



**Todd & Weld** LLP

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**VIA ECF**

August 14, 2020

Honorable Loretta A. Preska  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

**Re: *Giuffre v. Dershowitz*, Case No.: 19-cv-03377-LAP  
Offer of Proof Regarding Deposition of Leslie Wexner**

Your Honor:

Professor Dershowitz respectfully submits the following Offer of Proof in advance of the telephonic hearing scheduled for Monday, August 17, 2020 at 2:00 pm concerning his deposition subpoenas duces tecum to Leslie Wexner and John Zeiger. Professor Dershowitz will await Monday's hearing to argue based upon the below facts, but for the Court's convenience, he has collected here the relevant facts and supporting materials presently available which support his need to depose Wexner.

**OFFER OF PROOF**

1. On December 30, 2014, Plaintiff publicly accused Dershowitz of having sex with her when she was a minor and set off a media firestorm. *See, generally*, Amended Counterclaim (ECF No. 127).
2. Plaintiff, through her counsel at Boies Schiller Flexner, LLP ("BSF"), thereafter contacted Wexner and alleged that she had been sexually trafficked to him by Jeffrey Epstein. *See* Affidavit of Stanley Pottinger (ECF No. 36-7) at ¶¶ 9, 11 (stating that he informed David Boies in the fall of 2014 that "Mr. Wexner was alleged to have had sex with one or more of Mr. Epstein's girls, including Ms. Giuffre," and BSF thereafter made contact with Wexner); Affidavit of Stephen Zack (ECF No. 36-16) at ¶ 2 (stating that, at the request of Boies, he "sent a letter to Leslie Wexner regarding possible claims against him."); Ex. A, Deposition of Alan Dershowitz, Vol. 6 at 891-93 (stating that "Sigrid McCawley claims that her client, Virginia [Giuffre], alleges that she had sex with Leslie Wexner on numerous occasions.").
3. Plaintiff and her lawyers have denied they engaged in any effort at all to extort Wexner and have offered their own self-serving versions of their approach of Wexner and subsequent communications with Wexner and his lawyers. *See* Affidavit of Stanley Pottinger (ECF No. 36-7) at ¶¶ 11-12; Affidavit of David Boies (ECF No. 36-12) at ¶ 22; Affidavit of Stephen Zack (ECF No. 36-16) at ¶¶ 2-7.
4. Wexner's counsel, Marion Little, in a letter to the Court has represented that no extortion attempt was made of his client. ECF No. 159 at 3.
5. Contrary to Little's representation on behalf of Wexner, however, in a lawfully recorded conversation with Professor Dershowitz which took place in the fall of 2015 (a transcript of



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which is attached hereto as Exhibit B), Zeiger characterized Plaintiff's approach of Wexner as a "shakedown", and repeatedly agreed with Dershowitz's theory that Wexner was the target of an extortion attempt:

- Zeiger: There's no question that [there's] allegation[s] -- [of] what I refer to as rendezvous -- and Sigrid was in one call very graphic. (p. 2)
- Zeiger: I think there was a general reference to the type of lingerie and -- and things like that, but no specifics. (pp. 2-3).
- Zeiger: [I]t just seems strange to me that -- that one would go this way, unless your theory is correct. (p. 9).
- Zeiger: *[A]re there any other people out there being shaken down?* (p. 11).
- Zeiger [I]t's awfully strange . . . that of all the people around, our client would have been the one -- the only one to be directly approached.
- Dershowitz: Well, he has the most money. I mean he's the pot at the end of the rainbow, obviously. A lot of advantages in being rich, and maybe some disadvantages.
- Zeiger: Yeah. (p. 11).

Ex. B (Transcript of telephone call between Dershowitz and Zeiger) at pp. 2-3, 9, 11.

6. Wexner's wife also characterized the episode as a "shakedown" in a direct conversation with Professor Dershowitz, as Dershowitz will testify.
7. After having her lawyers make their initial approach to Wexner, Plaintiff testified under oath that she had been sexually trafficked to Wexner.
8. Professor Dershowitz was informed by Plaintiff's close friend, Rebecca Boylan, that Plaintiff was seeking a billion dollars from a wealthy man in Columbus, Ohio.

As of now, it is unknown to Professor Dershowitz, beyond the self-serving (and demonstrably untrue) suggestions of counsel for Plaintiff and Wexner that no extortion attempt was made, whether any understanding was reached between Plaintiff and Wexner or, alternatively, if BSF concluded that Plaintiff's sworn accusations against Wexner were not truthful and the matter was dropped. If the former, and Wexner maintains that the allegations against him were untrue, then what Plaintiff and BSF did was extortion. If the latter, then Giuffre testified falsely under oath. Either way, Plaintiff has placed these matters -- and Wexner's testimony -- directly at issue in her Complaint.



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Respectfully submitted,

/s/ Howard M. Cooper  
Howard M. Cooper

cc: All counsel of record, via ECF

# Exhibit A

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL  
CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and PAUL G.  
CASSELL,

Plaintiffs,

vs.

ALAN M. DERSHOWITZ,

Defendant.

\_\_\_\_\_ /

VIDEOTAPE CONTINUED DEPOSITION OF

ALAN M. DERSHOWITZ

VOLUME 6  
Pages 782 through 909

Wednesday, January 13, 2016  
1:05 p.m. - 3:06 p.m.

Tripp Scott  
110 Southeast 6th Street  
Fort Lauderdale, Florida

Stenographically Reported By:  
Kimberly Fontalvo, RPR, CLR  
Realtime Systems Administrator

1 APPEARANCES:

2

On behalf of Plaintiffs:

3

SEARCY, DENNEY, SCAROLA  
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7

8 On behalf of Defendant:

9

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10

11

12

13

--and--

14

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BY: RICHARD A. SIMPSON, ESQ.  
RSimpson@wileyrein.com

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1 APPEARANCES (Continued):

2

3 On behalf of Jeffrey Epstein:

4 DARREN K. INDYKE, PLLC  
5 575 Lexington Ave., 4th Fl.  
6 New York, New York  
7 BY: DARREN K. INDYKE, ESQ. (Via phone)

8 On behalf of Virginia Roberts:

9 BOIES, SCHILLER & FLEXNER, LLP  
10 401 E. Las Olas Blvd., Ste. 1200  
11 Fort Lauderdale, Florida 33301  
12 BY: SIGRID STONE MCCAWLEY, ESQ.  
13 smccawley@bsfllp.com

14

15 ALSO PRESENT:

16 Edward J. Pozzuoli, Special Master

17 Sean D. Reyes, Utah Attorney General Office

18 Marcy Martinez, Videographer

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## 1 I N D E X

2 Examination Page

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4 VOLUME 6 (Pages 782 - 909)

5

6 Certificate of Oath 906

Certificate of Reporter 907

7 Read and Sign Letter to Witness 908

Errata Sheet (forwarded upon execution) 909

8

## 9 PLAINTIFF EXHIBITS

10

11 No. Page

12 26 Business card of Jeffrey B. Levy, 792  
Esquire

13

14 27 2002 Article on Child Pornography 810

15 28 Miami Beach Police Case Report Detail 822

16 29 Document reflecting entry for 877  
Dershowitz, Alan

17 30 Santa Monica Police Report 885

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1 not there are missing logs, have you --

2 A. That's not been something I've focused on.  
3 I was only looking at whether or not, within the  
4 timeframe, who was with who on what flights, and I  
5 saw that Virginia Roberts was on some flights with  
6 other prominent academics, but never on a flight  
7 with me.

8 Q. Do you know who Virginia Roberts was lent  
9 out to for sex by Jeffrey Epstein?

10 MR. INDYKE: Objection based upon  
11 attorney-client privilege, work product.

12 A. No, I can tell you outside of the  
13 privileged information. I can tell you outside of  
14 the privilege. I can tell you outside of the  
15 privilege that she has claimed to have had sex on  
16 numerous occasions with Leslie Wexner, and was told  
17 by -- by Sigrid McCawley that --

18 MS. McCAWLEY: I'm going to object to the  
19 line of questioning.

20 MR. SCOTT: Time out.

21 A. That is from a statement made to me --

22 MS. McCAWLEY: No, I just want to be clear  
23 because if we're going to violate the privilege  
24 again, the order of seal.

25 A. We are not.

1 MS. McCAWLEY: I'm going to stop that  
2 right now because the only conversations I've  
3 had with you are in the context of settlement  
4 discussion in this case.

5 A. It was not a conversation with Sigrid  
6 McCawley. And please let me answer the question. I  
7 had a conversation --

8 BY MR. EDWARDS:

9 Q. Just so we know what the question is, my  
10 question is --

11 A. The question is do I know whether she had  
12 sex --

13 Q. No, it's not.

14 MR. SCOTT: Let's just ask the question.

15 SPECIAL MASTER POZZUOLI: Hang on. And,  
16 court reporter, please reread the question so  
17 we understand.

18 COURT REPORTER: "Do you know who Virginia  
19 Roberts was lent out to for sex by Jeffrey  
20 Epstein?"

21 A. And the answer --

22 MR. SIMPSON: Darren had an objection for  
23 you.

24 A. Okay. I understand the instruction, and I  
25 can answer the question.

1 BY MR. EDWARDS:

2 Q. I just want the names of the individuals.

3 A. I can't just give you that. I can tell  
4 you that --

5 Q. That's what I'm asking for.

6 SPECIAL MASTER POZZUOLI: Hang on one  
7 second. The question is: Do you know who  
8 Virginia Roberts was lent out to for sex by  
9 Jeffrey Epstein?

10 MR. EDWARDS: Right. The names of the  
11 individuals is all I'm looking for.

12 SPECIAL MASTER POZZUOLI: There's an  
13 objection. Okay. Go ahead.

14 A. I was told by John Zeiger, who was Leslie  
15 Wexner's lawyer, that Sigrid McCawley claims that  
16 her client, Virginia Roberts, alleges that she had  
17 sex with Leslie Wexner on numerous occasions,  
18 including one -- and she said this, according to  
19 Mr. Zeiger, very aggressively --

20 MS. McCAWLEY: This is revealing  
21 confidential settlement discussions.

22 A. Between who?

23 MS. McCAWLEY: Between -- I'm not going to  
24 reveal what confidential settlement discussions  
25 because that breaches a privilege.

# Exhibit B

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Giuffre v. Dershowitz, Case No. 19-CV-3377-LAP

Audio Runtime: 28:57

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1 (Beginning of audio recording.)

2 MR. DERSHOWITZ: -- talk about your client's

3 alleged sexual hang-ups and how he liked his women

4 dressed in ways that certainly suggested that they

5 have, from her, at least, allegations of sexual

6 misconduct, right?

7 MR. ZEIGER: There's no question that their

8 allegation -- what I refer to as rendezvous -- and

9 Sigrid was in one call very graphic. Not specifically

10 graphic. I mean, you could have said the same thing

11 about anybody, any place any time. But I asked for

12 details (indiscernible).

13 MR. DERSHOWITZ: Yeah.

14 MR. ZEIGER: But I -- it's clear -- it's clear

15 that they're trying to get some kind of response from

16 us, and our response so far is, yeah, this is

17 nonsense, and (indiscernible) we're doing the same

18 thing you're doing, Alan, but we haven't heard from

19 anybody, yeah.

20 MR. DERSHOWITZ: But you say general and

21 specific, but my recollection is Sigrid (phonetic) did

22 say -- or you tell me that Sigrid did say something

23 about how he liked his girls dressed in -- I don't

24 know what, negligees or --

25 MR. ZEIGER: I think -- I think there was a

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1 "investigation". But if I don't hear soon, we're

2 going to go to court and, you know, demand a quick

3 deposition of her and, you know, obviously question

4 her about the details of what she alleges against me.

5 We're in a very different situation here. Every

6 -- every bad thing that could be said about me has

7 been said publicly. It's all false. And so I don't

8 care what she says, you know. Let her go on and on

9 and on. And the more she says, the more she's lying.

10 And you know, we'll catch her and we'll trap her, and

11 you know, the next step will be to go to the

12 prosecutor and seek a perjury indictment. And you

13 know, we're -- we're going to do that if it doesn't

14 resolve itself, so.

15 MR. ZEIGER: Well, like I said, (indiscernible)

16 and I do think it's an unfair and unfortunate

17 situation for you and also for my client.

18 MR. DERSHOWITZ: Yeah.

19 MR. ZEIGER: But it does sound to me like you're

20 making progress.

21 MR. DERSHOWITZ: Well, I don't know. I mean, I

22 don't know. I mean, what I hear about, you know,

23 David Boies from all kinds of people who have had

24 dealings with him over the years is he's very careful.

25 You know, my wife and some of my lawyers are furious

Page 3

1 general reference to the type of lingerie and -- and

2 things like that, but no specifics.

3 MR. DERSHOWITZ: Right. It sounds like, you

4 know, she knows he -- he owns Victoria's Secret, and

5 imagines that as a result of that, he must be into the

6 kind of lingerie that's sold in the company. But I

7 mean, she has a good imagination.

8 MR. ZEIGER: She's making -- yes, that's very

9 interesting because your -- your indication that Boies

10 -- I guess what you say -- tried to convince her that

11 her claims are unsustainable?

12 MR. DERSHOWITZ: Yeah, that's the word, yeah.

13 MR. ZEIGER: Yeah. There seems to be a continual

14 pattern of David saying, you know, I know she believes

15 it, but maybe she's confused, maybe she's got the

16 wrong person, all that kind of stuff. But you're

17 hearing the same thing we're hearing.

18 MR. DERSHOWITZ: Right.

19 MR. ZEIGER: How does a lawyer then proceed with

20 a lawsuit in that context?

21 MR. DERSHOWITZ: I don't think he can. I don't

22 think he can be in the room when she testifies under

23 deposition. And I'm giving him only another couple of

24 weeks on this thing. Remember now we've stayed any

25 request for her to be deposed pending this

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1 with me for having even given him my information about

2 where I was in Florida, when, assuming that that will

3 somehow end up in her mind, and -- and she'll be able

4 to say, oh yeah, it was that day. It was the day you

5 came down to argue Bush v. Gore in the Florida Federal

6 District Court that you took a detour and came up to

7 Palm Beach and had sex with me. She can -- she can

8 say that, and we talked about Bush v. Gore. Wow, and

9 I was so impressed that you were going to defend the

10 Vice President of the United States. Can you imagine

11 a whole story being woven around that, especially

12 since she already said she saw Gore on the island.

13 Gore doesn't even know Epstein. And that she saw

14 Clinton on the island. Do you have any information

15 about Clinton being on the island at all? Do you know

16 anything about that?

17 MR. ZEIGER: I don't know anything about either

18 of those two gentleman, other than what's been

19 (indiscernible) about in the media about Bill Clinton.

20 MR. DERSHOWITZ: Yeah. Well, I've spoken to Bill

21 Clinton's lawyer, and I've spoken to his first in

22 command, the guy who traveled with him, and they're

23 positive he was never on the island. Certainly,

24 they're not aware he was ever on the island. And

25 Gore, I've spoken to his -- one of his people who has

Page 6

1 spoken to his scheduling secretary, who said that  
 2 Gore's never met Epstein. They're not in each other's  
 3 -- I know -- I know Gore's not in Epstein's Rolodex,  
 4 and Epstein's not in Gore's Rolodex. They never met  
 5 each other, and certainly Gore's never been on that  
 6 island. Remember, the time on the island is only --  
 7 less than a year, period. Because it has to be after  
 8 they left office, January 20th of 2001, and she says  
 9 before she turned 18, which is August 8th that same  
 10 year. So it's only about a six or seven-month period  
 11 that either of them could have been on the island, and  
 12 you know, we're pretty -- pretty definitively certain  
 13 that neither of them ever set foot on that island.  
 14 We're absolutely certain about Gore. And relatively  
 15 certain about Clinton. Of course, Jeffrey Epstein  
 16 swears up and down that Clinton was never on the  
 17 island.  
 18 MR. ZEIGER: Yeah, it's pretty remarkable what  
 19 she's been able to stir up.  
 20 MR. DERSHOWITZ: Oh, it's amazing how one person  
 21 telling lies -- I mean, she's taken six months of my  
 22 life away from me because everything has --  
 23 MR. ZEIGER: Yeah.  
 24 MR. DERSHOWITZ: -- been depositions,  
 25 discoveries, going back to 1998 and getting all of my

Page 8

1 case.  
 2 MR. ZEIGER: At which point, she goes back to  
 3 Edwards?  
 4 MR. DERSHOWITZ: Yeah. And Cassell, who are  
 5 complete thugs.  
 6 MR. ZEIGER: Yeah, it's -- it's interesting to me  
 7 that if she acknowledges that she was wrong about you  
 8 after all this, how could he possibly bring a claim  
 9 against anybody else?  
 10 MR. DERSHOWITZ: Of course. Oh, of course. And  
 11 that's clear. I mean, I've been the stalking horse  
 12 for this thing on both sides. I mean, the reason they  
 13 used me, the reason Cassell and Edwards used me --  
 14 Boies claims he didn't know I was going to be  
 15 mentioned, but there was some stuff in the discovery  
 16 that suggests possibly to the contrary. But they  
 17 claim they -- they mentioned me because I helped  
 18 negotiate the deal. But it's obvious that the reason  
 19 they mentioned me is they want to go to people like  
 20 your client and say essentially do you want to be  
 21 Dershowitz'ed. If you don't want to be Dershowitz'ed,  
 22 there are ways around this. But if you don't  
 23 cooperate, we'll do to you what we did to Dershowitz.  
 24 I think it's backfired. I think that having named me  
 25 hurt their credibility, and I think David Boies

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1 documentation, findings old passports, you know,  
 2 interviewing people. I mean, it's been as if I'm in  
 3 charge of a major case involving Google v. Facebook.  
 4 That's how involved I've had to become in this thing.  
 5 It's taken over 200 hours of my work. The legal fees  
 6 are about \$760,000. I mean, you know, for --  
 7 obviously for Leslie, that's -- that's small change  
 8 for me. That's my yearly income. So it's -- it's --  
 9 it's been pretty -- pretty draining on me. But I'm  
 10 not going to give up until these lawyers are  
 11 disciplined and until, you know, she's investigated  
 12 for perjury. I'm not satisfied. You know, you can be  
 13 satisfied, and you should be, with just the name not  
 14 coming out. You're satisfied with withdrawal, with  
 15 the status quo remaining. I'm not. I mean, I need to  
 16 make sure that the world knows not only that this was  
 17 irrelevant and impertinent as the judge found but  
 18 perjurious and false.  
 19 MR. ZEIGER: If you can get her to acknowledge  
 20 that it was a mistake. That would be pretty big.  
 21 MR. DERSHOWITZ: I think it's unlikely. My own  
 22 view is that what's going to happen is he's going to  
 23 go to see her. She's going to insist that it's true.  
 24 He's going to say it's unsustainable, and therefore, I  
 25 have to get out of the case, and he'll get out of the

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1 acknowledges that. He says it was a dumb thing and a  
 2 wrong thing for my name to be mentioned.  
 3 MR. ZEIGER: What I don't understand is if  
 4 they're going to mention your name why not  
 5 (indiscernible) --  
 6 MR. DERSHOWITZ: Yep.  
 7 MR. ZEIGER: -- sue you for damages, and I  
 8 understand you would welcome that. But it just seems  
 9 strange to me that -- that one would go this way,  
 10 unless your theory is correct.  
 11 MR. DERSHOWITZ: Yeah. You know, I'm sure my  
 12 theory is correct. And I was the stalking horse. I  
 13 was the guy who was going to be held out there, if you  
 14 don't want to happen to you what happened to him, you  
 15 have to -- you have to come forward. And -- and the  
 16 more innocent I am, the stronger their claim is  
 17 because, look, if we can do this to Dershowitz, he's  
 18 fighting back and innocent, imagine what we can do to  
 19 your client who's a -- you know, head of a public  
 20 corporation. So you know, it makes sense from an  
 21 extortionist's point of view. Look, I firmly believe  
 22 this all started as an extortion plot. I have on tape  
 23 -- I told you, I'm still not permitted to disclose it,  
 24 but I do have on tape her best friend saying this was  
 25 all aimed at the rich man from Columbus.

<p style="text-align: right;">Page 10</p> <p>1 MR. ZEIGER: Could I at least ask that you take 2 good care of that tape? 3 MR. DERSHOWITZ: Believe me. Believe me, I have 4 taken very good care of it. And I could probably get 5 her to say it again. I haven't talked to her now for 6 a long time. But I may call her one of these days 7 just over the weekend, maybe, and just touch base with 8 her and tell her how everything she said is -- turned 9 out to be correct. And you know, she volunteered 10 that. First I knew about your client was from her. 11 And that's when I called you because she said that it 12 was this guy and they wanted to have him give -- 13 either half his wealth or a billion dollars to the 14 charity, which they were going to divide three ways -- 15 the lawyer, the charity, and her. 16 MR. ZEIGER: I understand the sensitivity of your 17 situation and respect everything you've done vis-a-vis 18 us. If there's a way that I can help you get to a 19 point that we can at least listen to that tape -- 20 MR. DERSHOWITZ: Sure. Okay. I -- I -- you're 21 first on my list, believe me. 22 MR. ZEIGER: Thank you. 23 MR. DERSHOWITZ: Epstein wants to listen to it, 24 too, and my -- my -- my -- you know, my lawyers are 25 telling me that I shouldn't expose it beyond privilege</p>	<p style="text-align: right;">Page 11</p> <p>1 at this point, but the time will come. 2 MR. ZEIGER: Are you familiar (indiscernible) 3 talking about (indiscernible) are there any other 4 people out there being shaken down? 5 MR. DERSHOWITZ: Jeffrey tells me about one other 6 person. I called -- 7 MR. ZEIGER: (Indiscernible). 8 MR. DERSHOWITZ: Yeah. I called that person, and 9 he said no. So I don't know. I know that the 10 Guardian, I think it was, called Ehud Barak, and Barak 11 said that he would sue them if they published it. 12 They didn't publish his name. And Barak is very close 13 to Jeffrey Epstein. 14 MR. ZEIGER: Is that right? 15 MR. DERSHOWITZ: Yeah. 16 MR. ZEIGER: Well, (indiscernible) it's awfully 17 strange (indiscernible) that of all the people around, 18 our client would have been the one -- the only one to 19 be directly approached. 20 MR. DERSHOWITZ: Well, he has the most money. I 21 mean, he's the pot at the end of the rainbow, 22 obviously. A lot of advantages in being rich and 23 maybe some disadvantages. 24 MR. ZEIGER: Yeah. 25 MR. DERSHOWITZ: I think that's the only reason I</p>
<p style="text-align: right;">Page 12</p> <p>1 can think of, and that was the only name that the 2 woman in Florida mentioned. No name. She didn't know 3 the name. But the only person she described. The 4 others were all described in very generic terms -- 5 academics, politicians, businesspeople. But in -- in 6 the case of the Columbus man, it was a man from 7 Columbus who owns a Limited and Victoria's Secret. 8 She knew that. But she didn't know the name. So that 9 -- 10 MR. ZEIGER: Where are we on the -- on the -- the 11 television broadcast? You got any sense of that? 12 MR. DERSHOWITZ: Well, it's not been -- it hasn't 13 been on. I was promised, again -- can you trust ABC? 14 I was promised that they would give me advance notice. 15 But also the discovery shows that the Cassell and 16 Edwards people were pushing ABC to do it. And Cassell 17 made himself vulnerable to me for defamation because 18 in one of the emails, he says not that my client has 19 accused Dershowitz of sexually assaulting her, but he 20 says in the email categorically Alan Dershowitz 21 sexually assaulted my client. Now, that's an 22 independent defamation outside of any litigation 23 privilege. So we're going to be taking advantage of 24 that. 25 MR. ZEIGER: (Indiscernible) Yeah. I mean, I</p>	<p style="text-align: right;">Page 13</p> <p>1 thought he was a pretty smart guy. 2 MR. DERSHOWITZ: He's actually a very stupid guy. 3 Everybody I know who knows him says he has no common 4 sense. He's actually quite dumb. He's academically - 5 - you know, he works hard, and he has these academic 6 things that have been successful. But nobody I know 7 has described him as smart. Everybody I know has 8 described Edwards as smart -- shrewd, smart, 9 calculating, sleazy, but they've described Cassell as 10 naive, kind of -- what do you call those people, the 11 academics, the professor who forgets. 12 MR. ZEIGER: Yeah. 13 MR. DERSHOWITZ: Not a real lawyer. I've heard 14 nothing -- nothing positive about his intellect except 15 that he was a federal judge, and he was, you know, a 16 very strong Republican staffer for Orin Hatch and 17 others. But he is not particularly smart. He may 18 have a certain kind of intelligence, but common sense, 19 hum-um. That's my assessment of him. 20 MR. ZEIGER: Do we know why he gave up the 21 judgeship? 22 MR. DERSHOWITZ: For money. 23 MR. ZEIGER: Okay. 24 MR. DERSHOWITZ: That's clear. Yeah. And you 25 know, he sees this as a source of great funds. All</p>

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1 right.

2 MR. ZEIGER: I hope that one way or another,

3 either your situation resolves itself or

4 (indiscernible).

5 MR. DERSHOWITZ: Yeah. Well, one of those I

6 think will happen. It's hard for me to believe that

7 after what we've shown Boies, Boies could look me in

8 the eye and say I now believe she's telling the truth.

9 I can't -- I can't believe that.

10 MR. ZEIGER: Well, he said remarkable things in

11 my conversations with him about she really believes

12 but maybe she's mistaken. And I -- I've never

13 understood why a lawyer as smart as David Boies would

14 say that to me.

15 MR. DERSHOWITZ: Yeah. Because that's probably

16 in the least-worst scenario. I'm sure he believes

17 she's lying through her teeth, but he can't say that.

18 So what he's saying is she may be mistaken, yeah.

19 MR. ZEIGER: Why even suggest that? Just say --

20 MR. DERSHOWITZ: You know, he told me also --

21 without telling me who he was dealing with, he told me

22 also that there's another case, another matter, and

23 that's what -- I told you about this -- and that was

24 that other lawyer in Washington, and that it may turn

25 out that she is mistaken. And I'm glad his name

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1 for that yet. But I think there may come a time. I

2 mean --

3 MR. ZEIGER: I think -- it seems to me the

4 logical conclusion from all of this is that Boies get

5 out.

6 MR. DERSHOWITZ: Yeah.

7 MR. ZEIGER: Yeah. I don't know that that's

8 necessarily good for you, but it might be better for

9 us because I can't believe Edwards has got the

10 backbone to take us on.

11 MR. DERSHOWITZ: Yeah, I would hope not. But you

12 know, it's moderately me but not as good as another

13 result would be.

14 MR. ZEIGER: Exactly. Exactly. All right, I got

15 to go. Thanks for your time.

16 MR. DERSHOWITZ: Thanks. Be well. Have a good

17 weekend. Take care, bye.

18 MR. ZEIGER: Bye.

19 (End of audio recording.)

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1 hasn't been mentioned yet because the lawyers should

2 have done your -- you know, Cassell and Edwards should

3 have done what I'm doing, checking it out before any

4 names are mentioned. He said that, too, in regards to

5 presumably your client. He didn't mention who it was,

6 obviously.

7 MR. ZEIGER: Right. Well, Alan, thank you, and I

8 hope -- at the appropriate time you can share that

9 tape.

10 MR. DERSHOWITZ: Believe me, I'm anxious to do

11 it, and I will whenever it's -- and I've shared with

12 you the substance of it. So it's pretty clear what --

13 what's on it.

14 MR. ZEIGER: I have to say that like you, if we

15 have a public issue, we are going to be very

16 aggressive, and that would help us be very aggressive,

17 and we --

18 MR. DERSHOWITZ: Yes.

19 MR. ZEIGER: -- (Indiscernible).

20 MR. DERSHOWITZ: Believe me, if you become very

21 aggressive on this, you will have all of my

22 corporation, completely. And I will overrule my

23 lawyers at that point. But I don't think --

24 MR. ZEIGER: Okay.

25 MR. DERSHOWITZ: -- I don't think it's the time

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1 CERTIFICATE

2

3 I, Wendy Sawyer, do hereby certify that I was

4 authorized to and transcribed the foregoing recorded

5 proceedings and that the transcript is a true record, to

6 the best of my ability.

7

8

9 DATED this 13th day of August, 2020.

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12 WENDY SAWYER, CDLT

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