

SEPT. 10, 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-80993-Hurley-Hopkins

JANE DOE NO. 7,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

COMPLAINT

Plaintiff, Jane Doe No. 7 (“Jane” or “Jane Doe”), brings this Complaint against Jeffrey Epstein, as follows:

Parties, Jurisdiction and Venue

1. Jane Doe No. 7 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. Additionally, this Court has jurisdiction pursuant to 28 U.S.C. §1331 because Plaintiff alleges a claim under the laws of the United States. This Court has supplemental

jurisdiction pursuant to 28 U.S.C. §1367(a) over all other claims set forth herein, which form part of the same case or controversy.

7. This Court has venue of this action pursuant to 28 U.S.C. §§1391(a) and 1391(b) as a substantial part of the events or omissions giving rise to the claim occurred in this District.

Factual Allegations

8. At all relevant times, Defendant Jeffrey Epstein (“Epstein”) was an adult male, approximately 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.

9. 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 2004, Jane Doe, then approximately 16 years old, fell into Epstein’s trap and became one of his victims.

10. 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.

11. 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. 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.

12. Epstein's plan and scheme reflected a particular pattern and method. The underage victim would be brought to 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. The girl would then find herself alone in the room with Epstein, who would be wearing only a towel. He would direct her to give him a massage. Epstein would then perform one or more lewd, lascivious and sexual acts, including masturbation and touching the girl's vagina.

13. Consistent with the foregoing plan and scheme, when Jane Doe was 16 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. 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 give him a massage. During this massage, Epstein sexually assaulted Jane and masturbated. Epstein then paid Jane money.

14. Jane returned on many occasions to the Palm Beach mansion to provide Epstein with massages for money. On those occasions, Epstein engaged in sexual contact and activity with Jane, which included, among other things, Epstein touching Jane's breasts, placing a vibrator on her vagina and masturbating himself. This sexual abuse continued over a period of approximately 18-24 months.

15. 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 and Battery

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

17. Epstein made an intentional, unlawful offer of offensive sexual contact toward Jane Doe, creating a reasonable fear of imminent peril and sexual assault.

18. Epstein intentionally inflicted harmful or offensive sexual contact on the person of Jane Doe.

19. Epstein tortiously committed a sexual assault and battery on Jane Doe. Epstein's acts were intentional, unlawful, offensive and harmful.

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

21. 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. 7 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

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

23. Epstein's conduct was intentional or reckless.

24. Epstein's conduct with a minor was extreme and outrageous, going beyond all bounds of decency.

25. Epstein committed willful acts of child sexual abuse on Jane Doe. These acts resulted in mental or sexual injury that caused or were likely to cause Jane Doe's mental or emotional health to be significantly impaired.

26. 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 distress and damage to Jane Doe, or Epstein acted with reckless disregard of the high probability of causing severe emotional distress to Jane Doe.

27. 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. 7 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.

COUNT III

Coercion and Enticement to Sexual Activity in Violation of 18 U.S.C. §2422

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

29. Epstein used a facility or means of interstate commerce to knowingly persuade, induce or entice Jane Doe, when she was under the age of 18 years, to engage in prostitution or sexual activity for which any person can be charged with a criminal offense.

30. Epstein's acts and conduct are in violation of 18 U.S.C. §2422.

31. As a result of Epstein's violation of 18 U.S.C. §2422, Plaintiff has suffered personal injury, including mental, psychological and emotional damages.

32. Plaintiff hired Herman & Mermelstein, P.A., in this matter and agreed to pay them a reasonable attorneys' fee.

WHEREFORE, Plaintiff Jane Doe No. 7 demands judgment against Defendant Jeffrey Epstein for all damages available under 18 U.S.C. §2255(a), including without limitation, actual and compensatory damages, costs of suit, and attorneys' fees, and such other and further relief as this Court deems just and proper.

JURY TRIAL DEMAND

Plaintiff demands a jury trial in this action on all claims so triable.

Dated: September 10, 2008

Respectfully submitted,

By: 

Jeffrey M. Herman (FL Bar No. 521647)

jherman@hermanlaw.com

Stuart S. Mermelstein (FL Bar No. 947245)

ssm@hermanlaw.com

Adam D. Horowitz (FL Bar No. 376980)

ahorowitz@hermanlaw.com

HERMAN & MERMELSTEIN, P.A.

Attorneys for Plaintiff

18205 Biscayne Blvd., Suite 2218

Miami, Florida 33160

Tel: 305-931-2200

Fax: 305-931-0877

08-CV-80993-Hurley-Hopkins CIVIL COVER SHEET

Case 9:08-cv-80993-KAM Document 1-1 Filed 09/10/08 Entered on ESD Docket 09/10/2008 Page 7 of 7

Original

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing, and service of pleading 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.)

| | |
|---|--|
| <p>(a) PLAINTIFFS JANE DOE NO. 7,</p> <p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF ORANGE COUNTY (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Herman & Mermelstein, P.A., 18205 Biscayne Blvd., Suite 2218, Miami, FL 33160, (305) 931-2200</p> | <p>DEFENDANTS JEFFREY EPSTEIN</p> <p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT NEW YORK (IN U.S. PLAINTIFF CASES ONLY)</p> <p>ATTORNEYS (IF KNOWN)</p> |
|---|--|

(d) CIRCLE COUNTY WHERE ACTION AROSE: PALM BEACH 9:08CV 80993-Hurley-Hopkins

| | | |
|---|--|---|
| <p>II. BASIS OF JURISDICTION (PLACE AN X ONE BOX ONLY)</p> <p><input type="checkbox"/> 1. U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2. U.S. Government Defendant</p> <p><input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)</p> | <p>III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Case Only)</p> <p>Citizen of This State <input type="checkbox"/> 1</p> <p>Citizen of Another State <input type="checkbox"/> 2</p> <p>Citizen or Subject of a Foreign Country <input type="checkbox"/> 3</p> | <p>PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE FOR DEFENDANT</p> <p>Incorporated of Principal Place of Business in This State <input type="checkbox"/> 4</p> <p>Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5</p> <p>Foreign Nation <input type="checkbox"/> 6</p> |
|---|--|---|

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.)
ACTION FOR SEXUAL ASSAULT UNDER 18 U.S.C. §2422 AND STATE LAW

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

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

| | | | | |
|--|---|---|---|--|
| <p>A CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) B</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits B</p> <p><input type="checkbox"/> 160 Stockholder's Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> | <p>A TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input checked="" type="checkbox"/> 380 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury-Med Malpractice</p> <p><input type="checkbox"/> 365 Personal Injury-Product Liability</p> <p><input type="checkbox"/> 388 Asbestos Personnel Injury Product Liability</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending B</p> <p><input type="checkbox"/> 380 Other Personnel</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p> | <p>B FORFEITURE PENALTY</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food & Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 861</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 R.R. & Truck</p> <p><input type="checkbox"/> 650 Airline Regs</p> <p><input type="checkbox"/> 680 Occupational Safety/Health</p> <p><input type="checkbox"/> 690 Other</p> | <p>A BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>A PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>B SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>A FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 28 USC 7609</p> | <p>A OTHER STATUS</p> <p><input type="checkbox"/> 400 Status Reappointment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc. B</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 850 Securities/ Commodities/ Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12USC3410</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p> <p><input type="checkbox"/> 890 Other Statutory Actions* *A or B</p> <p>Declaratory relief and state law claims for defamation</p> |
| <p>A REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure B</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 280 All Other Real Property</p> | <p>A CIVIL RIGHTS</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 444 Welfare</p> <p><input type="checkbox"/> 440 Other Civil Rights</p> | <p>B PRISONER PETITIONS</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus</p> <p><input type="checkbox"/> 530 General*</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus & Other*</p> <p><input type="checkbox"/> 550 Civil Rights *A or B</p> | <p>A LABOR</p> <p><input checked="" type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor Management Relations B</p> <p><input type="checkbox"/> 730 Labor Management Reporting & Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Employee Ret. Inc. Security Act B</p> | |

VI. ORIGIN

x 1. Original 2. Removed from 3. Remanded from 4. Refilled 6. Multidistrict Litigation

Proceeding State Court Appellate Court 7. Appeal to District Judge from

5. Transferred from another district 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 |
| Jane Doe 4 v. Jeffrey Epstein | JUDGE KENNETH A. MARRA | DOCKET NUMBER 08-CV-80380-MARRA-JOHNSON |
| Jane Doe 5 v. Jeffrey Epstein | JUDGE KENNETH A. MARRA | DOCKET NUMBER 08-80381-CIV-MARRA-JOHNSON |

DATE Sept 10, 2008 SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT S/F 1-2 REV. 9/94

FOR OFFICE USE ONLY: Receipt No. _____ Amount: 3000

Date Paid: _____ M/1p: _____

544138