

EXHIBIT 5

(File Under Seal)

ROSS NEIL SUTHERLAND GOW - 11/18/2016

1 IN THE HIGH COURT OF JUSTICE
2 QUEEN'S BENCH DIVISION

3 Claim No. CR 2016-624

4 BETWEEN:

5 VIRGINIA L. GIUFFRE Applicant,
6 - and -
7 ROSS GOW,
8 Respondent.

9 AND:

10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF NEW YORK

12 Virginia L. Giuffre,)
13 Plaintiff,)
14 v.) Case No. 15-cv-07433-RWS
15 Ghislaine Maxwell,)
16 Defendant.)

17 Friday, November 18, 2016

18 AT: 8:27 a.m.

19 Taken at:

20

21 Essex Chambers 29,
22 81 Chancery Lane,
23 London, UK, WC2A 1DD

24 Court Reporter: Lisa Barrett, Accredited Real-time
25 Reporter

1	10 more seconds.	09:19:50
2	MS. SCHULTZ: Understood, and I apologize.	09:19:52
3	MR. SPEARMAN: This is what, Exhibit 9?	09:19:54
4	MR. DYER: Yes.	09:19:56
5	MS. SCHULTZ: Yes.	09:19:56
6	(Exhibit 9 was marked for identification.)	09:19:56
7	BY MS. SCHULTZ:	09:20:01
8	Q. This also appears to be an email chain with you	09:20:02
9	and Ms. Maxwell; is that correct?	09:20:05
10	A. It does appear to be so.	09:20:07
11	Q. Did you send the top email of the chain that	09:20:08
12	says "Okay, G, going with this"?	09:20:10
13	A. I did.	09:20:13
14	Q. And did you receive from Ms. Maxwell, the	09:20:14
15	bottom email of that chain?	09:20:16
16	A. I believe so. Well, I believe -- yes, yeah, it	09:20:17
17	was forwarded from Ms. Maxwell, yes.	09:20:21
18	MR. DYER: Sorry, I don't quite understand that	09:20:29
19	answer.	09:20:31
20	THE WITNESS: I misspoke that. I did receive	09:20:33
21	it from Ms. Maxwell.	09:20:34
22	MR. DYER: Okay.	09:20:38
23	BY MS. SCHULTZ:	09:20:38
24	Q. The subject line does have "FW" which to me	09:20:39
25	indicates it's a forward. Do you know where the rest of	09:20:42

1 this email chain is?

09:20:45

2 A. My understanding of this is: It was a holiday
3 in the UK, but Mr. Barden was not necessarily accessible,
4 at some point in time, so this had been sent to him
5 originally by Ms. Maxwell, and because he was
6 unavailable, she forwarded it to me for immediate action.
7 I therefore respond, "Okay, Ghislaine, I'll go with
8 this."

09:20:49

09:20:54

09:20:59

09:21:03

09:21:07

09:21:14

09:21:19

9 It is my understanding that this is
10 the agreed statement because the subject of the second
11 one is "Urgent, this is the statement" so I take that
12 as an instruction to send it out, as a positive
13 command: "This is the statement."

09:21:20

09:21:22

09:21:24

09:21:27

09:21:30

14 Q. Okay.

09:21:33

15 A. And I say, "Thanks, Philip" because I'm aware
16 of the fact that he had a hand, a considerable hand in
17 the drafting.

09:21:33

09:21:37

09:21:40

18 Q. Okay. Could I ask you to please refer back to
19 Exhibit 2. Looking also at Exhibit 9, Exhibit 9 appears
20 to have five sentences in it. Do you agree that those
21 same five sentences are part of the communication that is
22 borne in Exhibit 2?

09:21:41

09:21:47

09:22:03

09:22:10

09:22:13

23 A. Sorry, could you say that again. I'm just
24 following what your --

09:22:18

09:22:20

25 Q. It was a bad question. Let me try that again.

09:22:21