

April 14, 2008

STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: **08-CV-80380-Hurley-Hopkins**

JANE DOE NO. 4,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

COMPLAINT

Plaintiff, Jane Doe No. 4 ("Jane" or "Jane Doe"), brings this Complaint against Jeffrey Epstein, as follows:

Parties, Jurisdiction and Venue

1. Jane Doe No. 4 is a citizen and resident of the State of Florida, and is sui juris.
2. This Complaint is brought under a fictitious name to protect the identity of the Plaintiff because this Complaint makes sensitive allegations of sexual assault and abuse upon a minor.
3. Defendant Jeffrey Epstein is a citizen and resident of the State of New York.
4. This is an action for damages in excess of \$50 million.
5. This Court has jurisdiction of this action and the claims set forth herein pursuant to 28 U.S.C. §1332(a), as the matter in controversy (i) exceeds \$75,000, exclusive of interest and costs; and (ii) is between citizens of different states.
6. This Court has venue of this action pursuant to 28 U.S.C. §1391(a) as a substantial part of the events or omissions giving rise to the claim occurred in this District.

Factual Allegations

7. At all relevant times, Defendant Jeffrey Epstein (“Epstein”) was an adult male, 52 years old. Epstein is a financier and money manager with a secret clientele limited exclusively to billionaires. He is himself a man of tremendous wealth, power and influence. He maintains his principal home in New York and also owns residences in New Mexico, St. Thomas and Palm Beach, FL. The allegations herein concern Epstein’s conduct while at his lavish estate in Palm Beach.

8. Upon information and belief, Epstein has a sexual preference and obsession for underage minor girls. He engaged in a plan and scheme in which he gained access to primarily economically disadvantaged minor girls in his home, sexually assaulted these girls, and then gave them money. In or about 2002-2003, Jane Doe, then approximately 15 years old, fell into Epstein’s trap and became one of his victims.

9. Upon information and belief, Jeffrey Epstein carried out his scheme and assaulted girls in Florida, New York and on his private island, known as Little St. James, in St. Thomas.

10. Epstein’s scheme involved the use of young girls to recruit underage girls. Haley Robson, a Palm Beach Community College student from Loxahatchee, Florida recruited girls ostensibly to give a wealthy man a massage for monetary compensation in his Palm Beach mansion. The young girls would be contacted when Epstein was planning to be at his Palm Beach residence or soon after he had arrived there. Ms. Robson, upon information and belief, generally sought out economically disadvantaged underage girls from western Palm Beach County who would be enticed by the money being offered - generally \$200 to \$300 per “massage” session - and who were perceived as less likely to complain to authorities or have credibility if allegations of improper conduct were made. This was an important element of Epstein’s plan.

11. Epstein's plan and scheme reflected a particular pattern and method. The underage victim would be brought to the kitchen entrance of Epstein's mansion, where she would be introduced to Sarah Kellen, Epstein's assistant. Ms. Kellen would then bring the girl up a flight of stairs to a bedroom that contained a massage table in addition to other furnishings. There were photographs of nude women lining the stairway hall and in the bedroom. The girl would then find herself alone in the room with Epstein, who would be wearing only a towel. He would then remove his towel and lie naked on the massage table, and direct the girl to remove her clothes. Epstein would then perform one or more lewd, lascivious and sexual acts, including masturbation and touching the girl's vagina.

12. Consistent with the foregoing plan and scheme, when Jane Doe was approximately 15 years old, she was recruited by Haley Robson to give Epstein a massage for monetary compensation. Jane was brought to Epstein's mansion in Palm Beach, to the kitchen entrance. Once there, Jane was introduced to Sarah Kellen, who led her up the flight of stairs to the room with the massage table. In this room, Jane was directed by Epstein to remove her clothes and give him a massage. Jane initially kept her panties and bra on, and complied with Epstein's instructions. Jane was paid by Epstein for this massage.

13. Jane returned on many occasions to the Palm Beach mansion to provide Epstein with massages. On those occasions, Epstein engaged in sexual contact and activity with the minor Jane, which included, among other things, directing Jane to remove all her clothes, masturbating during the massage, and digitally penetrating Jane's vagina. Jeffrey Epstein often used a vibrator on the minor Jane during the massage. This sexual abuse continued for approximately three years.

14. As a result of these encounters with Epstein, Jane experienced confusion, shame,

humiliation and embarrassment, and has suffered severe psychological and emotional injuries.

COUNT I
Sexual Assault

15. Plaintiff Jane Doe repeats and realleges paragraphs 1 through 14 above.

16. Epstein tortiously assaulted Jane Doe sexually. Epstein's acts were intentional, unlawful, offensive and harmful.

17. Epstein's plan and scheme in which he committed such acts upon Jane Doe were done willfully and maliciously.

18. This sexual assault was in violation of Chapter 800 of the Florida Statutes, which recognizes as a crime the lewd and lascivious acts committed by Epstein upon Jane.

19. As a direct and proximate result of Epstein's assault on Jane, she has suffered and will continue to suffer severe and permanent traumatic injuries, including mental, psychological and emotional damages.

WHEREFORE, Plaintiff Jane Doe No. 4 demands judgment against Defendant Jeffrey Epstein for compensatory damages, punitive damages, costs, and such other and further relief as this Court deems just and proper.

COUNT II
Intentional Infliction of Emotional Distress

20. Plaintiff Jane Doe repeats and realleges paragraphs 1 through 14 above.

21. Epstein's conduct was intentional or reckless.

22. Epstein's conduct was outrageous, going beyond all bounds of decency.

23. Epstein's conduct caused severe emotional distress to Jane Doe. Epstein knew or had reason to know that his intentional and outrageous conduct would cause emotional trauma and

damage to Jane Doe.

24. As a direct and proximate result of Epstein's intentional or reckless conduct, Jane Doe, has suffered and will continue to suffer severe mental anguish and pain.

WHEREFORE, Plaintiff Jane Doe No. 4 demands judgment against Defendant Jeffrey Epstein for compensatory damages, costs, punitive damages, and such other and further relief as this Court deems just and proper.

JURY TRIAL DEMAND

Plaintiffs demand a jury trial in this action.

Dated: April ~~14~~ 2008

Respectfully submitted,

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The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing, and service of this cover sheet or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of the Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

FILED BY: [Signature]
 APR 14 2008
 STEVEN L. ARMORE
 CLERK OF DISTRICT COURT
 U.S. DISTRICT COURT
 S.D. OF FLA. FT. LAUD.

(a) PLAINTIFFS
JANE DOE NO. 4,

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
 MARION COUNTY
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Herman & Mermelstein, P.A., 18205 Biscayne Blvd., Suite 2218, Miami, FL 33160, (305) 931-2200

DEFENDANTS
JEFFREY EPSTEIN

COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
 (IN U.S. PLAINTIFF CASES)

ATTORNEYS (IF KNOWN)

(d) CIRCLE COUNTY WHERE ACTION AROSE: **PALM BEACH** *9:08 CV 80380 - Hurley-Appkins*

II. BASIS OF JURISDICTION
 (PLACE AN X ONE BOX ONLY)

1. U.S. Government Plaintiff
 2. U.S. Government Defendant

3. Federal Question (U.S. Government Not a Party)
 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES
 (For Diversity Case Only)

Citizen of This State: PTF 1 DEF 1
 Citizen of Another State: PTF 2 DEF 2
 Citizen or Subject of a Foreign Country: PTF 3 DEF 3
 Foreign Nation: PTF 6 DEF 6

PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE FOR DEFENDANT

Incorporated or Principal Place of Business in This State: PTF 4 DEF 4
 Incorporated and Principal Place of Business in Another State: PTF 5 DEF 5
 Foreign Nation: PTF 6 DEF 6

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)
DIVERSITY ACTION UNDER 28 U.S.C. §1332(a) FOR SEXUAL ASSAULT

Iva. 5 days estimated (for both sides) to try entire case

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

A CONTRACT	A TORTS	B FORFEITURE PENALTY	A BANKRUPTCY	A OTHER STATUS
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) B <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits B <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input checked="" type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 382 Personal Injury-Med Malpractice <input type="checkbox"/> 385 Personal Injury-Product Liability <input type="checkbox"/> 388 Asbestos Personnel Injury Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 400 Status Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. B <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/ Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12USC3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 885 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions* *A or B Declaratory relief and state law claims for defamation
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure B <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	A CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	B PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General* <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other* <input type="checkbox"/> 550 Civil Rights *A or B	A LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor Management Relations B <input type="checkbox"/> 730 Labor Management Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act B	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157
			A PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	
			B SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	
			A FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	

VI. ORIGIN

x 1. Original Proceeding 2. Removed from State Court 3. Remanded from Appellate Court (Specify) 4. Refilled 5. Transferred from another district 6. Multidistrict Litigation Appeal to District Judge from 7. Magistrate Judgment

VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A UNDER F.R.C.P. 23 CLASS ACTION DEMAND \$ _____ Check YES only if demanded in complaint: **JURY DEMAND:** YES NO

VIII. RELATED CASE(S) IF ANY (See Instructions): **(SEE ATTACHED)**
 Jane Doe 2 v. Jeffrey Epstein JUDGE KENNETH A. MARRA DOCKET NUMBER 08-CV-80119-MARRA-JOHNSON
 Jane Doe 3 v. Jeffrey Epstein JUDGE KENNETH A. MARRA DOCKET NUMBER 08-CV-80232-MARRA-JOHNSON

DATE: 4/14/08 SIGNATURE OF ATTORNEY OF RECORD: [Signature]
 UNITED STATES DISTRICT COURT S/F 1-2 REV. 9/94 FOR OFFICE USE ONLY: Receipt No. _____ Amount: 350.00
 Date Paid: _____ M/Ifp: _____

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