

# EXHIBIT 5

THE STATE OF FLORIDA,       )  
COUNTY OF PALM BEACH.     )

IN RE:

PALM BEACH INVESTIGATION.

SWORN STATEMENT OF JUAN P. ALESSI

Monday, November 21, 2005

12:25 p.m. - 1:05 p.m.

401 N. Dixie Highway  
West Palm Beach, Florida 33401

**COPY**

Reported By:

Susan Shelling, RPR

Notary Public, State of Florida

Consor & Associates Reporting and Transcription

Phone - 561.835.9738

J. CONSOR & ASSOCIATES REPORTING & TRANSCRIPTION  
561.835.9738

NON PARTY (VR) 000528

1 it was in the balcony of his quarters. His room has a  
2 wraparound balcony facing the pool. So the massages were  
3 in the balcony outside in the sun, or inside in his  
4 bathroom or her bathroom.

5 Q. Would you set up the room for the massages?

6 A. Many times. Yes, he will tell me, Set up  
7 the room inside my bathroom or in the bedroom or in  
8 Elaine's bathroom, or outside on the balcony. And I  
9 would go and set up or my wife would go and set up the  
10 table.

11 We had a table in every room of the house,  
12 the massage tables, for the different guests. Because  
13 not only he got massages, all the other guests got  
14 massages too. So we have a table -- massage table in  
15 basically every room, guest room.

16 Q. The girls that would come over to do  
17 massages, they would massage him first or massage guests?

18 A. Different times. There were -- mostly they  
19 was his massage. Mostly he would get massages.

20 Q. Would Ms. Maxwell be in the room with him  
21 while he was getting the massage?

22 A. We don't know. Apparently we saw her going  
23 upstairs, because it was -- when they went upstairs, they  
24 closed -- his quarters, it had a double door, so it was a  
25 door on top of the stairs -- I don't know if you've been

1 in the house -- and then there's another door going into  
2 his room. So it was a long corridor. So everything was  
3 closed and nobody saw anything.

4 Q. Would you clean up after?

5 A. Once in a while, yes, I did. Most of the  
6 times I did. I did the cleanup.

7 Q. Did it appear as if there was going to be  
8 more than one massage going on in the room?

9 A. More than one massage? I don't know. It  
10 was massages. There was massages, because it was a hot  
11 oil, and it was -- you know this vibrator, the neck  
12 vibrators with the long handles. And towels, a lot of  
13 towels. We used a lot of towels in the house. Used like  
14 maybe 40, 50 towels a day, because every time he go in  
15 into the pool, it was two or three towels. Everything  
16 had to be cleaned up. I went most of the time to pick up  
17 the room and get it ready.

18 Q. Did it ever appear to you that more went on  
19 in the room other than a massage?

20 A. I just imagine. I never saw anything. But  
21 I imagine there was more than -- I never saw anything

22 because it was closed doors. It was never done outside.

23 Q. Based on the cleanup?

24 A. Based on the cleanup -- at the end, I  
25 cannot say there was. At the end, it was a few times

1 that the bed was undone. You know, we make the beds  
2 three or four times a day. And sometimes we went to  
3 clean up the massage to put it back, the massage table,  
4 to pick up the towels, but the bed was undone again. So  
5 either he took a nap or he went for a nap, I don't know.

6 Q. Or something else occurred?

7 A. Or something else. I cannot.

8 Q. Did the girls, would they bring their own  
9 stuff or they would use his stuff?

10 A. No. We had everything. We had gallons of  
11 stuff, different stuff.

12 Q. Different massage oils?

13 A. Different, all kinds.

14 Q. Different massagers?

15 A. Different stuff.

16 They would buy all over the world different  
17 types of -- for different --

18 Q. Did any of these massagers look like sex  
19 toys?

20 A. At the end, at the last year that we were  
21 ~~there they had like sex toys, some of them. I can say~~

22 maybe three or four occasions that I saw in the sink,  
23 they were left out on the sink, and just --

24 Q. Where would he keep these massagers?

25 A. When I was there, we keep all the stuff in

1 a basket inside Ms. Maxwell's closet. It was a big  
2 basket, about this round (indicating), with a cover on  
3 it. And we used to pick up from the towel and just dump  
4 it in there. That's it. That's the standard we went  
5 through.

6 Q. What sink would you find those massagers  
7 in?

8 A. Mostly in his sink, in his bathroom sink.

9 Q. His bathroom sink?

10 Was Ms. Maxwell still his girlfriend at  
11 that time?

12 A. Oh, yeah.

13 Q. Still his girlfriend that you know of right  
14 now?

15 A. Yeah. We left, she was still his  
16 girlfriend. I don't know now, but she was still there.

17 Q. Why did you leave at the end?

18 A. It was a hard job. It was an incredible  
19 hard job. So demanding. Hours were terrible, from  
20 5 o'clock in the morning to 10 o'clock at night.

21 ~~Constantly on your feet.~~

22 I got very sick. My health went down the  
23 drain. I was diagnosed with cancer, polycythemia, a kind  
24 of blood cancer, and we had to leave. It was just too  
25 much for me.

1 Q. Sounds like a lot.

2 A. Yeah. For me and my wife, we both left.

3 Q. It was very demanding when he was here in  
4 town?

5 A. It was terrible. Bad job. Pay was good,  
6 but we had enough.

7 Q. I know you guys had a falling out a couple  
8 of years ago; I guess you weren't working with him  
9 anymore. This would have been in 2003. You guys had a  
10 falling out, remember?

11 A. Yeah, we settled that.

12 Q. That was settled?

13 A. That was settled with him between us.

14 Q. Was that --

15 A. It was an amicable -- it was an agreement,  
16 mutual agreement. It was a mistake on my part.

17 Q. Are there any questions you have of me?

18 A. No. I told you the truth.

19 We just imagined things that could have  
20 happened. I used to talk to my wife all day, working and  
21 under that environment. But we didn't know for sure what

22 was going on.

23 We never heard anything. We never heard a  
24 complaint, or a girl crying.

25 Q. Would these massage girls, especially

1 towards the end, would they come alone or would they come  
2 with other people?

3 A. Mostly they would come alone. It was one  
4 girl, one of the young girls, the one I can't think of  
5 it, she would bring somebody else. She'd bring other  
6 girls. But I didn't even know the names.

7 Q. All of them would go downstairs?

8 A. Yes.

9 Q. Or would one stay downstairs?

10 A. Most of the times when that girl came, it  
11 was at night. So after dinner -- after dinner, they went  
12 to the movies. And by the time they went to the movies,  
13 we clean up right away and tried to get out of there.  
14 And that was about 8, 9 o'clock at night.

15 After, when they come back, I don't know  
16 what happened. Our quarters were a different -- I don't  
17 know if you've been in the house, but our quarters were  
18 separate.

19 Q. It's separate.

20 A. Separate. Before -- that building is new.

21 ~~They build the building in 2001.~~

22 Q. The guest quarters?

23 A. Yeah, the guest quarters.

24 Before, we had an apartment upstairs.

25 Q. They have the laundry and a little office



1 and the bedroom?

2 A. Yes. That was 2001. Before that, we had  
3 an apartment upstairs in their house, in the main house.

4 Q. In the little rooms upstairs across from  
5 his master bedroom?

6 A. Right.

7 Q. Was there ever any photographs that you can  
8 recall around the house?

9 A. Girls, girls' photographs and guests'  
10 photographs, yes.

11 Q. Were they dressed or were they naked?

12 A. Most of them were dressed. It was a lot of  
13 entertainment in the pool, around the pool area. But  
14 most of them were dressed.

15 Q. When was the last time you spoke with  
16 Mr. Epstein?

17 A. The last time I spoke with Mr. Epstein was  
18 about a week ago, when you left me the card. I got  
19 scared because of that fallout that we had, and I thought  
20 it was a consequence of that. And I called and says,

21 ~~Jeffrey, what's going on, what's happening?~~ Because I  
22 thought it was an investigation against me on his part.

23 Q. I'm sorry if I gave you that impression.

24 A. That's why I called him. That's the only  
25 reason that I called.

1 beginning? From the end?

2 Q. As many as you can remember.

3 A. As many as I can remember.

4 Q. I know it's been a while.

5 A. It was Jody. It was Donna. And it was --  
6 it was Virginia. It was -- how many? Virginia, Lana.

7 It was also a young girl, but she was not a  
8 massage therapist. She came to the house as a friend, I  
9 think. I don't think she was a massage therapist. Her  
10 name was -- as a matter of fact, she's in a soap opera  
11 now, she's a star. Just give me a minute.

12 Nadya Jorlin, J-O-R-L-I-N.

13 There also were men masseuses.

14 Q. There were men too?

15 A. There were men. A few. Not that many. A  
16 few. I can't remember.

17 Allison. There was an Allison. There was  
18 a Dina. I think every name -- girls' names. In  
19 eleven years, I cannot remember.

20 Q. That's fine.

21 A. ~~There were girls coming and going. There~~  
22 were girls traveling with him as massage therapists.  
23 They would travel with him all over the world, because he  
24 was in the plane, he got massages on the plane,  
25 because -- I know because I used to supply the oils and

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1 DET. RECAREY: Okay. I appreciate it.

2 And that's it.

3 (Thereupon, the sworn statement was  
4 concluded at 1:05 p.m.)

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J. CONSOR & ASSOCIATES REPORTING & TRANSCRIPTION  
561.835.9738

NON PARTY (VR) 000552

GIUFFRE000621

1 THE STATE OF FLORIDA, )

2 COUNTY OF PALM BEACH. )

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5 I, the undersigned authority, certify that Juan  
6 P. Alessi personally appeared before me and was duly  
7 sworn.

8

9 WITNESS my hand and official seal this 5th day  
10 of December, 2005.

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Susan Sheeling, RPR  
Notary Public - State of Florida  
My Commission No. DD 098441  
My Commission expires 3/7/2006



Commission # DD098441  
Expires March 7, 2006  
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Atlantic Bonding Co., Inc.

## 1 C E R T I F I C A T E

2 The State Of Florida, )  
 3 County Of Palm Beach. )  
 4

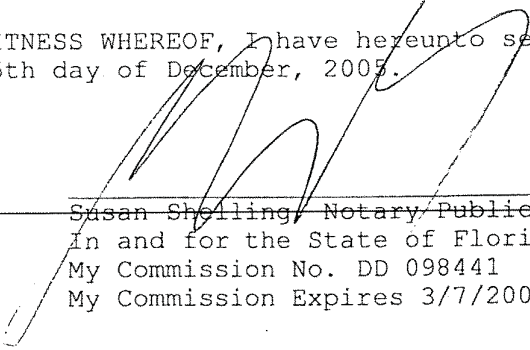
5 I, Susan Shelling, Registered Professional  
 6 Reporter and Notary Public in and for the State of  
 7 Florida at Large, do hereby certify that Juan P. Alessi  
 8 was by me first duly sworn to testify the whole truth;  
 9 that I was authorized to and did report said sworn  
 statement in stenotype; and that the foregoing pages,  
 numbered from 1 to 24, inclusive, are a true and correct  
 transcription of my shorthand notes of said sworn  
 statement.

10 I further certify that said sworn statement  
 11 was taken at the time and place hereinabove set forth and  
 12 that the taking of said sworn statement was commenced and  
 completed as hereinabove set out.

13 I further certify that I am not an attorney or  
 14 counsel of any of the parties, nor am I a relative or  
 employee of any attorney or counsel of party connected  
 with the action, nor am I financially interested in the  
 action.

15 The foregoing certification of this transcript  
 16 does not apply to any reproduction of the same by any  
 17 means unless under the direct control and/or direction of  
 the certifying reporter.

18 IN WITNESS WHEREOF, I have hereunto set my hand  
 19 and seal this 5th day of December, 2005.

20  
 21  Susan Shelling, Notary Public  
 22 In and for the State of Florida  
 My Commission No. DD 098441  
 23 My Commission Expires 3/7/2006  
 24  
 25