

EXHIBIT 28

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IN THE FIFTEENTH JUDICIAL CIRCUIT COURT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CASE NO.: 502008CA037319 XXXX MB AB

B.B.,
Plaintiff,
vs.
JEFFREY EPSTEIN,
Defendant.

VOLUME I
VIDEO-TAPED DEPOSITION OF MICHAEL REITER
A WITNESS
TAKEN BY THE PLAINTIFF

DATE: November 23, 2009
TIME: 10:12 a.m. - 7:38 p.m.

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The deposition of MICHAEL REITER, a witness in the above-entitled and numbered cause was taken before me, Vanessa G. Archer, Court Reporter, Notary Public for the State of Florida at Large, at 2925 PGA Boulevard, Palm Beach Gardens, Florida, on the 23rd day of November, 2009, pursuant to Notice in said cause for the taking of said deposition on behalf of the Plaintiff.

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I-N-D-E-X

November 23, 2009

MICHAEL REITER

DIRECT CROSS REDIRECT RECROSS

By Mr. Kuvin 8 352

By Mr. Garcia 155 364

By Mr. Critton 190

EXHIBITS

Marked

Plaintiff's Exhibit No. 1 16

(Palm Beach PD Intelligence Report 11/28/04)

Plaintiff's Exhibit No. 2 31

(Incident Reports)

Plaintiff's Exhibit No. 3 99

(Letter to Barry Krischer)

Plaintiff's Exhibit No. 4 131

(Photographs of El Brillo Way)

Plaintiff's Exhibit No. 5 132

(Photo of 358 El Brillo Way)

Defendant's Exhibit No. 6 218

(Subpeona Duces Tecum)

Plaintiff's Exhibit No. 7 356

(Money Transfers)

Plaintiff's Exhibit No. 8 357

(Flight Summary)

Certified Question: Page 160, Line 10

Letter to John Randolph, Esq.

Errata Sheets (to be forwarded upon completion)

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1 (Pages 1 to 4)

Page 53 1 And at what point did you learn that 2 Mr. Epstein, in fact, did become aware of the 3 investigation? 4 A I think the point that I actually knew 5 that it was, it was reported to me by one of the 6 detectives that one of the victims had been 7 contacted by a private investigator that the 8 department believed was employed by a lawyer of -- 9 employed by Mr. Epstein. 10 Q On that topic, at some point did you 11 become aware that Mr. Epstein was actually 12 investigating you? 13 MR. CRITTON: Form. 14 THE WITNESS: Yes. 15 BY MR. KUVIN: 16 Q Tell me about that? 17 A Well I heard through various individuals 18 that one of his lawyers, Mr. Dershowitz, had been 19 contacting private investigators in the area to 20 perform background investigations on me. I know 21 that there was a public records law demand filed by 22 several private investigators on the Town of Palm 23 Beach for my personnel records. And I actually ran 24 into one of the private investigators very early 25 on -- you asked me when I first became aware --	Page 55 1 A No. 2 Q First time ever? 3 MR. CRITTON: Form. 4 BY MR. KUVIN: 5 Q First time you can recall it going to this 6 extent? 7 A The only time I ever recall anyone ever 8 going to this extent. 9 Q How long were you aware there was 10 surveillance on you personally? 11 A Well, you know, I just took the approach 12 that I have nothing to hide, and I just lived my 13 life so I tried not to look around every corner. I 14 felt like it was around three months. 15 Q At any time during the investigation, did 16 you become aware that investigators were also 17 surveilling and investigating potential victims? 18 A That had been reported to us by victims. 19 And the lead investigator in the case also felt like 20 he was being surveilled, people were picking up his 21 trash and so on. 22 Q Is that Detective Recarey? 23 A Yes. 24 Q So there was a time that your officers 25 became aware it was being investigated on?
Page 54 1 Q Yeah. 2 A -- that basically told me that. I also -- 3 I mean I saw surveillance a number of times. I 4 didn't know precisely who had hired those persons, 5 but I mean I had surveillance for a fairly long 6 period of time. 7 Q There was surveillance you noticed on you? 8 A Yes. 9 Q Do you know why? 10 A No, no, I don't. It would be an 11 assumption. In general sense, you know, there's an 12 attack on the case and if that doesn't work there's 13 an attack on the investigators. I don't know. I 14 don't know. Shouldn't say that. 15 MR. CRITTON: Form, move to strike. 16 BY MR. KUVIN: 17 Q You were working as a police officer for 18 twenty-eight years and then as a chief -- well -- 19 A And two years prior to that actually. 20 Q Right. During your entire history as a 21 police officer, can you ever recall someone going to 22 that length? In other words, a suspect conducting 23 an investigation on you such as the lengths that 24 occurred in this case which include surveillance on 25 you?	Page 56 1 MR. CRITTON: Form. 2 THE WITNESS: One officer, one detective. 3 BY MR. KUVIN: 4 Q To the extent they were picking up his 5 trash? 6 A Yes. 7 Q Were you aware of that ever occurring in 8 your career to officers working under you? 9 A I didn't say it never occurred to this 10 degree. 11 Q Got you. 12 A I think if you're asking the question do I 13 know of any other law enforcement officers who know 14 as part of their job somebody investigated them and 15 picked up their trash, not that I can specifically 16 recall. 17 Q Okay. 18 A Other than the police department itself, 19 we've had private investigators take trash at the 20 police department itself, we've caught people doing 21 that. 22 Q Obviously at some point Mr. Epstein was 23 tipped off as to the investigation because of the 24 investigators that you became aware of. Did you 25 ultimately know how he became tipped off?

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1 MR. CRITTON: Form. 2 THE WITNESS: Well, early on I had -- when 3 I first told him about the case and I realized 4 that it was a serious case, there were multiple 5 victims, that the suspect was very well known, 6 I told him about it. And we were -- it was in 7 person, I talked to him after a meeting that he 8 and I were both involved in. And I had known 9 him to be a victim advocate and to protect the 10 rights of children. Well I know that he even 11 wrote a portion of the statute that addresses 12 those issues. And when I told him about it 13 originally he said let's go for it, this is an 14 adult male in his fifties who's had sexual 15 contact with children of the ages of the 16 victims. He said this is somebody who we have 17 to stop. And whatever we need, he said, in the 18 State Attorney's Office, we have a unit that's 19 equipped to investigate and prosecute these 20 kinds of cases. I think he probably mentioned 21 Lanna's name to me and anything that you need 22 and, you know, this is basically a case that 23 needs to be prosecuted. 24 And I didn't have too many facts early on 25 when I talked with him, but I knew that there	1 directly? 2 MR. CRITTON: Form. 3 THE WITNESS: He told me that he had 4 conversations with Mr. Dershowitz. I know Roy 5 Black. At least the news media reporter was 6 involved in this and I think that he said that 7 he had a conversation with him. I think Roy 8 Black had another case with that circuit around 9 the same time and maybe even other lawyers that 10 represented Mr. Epstein, and they were 11 obviously discussing the case. And he 12 basically told me that he looked at Facebook 13 pages of some of the victims and that he felt 14 like they were incredible. 15 And I have never felt like prosecutions, 16 evidence should be weighed outside of the 17 judicial process. I just don't -- we wouldn't 18 cover our ears and eyes when a person under 19 investigation's lawyer would bring forward 20 exculpatory evidence, but on the other hand 21 we're not the weigher of fact in these things. 22 We reach the standard of probable cause and 23 beyond, and that's when a judge, or in this 24 particular case a State Attorney, should make 25 those decisions.
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1 were multiple victims and to our detectives 2 they were believable. So when time went on and 3 Mr. Epstein became aware of the investigation 4 and his lawyers contacted the State Attorney's 5 Office, they told me that. 6 And from that point on, and I believe it 7 was Mr. Dershowitz initially, the tone and 8 tenor of the discussions of this case with 9 Mr. Krischer changed completely. One point he 10 suggested that we write him a notice to appear 11 which would be for a misdemeanor. He just 12 completely changed from not only our first 13 conversation about this and he didn't know the 14 name Jeffrey Epstein, till when he had been 15 informed on Mr. Epstein's reputation and his 16 wealth, and I just thought that very unusual. 17 I feel like I know him or knew him very 18 well, the State Attorney, and I just felt like 19 he could not objectively make decisions about 20 this case; that is why I wrote it. 21 BY MR. KUVIN: 22 Q Was there anything that you learned 23 through discussions with him that led you to believe 24 maybe his objectivity had been altered in some 25 regards; in other words, anything he told you	1 And he had been meeting with them without 2 the presence of our investigators. I don't 3 mean he personally but at least -- probably he 4 personally but definitely members of his 5 office, and he hadn't been sharing that 6 information with us. 7 He hadn't, you know -- he characterized it 8 with me but he didn't show us the things, at 9 least not exhaustively, that had been given to 10 him by Mr. Epstein's attorneys. I just felt 11 like that was wrong. Those are the reasons. 12 BY MR. KUVIN: 13 Q Have we exhausted the reasons why you felt 14 that this case, at least you put in your letter, 15 was the handling of this case was highly unusual? 16 Was there anything else that you felt was highly 17 unusual regarding the investigation? 18 A Well the Dahlia Weiss being involved in 19 this case with her husband as a lawyer for -- I'm 20 not saying that anything happened there, but there's 21 certainly an appearance of impropriety. I felt like 22 that alone should have been reason enough. First of 23 all for her to be disqualified as soon as she became 24 aware that a law firm that -- not disqualified but 25 removed from the case as soon as she became aware

Page 105 1 that her husband's law firm had represented Mr. 2 Epstein. And maybe even done damage to the point 3 that because that happened it should be handled by 4 another circuit. 5 This was a case that I felt 6 absolutely needed the attention of the State 7 Attorney's Office, that needed to be prosecuted in 8 state court. It's not generally something that's 9 prosecuted in a federal court. And I knew that it 10 didn't really matter what the facts were in this 11 case, it was pretty clear to me that Mr. Krischer 12 did not want to prosecute this case. 13 Q Did he, in fact, make that clear to you at 14 some point verbally? 15 A Not in those exact words. But the 16 suggestion that multiple victims and some of the 17 crimes, felonies, that he should write a notice to 18 appear for a misdemeanor and the scheduling of a 19 grand jury on an issue like this is extremely rare. 20 The fact that he and I had an 21 excellent relationship. I was the speaker at his 22 swearing in ceremony. And that he wouldn't return 23 my phone calls, I mean it was clear to me by his 24 actions that he could not objectively look at this 25 case.	Page 107 1 record at 1:44. This is the beginning of tape 2 3. 3 BY MR. KUVIN: 4 Q Okay. When we left off we were talking 5 about Barry Krischer's office. And before I move on 6 from that subject I just have one other question. 7 Are you aware of any contact that was 8 made with Mr. Krischer's office from anyone in the 9 democratic party or the DNC at all? 10 MR. CRITTON: Form. 11 THE WITNESS: Relative to this case? 12 BY MR. KUVIN: 13 Q Yes, relative to the Epstein case? 14 A No. 15 Q Are all of the officers that were involved 16 in the investigation listed or contained within the 17 incident report that we've marked as Exhibit 2, and 18 were there any additional officers that were 19 involved that may not be listed in there? 20 A Typically and generally when you say 21 involved, I mean that could encompass all sorts of 22 different people. It might be -- I don't even know 23 that this was the case but it might ask the patrol 24 officer in the area to collect license tags from a 25 street or something like that. I mean if they
Page 106 1 Q At some point, did you feel, or did you 2 become aware, that maybe he had been threatened in 3 some regard, either regarding his job or personally 4 in any regard? 5 A No. 6 MR. CRITTON: Form. 7 BY MR. KUVIN: 8 Q You're aware that obviously his position 9 is an elected position? 10 A I am aware. 11 Q Did you know whether or not he had had any 12 discussions with anyone about his political career 13 if this case did not go a certain way; did you ever 14 become aware of that in any regard? 15 MR. CRITTON: Form. 16 THE WITNESS: No. He had already publicly 17 announced he wasn't running for re-election. 18 MR. KUVIN: All right. This is actually a 19 good stopping point for a quick lunch if you 20 want to take a quick one, I just have to eat. 21 I'm hopefully not far from concluding. 22 THE VIDEOGRAPHER: We're off the record at 23 12:35. This is the end of tape 2. 24 (Recess) 25 THE VIDEOGRAPHER: We're back on the	Page 108 1 aren't writing a report and they aren't doing 2 something that's probably important later on as a 3 witness, they might not appear in there. But the 4 detectives who conducted the investigation are 5 listed in there from what I recall the last time I 6 read it, and it's been a while, but as far as I 7 know. 8 Q At any point, did you have to remove for 9 any reason anyone in your department from the 10 investigation for any reason? 11 A No. It took place over a fairly long 12 period of time so people were transferred and so on, 13 but I didn't personally remove someone for any 14 reason. 15 Q And it may not have been you personally, 16 but just to make sure that it encompasses all 17 potential iterations of that question, was anyone 18 removed for any reason other than just someone 19 transferring out? 20 A Do you mean for -- I think you have to 21 explain that. 22 Q Were any of the investigating police 23 officers removed for any potential conflicts, 24 refusal to follow direction, any reason, other than 25 just a transfer out of the department for some