

LC6Cmax1

1 UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

2 -----x  
UNITED STATES OF AMERICA,

3 v.

20 CR 330 (AJN)

4 GHISLAINE MAXWELL,

5 Defendant.

Jury Trial

6 -----x

New York, N.Y.  
December 6, 2021  
8:52 a.m.

8 Before:

9 HON. ALISON J. NATHAN,

10 District Judge

11 APPEARANCES

12 DAMIAN WILLIAMS

United States Attorney for the  
Southern District of New York

13 BY: MAURENE COMEY

14 ALISON MOE

LARA POMERANTZ

15 ANDREW ROHRBACH

Assistant United States Attorneys

16 HADDON MORGAN AND FOREMAN

Attorneys for Defendant

17 BY: JEFFREY S. PAGLIUCA

18 LAURA A. MENNINGER

-and-

19 BOBBI C. STERNHEIM

-and-

20 COHEN & GRESSER

21 BY: CHRISTIAN R. EVERDELL

22 Also Present: Amanda Young, FBI

Paul Byrne, NYPD

Sunny Drescher,

23 Paralegal, U.S. Attorney's Office

Ann Lundberg,

24 Paralegal, Haddon Morgan and Foreman

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1 THE COURT: Mr. Everdell.

2 MR. EVERDELL: No objection, your Honor.

3 THE COURT: Thank you. The redacted R series exhibits  
4 that Ms. Comey just read are admitted as redacted versions of  
5 previously admitted exhibits. Thank you.

6 (Government's Exhibits 223R, 224R, 225R, 234R, 241R,  
7 243R, 244R, 246R, 247R, 248R, 249 R, 250R, 252R, 253R, 254R,  
8 255R, 281R, 282R, 285R, 286R, 287R received in evidence)

9 MS. COMEY: Thank you, your Honor.

10 THE COURT: Government may call its next witness.

11 MS. POMERANTZ: Thank you, your Honor. The government  
12 calls Kate.

13 THE COURT: The witness testifying under the pseudonym  
14 Kate may come forward.

15 KATE,

16 called as a witness by the Government,

17 having been duly sworn, testified as follows:

18 THE COURT: You may be seated. We'll refer to you as  
19 Kate. You may remove your mask.

20 Members of the jury, before we begin the direct, I  
21 have a limiting instruction. You will hear testimony from the  
22 next witness about interactions that she says she had with the  
23 defendant and Mr. Epstein. I instruct you that because the  
24 witness was over the relevant age of consent at the relevant  
25 time period, any sexual conduct she says occurred with

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1 Mr. Epstein was not, quote, illegal sexual activity, end quote,  
2 as the government has charged in the indictment. For that  
3 reason, I have directed the government not to ask this witness  
4 about the details of any sexual conduct she says occurred with  
5 Mr. Epstein.

6 I instruct you that this witness is not a victim of  
7 the crimes charged in the indictment. To the extent you  
8 conclude her testimony is relevant to the issues before you,  
9 you may consider it. However, you may not convict the  
10 defendant on the basis of the testimony regarding the sexual  
11 conduct between this witness and Mr. Epstein, nor may you  
12 consider this testimony as any kind of reflection on  
13 Mr. Epstein's nor Ms. Maxwell's character or propensity to  
14 commit any crimes charged in the indictment.

15 Ms. Pomerantz, you may proceed with your direct  
16 examination.

17 MS. POMERANTZ: Thank you, your Honor. Your Honor, in  
18 light of the Court's order regarding sketch artists, I just  
19 wanted to --

20 THE COURT: Thank you, Ms. Pomerantz. I remind the  
21 sketch artists that witnesses who I've permitted to testify  
22 under a pseudonym shall not have their exact likenesses drawn  
23 to protect their anonymity. Thank you, Ms. Pomerantz. You may  
24 proceed.

25 MS. POMERANTZ: Thank you, your Honor.

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Kate - direct

1 DIRECT EXAMINATION

2 BY MS. POMERANTZ:

3 Q. Good morning. If you could pull up to the microphone so we  
4 can hear you.

5 A. That's fine?

6 Q. Yes. Thank you. To be clear, are you testifying under the  
7 name Kate today?

8 A. Yes.

9 Q. Is Kate your real name?

10 A. No.

11 Q. Leading up to this trial, did you ask to testify under a  
12 pseudonym to protect your privacy?

13 A. I did.

14 Q. Kate, can you take a look, there should be a binder next to  
15 you.

16 MS. POMERANTZ: Your Honor, at this time, I would  
17 request that the jurors be permitted to take out their binders  
18 and turn to Government Exhibit 16, which is in evidence under  
19 seal.

20 THE COURT: It is in evidence already. Let me just  
21 confirm.

22 MS. POMERANTZ: Thank you, your Honor.

23 THE COURT: Without objection, Ms. Sternheim?

24 MS. STERNHEIM: Without objection.

25 THE COURT: Members of the jury, you may pick up your

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Kate - direct

1 binders, please, the large binders, and turn to GX16, which is  
2 in evidence.

3 Q. Kate, you can pull the microphone closer to you. Thank  
4 you.

5 Kate, can you please let me know when you're at  
6 Government Exhibit 16?

7 A. Yes, I am.

8 Q. Do you recognize that?

9 A. Yes, I do.

10 Q. What is that?

11 A. It's my birth certificate.

12 Q. Is that the name that you were born with?

13 A. Yes.

14 MS. POMERANTZ: Your Honor, at this time, I would ask  
15 just the witness, not the jurors, to turn to what has been  
16 marked for identification as Government Exhibit 18.

17 THE COURT: Members of the jury, please don't -- why  
18 don't you close your binders for the moment. Thank you.

19 The witness may turn, please, to GX18.

20 Again, members of the jury, please don't go there yet  
21 until the document has been admitted.

22 BY MS. POMERANTZ:

23 Q. Kate, do you recognize that?

24 A. Yes.

25 Q. What is that?

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Kate - direct

1 A. It's my driver's license.

2 Q. Is that your current legal name?

3 A. Yes.

4 MS. POMERANTZ: Your Honor, the government offers  
5 Government Exhibit 18 under seal.

6 MS. STERNHEIM: No objection.

7 THE COURT: GX18 is admitted under seal consistent  
8 with my ruling to protect this witness's anonymity.

9 (Government's Exhibit 18 received in evidence)

10 Ms. Pomerantz, do you wish to publish to the jury?

11 MS. POMERANTZ: Yes, your Honor, if we can now publish  
12 to the jury, please.

13 THE COURT: Members of the jury, you may open your  
14 binder and look at GX18, please.

15 BY MS. POMERANTZ:

16 Q. Kate, how far did you go in school?

17 THE COURT: I'll ask the members of the jury to put  
18 their binders away, please.

19 MS. POMERANTZ: Thank you, your Honor.

20 Q. Kate, how far did you go in school?

21 A. I finished some high school.

22 Q. What kind of work do you do now?

23 A. I work with mainly women who suffer with trauma and  
24 substance use disorder.

25 Q. What kind of work did you do before that?

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Kate - direct

- 1 A. I was a working musician, singer, and songwriter.
- 2 Q. When you were approximately 17 years old, where were you  
3 living?
- 4 A. I was living in England, London.
- 5 Q. What neighborhood in London did you live?
- 6 A. Belgravia.
- 7 Q. Who did you live with at the time?
- 8 A. My mother.
- 9 Q. What was your life like at home with your mother at that  
10 time?
- 11 A. Well, my mother was having a difficult time and she had  
12 been quite ill. So it was a bit stressful and I was alone  
13 quite a lot.
- 14 Q. Did there come a time when you met Ghislaine Maxwell?
- 15 A. Yes.
- 16 Q. How did you meet Maxwell?
- 17 A. I had been dating a man and we took a trip to Paris, and he  
18 introduced me to Ghislaine Maxwell in Paris.
- 19 Q. Approximately how old were you at the time you met Maxwell  
20 in Paris?
- 21 A. Approximately 17.
- 22 Q. And approximately what year were you 17 years old?
- 23 A. God, I can't do the math. So that was '94.
- 24 Q. Is that 1994?
- 25 A. Yes.

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Kate - direct

1 Q. And you mentioned that you met her through a friend. About  
2 how old was the friend?

3 A. He was about 35.

4 Q. And what was the nature of your relationship with the  
5 friend?

6 A. We were dating.

7 Q. Did you speak with Maxwell the night you met her?

8 A. Yes.

9 Q. What, if anything, did you and Maxwell speak about?

10 A. We spoke about -- we spoke about the evening and where we  
11 were, you know, we were headed to -- out for the evening. And  
12 we spoke about where I lived, we spoke about the man that I was  
13 dating. She was asking me things about myself.

14 Q. What did Maxwell look like when you met her?

15 A. She was very sophisticated and very elegant. And she had  
16 short -- quite short dark brown hair. She just -- she was very  
17 impressive.

18 Q. About how old did she seem?

19 A. In her 30s.

20 MS. POMERANTZ: Ms. Drescher, can we please pull up  
21 what's in evidence as Government Exhibit 115.

22 Q. Do you recognize the person in this photograph?

23 A. Yes.

24 Q. Who is it?

25 A. It's Ghislaine Maxwell.

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Kate - direct

1 MS. POMERANTZ: We can take that down, Ms. Drescher.

2 Your Honor, at this time, I'd like to ask the witness  
3 to look at what's been marked for identification as Government  
4 Exhibit 109 in her binder.

5 THE COURT: Okay. The witness may look at GX109,  
6 please.

7 Q. Kate, are you at Government Exhibit 109?

8 A. Yes.

9 Q. Do you recognize this?

10 A. Yes.

11 Q. What is it?

12 A. It's a picture of me.

13 Q. Is this a fair and accurate depiction of your physical  
14 appearance around the time you met Maxwell?

15 A. Yes.

16 MS. POMERANTZ: Your Honor, the government offers  
17 Government Exhibit 109 under seal.

18 MS. STERNHEIM: No objection.

19 THE COURT: Thank you. GX109 is admitted under seal  
20 consistent with my ruling regarding pseudonyms.

21 (Government's Exhibit 109 received in evidence)

22 MS. POMERANTZ: I request the jurors be permitted to  
23 open their binders and turn to Government Exhibit 109, your  
24 Honor.

25 THE COURT: Jurors, you may look at your binders

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Kate - direct

1 please and look at GX109.

2 BY MS. POMERANTZ:

3 Q. About how old were you at the time this photograph was  
4 taken?

5 A. About 17.

6 Q. And where was this photograph taken?

7 A. It was in the backyard of our home where I lived with my  
8 mother.

9 MS. POMERANTZ: Your Honor, I believe that the jurors  
10 can put the binder down now.

11 THE COURT: Jurors, you may return your binders to the  
12 floor, please. Thank you.

13 Q. When you and Maxwell were in Paris, did you and Maxwell  
14 stay in touch?

15 A. Yes.

16 Q. How did you stay in touch?

17 A. Well, I gave her my phone number on a piece of paper and  
18 she called me.

19 Q. Where did you give her your phone number?

20 A. In Paris.

21 Q. When was the next time you saw Maxwell?

22 A. A few weeks later.

23 Q. How did that meeting come about?

24 A. She called me and invited me to go to tea at her house.

25 Q. Did you go to Maxwell's house for tea?

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Kate - direct

1 A. Yes.

2 Q. Why did you go to Maxwell's house for tea?

3 A. Well, I was quite excited to be friends with her and she  
4 was friends with the man that I had been dating and she seemed  
5 very exciting and she seemed to be everything that I wanted to  
6 be. And she seemed to -- she seemed to like me, so I was  
7 excited to go.

8 Q. Can you please describe for the jury Maxwell's house.

9 A. Yes. Her house was like a townhouse with a white front and  
10 a red door.

11 You want me to describe the inside?

12 Q. Why don't we pause there.

13 MS. POMERANTZ: Ms. Drescher, would you pull up for  
14 just the witness, the parties, and the Court what has been  
15 marked for identification as Government Exhibit 702.

16 Q. Kate, do you recognize this?

17 A. Yes.

18 Q. What is it?

19 A. It's Ghislaine Maxwell's house.

20 Q. Is this a fair and accurate depiction of the outside of  
21 Maxwell's house?

22 A. Yes.

23 MS. POMERANTZ: Your Honor, the government offers  
24 Government Exhibit 702.

25 MS. STERNHEIM: No objection.

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Kate - direct

1 THE COURT: Thank you. GX702 is admitted. You may  
2 publish.

3 (Government's Exhibit 702 received in evidence)

4 MS. POMERANTZ: Thank you, your Honor.

5 Q. Kate, in what neighborhood was this townhouse?

6 A. In the same neighborhood I lived in, in Belgravia.

7 MS. POMERANTZ: Ms. Drescher, we can pull that down.  
8 Thank you.

9 Q. What, if any, photographs did you see inside Maxwell's  
10 house?

11 A. There were -- there were lots of photographs and many of  
12 them were of Ghislaine Maxwell with an older man with slightly  
13 peppered hair, graying hair. And in lots of the photographs,  
14 he was looking at the camera and she was looking at him.

15 Q. Did there come a time when you learned who the man in the  
16 photographs was?

17 A. Yes.

18 Q. And who was the man in the photographs?

19 A. Jeffrey Epstein.

20 Q. Can you describe the rest of the townhouse for the jury,  
21 please.

22 A. Yes. When I walked in, it was carpeted in pale carpet. It  
23 was very nicely decorated, the constable and nice beautiful  
24 chairs. There was a lot of silver-framed pictures that were  
25 out. And in that visit, I was just in the living room, which

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Kate - direct

1 is the first room which I was in, and there was a staircase  
2 going up.

3 Q. So focusing on the first time that you went to Maxwell's  
4 townhouse, can you describe for the jury what happened when you  
5 went to her townhouse.

6 A. Yes. I had a really lovely time and I felt really special.  
7 And I felt -- I felt that I had found a new connection that  
8 could be really meaningful to me. I had just moved back from  
9 France to England and left the school that I was -- that I was  
10 at and all my friends. And I was really happy that we had  
11 connected and that she seemed as excited as I was to have a new  
12 friend. And it was just -- I left that feeling exhilarated,  
13 like somebody wanted me, like somebody wanted to be my friend.

14 Q. What, if any, conversations do you remember having with  
15 Maxwell about your family?

16 A. I told her that things were quite difficult at my house and  
17 that I lived alone with my mother and that she had been unwell  
18 and struggling and that she would get very bad migraines, and I  
19 would often try and take care of her and give her massages and  
20 bring her cups of tea.

21 Q. What, if any, conversations do you recall having with  
22 Maxwell about what you wanted to do with your life?

23 A. Well, I had been offered a place at Oxford University to  
24 study law, and she shared that she had been to that university.  
25 And that I shared with her that I also was really interested in

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Kate - direct

1 music and I loved music and I was interested in pursuing that,  
2 but I was worried to tell my parents because they really wanted  
3 me to go to law school, as most parents would. And I was quite  
4 athletic, although I was very thin, and I told her that I was  
5 interested in martial arts, as well.

6 Q. What, if any, conversations do you remember having with  
7 Maxwell during tea about her personal life and relationships?

8 A. She told me lots of amazing things about her boyfriend and  
9 she said that he was a philanthropist and that he liked to help  
10 young people, and that, at some point, it would be really  
11 wonderful for me to get to meet him and that we shared so many  
12 things in common and that -- yeah, just that it would be great  
13 for me to get to meet him at some point.

14 Q. What, if anything, did Maxwell say about how Epstein would  
15 respond to you?

16 A. Oh, she said that he was going to love me and that I was  
17 exactly the kind of person he would like to help. She seemed  
18 very genuinely excited about it, and I was excited, too.

19 Q. What was your reaction to the attention that Maxwell was  
20 paying you?

21 A. I mean, I was 17 and I liked to have attention. And I  
22 was -- I was lonely and I had not found a group of friends yet.  
23 So I was really glad to have found somebody who was also older  
24 than me who I felt could maybe guide me as she seemed to have a  
25 lot of connections and opportunities to guide me and be very

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Kate - direct

1 willing to do so.

2 Q. Did there come a time when you met Epstein?

3 A. Yes.

4 Q. About how long after you had tea at Maxwell's townhouse did  
5 you meet Jeffrey Epstein?

6 A. A few weeks later.

7 Q. Where did you meet Epstein?

8 A. At Ghislaine Maxwell's house.

9 Q. When you first met Epstein, approximately how old was he?

10 A. He seemed to be in his 40s.

11 Q. How did you come to meet Epstein at Maxwell's townhouse?

12 A. Ghislaine called me and she was -- called me to tell me  
13 that he was in town and she would really love if I could come  
14 over to meet him and that it was -- there was a sense of  
15 urgency, that it was like very important that I take this  
16 opportunity.

17 Q. What was Maxwell's demeanor like during that conversation  
18 on the phone?

19 A. I would say she was very activated, very excited, and there  
20 was a sense of urgency.

21 Q. Now focusing on the time when you met Epstein at Maxwell's  
22 house, who was at the house when you arrived?

23 A. Ghislaine Maxwell and Jeffrey Epstein.

24 Q. When you arrived, what was Jeffrey Epstein wearing?

25 A. He was wearing sweatpants and a hoodie.

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Kate - direct

1 Q. And what was Epstein doing when you arrived?

2 A. He was sitting in a chair and he was on the phone talking  
3 quite loudly.

4 Q. Did Epstein stay on the phone the entire time you were at  
5 Maxwell's townhouse?

6 A. No.

7 Q. Did there come a time when Epstein got off the phone?

8 A. Yes.

9 Q. What, if anything, did Maxwell say to Epstein about you  
10 during that visit?

11 A. She said this is the girl that I told you about and she  
12 listed some of my accolades and said, you know, about me going  
13 to -- possibly going to Oxford, but that I was also a really  
14 talented singer, that I was really athletic, and that I was  
15 strangely strong for my size.

16 Q. You mentioned your size. What was your size at the time?

17 A. I was about 95 pounds.

18 Q. What happened next?

19 A. Next, after she said that I was very strong, she said why  
20 don't you give his feet a little squeeze to show him how strong  
21 you are.

22 Q. Did you give his feet a little squeeze?

23 A. Yes.

24 Q. When you say that you gave his feet a little squeeze, what  
25 does that mean?

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Kate - direct

- 1 A. I massaged them.
- 2 Q. And what happened next?
- 3 A. And then he seemed to be very approving and he said, oh,  
4 you can go ahead and do my shoulders.
- 5 Q. Did you massage Epstein's shoulder?
- 6 A. Yes.
- 7 Q. What happened next?
- 8 A. He said that I was very strong and he said that he likes  
9 that I was very -- seemed to be -- know what I wanted. And  
10 they talked about something that I couldn't quite hear what  
11 they were saying about like a music producer. And then his  
12 phone rang again.
- 13 Q. After his phone rang, did you stay at Maxwell's house?
- 14 A. No.
- 15 Q. How did you end up leaving?
- 16 A. He didn't say anything. He just answered the phone and  
17 started talking on the phone and then Ghislaine sort of ushered  
18 me out.
- 19 Q. And did you leave Maxwell's house?
- 20 A. Yes.
- 21 Q. After you left Maxwell's house, did you hear from her  
22 again?
- 23 A. Yes.
- 24 Q. Approximately how long after you met Epstein at Maxwell's  
25 house did you hear from Maxwell?

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Kate - direct

- 1 A. Few weeks, couple of weeks.
- 2 Q. How did you communicate with Maxwell?
- 3 A. She called me.
- 4 Q. What, if anything, did Maxwell say when she called you?
- 5 A. She said that the -- Jeffrey was going to get a massage,
- 6 but the massage therapist had canceled and could I please do
- 7 her a favor and help her by coming over because I had such
- 8 strong hands.
- 9 Q. Were you a massage therapist at the time?
- 10 A. No.
- 11 Q. Have you ever been a massage therapist?
- 12 A. No.
- 13 Q. Did you go to Maxwell's house?
- 14 A. Yes.
- 15 Q. Who was at Maxwell's house when you arrived?
- 16 A. Ghislaine and Jeffrey.
- 17 Q. What, if anything, did Maxwell say when you arrived at her
- 18 house?
- 19 A. She said thank you so much for coming and I'm really
- 20 excited that you're here.
- 21 Q. Did she comment about how often Epstein needed massages?
- 22 MS. STERNHEIM: Objection to leading.
- 23 THE COURT: Sustained.
- 24 Q. What, if anything, did Maxwell say about Epstein and his
- 25 need for massages?

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Kate - direct

1 MS. STERNHEIM: Objection. Leading.

2 THE COURT: I'll allow it. You may answer.

3 A. Could you repeat the question, please.

4 Q. What, if anything, did Maxwell say about Epstein's need for  
5 massages?

6 A. She said that he needed massages all the time and it was  
7 very difficult to keep up.

8 Q. Where did you and Maxwell go after that conversation?

9 A. She led me up the stairs and opened the door to a room that  
10 had a massage table in it.

11 (Continued on next page)

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Kate - direct

1 BY MS. POMERANTZ:

2 Q. Can you describe the room for the jury.

3 A. Yes. It was dimly lit. It was a small room. There was a  
4 massage table, some towels, and Jeffrey was in the room.

5 Q. What was Epstein wearing?

6 A. He was wearing a robe.

7 Q. What, if anything, did he do with the robe?

8 A. He took off the robe.

9 Q. What, if anything, was Epstein wearing under the robe?

10 A. He was naked.

11 Q. Where was he when he removed the robe?

12 A. Standing facing the door.

13 Q. Where was Maxwell when Epstein removed the robe?

14 A. In the doorway facing him.

15 Q. What, if anything, did Maxwell give you?

16 A. She gave me some massage oil.

17 Q. Did you enter the room?

18 A. Yes.

19 Q. Did someone close the door?

20 A. Yes.

21 Q. Who closed the door?

22 A. Ghislaine Maxwell closed the door.

23 Q. After the door was closed, did you give Epstein a massage?

24 A. Yes.

25 Q. Without telling the jury the details, during the massage,

LC6VMAX2

Kate - direct

- 1 did Epstein initiate sexual contact with you?
- 2 A. Yes.
- 3 Q. Did Epstein engage in a sex act with you during the  
4 massage?
- 5 A. Yes.
- 6 Q. I'd like to move forward to the end of the massage. After  
7 it ended, where did you go?
- 8 A. I left the room and started walking down the stairs.
- 9 Q. And who, if anyone, did you see?
- 10 A. I saw Ghislaine Maxwell.
- 11 Q. What, if anything, did Maxwell say?
- 12 A. She said -- she said, How did it go? Did you have fun?  
13 Was it good?
- 14 Q. Can you describe Maxwell's tone when she made those  
15 statements.
- 16 A. She seemed very excited and happy. She thanked me again.
- 17 Q. Did you leave Maxwell's house?
- 18 A. Yes.
- 19 Q. Did there come a time when you saw Epstein again in London?
- 20 A. Yes.
- 21 Q. About how long after the massage you just testified about  
22 did you see Epstein again?
- 23 A. A few days later.
- 24 Q. Where did you see Epstein again?
- 25 A. In Ghislaine Maxwell's house.

LC6VMAX2

Kate - direct

- 1 Q. Who invited you to her house?
- 2 A. Ghislaine.
- 3 Q. How did she invite you to her house?
- 4 A. She called me.
- 5 Q. When you arrived, what, if anything, did Maxwell say?
- 6 A. She said, I'm so glad you're here. You did such a good job
- 7 last time. He wanted you to come back.
- 8 Q. Where did you and Maxwell go?
- 9 A. We went upstairs to the same room.
- 10 Q. And when you went upstairs, was the door to the room open
- 11 or closed?
- 12 A. Closed.
- 13 Q. Who opened the door?
- 14 A. Ghislaine.
- 15 Q. Who, if anyone, did you see when Maxwell opened the door to
- 16 the room?
- 17 A. Jeffrey.
- 18 Q. What was Epstein wearing?
- 19 A. He was naked.
- 20 Q. Where was Epstein standing?
- 21 A. Next to the massage table facing the door.
- 22 Q. Where was Maxwell when you saw Epstein naked?
- 23 A. In the doorway facing him.
- 24 Q. What, if anything, did Maxwell say?
- 25 A. She said, Have a good time.

LC6VMAX2

Kate - direct

- 1 Q. Did Maxwell leave the room?
- 2 A. Yes.
- 3 Q. Was the door closed?
- 4 A. Yes.
- 5 Q. Who closed the door?
- 6 A. Ghislaine Maxwell.
- 7 Q. Did you give Epstein a massage in the room?
- 8 A. Yes.
- 9 Q. And without telling the jury the details, during the  
10 massage, did Epstein initiate sexual contact with you?
- 11 A. Yes.
- 12 Q. Did Epstein engage in a sex act with you during the  
13 massage?
- 14 A. Yes.
- 15 Q. I want to move forward to the end of the massage.  
16 After it ended, where did you go?
- 17 A. I went downstairs again.
- 18 Q. And who, if anyone, did you see?
- 19 A. I saw Ghislaine Maxwell.
- 20 Q. What, if anything, did Maxwell say to you after the  
21 massage?
- 22 A. She said, Did you have fun? You're such a good girl. And  
23 I'm so happy you were able to come. This is really great. And  
24 he obviously likes you a lot.
- 25 Q. Can you describe Maxwell's tone when she made those

LC6VMAX2

Kate - direct

- 1 statements.
- 2 A. She sounded really pleased. And I was really pleased that  
3 she was pleased.
- 4 Q. Did you leave Maxwell's house?
- 5 A. Yes.
- 6 Q. Other than the three times that you saw Epstein at  
7 Maxwell's townhouse in London, did you see anyone else at her  
8 house?
- 9 A. Can you repeat it?
- 10 Q. Other than the three times you saw Epstein at Maxwell's  
11 townhouse in London, did you see anyone else at her house?
- 12 A. Yes.
- 13 Q. Who did you see?
- 14 A. I saw a girl.
- 15 Q. What did the girl look like?
- 16 A. She was blond and slim and around my age.
- 17 Q. Approximately how old were you when you saw the girl?
- 18 A. Seventeen.
- 19 Q. And what did you see the girl doing at Maxwell's townhouse?
- 20 A. She was having tea with Ghislaine and telling -- telling  
21 Ghislaine about the things that she was interested in.
- 22 Q. What, if anything, did Maxwell say to you about what she  
23 thought Epstein would think of the girl?
- 24 A. Can you repeat it please.
- 25 Q. What, if anything, did Maxwell say to you about what she

LC6VMAX2

Kate - direct

1 thought Epstein would think of the girl?

2 A. She said, I think she would be a good fit for him.

3 Q. After Epstein engaged in sex acts with you during massages  
4 in Maxwell's house in London, did you ever see Epstein and  
5 Maxwell again?

6 A. Yes.

7 Q. Over the next few years, how frequently did you see them?

8 A. I saw them -- do you mean how many individual occasions or  
9 how many -- can you be specific?

10 Q. Sure. Over the next few years, about how many times a year  
11 did you see them?

12 A. How many times per year? It was sporadic. The first  
13 couple of years, more; probably five times the first couple of  
14 years.

15 Q. And on the times that you would see them, would you see  
16 them just one time or would you see them multiple times?

17 A. Multiple times.

18 Q. Do you remember the exact details and dates of every single  
19 time you saw Epstein and Maxwell?

20 A. No.

21 Q. Do some details and events stand out more in your mind than  
22 others?

23 A. Yes.

24 Q. I want to talk to you about the time period from when you  
25 were 17 years old to your early twenties.

LC6VMAX2

Kate - direct

1           Were you in contact with Maxwell during that time  
2 period?

3 A. Yes.

4 Q. How did you typically communicate with Maxwell during that  
5 period?

6 A. By phone.

7 Q. When you spoke with Maxwell on the phone, what topics did  
8 Maxwell talk to you about?

9 A. She asked me what I was up to, if things were going well,  
10 if I was dating anybody, if I wanted to visit, and if anything  
11 exciting was happening.

12 Q. When you spoke with Maxwell on the phone, what, if  
13 anything, did Maxwell ask you to do for Epstein?

14 A. She asked me to come and visit them.

15 Q. What, if any, sexual topics did Maxwell bring up on the  
16 phone?

17 A. She didn't bring up sexual topics on the phone.

18 Q. When you saw Maxwell in person, did there come a time when  
19 she brought sexual topics up with you?

20 A. Yes.

21 Q. What, if any, sexual topics did Maxwell bring up?

22 A. She would talk a lot about the nature of -- she would say  
23 boys, and boys and their willies, which was a euphemism for  
24 penis. How demanding Jeffrey was. And she would ask me if I  
25 knew anybody who could come and give Jeffrey a blow job because

LC6VMAX2

Kate - direct

1 it was -- it was a lot for her to do.

2 Q. What, if anything, did Maxwell tell you about the girls for  
3 Epstein?

4 MS. STERNHEIM: Objection. Leading.

5 THE COURT: Just a moment.

6 I'll allow it. You may answer.

7 THE WITNESS: Thank you.

8 A. She said, You know what he likes, cute, young, pretty, like  
9 you.

10 Q. About how long after you met Maxwell do you remember having  
11 conversations about those topics?

12 A. Within a few weeks.

13 Q. Approximately how many times did that -- did those sexual  
14 topics come up?

15 A. All the time.

16 Q. Did you tell Maxwell about any other girls for Epstein?

17 A. No.

18 Q. Did you connect Maxwell with any girls for Epstein?

19 A. No.

20 Q. What, if anything, did Maxwell say about how often Epstein  
21 needed to have sex?

22 A. She said that he needed to have sex about three times a  
23 day.

24 Q. Approximately when did she make those statements?

25 A. In the first couple of months.

LC6VMAX2

Kate - direct

1 Q. What was Maxwell's demeanor like when she would talk to you  
2 about sexual topics?

3 A. Her demeanor was very -- I would say that it was almost  
4 like a schoolgirl. And I almost felt like she was younger --  
5 like, talking like she was younger than me, like -- which was  
6 odd. And everything was fun and everything was silly and  
7 everything was just very exciting. And just everything seemed  
8 to be like a fun, silly joke.

9 Q. Within the first few months of meeting Maxwell, what, if  
10 anything, did Maxwell ask you about your sex life?

11 A. She asked me if I liked sex. She asked me, you know, if I  
12 was dating somebody or --

13 Q. You testified earlier that when you went to tea at  
14 Maxwell's house in London, you told her about your family. Did  
15 you continue to tell Maxwell about your family?

16 A. Yes.

17 Q. What, if anything, did you tell her about your family?

18 A. I just continued to tell her that, you know, my mother was  
19 struggling, and that it was difficult; and that I was -- I was  
20 alone a lot.

21 Q. When you first met Maxwell and Epstein, what was your  
22 understanding of their relationship?

23 A. I understood that Jeffrey was her boyfriend.

24 Q. In the first few years you knew Maxwell, what did you  
25 understand to be Maxwell's job?

LC6VMAX2

Kate - direct

1 A. I understood that her job was to take care of Jeffrey's  
2 needs.

3 Q. What, if any, involvement did Maxwell have in managing  
4 properties?

5 A. She seemed to be pretty involved in managing properties and  
6 making sure that everything was the way that Jeffrey liked it  
7 to be. And there seemed to be a lot of rules around that.

8 Q. Did Maxwell ever tell you what, if any, properties she  
9 owned?

10 A. Yes.

11 Q. What did she tell you?

12 A. She told me that she owned her house in London; and that at  
13 a later time she told me that she owned her house in New York  
14 City, and that Jeffrey had got it for her.

15 Q. Did you ever have any conversations with Maxwell about her  
16 social circle?

17 A. Yes.

18 Q. What do you recall her telling you about her social circle?

19 A. Well, she seemed to know everybody. And she told me that  
20 she was friends with Prince Andrew, friends with Donald Trump,  
21 friends with lots of famous people. And sometimes their names  
22 would just come up in conversations or she might be talking on  
23 the phone about them with me present.

24 Q. I want to switch gears just for a moment.

25 You mentioned Oxford earlier. Did you end up going to

LC6VMAX2

Kate - direct

1 Oxford?

2 A. No.

3 Q. During your late teens and early twenties, what did you do  
4 for a living?

5 A. In my late teens and early twenties I -- I became a  
6 musician and a model.

7 Q. You testified earlier that Epstein initiated sexual  
8 activity with you when you were 17 years old. Approximately  
9 when did he stop initiating sexual activity with you?

10 A. Approximately in my early thirties.

11 Q. When you spent time with Epstein in that time period, about  
12 how often did he initiate sexual activity with you?

13 A. Sorry. Can you repeat that?

14 Q. When you spent time with Epstein, how often did he initiate  
15 sexual activity with you?

16 A. Every time.

17 Q. When Epstein initiated sexual activity with you, was that  
18 always in the context of massage?

19 A. No.

20 Q. When you spent time with Epstein, did you provide him with  
21 sexualized massages?

22 A. Yes.

23 Q. In what locations did these sexualized massages with  
24 Epstein take place?

25 A. In London, in Palm Beach, and on his island.

LC6VMAX2

Kate - direct

1 Q. We'll talk about those places in a bit.

2           Apart from the first massage in London where you  
3 rubbed Epstein's feet and shoulders, were there ever any  
4 massages you provided Epstein in which nothing sexual happened?

5 A. No.

6 Q. Was anyone in the room with you and Epstein while you were  
7 giving him the massages?

8 A. No.

9 Q. You mentioned that after the first two massages you gave  
10 Epstein when you were 17, you saw Maxwell right after. Did  
11 anything like that happen with any other sexualized massages  
12 you gave Epstein?

13 A. Yes.

14 Q. What do you remember about those interactions?

15 A. Mostly she would ask me if -- if it went well, if I had  
16 fun.

17 Q. What, if any, gifts did you receive from Maxwell?

18 A. I received a small black Prada handbag.

19 Q. Where did you receive that gift?

20 A. In London.

21 Q. And how did you know that was a gift from Maxwell?

22 A. There was a note that said "from Ghislaine and Jeffrey."

23 Q. And what was that a gift for?

24 A. For my birthday.

25 Q. What birthday?

LC6VMAX2

Kate - direct

- 1 A. I believe my 18th.
- 2 Q. Did you receive this gift before or after the two times  
3 Epstein engaged in sex acts with you during massages at  
4 Maxwell's house?
- 5 A. After.
- 6 Q. What, if any, conversations do you remember having with  
7 Maxwell about travel?
- 8 A. I remember that she was always very accommodating and told  
9 me that whenever I wanted to come and visit, that she would  
10 take care of everything; that they would take care of  
11 everything.
- 12 Q. Did those conversations about travel happen before or after  
13 she gave you the handbag?
- 14 A. Before.
- 15 Q. Did there come a time when you traveled to meet Epstein and  
16 Maxwell?
- 17 A. Yes.
- 18 Q. Approximately how many times did you travel to meet them?
- 19 A. To meet both of them?
- 20 Q. Yes.
- 21 A. Four or five times.
- 22 Q. Do you remember approximately how old you were when you  
23 first traveled to meet Maxwell and Epstein?
- 24 A. Approximately 18.
- 25 Q. And do you remember approximately how old you were when you

LC6VMAX2

Kate - direct

1 last traveled to meet both Maxwell and Epstein?

2 A. Approximately 24.

3 Q. During that time period, where did you travel to meet  
4 Maxwell and Epstein?

5 A. I traveled to Palm Beach, to New York, and to the island.

6 Q. When you traveled to meet Maxwell and Epstein, how did you  
7 travel?

8 A. I traveled on commercial planes.

9 Q. Who booked your travel?

10 A. I'm not always sure who booked it, but usually Ghislaine  
11 informed me about it. Sometimes one of the assistants would  
12 book it, maybe Lesley Groff.

13 Q. Generally speaking, where did you stay when you visited  
14 Epstein and Maxwell?

15 A. I generally stayed with them.

16 Q. And when you say you stayed with them, where did you stay?

17 A. At their house.

18 Q. Who owned the properties?

19 A. Jeffrey, I think.

20 Q. How did Maxwell talk about the properties that Epstein  
21 owned?

22 A. She talked -- she talked about them as -- as their homes.

23 Q. Who worked at Epstein's homes?

24 A. I would see staff sometimes, but I didn't know their names  
25 and I didn't have much interaction with them.

LC6VMAX2

Kate - direct

1 Q. What, if anything, did you observe about Maxwell and her  
2 interactions with the staff?

3 A. I noticed that she was the one who mainly communicated with  
4 the staff. She seemed to be telling them -- giving them a lot  
5 of direction around doing things the way that Jeffrey wanted  
6 them done, detailed instructions around food and -- and just  
7 quite aggressive communication with them.

8 Q. You testified earlier about travel to Palm Beach. I want  
9 to talk about that for a minute.

10 Who did you travel to see in Palm Beach?

11 A. Ghislaine and Jeffrey.

12 Q. How many times did you visit Maxwell and Epstein in Palm  
13 Beach?

14 A. One time.

15 Q. Do you remember exactly when you went to Palm Beach?

16 A. No.

17 Q. Approximately how old were you when you went to Palm Beach?

18 A. Approximately 18.

19 Q. Is it possible that you were older when you went to Palm  
20 Beach?

21 A. Possible.

22 Q. Where did you stay when you visited Epstein and Maxwell in  
23 Palm Beach?

24 A. I stayed in the house with them.

25 Q. Can you describe for the jury the Palm Beach house.

LC6VMAX2

Kate - direct

1 A. Yes. The house had a beautiful swimming pool. And there  
2 were doors that opened up from the house onto the swimming  
3 pool. And Jeffrey had a desk that would face out onto outside  
4 so he could see out. And there was a kitchen downstairs, a  
5 small dining area, and there were bedrooms upstairs.

6 Q. What, if any, photographs did you see in Epstein's house in  
7 Palm Beach?

8 A. There were lots of photographs of young girls.

9 Q. What do you remember about those photographs?

10 A. I remember that they were shocking.

11 Q. Were the young girls clothed or unclothed in the  
12 photographs?

13 A. Unclothed.

14 Q. Where did you see those photographs in Epstein's house in  
15 Palm Beach?

16 A. They were in almost every room.

17 Q. Did there come a time that you were given clothing to wear  
18 when you were staying at Epstein's Palm Beach house?

19 A. Yes.

20 Q. What were you given to wear?

21 A. I was given a schoolgirl outfit.

22 Q. Can you please describe the schoolgirl outfit for the jury.

23 A. It was a short -- a short pleated skirt, white socks, white  
24 panties, and a shirt.

25 Q. Where did you find the schoolgirl outfit?

LC6VMAX2

Kate - direct

- 1 A. On my bed.
- 2 Q. What did you do after finding the schoolgirl outfit?
- 3 A. I went downstairs to find Ghislaine.
- 4 Q. What, if anything, did Ghislaine say?
- 5 A. I asked her what -- what was happening with the -- there  
6 were clothes in my room. And she said, I thought it would be  
7 fun for you to take Jeffrey his tea in this outfit.
- 8 Q. Did you put on the schoolgirl outfit?
- 9 A. Yes.
- 10 Q. Why did you put on the schoolgirl outfit?
- 11 A. I didn't know -- I didn't know how to say no to that. I  
12 was -- I didn't know anybody in Florida. I'd never been to  
13 Palm Beach or Florida before. I had no idea even where the  
14 house was or how -- and I wasn't sure if I said no, if -- if I  
15 would have to leave or what kind of consequence there might be  
16 for not doing it.
- 17 Q. What did you do after you put on the schoolgirl outfit?
- 18 A. Ghislaine gave me a tray and told me to go and walk to  
19 where Jeffrey was and bring -- bring him the tray.
- 20 Q. Did you go and find Epstein?
- 21 A. Yes.
- 22 Q. Where did you find him?
- 23 A. He was next to the pool house and he was working out.
- 24 Q. Was Epstein alone?
- 25 A. No.

LC6VMAX2

Kate - direct

1 Q. Who was he with?

2 A. He was with -- there was some kind of trainer with him.

3 Q. Did the trainer stay with him?

4 A. No.

5 Q. After the trainer left, without getting into the details,  
6 did Epstein initiate sexual contact with you?

7 A. Yes.

8 Q. Did Epstein engage in a sex act with you?

9 A. Yes.

10 Q. What if later --

11 MS. POMERANTZ: Withdrawn, your Honor.

12 Q. What, if anything, did Maxwell say to you later that day?

13 A. She asked me if I had fun, and told me that I was such a  
14 good girl, and that I was one of his favorites. And that's it.

15 Q. Did Epstein engage in sexual activity with you again during  
16 that trip?

17 A. Yes.

18 Q. One time or multiple times?

19 A. Multiple times.

20 Q. You testified earlier that you went to the island. What is  
21 the island?

22 A. The island was an island that Jeffrey owned.

23 Q. What was the name of the island?

24 A. Well, he called it Little St. Jeff.

25 Q. When you went to the island, who invited you there?

LC6VMAX2

Kate - direct

1 A. Ghislaine.

2 Q. Approximately when did you go to the island?

3 A. When I was approximately 23 or 24.

4 Q. When Maxwell invited you to the island, what, if anything,  
5 did she ask you to do?

6 A. She asked me to massage Jeffrey.

7 Q. Did sexualized massages with Epstein take place on the  
8 island?

9 A. Yes.

10 Q. Do you recall seeing anyone other than Epstein and Maxwell  
11 when you visited the island?

12 A. Yes.

13 Q. Who do you remember seeing?

14 A. I remember seeing a blond, slim girl who seemed far younger  
15 than me, very young.

16 MS. POMERANTZ: Your Honor, may I have just a moment?

17 THE COURT: You may.

18 MS. POMERANTZ: Thank you.

19 (Counsel conferred)

20 Q. Kate, at the beginning, why did you start spending time  
21 with Maxwell and Epstein?

22 A. At the beginning, it was a combination. In the beginning,  
23 I wanted to maintain a relationship with Ghislaine. And I  
24 thought that they were going to be -- I thought she was going  
25 to be my friend.

LC6VMAX2

Kate - direct

1 Q. Did that change over time?

2 A. Yes.

3 Q. Through your twenties and early thirties, did you continue  
4 to communicate with Epstein?

5 A. Yes.

6 Q. Without using any words from the communications, what was  
7 the tone of your communications with Epstein generally?

8 A. My tone was friendly.

9 MS. STERNHEIM: I'm sorry, I couldn't hear.

10 THE COURT: Friendly.

11 THE WITNESS: Friendly.

12 Q. Why did you keep communicating with Epstein through your  
13 twenties and early thirties?

14 A. I was -- I did not want to admit what had happened to me.  
15 And I felt that by ceasing communication, I would have to  
16 acknowledge the events that had taken place and I would have to  
17 say something. I was also fearful of disengaging because I had  
18 witnessed how connected they both were and I was fearful.

19 Q. Did there come a time when you stopped communicating with  
20 Epstein?

21 A. Yes.

22 Q. Approximately when?

23 A. In my early thirties.

24 Q. And approximately when did you stop spending time with  
25 Epstein?

LC6VMAX2

Kate - direct

- 1 A. Also in my thirties.
- 2 Q. Approximately when did you stop spending time with Maxwell?
- 3 A. My late twenties -- sorry, spending time or communicating?
- 4 Q. Spending time.
- 5 A. Oh, around 24.
- 6 Q. I want to switch gears.
- 7           When you were a teenager and in your twenties, were
- 8 you addicted to any substances?
- 9 A. Yes.
- 10 Q. What were you addicted to?
- 11 A. I was addicted to alcohol, cocaine, and sleeping pills.
- 12 Q. How often did you use cocaine, alcohol, and sleeping pills?
- 13 A. Sporadically, but mostly weekly.
- 14 Q. When was the last time you used those substances that you
- 15 just mentioned?
- 16 A. May 1st, 2003.
- 17 Q. Why did you stop using those substances then?
- 18 A. When I first started using substances, they helped me to
- 19 cope with the way that I was feeling. And then the substance
- 20 use got out of control and started to destroy my relationships
- 21 and my health and my peace of mind. And I felt that I was
- 22 going to die if I continued.
- 23 Q. Has your prior drug and alcohol use affected the memories
- 24 you have?
- 25 A. No.

LC6VMAX2

Kate - direct

1 Q. Can you explain?

2 A. The memories I have of significant events in my life have  
3 never changed. My memory -- there are things that I have  
4 missed that happened that sometimes I later recall. The  
5 memories I have are the memories I have.

6 Q. Directing your attention to August 2019, did there come a  
7 time when you were interviewed by the government?

8 A. Yes.

9 Q. Was FBI present for the interview?

10 A. Yes.

11 Q. Before that day, had you ever talked to law enforcement  
12 about your experiences with Maxwell and Epstein?

13 A. No.

14 Q. That same day did you speak publicly about some of the  
15 experiences that you testified about here today?

16 A. Did I speak publicly? Yes.

17 Q. And when you did that, did you talk about all of the  
18 details that you shared with the government?

19 A. No.

20 Q. Why not?

21 A. I have a huge amount of humiliation and shame and -- around  
22 the events that took place. I was not ready to share that in  
23 detail on a public level.

24 Q. If you have spoken publicly before, why did you ask to  
25 testify under a pseudonym here today?

LC6VMAX2

Kate - direct

1 A. I asked to testify under a pseudonym because I have a  
2 child. And I do not wish for her to be associated with or  
3 exposed to any negative connotation that this might bring.

4 Q. You testified earlier that you first spoke with the  
5 government in August 2019. About how many meetings have you  
6 had with the government since that time?

7 A. About ten meetings.

8 Q. What is your immigration status?

9 A. I am in status in this country on an O-1 visa.

10 Q. And what is that?

11 A. It's a visa of extraordinary ability.

12 Q. What does that mean?

13 A. It can be extraordinary ability in many different areas.  
14 Initially, I was a singer/songwriter, but it extends to any  
15 artist.

16 Q. Did there come a time when you asked the government to  
17 sponsor you for a visa?

18 A. Yes.

19 Q. At the time you made the request, approximately how many  
20 meetings had you had with the government?

21 A. Approximately seven.

22 Q. Approximately how long had you been meeting with the  
23 government at the time you raised your immigration status?

24 A. About a year and a half.

25 Q. Has the government made any promises to you about your

LC6VMAX2

Kate - direct

1 immigration visa?

2 A. No.

3 Q. I'm going to switch gears.

4 Have you participated in a compensation fund called  
5 the Epstein's Victims' Compensation Program?

6 A. Yes.

7 Q. What did you do as part of that fund?

8 A. I had an interview with a forensic psychologist and I  
9 submitted a claim form.

10 Q. How much money did the fund pay you?

11 A. \$3.25 million.

12 Q. Did that money come from the Estate of Jeffrey Epstein?

13 A. Yes.

14 Q. Has that money been wired to you already?

15 A. Not that total amount.

16 Q. But a portion of that has been?

17 A. Yes.

18 Q. As part of receiving that money, did you have to sign a  
19 waiver agreeing not to sue any of Epstein's employees?

20 A. Yes.

21 Q. You mentioned that you didn't -- you weren't wired the  
22 total amount. What happened to the rest of it?

23 A. The rest went to my attorneys.

24 Q. Have you ever sued Maxwell?

25 A. No.

LC6VMAX2

Kate - direct

1 Q. Do you plan to sue Maxwell?

2 A. No.

3 Q. Are you hoping or expecting to get any more money for what  
4 happened to you with Epstein and Maxwell?

5 A. No.

6 Q. Based on your understanding, will the jury's verdict in  
7 this case affect the award that you received from the fund?

8 A. No.

9 Q. Just to be clear, do you have any financial stake in the  
10 outcome of this trial?

11 A. I do not.

12 MS. POMERANTZ: Your Honor, may I have just one  
13 moment?

14 THE COURT: You may.

15 (Counsel conferred)

16 MS. POMERANTZ: No further questions, your Honor.

17 THE COURT: All right. Thank you.

18 We'll take our morning break.

19 Members of the jury, we'll break for about 10 to 15  
20 minutes. See you soon. Thank you.

21 (Jury not present)

22 THE COURT: The witness may step down and out for the  
23 break. Thank you.

24 Everyone may be seated.

25 (Witness not present)

LC6VMAX2

Kate - direct

1 THE COURT: Counsel, are there matters to take up?

2 MS. STERNHEIM: Yes.

3 THE COURT: Okay. Just a moment.

4 Ms. Sternheim.

5 MS. STERNHEIM: Judge, in light of this witness's  
6 anonymity status, I think it's appropriate to do it at a  
7 sidebar. If the Court feels otherwise, then we can come into  
8 open court.

9 THE COURT: Okay.

10 (Pages 1211 to 1231 SEALED)

11 (Continued on next page)

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LC6Cmax3

1 (Recess)

2 (Jury not present)

3 THE COURT: Counsel, let me just finish up where I am  
4 before we get going.

5 (At the sidebar)

6 THE COURT: On the sexual harassment claim, I'm not  
7 going to allow it if there were a pattern of repeated  
8 allegations of the same kind, even if you didn't have a proffer  
9 as to falsity, then it would be a closer call, but in the  
10 absence of any proffer as to falsity and in light of the one  
11 instance of sexual harassment, I won't allow it.

12 I think our other open on is the tabloid; correct?  
13 I'm going to allow that because there is a notion of exception  
14 of a friend which goes to the credibility and is impeachment.

15 I think that resolves all of our open issues.

16 MS. POMERANTZ: Your Honor, I wanted to note one thing  
17 that I had the chance to go back and look at some of the 3500  
18 material, and I know that there was planning to ask the witness  
19 about an unsigned declaration involving I think the witness's  
20 exhusband; is that right?

21 MS. STERNHEIM: No, it has nothing to do with her  
22 exhusband. I was going to ask if she asked a friend or former  
23 person in her life if he had -- she had asked him to plant the  
24 drugs on the father of her child.

25 MS. POMERANTZ: So I wanted to flag this because I had

LC6Cmax3

1 a chance to go back and look at the 3500 material and she has  
2 explained that she was a victim of domestic violence by the --  
3 by her daughter's father, and I'm happy to provide the page  
4 number, that she's filed restraining orders against him and  
5 that there were -- there was issues with that. And so, to the  
6 extent that Ms. Sternheim intends to ask that, I do think that  
7 it would permit me to, on redirect, ask questions about the  
8 circumstances around that.

9 THE COURT: I agree. But you'd ask questions around  
10 the circumstances of that, but I'll permit that question.

11 Anything else? All right, thank you.

12 (In open court)

13 THE COURT: Can we have the witness come back, please.

14 MS. STERNHEIM: Judge, may I hand you a binder? I'm  
15 not sure we're going to need to use it, but I do have one for  
16 Kate, as well. May I?

17 THE COURT: Yes. Bring in the jury.

18 (Continued on next page)

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LC6Cmax3

Kate - cross

1 (Jury present)

2 THE COURT: Thank you so much, members of the jury.  
3 Sorry for the slightly -- we took the extended break that  
4 allowed me to work through some things with the lawyers to  
5 facilitate overall the efficiency of the process. So thank you  
6 for your patience.

7 Ms. Sternheim, you may begin your cross examination of  
8 the witness testifying under the name of Kate.

9 Kate, I remind you, you are under oath.

10 Go ahead, Ms. Sternheim.

11 MS. STERNHEIM: Thank you.

12 CROSS-EXAMINATION

13 BY MS. STERNHEIM:

14 Q. Good morning, Kate. I have some questions to ask you.

15 During your direct examination, you had stated that  
16 Ghislaine was everything you wanted to be; correct?

17 A. She appeared to be.

18 Q. Now, you had a very beautiful mother, didn't you?

19 A. Yes.

20 Q. She was a debutante; correct?

21 A. I'm not sure.

22 Q. She was married to a wealthy -- well, your stepfather is a  
23 wealthy man; correct?

24 A. He was.

25 Q. He had his own plane; correct?

LC6Cmax3

Kate - cross

1 A. Yes.

2 Q. Your mother and your stepfather, and in turn, you and your  
3 brother lived a comfortable life at some point, didn't you?

4 A. Yes.

5 Q. You lived in the Belgravia section of London. That's a  
6 very tony area of London, isn't it?

7 A. Yes.

8 Q. And you lived quite close to Kinnerton Street, which is  
9 where Ghislaine lived; correct?

10 A. Yes.

11 Q. In fact, Ghislaine lived on the street that also is the  
12 street of the Nags Head Pub; correct?

13 A. Yes.

14 Q. And that pub is a rather famous pub in London, isn't it?

15 A. I don't know.

16 Q. But it was right across the street, nonetheless, from  
17 Ghislaine's home at 44 Kinnerton, wasn't it?

18 A. Yes.

19 Q. Now, going back to your mother for a moment, you would  
20 watch and see the attention that your mother got because of her  
21 beauty, didn't you?

22 A. I thought she was beautiful.

23 Q. And didn't you say that you wanted to garner that same kind  
24 of attention because you liked the way people looked at her?

25 MS. POMERANTZ: Objection, your Honor.

LC6Cmax3

Kate - cross

1 THE COURT: Overruled. You may answer.

2 A. To clarify, didn't I say when?

3 Q. Well, you've spoken to a number of tabloids and magazines  
4 throughout the year, haven't you?

5 A. Yes.

6 Q. You have been featured in a number of magazines and news  
7 articles, haven't you?

8 A. Yes.

9 Q. You have spoken about your life on a number of occasions,  
10 haven't you?

11 A. Yes.

12 Q. And your picture has been in a number of magazines, as  
13 well; correct?

14 A. Yes.

15 Q. During the period of time that you testified meeting  
16 Ghislaine and Epstein, you were an international model?

17 A. I was a model.

18 Q. You met Ghislaine in Paris when you had traveled there with  
19 the older prominent gentleman with whom you had been dating at  
20 the time; correct?

21 A. Yes.

22 Q. And you learned that that individual was an Oxford  
23 classmate of Ghislaine; correct?

24 A. Yes.

25 Q. Now, through the relationship that you had with that older

LC6Cmax3

Kate - cross

1 gentleman, you met a variety of people in the fashion industry,  
2 didn't you?

3 A. Yes.

4 Q. And through those connections, you met fashion journalists;  
5 correct?

6 A. I'm not sure if it was through those connections or not.

7 Q. Well, didn't you once say that you were in the right place  
8 at the right time and your career in modeling was launched?

9 A. Possibly.

10 Q. And didn't you also say that even without those  
11 connections, you believed that you would have made it anyway in  
12 modeling?

13 A. I'm not sure. I don't recollect that.

14 Q. You have also considered yourself to be fiercely ambitious;  
15 correct?

16 A. At times.

17 Q. In fact, back in around 2004 when you were interviewed, you  
18 said that for as long as you could remember, you were  
19 ambitious. Do you remember that?

20 A. Yes.

21 Q. And you also said that you spent 90 percent of your time  
22 thinking about the next move; correct?

23 A. Yes.

24 Q. But the other 10 percent was that you were thinking about  
25 your dog, wasn't it?

LC6Cmax3

Kate - cross

- 1 A. Could have been.
- 2 Q. And at that time, you had a very large Great Dane; correct?
- 3 A. At which time?
- 4 Q. At the time you made that statement when you said the other  
5 10 percent was thinking about your dog?
- 6 A. I don't remember which dog it was at that time, but it's  
7 possible.
- 8 Q. In around 2004, you did have a Great Dane, didn't you?
- 9 A. I don't remember the date, but I did have a Great Dane,  
10 that I did used to have a Great Dane.
- 11 Q. But there was a period in time in which you became very  
12 well known as a model; correct?
- 13 A. I was not very well known.
- 14 Q. Well, you were on billboards, weren't you?
- 15 A. I was on a billboard once.
- 16 Q. And you were a model for a U.K. version of Victoria's  
17 Secret, weren't you?
- 18 A. No.
- 19 Q. You never were a model for an organization that sold  
20 lingerie?
- 21 A. I was a model for a lingerie company that failed almost as  
22 soon as it began.
- 23 Q. But it was a lingerie company?
- 24 A. Yes.
- 25 Q. And you also were a model for clothing, weren't you?

LC6Cmax3

Kate - cross

- 1 A. Yes.
- 2 Q. And Milinery & Hanbex (ph.); correct?
- 3 A. Possibly. I don't recall.
- 4 Q. But suffice it to say, you had photo shoots in various  
5 parts of Europe. Milan?
- 6 A. Once in Milan.
- 7 Q. Paris?
- 8 A. Yes.
- 9 Q. And London?
- 10 A. Yes.
- 11 Q. Did you also model in the United States?
- 12 A. No.
- 13 Q. There came a time when you did come to the United States,  
14 though; correct?
- 15 A. Yes.
- 16 Q. You moved to the United States at some point in your  
17 career; correct?
- 18 A. Yes.
- 19 Q. And you came here on the visa you described which, in your  
20 situation, was an entertainment or talent visa, wasn't it?
- 21 A. Well, they call it extraordinary ability, so that covers a  
22 lot of fields.
- 23 Q. But your extraordinary ability at that time was to go to  
24 Hollywood, wasn't it?
- 25 A. I don't know if going to Hollywood is an extraordinary

LC6Cmax3

Kate - cross

- 1 ability, but I was a musician.
- 2 Q. Okay. Fair enough. You were a musician; correct?
- 3 A. Yes.
- 4 Q. You were a singer; correct?
- 5 A. Yes.
- 6 Q. In fact, when you were younger, 16 or 17, you were living
- 7 in the South of France; correct?
- 8 A. Yes.
- 9 Q. And you were at a -- I guess a piano bar where you were
- 10 discovered by the musician Seal, weren't you?
- 11 A. No.
- 12 Q. Never?
- 13 A. No.
- 14 Q. You never told that to the press at all?
- 15 A. No.
- 16 Q. You produced your own album or CD; correct?
- 17 A. Yes.
- 18 Q. And you launched it on your own; correct?
- 19 A. In part.
- 20 Q. And fair to say that was the only album or CD you ever
- 21 launched?
- 22 A. Yes.
- 23 Q. You also were an actress, weren't you?
- 24 A. That was not my trade.
- 25 Q. Well, whether it was your trade or not, it is fair to say

LC6Cmax3

Kate - cross

1 that you acted in movies; correct?

2 A. I did not have speaking roles, so I was kind of an extra a  
3 couple of times.

4 Q. And you were in a movie with a very well-known British  
5 actor; correct?

6 A. Yes.

7 Q. And you were in a couple of other movies, as well, over the  
8 years, weren't you?

9 A. I'm not sure which ones you're talking about.

10 Q. Well, I'm going to ask you to look at a list that should be  
11 in your folder --

12 THE COURT: Please direct the government and me before  
13 the witness.

14 MS. STERNHEIM: I will. I just want to get the  
15 number, Judge. I apologize.

16 THE COURT: Thank you.

17 MS. STERNHEIM: I apologize, Judge. I gave my copy.

18 Q. I'm going to ask you what's been marked as defense K7, it  
19 should be tabbed in your binder.

20 THE COURT: Tab 7, counsel?

21 MS. STERNHEIM: K7.

22 A. Okay, K7.

23 THE COURT: My binder does not have K7.

24 THE WITNESS: I don't have K7.

25 MS. STERNHEIM: I apologize about that. Your Honor, I

LC6Cmax3

Kate - cross

1 do have paper copies. May I hand them up?

2 THE COURT: You may.

3 MS. STERNHEIM: I apologize about that.

4 Q. I'm just going to ask you to take a look at that list and  
5 I'm going to ask you to look at number 21.

6 A. Yes.

7 Q. Is that a movie that you were in?

8 A. No.

9 Q. No? Number 3, is that a movie that you were in?

10 A. Yes.

11 Q. And number 29, is that a movie that you were in?

12 A. No, I don't know what that movie is.

13 Q. Are you familiar with the IMBD system?

14 A. IMDB?

15 Q. Yes. I apologize.

16 A. Yes.

17 Q. And if those were listed in your IMDB, would those indicate  
18 that you were involved with those productions?

19 MS. POMERANTZ: Objection, your Honor.

20 THE COURT: Grounds?

21 MS. POMERANTZ: Foundation.

22 THE COURT: Sustained.

23 Q. Do you look at your listings to see whether they are  
24 accurate or not?

25 A. No.

LC6Cmax3

Kate - cross

- 1 Q. You also starred in a reality show, didn't you?
- 2 A. Yes.
- 3 Q. And that reality show had to do with individuals who wanted  
4 to make it in Hollywood; correct?
- 5 A. Yes.
- 6 Q. And what period of time were you involved in that?
- 7 A. I don't recall exactly, but I believe it was probably about  
8 19 years ago.
- 9 Q. 19 years ago?
- 10 A. Probably around then.
- 11 Q. And in light of the visa that you had, you were committed  
12 to work in that industry; correct?
- 13 A. I didn't have a visa at that time. I had not moved to the  
14 United States yet.
- 15 Q. So it was after you did the reality show that you then  
16 moved to the United States?
- 17 A. At some point later.
- 18 Q. And when you moved to the United States, it was at that  
19 time that you were in the music business?
- 20 A. Yes.
- 21 Q. And the purpose of your visa at that time was to permit you  
22 to move to the United States to work in the music industry;  
23 correct?
- 24 A. Yes.
- 25 Q. You no longer are in the music industry; correct?

LC6Cmax3

Kate - cross

- 1 A. I'm actually a music therapist.
- 2 Q. A music therapist?
- 3 A. Yes.
- 4 Q. And are you licensed as a music therapist?
- 5 A. No, I'm not licensed in anything.
- 6 Q. But you hold yourself out to be a music therapist; correct?
- 7 I couldn't hear you, I'm sorry.
- 8 A. Yes.
- 9 Q. At some point, did you begin a foundation?
- 10 A. Yes.
- 11 Q. Without using the name, that was a foundation that was for
- 12 women with substance abuse; correct?
- 13 A. It was actually a foundation for women who have trauma and
- 14 substance use disorder.
- 15 Q. And it is a residential environment for women to live in;
- 16 correct?
- 17 A. It's actually no longer a foundation, it was dissolved, but
- 18 it was a residential facility, yes.
- 19 Q. And you launched that in approximately 2019; correct?
- 20 A. Approximately.
- 21 Q. And there are videos about it, aren't there?
- 22 A. Most likely, yes.
- 23 Q. And you and a partner or another woman with whom you worked
- 24 had produced some videos for that foundation; correct?
- 25 A. Yes.

LC6Cmax3

Kate - cross

1 Q. And it was launched in 2019 and it no longer exists;  
2 correct?

3 A. I think it was in 2019, but I don't know the exact date,  
4 but you are correct, it no longer exists.

5 Q. And after you received your settlement money in connection  
6 with the Epstein victim compensation fund, you no longer were  
7 involved in that foundation; correct?

8 A. I was still -- the foundation shut down first.

9 Q. But it shut down around the time that you began cooperating  
10 with the government; correct?

11 A. It shut down before the -- I had received any kind of  
12 settlement.

13 Q. You received your settlement a year ago this week; correct?

14 A. If you say so. I would say that's probably about accurate.

15 Q. Earlier, the government had asked you about having made a  
16 public statement at some point in 2019 concerning Mr. Epstein.  
17 Do you remember that?

18 A. Sorry. Could you repeat that.

19 Q. On direct examination, you were asked about having made a  
20 public statement in connection with Jeffrey Epstein?

21 A. Yes.

22 Q. And you made a public statement in this very courthouse;  
23 correct?

24 A. Yes.

25 Q. And you made that public statement using your true name;

LC6Cmax3

Kate - cross

1 correct?

2 A. Yes.

3 Q. And you testified earlier that the reason why you're not  
4 using your true name is to protect your child; correct?

5 A. Yes.

6 Q. You had a child at that point, didn't you?

7 A. Yes.

8 Q. And your lawyer also introduced you using your true name at  
9 that public hearing; correct?

10 A. Yes.

11 Q. And you were represented by a lawyer named Brad Edwards;  
12 correct?

13 A. Yes.

14 Q. And Mr. Edwards has represented you in connection with the  
15 claim that you made against the Epstein Victim Compensation  
16 Fund; correct?

17 A. Yes.

18 Q. In fact, Mr. Edwards was instrumental in setting up that  
19 fund, wasn't he?

20 A. I'm not sure.

21 Q. Is he here with you today?

22 A. Yes, he's here.

23 Q. He's in the courtroom; correct?

24 A. Um --

25 Q. And you have consulted with him concerning your appearance

LC6Cmax3

Kate - cross

1 here?

2 MS. POMERANTZ: Objection, your Honor.

3 THE COURT: Sustained.

4 Q. That statement that you made in this courthouse was after  
5 Epstein died; correct?

6 A. Yes.

7 Q. And you and a number of other people accusing Epstein of  
8 abuse were invited by a judge in this courthouse, named Judge  
9 Berman, to speak publicly; correct?

10 A. Yes.

11 Q. And you took that opportunity to speak publicly?

12 A. Yes.

13 Q. And you spoke publicly with regard to Jeffrey Epstein;  
14 correct?

15 A. Yes.

16 Q. You did not speak with regard to Ghislaine Maxwell?

17 A. I did not.

18 Q. And right after that very day that you made that statement  
19 was the first time that you sat down with the government in  
20 connection with things that you were testifying to today;  
21 correct?

22 A. Yes.

23 Q. And right after you sat down with the government, which was  
24 right after you had spoken publicly, you appeared on television  
25 with regard to your allegations; correct?

LC6Cmax3

Kate - cross

1 A. Yes.

2 Q. And you appeared on television with other women who had  
3 been present during that public court appearance; correct?

4 A. Yes.

5 Q. And there were about six of you who were featured on a  
6 television show; correct?

7 A. Yes.

8 Q. Talking about your allegations against Jeffrey Epstein;  
9 correct?

10 A. Yes.

11 Q. And you all appeared as a sisterhood of accusers against  
12 Jeffrey Epstein?

13 A. Sorry, is it a question?

14 Q. Yes.

15 A. Did we appear as a sisterhood?

16 Q. Yes.

17 A. I don't know how it came across to other people.

18 Q. Well, you were somewhat affectionate to one another on the  
19 show, weren't you?

20 A. I suppose so.

21 Q. You were supportive of one another on the show; correct?

22 A. Yeah. I had just met them, so --

23 Q. Well, you had met them for the very first time that day?

24 A. I think it may have been at the court appearance which may  
25 have been the day before.

LC6Cmax3

Kate - cross

1 Q. And you continued maintaining contact with some of them;  
2 correct?

3 A. Yes.

4 Q. You would be on chat groups with them for a period of time?

5 A. I actually was only on the chat group for a very small  
6 amount of time. I left the chat group.

7 Q. But nonetheless, for at least a small period of time, you  
8 were involved in the chat group with other individuals, other  
9 women who claimed they had been abused by Jeffrey Epstein;  
10 correct?

11 A. Yes.

12 Q. And you had also maintained contact with an individual  
13 named Virginia Roberts; correct?

14 A. Yes.

15 Q. And you and Virginia Roberts are represented by the same  
16 attorney, Bradley Edwards?

17 A. I don't -- I don't know who represents Virginia.

18 Q. You never have spoken to her about that at all?

19 MS. POMERANTZ: Objection, your Honor.

20 THE COURT: Grounds?

21 MS. POMERANTZ: Hearsay.

22 THE COURT: Sustained.

23 Q. You're aware that your attorney wrote a book about your  
24 case and the case of others while he has been representing you;  
25 correct?

LC6Cmax3

Kate - cross

- 1 A. Yes.
- 2 Q. And you read that book, didn't you?
- 3 A. I have not read the book.
- 4 Q. But you knew that you were going to be included in that  
5 book; correct?
- 6 A. To my knowledge, those only -- I think there was only one  
7 sentence about me. I don't think there's anything about any  
8 details of anything .
- 9 Q. Did you give permission to your attorney to be referenced  
10 or written about in that book?
- 11 A. Yes.
- 12 Q. So before it was published, you knew that some of your  
13 story was going to be in that book; correct?
- 14 A. I don't believe any of my story is in the book.
- 15 Q. Do you have a private practice where you are a music  
16 therapist?
- 17 A. Sorry. Could you repeat.
- 18 Q. Do you have a private practice in which you are a music  
19 therapist?
- 20 A. I see people on an hourly basis.
- 21 Q. And you do that in California?
- 22 A. I do.
- 23 Q. And are you required to be licensed to hold yourself out as  
24 a music therapist?
- 25 A. No.

LC6Cmax3

Kate - cross

1 Q. Do you collect monies from insurance by your clients?

2 A. No.

3 Q. It is all cash or check?

4 A. Yes.

5 Q. Now, you've testified that there was a period of time, I  
6 think upwards of ten years, that you used drugs; correct?

7 A. Yes.

8 Q. You used cocaine; correct?

9 A. Yes.

10 Q. You used sleeping pills; correct?

11 A. Yes.

12 Q. And you also used alcohol; correct?

13 A. Yes.

14 Q. And it is your testimony that you abused those substances;  
15 correct?

16 A. Yes.

17 Q. To the point where, after approximately ten years of use,  
18 you decided you no longer wanted to engage in that; correct?

19 A. Yes.

20 Q. And you have lived a sober life since then; correct?

21 A. Yes, I have.

22 Q. And that, in part, is what you were promoting with your  
23 foundation, weren't you?

24 A. I would say it's what we're attracting, not what we're  
25 promoting.

LC6Cmax3

Kate - cross

1 Q. I apologize. I don't mean promoting. I mean promoting  
2 sobriety and support for women who had also had addictions?

3 A. I think it's what we offer or what we offered when the  
4 foundation was still going.

5 Q. Understood.

6 A. Yes.

7 Q. Fair to say that using and abusing those substances over a  
8 ten-year period has had an impact on memory; correct?

9 A. It has not had an impact on the memories that I have always  
10 had.

11 Q. The memories that you have always had are your personal  
12 memories; correct?

13 A. Yes.

14 Q. And memories based upon your perception of experiences;  
15 correct?

16 A. Well, they're just based on my experience.

17 Q. But you have testified today about experiences during a  
18 period of time where you were abusing drugs; correct?

19 A. The memories that I testified to were at periods when I was  
20 always sober because I was always required to not take drugs  
21 and not be drunk around Ghislaine and Jeffrey.

22 Q. Because you knew that they did not tolerate drug use;  
23 correct?

24 A. That was what was required.

25 Q. You knew that they did not tolerate drug use; correct?

LC6Cmax3

Kate - cross

1 A. That's just what they asked of me. I didn't know what  
2 their tolerance was outside of that.

3 Q. So during the period of time that you were with them, you  
4 weren't snorting cocaine?

5 A. No.

6 Q. You just were able to go cold turkey during those periods  
7 of time; correct?

8 A. Yes.

9 Q. And afterwards, you went right back to your habit of using  
10 cocaine, using alcohol, using sleeping pills?

11 A. I was a periodic drug abuser.

12 Q. But nonetheless, your periodic drug use had a negative  
13 impact on your life, didn't it?

14 A. Yes.

15 Q. Enough to the point where you wanted to end that type of  
16 behavior so that you could go forward as a sober person?

17 A. Yes.

18 Q. Now you've testified that you met Ghislaine at her home on  
19 Kinnerton Street when you were 17 years old; correct?

20 A. I testified that I thought I was around that age, yes.

21 Q. And I think you said, when asked to do the math, that it  
22 was approximately 1994; correct?

23 A. Yes.

24 Q. And it was during that period of time, 1994 around the age  
25 of 17, that you went to Ghislaine's home with the red door

LC6Cmax3

Kate - cross

- 1 across from Nags Pub on Kinnerton Street; correct?
- 2 A. Yes.
- 3 Q. And that is where you met Epstein; correct?
- 4 A. Yes.
- 5 Q. Now, there came a point where -- well, during this period  
6 of time, were you still involved with that prominent older  
7 gentleman who had introduced you to Ghislaine?
- 8 A. No, we had become friends.
- 9 Q. You've had an on-and-off friendship or dating situation  
10 with him for a period of time?
- 11 A. We were really just friends.
- 12 Q. Friends that took you to Paris; correct?
- 13 A. No, when I was dating him, he took me to Paris.
- 14 Q. He also hosted you at his weekend home; correct?
- 15 A. Yes.
- 16 Q. And you've also dated other men; correct?
- 17 A. Yes, I have dated other men.
- 18 Q. In fact, you even married one of the men that you dated;  
19 correct?
- 20 A. Are you asking me if I've been married?
- 21 Q. Well, I'll start. Have you been married?
- 22 A. Yes.
- 23 Q. Did you marry a prominent restaurateur?
- 24 A. I married a man who owned two restaurants.
- 25 Q. And you were married during the period of time that you say

LC6Cmax3

Kate - cross

1 you were with Ghislaine and Epstein; correct?

2 A. Can you explain, when you say I was with them, what do you  
3 mean?

4 Q. Well, you testified about spending time with them at the  
5 Kinnerton residence in Belgravia; correct?

6 A. Yes.

7 Q. You also testified that there came a point where you also  
8 spent time with them in the United States; correct?

9 A. Yes.

10 Q. When did you get married?

11 A. I got married -- I think I was 23 when I got married.

12 Q. You were 23?

13 A. I think so.

14 Q. You've also told the government at various times that you  
15 were married at 18 or 19?

16 A. I don't recall that.

17 Q. That you were married at 20 or 21?

18 A. I don't recall that.

19 Q. That you were married during the time of the World Trade  
20 Center disaster?

21 A. I do recall that.

22 Q. In fact, there came a time where were you in the United  
23 States and didn't make it back to London while your husband was  
24 waiting for you at the airport; isn't that correct?

25 A. When you say didn't make it, what do you mean?

LC6Cmax3

Kate - cross

1 Q. Didn't you have a situation where you told the government  
2 that you missed your flight?

3 A. I did not get on my flight.

4 Q. You did not get on your flight. You met a man named Kevin  
5 and you went home with him?

6 A. Yes.

7 MS. POMERANTZ: Objection, your Honor.

8 THE COURT: Sustained.

9 Q. Did you meet a man named Kevin?

10 MS. POMERANTZ: Objection.

11 THE COURT: Grounds, Ms. Pomerantz.

12 MS. POMERANTZ: Relevance, your Honor.

13 THE COURT: We'll see. I'll allow it, but if we need  
14 to have a discussion, let me know. I'll allow it.

15 Q. Did there come a time that you were flying back to London  
16 from the United States when you missed your flight?

17 A. Yes.

18 Q. And did there come a time that you were assisted by a man  
19 that you had met after you had missed your flight?

20 A. Yes.

21 Q. And did you have occasion to go to that man's home?

22 A. Yes.

23 Q. And did you have occasion --

24 MS. POMERANTZ: Objection, your Honor.

25 THE COURT: I think we need to have a sidebar.

LC6Cmax3

Kate - cross

1 (At the sidebar)

2 THE COURT: Where are we going, Ms. Sternheim?

3 MS. STERNHEIM: We're going to the fact that this  
4 woman was married at the time, she left her husband to travel  
5 to spend time with Ghislaine and Jeffrey Epstein, and then, at  
6 some point, something happened to her on her way home.

7 THE COURT: What is the relevance?

8 MS. STERNHEIM: It all goes to what her state of mind  
9 was when she is testifying about what happened during this  
10 period of time.

11 THE COURT: State of mind?

12 MS. STERNHEIM: Yes.

13 MS. POMERANTZ: Your Honor, the defense is asking  
14 questions that are very suggestive of something --

15 MS. STERNHEIM: I'm sorry. I didn't hear you.

16 MS. POMERANTZ: The defense is asking questions that  
17 are very suggestive of something, but I have not yet heard a  
18 proffer about that and it seems like where they're going with  
19 this is an issue that should have been raised as a 412 issue.

20 THE COURT: Are you suggesting she had an affair?

21 MS. STERNHEIM: No, she said she was associative as if  
22 she was using drugs. I'll move on.

23 THE COURT: Okay. Move on.

24 (Continued on next page)

25

LC6Cmax3

Kate - cross

1 (In open court)

2 BY MS. STERNHEIM:

3 Q. Kate, did there come a time that you divorced your husband,  
4 the restaurateur?

5 A. He divorced me.

6 Q. And how long were you married at that point?

7 A. I think it was just under a year.

8 Q. And prior to marrying him, had you been engaged to other  
9 people?

10 A. Yes.

11 MS. POMERANTZ: Objection.

12 THE COURT: I'll allow it.

13 Q. Did you ever marry again?

14 A. No.

15 Q. But you dated other people throughout the years; correct?

16 A. Yes.

17 Q. And you also have a child; correct?

18 A. I do.

19 Q. With someone with whom --

20 MS. POMERANTZ: Objection, your Honor.

21 THE COURT: Overruled.

22 MS. POMERANTZ: Your Honor, may we be heard at  
23 sidebar, please.

24 (Continued on next page)

25

1 (At the sidebar)

2 MS. POMERANTZ: The government is concerned about this  
3 line of questioning. She's asking a series of questions about  
4 her romantic history. It seems unduly invasive.

5 THE COURT: Just a moment. We had an earlier sidebar.  
6 I permitted her to ask questions based on the declaration  
7 regarding someone who said she planted drugs on the person that  
8 she's now asking a question about. So, how is the objection  
9 consistent with that ruling?

10 MS. POMERANTZ: I understand that ruling, your  
11 Honor -- my understanding is I frankly didn't know that's where  
12 it was going, but it's also my concern is that it's been a  
13 series of questions that have just been basically a litany of  
14 questions --

15 THE COURT: Counsel, when you have an objection, I  
16 rule on it. A series of questions objections doesn't fly.  
17 Please bear in mind my rulings, that that is why we do it at  
18 the sidebar, that's why the jury had a 45-minute break. I  
19 don't need a sidebar every time a question that I've approved  
20 is asked.

21 (Continued on next page)

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LC6Cmax3

Kate - cross

1 (In open court)

2 BY MS. STERNHEIM:

3 Q. Kate, were you involved in a custody dispute with the  
4 father of your child?

5 A. Yes.

6 Q. And Kate, did you ask a friend to plant drugs on the father  
7 of your child to advance your custody case?

8 A. Absolutely not.

9 Q. And are you familiar with a man named Tim Powers?

10 A. Yes.

11 Q. And as you sit here, you did not ask Mr. Powers to help you  
12 with your custody dispute?

13 A. No.

14 Q. You had been involved in a situation in the late '90s  
15 involving a man who is connected to the Royal Family. Do you  
16 know who I'm talking about?

17 A. Yes.

18 Q. And that was someone who you had a friendship with;  
19 correct?

20 A. An acquaintanceship.

21 Q. But a friendly acquaintanceship, it was someone that you  
22 had spoken to at times; correct?

23 A. A couple of times.

24 Q. And the two of you had an interaction while you were at the  
25 Cannes Film Festival in France; correct?

LC6Cmax3

Kate - cross

- 1 A. Yes.
- 2 Q. And you had been approached by a tabloid to engage that  
3 gentleman in a situation; correct?
- 4 A. Not exactly.
- 5 Q. You were not asked to encourage that man to get you  
6 cocaine?
- 7 A. No.
- 8 Q. You were never approached by a tabloid to have that man  
9 recorded?
- 10 A. I was never approached by a tabloid to have him recorded.
- 11 Q. But, in fact, he was recorded, wasn't he?
- 12 A. Yes.
- 13 Q. And he was recorded in conversation with you when you tried  
14 to get him to get you drugs; correct?
- 15 A. Yes.
- 16 Q. And that became a big tabloid spectacular, wasn't it?
- 17 A. Yes.
- 18 Q. And that was because of his standing in connection to the  
19 Royal Family; correct?
- 20 A. Yes.
- 21 Q. And it was quite embarrassing for him and his family;  
22 correct?
- 23 A. I can't speak to his experience of it.
- 24 Q. You can't even imagine that that would have been  
25 embarrassing for him?

LC6Cmax3

Kate - cross

1 MS. POMERANTZ: Objection.

2 THE COURT: Sustained.

3 Q. Well, you were embroiled in that, as well. Your name got  
4 in the paper about it, didn't it?

5 MS. POMERANTZ: Objection.

6 THE COURT: Sustained.

7 Q. Was that an embarrassing experience for you?

8 A. Yes.

9 Q. And you were paid approximately £40,000 for your  
10 involvement in that, weren't you?

11 A. I wasn't paid anything.

12 Q. You just did it for free?

13 A. Did what?

14 Q. Embroiled that acquaintance in a drug scandal?

15 MS. POMERANTZ: Objection to form.

16 THE COURT: Sustained.

17 Q. Did you have a conversation with him asking him to get you  
18 drugs?

19 A. Yes.

20 Q. Was that conversation recorded?

21 A. I believe so.

22 Q. And was that conversation and the circumstances surrounding  
23 that publicized in a British tabloid?

24 A. Yes.

25 Q. And as you said, it was embarrassing for you; correct?

LC6Cmax3

Kate - cross

1 A. Yes.

2 Q. Now, I want to speak to you for a few minutes about your  
3 interactions with Epstein; okay?

4 A. Yes. Okay.

5 Q. You were aware that sometime toward the late 2000s, Epstein  
6 was incarcerated; correct?

7 A. Yes.

8 Q. And you sent him pictures while he was in jail, didn't you?

9 A. I didn't recall that.

10 Q. Do you recall having emailed correspondence with him?

11 A. Yes.

12 Q. Do you recall that he asked for pictures and you agreed to  
13 send him pictures?

14 A. I don't recall that.

15 Q. During the course of your preparation with the government,  
16 were you shown any of the emails that you had with Jeffrey  
17 Epstein?

18 A. Sorry. Is the question, was I shown by the government my  
19 emails?

20 Q. Yes.

21 A. No.

22 Q. Did you talk to the government about emails?

23 A. Yes.

24 Q. And did you talk about having sent pictures to Jeffrey  
25 Epstein while he was in jail?

LC6Cmax3

Kate - cross

1 A. No.

2 Q. Well, let me show you -- I'm going to ask you to look at  
3 your tab.

4 THE COURT: Tell the government and me the tab first.

5 MS. STERNHEIM: I'm getting to it, Judge. Just a  
6 moment. I'm going to refer the government, the Court, and Kate  
7 to the tab 3513-019, and it may be at 019.

8 THE COURT: I don't have tabs by 3500.

9 MS. STERNHEIM: May we put it on the screen for the  
10 witness and the Court?

11 THE COURT: Sure. But you have to direct the  
12 government. Do you have it, Ms. Pomerantz?

13 MS. STERNHEIM: I will show them.

14 MS. POMERANTZ: Yes, your Honor, I have it. Thank  
15 you.

16 THE COURT: Thank you.

17 MS. STERNHEIM: This one.

18 MS. POMERANTZ: Yes. Thank you.

19 BY MS. STERNHEIM:

20 Q. Kate, do you see what is marked as 3513-019?

21 A. Yes.

22 Q. Do you recognize that?

23 A. Yes.

24 Q. Do you recognize that to be email correspondence that you  
25 had with Jeffrey Epstein?

LC6Cmax3

Kate - cross

1 A. Yes.

2 Q. And does that have to do with correspondence that you had  
3 with him when he was in jail?

4 A. Yes.

5 Q. And that correspondence has to do with sending pictures to  
6 him; correct?

7 A. Yes.

8 MS. STERNHEIM: Your Honor, I would move this into  
9 evidence as 3513-019.

10 THE COURT: Can you give it an identification trial  
11 exhibit, please.

12 MS. STERNHEIM: Defendant's K8.

13 THE COURT: Ms. Pomerantz.

14 MS. POMERANTZ: Your Honor, the government objects.  
15 Hearsay.

16 THE COURT: Sustained.

17 BY MS. STERNHEIM:

18 Q. Did you send pictures to Jeffrey Epstein while he was in  
19 jail?

20 A. No.

21 Q. Did you tell him you would send him pictures?

22 A. Yes.

23 Q. And did you sign your correspondence to Jeffrey Epstein,  
24 "Best love always, Kate"?

25 A. Yes.

LC6Cmax3

Kate - cross

1 Q. Now, you maintained email correspondence with Epstein even  
2 after he was in jail, didn't you?

3 A. I don't recall.

4 Q. I'm going to ask you to look at what's been marked as  
5 3513-014.

6 THE COURT: I don't have a tab number.

7 MS. STERNHEIM: I'll put it on the screen, Judge.

8 THE COURT: Ms. Pomerantz, do you have that?

9 MS. POMERANTZ: I do. Thank you, your Honor.

10 THE COURT: Okay. You can put it on the screen.

11 BY MS. STERNHEIM:

12 Q. Just going back for a moment, the correspondence that you  
13 had with Epstein concerning pictures which you claim you didn't  
14 send him was in 2008; correct?

15 A. If that's what it said, then that would be accurate.

16 Q. Okay. And you don't deny that you had email correspondence  
17 with him?

18 A. I do not deny that.

19 Q. Okay. Now, looking at this next exhibit, 3513-014, do you  
20 see that?

21 A. Yes.

22 Q. Do you recognize that to be email correspondence that you  
23 had with Jeffrey Epstein?

24 A. Yes.

25 Q. Correspondence that you had with him in 2011?

LC6Cmax3

Kate - cross

1 A. Yes.

2 Q. And do you recall telling Jeffrey that you were --

3 MS. POMERANTZ: Objection, your Honor.

4 THE COURT: Sustained.

5 Q. Did you, at any point, attempt to visit Epstein in New  
6 York?

7 A. Yes.

8 Q. Did you contact him for the purpose of arranging to visit  
9 him in New York?

10 A. I felt compelled to contact him.

11 Q. I did not ask you that. I asked you, did you contact him?

12 A. Yes, I did.

13 Q. You initiated email contact with him; correct?

14 A. Yes.

15 Q. You initiated contact because you wanted to meet with him  
16 in New York?

17 A. Yes.

18 Q. And you also asked if you could stay at his place in New  
19 York; correct?

20 A. Yes.

21 Q. And then you learned that he was not in New York; correct?

22 MS. POMERANTZ: Your Honor, objection.

23 THE COURT: To the question, you learned he was not in  
24 New York?

25 MS. POMERANTZ: Your Honor, to the series of questions

LC6Cmax3

Kate - cross

1 about -- this goes to hearsay.

2 MS. STERNHEIM: Judge, may we approach?

3 THE COURT: Overruled.

4 Q. You initiated contact with Jeffrey Epstein in 2011;  
5 correct?

6 A. Yes.

7 Q. You asked to visit with him in New York; correct?

8 A. Yes.

9 Q. You asked if you could stay with him in New York; correct?

10 A. Yes.

11 Q. He was not in New York; correct?

12 A. Apparently.

13 Q. You learned that he was in Paris; correct?

14 A. Yes.

15 Q. Throughout the years, you maintained contact with Jeffrey  
16 Epstein; correct?

17 A. Yes.

18 Q. You had emails that support the contact you had with  
19 Epstein; correct?

20 A. Yes.

21 Q. You don't have any email correspondence with Ghislaine, do  
22 you?

23 A. No.

24 Q. When was the last time you had communication with Epstein?

25 A. Probably in my early 30s.

LC6Cmax3

Kate - cross

- 1 Q. Give me a date, please.
- 2 A. I don't have a date.
- 3 Q. When were you in your early 30s?
- 4 A. I'm not sure I understand.
- 5 Q. Well, you just said when you were in your early 30s, I  
6 asked for a date, you said you don't have one. Please tell me  
7 the years in your early 30s.
- 8 A. Okay. Well, I'm 44 now, so it's 2021, probably within ten  
9 years ago and before that.
- 10 Q. So fair to say through 2012, you were in contact with him?
- 11 A. Quite possibly so.
- 12 Q. Or maybe even later?
- 13 A. No.
- 14 Q. You just stopped at some point?
- 15 A. Yes.
- 16 Q. And you stopped at the point that you became a mother;  
17 correct?
- 18 A. Yes.
- 19 Q. And what was your employment while you became a mother?
- 20 A. I had a facility for women recovering from substance use  
21 disorder and trauma.
- 22 Q. Was that the same foundation we were talking about?
- 23 A. No.
- 24 Q. Something different?
- 25 A. Yes.

LC6Cmax3

Kate - cross

1 Q. And that was your employment during that period of time  
2 that you became a mother?

3 A. Which period of time specifically?

4 Q. Well, I don't want to go into the details, but there came a  
5 point where you delivered a baby; correct?

6 A. Yes.

7 Q. And you were employed at that time?

8 A. Yes.

9 Q. And you also sought support from the government during that  
10 period of time so you could stay home with your child?

11 A. Yes.

12 Q. And even though you are employed, you sought benefits from  
13 the government so you could stay home?

14 A. What do you mean even though I was employed?

15 Q. Well, I asked you if you were employed at that period of  
16 time. You said you were working for a residence; correct?

17 A. No. No, I wasn't working for that then. I lived there. I  
18 was working for another company.

19 Q. What company? You don't have to tell me the name of it,  
20 just tell me what type of company it was.

21 A. It was a financial company.

22 Q. So you were working for a financial company at the time you  
23 gave birth, yet you requested public assistance so you could  
24 stay home with your child?

25 A. Yes.

LC6Cmax3

Kate - cross

1 Q. Now, in connection with the claim that you made beginning  
2 after you testified in this courthouse following Jeffrey  
3 Epstein's death, you sought compensation for therapeutic  
4 services; correct?

5 A. Yes.

6 Q. And in connection with your assistance with the government,  
7 the FBI victim services awarded you money so that you could  
8 seek therapy; correct?

9 A. I'm not sure what it was in connection with.

10 Q. Well, do you doubt that you received money for therapy?

11 A. No, I did. Well, I didn't receive the money, the therapist  
12 received the money.

13 Q. Okay. But your therapy was paid for by the government;  
14 correct?

15 A. Yes.

16 Q. And you had been in email contact with one of the FBI  
17 victim services liaison, both in New York and California;  
18 correct?

19 A. Possibly, yes.

20 Q. In fact, they sent you a victim's form to fill out;  
21 correct?

22 A. Yes.

23 Q. And you commented on issues concerning the form that they  
24 were somewhat complicated. Do you remember that?

25 A. Yes.

LC6Cmax3

Kate - cross

- 1 Q. But nonetheless, you completed the form; correct?
- 2 A. Yes.
- 3 Q. And they also alerted you to resources in the area where  
4 you were living?
- 5 A. Yes.
- 6 Q. Even though, as a therapist, you knew about the resources  
7 in the area where you were living; correct?
- 8 A. No.
- 9 Q. You were not aware of that?
- 10 A. No.
- 11 Q. And in connection with the work that you do in your  
12 foundation and the other residence, you were not familiar with  
13 therapeutic services for women claiming to have been abused?
- 14 A. Not many of them.
- 15 Q. Nonetheless, they put you in the direction of services that  
16 you could avail yourself of; correct?
- 17 A. Yes.
- 18 Q. Some of which they paid for; correct?
- 19 A. Yes.
- 20 Q. And they also alerted you to facilities or situations where  
21 you could get free therapy; correct?
- 22 A. I don't recall that, but possibly, quite possibly, yes.
- 23 Q. And in connection with the three and a quarter million  
24 dollars that you received from the compensation fund, you paid  
25 back some of that money; correct?

LC6Cmax3

Kate - cross

1 A. You mean the money for the therapy?

2 Q. Yes.

3 A. I think I paid back all of it.

4 Q. And that was \$1,200?

5 A. I don't recall, but if you say so.

6 Q. You don't dispute that?

7 MS. POMERANTZ: Objection, your Honor.

8 MS. STERNHEIM: I'll move on.

9 THE COURT: Okay.

10 Q. You're familiar with a man named Ray?

11 A. I know several people called Ray.

12 Q. Are you familiar with --

13 MS. STERNHEIM: May I have just a moment, Judge?

14 THE COURT: Yes.

15 Q. Are you familiar with a man -- and I'm going to use a name,  
16 it's going to sound like a Broadway play -- Alexander Hamilton?

17 A. No.

18 Q. Are you familiar with a man that goes by the name Ray  
19 Hamilton?

20 A. Yes.

21 Q. Ray Hamilton was a friend of yours; correct?

22 A. He was an acquaintance. He was a friend of a friend.

23 Q. He's someone that you knew both in the states as well as in  
24 London; correct?

25 A. No.

LC6Cmax3

Kate - cross

1 Q. You did not know him?

2 A. Know him in the states, I don't really know what you mean.  
3 Did I see him here?

4 Q. Yes.

5 A. No.

6 Q. Do you recall being on a flight where you ran into him  
7 traveling to Los Angeles or from Los Angeles?

8 A. I don't recall that.

9 Q. You have no recollection of running into the acquaintance  
10 you've known as Ray on a plane?

11 A. On a plane, yes, but not to Los Angeles.

12 Q. But on a plane. I apologize if I got the destination  
13 wrong.

14 Do you recall telling him that the Epstein matter had  
15 fallen into your lap?

16 A. No.

17 Q. And do you recall having called him, fairly recently,  
18 giving him updates about how the case was going?

19 A. No.

20 Q. That you were going to be writing a book?

21 A. No.

22 Q. That you were hoping that a movie would be made?

23 A. No.

24 Q. That it is your goal to get the money and move to Italy  
25 with your child?

LC6Cmax3

Kate - cross

1 A. No.

2 MS. POMERANTZ: Objection, your Honor.

3 THE COURT: All right. We'll move on?

4 MS. STERNHEIM: Yes, we can move on.

5 Q. So you knew that assisting the government, as you have,  
6 helped your claim against the Epstein Fund; correct?

7 A. No.

8 Q. You did not know that?

9 A. I did not know that.

10 Q. You're testifying here not as a victim; correct?

11 MS. POMERANTZ: Objection, your Honor.

12 THE COURT: Sustained.

13 Q. You applied to the Epstein Fund; correct?

14 A. Yes.

15 Q. And that was based upon your claim that, when you were 17  
16 years old, you had contact with Jeffrey Epstein; correct?

17 A. Yes.

18 Q. And you now that age was a particular factor in connection  
19 with the claim to the fund?

20 A. I did not know that.

21 Q. You testified earlier that you were awarded three and a  
22 quarter million dollars; correct?

23 A. Yes.

24 Q. And, obviously, your attorney, Mr. Edwards, got a fee out  
25 of that; correct?

LC6Cmax3

Kate - cross

1 A. Yes.

2 Q. But the rest was yours, tax free; correct?

3 A. Yes.

4 Q. You have requested assistance by the government to obtain  
5 what's called a U visa?

6 A. Yes.

7 Q. That's a special visa for people who claim to have been  
8 victims who assist the government; correct?

9 A. That is my understanding.

10 Q. And you have begun the process of filling out the  
11 application; correct?

12 A. No.

13 Q. You've never filled out an application?

14 A. I don't think I've begun that process, no.

15 Q. So if there is an application with your name on it, you  
16 don't know who filled that out?

17 A. I made an inquiry about it. I'm not sure that I filled out  
18 an application.

19 Q. But it is your goal to try to get the U visa; correct?

20 A. No, it is not.

21 Q. You do not want the U visa?

22 A. I do not want the U visa.

23 MS. STERNHEIM: May I have a moment, Judge?

24 THE COURT: You may.

25 MS. STERNHEIM: Judge, I'm handing up a copy of an

LC6Cmax3

Kate - cross

1 exhibit that I'd like to show the government.

2 THE COURT: Can you give it a trial mark for  
3 identification, please.

4 MS. STERNHEIM: It would be Defendant's K9, please.  
5 May I give one to the witness, Kate, please?

6 THE COURT: You may.

7 BY MS. STERNHEIM:

8 Q. Kate, I'm going to ask you to take a look at the exhibit I  
9 gave you, which we are marking as K9. Do you recognize that?

10 A. No.

11 Q. Do you recognize your true name on it?

12 A. Sorry. On which page?

13 Q. On page 2, which is in the flip side of page 1. I would  
14 direct you to the left-hand column.

15 A. I've got, I think -- I've got pages 1 of 6, 3 of 6, and 5  
16 of 6.

17 Q. If you turn 1 of 6 over?

18 A. The other side. Thank you.

19 Q. Do you see it now?

20 A. Yes.

21 Q. I'm going to ask you to look at the left-hand column.

22 A. Yes.

23 Q. Near what may be 2A?

24 A. Yes. Yes.

25 Q. Is that your true name?

LC6Cmax3

Kate - cross

1 A. Yes, it is.

2 Q. I'm going to ask you to review other parts of this. It  
3 indicates that certain questions have been answered.

4 MS. POMERANTZ: Objection, your Honor.

5 THE COURT: Sustained.

6 Q. Did you at any point participate in the completion of a  
7 U visa application?

8 A. Could you repeat that question.

9 Q. Did you at any point participate in an application for a  
10 U visa?

11 A. I'm not sure.

12 Q. The document that is before you, K9, bears your true name;  
13 correct?

14 MS. POMERANTZ: Objection, your Honor.

15 THE COURT: Sustained.

16 Q. Do you have any idea who would have put your name on this  
17 application?

18 MS. POMERANTZ: Objection, your Honor.

19 THE COURT: Sustained.

20 MS. STERNHEIM: Your Honor, I would ask that this be  
21 entered into evidence.

22 MS. POMERANTZ: Objection, your Honor.

23 THE COURT: Sustained.

24 MS. STERNHEIM: Can I have a moment, please?

25 THE COURT: You may.

LC6Cmax3

Kate - cross

1 BY MS. STERNHEIM:

2 Q. I think you testified earlier you had approximately 10  
3 meetings with the government in preparation for your testimony  
4 here; correct?

5 A. Yes.

6 Q. And toward the end of those meetings, meaning not the end  
7 of each meeting, but meaning the meetings closest to today, the  
8 issue of your immigration status was raised, wasn't it?

9 A. Yes.

10 Q. And a request was made that the government look into  
11 helping you with a U visa?

12 A. I asked that an inquiry be made.

13 Q. And at some point, if not today, but at least prior to  
14 today, it was your interest in getting a U visa; correct?

15 A. Yes.

16 Q. Because at some point, your other visa will no longer  
17 survive; correct?

18 A. No.

19 Q. So the U visa would permit you to stay here; correct?

20 A. No, I'm saying no to what you said. So that's not the  
21 case.

22 Q. The exceptional visa just lasts forever?

23 A. No, but it's renewable and I have existed and I have stayed  
24 here in status on those visas for the period of time that I've  
25 been here. It's not problematic to renew them.

LC6Cmax3

Kate - cross

1 Q. And what is the exceptional circumstance that you use to  
2 renew your visa?

3 A. It's actually an -- it's an extraordinary ability.

4 Q. And what is your extraordinary ability that you put forth  
5 in support of your visa?

6 A. The last one?

7 Q. Yes.

8 A. The last one was related to music, but not actually  
9 songwriting or anything. It was coaching.

10 Q. So anyone --

11 A. Singing, coaching.

12 Q. So anyone who can claim to be an unlicensed music coach  
13 would be eligible for that type of visa?

14 MS. POMERANTZ: Objection, your Honor.

15 THE COURT: Sustained.

16 Q. Prior to using music, what else did you use to indicate  
17 that you are exceptional?

18 A. I don't -- I'm not clear on what you're asking, what did I  
19 use to indicate that I was exceptional.

20 Q. What did you state was the basis of you being exceptional?

21 A. My -- the basis has always been music-related and it's  
22 evolved over time as my work has evolved.

23 Q. But other than you being an unlicensed music coach, you are  
24 not in the music business?

25 A. I don't -- I don't understand. You're saying other than --

LC6Cmax3

Kate - cross

1 Q. Being a music coach or a music therapist, are you employed  
2 in the music industry?

3 A. I mean, that is the music industry.

4 Q. So you are employed in that capacity?

5 A. I'm employed -- I mean I work in that capacity and I get  
6 paid in that capacity.

7 Q. And you are selfemployed; correct?

8 A. Yes.

9 Q. But a U visa would permit you to be in other areas than  
10 music; correct?

11 A. I don't know.

12 Q. And a U visa is not something that you can buy; correct?

13 A. I don't know.

14 Q. It's something that you need the government to attest to  
15 the fact that you claim to be a victim; correct?

16 A. I'm not sure of the requirements.

17 Q. You have no idea?

18 A. I don't know what the requirements are, no.

19 MS. STERNHEIM: Just a moment.

20 Nothing further. Thank you.

21 THE COURT: Ms. Pomerantz.

22 MS. POMERANTZ: Your Honor, would this be a good time  
23 for a break?

24 THE COURT: I guess it depends on how long you  
25 anticipate.

LC6Cmax3

Kate - cross

1 MS. POMERANTZ: I think we would go into the lunch  
2 break, your Honor, so I would request that we start after the  
3 lunch break.

4 THE COURT: Okay.

5 MS. POMERANTZ: Thank you.

6 THE COURT: Members of the jury, we'll take our lunch  
7 break. It's 12:45. We're going to shoot for 45 minutes to an  
8 hour. Thank you. Enjoy your break.

9 (Continued on next page)

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LC6Cmax3

Kate - cross

1 (Jury not present)

2 THE COURT: The witness may step down for the lunch  
3 break.

4 THE WITNESS: Thank you, your Honor.

5 (Witness excused)

6 THE COURT: Everyone may be seated. Matters to take  
7 up, counsel?

8 MS. POMERANTZ: Not from the government. Thank you,  
9 your Honor.

10 MS. STERNHEIM: Not at this time.

11 THE COURT: We'll resume in 45 minutes. Let me know  
12 if there is anything we need to address, please. Thank you.

13 (Recess)

14 (Continued on next page)

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LC6VMAX4

1                   A F T E R N O O N   S E S S I O N

2                                   1:35 P.M.

3           THE COURT:  Matters to take up?

4           MS. MOE:  Thank you, your Honor.

5           I'm not sure if my microphone is on.

6           THE COURT:  It's not.  I'm not sure why.

7           MS. MOE:  Thank you, your Honor.

8           Regarding the 900 series, I just wanted to flag in  
9   advance for the Court I've conferred with Mr. Everdell.  We had  
10  earlier discussed the range of exhibits that the Court had  
11  ruled on.  There were some additional exhibits from the 900  
12  series that weren't in dispute.  And so I just want to flag for  
13  the Court that when I offer them, there will be additional  
14  numbers.  I've conferred about the list with Mr. Everdell; I  
15  think we're in agreement on the scope of that, and that that's  
16  consistent with the Court's ruling.  But I just wanted to flag  
17  that in advance.

18          THE COURT:  Thank you.

19          MR. EVERDELL:  That's correct, your Honor.

20          THE COURT:  Great.  Thank you.

21          MS. STERNHEIM:  Judge, I have a couple of matters, if  
22  I might.

23          THE COURT:  Okay.

24          MS. STERNHEIM:  I have requested and I would ask the  
25  Court to direct the government to disclose the origin of the U

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1 visa application that bears Kate's name. It was provided to us  
2 some time in the wee hours. I do not know its origin, but it  
3 certainly contains specific information regarding this witness.  
4 It may require us to call a witness, so I need to know from  
5 where it came.

6 The other has to do with the emails. I'm not sure  
7 what the Court's preclusion of the introduction of the emails  
8 which actually constitute past recollection recorded of this  
9 witness to Mr. Epstein.

10 THE COURT: Let's start with the -- what got marked --  
11 remind me what the --

12 MS. STERNHEIM: I think it was K-9.

13 THE COURT: 3513-062, pages 1 through 6, which got  
14 marked for identification as Defendant's K-9. The request is  
15 for the government to indicate the origin.

16 MS. POMERANTZ: Your Honor, on 3513-045, the notes  
17 say, at the end of the meeting, the witness's counsel provided  
18 a form and asked to discuss her visa status, and that is the  
19 form. And the index also indicates that that was the form  
20 provided on that date.

21 THE COURT: Okay. That resolves that.

22 And then the emails which were marked -- I'm sorry,  
23 remind me what they were marked as.

24 MS. STERNHEIM: I think they were marked as K-7.

25 THE COURT: Defendant's K-7.

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1 MS. STERNHEIM: Excuse me. I'm getting another --  
2 K-8. I apologize.

3 THE COURT: Okay. Defendant's K-8.

4 So just get my head back in it.

5 Okay. Ms. Pomerantz?

6 MS. POMERANTZ: Your Honor, may I just have a moment.

7 THE COURT: Okay.

8 (Counsel conferred)

9 MS. POMERANTZ: If I could have just the 3500 number  
10 so that way -- because I don't believe I have the exhibit.

11 MS. STERNHEIM: 3513-019.

12 THE COURT: I don't think I ever got a copy of it. It  
13 was on the screen.

14 MS. POMERANTZ: Yes.

15 THE COURT: If it's not in the binder, maybe you could  
16 hand up a copy, please.

17 MS. STERNHEIM: I can, Judge.

18 THE COURT: Thank you.

19 MS. STERNHEIM: I'm just showing the government.

20 THE COURT: Yes.

21 MS. POMERANTZ: Your Honor, the recorded recollection  
22 rule provides an exception to the rule against hearsay. And  
23 the first prong refers to: On a matter that the witness once  
24 knew about, but now cannot recall well enough to testify fully  
25 and accurately.

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1           But the witness was able to testify fully about the  
2 issue, and she testified fully about the matter; and there was  
3 no, you know, inconsistency or prior inconsistent statement.  
4 It should not be admitted into evidence.

5           THE COURT: My read on it at the time was that the  
6 only discrepancy was -- the implied discrepancy was whether  
7 pictures were actually sent, but the email doesn't go to that;  
8 so it seems to me that her testimony was what was reflected in  
9 the email. What am I missing?

10          MS. STERNHEIM: May I have just a moment?

11          THE COURT: You may.

12          And I suppose, to put a fine point on the question, as  
13 Ms. Pomerantz says, what is it that the witness could not  
14 recall well enough to testify fully and accurately?

15          MS. STERNHEIM: Your Honor, it's my understanding --

16          THE COURT: I'm sorry, at the mic please.

17          MS. STERNHEIM: I apologize.

18          THE COURT: That's okay.

19          MS. STERNHEIM: Past recollection recorded does not  
20 have to be inconsistent.

21          THE COURT: Okay. That's not the question.

22          So just a record that sub A is on a matter the witness  
23 once knew about, but now cannot recall well enough to testify  
24 fully and accurately.

25          So what couldn't the witness testify fully and

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1 accurately about?

2 MS. STERNHEIM: Well, at first she wasn't sure. And  
3 then when she saw it, she didn't deny it. But I think that it  
4 is a recording of her own email. There is no issue as to  
5 authenticity.

6 THE COURT: It's not an authenticity objection; it's a  
7 hearsay objection.

8 Again, I think her testimony would be described as she  
9 recalled it well enough to testify fully and accurately because  
10 it doesn't conflict with what's in here. So it's not the same  
11 analysis as prior inconsistent statement, but I think the  
12 initial question is what did she not testify to fully and  
13 accurately.

14 MS. STERNHEIM: I just think it is corroborative of  
15 her testimony and more reliable than just coming from the stand  
16 when it is her own written statement to the co-conspirator in  
17 this case.

18 MS. POMERANTZ: Your Honor, that's not responsive to  
19 the question. And also, as the Court has noted, it just  
20 doesn't meet the standard that's articulated under 5A in terms  
21 of the question is whether it's on a matter that the witness  
22 once knew about, but now cannot recall well enough to testify  
23 fully and accurately. And that's just not the case here, your  
24 Honor.

25 THE COURT: Okay.

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1 MS. STERNHEIM: Judge, I would just say that it is not  
2 being offered for the truth; it's offered for the fact that she  
3 maintained contact with him at a time later than the matters in  
4 issue and, therefore, it has relevance.

5 THE COURT: That's the truth, what you just said.  
6 It's being offered for the truth that she had contact.

7 MS. STERNHEIM: Well, that part is not hearsay. The  
8 content is hearsay. The fact of the contact itself is  
9 something else. That's my understanding of it.

10 THE COURT: Well, okay. She said she emailed with  
11 him. If you want to redact the content and show that there  
12 were emails, I suppose that's another question. But if you're  
13 not -- you want the content, which is consistent with what she  
14 testified to.

15 MS. STERNHEIM: Judge, I want the dates.

16 THE COURT: Okay.

17 MS. STERNHEIM: And that is not hearsay.

18 THE COURT: All right. So the dates then I would  
19 permit -- I'll hear the government's response to this, but with  
20 the content redacted.

21 MS. POMERANTZ: Your Honor, I'd like to check the  
22 transcript, because I thought she had agreed to the dates. And  
23 so --

24 THE COURT: She did.

25 MS. POMERANTZ: So this seems cumulative, your Honor.

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1 THE COURT: Well, I would permit it as cumulative if  
2 all we're doing is showing the jury that emails happened on  
3 these dates.

4 MS. POMERANTZ: I just want to make sure I understand,  
5 your Honor. Would all of the substance of the emails be  
6 redacted?

7 THE COURT: That's the proposition.

8 MS. POMERANTZ: And what about the subject lines?

9 MS. STERNHEIM: The subject lines would not be --  
10 well, the sender and recipient would not be hearsay. The date  
11 would not be hearsay.

12 THE COURT: Right. But the subject line would be.

13 Okay. So with the content and the subject matter  
14 redacted, I'll let the dates in. And who's emailing it would  
15 have to be sealed because it identifies the witness by her true  
16 identity.

17 MS. POMERANTZ: Okay, your Honor. Thank you.

18 THE COURT: Okay. So, Ms. Sternheim, your team will  
19 prepare a redacted -- I'm sorry, I lost the number, K -- what  
20 was the defendant's mark?

21 MS. STERNHEIM: K-8.

22 And if I may just supplement the record for a moment.

23 THE COURT: Sure.

24 MS. STERNHEIM: If it is not being offered for the  
25 truth, why can't it come in with a limiting instruction? Other

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1 things have been admitted during this trial with limiting  
2 instructions. I think that there is relevance to this.

3 THE COURT: Yes.

4 MS. STERNHEIM: And it comports with testimony;  
5 therefore, there is relevance to it. And an instruction would  
6 cure the concerns of the government.

7 THE COURT: I'm going to continue with my ruling.

8 Now I'm leaning towards cumulateness, but I'll  
9 permit the dates and the emails for the reasons indicated with  
10 redaction of the content on 403 grounds.

11 If you can prep a redacted version or, counsel, you  
12 could stipulate to the dates the emails were sent or the like,  
13 but you need to do this quickly because the jury is going to  
14 come back in. What else do we need to take up?

15 MS. STERNHEIM: That's all.

16 MS. POMERANTZ: Nothing from the government.

17 THE COURT: Okay. Can you sort out how you're going  
18 to get it in? Well, I suppose -- I mean, she's off of cross at  
19 this point. Figure it out and you can do it on recross, I  
20 suppose. I'll step down for two minutes.

21 (Recess)

22 THE COURT: Counsel, ready to proceed?

23 MS. POMERANTZ: Yes.

24 MR. ROHRBACH: One matter --

25 THE COURT: I can't hear you, Mr. Rohrbach.

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1 MR. ROHRBACH: One matter to take up, your Honor,  
2 before the jury comes in.

3 After conferring with the defense we just wanted to  
4 make sure we fully understood the Court's ruling this morning  
5 about one piece of the testimony related to the New York  
6 search.

7 The government's understanding of the Court's ruling  
8 is that the government is not going to offer exhibits that  
9 depict either images of celebrities or images of nude or  
10 semi-nude people inside the house; but it is going to elicit  
11 testimony from the witness that she observed those two  
12 categories of images. We just want to make sure that both of  
13 those were consistent with -- both of those pieces of testimony  
14 would be consistent with the Court's ruling.

15 THE COURT: You can ask the witness testimony about  
16 what she saw at the relevant time period.

17 On the celebrity piece, I understood you to say you  
18 weren't moving in that exhibit; that is a desk with photos of  
19 Epstein with celebrities. Was that a misunderstanding?

20 MR. ROHRBACH: No, that is correct, your Honor.

21 THE COURT: I didn't rule on that, but your question  
22 is may you ask the witness about photos she saw?

23 MR. ROHRBACH: Yes. So my understanding is we're  
24 going to just ask at a relatively high level of generality, but  
25 both photos she saw and the nude artwork she observed.

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1 THE COURT: Is there an objection?

2 MR. EVERDELL: Your Honor, I think --

3 THE COURT: Microphone please.

4 MR. EVERDELL: Sorry, your Honor.

5 I think it does defeat the purpose a bit of not  
6 admitting the exhibits just to have the agent testify about  
7 those very same --

8 THE COURT: Are you talking about the agent?

9 MR. ROHRBACH: Yes, the agent who conducted the  
10 search.

11 THE COURT: Oh, I misunderstood.

12 No, you can't ask the agent unless -- for the same  
13 reason. Relevance has to be to the time period.

14 MR. ROHRBACH: That's fine, your Honor. We just  
15 wanted to make sure we understood.

16 THE COURT: Thank you for clarifying, Mr. Everdell.  
17 I thought you meant the current witness.

18 MR. ROHRBACH: No, not the current witness.

19 MR. EVERDELL: Thank you, your Honor.

20 THE COURT: Thank you.

21 Okay. What else? Anything?

22 MS. POMERANTZ: Nothing from the government.

23 Thank you.

24 THE COURT: All right. Bring in the witness, please.

25 And we'll bring in the jury.

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Kate - redirect

1 (Witness present)

2 THE COURT: You may remove your mask. We'll have the  
3 jury in in a moment.

4 Ms. Pomerantz, if you want to go to the podium and set  
5 up, you may.

6 MS. POMERANTZ: Thank you, your Honor.

7 THE COURT: Thank you.

8 Just while we're waiting, just to flag, counsel, if  
9 you look at 911 and 913, it looks like there's photos that  
10 might need additional redaction.

11 (Jury present)

12 THE COURT: Thank you, members of the jury.

13 I hope you had a pleasant lunch.

14 We're going to pick up with the redirect examination  
15 of the witness identified as Kate.

16 Ms. Pomerantz, when you're ready.

17 And Kate, I remind you that you are under oath.

18 Go ahead.

19 REDIRECT EXAMINATION

20 BY MS. POMERANTZ:

21 Q. Good afternoon, Kate.

22 A. Good afternoon.

23 Q. Can you just pull the microphone a little bit closer to you  
24 please?

25 A. Is that good?

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Kate - redirect

1 Q. Yes. Thank you.

2 Do you remember being asked questions on  
3 cross-examination about your immigration status?

4 A. Yes.

5 Q. Can you explain to the jury what you expect will happen  
6 with your immigration status.

7 A. Yes. My plan is to file a renewal of my current existing  
8 O-1 visa a couple of months before the existing one expires, as  
9 I have done many previous times.

10 Q. Has the government promised you anything with respect to  
11 your immigration status?

12 A. No, they have not.

13 Q. Have you coordinated your testimony with any other  
14 witnesses at this trial?

15 A. No.

16 Q. Has anyone told you what to say at this trial?

17 A. No.

18 Q. What are you here to do today?

19 A. Aside from the events that took place a long time that I'm  
20 referring to today, this is the hardest thing that I have ever  
21 had to do. And I am here because I don't think there is  
22 anything more important, especially now that I'm a parent, than  
23 demonstrating to her that I can stand up for myself and  
24 demonstrating that the truth is important.

25 Q. Kate, you were asked on cross-examination about public

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Kate - redirect

1 statements that you made in your name. Do you recall that?

2 A. Can you repeat?

3 Q. You were asked on cross-examination about public statements  
4 you made in your name.

5 A. Yes.

6 Q. Do you recall that?

7 A. Yes.

8 Q. Was that hearing where you made those public statements  
9 about Maxwell?

10 A. Sorry. I can't hear you.

11 Q. Was that hearing where you made those public statements  
12 about Maxwell?

13 A. No, it was not.

14 Q. Who was the hearing about?

15 A. It was about Jeffrey Epstein.

16 Q. At that hearing, did you talk about all of your  
17 experiences?

18 A. No.

19 Q. Did you go into detail about your experiences with Epstein  
20 during that hearing?

21 A. No.

22 Q. Why not?

23 A. Because I did not want to disclose on a public level under  
24 my own name the details of the incidents that took place  
25 because I did not want my daughter to be exposed.

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Kate - redirect

1 Q. That same day did you meet with the government for the  
2 first time?

3 A. Yes.

4 Q. Who did you tell the government about?

5 A. I told the government about Ghislaine Maxwell.

6 Q. Kate, do you remember the first time you saw Jeffrey  
7 Epstein naked?

8 A. Yes.

9 Q. Do you remember who was standing next to you?

10 A. Yes.

11 Q. Who was standing next to you?

12 A. Ghislaine Maxwell.

13 Q. How old were you?

14 A. Seventeen.

15 Q. Can you explain to the jury why you remember that so  
16 clearly?

17 A. I remember it so clearly because I was terrified and  
18 frozen.

19 Q. You were asked on cross-examination questions about your  
20 memories and your drug use, do you recall that?

21 A. Yes.

22 Q. Can you explain to the jury why you remember what happened  
23 to you with Maxwell and Epstein when you were 17?

24 A. I remember what happened when I was 17 with Ghislaine and  
25 Jeffrey because those events come back to me all the time. I

LC6VMAX4

Kate - cross

1 have nightmares about them.

2 MS. STERNHEIM: Objection.

3 THE COURT: All right. Sustained.

4 Next question.

5 MS. POMERANTZ: Thank you, your Honor.

6 Q. You were asked some questions on cross-examination about  
7 the awards you received from the Epstein Victim Compensation  
8 Fund. Do you remember that?

9 A. Yes.

10 Q. Can you tell the jury what the money meant to you.

11 A. Yes. What the money meant to me was recognition of my  
12 pain; what it meant to me was that my truth was important --

13 MS. STERNHEIM: Objection.

14 THE COURT: Overruled. You may answer.

15 A. It meant that I could continue to try to recover and to  
16 continue to try and help other people recover from these kinds  
17 of events.

18 Q. Kate, do you have any financial stake in the outcome of  
19 this trial?

20 A. I do not.

21 MS. POMERANTZ: No further questions, your Honor.

22 MS. STERNHEIM: Briefly.

23 THE COURT: Yes.

24 RE-CROSS EXAMINATION

25 BY MS. STERNHEIM:

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Kate - cross

1 Q. You've been asked questions about your memory; correct?

2 THE COURT: Ms. Sternheim, your mask.

3 MS. STERNHEIM: Oh, I forgot. Thank you.

4 THE COURT: Thank you.

5 Q. Kate, you've been asked questions about your memory;  
6 correct?

7 A. Yes.

8 Q. And you testified from your memory about an occasion where  
9 you were asked to put on a uniform; correct?

10 A. Yes.

11 Q. And in connection with that interaction, you and Ghislaine  
12 spoke about St. Trinian's, do you recall?

13 A. I do not.

14 MS. POMERANTZ: Objection, your Honor.

15 Beyond the scope.

16 THE COURT: Sustained.

17 MS. STERNHEIM: I don't understand the objection.

18 THE COURT: Beyond the scope of the redirect.

19 Q. Have you on other occasions wore costumes?

20 MS. POMERANTZ: Objection, your Honor.

21 THE COURT: Sustained.

22 Q. You speak about the truth. It's your truth as you believe  
23 it to be; correct?

24 A. It is my experience.

25 Q. Your experience and your experience alone; correct?

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Kate - cross

1 A. Yes.

2 Q. And experiences that you have discussed with other  
3 individuals who claim to have been abused by Epstein; correct?

4 A. I have not discussed these experiences with others.

5 Q. Experiences that you have discussed with your lawyer who  
6 represents other --

7 MS. POMERANTZ: Objection.

8 Q. -- victims?

9 THE COURT: Sustained.

10 Q. You were at a meeting with the government where your  
11 immigration status was discussed, do you recall?

12 A. Yes.

13 Q. And during that meeting, a form that was shown to you  
14 today, a U visa form, was handed to the government.

15 Do you remember that?

16 A. I do not recall.

17 Q. Do you remember that your lawyer, Mr. Edwards, was at that  
18 meeting?

19 A. I would imagine he would have been.

20 Q. And do you recall that Mr. Edwards is the one who gave that  
21 form to the government?

22 A. I do not recall.

23 Q. And do you recall that Mr. Edwards had consulted with you  
24 during that meeting concerning your U visa?

25 MS. POMERANTZ: Objection, your Honor.

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Kate - cross

1 THE COURT: Sustained.

2 Q. And do you recall that it was at that meeting that a  
3 request was made for the government to look into your U visa?

4 MS. POMERANTZ: Objection, your Honor.

5 Asked and answered.

6 THE COURT: Sustained.

7 Q. So as you sit here now, you're just going to renew your  
8 visa based on exceptionalism and are not going forward with the  
9 U visa?

10 MS. POMERANTZ: Objection, your Honor.

11 Asked and answered.

12 THE COURT: Sustained.

13 MS. STERNHEIM: Your Honor, at this time I would move  
14 into evidence, with proper redactions being made, Exhibit K-8  
15 and K-10. I have discussed this with the government. They  
16 will be appropriately redacted for later publication to the  
17 jury.

18 THE COURT: Without objection?

19 MS. POMERANTZ: No objection, your Honor.

20 THE COURT: Defendants's K-8 and K-10 with redactions  
21 will be admitted. I know K-8 is sealed. Is K-10 also sealed?

22 MS. POMERANTZ: Your Honor, they both should be under  
23 sealed.

24 THE COURT: Both are sealed even with redactions  
25 because the unredacted material would identify the witness.

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Kate - cross

1 (Defendant's Exhibits K-8, K-10 received in evidence)

2 BY MS. STERNHEIM:

3 Q. Kate, in connection with your application to the fund, if  
4 it is determined that anything you stated on that application  
5 is not true, that could impact the money you received, isn't  
6 that a fact?

7 A. I'm not sure.

8 Q. Didn't the application specifically state that applications  
9 would be vetted for fraud?

10 A. I don't remember that, but I would imagine that would be  
11 true.

12 MS. STERNHEIM: Thank you.

13 No further questions.

14 THE COURT: Okay. Thank you, Kate.

15 You may step down. You are excused. Thank you.

16 THE WITNESS: Thank you.

17 (Witness excused)

18 THE COURT: The government may call its next witness.

19 MS. MOE: Thank you, your Honor.

20 The government calls Patrick McHugh.

21 THE COURT: Patrick McHugh may come forward.

22 PATRICK McHUGH,

23 called as a witness by the Government,

24 having been duly sworn, testified as follows:

25 THE COURT: You may inquire.