so ordered at this time is due to the current Administrative Stay placed on the case, and all other cases of similar nature, pending in the Supreme Court. Attached hereto as Exhibit "3" is a true and correct copy of the Administrative Order of Hon. George J. Silver, J.S.C.
- 6. Accordingly, the undersigned respectfully requests that this Court also grant Claimant the ability to present her Notice of Claim anonymously under pseudonym.
- 7. If the fact that both of the parties in this proceeding have already agreed for Claimant to file anonymously is not persuasive enough, courts in this Circuit have also granted such relief even when it is opposed.
- 8. First and foremost, this sort of decision is within the direct purview of this Court. See <u>Doe v. C.A.R.S. Protection Plus, Inc.</u>, 527 F.3d 358, 371 (3rd Cir. 2008) ("[T]he decision whether to allow a [claimant] to proceed anonymously rests within the sound discretion of the court.").
- 9. Indeed, in making such decisions, courts in this circuit have continually applied a balancing test type approach using several factors outlined by the Third Circuit in the case of <u>Doe</u>

- v. Megless and its progeny. See Doe v. Megless, 654 F.3d 404 (3rd Cir. 2011) ("Megless"); see also D.M. v. Cty. of Berks, 929 F. Supp. 2d 390 (E.D. Pa. 2013) ("Berks"); Doe v. Rutgers, 2019 U.S. Dist. LEXIS 75139 (D.N.J. 2019) ("Rutgers").
- 10. In this case, it is clear that when applying the nine <u>Megless</u> factors (six that favor anonymity and three that disfavor anonymity), an overwhelming majority of them support Claimant's use of a pseudonym while the few that do not are either not applicable to the case or do not do enough to tip the scales. <u>See Megless</u>, 654 F.3d at 409.
- 11. Regarding the first factor in favor of anonymity, the facts of this case stand in sharp contrast to instances where courts have found that anonymity would be futile because the movant's name was already widely known. See Rutgers at 5-6 (citing to Megless at 410 ([movant's] name, picture and home address had been disclosed on a publicly circulated flyer)). Here, the facts align more with Rutgers as Claimant has gone above and beyond to maintain her confidentiality, which has never been made public, including by filing her lawsuit as a "Jane Doe" and stipulating with the Estate to the same. See Megless at 410; see also Rutgers, 2019 U.S. Dist. LEXIS 75139 at 5.
- 12. Second, as for the reasonableness of the harm that the litigant is seeking to avoid, here, similar to the facts of <u>Rutgers</u>, Claimant wishes to proceed anonymously in order to protect her mental and physical health and right to fully and fairly litigate this action. <u>See Rutgers</u> at 6-7; see <u>also Doe v. Roman Catholic Archdiocese of New York</u>, 64 Misc. 3d 1220(A) (Sup Ct., Westchester Cty. 2019).
- 13. Indeed, as opposed to using a pseudonym merely to avoid the annoyance and criticism that may attend any litigation, Claimant seeks to proceed anonymously to preserve her privacy in this matter of a sensitive and highly personal nature that will have a lifelong impact on her and her families' lives. See Rutgers at 6-7; see also Doe v. Szul Jewelry Inc., 2008 NY Misc.

LEXIS 8733 (Sup. Ct., New York Cty. 2008); <u>Doe v. New York Univ.</u>, 6 Misc. 3d 866 (Sup. Ct., New York Cty. 2004); <u>Sealed Plaintiff v. Sealed Defendant</u>, 537 F.3d 185 (2nd Cir. 2008).

- 14. Third, unlike <u>Megless</u> where the District Court recognized that there is no allegation that falsely create suspicious person alert are a widespread problem, here the facts are more similar to <u>Berks</u> in that disallowing anonymity would likely deter those who have been falsely accused of sexual abuse from vindicating their rights due to the stigma that invariably attaches from having one's name publicly attached to such a deplorable act. <u>See Megless</u> at 410; <u>see also Berks</u>, 929 F. Supp. 2d at 402.
- 15. Fourth, similar to <u>Rutgers</u>, there is a strong chance that this claim will not be resolved on its merits if the litigant is denied the opportunity to proceed using a pseudonym as Claimant will potentially sacrifice a potentially valid claim simply to preserve her anonymity. <u>See Rutgers</u> at 7-8. The Court here should decide in conformity with the court in <u>Rutgers</u> where they agreed with the movant's argument that the public is harmed when alleged abuse goes unchallenged because movant's fear litigating publicly. <u>See id</u>.
- 16. As for the final factor weighing in favor of anonymity, Claimant is not seeking to use a pseudonym for nefarious reasons, nor has there been any allegations that Claimant has an illegal or ulterior motive in her desire to hide her name. See Megless at 411; see also Rutgers at 10. As opposed to simple public humiliation and embarrassment, which have been determined not to be sufficient grounds for allowing a Claimant to proceed anonymously, in this case, there is no "illegitimate ulterior motive", because, as referenced above, identification of Claimant's true identity "poses a risk of mental or physical harm" and the case involves "information of the utmost intimacy". See Megless at 411; see also Rutgers at 10; Doe, 2008 NY Misc. LEXIS at 16-17; Doe, 6 Misc. 3d at 879; Sealed Plaintiff, 537 F.3d at 189-190; 1991 McKinney's Session Laws of New

- York at 2211- 2212 ("sexual assault victims have unfortunately had to endure a terrible invasion of their physical privacy. They have a right to expect that this violation will not be compounded by a further invasion of their privacy").
- 17. Furthermore, even when turning to the other side of the scale and the factors disfavoring anonymity, Claimant still comes out ahead.
- 18. While Claimant acknowledges that there is a thumb on the scale that is the universal interest in favor of open judicial proceedings, she is not asking the record to be sealed, rather simply to proceed anonymously.
- 19. Next, the Court must consider "whether, because of the subject matter of this litigation, the status of a litigant as a public figure, or otherwise, there is a particularly strong interest in knowing the litigant's identities." See Megless at 411; see also Rutgers at 12. Here, the Claimant is not a public figure.
- This litigation also involves "a member of a particularly vulnerable class" or "the subject matter is highly personal," the "public has an interest in protecting the identity of the litigant." See Rutgers at 12 (citing to Doe v. Rider Univ., 2018 U.S. Dist. LEXIS 133146 (D.N.J. 2018)). Here, Claimant alleges that she is a victim of sexual assault, so allowing her to proceed as a "Jane Doe" while preserving the public's right to access the docket and proceedings in this case strikes the appropriate balance between these competing interests. See Rutgers at 12 (citing to L.A. v. Hoffman, 2015 U.S. Dist. LEXIS 94564 (D.N.J. 2015) (granting [movant's] motion to proceed anonymously and observing that "although the identities of the [movants] will not be included in the filings in this matter, the public will maintain access to the docket and filings in this case.")).
- 21. Finally, the last factor weighing against disclosure is not applicable as there is no party opposing the use of a pseudonym.

Applying the factors referenced in the litary of case law to the specific facts of 22.

Claimant's case makes clear that she should be permitted to proceed pseudonymously. She is a

victim of sexual abuse, a matter of a highly sensitive and personal nature; she is not seeking to

avoid mere embarrassment, but rather to protect her physical and mental well-being along; it is

well known that victims of sexual crimes are often not believed and have their reputations are put

into question, thus identification of her poses a serious risk of retaliatory harm to her; and, the

Estate will not be prejudiced because her identity will be known to it and their counsel, and thus

they will be able to properly investigate her claim. As such, the Court here should find that the

totality of the factors and circumstances favor anonymity.

WHEREFORE, Claimant prays that the Court grant (a) her motion seeking the right to

proceeding in this action under pseudonym in its entirety; and, (c) all other further relief as this

Court may deem just and proper.

Dated: Christiansted, St. Croix

January 3/, 2020

Respectfully Submitted,

Melody D. Westlan, Esq.

V.I. Bar Number 1 2057

WESTFALL AW PLLC 5032 Anchor Way, Suite 8

Christiansted, St. Croix 00820

mwestfall@westfalllaw.com

(340) 227-0017

Attorneys for Claimant Jane Doe V

CERTIFICATE OF SERVICE

I hereby certify that on January <u>31</u>, 2020, I caused a true and correct copy of the foregoing Motion to Proceed Anonymously in Filing a Claim for Unliquidated and Unsecure Damages to be served on the following:

William Blum, Esq. KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Darren K. Indyke, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Richard Kahn, Executor c/o KELLERHALLS FERGUSON KROBLIN PLLC 9053 Estate Thomas, Suite 101 St. Thomas, USVI 00802

Douglas B. Chanco, Esq. CHANCO SCHIFFER LAW, LLC 9053 Sugar Estate, Suite 103 St. Thomas, USVI 00802

A. Jeffrey Weiss, Esq. A.J. WEISS & ASSOCIATES 6934 Vessup Lane St. Thomas, USVI 00802

Sean E. Foster, Esq.
Robert V. Goldsmith III, Esq.
MAJORIE RAWLS ROBERTS, P.C.
5093 Dronningens Gade, Suite 1
St. Thomas, USVI 00802

Richard P. Bourne-Vanneck, Esq. RICHARD P. BOURNE-VANNECK, P.C. d/b/a LAW OFFICES OF RICHARD P. BOURNE-VANNECK 9800 Buccaneer Mall, Suite 9 St. Thomas, USVI 00802 Mariann Meier Wang, Esq. Daniel Mullkoff, Esq. CUTI HECKER WANG LLP 305 Broadway, Suite 607 New York, NY 10007

Gloria Allred, Esq.
ALLRED, MAROKO & GOLDBERG
305 Broadway, Suite 607
New York, NY 10007

John H. Benham, Esq. LAW OFFICE OF JOHN H. BENHAM, P.C. 9800 Buccaneer Mall Building 2, Suite 9 P.O. Box 11720 St. Thomas, USVI 00801

EXHIBIT

1

FILED: NEW | YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO!

l٦

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT	OF THE STATE	OF NEW YORK
COUNTY OF NEW	YORK	

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Plaintiffs,

-against -

To the above-named detendants:

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

Index No.: _____/19

Plaintiffs designate NEW YORK COUNTY as place of trial.

The basis of venue is the location where a substantial part of the events or omissions giving rise to these claims occurred, the residence of at least one plaintiff and the residence of defendant Kahn

SUMMONS

Plaintiffs reside in New York and other States

of your answer or, if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York) and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, NEW YORK COUNTY ON 12/3/19 IN COMPLIANCE WITH CPLR §§305(a) AND 306(a).

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100 FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Defendants' Addresses:

RICHARD D. KAHN, in his capacity as a co-executor of the ESTATE OF JEFFREY EDWARD EPSTEIN 130 East 75th Street
New York, NY 10021

DARREN K. INDYKE, in his capacity as a co-executor of the ESTATE OF JEFFREY EDWARD EPSTEIN 6030 Le Lac Road Boca Raton, FL 33496

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

YYSCEF DOC. NO!

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE
DOE IV, JANE DOE V, JANE DOE VI, JANE DOE
VII, JANE DOE VIII and JANE DOE IX,

Index No.: /19

Plaintiffs,

-against -

VERIFIED COMPLAINT

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

COMPLAINT AND JURY TRIAL DEMANDED

Plaintiffs JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE IV, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX. by and through their counsel at MERSON LAW, PLLC, and as for their complaint in this action against defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, hereby allege the following:

NATURE OF THE CLAIMS

- 1. Jeffrey Edward Epstein (hereinafter, "Epstein") sexually abused, assaulted and battered many women and children, including the plaintiffs herein.
- 2. These nine women come forward to stand up for themselves and others, after they were sexually abused and assaulted by Epstein.
 - 3. Some of these women were raped by Epstein, repeatedly.
- 4. All of these women were sexually battered, assaulted, and abused by Epstein as a part of the same conduct, occurrence, plan, scheme and transaction that was perpetrated,

SCEF DOC. NO.

1

conducted, organized and/or performed in New York City, Palm Beach, Florida, New Mexico, the U.S. Virgin Islands and other places by Epstein and his associates.

- 5. Epstein orchestrated a massive sex trafficking network to obtain hundreds of girls for himself for sexual gratification, and additionally lent these girls out to other wealthy and/or powerful individuals within his network to be sexually abused.
- 6. As expressed by United States District Judge Kenneth Marra in his opinion in *Doe 1. V. United States*, "From between 1999 and 2007, Jeffrey Epstein abused more than thirty minor girls... at his mansion in Palm Beach, Florida, and elsewhere in the United States and overseas... In addition to his own sexual abuse of the victims, Epstein directed other persons to abuse the girls sexually... Epstein worked in concert with others to obtain minors not only for his own sexual gratification, but also for the sexual gratification of others." (*Doe 1. v. United States*, 359 F. Supp. 3d 1201, 1204)
- Epstein committed sexual assault, sexual battery, intentional infliction of emotional distress and negligent infliction of emotional distress pursuant to New York common law.

VENUE, JURISDICTION AND TIMELINESS

- 8. The Estate of Jeffrey Epstein, which is being presided over by defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the estate of JEFFREY EDWARD EPSTEIN, includes a residence in New York, New York, that was occupied by Jeffrey Epstein before his death earlier this year.
- 9. On information and belief, this Court has personal jurisdiction over the Estate of Jeffrey Epstein pursuant to New York Civil Practice Law and Rules ("C.P.L.R.") Sections 301 and 302 because defendant RICHARD D. KAHN is a resident of New York, plaintiffs reside in

DOC NO

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

New York and other States, defendants operate in New York, transact business in New York, and own, use or possess real property within New York and many of the acts of sexual abuse and as part of this nefarious plan and course of conduct perpetrated by Epstein occurred in New York.

New York.

- 10. This action has been timely filed pursuant to the Child Victims Act (CPLR § 214-g). The actions described herein constitute sexual offenses by Epstein under New York Penal Law Article 130, and were committed against several of the named plaintiffs when they were children less than eighteen years of age, for which they suffered physical, psychological and other injuries as a result.
- 11. This action has also been timely filed pursuant to CPLR § 215(8)(a) which provides that a plaintiff shall have at least one year from the termination of a criminal action against the same defendant to commence an action with respect to the event or occurrence from which the criminal action arose. A criminal action against Epstein with respect to the same sex trafficking enterprise and sexual conduct, including sex with minors and by force, from which plaintiffs' claims arise, was terminated on August 29, 2019.
- 12. Any statute of limitations applicable to plaintiffs' claims, if any, is tolled due to the continuous and active deception, duress, fraud, threats of retaliation and other forms of misconduct that Epstein and his co-conspirators used to silence his many victims, including plaintiffs. Epstein's actions deprived plaintiffs of their opportunity to commence this lawsuit before his death.
- 13. Defendants are equitably estopped from asserting a statute of limitations defense.

 Allowing defendants to do so would be unjust. Epstein and his employees intimidated each of his victims into silence by threatening their lives and their livelihoods. Epstein and his employees

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

therefore prevented plaintiffs from commencing this lawsuit before his death. By using threats in accompaniment with his wealth and power, Epstein was able to escape punishment for his intolerable and brutal crimes against countless young women and underage girls, including plaintiffs, for the duration of his life.

- 14. The plaintiffs intend to take full discovery of the Estate of Jeffrey Epstein and all associates, family members and friends to determine who knew what and when.
- 15. At all material times herein mentioned, Epstein, and his associates, operated, transacted business, owned, used, maintained and/or possessed real and other property, equipment and apparatus within New York City, which he utilized as the base of his operations for his sexual exploitation of minor girls and women, including plaintiffs herein.

PARTIES

- been identified by pseudonym because this matter is of a highly sensitive and personal nature, and public disclosure of their identities may subject them to further humiliation, shame, and emotional distress.
- Plaintiffs are all United States citizens, domiciled in New York and several other
 States.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and

¹ Plaintiffs use a pseudonyms because they are victims of sex crimes pursuant to N.Y. Civ. Rights § 50-b and other statutory and common law principles.

RECEIVED NYSCEF: 12/03/2019

YSCEF DOC. NO.

responsibilities. On information and belief, the Estate of Jeffrey Epstein maintained multiple properties in the United States, including, but not limited to, New York, New York and Palm Beach, Florida.

- Defendant Darren K. Indyke is sucd in his capacity as appointed executor of the Estate of Jeffrey Edward Epstein.
- Defendant Richard D. Kahn is sued in his capacity as appointed executor of the Estate of Jeffrey Edward Epstein.

FACTS OF THE CASE

- 21. Starting in or about 1990 and continuing for a period of time thereafter, when plaintiff Jane Doe I was approximately fourteen-years-old. Epstein and his associates repeatedly sexually assaulted, abused, battered and raped her.
- 22. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff
 Jane Doe I suffered severe and serious injuries, including severe emotional distress, physical
 manifestations of, physical and other injuries.
- Starting in or about 1985, when plaintiff Jane Doe II was twenty-three-years-old,
 Epstein sexually assaulted, abused, and battered her.
- 24. As a result of the aforementioned sexual assault, abuse and battery, plaintiff Jane

 Doe 11 suffered severe and serious injuries, including severe emotional distress, physical

 manifestations of, physical and other injuries.
- 25. Starting in or about 2003 and continuing for a period of time thereafter, when plaintiff Jane Doe III was approximately thirteen-years-old, Epstein and his associates repeatedly sexually assaulted, abused, battered and raped her.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

26. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff

Jane Doe III suffered severe and serious injuries, including severe emotional distress, physical
manifestations of, physical and other injuries.

- 27. Starting in or about 2001 and continuing for a period of time thereafter, when plaintiff Jane Doe IV was approximately fifteen-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her.
- 28. As a result of the aforementioned sexual assault, abuse, battery and rape, plaintiff

 Jane Doe IV suffered severe and serious injuries, including severe emotional distress, physical

 manifestations of, physical and other injuries.
- 29. Starting in or about 2004 and continuing for a period of time thereafter, when plaintiff Jane Doe V was nincteen-years-old, Epstein sexually assaulted, abused, battered and forced her to perform oral sex on him.
- 30. As a result of the aforementioned sexual assault, abuse, battery and forced oral sex, plaintiff Jane Doe V suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.
- 31. Starting in or about 2001 and continuing for a period of time thereafter, when plaintiff Jane Doe VI was nineteen-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her.
- 32. As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff

 Jane Doe VI suffered severe and serious injuries, including severe emotional distress, physical

 manifestations of, physical and other injuries.

NYSCEF DOC.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Starting in or about 2007 and continuing for a period of time thereafter, when 33. plaintiff Jane Doc VII was twenty-one-years-old, Epstein and his associates sexually assaulted, abused, and battered her.

- 34. As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff Jane Doe VII suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.
- 35. Starting in or about 2000 and continuing for a period of time thereafter, when plaintiff Jane Doe VIII was twenty-years-old, Epstein and his associates sexually assaulted, abused, battered and raped her-
- As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff 36. Jane Doe VIII suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.
- Starting in or about 2002 and continuing for a period of time thereafter, when 37. plaintiff Jane Doc IX was twenty-two-years-old. Epstein and his associates sexually assaulted, abused, battered and raped her.
- As a result of the aforementioned sexual assault, abuse, battery and rapes, plaintiff 38. Jane Doe IX suffered severe and serious injuries, including severe emotional distress, physical manifestations of, physical and other injuries.

AS AND FOR A FIRST CAUSE OF ACTION FOR BATTERY OF JANE DOE I AS TO JEFFREY EDWARD EPSTEIN

Plaintiffs repeat reiterate, and reallege each and every allegation contained in 39. those paragraphs of the Complaint marked and designated 1, through 38,, inclusive, with the same force and effect as if hereafter set forth at length.

NYSCEF DOC. NO

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

40. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 41. In or about 1990 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe I on several occasions when she was a minor child.
- 42. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 44. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and Plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 45. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

RECEIVED NYSCEF: 12/03/2019

NYSCEF DOC. NO

- 46. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 47. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SECOND CAUSE OF ACTION FOR ASSAULT OF JANE DOE I AS TO JEFFREY EDWARD EPSTEIN

- 48. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 47., inclusive, with the same force and effect as if hereafter set forth at length.
- 49. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 50. Epstein's predatory, sexual and unlawful acts against plaintiff, created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 51. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 52. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

53. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find

54. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

fair, just and appropriate to deter said defendants and others from future similar misconduct.

55. This action falls within the exceptions to Article 16 of the C.P.L.R

AS AND FOR A THIRD CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE I AS TO JEFFREY EDWARD EPSTEIN

- 56. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 55., inclusive, with the same force and effect as if hereafter set forth at length.
- 57. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 58. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 59. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.

RECEIVED NYSCEF: 12/03/2019

YSCEF DOC. NO. 1

- 60. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 61. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 62. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTH CAUSE OF ACTION FOR BATTERY OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 63. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 62., inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 65. In or about 1985, Jeffrey Edward Epstein sexually abused plaintiff when she was twenty-three-years-old.
- 66. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 67. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional

NYSCEF DOC. NO. 1

at trial.

and physical injuries, as well as economic losses, those total damages in amounts to be proven

- 68. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 69. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 70. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 71. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 72. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 71., inclusive, with the same force and effect as if hereafter set forth at length.
- 73. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

74. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.

- 75. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 76. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 77. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 78. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 79. This action falls within the exceptions to Article 16 of the C.P.L.R.

NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 12/03/2019

AS AND FOR A SIXTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE II AS TO JEFFREY EDWARD EPSTEIN

- 80. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 79, inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 82. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 83. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 84. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 85. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 86. This action falls within the exceptions to Article 16 of the C.P.L.R.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

AS FOR A SEVENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE HI AS TO JEFFREY EDWARD EPSTEIN

- 87. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 86,, inclusive, with the same force and effect as if hereafter set forth at length.
- 88. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- In or about 2003, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe III 89. when she was a minor child.
- Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a 90. series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she 91. has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- By reason of the foregoing, plaintiff was caused to sustain severe and serious 92. personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

NYSCEF DOC. NO.

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

93. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 94. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 95. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR AN EIGHTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 96. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 95., inclusive, with the same force and effect as if hereafter set forth at length.
- 97. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 98. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 99. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

100. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- By reason of the foregoing, plaintiff is entitled to compensatory damages from 101. defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 102. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 103. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A NINTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE III AS TO JEFFREY EDWARD EPSTEIN

- 104. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 103, inclusive, with the same force and effect as if hereafter set forth at length.
- On information and belief, defendants DARREN K. INDYKE and RICHARD 105. D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

NYSCEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

106. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 107. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 108. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 109. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 110. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 111. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 110., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 113. In or about 2001, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe IV when she was a minor child.

CEF DOC. NO

RECEIVED NYSCEF: 12/03/2019

INDEX NO. 950230/2019

Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a 114. series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- As a proximate result of the aforementioned assaults and batteries to plaintiff, she 115. has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial
- By reason of the foregoing, plaintiff was caused to sustain severe and serious 116. personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- The amount of damages sought exceeds the jurisdiction of all lower courts which 118. would otherwise have jurisdiction.
 - This action falls within the exceptions to Article 16 of the C.P.L.R. 119.

AS AND FOR AN ELEVENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

Plaintiffs repeat reiterate, and reallege each and every allegation contained in 120. those paragraphs of the Complaint marked and designated 1. through 119., inclusive, with the same force and effect as if hereafter set forth at length.

RECEIVED NYSCEF: 12/03/2019

NYSCEF DOC. NO!

121. On information and belief, defendants DARREN K. INDYKE and RICHARD

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD

EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and

responsibilities.

122. Epstein's predatory sexual and unlawful acts against plaintiff created a

reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's

person, all of which were done intentionally by him to her without consent.

123. As a direct and proximate result of the aforementioned assault, plaintiff has

sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering

serious and severe psychological and emotional distress, mental anguish, embarrassment and

humiliation.

124. As a direct and proximate result of the aforementioned assaults, plaintiff has

incurred medical expenses and other economic damages, and continues to be in physical pain

and suffering, and will now be obligated to expend sums of money for medical care and attention

in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional

distress, mental anguish, embarrassment and humiliation.

125. By reason of the foregoing, plaintiff is entitled to compensatory damages from

defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further

entitled to punitive and exemplary damages from defendants in such sums as a jury would find

fair, just and appropriate to deter said defendants and others from future similar misconduct.

126. The amount of damages sought exceeds the jurisdiction of all lower courts which

would otherwise have jurisdiction.

127. This action falls within the exceptions to Article 16 of the C.P.L.R.

22 of 45

AS AND FOR A TWELTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IV AS TO JEFFREY EDWARD EPSTEIN

- 128. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 127., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 130. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 131. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 132. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 133. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 134. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A THIRTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 135. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 134., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 137. In or about 2004, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe V when she was nineteen-years-old.
- 138. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 139. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 140. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/2019

141. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 142. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 143. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FOURTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE V AS TO DEFENDANT JEFFREY EDWARD EPSTEIN

- 144. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 143., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 146. Epstein's predatory, sexual and unlawful acts against plaintiff, created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 147. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

148. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 149. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 150. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 151. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE V AS TO JEFFREY EDWARD EPSTEIN

- 152. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 151., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

154. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.

- 155. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 156. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 157. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 158. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SIXTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- 159. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 158, inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN. act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 161. In or about 2001 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VI when she was approximately nineteen-years-old.

162. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 163. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 164. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 165. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 166. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 167. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SEVENTEENTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

168. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 167., inclusive, with the same force and effect as if hereafter set forth at length.

RECEIVED NYSCEF: 12/03/2019

D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 170. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 171. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 172. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 173. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 174. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 175. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR AN EIGHTEENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VI AS TO JEFFREY EDWARD EPSTEIN

- 176. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 175., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 178. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 179. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 180. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 181. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 182. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A NINTEENTH CAUSE OF ACTION FOR BATTERY OF JANE DOE VII AS TO JEFFREY EDWARD EPSTEIN

- 183. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 182., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 185. In or about 2007 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VII when she was approximately twenty-one-years-old.
- 186. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 188. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/2019

189. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.

- 190. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 191. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTIETH CAUSE OF ACTION FOR ASSAULT OF JANE DOE VII AS TO JEFFREY EDWARD EPSTEIN

- 192. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 191., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 194. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 195. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

RECEIVED NYSCEF: 12/03/2019

196. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pair and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 197. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 198. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 199. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-FIRST CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VII AS TO JEFFREY EDWARD EPSTEIN

- 200. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 199., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 202. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 203. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 204. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 205. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 206. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SECOND CAUSE OF ACTION FOR BATTERY OF JANE DOE VIII AS TO JEFFREY EDWARD EPSTEIN

- 207. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 206., inclusive, with the same force and effect as if hereafter set forth at length.
- D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 209. In or about 2000 and continuing thereafter, Jeffrey Edward Epstein sexually abused plaintiff Jane Doe VIII when she was approximately twenty-years-old.

210. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.

- 211. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 212. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and Plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.
- 213. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 214. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 215. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-THIRD CAUSE OF ACTION FOR ASSAULT OF JANE DOE VIII AS TO JEFFREY EDWARD EPSTEIN

216. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1, through 215., inclusive, with the same force and effect as if hereafter set forth at length.

RECEIVED NYSCEF: 12/03/2019

217. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 218. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 219. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
- 220. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
- 221. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 222. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 223. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWENTY-FOURTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE VIII AS TO JEFFREY EDWARD EPSTEIN

- 224. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 223., inclusive, with the same force and effect as if hereafter set forth at length.
- 225. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 226. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing. Plaintiff to suffer severe emotional distress.
- 227. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 228. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
- 229. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 230. This action falls within the exceptions to Article 16 of the C.P.L.R.

RECEIVED NYSCEF: 12/03/2019

AS AND FOR A TWENTY-FIFTH CAUSE OF ACTION FOR BATTERY OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 231. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 230., inclusive, with the same force and effect as if hereafter set forth at length.
- 232. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 233. In or about 2002 and continuing thereafter, Jeffrey Edward Epstein sexually abused Plaintiff Jane Doe IX when she was approximately twenty-two-years-old.
- 234. Epstein's predatory, sexual, and unlawful acts against plaintiff amounted to a series of harmful and offensive contacts to plaintiff's person, all of which were done intentionally by him to her without consent.
- 235. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish, emotional and physical injuries, as well as economic losses, those total damages in amounts to be proven at trial.
- 236. By reason of the foregoing, plaintiff was caused to sustain severe and serious personal injuries and was caused to suffer severe physical pain and mental anguish as a result thereof. Upon information and belief these injuries are of a permanent and lasting nature, and plaintiff was incapacitated from attending her regular activities and was caused to expend sums of money for medical care on her behalf.

RECEIVED NYSCEF: 12/03/2019

- 237. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just, and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants and others from future similar conduct.
- 238. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 239. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SIXTH CAUSE OF ACTION FOR ASSAULT OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 240. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 239., inclusive, with the same force and effect as if hereafter set forth at length.
- 241. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.
- 242. Epstein's predatory, sexual and unlawful acts against plaintiff created a reasonable apprehension in plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by him to her without consent.
- 243. As a direct and proximate result of the aforementioned assault, plaintiff has sustained in the past, and will continue to sustain in the future, physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

RECEIVED NYSCEF: 12/03/2019

244. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and suffering, and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

- 245. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendants in such sums as a jury would find fair, just and appropriate to deter said defendants and others from future similar misconduct.
- 246. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 247. This action falls within the exceptions to Article 16 of the C.P.L.R.

AS AND FOR A TWENTY-SEVENTH CAUSE OF ACTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS OF JANE DOE IX AS TO JEFFREY EDWARD EPSTEIN

- 248. Plaintiffs repeat reiterate, and reallege each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 247., inclusive, with the same force and effect as if hereafter set forth at length.
- 249. On information and belief, defendants DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, act as the successor-in-interest and/or obligor to Epstein's assets, obligations and responsibilities.

- 250. Jeffrey Edward Epstein engaged in outrageous conduct towards plaintiff, with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress.
- 251. As a proximate result of the aforementioned assaults and batteries to plaintiff, she has suffered and continues to suffer extreme mental distress, humiliation, anguish and emotional and physical injuries, as well as economic losses, all her damage in amounts to be proven at trial.
- 252. Jeffrey Edward Epstein committed the acts alleged herein maliciously, fraudulently and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling Plaintiff to recover punitive damages in amounts to be proven at trial.
- 253. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
 - 254. This action falls within the exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiffs demand judgement against defendants in such sum as a jury would find fair, adequate and just containing the following relief:

- A. A declaratory judgement that the actions, conduct and practices of defendants complained of herein violated the laws of the State of New York;
- B. An injunction and order permanently restraining defendants from engaging in such unlawful conduct;
- C. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate plaintiffs for all monetary and/or economic harm; harm to their personal and professional reputations and loss of career fulfillment; for all non-monetary and/or compensatory harm, including but not limited to, compensation for physical anguish and mental

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

anguish; all other monetary and/or non-monetary losses suffered by plaintiffs; and that by reason of the foregoing, plaintiffs sustained damages in a sum, pursuant to C.P.L.R. §3017, which exceeds the jurisdictional limits of all lower courts;

- D. An award of punitive damages;
- E. An award of costs that plaintiffs have incurred in this action, as well as plaintiffs' reasonable attorney's fees to the fullest extent permitted by law; and.
 - F. Such other and further relief as this Honorable Court may deem just and proper.

Dated: New York, New York December 3, 2019

MERSON LAW, PLLC

By:

Jordan K. Merson Attorney for Plaintiffs 150 East 58th Street 34th Floor New York, New York 10155 (212) 603-9100

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

SCEF DOC. NO

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT O	F THE STATE OF NEW YORK
COUNTY OF NEW Y	ORK
	OE II, JANE DOE III, JANE DOE
•	IE DOE VI, JANE DOE VII, JANE

Index No.: _____/19

Plaintiffs,

ATTORNEY VERIFICATION

-against -

DOE VIII and JANE DOE IX,

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defend	ants.

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC, attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true;

That the sources of his information and knowledge are investigations and records in the file; and.

That the reason this verification is made by affirmant and not by the plaintiffs is that the plaintiff are not within the County where the attorney has his office.

Dated: New York, New York December 3, 2019

JORDAN K. MERSON

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM

NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

SUPREME COURT	OF THE	STATE	OF	NEW	YORK
COUNTY OF NEW	VORK				

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VII, JANE DOE VIII, JANE DOE VIII and JANE DOE IX

Plaintiffs,

Index No.: ______19

-against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN, CLIENT VERIFICATION

Defendants.

STATE OF NEW YORK

188.1

COUNTY OF NEW YORK)

REDACTED being duly sworn, deposes and says that:

I am a plaintiff in the within action; I have read the foregoing Complaint and know the contents thereof, the same is true to my own knowledge, except as to the matter therein state to be alleged on information and belief, and as to those matters I believed to be true.

Dated: New York, New York December 2, 2019

REDACTED

REDACTED

Sworn to before me this 2nd day of December 2019

NOTARY PUBLIC

LEIDEN E APARICIO
Notary Public, State of New York
No. 01 AP637 1383
Qualified in Queens County
Commission Expires February 26, 20

FILED: NEW YORK COUNTY CLERK 12/03/2019 01:21 PM NYSCEF DOC. NO. 1

INDEX NO. 950230/2019

RECEIVED NYSCEF: 12/03/2019

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE I, JANE DOE II, JANE DOE III, JANE DOE IV, JANE DOE V, JANE DOE VI, JANE DOE VII, JANE DOE VIII and JANE DOE IX,

Plaintiffs,

- against -

DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,

Defendants.

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC

Attorneys for Plaintiffs

Office and P.O Address, Telephone

150 East 58th Street, 34th Floor New York, New York 10155 (212) 603-9100

To. All Parties

EXHIBIT

2

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK	- 7/
JANE DOE I. et al.,	· X
Plaintiffs.	: Index No. 950230/2019
	: Hon. George J. Silver
- against -	: STIPULATION AND : [PROPOSED] ORDER : ON PLAINTIFFS'
DARREN K. INDYKE and RICHARD D. KAHN, in their capacities as the executors of the ESTATE OF JEFFREY EDWARD EPSTEIN,	ANONYMITY
Defendants.	: (Motion Seq. 001) : - X

attorneys, that any person subject to this Order, including the parties to this action and their respective counsel of record, shall adhere to the following terms:

- 1. Within three (3) days of entry of this Order, Counsel of Record for Plaintiffs shall disclose Plaintiffs' identities to Counsel of Record for Defendants, in writing.
- Counsel of Record for Defendants may disclose Plaintiffs' identities only to Defendants
 and any attorneys, paralegals, and clerical or other assistants working with or for
 Defendants on matters related to this action; and the recipients of such information shall
 not disclose it to any other persons.
- 3. If Defendants wish to disclose Plaintiffs' identities to any person not otherwise permitted to receive such information under this Order, Defendants are limited to doing so in connection with defending this action, and must require such person to first execute a non-disclosure agreement, in a form agreed to by the parties, that prevents such person from disclosing Plaintiffs' identities to any other persons. Defendants must maintain a list of all such persons to whom Plaintiffs' identities are disclosed and copies of the executed non-disclosure agreements, all of which are subject to in camera inspection.
- 4. All portions of pleadings, motions or other papers filed with the Court that disclose Plaintiffs' identities shall be filed under seal with the Clerk of the Court and kept under seal until further order of the Court. All parties shall use their best efforts to minimize such sealing. Any party filing a motion or any other papers with the Court under scal

shall also publicly file a redacted copy of the same, via NYSCEF, that redacts the Plaintiffs' identities and text that would reveal Plaintiffs' identities.

- 5. The parties may seek to modify or amend this Order at any time upon motion to the Court or by stipulation.
- 6. Motion Seq. 001 is resolved by entry of this Order; and the hearing on Motion Seq. 001 currently set for December 17, 2019 at 3:00 p.m. is canceled.

AND IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be

executed in counterparts; and facsimile signatures are deemed originals.

Dated: New York, New York December 5, 2019

MERSON LAW, PLLC

TROUTMAN SANDERS LLP

Jordan K. Merson
150 East 58th Street, 34th Floor

New York, NY 10155 (212) 603-9100

Attorneys for Plaintiffs

By: Bennet I Mostowitz / K.B

875 Third Avenue New York, NY 10022 (212) 704-6000

Attorneys for Defendants Darren K. Indyke and Richard D. Kahn, Co-Executors of the Estate of Jeffrey E. Epstein

SO ORDERED.

Date:

New York, New York

HON, GEORGE J. SILVER, J.S.C.

EXHIBIT

3

RECEIVED NYSCEF: 12/11/2019

Sign of New York

NYSCEF DOC. NO. 9

STATE OF NEW YORK
UNIFIED COURT SYSTEM
111 CENTRE STREET
NEW YORK, N.Y. 10013
(646) 386-4200

LAWRENCE K. MARKS Chief Administrative Judge GEORGE J. SILVER
Deputy Chief Administrative Judge
New York City Courts

ADMINISTRATIVE ORDER #371 AMENDED

By the authority vested in me as Deputy Chief Administrative Judge of the courts within New York City, and as the coordinating judge of all cases filed under the Child Victims Act¹ (the "CVA") within that jurisdiction, I hereby order as follows:

- 11. This Order applies to all cases filed or hereafter filed in the Supreme Courts in and for the counties of Bronx, Kings, New York, Queens, and Richmond pursuant to the CVA, including any such matters filed before the one-year window commenced on August 14, 2019, and which were then stayed pending the opening of the window on August 14, 2019.
- 2. While a steering committee negotiates a Case Management Order to address the efficient prosecution and defense of cases filed under the CVA, all Preliminary Conferences currently scheduled or requested as of the effective date of this Order, and any requests for Preliminary Conferences made after the effective date of this Order are adjourned to a control date of January 31, 2020.²
- 3. The time to respond to any discovery demands served by the parties as of the effective date of this Order is adjourned without a date. No demands for discovery shall be served by any party until further Order of this Court.
- 4. Plaintiffs' time to respond to stipulations and orders that consent to or direct the production of identifying information, consisting of a plaintiff's name (including maiden name, if any), date of birth, social security number, parents and/or guardian's names, current address, and address at the time of the alleged abuse, for plaintiffs proceeding under pseudonyms is extended to December 20, 2019. Plaintiffs shall provide such identifying information to

¹ L. 2019 c.11.

² Parties may make an application to extend this, and other deadlines, as necessary.

RECEIVED NYSCEF: 12/11/2019

defense counsel in a manner other than disclosure in a public filing on NYSCEF and as agreed to by the parties. Nothing in this Order prevents plaintiffs from voluntarily providing such identifying information at any time.

- 5. All papers in opposition to any Order to Show Cause or Notice of Motion, including motions to dismiss under CPLR §3211 or §3212, but excluding motions to proceed anonymously or by pseudonym, are adjourned until January 31, 2020. Should the motion(s) not be resolved and withdrawn by the parties as of that date, the Court will set any additional due dates as necessary. No motions, other than motions to proceed anonymously or by pseudonym, shall be filed prior to January 31, 2020 without permission of the Court. As such, no motions to dismiss under CPLR §3211 or §3212 shall be filed prior to January 31, 2020.
- 6. The time to answer, move against, or otherwise respond to any complaint that has been served as of the effective date of this Order is extended until further Order of the Court. This Order supersedes any due dates for answers or motions previously stipulated to by the parties and/or ordered by this Court.
- 7. The time to answer, move against, or otherwise respond to any complaint that is served after the effective date of this Order, but prior to January 31, 2020, shall be extended until a date stipulated to by the parties or as directed by further Order of the Court.
- 8. Notwithstanding any stipulation or Court Order to the contrary, no motion to sever shall be filed prior to January 31, 2020. Consistent with the CPLR, motions to sever may be filed after January 31, 2020.
- 9. Counsel shall make a good faith effort to resolve any motions to dismiss or motions to sever prior to filing such motions.

Dated: December 11, 2019

Deputy Chief Administrative Judge New York City Courts

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN, Deceased.))))	Case No. ST-19-PB-80	TAT POM AM TY	RECEIVED JAN 3 1 2020 SUPERIOR COURT OF THE V.I.	AMI PM YOUR
---	------------------	----------------------	---------------	--	-------------

Claim for Unliquidated and Unsecured Damages

COME NOW, Claimant Jane Doe V ("Claimant"), through her attorney Melody D. Westfall, Esq. of Westfall Law, PLLC, 5032 Anchor Way, Suite 8, Christiansted, St. Croix 00820, and hereby present and file this claim for unliquidated and unsecured damages from the estate in the above-referenced matter, and state as follows:

- 1. Prior to being arrested and brought into custody on July 6, 2019 by federal authorities in New York, the decedent, Jeffrey E. Epstein (the "Decedent"), was the subject of multiple on-going investigations into his criminal conduct including, but not limited to, his sex trafficking and sexual abuse of dozens of women, some of whom were underage. Claimant is one of those victims.
- 2. On information and belief, after his arrest, the decedent conspired with multiple individuals, including his attorneys and the two men named as the co-executors of his estate, to fraudulently convey and prevent the distribution of his assets to his numerous victims, including Claimant, in the event that they sought damages through civil recourse.
- 3. The deceased was able to do this by executing a Last Will and Testament on August 8, 2019, which included a newly formed pour-over trust known as The 1953 Trust (the "Trust"), just two days before his death by suicide on August 10, 2019. There is no doubt that these documents were set-up to defraud his creditors, including Ms. Claimant. A true and correct copy

The foregoing instrument, consisting of eleven (11) pages, was signed in our presence by Jeffrey E. Epstein and was declared by him to be his last Will. We, at the request of and in the presence of Jeffrey E. Epstein and in the presence of each other, have subscribed our names below as witnesses. We declare that we are of sound mind and of the proper age to witness a will, that to the best of our knowledge the testator is of the age of majority, or is otherwise legally competent to make a will, and appears of sound mind and under no undue influence or constraint. Under penalty of perjury, we declare these statements are true and correct on this 8th day of August, 2019 at New York, New York.

Ware/C	residing at		
Mariel A. Colón Miró			
Gulney Jali	residing at		_
GULNORA TALI		7	

AFFIDAVIT

We, Jeffrey E. Epstein, Mayit A. Colon Mio and the Testator and the witnesses respectively, whose names are signed to the attached instrument in those capacities, personally appearing before the undersigned authority and first being duly sworn, do hereby declare to the undersigned authority under penalty of perjury that the Testator declared, signed, and executed the instrument as his last will; he signed it willingly; he/she executed it as his free and voluntary act for the purposes therein expressed; and each of the witnesses, at the request of the Testator, in his or her hearing and presence, and in the presence of each other, signed the will as witness and that to the best of his or her knowledge the testator was at that time eighteen (18) years of age or older, of sound mind and under no constraint or undue influence. JEFFREY E. EPSTEIN residing at residing at	
STATE OF NEW YORK)	
COUNTY OF NEW YORK)	
Subscribed and sworn to before me by JEFFREY E. EPSTEIN, the Testator, who is personally known to me or who has produced as identification, and by More A. Co. Mico a witness who is personally known to me or who has produced as identification, and Course Tail, a witness who is personally known to me or who has produced as identification, on August 8, 2019.	
Sworn to before me this 8th day of August, 201.	

Notary Public

MARLANA A. MELENDEZ
Notary Public, State of New York
No. 02MB6371741
Qualified in New York County
Commission Expires March 5th, 20 2-2.

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF)	
JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
)	
Deceased.)	ACTION FOR TESTATE
		ADMINISTRATION

OATH OF WILLINGNESS TO SERVE AS EXECUTOR AND APPOINTMENT OF LOCAL COUNSEL

- I. Darren K. Indyke, hereby declare, certify, verify, and state under penalty of perjury under the laws of the United States Virgin Islands that:
 - I am an adult of sound mind, have never been convicted of any felony or of a misdemeanor involving moral turpitude, and I am not a judicial officer.
 - 2. I am a resident of Florida.
 - The Last Will and Testament of Jeffrey E. Epstein nominates and appoints me as an Executor of the Estate of Jeffrey E. Epstein, deceased.
 - 4. I am willing to act as Executor of the above-captioned Estate according to the law and to the best of my ability and I will faithfully discharge the duties and obligations of Executor
 - I will render a true accounting of all monies and property coming into my possession for which I am responsible.
 - 6. I am willing to act as Executor of the above-captioned Estate and request that the Court act upon and grant all the prayers of the Petition for Probate.
 - I am a non-resident of the Virgin Islands, and thus, I appoint the law office of Kellerhals
 FERGUSON KROBEN PLLC, located in the Virgin Islands, specifically at Royal Palms
 Professional Building, 9053 Estate Thomas, Suite 101, St. Thomas, VI 00802, as my
 attorney upon whom service of all papers may be made.

	The second by June 1
	Darren K. Indyke
SUBSCRIBED AND SWORN to before	
me this day of the 25. 2019.	
NOTARY	



IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
Deceased.))	ACTION FOR TESTATE ADMINISTRATION

OATH OF WILLINGNESS TO SERVE AS EXECUTOR AND APPOINTMENT OF LOCAL COUNSEL

I, Richard D. Kahn, hereby declare, certify, verify, and state under penalty of perjury under the laws of the United States Virgin Islands that:

- I am an adult of sound mind, have never been convicted of any felony or of a misdemeanor involving moral turpitude, and I am not a judicial officer.
- 2. I am a resident of New York, New York.
- 3. The Last Will and Testament of Jeffrey E. Epstein nominates and appoints me as an Executor of the Estate of Jeffrey E. Epstein, deceased.
- 4. I am willing to act as Executor of the above-captioned Estate according to the law and to the best of my ability and I will faithfully discharge the duties and obligations of Executor.
- 5. I will reader a true accounting of all monies and property coming into my possession for which I am responsible.
- 6. I am willing to act as Executor of the above-captioned Estate and request that the Court act upon and grant all the prayers of the Petition for Probate.
- 7. I am a non-resident of the Virgin Islands, and thus, I appoint the law office of Kellerhal's Ferguson Kroblin Pllc, located in the Virgin Islands, specifically at Royal Palms Professional Building, 9053 Estate Thomas, Suite 101, St. Thomas, VI 00802, as my attorney upon whom service of all papers may be made.

Richard D. Kahn

SUBSCRIBED AND SWORN to before

gay of Avenus, 2019

NOTARY

MARIANNE BARNETT NOTARY PUBLIC, STATE OF NEW YORK NO. 01BA6276845

915, 213

Qualified in Suffolk County Term expires February 25, 2021

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF)	
JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
•)	
Deceased.)	ACTION FOR TESTATE
)	ADMINISTRATION

PETITION FOR PROBATE AND FOR LETTERS TESTAMENTARY

COME NOW Petitioners DARREN K. INDYKE and RICHARD D. KAHN, Executors of the Estate of Jeffrey E. Epstein, by and through Kellerhals Ferguson Kroblin PLLC, and petition this Honorable Court to grant the instant petition pursuant to V.I. Code Ann. tit. 15, § 161 and Rule 3 of the Virgin Islands Rules for Probate and Fiduciary Proceedings. In support thereof, Petitioners state the following:

- That Petitioners Darren K. Indyke and Richard D. Kahn ("Petitioners") are citizens of the United States of America and residents of Florida and New York, respectively.
- 2) The original Last Will and Testament of Decedent, dated August 8, 2019, which is attached hereto, appoints Petitioners as Executors of the Estate.
- 3) The Decedent, Jeffrey E. Epstein, died testate on August 10, 2019 in New York, New York, and was domiciled in and a resident of St. Thomas, Virgin Islands at the time of his death, as supported by the copy of Certificate of Death attached hereto.¹
- 4) Decedent left certain assets in trust.
- The Decedent died possessed of certain property within the Territory of the U.S. Virgin Islands and within the jurisdiction of the Court as herein described:

The original death certificate, or a certified copy thereof, will be filed with the Court upon Counsel's receipt of the same.

Prob...c No. ST-19-PB-Page No. Page 2 of 4

VALUE

PERSONAL PROPERTY²

Cash \$ 56,547,773.00

Fixed Income Investments \$ 14,304,679.00

Equities \$ 112,679,138.00

Aviation Assets, Automobiles and Boats \$ 18,551,700.00

Fine Arts, Anuques, Collectibles,

Valuables & Other TBD subject to
Personal Property appraisal/valuation

Hedge Funds & Private Equity Investments \$ 194,986.301.00

10,000 shares of Maple, Inc., a U.S. Virgin Islands

corporation which holds title to 9 East 71st Street

New York, NY 10021 \$ 55,931,000.00

10,000 shares of Cypress, Inc., a U.S. Virgin Islands

Corporation, which holds title to

49 Zorro Ranch Road Stanley, New Mexico 87056 \$ 17,246,208.00

10,000 shares of Laurel, Inc., a U.S. Viggin Islands

Corporation, which holds title to

358 El Brillo Way

Palm Beach, Florida 33480 \$ 12,380,209.00

999 shares of SCI JEP, a French Company

which holds title to units 47 with mezzanine, 48 and 81 on the 2nd floor, units 63 and 74 on the 5^{th} floor and

units 5 and 22 (cellars) in the basement 22 Avenue Foch

Paris, France 75116 \$ 8,672,823.00

10,000 shares of Poplar, Inc., a U.S. Virgin Islands

Corporation, which holds title to

Great St. James Island

No. 6A Red Hook Quarter

St. Thomas, Virgin Islands \$ 22,498,600.00

10,000 shares of Nautilus, Inc., a U.S. Virgin Islands

Corporation, which holds title to

Little St. James Island

No. 6B Red Hook Quarter

Parcels A, B & C

St. Thomas, Virgin Islands \$ 63,874,223.00

TOTAL PERSONAL PROPERTY:

\$ 577,672,654.00

TOTAL ESTATE PROPERTY:

\$ 577,672,654.00

² Values are subject to appraisal and/or update to their date of death valuation, which will be confirmed in verified inventory to be filed with the Court.

- Petitioners are investigating potential debts and claims of the Estate and at this time they are unknown.
- That the names and addresses, insofar as known to Petitioners, of the heirs and next of kin of the deceased, who would be entitled to share the estate if he had left no will; the relation of each such person to him; the proportion due each such person, and whether each of them is an adult or an infant are as follows:

NAMES	RELATIONSHIP	<u>CAPACITY</u>	<u>SHARE</u>		
Mark Epstein	Brother	Adult	100%		

- 8) That Petitioners Darren K. Indyke and Richard D. Kahn be appointed Executors. They are adults of sound mind, are not convicted of any crime involving moral turpitude, and are not judicial officers of this Honorable Court.
- Although Petitioners are not residents of the Virgin Islands, they are qualified to serve as Executors pursuant to 15 V.I.C. § 235(c) because they otherwise qualify under 15 V.I.C. § 235(a) and they have appointed the law firm of Kellerhals Ferguson Kroblin PLLC, which has offices on St. Thomas, Virgin Islands, to accept service of all papers for purposes of the probate of Decedent's estate.
- The Decedent's Last Will and Testament provides that "No bond or other security shall be required of any Executor in any jurisdiction." See original Last Will and Testament attached hereto at Article THIRD, subsection B on page 2. Accordingly, Petitioners pray that the bond be waived pursuant to V.I. R. Prob. 3.

WHEREFORE, Pentioners pray:

- A. That the Estate of Jeffrey E. Epstein be entered into Probate;
- B. That a citation be issued to any heir or next of kin who has not signed a Waiver;
- C. That this Honorable Court order the issuance of a notice to creditors and claims procedure order in substantial form of that which will be separately proposed to the court forthwith;
- D. That the Last Will and Testament of Jeffrey E. Epstein, attached hereto, be admitted to Probate,
- E. That Darren K. Indyke and Richard D. Kahn be appointed Executors and Letters Testamentary be issued to them;
- F. That the bond be waived; and
- G. That the Petition be granted.

Respectfully,

DATED: August 15, 2019

WILLIAM BLUM, ESQ., Of Counsel

V.I. Bar No. 136

KELLERHALS FERGUSON KROBLIN PLLC

Royal Palms Professional Building

9053 Estate Thomas, Suite 101

St. Thomas, V.I. 00802-3602

Telephone: (340) 779-2564

Facsimile: (888) 316-9269

Email: wblum@solblum.com

VERIFICATION OF PETITION

I, Darren K. Indyke. Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records show.

DATED: August	12%	Σ,-	2019
---------------	-----	-----	------

Darren K. Indyke

SUBSCRIBED AND SWORN to before me-



le day

110

di,

:10

VERIFICATION OF PETITION

I, Richard D. Kahn, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records

DATED: August 15¹, 2019

show.

Richard D. Kahn

SUBSCRIBED AND SWORN to before me

this 15th day of August, 2019. Manaine Cournest

MARIANNE BARNETT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01BA6276845
Qualified in Suffolk County
Term expires February 25, 2021

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF)	
JEFFREY E. EPSTEIN)	PROBATE NO. ST-19-PB
)	
Deceased.)	ACTION FOR TESTATE
)	ADMINISTRATION

AFFIDAVIT

I, Erika A. Kellerhals, hereby depose or otherwise state that I do not know of any will or codicil of Jeffrey E. Epstein, deceased, other than the instrument in writing dated August 8, 2019; that I received the Last Will and Testament of Jeffrey E. Epstein from Jeffrey E. Epstein, and the said Jeffrey E. Epstein died on or about August 10, 2019.

Erika A. Kellerhals

SUBSCRIBED AND SWORN to before me

This S day of August

2019.

Brett A. Geary

Notary Public: NP-144-15 Commission Expires: December 24, 2019

St. Thomas / St. John, USVI

THE CITY OF NEW YORK

3 / VHAERI CORDS CERTIFICALL 5 &

DEATH TRANSCRIPT

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH Certificate No. 156-19-032838

Death Mannatian stipped on Arrival		l 5 Culpationi 8 7	4 C Husing HorseAung Time Cate Facility 5 C Hospice Facility spatient 4 C the oldert's Pacifician 7 C Other Specify			2d. Any Hompice cure in last 30 days 1 (2 Veg 2 (5 No 3 () Unlangum		in. Herre of h Naw York-	Presbyterien	Lower	r Manhattan Hospill S				
	nd Time of nd Deed		A	Moran) ugust	(Day) 10		2019	7:36	E AM C) PM	4. Sex Male		B. OCH		901943	32
6. C	P	a. Iroma	date cau	Pendin	g Furthe	r Study					4		1	2 1 2 2 2 2 2	
ê A		b. Due 1	O OF ALS IN		W.				2.5	1 633	10-	- 30150			ST.
P	T	c. Due to or as a													
OHATX	PART II			The second	elbusing to d	leath but m	a manadamin ind	this and others o		Plant I, Ired	ude operation	information.			
	ury Date (h	ım dd y	77) TO. 1	Nme CJ AM	7c. At Work,	74.000	of tracy	ofte, lectors, 30	est. rits		W		ST/050	201010	
	a qui			□ PM	2016	7a. Local	on .								
75.Ho	injury O	berno	, president		255°	14		75 11A							
11a. U US 12. D. 15a. U		Island (Mon Jenu petics (1	s (C ary ype of wo	St. Thom:	ATIS IN	SL Age at lea (years)	O 165	and and an article of the second	To all All			unter see	OO BOZ	10 10	
λ: 1Ω)	Broomer in U.S. and Force fee 2 Wil ather's Nar	20. 1 0 45 7 0	Married, Other, St Missie, L	ertherable Ste. 2 C) Dome but separated analy_ ast)	o di regione lus di basis Gallana	٠,		4 G Builbillio	nived Spore	ALAK D		rame plur to rame plur to rame plur to va occurrant (lage) (First, M Sholofaky	feg. st fra mar	, obs., ov	tal, ELIB, alt) L. Allaldin, E
24a. 1	nforment's			Seymour		4b. Refetto	-	A. L		100		SUPPRINCE	A Plate		ZIP Code 33411-6
t 🔾 B	Method of I untal 2 Ther Speci	Disposition (2 Gram		9U) 8 Cl Enlombr	nert 4	Ciciyo	Brother,	26.	distribute		a d'olado	, ingrestory of	mer place)		30-11-
_		-	Sh4	late or Foreign	Country					_		Table of	with CO	dd 40	707 2019
	funeral Es	4++- <u>-</u>		1				200- 4	diame (Stre	at end the		City & State	00	13 Z1	2019 P Oode)
				20170	4516		_	Parent.				NY 10026	3-0237		
Mo C	omaction t	intory **									1				
															V9 18 Shor.

This is to cartly that the foregoing is a true copy of a record on tills in the Department of Health and Mental Hygiene. The Department of Health and Mental Hygiene gloss not certify to the trush of the statements reads thereon, as no incohy as to the facts has been provided by law.

Do not accept this transcript unknes it bears the second perturbs is set on the book, Reproduction or aftership of this transcript in prohibited by §3.13(b) of the New York City Health Code if the purpose is the evasion or include of any provision of the Health Code or any other law.

Steven P. Schwartz, Ph.D., Chy Registra



Y01383215



EXHIBIT

2

THE CITY OF NEW YORK

3 4 VITAL RECORDS CERTIFICATE > 5

DEATH TRANSCRIPT

THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

AUG-11-2019 07:36 PM

CERTIFICATE OF DEATH Certificate No. 156-19-032838

				LE	GAL NAME JEFF	idde, Lest)	WARD	ERSTE			0.00	in			
Place 2b. Borough Cl 2b. Borough Death Marshattan 28 Emapany Del 3 U Dead on Anthe			1 (2) Hospital Inglish 2 88 Envergency Dec	n /Cuquellani	4 (1 Numbry Home-Long 1 5 (1 Hospice Facility 6 (3 Decedent's Resident 7 (1) Other Specify	0.73	2d. Alle Mon in held 30 de 1 I2 Yea 2 IS No 3 I3 Unisnos	1.00	torre of hospital or other facility (If not facility, shoot with an way York-Presbyterian-Lower Manhettan Hospi						
Date and 1 or Found (Double 3	10.101.10	(Day)) (Year-yyyy)	7:36	E AM	4.8ex Male	5.0	CME Cos No	01943	12			
5. c		a Service	August	10		1:30	CIPM	Missie		W IS	N I DA	-			
9			lets chies Pendi	ng Furth	ner Study							-			
1	T	our make	to or eas a sequence of												
5	1	C. Due to	or as a pusace of				Se			16					
100	AT II	Other sig	rificant conditions or	ntificating to	cleath but upt marking of	this sandstriping do	and Street St.	Part I. Include o	peration vibration						
a. Injury I	Dale (m	n dd yyg	y) 7b. Time	1 U Yes	74. Clace of tripley - 41.	*	13	144							
71.How in	jury Oc	curred		11.1	1	75.00			100						
7g. II Time DriverA	Operate	C) Pade	M Pending © Natural	Author ages	Of the	- 1			2 100	Me	Date #	ured due UG-11-2			
3 Other 6	-			र में	glo, Ctay or Yellin	2	7 (7)	Markey b	A Control	Cresh (Cresh	d beliebe	d Etgenio de Chris			
		nce sunte siands	St. Thon	A STATE OF THE STA	St. Thomas	Cittler	Starrat Jan	nee-teland		00802		Yes 20			
2. Date o	al Birth	None	(Day) (M	990	S. Ago, at their terrodyn (years) GS	4		A AIF		Security No.	-3348	3			
Se. Ueus	al Cools	entice (T)	pe of work done duri regulitiernt	diam'r.	Salay St. 180 Kingler	districts	- C	ent of AKA	AL.	44					
7. Birthpl	ince (Ĉi	y & Stuni	or Foreign Country) BW York	1347	mily Cover the por sale of	describer to	OF STREET, BALL	no decree	Alterdation there	ve three of char I fed., talk, talk Pribl, Selliy or	MEND M				
a. Everle		-,		10010	PARTIE DESCRIPTION OF SMICH.		Copres (c.).		ndig figst tenan by		ODS, DV	MCLB, ID			
	Forces	146	lerital/Partnership & Agries & Cl Door Annied, but supershi Oher, Spacity		A-2770	*									
2. Father	r'a Marn	o (First, &	Kide (au) Seymous	Enstein	" " "	1 A.S.			Pitule Stoicts	Middle, Last	3				
He. Inlan	mert's i		Epstein		Sep. Reference of the Book	4	THE STATE		1	-		ZIP Code 39411-4			
	2 20	isposition 3 Cremet		trrest	4 Ci City Connectory	385.74	Bob of Disper	Non-Pappa of	oluliativy, antropion	(distribute)					
			Chr. State or Foreig	n Country)					25d. Date of Disposition	980 08	dd 13	7019			
Ba. Funa	and Esti	t Astronom						and Number Ave New	Cty 8 8 York, NY 100		Ze	P Oede)			
No Corre	iction H	olony * **		1											
									5.5						

This is to certify that the foregoing is a true copy of a record on the in the Department of Health and Mental Hygiene. The Department of Health and Mental Hygiene does not certify to the furth of the statements needs thereon, as no inquiry as to the facts has been provided by law.

Do not accept this transcript unless it bears the security features is step on the back. Reproduction or shershall of this transcript is prohibited by $\S3.19(b)$ of the New York City Health Code if the purpose is the evapion or include of the purpose is the evapion or include of the purpose.

Street P Street



383215

