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1 because they're likely to distract or confuse jurors.

2 With those photos redacted from the photos, I do  
3 conclude the probative value of the photos of the massage room  
4 is not substantially outweighed by unfair prejudice. As  
5 indicated, the photos corroborate Jane's description of the  
6 massage room and would assist the jury in understanding the,  
7 quote, layout, size, location, and composition, end quote, of  
8 the space. *Causey* 748 F.3d at 316.

9 I see little risk of prejudice. The exhibits show  
10 features of the massage room to which Jane has testified and  
11 the jury has heard because the jury will know the length of  
12 time that's passed between Jane's experience as she testified  
13 to and the photos. It can determine the photos' probative  
14 weight. See *Certified Environmental Services*, 753 F.3d at 90.

15 The third set of photos that the government seeks to  
16 admit, photos 918 and 921, depict several back massagers and a  
17 bathroom drawer. The government argues that these photos  
18 corroborate Jane's testimony that Epstein used vibrators and  
19 back massagers of different sizes in abusing her. The Court  
20 will exclude these photos.

21 First, these items are highly moveable, such that a  
22 photo taken decades later is not probative of the items that  
23 Epstein owned at the time that Jane testified she was abused.

24 Second, the government has not presented any testimony  
25 that the massagers in the photos match or are similar to the

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1 privacy interests, if that's the defense's request.

2 MR. EVERDELL: I think we'd request that, your Honor.

3 THE COURT: Okay. And then on 913, there are some  
4 photos on the desk of -- it looks like some children and other  
5 individuals.

6 MR. EVERDELL: Yes.

7 MS. MOE: Yes, your Honor. We'd be happy to offer 913  
8 under seal, and then prepare a 913-R.

9 Apologies, we already have a 913-R marked.

10 THE COURT: Okay.

11 MR. EVERDELL: It looks fine, your Honor.

12 THE COURT: Just one second.

13 Okay. You've looked at it.

14 Okay. So you have a redacted version of 913?

15 MS. MOE: Yes, your Honor.

16 THE COURT: All right.

17 (Jury present)

18 THE COURT: All right. Ms. Moe, the government may  
19 call its next witness.

20 MS. MOE: Thank you, your Honor.

21 The government calls Special Agent Kelly Maguire.

22 THE COURT: Kelly Maguire may come forward.

23 KELLY MAGUIRE,

24 called as a witness by the Government,

25 having been duly sworn, testified as follows:

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Maguire - direct

1 THE COURT: Thank you. You may proceed.

2 MS. MOE: Thank you, your Honor.

3 DIRECT EXAMINATION

4 BY MS. MOE:

5 Q. Good afternoon, Special Agent Maguire.

6 A. Good afternoon, ma'am.

7 Q. Where do you work?

8 A. The Federal Bureau of Investigation.

9 Q. What is your title there?

10 A. Special agent.

11 Q. How long have you been a special agent with the FBI?

12 A. Little over four years.

13 Q. Are you assigned to a particular squad?

14 A. Yes.

15 Q. What squad are you assigned to?

16 A. I'm assigned to C20, which is the child exploitation and  
17 human trafficking task force.

18 Q. What are your job responsibilities as a special agent in  
19 the child exploitation and human trafficking task force?

20 A. Generally, I am specifically focused on investigating  
21 violations of human trafficking, whether that's sex  
22 trafficking, labor trafficking, or domestic servitude.

23 Q. Directing your attention to July 6 of 2019, did you assist  
24 in an FBI operation on that date?

25 A. Yes, I did.

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Maguire - direct

- 1 Q. What was the nature of that FBI operation?
- 2 A. It was the execution of a search warrant at the residence  
3 of Jeffrey Epstein.
- 4 Q. What was the address of the location that you searched?
- 5 A. It was No. 9 East 71st Street here in Manhattan.
- 6 Q. What neighborhood in Manhattan is that address located at?
- 7 A. It's the Upper East Side.
- 8 Q. What was your role in that particular search operation?
- 9 A. I was designated as the search team leader.
- 10 Q. Can you explain to the jury what is a search team leader?
- 11 A. In a general sense, I oversee the personnel that's on  
12 scene. I ensure that various documentation is filled out. And  
13 ultimately, I am the person who seizes pieces of evidence.
- 14 Q. Special Agent Maguire, were you assigned to investigate  
15 this case?
- 16 A. No, I was not.
- 17 Q. Do members of your squad provide operational support to  
18 other agents' cases?
- 19 A. Yes, we do.
- 20 Q. And was that the capacity in which you served as the search  
21 team leader for the operation at 9 East 71st Street?
- 22 A. Yes, it was.
- 23 Q. Focusing on July 6, 2019, what legal authority did your  
24 team have to search 9 East 71st Street in Manhattan that day?
- 25 A. We had a search warrant.

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Maguire - direct

1 Q. What type of building is located at that address?

2 A. It's a large private residence. I would describe it as a  
3 multi-story townhouse.

4 MS. MOE: Your Honor, may we publish what's in  
5 evidence as Government Exhibit 932?

6 THE COURT: Without objection?

7 MR. EVERDELL: One moment, your Honor.

8 Without objection.

9 THE COURT: 932, which is in evidence, may be  
10 published.

11 MS. MOE: Your Honor, may I have just a moment?

12 THE COURT: Yes.

13 MS. MOE: Thank you, your Honor.

14 BY MS. MOE:

15 Q. Special Agent Maguire, what are we looking at in Government  
16 Exhibit 932?

17 A. This is from the exterior of the residence. If you were  
18 standing on East 71st Street facing it, these would be the  
19 upper floors of the residence.

20 Q. How many floors were there in this particular residence?

21 A. There were eight in total, six aboveground and two  
22 sublevels.

23 Q. Approximately how many square feet was this particular  
24 residence on the interior?

25 A. Approximately 19,000 square feet.

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1 MS. MOE: Your Honor, if we could show just the  
2 witness, the Court, and counsel what's marked for  
3 identification as Government Exhibit 909.

4 THE COURT: 909, you said?

5 MS. MOE: Yes, your Honor.

6 THE COURT: Okay.

7 Q. Special Agent Maguire, do you recognize this?

8 A. Yes, I do.

9 Q. What is Government Exhibit 909?

10 A. This is the front door to the residence at 9 East 71st  
11 Street.

12 Q. Is that a fair and accurate depiction of the exterior of  
13 the location on the day of the search?

14 A. Yes.

15 MS. MOE: Your Honor, the government offers Government  
16 Exhibit 909 as a public exhibit.

17 MR. EVERDELL: No objection.

18 THE COURT: GX-909 is admitted. You may publish.

19 (Government's Exhibit 909 received in evidence)

20 MS. MOE: Thank you, your Honor.

21 BY MS. MOE:

22 Q. Focusing on Government Exhibit 909, what are we looking at  
23 here?

24 A. This is the front door of the residence.

25 Q. What did the search team do when you first arrived at the

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1 residence?

2 A. When we first arrived, we knocked and announced our  
3 presence for the execution of the search warrant.

4 Q. What happened next?

5 A. After we did not receive a response from any occupants  
6 inside, we then forced entry into the residence.

7 Q. After you made entry into the residence, what's the next  
8 thing that happened in the search?

9 A. My team conducted a protective sweep.

10 Q. Can you explain for the jury what is a protective sweep.

11 A. A protective sweep is when the team moves through the  
12 residence to ensure that there are no additional threats to law  
13 enforcement on scene, particularly from occupants.

14 Q. Were there any issues during the protective sweep?

15 A. No, there was not.

16 Q. How did the search proceed from there?

17 A. At that point we then label each room in the residence, and  
18 then we began photographing the residence as it was. We viewed  
19 it before a search took place.

20 Q. I think you mentioned just now that you labeled the  
21 different rooms. Can you explain for the jury what that means.

22 A. So that we know where certain items are being found  
23 throughout the residence, we then designate each room by a  
24 letter of the alphabet.

25 Q. Approximately how many rooms were inside the residence that

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1 you encountered during the search?

2 A. There were approximately 40.

3 Q. After you had labeled the rooms within the residence, how  
4 did the search proceed from there?

5 A. We started taking photographs of the residence, and then  
6 after that the search began.

7 Q. Did there come a time when you obtained legal authority to  
8 continue searching the house for other items?

9 A. Yes, that's correct.

10 Q. Was that during the course of the same search?

11 A. Yes.

12 Q. I want to talk with you now about the interior of the  
13 residence.

14 MS. MOE: Ms. Drescher, if you could please show just  
15 the witness, the Court, and counsel, just cycling through them,  
16 what's been marked for identification as Government Exhibits  
17 933, 910, and 911.

18 Q. Special Agent Maguire, do you recognize these?

19 A. Yes, I do.

20 THE COURT: It's really 911-R; correct?

21 MS. MOE: Apologies, your Honor. 911-R.

22 Q. Do you recognize these three exhibits?

23 A. Yes, I do.

24 Q. And what are Government Exhibits 933, 910, and 911-R?

25 A. These are the first entryway and the main foyer near the



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1 main staircase or grand staircase in the residence.

2 Q. Are those photographs fair and accurate depictions of the  
3 entrance and immediate interior into the residence you searched  
4 that day?

5 A. Yes, ma'am, it is.

6 MS. MOE: Your Honor, the government offers Government  
7 Exhibits 933, 910, and 911-R.

8 MR. EVERDELL: No objection.

9 THE COURT: All right. Thank you.

10 933, 910, and 911-R are admitted.

11 (Government's Exhibits 910, 911-R, 933 received in  
12 evidence)

13 MS. MOE: Your Honor, may we publish Government  
14 Exhibit 933?

15 THE COURT: You may.

16 Q. Special Agent Maguire, what are we looking at here?

17 A. This is just after you pass through the large wooden doors  
18 at the front of the residence. In front of you is a large set  
19 of double doors. To the left and to the right of those doors  
20 are individual offices. And if you pass through those double  
21 doors, that would lead you to the main foyer of the residence.

22 MS. MOE: If we could turn now and take a look at what  
23 is in evidence as Government Exhibit 910.

24 THE COURT: You may.

25 Q. Special Agent Maguire, what are we looking at here?

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1 A. This would be the grand staircase of the residence and the  
2 main foyer. If you look to the left-hand side of the  
3 photograph, that would be the entryway through the double set  
4 of doors in Exhibit 933 that you would have passed through.

5 Q. I believe a moment ago you described this as the grand  
6 staircase. Were there other staircases within the residence?

7 A. Yes, ma'am.

8 Q. Could you please describe those for the jury.

9 A. There was an additional staircase that was on the second  
10 floor that went up to the third or fourth floor. It was blue  
11 in color and spiral. There was also a utility stairwell that  
12 mimicked a fire escape that went throughout the height of the  
13 residence.

14 Q. Aside from the staircases that you just described, were  
15 there any other ways to get from floor to floor within the  
16 residence?

17 A. There was also an elevator present in the residence.

18 MS. MOE: Your Honor, if we could please publish  
19 what's now in evidence as Government Exhibit 911-R.

20 THE COURT: You may.

21 Q. Special Agent Maguire, what are we looking at here?

22 A. This is just another angle of this main foyer area now in  
23 this photograph, the entryway, where the large set of double  
24 doors would be visible here, these staircases to the left-hand  
25 side of the photograph.

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1 Q. So we're talking about different staircases within the  
2 residence. I'd like to ask you more about that.

3 MS. MOE: Ms. Drescher, if you could please show for  
4 just the witness, the Court, and counsel what's been marked for  
5 identification as Government Exhibit 915 -- excuse me, 915-R.

6 THE COURT: 915-R.

7 Q. Do you recognize that?

8 A. Yes, I do.

9 Q. What is Government Exhibit 915-R?

10 A. This is a photograph of the blue in color spiral staircase  
11 in the middle of the residence.

12 Q. Is this a fair and accurate depiction of the staircase you  
13 just described?

14 A. Yes, it is.

15 MS. MOE: Your Honor, the government offers Government  
16 Exhibit 915-R.

17 MR. EVERDELL: No objection.

18 THE COURT: Thank you.

19 GX 915-R is admitted. You may publish.

20 (Government's Exhibit 915-R received in evidence)

21 MS. MOE: Thank you, your Honor.

22 Q. Just to orient ourselves, could you describe for the jury  
23 where the staircase was located within the residence.

24 A. This was in the middle of the residence. You would have a  
25 wing to either the left side or the right side of the house.

1           So this particular staircase started on the second  
2 floor and connected to the third and possibly the fourth floor.

3 Q. Did there come a time when you and the search team went to  
4 the third floor of the residence?

5 A. Yes, we did.

6 Q. I want to ask you some questions about the third floor of  
7 the residence.

8           Did you come across a room within the residence that  
9 you would describe as a massage room?

10 A. Yes, I did.

11 Q. I want to ask you about that room.

12           MS. MOE: Ms. Drescher, if you could please show the  
13 witness, the Court, and counsel what's been marked for  
14 identification as Government Exhibit 902-R. Thank you.

15 Q. Special Agent Maguire, do you recognize Government Exhibit  
16 902-R?

17 A. Yes, I do.

18 Q. And what is that exhibit?

19 A. This is a photograph of the entryway into the massage room  
20 on the third floor.

21 Q. Is this a fair and accurate depiction of the entryway into  
22 the massage room?

23 A. Yes, it is.

24           MS. MOE: Your Honor, the government offers Government  
25 Exhibit 902-R.

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1 MR. EVERDELL: No objection.

2 THE COURT: GX-902-R is admitted. You may publish.

3 (Government's Exhibit 902-R received in evidence)

4 MS. MOE: Thank you.

5 Q. So now that we're publishing the exhibit, can you just  
6 explain for the jury what we're looking at here.

7 A. Again, this is the entryway into the massage room. There  
8 is a hallway where you would be standing to take this  
9 photograph. You just take a few steps into the entryway and  
10 then the room opens up to your right.

11 MS. MOE: Ms. Drescher, if you could take that down  
12 and please show the witness, counsel, and the Court what's been  
13 marked for identification as Government Exhibit 903-R.

14 Q. Do you recognize this?

15 A. Yes, I do.

16 Q. What is Government Exhibit 903-R?

17 A. This is a photograph inside the massage room for a  
18 particular angle in the room.

19 Q. Aside from redactions, is this a fair and accurate  
20 depiction of the interior of the massage room?

21 A. Yes, it is.

22 MS. MOE: Your Honor, the government offers Government  
23 Exhibit 903-R.

24 MR. EVERDELL: No objection.

25 THE COURT: 903-R is admitted. You may publish.

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1 (Government's Exhibit 903-R received in evidence)

2 Q. Focusing on Government Exhibit 903-R and focusing on the  
3 foreground of the exhibit, do you see the item with the white  
4 sheet?

5 A. Yes, I do.

6 Q. And what is that object?

7 A. That particular object is a green in color massage table.  
8 It was covered with a navy blue blanket; and then on top of  
9 that, a white in color sheet. You obviously see a blue in  
10 color towel that's also placed on top of the table.

11 Q. Were there curtains in this room?

12 A. Yes, there were. Those are the large pink curtains that  
13 are visible in the photograph.

14 MS. MOE: Ms. Drescher, if you could please take 903-R  
15 down and show just the witness, counsel, and the Court what's  
16 been marked for identification as Government Exhibit 904-R.

17 Q. Do you recognize this?

18 A. Yes, I do.

19 Q. What is Government Exhibit 904-R?

20 A. This is just another angle inside the massage room.

21 Q. Is this a fair and accurate depiction of a separate angle  
22 of the interior of the massage room?

23 A. Yes, ma'am, that's correct.

24 MS. MOE: Your Honor, the government offers Government  
25 Exhibit 904-R.

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1 MR. EVERDELL: No objection.

2 THE COURT: 904-R is admitted. You may publish.

3 (Government's Exhibit 904-R received in evidence)

4 BY MS. MOE:

5 Q. Looking at Government Exhibit 904-R, and in the foreground,  
6 is that the same massage table we were just discussing?

7 A. Yes, ma'am, it is.

8 Q. Directing your attention to the far left doorway we see  
9 here in this photograph, where did that doorway lead?

10 A. That doorway leads to an adjoining bathroom.

11 MS. MOE: Ms. Drescher, if you could please take this  
12 exhibit down and show just the witness, the Court, and counsel  
13 what's been marked for identification as Government Exhibit  
14 917-R.

15 Q. What is this exhibit?

16 A. This again is in this massage room. This is also taken  
17 from a different angle, with the focal point being the massage  
18 table in the center of the photograph.

19 Q. Is this a fair and accurate depiction of a separate angle  
20 of the interior of the massage room?

21 A. Yes, ma'am.

22 MS. MOE: Your Honor, the government offers Government  
23 Exhibit 917-R.

24 MR. EVERDELL: No objection.

25 THE COURT: 917-R is admitted. You may publish.

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1 (Government's Exhibit 917-R received in evidence)

2 Q. Looking at Government Exhibit 917-R, from this angle, what  
3 are we looking at on the back wall in the upper left-hand  
4 corner of this photograph?

5 A. That is a wooden shelving unit that was located in the room  
6 that had various objects on it.

7 Q. I want to ask you a little bit more about those shelves.

8 MS. MOE: If we could take down Government Exhibit  
9 917-R. And if we could please show just the witness, the  
10 Court, and counsel what's been marked for identification as  
11 Government Exhibit 928-R.

12 Q. Special Agent Maguire, what is Government Exhibit 928-R?

13 A. Again, this is another angle inside the room. Now in this  
14 photograph, to the right-hand side is a more visible view of  
15 the wooden shelving unit that was located in the room.

16 Q. Is this a fair and accurate depiction of the separate angle  
17 of the massage room?

18 A. Yes, ma'am.

19 MS. MOE: Your Honor, the government offers Government  
20 Exhibit 928-R.

21 MR. EVERDELL: No objection.

22 THE COURT: 928-R is admitted. You may publish.

23 (Government's Exhibit 928-R received in evidence)

24 Q. Special Agent Maguire, you described a wooden shelving  
25 unit.



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1 MS. MOE: Ms. Drescher, could you just highlight that  
2 and blow that up. Thank you.

3 If we could take that down, but then blow up --  
4 apologies. Would you mind just dropping the call out.

5 Q. Special Agent Maguire, do you see a stereo system in this  
6 photograph?

7 A. Yes, I do.

8 Q. Was there a stereo system in the massage room?

9 A. Yes, ma'am, there was.

10 MS. MOE: Ms. Drescher, could you please highlight  
11 that for the jury. Thank you.

12 We can take that down.

13 Q. I want to turn now and ask you about some other areas of  
14 the residence.

15 Did there come a time when you obtained legal  
16 authority to search the residence for things like CDs?

17 A. Yes, ma'am.

18 Q. I want to ask you a little bit about that.

19 MS. MOE: If we could please show the witness what's  
20 been marked for identification as Government Exhibit 914; and  
21 just to the witness, counsel, and the Court.

22 Q. Special Agent Maguire, do you recognize this?

23 A. Yes, ma'am, I do.

24 Q. What are we looking at in Government Exhibit 914?

25 A. This is a photograph that was taken in a closet located on

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1 the fifth floor. We're looking at the left-hand side of the  
2 closet at numerous black binders that were found on a shelf  
3 with homemade labels on the spine of the binders.

4 Q. I'll just ask you a few more questions about that.

5 MS. MOE: Could we just leave that up and pull up  
6 alongside it Government Exhibit 925. And again, just for the  
7 witness, counsel, and the Court.

8 Q. What is Government Exhibit 925?

9 A. This is just another photograph of the same binders. This  
10 is just a closer photograph.

11 Q. And do Government Exhibits 914 and 925 fairly and  
12 accurately depict the binders as you found them on the day of  
13 the search?

14 A. Yes, ma'am.

15 MS. MOE: Your Honor, the government offers Government  
16 Exhibits 914, 925, and 925-R.

17 MR. EVERDELL: Your Honor, just one moment.

18 THE COURT: Yes.

19 (Counsel conferred)

20 MS. MOE: Your Honor, after conferring with counsel,  
21 we'd withdraw that application and we'd respectfully request  
22 that Government Exhibits 925 and 925-R be admitted.

23 MR. EVERDELL: No objection, your Honor.

24 THE COURT: So not 914.

25 MS. MOE: That's correct, your Honor.

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1 THE COURT: Can I see 925-R. So you're moving both?

2 MS. MOE: Yes, your Honor. 925-R as a public exhibit,  
3 and 925 under seal.

4 THE COURT: I see. Okay.

5 Mr. Everdell?

6 MR. EVERDELL: One moment, your Honor.

7 THE COURT: Yes.

8 (Counsel conferred)

9 MS. MOE: Your Honor, if I might just ask one  
10 follow-up question.

11 THE COURT: Sure.

12 BY MS. MOE:

13 Q. Special Agent Maguire, looking at Government Exhibit 925 --

14 MS. MOE: Ms. Drescher, if you could please show the  
15 witness. Thank you.

16 Q. Do you see white labels in this photograph?

17 A. Yes, I do.

18 Q. Were those labels applied by the FBI to those objects?

19 A. No, they were not.

20 Q. Were they on those objects when you found them?

21 A. Yes, they were.

22 Q. Do you see that there are some blue -- what appear to be  
23 blue Post-Its on some of those objects?

24 A. Yes.

25 Q. Were those Post-Its on those objects when the FBI found

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1 them?

2 A. No, they were not.

3 Q. How did those Post-Its get on the binders?

4 A. That was by the FBI personnel labeling them.

5 MS. MOE: Thank you, your Honor.

6 Your Honor, the government would offer Government  
7 Exhibits 925 and 925-R. 925-R is a public exhibit, and  
8 Government Exhibit 925 under seal.

9 MR. EVERDELL: No objection.

10 THE COURT: All right. Thank you.

11 925 is admitted -- and what is the basis for seal?

12 MS. MOE: Your Honor, with respect to the labels,  
13 there is identifying information for third parties.

14 THE COURT: Okay. So 925 is admitted under seal.  
15 925-R is a redacted version of 925, and that is admitted as a  
16 public exhibit.

17 (Government's Exhibits 925, 925-R received in  
18 evidence)

19 MS. MOE: Thank you, your Honor.

20 Could we now publish Government Exhibit 925-R as a  
21 public exhibit, and ask the jurors to turn in their binders to  
22 what's in under seal as Government Exhibit 925.

23 THE COURT: Right. You may.

24 So you can publish 925-R, and the jurors may look --  
25 I'm sorry, 925-R you may publish. And the jurors may open

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1 their binders to GX-925.

2 MS. MOE: Thank you, your Honor.

3 BY MS. MOE:

4 Q. All right. Taking a look at Government Exhibit 925, just  
5 to be clear, what are we looking at in this photograph?

6 A. Again, this is a photograph of a closet that was located on  
7 the fifth floor of the residence. This is the left-hand side  
8 of the closet, and these were several black in color binders  
9 that were found on a shelf in that closet.

10 Q. What was inside the binders?

11 A. Inside the binders there were clear pages that contained a  
12 sheet of paper that would have printed thumbnails of  
13 photographs. And then there was a corresponding CD attached to  
14 those.

15 Q. Were the CDs in those binders seized as evidence that day?

16 A. Which day are you talking about?

17 Q. Let me rephrase.

18 During the course of the search of this particular  
19 residence, were the CDs contained in the binders that we're  
20 looking at in Government Exhibit 925 seized in evidence?

21 A. Yes, they were.

22 Q. Were they marked with any particular identifiers as  
23 evidence?

24 A. Yes, they were labeled with evidence Item 1B-19.

25 Q. Could you just explain for the jury how does the FBI apply

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1 evidence numbers to items that are seized during the course of  
2 the search warrant?

3 A. After we seize items of evidence at a location, we then  
4 enter them into a collected item log. At that point each item  
5 is serialized with a number that's called a 1B number that's  
6 for evidence tracking purposes with our evidence control unit.

7 Q. And just to be clear, I believe you testified that the CDs  
8 contained in these binders were assigned evidence numbers  
9 1B-19, is that right?

10 A. That's correct.

11 Q. I'd like to turn now to show you --

12 MS. MOE: Ms. Drescher, if you could please just show  
13 just the witness, the Court, and counsel what's been marked for  
14 identification as Government Exhibit 926.

15 Q. Do you recognize this?

16 A. Yes, ma'am, I do.

17 Q. What is Government Exhibit 926?

18 A. This is a photograph taken in the same room where the  
19 previous black binders were located. In the center of this  
20 closet room there was a drawer organizer located right there in  
21 the center. This is one of the bottom drawers where several  
22 CDs were located.

23 Q. Is this a fair and accurate depiction of the drawer with  
24 CDs that you just described?

25 A. Yes, ma'am.

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1 MS. MOE: Your Honor, the government offers Government  
2 Exhibit 926 as a public exhibit.

3 MR. EVERDELL: No objection.

4 THE COURT: GX-926 is admitted. You may publish.

5 (Government's Exhibit 926 received in evidence)

6 Q. Taking a look at Government Exhibit 926, now that the jury  
7 can see it, can you please describe what we are looking at here  
8 in this photograph?

9 A. Again, this was a closet located on the fifth floor. This  
10 is the same room where the previously discussed black binders  
11 were located. In the center of the room was a drawer  
12 organizer. This is the bottom drawer pulled out with various  
13 CDs inside.

14 Q. Were the CDs contained in the drawer that we're looking at  
15 in this photograph seized by the FBI during the course of the  
16 search?

17 A. Yes, ma'am, they were.

18 Q. Were they marked with any particular identifiers as  
19 evidence?

20 A. They were marked as evidence Item 1B-63.

21 MS. MOE: Ms. Drescher, if you could please take down  
22 Government Exhibit 926. And if you could please show just the  
23 witness, the Court, and counsel what's been marked for  
24 identification as Government Exhibit 929.

25 Q. Special Agent Maguire, do you recognize this?

LC6VMAX6

Maguire - direct

1 A. Yes, ma'am, I do.

2 Q. What is Government Exhibit 929?

3 A. This was a photograph of a room on the third floor that  
4 could be described as a dressing room. In this particular  
5 photograph, you are viewing a safe that we located in a closet  
6 in that room pulled out to the center. And the items on top of  
7 it and aside it are items that were taken from inside the safe.

8 Q. Is Government Exhibit 929 a fair and accurate depiction of  
9 how that dressing room appeared during part of the search --

10 A. Yes, ma'am.

11 Q. -- of the residence?

12 MS. MOE: Your Honor, the government offers Government  
13 Exhibit 929 as a public exhibit.

14 MR. EVERDELL: No objection.

15 THE COURT: GX-929 is admitted. You may publish.

16 (Government's Exhibit 929 received in evidence)

17 Q. All right. Special Agent Maguire, what floor was this room  
18 located?

19 A. This was located on the third floor.

20 Q. Is that the same floor as the massage room?

21 A. Yes, ma'am, it is.

22 Q. All right. Now that we're all looking at it, could you  
23 please walk the jury through what we're looking at in this  
24 photograph?

25 A. This is a dressing room located on the third floor. In the



LC6VMAX6

Maguire - direct

1 center of the photograph, the large dark box is a safe that we  
2 pulled from a closet in this room. And the items on top of the  
3 safe and the dark boxes down on the floor are all items that  
4 were taken out of the safe once we opened it.

5 Q. How was the FBI able to open the safe?

6 A. The day of the search we brought a saw with us.

7 Q. I believe you testified that the items we're looking at in  
8 this photograph were inside the safe. Were there any CDs  
9 inside this safe?

10 A. Yes, there were binders that contained CDs.

11 MS. MOE: Ms. Drescher, could you please highlight the  
12 top of the safe so the jury can see it.

13 Q. Now, at the time you observed these CDs on the safe, did  
14 you have legal authority to seize all of the CDs that day?

15 A. No, not all of them.

16 Q. Did there come a time when you obtained legal authority to  
17 return to the residence?

18 A. Yes, that would have been on July 11th.

19 Q. And at that point, did you have legal authority to seize  
20 CDs?

21 A. Yes, we had a search warrant.

22 Q. When you returned to the residence on that date, did you  
23 return to the room we're looking at in this room with the safe?

24 A. Yes, I did.

25 Q. What did you observe?

LC6VMAX6

Maguire - direct

1 A. I observed that all of the items that are in this  
2 photograph that I had previously seen were missing.

3 Q. Without describing the substance of any conversations, what  
4 did you do next?

5 A. I next spoke with the house manager, Merwin de la Cruz, who  
6 was on scene at the time that we were there.

7 Q. And again, without telling me the substance of that  
8 conversation, what's the next thing that happened?

9 A. The next thing that happened is I was on a three-way  
10 telephone conversation with an associate of Mr. Epstein named  
11 Richard Kahn and his legal counsel named Andrew Tomback.

12 Q. During the course of that phone call, did you tell those  
13 attorneys that you had a search warrant for these items?

14 MR. EVERDELL: Objection.

15 A. Yes, I did.

16 THE COURT: Just a moment.

17 MR. EVERDELL: Objection. Leading.

18 THE COURT: I'll allow it.

19 Q. And again, without getting into the substance of the  
20 conversation, after you communicated that you had a search  
21 warrant for these items, what's the next thing that happened?

22 A. Approximately 20 to 30 minutes after that telephone  
23 conversation, Richard Kahn came to the residence of Jeffrey  
24 Epstein at seven east -- or No. 9 East 71st Street and brought  
25 all of those items back to me in two suitcases.

LC6VMAX6

Maguire - direct

1 Q. Did you examine the contents of the suitcases?

2 A. Yes, I did.

3 Q. Did you recognize them?

4 A. Yes, I did.

5 Q. What were they?

6 A. It appeared to be all of the items that had been previously  
7 located in the safe.

8 (Continued on next page)

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LC6Cmax7

Maguire - direct

1 BY MS. MOE:

2 Q. What were those items?

3 A. The items included binders that contained CDs. There were  
4 various items of jewelry. There were external hard drives  
5 there were loose diamonds, large amounts of U.S. currency and  
6 passports, as well.

7 Q. Did you seize the CDs that were obtained from this safe?

8 A. Yes, I did.

9 Q. And the CDs from the suitcase?

10 A. Yes.

11 Q. Were those CDs marked with any particular identifiers as  
12 evidence?

13 A. Yes, they were. They were labeled as evidence items 1B26,  
14 1B75, and 1B78.

15 Q. We've been talking about CDs that you seized from several  
16 areas of the house. What did you do with all the CDs that  
17 you've just testified about?

18 A. I seized them and transported them back to our office and  
19 then later, chain of custody was then transferred to the case  
20 agents.

21 Q. Did you come across any electronic devices as you were  
22 going through the house?

23 A. Yes, I did.

24 MS. MOE: Ms. Drescher, if you could please show the  
25 witness, counsel, and the Court what's been marked for

LC6Cmax7

Maguire - direct

1 identification as Government Exhibit 935.

2 Q. What is Government Exhibit 935?

3 A. This is a photograph that's taken in an office near the  
4 front of the residence. This was a wooden bookcase and  
5 cabinets that were located in that office. This particular  
6 photograph depicts the bottom cabinet open where my team  
7 located several plastic bins that contained boxes of hard  
8 drives. The boxes in this photograph also had evidence tape  
9 that were on the exterior of the boxes.

10 MS. MOE: Ms. Drescher, if you could please pull up  
11 for the witness, counsel, and the Court, Government Exhibit  
12 935R.

13 Q. Is that the same photograph just redacted?

14 A. Yes, ma'am, it is.

15 MS. MOE: Your Honor, the government offers Government  
16 Exhibit 935R as a public exhibit.

17 MR. EVERDELL: No objection.

18 THE COURT: 935R is admitted. You may publish.

19 (Government's Exhibit 935R received in evidence)

20 MS. MOE: Thank you, your Honor.

21 Q. Now that we're taking a look at Government Exhibit 935R, I  
22 believe you were describing the items in this cabinet.

23 Let me just take a step back and ask, the room that  
24 we're looking at in this photograph, where was that within the  
25 house?

LC6Cmax7

Maguire - direct

1 A. This was on the first floor of the residence. It was an  
2 office that was located pretty close to the front door.

3 Q. Focusing on the bottom half of the photograph, what was  
4 inside the cabinet?

5 A. These were large plastic bins that contained various boxes  
6 that had hard drives in them.

7 Q. How were they packaged?

8 A. They were packaged within the box for the hard drive. They  
9 also had evidence tape on the exterior of the box.

10 Q. Did the boxes containing hard drives have evidence tape on  
11 them when the FBI found them?

12 A. Yes, they did.

13 Q. In other words, did the FBI find them with evidence tape or  
14 did you apply evidence tape to the boxes?

15 A. We found them with evidence tape. We did not place that  
16 there.

17 Q. As you sit here today, do you have personal knowledge of  
18 why there was evidence tape on these boxes?

19 A. No, I don't.

20 Q. Were these drives seized during the course of the search?

21 A. Yes, they were.

22 MS. MOE: Your Honor, if I could just have one moment.

23 THE COURT: You may.

24 MS. MOE: Thank you. Thanks very much. Your Honor,  
25 may I approach the witness with Government Exhibit 54?

LC6Cmax7

Maguire - direct

1 THE COURT: You may.

2 MS. MOE: I'll show it to counsel first.

3 Q. All right, so I've just handed you what's been marked for  
4 identification as Government Exhibit 54. Special Agent  
5 Maguire, do you recognize this?

6 A. Yes, ma'am, I do.

7 Q. What is Government Exhibit 54?

8 A. This is a hard drive that was located in the previous  
9 exhibit, 935R. This was in one of the boxes that was located  
10 in the plastic bins in that office.

11 Q. And have you examined Government Exhibit 54 in preparation  
12 for your testimony today?

13 A. Yes, I have.

14 Q. And how do you know that Government Exhibit 54 is one of  
15 the hard drives contained in the box that we're looking at here  
16 in Government Exhibit 935R?

17 A. I examined this hard drive. I also recognized the New York  
18 CART lab bar code that's located on it.

19 Q. So you just mentioned a New York CART bar code. Can you  
20 please explain to the jury what that is?

21 A. Typically, when we seize digital evidence items, we then  
22 turn them over to a unit in the FBI called CART. It's the  
23 Computer Analysis Response Team. They're just more technically  
24 trained to extract and review the digital evidence. When they  
25 receive an evidence item, they put their own bar code on it.

LC6Cmax7

Maguire - cross

1 It's typically designated with NYC and then has a series of  
2 numeric digits after that.

3 Q. What is the NYC number for Government Exhibit 54?

4 A. This particular one is NYC024350.

5 MS. MOE: Your Honor, if I could have one moment,  
6 please.

7 THE COURT: Okay.

8 MS. MOE: I have nothing further, your Honor.

9 THE COURT: Thank you. Mr. Everdell.

10 MR. EVERDELL: Thank you, your Honor. May I inquire?

11 THE COURT: You may.

12 CROSS-EXAMINATION

13 BY MR. EVERDELL:

14 Q. Good afternoon, Special Agent Maguire.

15 A. Good afternoon, sir.

16 Q. You testified on direct about a search warrant that you  
17 helped execute at Jeffrey Epstein's New York residence on July  
18 6th and 7th of 2019; is that right?

19 A. Yes, sir, that's correct.

20 Q. And the search warrant you were executing was part of an  
21 investigation that the New York FBI was conducting at the time;  
22 right?

23 A. Yes, sir.

24 Q. You were not the lead detective on that investigation;  
25 right?



LC6Cmax7

Maguire - cross

1 A. No, I was not.

2 Q. I believe the co-case agents for that investigation were  
3 Special Agent Amanda Young and Task Force Officer Paul Byrne;  
4 is that right?

5 A. Yes, sir.

6 Q. They were in charge of the investigation?

7 A. Yes.

8 Q. And your job was to help out on the day that the search was  
9 executed; right?

10 A. Yes, sir.

11 Q. You were leading the Evidence Collection Team?

12 A. That's correct.

13 Q. So your job was to go through the various rooms in the  
14 house, take photographs, and then search and seize any evidence  
15 that you might find; right?

16 A. Yes, sir.

17 Q. Now that you did more than one search warrant on those two  
18 days, July 6th and 7th; isn't that right?

19 A. Yes, sir.

20 Q. That's because when you first went into the residence and  
21 you did a protective sweep of the area, you saw certain items  
22 that weren't covered by the first warrant, so you went and got  
23 a broader warrant; right?

24 A. Yes, sir.

25 Q. And I think you said there was yet even another warrant

LC6Cmax7

Maguire - cross

1 that you executed a few days later on July 11th, that allowed  
2 you to go back and collect CDs; right?

3 A. Yes, sir.

4 Q. So getting back to the day of the first execution of the  
5 first warrant, that would be July 6th of 2019; is that correct?

6 A. Yes, sir, it is.

7 Q. And I believe the search started roughly around 5:30, 5:40  
8 in the evening; is that right?

9 A. Yes, sir. I believe we approached the residence shortly  
10 after 5:30 and then actually entered the residence  
11 approximately 5:45, did the protective sweep, and I believe the  
12 search started at 6:15 p.m., approximately.

13 Q. In the evening?

14 A. Yes, sir.

15 Q. And I think you were there executing that and the second  
16 warrant you got on July 7th all the way through the night;  
17 isn't that right?

18 A. Yes, sir, that's correct.

19 Q. And I think the search ended early in the morning, around  
20 6:30 a.m., is that right?

21 A. Yes, sir, it is.

22 Q. But it's safe to say for those first two warrants, I'm not  
23 talking about the one when you came back with the CDs, but for  
24 the times -- the warrants you executed where you took the  
25 photographs were on July 6th, 2019, July 7th, 2019; right?

LC6Cmax7

Maguire - cross

1 A. Yes, sir.

2 Q. So that's the day that the photos that we looked at were  
3 taken?

4 A. Yes, sir.

5 Q. So those photos show what the house looked like on July  
6 6th, 2019, and July 7th, 2019; isn't that right?

7 A. Yes, sir.

8 Q. Those photographs don't show, for example, what the house  
9 looked like in 1994?

10 A. No, sir, they don't. Not to my knowledge.

11 Q. Not to your knowledge, right, because you weren't in the  
12 house in 1994; right?

13 A. I would hope not, no, sir.

14 Q. That was the first time you had ever been there?

15 A. It was.

16 Q. Those photographs wouldn't show what the house looked like  
17 at any time prior to 2019 when you went inside the house;  
18 right?

19 MS. MOE: Objection, your Honor.

20 THE COURT: Overruled.

21 A. I have no way of knowing what the residence looked like, so  
22 I don't know if they were representative of what they looked  
23 like at that time period in the '90s.

24 Q. The specific year I asked about was 1994, that would be 25  
25 years before the day that you executed the search warrant;

LC6Cmax7

Maguire - cross

1 right?

2 A. Yes, sir.

3 Q. That's a quarter of a century; right?

4 A. Yes, sir.

5 Q. And, in addition to what the house generally looked like in  
6 that earlier time period of the 1990s, say, those photographs  
7 we looked at don't show what items were in the house at that  
8 time period, necessarily, do they?

9 A. Again, I would not have any personal knowledge of that.

10 Q. Those photographs wouldn't necessarily show what  
11 furnishings were in the house in the 1990s and the 2000s;  
12 right?

13 A. Again, I don't know if it's representative or not.

14 Q. And those photographs wouldn't necessarily show what  
15 artwork was on the walls in that time period that I'm talking  
16 about; right?

17 A. Again, I don't know if it represents that or not.

18 Q. Bottom line is that these photographs really show what it  
19 looked like at the time of the search in 2019?

20 A. That's the day that I was there, yes.

21 Q. So you also mentioned that the search began around -- I  
22 guess you said 6:30 is when the search began --

23 A. Actually 6:15.

24 Q. 6:15?

25 A. Yes, sir.

LC6Cmax7

Maguire - cross

1 Q. Great. So you didn't take the photographs until after the  
2 search began at 6:15 p.m.; right?

3 A. We take, yes, the entry photographs and then we proceed  
4 with the search after that. So at 6:15, that would be the  
5 labeling of the room, the photographs taken upon initial entry  
6 and walk-through, and then we would start the search after  
7 that.

8 Q. So fair to say that the photographs you took that were  
9 taken and that we saw were taken at night; right?

10 A. I believe it was summertime, so they might have been taken  
11 around dusk and then proceeding on through the nighttime hours.

12 Q. And the search did last all the way through the night;  
13 right?

14 A. Yes, it did.

15 Q. So, I think many of these photographs we saw were taken  
16 with a flash; right?

17 A. Yes, sir.

18 Q. And so that wasn't natural lighting conditions, that's what  
19 they looked like with a flash photo taken?

20 A. I believe a flash was used in some circumstances in dimly  
21 lit areas and I believe other times it was not because the room  
22 was sufficiently lit.

23 Q. I want to ask you about a few specific items that you  
24 recovered from the residence.

25 You testified about certain items that were in the

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Maguire - cross

1 safe, we just heard you talk about that; right?

2 A. Yes, sir.

3 Q. And some of the items found in the safe were CDs; correct?

4 A. Yes, sir.

5 Q. And you assigned the CDs the evidence numberses 1B26, 1B75,  
6 and 1B78?

7 A. Yes, sir.

8 Q. And those were found in the safe; correct?

9 A. Yes. The 1B26 would have been located in the safe during  
10 the search on the 6th and 7th, and then 1B75 and 1B78 would  
11 have been with the suitcases with CDs were brought back to me  
12 on July 11th.

13 Q. Right. But your understanding what was brought back to you  
14 in the suitcases were originally what was inside the safe  
15 before you opened it?

16 A. Yes, sir, that's correct.

17 Q. So all of those items that you mentioned, those 1B numbers  
18 I just mentioned were items that were found inside the safe?

19 A. Yes, sir.

20 Q. So you didn't -- and that safe was on the third floor of  
21 the house; right?

22 A. Yes, sir.

23 Q. And at the time of the search, you didn't look at what was  
24 on any of these CDs; right?

25 A. No, sir.

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Maguire - cross

1 Q. So, any images or photographs or anything else that came  
2 off those CDs, those were taken off later; correct?

3 A. Correct.

4 Q. Now you also testified about CDs that were found in a room  
5 on the fifth floor; right?

6 A. Yes, sir.

7 Q. So the safe is on the third floor and there was another  
8 room on the fifth floor where you found CDs?

9 A. That's correct.

10 Q. And some of those CDs were also in binders on a shelf in  
11 that room, we saw that; right?

12 A. Yes. Correct.

13 Q. And there were other CDs that were found in the drawer of a  
14 cabinet in that same room; right?

15 A. Correct.

16 Q. And we saw photographs of both of those; right?

17 A. Yes.

18 Q. And those CDs that we're talking about in the binders and  
19 in the drawer were found in the same room on the fifth floor of  
20 the residence; correct?

21 A. Correct.

22 Q. And again, at the time of the search, you, yourself, did  
23 not look at what was on those CDs; right?

24 A. The CDs in the binder, I was able to see thumbnails of the  
25 corresponding CDs. So I presumed that those were identical to

LC6Cmax7

Maguire - cross

1 what should be on the CDs. But, no, I did not view any other  
2 CDs on the day of the search.

3 Q. So you didn't compare the thumbnails with what was actually  
4 on the CDs that day; right?

5 A. No. I did view several CDs the next day, though.

6 Q. I'm just talking about on the day of the search.

7 A. Correct. Yes, sir.

8 Q. So any images of photos that were on those CDs were taken  
9 off later; right?

10 A. Yes, sir.

11 Q. Now you mentioned about how -- getting back to the safe,  
12 there were certain items that you found on the day of the  
13 search, but when you went back, they weren't there, but they  
14 were returned later; is that right?

15 A. That's correct.

16 Q. So it was Mr. Khan, the attorney who brought suitcases that  
17 had the items that were missing from before; right?

18 A. That's correct.

19 Q. And fair to say that you didn't see anything missing in  
20 that inventory that was returned that day on the 11th?

21 A. No, sir, I did not.

22 Q. So you got back everything you thought should be there  
23 based on what you had seen on the day of the search; right?

24 A. Yes, sir.

25 Q. Nothing missing?



LC6Cmax7

Maguire - cross

1 A. Not to my knowledge, no.

2 Q. Special Agent Maguire, you went through I think every room  
3 in the house during the search; is that correct?

4 A. Yes.

5 Q. So you were on every floor of the house at some point  
6 during the search?

7 A. Yes, sir.

8 Q. And I think you said that there were eight total floors in  
9 the house; right?

10 A. That's correct. Six aboveground and two sublevels.

11 Q. So six aboveground and two cellar levels, call it; right?

12 A. Yes.

13 Q. There were no bedrooms in the cellar levels of the house;  
14 right?

15 A. Not that I recall, no, sir.

16 Q. So of the six floors that were aboveground, there were some  
17 bedrooms in those floors; right?

18 A. Yes, sir.

19 Q. But needless to say, if there were six floors aboveground,  
20 there was no seventh floor aboveground; right?

21 A. No, sir.

22 Q. And there was no eighth floor above the ground with any  
23 bedrooms; right?

24 A. No, sir.

25 MR. EVERDELL: One moment. I have nothing further,

LC6Cmax7

Maguire - cross

1 your Honor.

2 THE COURT: Ms. Moe.

3 MS. MOE: No redirect, your Honor.

4 THE COURT: Thank you, Agent Maguire. You may step  
5 down. You are excused.

6 Is it a short witness or better to start tomorrow?

7 MS. COMEY: Relatively short, your Honor. I don't  
8 know that we would get through it in 12 minutes, but we could  
9 try if your Honor would like.

10 THE COURT: Let's give it a start, sure.

11 MS. COMEY: Sure, your Honor. The government calls  
12 Kimberly Meder.

13 THE COURT: Kimberly Meder may come forward.

14 MS. MENNINGER: Your Honor, rather than us switching  
15 with the lateness of the day, I'm going to be handling this  
16 witness from here, if that's all right with the Court.

17 THE COURT: That's fine. Thank you, Ms. Menninger.

18 KIMBERLY MEDER,

19 called as a witness by the Government,

20 having been duly sworn, testified as follows:

21 THE COURT: Thank you. Please be seated. Please  
22 remove your mask and state and spell your name for the record.

23 THE WITNESS: Kimberly Meder, K-i-m-b-e-r-l-y  
24 M-e-d-e-r.

25 THE COURT: Thank you. You may inquire.