

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 08-80736-CIV-MARRA

JANE DOE #1 and JANE DOE #2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

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DECLARATION OF ALAN M. DERSHOWITZ

1. My name is Alan M. Dershowitz. I make this declaration on personal knowledge and pursuant to the provisions of 28 U.S.C. § 1746, and in response to a pleading in which the lawyers for Jane Doe #3, without benefit of an affidavit, leveled totally false and outrageous charges against me that have been reported around the world and threaten to damage my reputation irrevocably.

2. Never under any circumstance have I ever had any sexual contact of any kind, which includes massages or any physical contact whatsoever, with Jane Doe #3, whose identity has been referenced by the BBC. (Her identity was disclosed because she “waived her anonymity in an interview with *The Mail* on Sunday in 2011.”)

3. Specifically, Jane Doe #3 has alleged that she had sex with me on Mr. Epstein’s Carribean island. That is a deliberate lie. I was on that island only once in my life, for approximately one day. I was with my wife and daughter during the entire day. My wife, daughter and I slept overnight in the same room. We had dinner with Mr. Epstein and a distinguished professor from the Harvard Business School, his wife, her sister, brother-in-law,

their kids, and an older woman. During our entire stay on the island, we never saw any young woman that fit the description of Jane Doe #3. Indeed we do not recall seeing any young women during our entire visit to the island. The older woman showed us around the island. There is no conceivable possibility that I could have had any sexual encounter with Jane Doe #3 during that period. Her lawyers could have easily learned this by simply calling and asking me for the specifics. I would have then provided them with the names of unimpeachable witnesses who would have contradicted Jane Doe #3's false account.

4. Second, Jane Doe #3 has alleged that she had sex with me in Mr. Epstein's house in New Mexico. That is a deliberate lie. I was in that house only once while it was under construction. My wife, daughter and I were driven there by a New Mexico businessman and his wife, whom we were visiting. Mr. Epstein was not there. Nor were there any young girls visible at any time. We were shown around the house for about an hour and then drove back with our friends. Jane Doe #3's lawyers could have easily learned this by simply calling and asking me for the specifics. I would have then provided them with the names of unimpeachable witnesses who would have contradicted Jane Doe #3's false account.

5. Third, Jane Doe #3 has accused me of having sex with her on Jeffrey Epstein's plane. That is a deliberate lie. I was on that plane on several occasions as the manifests will show, but never under circumstances where it would have been possible to have sex with Jane Doe #3. On a couple of occasions I was on his plane with my wife and daughter. On another occasion, I was on the plane with my nephew and several older people going to see a launch at Cape Kennedy. On several other occasions, after the alleged events at issue, I was on the plane with members of Mr. Epstein's legal team flying down to perform legal services. Had his

lawyers called me, I would have provided them this information and told them to check the manifests. There were never any young girls on the plane during any of my trips.

6. As to Mr. Epstein's homes in New York City and Palm Beach, I categorically state that I never had any sexual contact with Jane Doe #3.

7. In a statement issued to the press, Jane Doe #3's lawyers, Brad Edwards and Paul Cassell, have falsely stated that "they tried to depose Mr. Dershowitz on these subjects, although he has avoided those deposition requests." By using the term "these subjects" in a statement about the sexual abuse charges recently made against me, these lawyers have falsely implied that they sought to depose me on allegations regarding my own conduct. That is a total and categorical lie. Several years ago they wrote, asking to depose me on Jeffrey Epstein's activities and whether I ever witnessed any of his alleged crimes. I recall responding that I could not testify as to any privileged information and that I was not a witness to any alleged crimes. They did not follow up with a subpoena. Any suggestion that I refused to respond to questions about any allegations regarding my own alleged sexual conduct is totally and categorically false. The lawyers know this and yet continue to perpetuate the false impression that I was somehow given an opportunity to respond to these false and salacious charges against me and refused to do so. The written record will bear out the truth of what I am declaring and demonstrate the deliberate falsity of what they have suggested.

8. Jane Doe #3 knows that the charges she has leveled against me are totally false and she has alleged them with complete knowledge of their falsity. I believe and allege that her lawyers, Brad Edwards and Paul Cassell, also knew or could have easily learned, that I could not have done and did not do any of the heinous things they allege I did in the pleading. If they had done any reasonable investigation of their client's false allegations, they would have found

absolute proof that I did not. They claim in a written statement that they “investigate” before filing. But they did not specifically state that they investigated this claim against me before filing this false and scurrilous charge. They could not have, because even the most minimal of investigation would have proven conclusively that I could not have had sex with their client on Mr. Epstein’s island, in New Mexico or on the airplanes; and that I did not have sex with her in his New York or Palm Beach homes. They would also have learned, if they did not already know, that Jane Doe #3 is a serial liar, whose uncorrobrated word should never be credited. She has claimed to have been with former President Clinton on Mr. Epstein’s island. She has provided specific and detailed information about Mr. Clinton’s activities on the island. Yet, on information and belief, I have been advised that Secret Service records would confirm that President Clinton has never set foot on that island. It has also been reported that she told her father that she met Queen Elizabeth. On information and belief, a check of the records of Buckingham Palace would disclose that Jane Doe #3 lied to her father about such a visit. On information and belief, she has also told lies about many world leaders. Finally, on information and belief, the State Attorney in Palm Beach County dropped a case that she sought to bring based on an assessment by the investigating detective regarding the “victim’s lack of credibility.” A copy of the letter reflecting this decision was forwarded to central records. Her lawyers knew or should have known about her history of lying and her utter lack of credibility before filing an allegedly privileged legal statement that asserts false and defamatory information about a fellow lawyer based on her word alone.

9. I believe and allege that Jane Doe #3’s lawyers deliberately inserted this false and defamatory charge, which they knew or should have known to be false and defamatory, in a legal pleading that does not seek an evidentiary hearing or provide for any other opportunity for me to

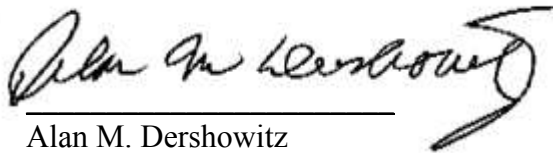
respond to, rebut or disprove their knowingly false charge. They placed it in a legal proceeding, in a public filing, in bad faith in an effort to have the media report it, while they attempt to hide behind claims of litigation and journalistic privilege. I believe and allege that their bad faith purpose was to have this false charge made public, while attempting to deny me any legal recourse. There is no realistic possibility that this pre-New Year's filing would have been picked up by the media had they or someone on their behalf not deliberately alerted the media to its existence.

10. These lawyers have now repeatedly spoken to the media about their false allegations against me, asserting that what they alleged against me had a "factual" basis and providing the BBC with a list of questions they should ask me. I answered all of their questions. These lawyers have studiously tried to avoid repeating the specific false charges publically, in an attempt to shield themselves from a defamation claim.

11. Again, let me assert categorically, without reservation and with full awareness of the risks of perjury, that I did not ever, under any circumstances, have any sexual contact of any kind with Jane Doe #3.

12. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of January, 2015, in Miami Beach, Florida.


Alan M. Dershowitz