

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
PROBATE DIVISION**

IN THE MATTER OF THE ESTATE OF) JEFFREY E. EPSTEIN,) Deceased.)))))))	Case No. ST-19-PB-80
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RECEIVED
PROBATE DIVISION
ST. THOMAS
JUL 15 2019

Claim for Unliquidated and Unsecured Damages

COMES NOW Jennifer Danielle Araoz, through her attorneys Douglas B. Chanco, Esq. and A. Jeffrey Weiss, Esq. and hereby files this, claim for unliquidated and unsecured damages from the estate in the above styled matter, and states as follows:

1.

Jeffrey Edward Epstein, decedent, was the subject of an on-going series of investigations into his activities in the months prior to his July 2019 arrest.

2.

On July 6, 2019, decedent was arrested and held in custody on sex trafficking charges. Claimant is one of several then under-age victims of Jeffrey Edward Epstein's criminal actions.

3.

Following his arrest by federal authorities in New York and after his unlawful and tortious activities were brought to light, Jeffrey Edward Epstein, on information and belief, conspired with multiple individuals, including attorneys, to fraudulently convey and hide assets from his victims, including claimant, by transferring assets into a recently created Trust and through the drafting of a Last Will and Testament which purported to pour over all of his remaining assets into that Trust in fraud of his creditors and victims such as claimant, and in contemplation of his committing suicide.

4.

In July 2019, claimant Araoz provided notice to the decedent of her intent to pursue a civil action against him as of August 14, 2019;

5.

On or about August 8, 2019, decedent executed the aforesaid Last Will and Testament and filed same with the Superior Court of the Virgin Islands; and on that same day decedent created a Trust to take possession of real and personal property in an attempted fraud on his creditors, including claimant.

6.

Decedent died on August 10, 2019, and his death was determined to be a suicide.

7.

On August 14, 2019 claimant Araoz filed a civil action seeking damages against the estate of the decedent in the Supreme Court of the State of New York, County of New York, index no. 950010/2019. A First Amended Complaint was submitted on October 8, 2019. A true and correct copy of this First Amended claim is attached hereto as Exhibit "A".

8.

Pursuant to New York's Child Victim Act, claimant's New York civil action was commenced timely.

9.

Decedent committed repeated sexual assaults, batteries, and additional illicit acts upon claimant, Jennifer Araoz, while Ms. Araoz was a 14-15 year old high school student, including forcibly raping Ms. Araoz. See Exh. A.

10.

Decedent's petition for probate and for letters testamentary lists personal property valued at \$577,672,654.00.

11.

Decedent's petition for probate and for letters testamentary lists total estate property valued at \$577,672,654.00.

12.

Ms. Araoz's claim has a right to payment, whether or not the claim has presently been reduced to judgment, liquidated, fixed, or matured, and has an equitable lien on all unencumbered assets and property of the Estate.

13.

Ms. Araoz's claim requires this court to secure sufficient assets from the estate to pay her damages and losses.

14.

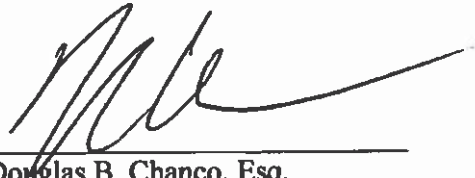
Ms. Araoz's claim requires this court to prevent the sale, transfer or waste of any assets in the decedent's estate.

WHEREFORE Claimant prays that the Court:

- a. Enter Judgment against decedent's estate in an amount sufficient to satisfy Ms. Araoz's Final Judgment in all pending matters, along with interest, attorneys' fees and punitive damages related to the decedent's fraudulent scheme and activities; or in the alternative, stay all further proceedings in this matter pending the disposition of Claimant's New York lawsuit against the Estate;
- b. All other relief this Court deems appropriate.

[signatures to follow on next page]

This 11th day of October, 2019.



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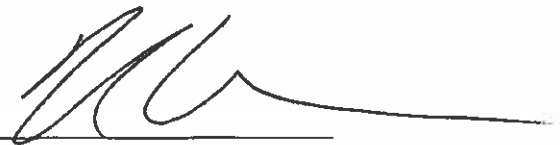
CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2019, I caused a true and accurate copy of the foregoing Claim for Unliquidated and Unsecured Damages to be served on the following:

William Blum, Esq.
KELLERHALS FERGUSON KROBLIN PLLC
9053 Estate Thomas, Ste. 101
St. Thomas, VI 00802

Darren K. Indyke, Executor
c/o KELLERHALS FERGUSON KROBLIN PLLC
9053 Estate Thomas, Ste. 101
St. Thomas, VI 00802

Richard Kahn, Executor
c/o KELLERHALS FERGUSON KROBLIN PLLC
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Counsel for Claimant Araoz

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----X
JENNIFER DANIELLE ARAOZ,

Plaintiff,

-against-

THE ESTATE OF JEFFREY EDWARD EPSTEIN;
GHISLAINE MAXWELL; DARREN K. INDYKE and
RICHARD D. KAHN, in their capacities as executors of
the ESTATE OF JEFFREY E. EPSTEIN; LESLEY GROFF;
CIMBERLY ESPINOSA a/k/a CIMBERLY ANN FOLEY
and/or CIM GALINDO; JANE DOE 1; NES, LLC; NINE
EAST 71ST STREET CORPORATION; FINANCIAL
TRUST COMPANY, INC.; NEW YORK STRATEGY
GROUP, LLC; DARREN K. INDYKE, in his capacity as
trustee of EPSTEIN INTERESTS; DARREN K. INDYKE,
in his capacity as a representative of J. EPSTEIN VI
FOUNDATION; J. EPSTEIN VIRGIN ISLANDS
FOUNDATION, INC.; C.O.U.Q. FOUNDATION, INC.;
GRATITUDE AMERICA LTD.; DARREN K. INDYKE and
RICHARD D. KAHN, in their capacities as trustees of THE
1953 TRUST; SOUTHERN TRUST COMPANY, INC.;
MAPLE, INC.; CYPRESS, INC.; LAUREL, INC.; SCI JEP;
POPULAR, INC.; NAUTILUS, INC.; HBRK ASSOCIATES,
INC.; JEJE, LLC; JEJE, INC.; PLAN D, LLC; HYPERION
AIR, LLC; AIR GHISLAINE, INC.; FREEDOM AIR
INTERNATIONAL, INC.; IGY-AYH ST. THOMAS
HOLDINGS d/b/a AMERICAN YACHT HARBOR; ZORRO
DEVELOPMENT CORP.; LSJE, LLC; L.S.J., LLC; ZORRO
MANAGEMENT, LLC,

Defendants.
-----X

Index No. 950010/19

**FIRST AMENDED
COMPLAINT**

Plaintiff, JENNIFER DANIELLE ARAOZ, by her attorneys Kaiser Saurborn & Mair,
P.C., in accordance with CPLR § 214-g, as and for her complaint against Defendants, alleges as
follows:



I.**BACKGROUND**

1. Historically, New York's statute of limitations for victims of child sex abuse was among the most stringent in the country, requiring that lawsuits alleging child sex abuse be filed before the victim's 23rd birthday.

2. On August 14, 2019, New York's Child Victims Act ("CVA") went into effect, which amended New York's antiquated laws to ensure that perpetrators of child sex abuse are held accountable for their actions, regardless of when the crime occurred. Under the CVA, future victims of child sex abuse in New York are now able to sue an alleged abuser or their estate, and the institutions that helped them, until they are 55, and past victims of child sex abuse are given a one-year window to sue an alleged abuser or their estate, and the institutions that helped them, regardless of how long ago the crime occurred.

3. At the signing of the CVA, the Bill Sponsor, Senator Brad Hoylman said, "With the Child Victims Act now signed into law by Governor Cuomo, survivors of child sexual abuse in New York State finally have the opportunity to seek justice against their abusers and the institutions who may have harbored them." Further, Senator Hoylman stated, "Abusers currently out of reach because of New York's archaic statutes of limitations will now be subject to civil suits, as well as their estates."

4. Under the CVA, CPLR § 214-g was enacted to govern the one-year "look-back window" to file retroactive child sexual abuse lawsuits - reviving cases that expired years ago under previous statute of limitations, and in relevant part, states:

Notwithstanding any provision of law which imposes a period of limitation to the contrary ... every civil claim or cause of action brought against any party alleging intentional or negligent acts or omissions by a person for physical,

psychological, or other injury or condition suffered as a result of conduct which would constitute a sexual offense as defined in article one hundred thirty of the penal law committed against a child less than eighteen years of age...which is barred as of the effective date of this section because the applicable period of limitation has expired ... is hereby revived, and action thereon may be commenced not earlier than six months after [August 14, 2019], and not later than one year and six months after the effective date of this section.

5. The causes of action in this Complaint are all timely under the CVA, CPLR § 214-g, as they each constitute civil claims brought against parties alleging intentional or negligent acts or omissions for physical, psychological, and/or other injuries or conditions suffered by Plaintiff as a result of conduct perpetrated against her when she was under the age of 18 that constitute sexual offenses as defined in Article One Hundred Thirty of the New York Penal Law ("Article 130"). *See* NYPL § 130.20; NYPL § 130.25; NYPL § 130.35; NYPL § 130.52; NYPL § 130.65; NYPL § 130.67.

6. This lawsuit, one of the first filed actions in New York State under the CVA, presents the exact circumstances that the legislature contemplated in adopting the new law. This is an action for damages against Jeffrey Epstein, a Level 3 sex offender in New York State, who is one the world's most notorious pedophiles.

7. Jennifer Araoz was just a 14-year-old child attending a public high school near Epstein's NYC residence when she fell prey to his scheme of exploitation and abuse. He was a predator, who groomed Ms. Araoz with the help of a network of individuals and institutions that enabled him to perpetuate these sexual crimes against her.

8. This wasn't a one-time incident; the grooming and sexual abuse of Ms. Arroz took place several times a week for over a year until it finally culminated in a brutal rape of a 15-year-old child. Ms. Araoz brought forth details about Epstein's physical appearance and his

NYC residence that had never been made public, and with specificity, she communicated those details to federal prosecutors, who were able to corroborate her story, as they had executed a search warrant of his NYC residence, so there is no doubt as to her credibility.

9. For so long, Ms. Araoz had self-blame, as is the case for many victims of child abuse. She thought she was the only one and thought how she could be so stupid to fall for Epstein's antics. She had recently lost her father to HIV/AIDS and was living on welfare and food stamps, being raised by a single mother. She was just the type of child that Epstein would prey upon.

10. This lawsuit is about Ms. Araoz reclaiming her power, becoming a survivor, not a victim, and getting restitution for the sexual crimes perpetuated against her. She has real damages from this that are lasting; she dropped out high school, never pursued college, never pursued the career she wanted, and it took many years before she was able to leave her house alone without her mother or her brother by her side.

11. The Estate of Jeffrey E. Epstein, along with those who helped him perpetrate crimes of sexual abuse, sexual assault and rape against Ms. Araoz, must be held responsible for ruining her life.

II.

PARTIES, JURISDICTION, AND NATURE OF ACTION

12. Plaintiff, Jennifer Danielle Araoz ("Plaintiff" or "Ms. Araoz") is, and at all times relevant herein was, a New York resident, who was a minor child under the age of 16 years old.

13. At all times relevant herein, Jeffrey Edward Epstein ("Jeffrey Epstein" or "Epstein") was a New York resident, who maintained a residence and businesses at 9 East 71st Street, New York, NY 10021 ("Epstein's NY Residence"), the location where he committed

crimes of child sex abuse in violation of Article 130 against minor Plaintiff, Ms. Araoz. At all times relevant herein, Epstein was an adult male over the age of 48, born on January 20, 1953, and who died on August 10, 2019. In 2011, right after being required to register as a Level 3 sex offender in New York, Epstein changed his residence to the Virgin Islands in an attempt to shield his assets from liability; however, he nonetheless continued to maintain a residence and businesses at 9 East 71st Street, New York, NY 10021, and occupy it until his death.

14. At all times relevant herein, Defendant, Darren K. Indyke, is named in his personal capacity as an appointed executor of the Estate of Jeffrey E. Epstein (the "Estate of Jeffrey E. Epstein"), which was opened and domiciled in the United States Virgin Islands, St. Thomas Division, and is the legal entity responsible for intentional, criminal, and tortious conduct committed by Jeffrey Epstein as described in this Complaint. The Estate of Jeffrey E. Epstein includes Epstein's NY Residence, which was occupied by Jeffrey Epstein and his businesses until his death, and was the location where repeated acts of sexual abuse in violation of Article 130 were perpetrated against minor Plaintiff, Ms. Araoz.

15. At all times relevant herein, Defendant, Darren K. Indyke, is also named in his personal capacity as an appointed trustee of The 1953 Trust ("The 1953 Trust"), in relation to Plaintiff's fraudulent conveyance claims against The 1953 Trust. At all times relevant to Plaintiff's fraudulent conveyance claims, on August 8, 2019, forty eight (48) hours before committing suicide by hanging himself, as determined by New York City chief medical examiner, Jeffrey Epstein created a revocable trust, The 1953 Trust, under a trust agreement dated August 8, 2019, and that same day, redrafted his will, fraudulently conveying all of the assets in the new will from the Estate of Jeffrey E. Epstein to The 1953 Trust.

16. At all times relevant herein, Defendant, Richard D. Kahn, is named in his

personal capacity as an appointed executor of the Estate of Jeffrey E. Epstein (the "Estate of Jeffrey E. Epstein"), and he is named in his personal capacity as an appointed trustee of The 1953 Trust ("The 1953 Trust").

17. At all times relevant herein, Rosalyn S. Fontanilla A.K.A. Lynn Fontanilla ("Ms. Fontanilla"), referred to in this Complaint as the "Maid," a New York resident, was an adult female working on the premises at 9 East 71st Street, New York, NY 10021, who employed as the housekeeper and property manager by corporate defendants, NES and Nine East, and directly facilitated the sexual offenses Epstein and his co-conspirators committed against minor Plaintiff, Ms. Araoz, in violation of Article 130. Ms. Fontanilla passed away on October 26, 2016.

18. At all times relevant herein, Defendant, Ghislaine Maxwell ("Defendant Maxwell" or "Ms. Maxwell"), was a New York resident, who was an adult female over the age of 39, and was Managing Director of New York Strategy Group [as she listed herself on a list of delegates for a Bill Clinton charity conference], a subsidiary and/or operating company of Nine East; Treasurer and Director of both the COUQ Foundation and JEVI Foundation, working at and operating these businesses with Jeffrey Epstein at the premises located 9 East 71st Street, New York, NY 10021. According to a March 5, 2011 article in the Daily Mail, Ms. Maxwell "told people that she was running [Epstein's] property portfolio: the New York house, a 7,500-acre ranch named 'Zorro' in New Mexico...a house in Palm Beach, and Little St James, a 70-acre island in the Caribbean..." Upon information and belief, Maxwell was also an employed and/or managed and directed the employees at NES, Ghislaine Air, Freedom Air, Hyperion Air and JEJE LLC. Furthermore, upon information and belief, Ms. Maxwell was second in command of Jeffrey Epstein's sex trafficking enterprise, co-managing the employees that worked for Corporate Defendants and Institutional Defendants, and all of the other companies,

foundations, and trusts, controlled and/or owned by Epstein, and she directly facilitated, and conspired with Epstein and the other co-conspirators, including Ms. Groff, Ms. Espinosa, Ms. Fontanilla, the Recruiter, and the Corporate Defendants and Institutional Defendants, to make possible and otherwise facilitate the sexual offenses committed against minor Plaintiff, Ms. Araoz, in violation of Article 130.

19. Defendant, Lesley Groff (“Defendant Groff” or “Ms. Groff”), referred to in this Complaint as the “Secretary,” is a resident of Fairfield County, CT, and at all times relevant herein, was an adult female over the age of 34, who was an assistant of Jeffrey Epstein and employed at NES, working at the premises located 9 East 71st Street, New York, NY 10021, and was one of the people in charge of scheduling for all Epstein’s owned and/or controlled companies, foundations and trusts. Ms. Groff directly facilitated, as well as conspired with Epstein and the other co-conspirators, to make possible and otherwise facilitate the sexual offenses committed against minor Plaintiff, Ms. Araoz, in violation of Article 130.

20. Defendant, Cimberly Espinosa a/k/a Cimberly Ann Foley and Cim Galindo (“Ms. Espinosa”), is a resident of California, and at all times relevant herein, was an adult female over the age of 34, who was an employee of NES, and Executive Assistant to the President/CEO of NES, Jeffrey Epstein, working out of the corporate office at 457 Madison Ave New York NY 10022, and was the key contact for all of Epstein’s business and personal communications, who maintained all scheduling and appointments, and recruited, managed and coordinated a staff of approximately 40 people at all of Epstein’s properties, including executing background checks and confidentiality agreements. Ms. Espinosa also managed eleven (11) corporate apartments 301 East 66th Street, New York NY 10065, including guest arrivals. Ms. Espinosa directly facilitated, as well as conspired with Epstein and the other co-conspirators to make possible and

otherwise facilitate the sexual offenses committed against minor Plaintiff, Ms. Araoz, in violation of Article 130.

21. Defendant, Jane Doe 1, referred to in this Complaint as the “Recruiter,” was a brunette woman believed to be in her early 20s, who upon information and belief, worked for NES, one of the other Epstein controlled entities, and/or for Epstein directly, and conspired with Epstein, Ms. Maxwell, Ms. Groff, Ms. Espinosa, and Ms. Fontanilla, and the Corporate Defendants and/or Institutional Defendants, to make possible and otherwise facilitate the sexual offenses committed against minor Plaintiff, Ms. Araoz, in violation of Article 130.

22. At all times relevant herein, Defendant, Nine East 71st Street Corporation (“Nine East”), was a domestic New York corporation, which owned the title to, and was responsible for operating the property at 9 East 71st Street, New York, NY 10021. At all times relevant herein, Nine East was controlled by Jeffrey Epstein, who served as its President & CEO, and had offices at 301 E. 66th Street, Apt. 10F, New York, NY 10065 and 9 East 71st Street, New York, NY 10021. Nine East held the title to 9 East 71st Street, New York, NY 10021 until Epstein caused it to be fraudulently transferred in 2011 to a U.S. Virgin Islands corporation he owned and controlled, and served as President called Maple, Inc. (“Maple”).

23. At all times relevant herein, Defendant, NES, LLC (“NES”), which stands for Nine East, is and was a New York limited liability, conducting business in New York at 9 East 71st Street, New York, NY 10021, which was controlled and/or owned by Epstein, who was employed as its President and CEO, and which was the management company for the property owned by Nine East at 9 East 71st Street, New York, NY 10021, and eleven (11) corporate apartments at 301 E. 66th Street, New York, NY 10065. At all times relevant herein, NES had a staff on payroll of approximately forty (40) people for all of Epstein’s properties.

24. At all times relevant herein, Defendant, Financial Trust Company, Inc. ("Financial Trust"), was and is a U.S. Virgin Islands corporation conducting business in New York, with an office at 457 Madison Avenue, New York, NY 10022, which was controlled and/or owned by Jeffrey Epstein, who was employed as its President and CEO, and operated at and had an offices at 9 East 71st Street, New York, NY 10021.

25. Defendant, Darren K. Indyke, is also named in his personal capacity as an appointed trustee of Epstein Interests f/k/a the J. Epstein Foundation ("Epstein Interests"), which at all times relevant herein, was a tax-exempt New York charitable trust conducting business in New York with offices at 575 Lexington Avenue, New York, NY 10022 and 9 East 71st Street, New York, NY 10021. At all times relevant herein, Jeffrey Epstein was the contributor to Epstein Interests, controlled it, serving as its President and Trustee, and used donations to enable his recruitment of underage women and to make hush payments to witnesses, so he could perpetrate and conceal his sex crimes against minor Plaintiff in violation of Article 130.

26. Defendant, Darren K. Indyke, is also named in his personal capacity as an a representative of the J. Epstein VI Foundation d/b/a the Jeffrey Epstein VI Foundation ("JEVIF"), upon information and belief, is a Virgin Islands based charitable trust or private foundation, with an offices at 575 Lexington Avenue, 4th Floor, New York, NY 10065 and 9 East 71st Street, New York, NY 10021, which at all times relevant herein, conducted business in New York. According to press releases, JEVIF was the charitable arm of Financial Trust and Southern Trust. At all times relevant herein, JEVIF was controlled by Epstein, who served as its Director and President, and used donations to enable his recruitment of underage women and to make hush payments to witnesses, so he could perpetrate and conceal his sex crimes against minor Plaintiff in violation of Article 130.

27. At all times relevant herein, Defendant, Gratitude America Ltd. (“Gratitude America”), is and was a tax exempt U.S. Virgin Islands non-profit corporation with a registered office at 9053 Estate Thomas Suite 101, St. Thomas, VI 00802, which conducts business in New York, and it believed to be a continuation of JEVIF. At all times relevant herein, Gratitude America was controlled by Jeffrey Epstein, who served as its President and Director, and used donations to enable his recruitment of underage women and to make hush payments to witnesses, so he could perpetrate and conceal his sex crimes against minor Plaintiff in violation of Article 130.

28. At all times relevant herein, Defendant, J. Epstein Virgin Islands Foundation, Inc. (the “JEVI Foundation”), was a tax exempt U.S. Virgin Islands non-profit corporation with a registered office at 6100 Red Hook Quarter Suite B3, St. Thomas, VI 00802, which conducts business in New York State with offices at 9 East 71st Street, New York, NY 10021, and was registered with the NYS Charity Bureau under NYS Reg No. 44-75-82. At all times relevant herein, the JEVI Foundation was controlled Epstein and Ms. Maxwell, served as President and Director and Treasurer Director and Treasurer, respectively, and upon information and belief, used donations to enable his recruitment of underage women and to make hush payments to witnesses, so they could perpetrate and conceal Epstein’s sex crimes against minor Plaintiff in violation of Article 130.

29. At all times relevant herein, the C.O.U.Q. Foundation, Inc. (the “COUQ Foundation”), was a tax-exempt Delaware nonprofit corporation authorized to conduct business in New York State on March 26, 1999, which Epstein served as Director and President and alleged co-conspirator, Ms. Maxwell, served as Director and Treasurer, and had offices and conducted business at 9 East 71st Street, New York, NY 10021. At all times relevant herein, the

COUQ Foundation was controlled by Jeffrey Epstein and Ms. Maxwell, who upon information and belief, used donations to enable their recruitment of underage women and to make hush payments to witnesses, so they could perpetrate and conceal Epstein's sex crimes against minor Plaintiff in violation of Article 130.

30. In its fiscal year ending May 31, 2001, tax filing for Epstein Interests, the COUQ Foundation and the JEVI Foundation were listed as affiliated tax-exempt organizations with Jeffrey E. Epstein serving as President and Contributor to all three organizations, which freely transferred funds to one another.

31. Institutional Defendants, Epstein Interests, JEVIF, COUQ Foundation, JEVI Foundation, and Gratitude America Ltd., referred to collectively as the "Institutional Defendants," each performed substantial business in New York.

32. Corporate Defendants, NES, Nine East, Financial Trust and New York Strategy Group, referred to collectively as "Corporate Defendants," each performed substantial business in New York.

33. At all times relevant to Plaintiff's fraudulent conveyance claims, Maple, Inc., ("Maple"), is and was a U.S. Virgin Islands corporation, owned and controlled by Jeffrey Epstein, who served as its President, which conducted business in New York and, which gained title to 9 East 71st Street, New York, NY 10021 in 2011 through a fraudulent conveyance from Nine East, and held title until Epstein once again caused it to be fraudulently conveyed to The 1953 Trust on September 8, 2019, approximately forty-eight (48) hours before committing suicide.

34. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Southern Trust Company, Inc. ("Southern Trust"), is and was a U.S. Virgin Island Company

with a registered address of 6100 Red Hook Quarter B3, St. Thomas VI 00802, which was owned and/or controlled by Jeffrey Epstein, until he caused it, upon information and belief, to be fraudulently conveyed to The 1953 Trust, on September 8, 2019, approximately forty-eighty (48) hours before committing suicide.

35. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Cypress, Inc. ("Cypress"), is and was a U.S. Virgin Islands corporation, owned and controlled by Jeffrey Epstein, which held title to 49 Zorro Ranch Road, Stanley, New Mexico 87056, until Epstein fraudulently conveyed it to The 1953 Trust on September 8, 2019, approximately forty-eighty (48) hours before committing suicide.

36. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Laurel, Inc. ("Laurel"), is and was a U.S. Virgin Islands corporation, which held title to 358 El Brillo Way, Palm Beach, Florida 33480 until Epstein fraudulently conveyed it to The 1953 Trust on September 8, 2019, approximately forty-eighty (48) hours before committing suicide.

37. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, SCI JEP ("SCIJEP"), is and was a French company, which held title to units 47 with mezzanine, 48 and 8 on the 2nd floor, units 63 and 74 on the 5th floor, and units 5 and 22 (cellars) in the basement of 22 Avenue Foch, Paris, France 75116, until Epstein fraudulently conveyed it to The 1953 Trust on September 8, 2019, approximately forty-eighty (48) hours before committing suicide.

38. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Popular, Inc. ("Popular"), is and was a U.S. Virgin Islands corporation, which held title to Great St. James Island, No. 6A Red Hook Quarter, St. Thomas, Virgin Islands, until Epstein fraudulently conveyed it to The 1953 Trust on September 8, 2019, approximately forty-eighty

(48) hours before committing suicide.

39. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Nautilus, Inc. ("Nautilus"), is and was a U.S. Virgin Islands corporation, which held title to Little St. James Island, No. 6B Red Hook Quarter, Parcels A, B & C, St. Thomas, Virgin Islands, until Epstein fraudulently conveyed it to The 1953 Trust on September 8, 2019, approximately forty-eighty (48) hours before committing suicide.

40. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, HBRK Associates, Inc. ("HBRK"), is and was a domestic business corporation registered in and conducting business in multiple locations including New York with a Registered Agent located at 1365 York Avenue, Apartment 28, New York, New York 10021. Upon information and belief, a fleet of motor vehicles and/or boats owned by Mr. Epstein, were registered to HBRK.

41. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, JEGE, Inc. ("JEGE Inc."), is and was a Delaware corporation with a registered agent located at 1209 Orange Street, Wilmington, Delaware 19801, and the entity under which Jeffrey Epstein's privately owned Boeing 727 aircraft (tail number N908JE), was registered prior to being sold. Upon information and belief, additional aircraft, motor vehicles and/or boats owned by Jeffrey Epstein, were registered to JEGE Inc.

42. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, JEGE, LLC ("JEGE LLC"), is and was a U.S. Virgin Island Company with a registered address of 6100 Red Hook Quarter B3, St. Thomas VI 00802, and the entity under which Jeffrey Epstein's privately owned Gulfstream IV aircraft (N120JE), was registered, until it was sold in June 2019 and now holds the cash assets of that sale. Upon information and belief, additional aircraft, motor vehicles and boats owned by Jeffrey Epstein, were registered to JEGE LLC and/or

employee, Larry Visoski's, name.

43. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Plan D, LLC ("Plan D"), is and was a U.S. Virgin Islands corporation with a registered address of 6100 Red Hook Quarter B3, St. Thomas VI 00802, under which Jeffrey Epstein's privately owned Gulfstream 550 GV-SP (tail number N212JE), is registered. Upon information and belief, additional aircraft, motor vehicles and/or boats owned by Jeffrey Epstein were registered to Plan D.

44. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Air Ghislaine, Inc. ("Air Ghislaine"), which reports to have address at 103 Foulk Road, Wilmington, DE 19803, and/or its transferee(s) in interest, upon information and belief, is and/or was the company name that a fleet of Jeffrey Epstein's privately owned helicopters were registered under, including, but not limited to, a 2007 Sikorsky S-76C helicopter with the tail number N908GM, and/or under employees, Ms. Maxwell or Larry Visoski's, names.

45. At all times relevant to Plaintiff's fraudulent conveyance claims, Freedom Air International, Inc. ("Freedom Air"), is and was a Delaware Corporation with a registered address at 103 Foulk Road, Wilmington, DE 19803, and upon information and belief, was the company name that a fleet of Jeffrey Epstein's privately owned helicopters and aircraft were registered, and/or under employees, Ms. Maxwell or Larry Visoski's, names.

46. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Hyperion Air, LLC ("Hyperion Air"), is and was a U.S. Virgin Islands corporation with a registered address of 6100 Red Hook Quarter B3, St. Thomas VI 00802, and the entity under which Jeffrey Epstein's privately owned Bell 430 helicopter and Keystone helicopter S-76C (tail number N722JE) and, upon information and belief, additional aircraft were registered, and/or

under employee, Larry Visoski's, name.

47. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, Zorro Development Corp. ("Zorro Development"), is and was a Delaware Corporation owned by Jeffrey Epstein with a registered address of 6100 Red Hook Quarter B3, St. Thomas VI 00802, and upon information and belief, the entity under which a fleet of aircraft, motor vehicles and/or boats owned by Jeffrey Epstein were registered and/or under employee, Larry Visoski's, name.

48. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, LSJE, LLC ("LSJE"), upon information and belief, is and was a fleet of motor vehicles and/or boats owned Mr. Epstein, were registered to LSJE and some under Epstein's pilot, Larry Viscotti's name.

49. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, L.S.J., LLC ("LSJ"), is and was a limited liability company owned by Jeffrey Epstein formed and organized under the laws of the State of Delaware with its principal address at 6100 Red Hood Quarter B3, St. Thomas, VI 00802, which is the entity under which a high speed 37' runabout motor vessel, Builder Hull #MXJ37053F585, was registered, and upon information and belief, additional aircraft, motor vehicles and/or boats

50. At all times relevant to Plaintiff's fraudulent conveyance claims, Zorro Management, LLC (Zorro Management), is a New Mexico Foreign Limited-Liability Company with a principal address located at 9053 Estate Thomas, Suite 101, St Thomas, VI 00802, which was owned and managed by Jeffrey Epstein, and which held cash and assets that belonged to the Estate of Jeffrey E. Epstein, until being fraudulently transferred to The 1953 Trust forty-eight hours before Epstein committed suicide.

51. At all times relevant to Plaintiff's fraudulent conveyance claims, Defendant, IGY-

AYH St. Thomas Holdings LLC (“American Yacht Harbor”), which does business as American Yacht Harbor, a port in the Virgin Islands that has slips for yachts, sailboats and pleasure crafts as well as a strip mall of offices, was 50% owned by Jeffrey Epstein.

52. Plaintiff intends to amend this complaint to add or substitute additional parties as discovery reveals the identities of other negligent corporate or individual actors.

53. Jeffrey Epstein was an officer, director, or employee of many corporate entities and trusts registered in various states throughout the United States, any one of which may also bear legal responsibility for the crimes he committed against Plaintiff.

54. Additionally, individuals who worked at Epstein’s NY Residence where he committed sexual violations against Plaintiff, as well as others who assisted him in committing such violations, were employed through, or worked for, numerous other corporate entities, private foundations and trusts, whose negligence and/or intentional tortious conduct caused or contributed to the sexual violations that caused harm to Plaintiff.

55. The complete realm of those individuals and companies whose negligence or intentional acts contributed to the sexual crimes committed by Jeffrey Epstein against Plaintiff, a minor, are currently unknown.

56. As Plaintiff learns through discovery the identities of additional individual or corporate entities and the way those others caused or contributed to causing harm to Plaintiff through negligence and/or intentional acts, Plaintiff intends to amend this Complaint to add those parties as well. Should discovery reveal that any of the currently named Defendants are not the proper identity of the individuals or companies identified as current Defendants, substitution of parties shall be requested to ensure accuracy and correctness of pleading.

57. Jeffrey Epstein committed repeated acts of sexual assault and battery upon Ms.

Araoz while she was a 14-15-year-old high school student, including forcibly raping Ms. Araoz. As such, Jeffrey Epstein has committed sexual assault, sexual battery, intentional infliction of emotional distress and negligent infliction of emotional distress pursuant to New York common law. The damage Jeffrey Epstein inflicted upon Plaintiff has been severe and lasting.

58. Upon information and belief, Ms. Maxwell, Ms. Groff, Ms. Espinosa, the Recruiter, Ms. Fontanilla, and the Corporate Defendants and Institutional Defendants (the "Co-conspirators"), participated with and assisted Epstein in maintaining and protecting his sex trafficking ring, ensuring that approximately three girls a day were made available to him for his sexual pleasure. The Co-conspirators provided organizational support to Epstein's sex trafficking ring, identifying and hiring the recruiters of underage girls for Epstein's sexual pleasure, scheduling appointments with these underage girls for Epstein's sexual pleasure, intimidating potential witnesses to Epstein's sex trafficking operation, and generally providing administrative oversight of his sex trafficking operation and ensuring it remained secret. Upon information and belief, the Co-conspirators conspired with Epstein in the implementation and maintenance of his criminal enterprise which, in turn, victimized Ms. Araoz.

59. Venue is proper in that all the illegal conduct described herein occurred within New York County.

60. At all times relevant herein, Jeffrey Epstein (legally represented now through Darren K. Indyke and Richard D. Kahn as Executors of the Estate of Jeffrey E. Epstein (and referred to herein as the "Estate of Jeffrey E. Epstein")), and the Co-conspirators, owed a duty to Plaintiff to treat her in a non-negligent manner and not to commit, or conspire to commit, or cause to be committed, intentional, criminal, fraudulent, or tortious acts against Plaintiff, including any acts that would cause Plaintiff to be harmed through conduct committed against

her in violation of NYPL § 130.20; NYPL § 130.25; or NYPL § 130.35; or NYPL § 130.52; or NYPL § 130.65; or NYPL § 130.67.

III.

FACTUAL ALLEGATIONS

61. At all times relevant herein, Jeffrey Epstein [“Epstein”] was an adult male over 48 years old. Epstein was an extremely wealthy financier, who used his wealth, power, resources, and connections to commit illegal sexual crimes in violation of Article 130, and to employ and conspire with other individuals, corporate entities, private foundations and trusts, to assist him in committing those sexual crimes or torts or to facilitate or enable those acts to occur.

62. Epstein displayed his enormous wealth, power, and influence to his employees; to the employees of the corporate entities, private foundations, and trusts, who worked at his direction; to the victims procured for sexual purposes; and to the public, in order to advance and carry out and conceal his crimes and torts.

63. At all times relevant herein, Epstein had access to numerous mansions, a fleet of airplanes, motor vehicles, boats and several helicopters.

64. At all times relevant herein, Jeffrey Epstein travelled between and frequently inhabited and travelled between numerous properties and homes, including a Manhattan townhome located at 9 East 71st Street, New York, NY 10021 valued conservatively by Jeffrey Epstein’s own admission at \$55,931,000.00; a ranch located at 49 Zorro Ranch Road, Stanley, New Mexico 87056 valued conservatively by Jeffrey Epstein’s own admission at \$17,246,208.00; a home located at 358 El Brillo Way, Palm Beach, Florida 33480 valued conservatively by Jeffrey Epstein’s own admission at \$12,380,209.00; an apartment located at 22 Avenue Foch, Paris, France 75116 valued conservatively by Jeffrey Epstein’s own admission at \$8,672,820.00; and an Island Little St. James Island No. 6B USVI 00802 (A, B, C).

65. Jeffrey Epstein was otherwise affiliated with the corporations or trusts that owned or controlled each of the real properties listed in the preceding paragraph.

66. The allegations herein primarily concern Jeffrey Epstein's conduct while at his NY Residence and concern the various individuals, corporate entities, private foundations and trusts, which provided the opportunity for his illicit conduct to occur and remain concealed for years.

67. Epstein had a compulsive sexual preference for young females at least as young as 14 years old.

68. Epstein enjoyed sexual contact with young females, including minor children, and took pleasure corrupting vulnerable young females, including minor children, into engaging in sexual acts with him.

69. Epstein directed a complex system of individuals, including employees and associates of Corporate Defendants and Institutional Defendants, to work in concert and at his direction, for the purpose of harming teenage girls through sexual exploitation and abuse.

70. It was widely known among individuals regularly in Epstein's presence that he got pleasure out of corrupting vulnerable young females into engaging in uncomfortable and unwanted sexual acts for his own gratification.

71. According to a ruling by U.S. District Judge Kenneth Marra in February 2019, "from between about 1999 and 2007, Jeffrey Epstein sexually abused more than 30 minor girls...at his mansion in Palm Beach, Florida, and elsewhere in the United States and overseas." The ruling goes on to describe a child sex ring: "In addition to his own sexual abuse of the victims, Epstein directed other persons to abuse the girls sexually. Epstein used paid employees to find and bring minor girls to him. Epstein worked in concert with others to obtain minors not

only for his own sexual gratification, but also for the sexual gratification of others.” *See Doe v. United States*, 359 F. Supp. 3d 1201, 1204 (S.D. Fla. 2019) (internal citations omitted).

72. On July 2, 2019, the United States Attorney’s Office for the Southern District of New York filed a Sealed Two Count Indictment inclusive of One Count of Sex Trafficking Conspiracy and One Count of Sex Trafficking, in part due to Epstein’s criminal activities against children in Epstein’s NY Residence located at 9 East 71st Street. *See Criminal Indictment, United States v. Jeffrey Epstein*, 19 Cr. 490 (RMB).

73. On July 8, 2019, Jeffrey Epstein was arrested pursuant to the aforementioned Indictment.

74. The Indictment stated in part, and Plaintiff herein adopts as true, that “At all times relative to this Indictment, JEFFREY EPSTEIN, the defendant, possessed and controlled a multi-story private residence on the Upper East Side of Manhattan, New York, i.e., the New York Residence. Between at least in or about 2002 and in or about 2005, EPSTEIN abused numerous minor victims at the New York Residence by causing these victims to be recruited to engage in paid sex acts with him.” *See Criminal Indictment* at 3.

75. The indictment further stated, and Plaintiff adopts as true, that “When a victim arrived at the New York Residence, she typically would be escorted to a room with a massage table, where she would perform a massage on JEFFREY EPSTEIN, the defendant. The victims, who were as young as 14 years of age, were told by EPSTEIN or other individuals to partially or fully undress before beginning the “massage.” During the encounter, EPSTEIN would escalate the nature and scope of physical contact with his victim to include, among other things, sex acts such as groping and direct and indirect contact with the victims genitals. EPSTEIN typically would also masturbate during these sexualized encounters, ask victims to touch him while he

masturbated, and touch victims' genitals with his hands..." See Criminal Indictment at 4.

76. The indictment further stated, and Plaintiff adopts as true that, "In connection with each sexual encounter, JEFFEY EPSTEIN, the defendant, or one of his employees or associates, paid the victims in cash. Victims typically were paid hundreds of dollars in cash for each encounter.

77. The indictment further stated, and Plaintiff adopts as true, that "JEFFREY EPSTEIN, the defendant, knew that many of his New York victims were underage, including because certain victims told him their age. Further, once these minor victims were recruited, many were abused by EPSTEIN on multiple subsequent occasions at the New York Residence. EPSTEIN sometimes personally contacted victims to schedule appointment at the New York Residence. In other instances, EPSTEIN directed employees and associates ... to communicate with victims via phone to arrange for these victims to return to the New York Residence for additional sexual encounters with EPSTEIN." See Criminal Indictment at 4-5.

78. Plaintiff was initially recruited under false pretenses, and not informed that she would be asked to perform massages, sexual or otherwise. Defendants enabled Jeffrey Epstein to receive near daily massages from young females, often minors, who were not experienced in massage. Rather than receive regular body massages, Epstein was predictably sexually abusing the young females in violation of Article 130.

79. Additionally, employees of the various Corporate Defendants and Institutional Defendants performed actions or inactions that further placed victims, including Plaintiff, in danger of being sexually abused by Epstein, and assisted in the concealment of his sexually abusive acts.

80. Defendants employed many recruiters of young females. The nature of the Jeffrey

Epstein's sex trafficking venture and enterprise enabled victims themselves to elevate their status to that of a paid recruiter of other victims, an elevation only made possible through the negligence of Defendants.

81. Recruiters were taught by employees of Defendants to inform targeted victims that Epstein possessed extraordinary wealth, power, resources, and influence; that he was a philanthropist who would help female victims advance their careers and lives.

82. The collaboration from Defendants and the many employees fulfilled Epstein's compulsive need for sex with young females by preying on their personal, psychological, financial, and related vulnerabilities. Defendants' tactics included promising the victims money, shelter, transportation, gifts, employment, admission into educational institutions, educational tuition, protection, and other things of value in exchange for sex and concealment of Jeffrey Epstein's actions.

83. Jeffrey Epstein's sexual attraction to young, often underage, females, dated back to at least the mid-nineties and the number of victims increased substantially with the necessary assistance from Defendants and Defendants' employees.

84. Defendants, at the direction of Epstein or in furtherance of his demands, and with help from assistants, associates and underlings, and even other victims, recruited or procured dozens if not hundreds of young females, including minors, for the purpose of Epstein's sexual gratification.

85. Jeffrey Epstein, and consequently the Defendants, specifically targeted underprivileged, emotionally vulnerable and/or economically disadvantaged young females to sexually molest and abuse.

86. Additionally, the Institutional Defendants, through its employees, informed young

females that Jeffrey Epstein was wealthy, well-connected, and could either advance the career or education of any young female.

87. Plaintiff was among the individuals identified by the United States Attorney's Office for the Southern District of New York as victims of Jeffrey Epstein and his co-conspirators, upon information and belief, whose testimony, in part, it intended to base its federal prosecution of Jeffrey Epstein for his illegal conduct.

IV.

MS. ARAOZ AND THE RECRUITER

88. Child victim, Plaintiff, Jennifer Araoz, was subjected to the types of illegal sexual acts detailed in the Criminal Indictment filed against Jeffrey Epstein by the Southern District of New York.

89. Jeffrey Epstein committed abhorrent acts of sexual abuse against Plaintiff in 2001 and 2002 when she was only fourteen and fifteen years old.

90. Ms. Araoz was born in Saint John's Hospital in Queens on February 5, 1987.

91. She grew up poor and largely raised by her mother, a single parent, in Middle Village, Queens.

92. The loss of her father at age 12 caused emotional vulnerability and issues surrounding the lack of having a father figure in her life.

93. Ms. Araoz was a prime target for grooming by a pedophile like Jeffrey Epstein.

94. In September of 2001, at age 14, Ms. Araoz entered high school. She attended a special public high school for performing arts called Talent Unlimited High School, where she majored in musical theater (*i.e.*, singing, dancing, acting).

95. Its campus is within the Julia Richman Education Complex along with five other schools: Urban Academy, Vanguard High School, P226M Junior High Annex, Ella Baker Elementary School, and Manhattan International High School.

96. Because Talent Unlimited High School is a special high school for the performing arts, students audition to be accepted. The School had approximately 500 students.

97. During the first semester of Ms. Araoz's freshman year of high school, while she was 14 years old, after school one day, she was approached by a brunette woman, who appeared to be in her early 20s, on the sidewalk in front of her school. The woman, who we shall refer to as "the Recruiter," tried to befriend her.

98. Upon information and belief, Defendants, Maxwell, Groff and Espinosa identified and hired the Recruiter on behalf of Jeffrey Epstein to procure underage girls from Talented Unlimited High School and other schools, and oversaw the process that lead to the recruitment and grooming of Ms. Araoz.

99. The Recruiter asked Ms. Araoz where she lived, where her parents were, if they were together, where she was born and where her parents worked.

100. The Recruiter approached Ms. Araoz repeatedly over the course of a week or two, offering to take her for lunches close by the school, and during the meals, would continue to ask personal questions about her.

101. At some point during this approximate two-week period, the Recruiter began to speak about Jeffrey Epstein, almost as if he was her uncle or a family friend.

102. The Recruiter said that Epstein was a "nice guy," and that he takes care of her and her family. The Recruiter spoke glowingly of Epstein, stating he is very wealthy, and "you have to see his house."

103. The Recruiter eventually said that she told Epstein about Ms. Araoz, about how pretty and smart she is and about how she recently lost her father to AIDS.

104. The Recruiter then told Ms. Araoz that Epstein felt horrible about the loss of her father and said that he wanted to help her. The Recruiter said that Epstein is a "caring guy," that he said she "should not be struggling," and that he wanted "to be there for her."

105. The Recruiter then said that she wanted Ms. Araoz to meet Epstein, that he knows a lot of people in the acting/modeling world and that he could possibly help her and introduce her to the right people for her career; the Recruiter said Epstein wanted to "guide her."

106. The Recruiter said that he was "very caring, very wealthy, very successful, and someone good to know."

107. The Recruiter said that if Ms. Araoz did not want to meet Epstein, she did not have to, but doing so could "benefit her." The Recruiter also enticed Ms. Araoz by repeatedly saying how Epstein's home is so beautiful, and that it was "right here" by Ms. Araoz's high school.

108. The Recruiter said that they could go by Epstein's house together.

109. One day, the Recruiter made plans with Ms. Araoz to meet after school to visit Epstein's home and meet him.

V.

EPSTEIN'S SEXUAL ASSAULT, BATTERY AND RAPE OF MS. ARAOZ

110. Upon arrival at Epstein's at 9 East 71st Street, New York, NY 10021, Ms. Araoz and the Recruiter were greeted at the front door by the Maid, Ms. Fontanilla, who brought them to the Secretary, Ms. Groff's, office to wait. When Epstein came to greet them, he appeared very welcoming, even humble.

111. Inside the front door, there were many security cameras pointing in all directions. On the little TVs, Ms. Araoz could actually see herself on the camera walking inside.

112. Epstein gave Ms. Araoz a tour of the first floor of the house, but he did not show her the massage room – not in the beginning.

113. Instead, during her first time at Epstein's NY Residence, he showed her a trophy room, as she entered, filled with taxidermied animals he had allegedly hunted over the years.

114. The room had marble floors with extremely high ceilings, mahogany wood with deep reds, and was filled with exotic, even endangered animals, including a giraffe and other rare specimens, including a stuffed tiger¹. There were skins covering parts of the floor with more exotic animals.

115. As one might expect, Epstein's home was massive. When one walked in, the huge entry door was in the middle of the city block and, upon entry, there was a set of marble stairs in the entryway.

116. To the left there was Epstein's Secretary's office with a waiting room, couches and chairs. To the right there was the trophy room filled with hunted animals. There was also a kitchen on the same floor. As one kept walking forward, there was a spiral staircase with a self-portrait of Epstein on the wall with a young girl, who Epstein said he considered like a daughter.

117. On Ms. Araoz's first visit, she recalls her and the Recruiter waiting for Epstein in Ms. Groff's office where Ms. Groff was sitting behind her desk. Subsequently, Ms. Araoz was offered cheese, crackers and wine in the kitchen by Ms. Fontanilla. In Ms. Groff's and Ms. Fontanilla's presence, Ms. Araoz identified that she was a freshman at the local High School.

¹ As Ms. Araoz told NBC News in a pre-recorded interview on July 8, 2019.

118. At this point, Epstein showed up to greet the girls and showed Ms. Araoz the trophy room of which he appeared to be very proud.

119. At the end of this first visit, Ms. Araoz recalls Epstein giving the Recruiter a gift – a digital camera. The Recruiter then said to Ms. Araoz, “You see what I mean, he’s such a nice guy.”

120. Epstein then gave Ms. Araoz \$300 in cash on this first visit, and said, “Here’s a little something to help you out. I take care of the people I care about.”

121. He also told Ms. Araoz that he was “a big AIDS activist,” which meant a lot to Ms. Araoz at the time, because her father had recently passed away from the disease.

122. After an hour or two, Ms. Araoz and the Recruiter left together.

123. Within a couple days, the Recruiter reached out to Ms. Araoz and said that she made a great impression on Epstein and that he wanted to see her again.

124. At the time, Ms. Araoz figured there was no harm as Epstein’s house was only a couple blocks from her high school and, at this point, he had done nothing to her to give her pause or cause her concern.

125. So, again, the Recruiter brought Araoz back to Epstein’s NY Residence after school.

126. The second time Ms. Araoz went to Epstein’s NY Residence, he gave Ms. Araoz the same camera that he had previously given the Recruiter on Ms. Araoz’s first visit to his home.

127. Ms. Araoz visited Epstein’s NY Residence with the Recruiter about once or twice a week for the first month. Each time, Ms. Araoz stayed between 1-2 hours, and at the end of the stay, Epstein would either personally or direct Ms. Groff to give her \$300 in cash and just say

that he “wanted to help her out,” while she and the Recruiter would be served cheese, crackers and wine by Ms. Fontanilla.

128. Ms. Araoz openly discussed with Epstein, in front of the Recruiter, Ms. Groff, and Ms. Fontanilla, that she was a freshman at a performing arts high school right down the street and that her dream was to be an actress and singer.

129. After about a month of making these visits to Epstein’s NY Residence with the Recruiter, always waiting with the Recruiter in the Secretary Office with Ms. Groff there at her desk, Ms. Groff contacted Ms. Araoz directly and scheduled arrangements for her to visit Epstein’s home alone for the first time, and gave Ms. Araoz instructions for when she arrived.

130. At this point, during Araoz’s first visit *alone*, Epstein took Araoz on the elevator for the first time and showed her his massage room on one of the upper floors.

131. The ceilings of most of the rooms of the house were painted with ornate murals to look like ancient Rome, Greece, and even the Sistine Chapel.

132. Upon showing Ms. Araoz his massage room for the first time, Epstein said, “I want to show you something now. I love this room. It’s my favorite room in the house.”

133. The massage room was on the smaller side compared to the other rooms in the house. The ceiling was painted to look like a blue sky with clouds and angels to give the appearance that you were in heaven.

134. Epstein showed Ms. Araoz the artwork in the room and the massage table, stating that “not many people know about this room.” He then stated, “You really should be a model,” “You’re beautiful,” “I’ll bet your body is incredible,” and “In order to help you with your modeling career, I will need to see your body.”

135. Epstein had a lot of paintings of nude women on the walls. He even commented on one painting of a nude woman with small breasts and brunette hair, but you couldn't see her face clearly because she was partially turned. That painting was right behind the massage table, and he said how much the woman in the picture looked like Ms. Araoz, then 14 years old.

136. He said he liked "girls with small breasts" because they were "natural and real." He then complimented Ms. Araoz repeatedly about her breasts.

137. He then told Ms. Araoz again that she would "do great" in the modeling industry, and said that he had a lot of connections in the modeling industry and could help her.

138. Still in the massage room, Jeffrey Epstein quickly turned the encounter into a sexual encounter with the then fourteen-year-old Plaintiff, asking Ms. Araoz to take her top off so he could see her body and frame, which he insinuated he needed to see if he was going to help her with modeling. He was very complimentary.

139. Feeling uncomfortable and confused, and feeling trapped in Jeffrey Epstein's large mansion under the impression that there was no feasible or safe means of escape, Ms. Araoz did as Epstein instructed. Epstein then immediately started harmful, forcibly, physical touching and sexual exploitation of Plaintiff, feeling Ms. Araoz's breasts and rubbing her nude shoulders.

140. He then asked her if she was good at giving massages and, considering all of the financial help he had been giving her family over the past month, insinuated that he would like one. Epstein then walked out of the room and returned in a bathrobe. He instructed Ms. Araoz to remove everything but her bottom underwear, and laid down on the massage table (with only a towel on) instructing Ms. Araoz to proceed with a back massage. Ms. Araoz recalls Epstein having a lot of birth marks and/or freckles on his back.

141. After massaging Epstein's back for about 20 to 25 minutes, Epstein suddenly turned over, removed his towel and began masturbating.

142. Ms. Araoz, feeling uncomfortable and intimidated, stood frozen to the side of the massage table as Epstein ejaculated on himself.

143. Ms. Araoz recalls Epstein also having a lot of birth marks and/or freckles around his genitalia area.

144. Epstein's exposing his penis made Ms. Araoz extremely nervous and uncomfortable, but she felt intimidated, so she did as she was told.

145. Also, Epstein insinuated that because of the money he gave her, she owed him. Epstein said, "I take care of you, you take care of me."

146. He was giving Ms. Araoz instructions and telling her what to do the entire time. Epstein ultimately ejaculated on himself, and then it ended.

147. He said, "This was amazing, you're beautiful, I can't wait to see you again. I will give you a call during the week and we'll see each other again."

148. He also warned Ms. Araoz not to tell anyone what had occurred or about her visits to his home, something he would consistently repeat to her and insist upon throughout the more than one year of abusive sexual assaults and battery, and eventual forcible rape.

149. Ms. Araoz remembers after the first sexual encounter with Epstein, he showed her a room on the same floor as the massage room that he said was designed to look like his favorite room at the White House, which he called the Blue Room. It was blue and had a distinct oval shape. He then he showed her some more artwork, his master bedroom with a large jacuzzi and prosthetic breasts on the wall in a bathroom that he could look at or play with while in the bathtub.

150. Plaintiff observed the opulence of the mansion owned by Defendant, Nine East, and the organization of Defendant, NES, Inc., which collectively facilitated her further cooperation with Jeffrey Epstein, culminating in New York Penal Law Section 130 crimes being committed against her by Jeffrey Epstein.

151. Plaintiff was paid \$300 cash before being escorted out of his mansion, all with assistance from Defendants; this payment was made to induce Plaintiff to conceal the activities of Epstein and to entice her to return.

152. Going forward, sometimes Epstein would call Ms. Aroz directly, but primarily Ms. Groff would call, email and/or page Ms. Aroz, not necessarily in that order, but they would speak on the phone and she would give her instructions for her next sexual encounter with Epstein. There were also two assistants of Epstein that would call Ms. Aroz from Epstein's office to schedule these sexual encounters, who like Ms. Groff, would give Ms. Aroz explicit instructions to follow upon arrival. One of those assistants was Ms. Espinosa, who Ms. Aroz would see at the property after speaking to.

153. Upon information and belief, Maxwell and other staff of Corporate Defendants and Institutional Defendants would email or page Ms. Aroz directly and/or coordinate Epstein's schedule with Ms. Groff, Ms. Espinosa, and Ms. Fontanilla, for these sexual encounters to occur.

154. These sexual encounters with Epstein, which of course were horribly abusive sexual assaults of a child, became more aggressive and escalated. For example, the second time it occurred, while Epstein started to masturbate, he grabbed Ms. Aroz's breasts hard without asking and, this time, insisted that Ms. Aroz rub his chest, arms and legs, and pinch his nipples, which he said was one of the main things that turned him on sexually.

155. These encounters would continue on a weekly basis, once or twice a week, throughout the first and second semester of Ms. Araoz's freshman year of high school and through the beginning of the first semester of her sophomore year of high school.

156. \$300 in cash would be left for Ms. Araoz in a drawer in the massage room (the same drawer each time), and as Epstein left the room, he would state that he had left something for her to help her family. At the time, this was a lot of money to Ms. Araoz.

157. Later on, this became routine where Epstein would have his maid send Ms. Araoz upstairs to the massage room. The maid would put towels and lotions out and tell Araoz to get changed in the bathroom.

158. When one walked in the massage room, there was the painting of a nude woman, previously mentioned. To the right, there was the massage table, and to the right of the massage table, there was a bathroom, which is where Araoz would be directed to get changed.

159. Finally, one day, during the fall of her sophomore year of high school (while she was 15 years old), she was giving Epstein a massage in her underwear, as she had routinely been instructed to do, but this time instead of turning over to masturbate and fondle her breasts, while she stood off to the side of the massage table, Epstein became more aggressive with her and started touching her vaginal area.

160. He said, "Why don't we do it where you're on top of me massaging me and take your underwear off."

161. Ms. Araoz said to Epstein that this made her uncomfortable and she wanted to stick to what they were doing before, but Epstein ignored her and continued to engage in the improper and illegal sexual contact.

162. Epstein responded that he “loved her and cared for her,” was going to “look out for her,” that it “was okay” and that she should just climb on top of him and “try something different.”

163. Ms. Araoz felt completely intimidated, and knowing that she had no way out of the premises, did not know what to do, so she just complied with Jeffrey Epstein’s orders and got on top of him.

164. Epstein masturbated, as he instructed Ms. Araoz to rub his chest and pinch his nipples.

165. Then, suddenly, without giving Ms. Araoz any notice, Epstein forced his penis (which already had massage oils on it) inside her vagina and proceeded to have sex with her while Plaintiff resisted.

166. Throughout the duration of the sexual encounter, Araoz was petrified, and finding herself trapped in Jeffrey Epstein’s large mansion under the impression that there was no feasible or safe means of escape, didn’t know what to do, so she just did as she was told. Epstein held her tightly and forcibly raped her.

167. On top of this brutal rape, Epstein did not use a condom, which substantially contributed to extreme emotional distress and the development of a panic disorder, which was exacerbated by the fact that Ms. Araoz had recently lost her father to AIDS.

168. In addition to constituting illicit sex with a minor, this was also a brutal rape.

169. Epstein’s monstrous conduct cannot be understated.

170. Epstein, after raping Ms. Araoz, told her that “she was amazing, that she felt amazing, and that she did nothing wrong.”

171. Ms. Araoz was disgusted with Jeffrey Epstein (and herself at the time) and left his home soon thereafter, never to return.

172. Afterward, Jeffrey Epstein tried to contact Ms. Araoz, but she ignored his calls.

173. Epstein also tried to reach out to Ms. Araoz in later years, but she did not take his calls.

174. Following the rape, Ms. Araoz refused to go back to Talent Unlimited High School out of fear of seeing Epstein, who lived just blocks away from her high school, or seeing the Recruiter again.

175. At the time, Ms. Araoz told her mom the reason was that she was being bullied at school concealing from her the truth involving Epstein, reflecting her extreme shame about what she experienced and the intimidation she felt from Epstein.

176. Ms. Araoz, still 15 years old at the time, transferred to Forest Hills High School in Queens by her home to avoid any continued contact with Epstein and the Recruiter.

177. Having left a special public high school for performing arts that she had to audition to get into, to instead go to a regular high school, caused Ms. Araoz to lose interest in school, drop out, and give up on her career of being an actress, model and singer.

178. All sexual acts were performed by Jeffrey Epstein intentionally and for no legitimate purpose and for his own gratification when Plaintiff was a minor child less than seventeen years of age.

179. The intentional acts of Jeffrey Epstein against Plaintiff constitute a sexual offense as defined in Article 130.

180. Pursuant to NYPL § 130.05, a person is deemed incapable of consent when she is less than seventeen years old.

181. Jeffrey Epstein committed sexual misconduct against Plaintiff as defined in §130.20 of the NYPL, inasmuch as Jeffrey Epstein engaged in sexual intercourse with Plaintiff without Plaintiff's consent.

182. Jeffrey Epstein committed rape in the third degree as defined in § 130.25 of the NYPL, inasmuch as Jeffrey Epstein, being twenty-one years old or more, engaged in sexual intercourse with Plaintiff, who was less than seventeen years old;

183. Jeffrey Epstein committed rape in the first degree as defined in NYPL § 130.35, inasmuch as Jeffrey Epstein engaged in sexual intercourse with Plaintiff by forcible compulsion;

184. Jeffrey Epstein committed a forcible touching against Plaintiff as defined in NYPL § 130.52, inasmuch as Jeffrey Epstein, intentionally and for no legitimate purpose, engaged the forcible sexual touching of Plaintiff for the purpose of degrading or abusing her or for the purpose of gratifying his sexual desire.

185. Jeffrey Epstein committed sexual abuse in the first degree against Plaintiff as defined in NYPL §130.65, inasmuch as Jeffrey Epstein subjected Plaintiff to sexual contact by forcible compulsion.

186. Jeffrey Epstein committed an aggravated sexual abuse in the second degree against Plaintiff as defined in NYPL §130.67, inasmuch as Jeffrey Epstein caused physical injury to Plaintiff when he inserted a finger into the vagina of Plaintiff by forcible compulsion.

187. Defendants' illegal conduct continues to have impact in every aspect of Plaintiff's life today.

VI.

**PLAINTIFF'S PETITION FOR PRE-ACTION DISCOVERY
AND EPSTEIN'S DEATH AND WILL**

188. On July 22, 2019, at 10:15am, New York Deputy Sheriff, Qin Zhang, personally served Jeffrey Epstein at the Metropolitan Correctional Center, where he was being held without bail awaiting trial on sex trafficking and conspiracy charges, with an Order to Show Cause to Compel Pre-Action Disclosure from Epstein, signed by Judge. Melissa A. Crane, notifying Epstein of the charges to be filed against him by Ms. Araoz and a court date of August 27, 2019, along with a Verified Petition, Exhibits and Supporting Documents (Plaintiff's "Petition for Pre-Action Discovery"), which included a copy of Plaintiff's Complaint to be filed on August 14, 2019 (the first day permitted under the CVA) attached as Exhibit A, and a subpoena for Epstein's deposition testimony attached as Exhibit B. *See Sheriff's Certificate of Service* (NYSCEF Doc. No. 6), *Order to Show Cause* (NYSCEF Doc. No. 5), *Petition for Pre-Action Discovery with Exhibits A and B* (NYSCEF Doc. No. 1), and *Affirmation in Support* (NYSCEF Doc. No. 2), *In the Matter of the Application of JENNIFER DANIELLE ARAOZ v. JEFFREY EDWARD EPSTEIN and JANE DOES 1-3*, Index No. 156728/2019 (Supreme Court, New York County, Jul. 16, 2019).

189. According to CBS News and the Miami Herald, law enforcement sources confirmed that on July 22, 2019, the very same day that Epstein learned of the charges against him by Ms. Araoz, he was found semi-unconscious in his cell of an apparent (but unconfirmed) suicide attempt, which led to him being put on suicide watch. The Department of Justice has only confirmed that Epstein was put on suicide watch in July following an incident.

190. If Epstein attempted to commit suicide, upon learning of accusations of rape of a 15-year old child, it would certainly indicate a consciousness of guilt, as why would Epstein

want to take his own life, unless the accusations were true and he realized that he faced up to 25 years in prison, if charged. *See* NYPL § 130.35.

191. On August 8, 2019 Jeffrey Epstein responded to Plaintiff's Petition for Pre-Action Discovery, incorporated herein by reference, and on that very same day, Epstein also created a revocable trust, The 1953 Trust, executing a new will that fraudulently conveyed all of his assets to The 1953 Trust in order prevent, delay or hinder Plaintiff from recovering for her legal injuries.

192. On August 10, 2019, according to the Bureau of Prisons, Jeffrey Epstein died of an apparent suicide.

193. On August 26, 2019, Defendant, Darren K. Indyke, filed a Certificate of Trust with the Superior Court for the Virgin Islands, confirming that he and Defendant, Richard D. Kahn, are the two Trustees of the 1953 Trust. *See* Certificate of Trust, *In the Matter of the Estate of Jeffrey E. Epstein*, Probate No. ST-19PB-80 (Super. Ct. V.I. Aug. 26, 2019).

194. On September 6, 2019, Magistrate Judge Carolyn P. Herman-Percell of the Superior Court of the Virgin Islands ordered that Epstein's will be admitted to probate and authorized Mr. Indyke and Mr. Kahn to administer the estate. *See* Order for Probate and Letters Testamentary, *In the Matter of the Estate of Jeffrey E. Epstein*, Probate No. ST-19PB-80 (Super. Ct. V.I. Sep. 6, 2019).

VII.

CAUSE OF ACTION I

SEXUAL ASSAULT AND BATTERY AGAINST DARREN K. INDYKE AND RICHARD D. KAHN, in their Capacities as Executors of THE ESTATE OF JEFFREY E. EPSTEIN

195. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as

if set forth fully herein.

196. Jeffrey Epstein made violent sexual demands on plaintiff while placing his hands on her body and committed repeated acts of harmful or offensive touching against Plaintiff.

197. These demands were intended to intimidate Plaintiff and force her to submit to his sexual requests.

198. As a direct and proximate result of Jeffrey Epstein's repeated sexual assaults and battery of the Plaintiff, she has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages, including, but not limited to, dropping out of high school and giving up on her career of being an actress, model and singer. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSE OF ACTION II

INTENTION INFLICTION OF EMOTIONAL DISTRESS AGAINST DARREN K. INDYKE AND RICHARD D. KAHN, in their Capacities as Executors of THE ESTATE OF JEFFREY E. EPSTEIN

199. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

200. Jeffrey Epstein's outrageous and unconscionable conduct, which violated all norms of decent and civil society, was an intentional infliction of emotional distress upon Plaintiff.

201. As a direct and proximate result of Jeffrey Epstein's intentional infliction of

emotion distress, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages, including, but not limited to, dropping out of high school and giving up on her career of being an actress, model and singer. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSE OF ACTION III

NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS AGAINST DARREN K. INDYKE AND RICHARD D. KAHN, in their Capacities as Executors of THE ESTATE OF JEFFREY E. EPSTEIN

202. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

203. By reason thereof, Jeffrey Epstein committed negligent infliction of emotional distress upon Plaintiff.

204. As a direct and proximate result of Jeffrey Epstein negligent infliction of emotional distress, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages, including, but not limited to, dropping out of high school and giving up on her career of being an actress, model and singer. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to

suffer these losses in the future.

CAUSE OF ACTION IV

**CONSPIRACY TO COMMIT SEXUAL ASSAULT AND BATTERY
AGAINST GHISLAINE MAXWELL, LESLEY GROFF, CIMBERLY ESPINOSA, THE
RECRUITER, THE CORPORATE DEFENDANTS AND/OR THE INSTITUTIONAL
DEFENDANTS**

205. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

206. Ms. Maxwell, Ms. Groff, Ms. Espinosa, the Recruiter, the Corporate Defendants and/or the Institutional Defendants, conspired with Jeffrey Epstein to commit repeated acts of sexual assault and harmful or offensive touching against Plaintiff.

207. As a direct and proximate result of Ms. Maxwell, Ms. Groff, Ms. Espinosa, the Recruiter, the Corporate Defendants and/or the Institutional Defendants, conspiring with Jeffrey Epstein to commit repeated acts of sexual assault and battery against the Plaintiff, she has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages, including, but not limited to, dropping out of high school and giving up on her career of being an actress, model and singer. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSE OF ACTION V**CONSPIRACY TO COMMIT INTENTION INFLECTION OF EMOTIONAL DISTRESS AGAINST GHISLAINE MAXWELL, LESLEY GROFF, CIMBERLY ESPINOSA, THE RECRUITER, THE CORPORATE DEFENDANTS AND/OR THE INSTITUTIONAL DEFENDANTS**

208. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

209. Ms. Maxwell, Ms. Groff, Ms. Espinosa, the Recruiter, the Corporate Defendants and/or the Institutional Defendants, conspired with Jeffrey Epstein to commit outrageous and unconscionable conduct, which violated all norms of decent and civil society, and was an intentional infliction of emotional distress upon Plaintiff.

210. As a direct and proximate result of Ms. Maxwell, Ms. Groff, Ms. Espinosa, the Recruiter, the Corporate Defendants and/or the Institutional Defendants, conspiring with Jeffrey Epstein to commit intentional infliction of emotion distress, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages, including, but not limited to, dropping out of high school and giving up on her career of being an actress, model and singer. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSE OF ACTION VI**CONSPIRACY TO COMMIT NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS AGAINST GHISLAINE MAXWELL, CIMBERLY ESPINOSA, LESLEY GROFF, THE RECRUITER, THE CORPORATE DEFENDANTS AND/OR THE INSTITUTIONAL DEFENDANTS**

211. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

212. By reason thereof, Ms. Maxwell, Ms. Groff, Ms. Espinosa, the Recruiter, the Corporate Defendants and/or the Institutional Defendants, conspired with Jeffrey Epstein to commit negligent infliction of emotional distress upon Plaintiff.

213. As a direct and proximate result of Ms. Maxwell, Ms. Groff, Ms. Espinosa, the Recruiter, the Corporate Defendants and/or the Institutional Defendants, conspiring with Jeffrey Epstein to commit negligent infliction of emotional distress, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages, including, but not limited to, dropping out of high school and giving up on her career of being an actress, model and singer. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSE OF ACTION VII**NEGLIGENT SECURITY AGAINST NINE EAST 71st STREET CORPORATION**

214. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

215. At all times relevant herein, Defendant, Nine East 71st Street Corporation (“Nine East”), was the lawful owner of the property located at 9 East 71st Street, New York, New York, 10021.

216. Defendant, Nine East, acquired title to the property on September 6, 1989, and retained such title until the property was fraudulently transferred to Maple, Inc. on December 11, 2011.

217. At all relevant herein, Defendant Nine East maintained legal control over the subject premises.

218. Jeffrey Epstein was a regular habitant of Defendant, Nine East, and in fact resided at the premises when he was present in New York.

219. Defendant, Nine East, knew or should have known when Jeffrey Epstein was in the home owned by Defendant, Nine East, and when Jeffrey Epstein had young females, including minor females, such as Plaintiff, at the premises.

220. When Plaintiff was sexually abused by Jeffrey Epstein in 2001 and 2002, Defendant, Nine East, as the owner of the property where all of the sexual abuse of Plaintiff occurred, had a non-delegable duty to maintain the premises in a reasonably safe condition.

221. Defendant Nine East had a duty of care to take precautions to protect guests, visitors, or invitees, such as Plaintiff, from foreseeable harm, including foreseeable criminal conduct.

222. Defendant Nine East’s had a duty to take reasonable precautionary measures to minimize the risk of sexual assaults upon visitors to the premises, such as Plaintiff.

223. Jeffrey’s Epstein’s sexual assault and battery of Plaintiff was foreseeable, and no actions and/or precautions were taken to prevent it.

224. To cite several examples, before Plaintiff was ever lured by Epstein's Recruiter to visit the premises owned by Nine East:

- a. Maria Farmer, who was responsible for "manning the front door at his New York mansion and keeping records of people who came to the home," Ms. Farmer "witnessed a number of school age girls coming to the house, some of the young girls would be wearing their school uniforms"...who "then would be escorted upstairs." See Maria Farmer's Deposition, ¶ 2-3. While Ms. Farmer was told these young girls "were interviewing for modeling positions," she testified under oath that "it did not seem credible to [her] that these young girls were interviewing for modeling positions". *Id.*, at ¶ 3.
- b. Another one of Epstein's household employees, Mr. Alfredo Rodriguez, testified to seeing numerous underage girls coming into Epstein's mansion for purported "massages." See Alfredo Rodriguez July 29, 2009 Deposition, at 242-44. Rodriguez was aware that "sex toys" and vibrators were found in Epstein's bedroom after the purported massages. *Id.* at 223-28. Rodriguez thought what Epstein was doing was wrong, given the extreme youth of the girls he saw. *Id.*
- c. Juan Alessi, Epstein's former house manager from 1991 to 2002, testified he saw "probably over 100" girls serve Epstein at his mansion over 10 years. See Juan P. Alessi's deposition, dated September 8, 2009, in Jane Doe No. 2 v. Jeffrey Epstein, Case No. 08-CB-90119. After each encounter, Alessi testified, he would clean up the home's upstairs massage room. In multiple occasions, he said, he found "vibrators or sex toys" and put them in Defendant, Maxwell's, closet because he "knew that's where they kept" such items." *Id.*

225. Nearly every day that Jeffery Epstein was on or in the property of Defendant, Nine East, he was engaging in criminal sexual behavior in violation of Article 130, including ever single encounter described herein with Plaintiff.

226. Defendant, Nine East, breached its duty to Plaintiff by failing to take even minimal safety precautions to protect against the predictable criminal acts of Jeffrey Epstein, which were reasonably predictable and foreseeable to occur on the property.

227. Defendant Nine East's negligence was a proximate cause of the sexual offenses committed against Plaintiff in violation of Article 130.

228. As a direct and proximate result of Defendant Nine East's breach, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSE OF ACTION VIII

**NEGLIGENCE AGAINST
FINANCIAL TRUST COMPANY, INC.**

229. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

230. At all times relevant herein, Financial Trust Company, Inc. (hereinafter "Financial Trust") was a U.S. Virgin Islands corporation conducting business in New York.

231. At all times relevant herein, Defendant, Financial Trust, employed Jeffrey Epstein.

232. Defendant, Financial Trust, had a duty to exercise reasonable care to refrain from retaining in its employ a person with known dangerous propensities in a position that would present a foreseeable risk of harm to others.

233. Defendant Financial Trust operated in part to satisfy the personal needs of Jeffrey Epstein, which included daily massages, which Epstein required to be sexual in nature.

234. Jeffrey Epstein's requirement that he receive regular massages from untrained young females caused Defendant, Financial Trust, and its employees to knowingly turn a blind eye to the dangerous sexual addictive propensities of Jeffrey Epstein, despite knowledge that he

would cause harm to many young females, including Plaintiff, in order to retain its most valuable employee—Jeffrey Epstein.

235. Defendant, Financial Trust, operated in part to further Jeffrey Epstein's goal to obtain, recruit, and procure young females for the purposes of providing sexually explicit massages to Jeffrey Epstein.

236. During the course and scope of Jeffrey Epstein's employment for Defendant, Financial Trust, he fulfilled the corporate objective of receiving sexual massages procured for him by employees of Defendant, Financial Trust.

237. Jeffrey Epstein was notorious for converting each massage into a sexually exploitive activity in violation of New York Penal Law Section 130, a fact which was known or should have been known in the exercise of reasonable care by Defendant, Financial Trust.

238. Even though Defendant, Financial Trust, knew of Jeffrey Epstein's propensity for the sort of behavior that caused Plaintiff's harm and Jeffrey Epstein's constant engagement in this type of criminal behavior during the course and scope of his employment, Defendant, Financial Trust, retained Jeffrey Epstein and failed to properly supervise him.

239. Jeffrey Epstein did not have a set work schedule or office, but instead, conducted business on behalf of Defendant, Financial Trust, from various locations all over the world.

240. While conducting said business, Jeffrey Epstein was frequently using Defendant Financial Trust's corporate finances in furtherance of his sexually explicit behavior.

241. Upon information and belief, at times other employees of the Defendant, Financial Trust, were coordinating these sexually explicit massages for Epstein to engage in during business hours, while he was within the course and scope of his employment for Defendant, Financial Trust.

242. In fact, while Jeffrey Epstein was conducting business telephone calls or authorizing company actions on behalf of Defendant, Financial Trust, he would frequently be receiving a sexually explicit massage.

243. In certain circumstances, sexually explicit massages provided by young women, oftentimes minor children, who were untrained in the art of massage, were coordinated by another employee of Defendant, Financial Trust, who knew or should have known that the massage was being conducted by an underage girl for the exclusive purpose of committing sexual crimes against her.

244. Jeffrey Epstein engaged in this type of sexually abusive behavior daily to the extent that engaging in sexual massages became the most regular activity that he engaged in while in the course and scope of his employment.

245. Jeffrey Epstein's habitual routine of recruiting and engaging in sexually explicit massages began many years before the formation of Defendant, Financial Trust, and was not a lifestyle unknown to Defendant, Financial Trust.

246. Defendant, Financial Trust, knew or in the exercise of reasonable care should have known that Jeffrey Epstein was potentially dangerous, had engaged in a pattern of criminal sexual behavior against young females, including minors, for years prior to the formation of Defendant, Financial Trust, and that he was not going to cease committing criminal sexual acts.

247. Jeffrey Epstein was retained by Defendant, Financial Trust, with knowledge of the propensity of this sort of behavior.

248. Defendant, Financial Trust, retained Jeffrey Epstein with knowledge that he would in fact injure others, such as Plaintiff, during the course and scope of his employment.

249. Despite such knowledge, Financial Trust knowingly placed Jeffrey Epstein in a

position to cause foreseeable harm to Plaintiff, which could have been prevented had Defendant, Financial Trust, taken reasonable care in making decisions regarding the retention and supervision of Jeffrey Epstein.

250. Defendant Financial Trust's negligence was a proximate cause of the sexual offenses committed against Plaintiff in violation of Article 130.

251. As a direct and proximate result of Defendant Financial Trust's negligence, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSE OF ACTION IX

NEGLIGENCE

AGAINST NES, LLC, NINE EAST 71st STREET CORPORATION, LESLEY GROFF, CIMBERLY ESPINOSA, AND/OR DARREN K. INDYKE AND RICHARD D. KAHN, in their Capacities as Executors of THE ESTATE OF JEFFREY E. EPSTEIN

252. The Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

253. It is believed that each employee of Defendant, NES, LLC ("NES"), operated at the direction of Jeffrey Epstein, Nine East, New York Strategy Group, Ms. Maxwell, Ms. Espinosa, and Ms. Groff.

254. Upon information and belief, the primary responsibility of each employee of Defendant, NES, was to fulfill the needs or requests of Jeffrey Epstein; more particularly, his daily massage schedule.

255. Upon information and belief, the employees of Defendant, NES, were compensated to primarily, if not exclusively, procure or maintain each young female masseuse, or to assist, knowingly or unknowingly, in the concealment of any misconduct committed against each masseuse.

256. Upon information and belief, the employment responsibilities of the various employees of Defendant, NES, included but were not limited to: 1) recruiting young females, including minor children such as Plaintiff, to provide massages, 2) creating Jeffrey Epstein's massage schedule, 3) maintaining Jeffrey Epstein's massage schedule, 4) escorting various young females into the massage room at the New York mansion owned by Defendant, Nine East, 5) maintaining contact with the various young females who were recruited to the New York mansion for the purposes of providing Jeffrey Epstein with a massage, 6) providing compensation to each young masseuse upon the completion of her engagement with Jeffrey Epstein, 7) providing meals and food and other services to the young females in order to provide an air of legitimacy to the functions of the corporation, 8) providing hospitality services to the young females in order to provide an air of legitimacy to the functions of the corporation, 9) providing educational services, 10) providing medical services, 11) providing transportation services, 12) providing housing services, 13) providing various other enticements to ensure the continued cooperation of the various young female masseuse with Defendant, NES's, corporate objective, 14) encouraging individuals, including the females who were recruited to the house to provide a massage to recruit other young females to engage in the same activity for Jeffrey Epstein, and 15) coordinating together and with Jeffrey Epstein to convey a powerful and legitimate enterprise system capable of gaining cooperation from young females recruited for massage, often minors such as Plaintiff.

257. In fulfilling their employment responsibilities, each employee voluntarily assumed a duty with respect to each young female recruited to massage Jeffrey Epstein, including Plaintiff.

258. To fulfill said duty, each employee was required to perform their assumed duty carefully without omitting to do what an ordinarily prudent person would do in accomplishing the task.

259. The young females being recruited to engage in massages for Jeffrey Epstein were inexperienced in the art of massage, a fact that was known or should have been known to Defendant, NES, and its employees and management in the exercise of reasonable care.

260. Plaintiff relied on Defendant NES's voluntary assumption of a duty as well as the voluntary assumption of each individual employee and manager to act with reasonable care towards her.

261. In the exercise of reasonable care, Defendant, NES, its employees and managers further knew or should have known of the dangerous propensities of Jeffrey Epstein and the proximate harm that would be caused by his likely sexual misconduct and various violations of Article 130.

262. The failure of Defendant, NES, and each of its respective employees and managers, to act in the same manner as an ordinarily prudent person, placed Plaintiff in a more vulnerable position than if Defendant, NES, and its employees and management had not assumed the obligation to treat her with reasonable care.

263. In breaching its duty, Defendant, NES, its employees and management, launched a force or instrument of harm directed toward Plaintiff. In doing so, Defendant, NES, its employees and management, enhanced the risk Plaintiff faced and caused her to forego any

opportunity she may otherwise have had to avoid the risk inherent with being in a room alone with Jeffrey Epstein to perform a massage as an untrained minor child, and in the case of Ms. Araoz, someone who was not invited there to give massages.

264. Defendants, NES's, Jeffrey Epstein's, Nine East's, New York Strategy Group's, Ms. Maxwell's, Ms. Espinosa's, and Ms. Groff's, negligence was a proximate cause of the sexual offenses committed against Plaintiff in violation of Article 130.

265. As a direct and proximate result of Defendant, NES's, Jeffrey Epstein's, Nine East's, New York Strategy Group's, Ms. Maxwell's, Ms. Espinosa's, and Ms. Groff's negligence, the Plaintiff has in the past suffered and in the future will continue to suffer physical injury, pain, emotional distress, psychological trauma, mental anguish, humiliation, embarrassment, loss of self-esteem, loss of dignity, invasion of her privacy and a loss of her capacity to enjoy life, as well as other damages. Plaintiff incurred medical and psychological expenses and Plaintiff will in the future suffer additional medical and psychological expenses. These injuries are permanent in nature and Plaintiff will continue to suffer these losses in the future.

CAUSES OF ACTION X-XIII

FRAUDULENT CONVEYANCE AGAINST NINE EAST 71st STREET CORPORATION AND MAPLE, INC.

266. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

267. Defendants were engaged in a business or transaction.

268. At the time of the fraudulent conveyance, Plaintiff was a future creditor as defined under the New York Debtor and Creditor law.

269. Despite efforts by Jeffrey Epstein, his attorneys and a New York prosecutor, to lower his sex offender status to be filed in New York, on November 17, 2011, a New York appeals court upheld a lower court's ruling that Epstein must register as New York's highest-level sex offender. A Level 3 status means "high risk of repeat offense and a threat to public safety exists," according to the state's guidelines.

270. Just four (4) business days after being ordered to register as New York's highest-level sex offender and have regular 90-day check ins, as required by law, on November 23, 2011, in order to shield himself and his property owned by Nine East, located at 9 East 71st Street, New York, New York, 10021, where all of the crimes in the State occurred against Ms. Araoz and so many other victims, from claims of current and future creditors, whose claims had not matured, Epstein fraudulently transferred title the property from Nine East to the Virgin Islands-based company, Maple, Inc., another company controlled by him.

271. The transfer documents list Epstein as President of both Nine East and Maple, and show a mortgage of \$0 and consideration paid of \$10 for the transaction, despite the property being conservatively valued by Jeffrey Epstein's own admission at \$55,931,000.

272. At the time of the fraudulent transfers, Defendants were aware of current legal claims against Epstein, and knew, or reasonably should have known, about Plaintiff's potential exposure to Ms. Araoz for future legal claims.

273. At the time of the fraudulent conveyance, Plaintiff's claims against Epstein had not matured.

274. The fraudulent transfers were effectuated for the express purpose of evading financial liability to current and future creditors, including Plaintiff.

275. Defendants, by these fraudulent transfers, intended to hinder, delay or defraud,

both present and future creditors, including Plaintiff, from satisfying any judgment they may have against the property where all of the sexual crimes in violation of Article 130 against minors occurred.

276. Defendants' fraudulent conveyances were made without fair consideration, despite the person making it, Jeffrey Epstein, being a defendant in actions for money judgements.

277. The conveyances were fraudulent as to plaintiff as a future creditor as defined under New York debtor creditor law.

278. Plaintiff is therefore entitled to avoid the fraudulent transfers.

279. Plaintiff is thereby entitled to attach or levy execution upon any property or assets that were fraudulently conveyed.

280. In addition, Plaintiff is entitled to recover interest, costs, and disbursements of this action, including reasonable attorney's fees pursuant to New York Debtor and Creditor law.

281. Defendants have violated each of the following sections of New York Debtor Creditor law: 273-a, 276, 276-A and 279.

CAUSES OF ACTION XIV-XVII

**FRAUDULENT CONVEYANCE AGAINST
DARREN K. INDYKE AND RICHARD D. KAHN, AS TRUSTEES OF THE 1953
TRUST, SOUTHERN TRUST COMPANY, INC.; MAPLE, INC., CYPRESS, INC.,
LAUREL, INC. SCI JEP, POPULAR, INC., NAUTILUS, INC.; JEJE, INC.; JEJE, LLC;
PLAN D, LLC, HYPERION AIR, LLC, AIR GHISLAINE, INC.; FINANCIAL TRUST
COMPANY, INC.; FREEDOM AIR INTERNATIONAL, INC.; IGY-AYH ST. THOMAS
HOLDINGS; ZORRO DEVELOPMENT CORP.; LSJE, LLC; HBRK ASSOCIATES,
INC.; ZORRO MANAGEMENT, LLC; and/or L.S.J., LLC**

282. Plaintiff incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

283. Defendants were engaged in a business or transaction.

284. Plaintiff is a creditor or future creditor, as defined under the New York Debtor and Creditor law.

285. Defendants caused to be transferred the property and other assets of Jeffrey Epstein into the 1953 Trust for the express purpose of concealing such property and assets from Plaintiff.

286. At the time of the fraudulent transfers, Plaintiffs legal claims against Jeffrey Epstein had not matured, but Defendants were aware of Plaintiff's legal claims that existed against Jeffrey Epstein.

287. The fraudulent transfers were effectuated for the express purpose of evading financial liability to Plaintiff.

288. Defendants, by these fraudulent transfers, intended to hinder and/or delay plaintiff from satisfying any judgment she may obtain in her lawsuit.

289. Defendants' fraudulent conveyances were made without fair consideration.

290. The conveyances were fraudulent as to plaintiff as a creditor as defined under New York debtor creditor law.

291. Plaintiff is therefore entitled to avoid the fraudulent transfers.

292. Plaintiff is thereby entitled to attach or levy execution upon any property or assets that were fraudulently conveyed.

293. In addition, Plaintiff is entitled to recover interest, costs, and disbursements of this action, including reasonable attorney's fees pursuant to New York Debtor and Creditor law.

294. Defendants have violated each of the following sections of New York Debtor Creditor law: 273-a, 276, 276-A and 279.

WHEREFORE, Plaintiff demands judgment against defendants as follows:

- (i) On the First Cause of Action assessing compensatory damages and punitive damages in an amount to be determined at trial;
- (ii) On the Second Cause of Action assessing compensatory damages and punitive damages in an amount to be determined at trial;
- (iii) On the Third Cause of Action assessing compensatory damages in an amount to be determined at trial;
- (iv) On the Fourth Cause of Action, compensatory and punitive damages in an amount to be determined at trial;
- (v) On the Fifth Cause of Action, compensatory and punitive damages in an amount to be determined at trial;
- (vi) On the Sixth Cause of Action, compensatory and punitive damages in an amount to be determined at trial;
- (vii) On the Seventh Cause of Action, compensatory and punitive damages in an amount to be determined at trial;
- (viii) On the Eighth Cause of Action, compensatory and punitive damages in an amount to be determined at trial;
- (ix) On the Ninth Cause of Action, compensatory and punitive damages in an amount to be determined at trial;
- (x) On the Tenth Cause of Action, compensatory damages to be determined at trial;
- (xi) On the Eleventh Cause of Action, compensatory damages to be determined at trial;
- (xii) On the Twelfth Cause of Action, compensatory damages to be determined at trial;

- (xiii) On the Thirteenth Cause of Action, compensatory damages to be determined at trial;
- (xiv) On the Fourteenth Cause of Action, compensatory damages to be determined at trial;
- (xv) On the Fifteenth Cause of Action, compensatory damages to be determined at trial;
- (xvi) On the Sixteenth Cause of Action, compensatory damages to be determined at trial;
- (xvii) On the Seventeenth Cause of Action, compensatory damages to be determined at trial;
- (xviii) For a court order voiding any and all fraudulent conveyances;
- (xix) Attorney's fees and interest, and disbursements;
- (xx) For such other relief as the Court deems just and proper.

Dated: New York, New York
October 10, 2019

KAISER SAURBORN & MAIR, P.C.

By: _____

Daniel J. Kaiser, Esq.
William H. Kaiser, Esq.

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