

SUPREME COURT NEW YORK COUNTY
TRIAL TERM PART 99

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THE PEOPLE OF THE STATE OF NEW YORK : INDICTMENT #
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100 Centre Street
New York, New York 10013
February 10, 2020

B E F O R E:

HONORABLE: JAMES BURKE,
 JUSTICE OF THE SUPREME COURT

APPEARANCES: (Same as previously noted)

THE CLERK: Case on trial continued.

THE COURT: Appearances

MS. ILLUZZI: Joan Illuzzi.

MS. HAST: Meghan Hast.

MR. CHERONIS: Good morning, your Honor. Damon
Cheronis for Mr. Weinstein.

MS. ROTUNNO: Good morning, your Honor. Donna

1 Rotunno for Harvey Weinstein.

2 MR. AIDALA: Good morning. Arthur Aidala.

3 MS. SAMSON: Diana Samson.

4 MR. KAMINS: Good morning, your Honor. Barry
5 Kamins.

6 THE COURT: All right, defense ready to proceed
7 with their next witness?

8 MR. CHERONIS: I have an application we don't have
9 to deal with right now.

10 THE COURT: What's the topic?

11 MR. CHERONIS: Based on Jessica Mann's testimony,
12 I ask to be allowed to call Nicholas DiGaudio.

13 THE COURT: I was listening for that very
14 carefully based upon your application. So thank you for
15 the submission.

16 You have all your other witnesses lined up without
17 issue?

18 MS. ROTUNNO: We have three witnesses here. One
19 of our witnesses we were planning on calling today missed
20 his flight, so he's flying in later today and will be
21 available tomorrow morning.

22 THE COURT: Who is that?

23 MS. ROTUNNO: Tommy Richards.

24 THE COURT: You have someone else for tomorrow
25 also?

1 MS. ROTUNNO: Possibly.

2 MR. CHERONIS: We may rest tomorrow. After court
3 today I'm going to sit down with Ms. Hast. There are
4 stipulations we think may alleviate the necessity of
5 calling some witnesses proving up impeachment, things like
6 that, I have a list.

7 THE COURT: Who else might you call tomorrow?

8 MR. CHERONIS: Stephanie Andro may or may not be
9 called to testify, and potentially Denise Doyle.

10 THE COURT: Now, even worse case scenario for
11 tomorrow, we still will be able to fit those witnesses in,
12 and you don't have a tangible rebuttal case at this time?

13 MS. ILLUZZI: Well, we have what we believe we
14 could put on for rebuttal, I'm not quite sure the Court
15 will permit it. We are waiting today to see what the
16 witnesses say.

17 THE COURT: All right, if you feel that way, you
18 can imagine how I feel.

19 MS. ILLUZZI: Let me just say this; we will have
20 -- they will be prepared for tomorrow, and we will
21 determine whether or not we want to call them and apply to
22 the Court if we wish and we feel there is reason to call
23 them.

24 I did speak to Ms. Rotunno regarding the dress
25 that the defense put into evidence. I understood that the

1 defense asked, and the Court permitted them to put in Ms.
2 Young's actual dress.

3 THE COURT: It is in evidence.

4 MS. ILLUZZI: Yes, but we are asking for both
5 pieces of the dress to be put in evidence because the way
6 it appeared --

7 MR. CHERONIS: No objection.

8 MS. ILLUZZI: It looked like half address. We
9 would like to put in the whole dress.

10 THE COURT: He just said no objection. So both
11 pieces are received into evidence under the same number,
12 whatever that was, or letter. Was it a Defense Exhibit?

13 MS. ROTUNNO: A letter.

14 THE COURT: It can be A and B. As you guys work
15 it out just let me know if that is what you want. Or if it
16 can be just under the same umbrella letter.

17 MS. ILLUZZI: And we will be asking obviously for,
18 irrespective of whether we have witnesses, we will have
19 evidence that we would like to put in for rebuttal, and
20 they would include Mr. Feldsher's cell phone records.

21 We couldn't put them in yet because we had to
22 redact, they were somewhat voluminous and we are redacting
23 Mr. Weinstein's cell phone number, and we will have the
24 defense stipulate with regards to who, which one is Mr.
25 Feldsher's number and which is Mr. Weinstein's number on

1 those records.

2 THE COURT: Do they know they are stipulating?

3 MS. ILLUZZI: Yes.

4 THE COURT: Fine. So this is all leading to
5 scheduling, and notwithstanding Ms. Fabi Samson's
6 estimates she does not need to submit or defense team does
7 not need to submit anything because I won't be issuing the
8 final instructions for 11 days, it was always my hope to be
9 able to get Ms. Rotunno and whomever is summing up, I
10 believe you, Ms. Illuzzi, something very close to the final
11 draft of the final charge by the end of business Tuesday,
12 and even the final, final charge some point on Wednesday,
13 the Court holiday, so you can actually use it on your
14 summation and know what it is you are summing up about.

15 That is really two business days, not 11 days.
16 But as communicated by Ms. Fabi Samson, it is true what she
17 communicated which is the defense does not have to do
18 anything. They can refrain from contributing and can
19 object whenever they want. We are waiting for one more
20 juror. Who is first?

21 MR. AIDALA: Nelson Lopez.

22 THE COURT: Did you serve the, you got me to sign
23 a so ordered subpoena and you got me to sign a
24 procedurally, perhaps premature, it was not the material
25 witness warrant.

1 MR. AIDALA: An order to show --

2 THE COURT: Order to show cause, and I signed
3 that for you in anticipation of relying on your estimation
4 that he would not respond to the Court signed subpoena.
5 Did you serve the order to show cause on him?

6 MR. AIDALA: Yes, your Honor.

7 THE COURT: Does he have an attorney?

8 MR. AIDALA: Both documents had its desired
9 effect. I served the subpoena on him and upon, I served
10 the subpoena on his co-worker who then got Mr. Nelson Lopez
11 on the line with me immediately, and he said that he would
12 comply.

13 There may have been a misunderstanding with the
14 original subpoena. He said he returned the phone call, I
15 don't think anyone on our team missed, but the order to
16 show cause was not served.

17 THE COURT: It was not served?

18 MR. AIDALA: Yes.

19 THE COURT: It is vacated. You are instructed to
20 rip it into small pieces and shred it then burn it.

21 MR. AIDALA: Thank you, all will be done.

22 THE COURT: Who is after Mr. Lopez?

23 MR. CHERONIS: Talita.

24 THE COURT: And number three.

25 MR. CHERONIS: Claudia Salinas.

1 THE COURT: Number four.

2 MR. CHERONIS: That's it.

3 THE COURT: Great, thank you. All right, jury
4 entering.

5 COURT OFFICER: Jury entering.

6 (Jury enters courtroom).

7 THE CLERK: Case on trial continues, all parties
8 are present. Do the parties stipulate the jury is present
9 and properly seated?

10 MS. ILLUZZI: Yes.

11 MS. ROTUNNO: Yes.

12 THE COURT: Welcome back jurors, and we will
13 resume the defense case. Defense, call your next witness.

14 MR. AIDALA: Defense calls Nelson Lopez.

15 COURT OFFICER: Witness entering.

16 (Witness enters courtroom and is sworn in).

17 COURT OFFICER: Pull your chair in.

18 THE COURT: If you want to take your jacket off
19 and put your umbrella and get a little more comfortable,
20 please feel free. Take a deep breath.

21 COURT OFFICER: State your full name, spell your
22 last name.

23 A Nelson Lopez, L. O. P. E. Z.

24 COURT OFFICER: County of residence?

25 A Manhattan, New York City.

1 THE COURT: All right, good morning Mr. Lopez.
2 Please listen carefully to the questions from Mr. Aidala
3 and answer his questions to the best of your ability.

4 Answer them loudly, clearly, and slowly. Give
5 full and complete answers to all of his questions, but try
6 not to volunteer any information that goes beyond his
7 specific question area.

8 On cross examination one of the ADA's may ask you
9 questions also. Should one of them choose to do that,
10 please give to her the same courtesy you're about to give
11 to Mr. Aidala.

12 And if you are comfortable responding to any
13 questions answering directly to the jury, feel free to do
14 that, otherwise just respond to whomever is asking you
15 questions at any given time.

16 You look a little nervous, so take a deep breath
17 and hold it and exhale slowly, and if you sit up a little
18 straighter, you can speak directly into the microphone.

19 Please inquire, Mr. Aidala.

20 DIRECT EXAMINATION

21 BY MR. AIDALA:

22 Q Good morning, Mr. Lopez.

23 A Good morning.

24 Q How old are you?

25 A 59.

1 Q Just lean forward a little closer to the microphone.

2 Tell the ladies and gentlemen of the jury where you work?

3 A I work at the 60 Gramercy.

4 Q 60, give me the full address?

5 A 60 Gramercy Park North.

6 Q Is that in New York City?

7 A Yes.

8 Q How long have you worked there?

9 A 31 years.

10 Q What is your current capacity?

11 A Resident manager.

12 Q And slowly tell the ladies and gentlemen of the jury
13 what that means, what are your responsibilities in the building?

14 A The daily functions of the building from day in, day
15 out. Staffing, personal issues in the building, resident
16 inquiries, questions, assistance.

17 Q How many employees currently do you supervise?

18 A 13.

19 Q Do does include the doormen in the building?

20 A Yes.

21 Q How many doormen are in the building?

22 A Have about I think seven.

23 Q What capacity did you start working in 1989?

24 A As a resident manager.

25 Q You started there as the resident manager?

1 A Yes.

2 Q In your last 31 years, you always supervised all the
3 staff in the building, fair to say?

4 A I had changes.

5 Q You had changes meaning in who, the staff?

6 A The staffing, yes.

7 Q What I would like you to do is explain to the ladies
8 and gentlemen of the jury what the procedures are when a visitor
9 comes to visit a resident of the building?

10 A When the resident is receiving a guest, they first meet
11 the doorman at the main entrance. The doorman asks them may I
12 help you.

13 They say I wish to see mister or Ms, and your name is,
14 they reply. So they call that particular tenant. They say
15 Mr. So and so or Ms. So and so is here. Is he allowed to go in,
16 upstairs, yes or no. That's it.

17 Q So, if the resident says yes, please allow my guest to
18 come up, what happens?

19 A The doorman escorts them to the elevator, presses the
20 floor and sends them upstairs.

21 Q If the resident does not answer the phone, what
22 happens?

23 A They are not allowed in.

24 Q And if the resident answers the phone and says I don't
25 want this person to come up, tell the ladies and gentlemen of

1 the jury what happens?

2 A They are asked to leave.

3 Q What happens if that person, that visitor refuses to
4 leave?

5 A They call 911.

6 Q Who calls 911?

7 A The doorman.

8 Q Are those the instructions and the training all your
9 doormen receive?

10 A Yes.

11 MR. AIDALA: I would like to show you two
12 photographs for identification I ask it be marked I Five
13 and Six, sorry, I Five and J Five or Five I and Five J.

14 Q Do you recognize those two photographs?

15 A Yes indeed.

16 Q Do those photographs fairly and accurately represent
17 the lobby at 60 Gramercy Park North?

18 A Yes, the entrance to the building lobby.

19 MR. AIDALA: I would like them moved into evidence
20 defense quintuple I and J.

21 MS. ILLUZZI: No objection.

22 THE COURT: Those are received into evidence.

23 Q If you could, so you can see it in front of you,
24 describe to the ladies and gentlemen of the jury what we are
25 looking at in that picture?

1 A This is the entrance to the main lobby.

2 Q And where, if you can use your words or if you need to
3 step down and point, where normally would the doorman be in that
4 photograph?

5 A The doorman would be right in front of the door.

6 Q And is this photograph taken from where the front door
7 is?

8 A There are two steps, two doors in front.

9 Q There is an outside door, a little alcove?

10 A In between both doors.

11 Q That is where you direct all of your doormen to stay,
12 correct?

13 A Yes.

14 Q Using that photograph, if a visitor comes and asks to
15 visit a resident upstairs, explain to the ladies and gentlemen
16 of the jury, using that photo, where the doorman would go from
17 the front door?

18 A Right there he would go to the intercom and call them,
19 the residents in the building, to tell them that there is a
20 guest in their building for them.

21 Q Can you see where the intercom is in the photograph?

22 A No. As soon as you walk in, you would have to bear to
23 the right, that is where the intercom is.

24 Q Do you see, I'm going to show you another photograph.
25 Do you see that little alcove right there?

1 A Yes.

2 Q What do you see in that picture inside the alcove?

3 A Two monitors.

4 Q In the early 90's, were there monitors there?

5 A No, that use to be an original switchboard that served
6 as an intercom.

7 Q Is that the intercom you would use to call up to a
8 resident's apartment?

9 A Not now.

10 Q No, I'm talking about in the early 90's?

11 A No, it was not there, that was the original system in
12 the building when it was built.

13 Q Is there anywhere in these photographs that I showed
14 you, I'll show you another photograph again, is there anywhere
15 like a booth or anywhere where the doorman disappears to and be
16 out of the sight of a visitor?

17 A There is a package room, but it is right in front of
18 the elevator.

19 Q Is that that arched window?

20 A Yeah, where the arch is, correct.

21 Q Are your doormen allowed to hang out in the package
22 room on duty?

23 A No.

24 Q Is there a doorman on duty 24 hours a day?

25 A Yes there is.

1 Q Is there a particular time when the doors get locked?

2 A They get locked at midnight.

3 Q Is there still a doorman on duty even after the doors
4 get locked?

5 A Yes.

6 Q In your capacity as the -- what did you say your title
7 is, building manager?

8 A Building manager, resident manager.

9 Q Is it your duty to make sure that building is staffed
10 with doormen 24 hours a day, 365 days a year?

11 A Yes.

12 Q Is it in fact staffed 24 hours a day, 365 days a year?

13 A Yes.

14 Q Do you know somebody named Annabella Sciorra?

15 A Yes.

16 Q How do you know her?

17 A She was a tenant in the building subleased for a year.

18 Q I didn't hear you, a tenant in the building subleasing?

19 A She subleased for a year.

20 Q Did Ms. Sciorra ever contact you about anyone
21 trespassing in the building on her floor?

22 A No.

23 Q Did Ms. Sciorra ever contact you about somebody coming
24 into her apartment un-announced?

25 A No.

1 Q Did she ever complain to you people have come to her
2 apartment building without first being let up by her on the
3 phone?

4 A No, never.

5 Q Is it your understanding that in the years 1993 and
6 1994, it was your policy before anybody could go into Ms.
7 Sciorra's apartment, they would, a visitor would have to be
8 called up first?

9 A Correct, yes.

10 Q That is correct. And you never got any complaint from
11 her that never took place, correct?

12 A That is correct.

13 Q Finally, do you remember in May, around May, end of May
14 of 2019, speaking to people from the District Attorney's Office?

15 A I met, yeah, they came by, yes.

16 Q They came by the building?

17 A Yes.

18 Q In fact, was it one of the prosecutors sitting at this
19 table?

20 A It's been a while.

21 Q Okay, but you do remember there were prosecutors from
22 the D.A.'s Office?

23 A Yes.

24 Q Did they more or less ask you the same questions I just
25 asked you today?

1 A Just took pictures, asked me a few questions, but they
2 were very --

3 Q On the same subject matter?

4 A Correct.

5 Q Did they ask you about how people are able to get
6 upstairs to a residence?

7 A Yeah, I was asked that.

8 Q You were asked, did you give the same answers to them
9 as you gave here today in court?

10 A Yes.

11 Q Were you ever asked by the D.A's Office to testify in
12 this trial?

13 MS. ILLUZZI: Objection.

14 THE COURT: Sustained.

15 MR. AIDALA: I have nothing further. Well, hold
16 on.

17 Q Mr. Lopez, what about when nature calls for one of the
18 doormen and they have to go use the bathroom. What is the
19 procedure, tell the ladies and gentlemen of the jury?

20 A Normally they would call on the radio and they normally
21 get their breaks everyday, so they get a 15 minute break and
22 they are relieved by a porter to take the 15 minute break.

23 Q Does that porter have the same training as a doorman,
24 does to not allow any visitors up to a resident's apartment
25 without calling ahead?

1 A Yes.

2 Q Were those procedures all in place in 1993 and 1994?

3 A Yes.

4 MR. AIDALA: I have nothing further, thank you.

5 THE COURT: Any cross examination?

6 MS. ILLUZZI: Yes.

7 CROSS EXAMINATION

8 BY MS. ILLUZZI:

9 Q Hi Mr. Lopez, how are you?

10 A How are you.

11 Q Do you remember I was one of the people who came to
12 your building in May?

13 A Now I do, yes.

14 Q I was not wearing heels that day?

15 A You were not wearing glasses, I didn't remember you
16 with glasses.

17 Q Mr. Lopez, you recall a time when Annabella Sciorra
18 lived in your building; is that right?

19 A Yes.

20 Q Do you remember exactly when that was?

21 A I know it was in maybe 93 I guess.

22 Q And do you remember who the doorman was every single
23 night in your building?

24 A Yeah.

25 Q Who was the doorman?

1 A That would have been, give me a date, a specific day.

2 Q Well.

3 A A weekday?

4 Q Did anybody here give you a specific date or weekend?

5 A No.

6 Q Nobody did?

7 A No.

8 Q Can you tell us who the doormen were in the evening in
9 1993?

10 A Well, if you tell me a specific day like Monday through
11 Friday, I could tell you.

12 Q Okay, but if we don't have a specific day, can you tell
13 us the universe of who was working that shift in 1993?

14 A Sure. It would be Enrique Sosa, Jose D. I. E. G. U. E.
15 Z, and in the evening that would have been Jerman and Jose.

16 Q So, Enrique and the first two people you mentioned?

17 A Jose, Sosa.

18 Q Would they work in the evening or they would just --

19 A Morning.

20 Q I cannot hear you.

21 A In the morning.

22 Q So, let's put them aside for a second. Who did you say
23 were the evening doormen?

24 A Jerman and Jose Cruz.

25 Q Where is Jerman and Jose now, if you know?

1 A Jerman is probably in Puerto Rico, they retired, both
2 of them.

3 Q Both of them?

4 A Yes.

5 Q Are you in regular touch with them?

6 A No.

7 Q Now, they were the doormen in the evening, correct?

8 A Yes.

9 Q And may I have those photographs back, Mr. Aidala. So
10 I'm going to show you what has been marked as I believe Five I.

11 THE COURT: Is it not actually marked?

12 MS. ILLUZZI: It is not actually marked.

13 THE COURT: Will you mark it please.

14 MS. ILLUZZI: Mr. Aidala indicate what it is.

15 THE COURT: Please mark it right now.

16 MS. ILLUZZI: They have been marked Judge. Thank
17 you, Mr. Aidala.

18 Q Showing you defense I Five, do you see that on your
19 screen as well?

20 A Yes.

21 Q You indicated to Mr. Aidala's when he asked you, that
22 there was an intercom, is that correct?

23 A Yes.

24 Q Is the location of the intercom depicted in this photo?

25 A It is not showing it, it is on the right, as soon as

1 you walk in towards the right.

2 Q I'm going to take this away for a moment and show you
3 some other photographs we marked into evidence.

4 This is People's Number 21 in evidence. Mr. Nelson,
5 does that look like the front of the building to you, 60
6 Gramercy?

7 A Yes.

8 Q I'm going to show you People's Exhibit Number 22 also
9 marked into evidence. Is that the front door that we have
10 previously been talking about?

11 A Yes.

12 Q In 1993, let's say, where was the intercom, would it be
13 in this photograph?

14 A No.

15 Q So, it was in this photograph, would it be like closer
16 inside of the building?

17 A Inside the building.

18 Q So we may not have a photograph -- we are going to get
19 back to this.

20 You indicated that if somebody came into the building,
21 let's say a person who was a visitor, the doorman in 1993 and
22 1994 would use the intercom to contact the person upstairs?

23 A Correct.

24 Q And this photograph that Mr. Aidala showed you, I Five,
25 this does not show where that intercom was, right?

1 A Where the intercom is, is on the right.

2 Q So the intercom still exists and it is on the right?

3 A Yeah.

4 Q What is this area here?

5 A That use to be the switchboard when the building was
6 made. They had the original intercom which was called a
7 switchboard, so that is why you have that alcove.

8 Q But in 1993 and 1994, would it be fair to say the
9 switchboard wouldn't have been used anymore, that instead would
10 be the intercom being used?

11 A Correct.

12 Q What is this door over here?

13 A That is --

14 Q The center of the photo?

15 A That is a staircase.

16 Q And how would, is this an office or just a window?

17 A No, that is, just has two monitors there.

18 Q Just two monitors like a cut-out of the window?

19 A Well, when they took out the intercom, the space that
20 is there available they used that now for two monitors.

21 Q And in 1993 and 94, you had indicated there was two
22 night shift doormen, correct?

23 A We have, the door on 22nd street is double locked, and
24 the main door, the doorman is at, that is at midnight.

25 Q At midnight?

1 A Yes.

2 Q In the evening around 10 o'clock at night in 1993 and
3 1994, what would be the situation?

4 A Two doormen in the lobby.

5 Q One on one end and one on the other?

6 A Yes.

7 Q After midnight it would be locked?

8 A Correct.

9 Q Now, if there were two doormen doing the evening shift,
10 would one doorman relieve the other doorman on a break?

11 A They would not, they wouldn't have a break.

12 Q They didn't have a break in the evening?

13 A No, after six to seven that would be one break, then
14 when the porters would leave for the day, they would come up a
15 few minutes early and ask them if they needed a break.

16 Q So, what was the evening shift, what was the time of
17 the evening shift?

18 A Four to 12.

19 Q Four to 12, and when would be their last break?

20 A 6:30 and seven.

21 Q Then, from 6:30 or seven to midnight, there would be no
22 more break?

23 A Yes.

24 Q So, if they had to go and use the facilities, maybe one
25 doorman would leave and the other doorman would be at the end of

1 the hall?

2 A They would have to lock the 22nd Street side, both
3 doors.

4 Q Yes.

5 A And that doorman would go to 21st Street.

6 Q And the doorman in front would just let that doorman
7 know?

8 A Well, they simultaneously would lock one end and walk
9 over to 21st.

10 Q Now, we have an exhibit, I'm going to show you a
11 photograph we just marked People's Number 35 for
12 identification. Showing it to defense, and ask Mr. Lopez to
13 look at it. It's a little bit small, I apologize. Show us what
14 is depicted in 35?

15 A That is the second doors on 21st Street with a view of
16 the intercom.

17 Q So, is that on the Gramercy side or --

18 A The main door Gramercy.

19 MS. ILLUZZI: I'm going to ask it be marked into
20 evidence as People's Exhibit Number 35.

21 THE COURT: Okay, any objection?

22 MR. AIDALA: No, your Honor.

23 THE COURT: People's 35 is received into
24 evidence.

25 Q So, this is very small. We will see if we can enlarge

1 it a little.

2 Is the intercom you are referring to here over here on
3 the left-hand side of this photo?

4 A Yes.

5 Q And that is what would be used to call up?

6 A Correct.

7 Q And in 1993 and 1994 where would generally the doorman
8 be?

9 A The doorman would normally be in that area.

10 Q In this area over here?

11 A Yes.

12 Q Now, did the intercom work in every single apartment in
13 that building?

14 A Yes.

15 Q All the time?

16 A All the time.

17 Q And you don't know the date of the incident that is the
18 subject matter of this case, right?

19 A No.

20 Q And you don't know whether or not a doorman called in
21 sick that day?

22 A No, I don't know.

23 Q And you don't know whether or not a limousine pulled up
24 in the front of that building on any particular night and one
25 person came out --

1 MR. AIDALA: Objection, your Honor.

2 Q A few minutes later another person came back in the
3 limousine and may have told the doorman my friend forgot
4 something in the car?

5 MR. AIDALA: When?

6 THE COURT: Sustained as to form.

7 Q There is no way of telling on the night in question
8 whether or not --

9 MR. AIDALA: Objection, your Honor, there is no
10 night in question.

11 THE COURT: Sustained.

12 Q There is no telling on any night, right, whether or not
13 a limousine pulls up or a black car pulls up and a resident gets
14 out, right, that happened a lot in that building?

15 MR. AIDALA: Objection, your Honor.

16 THE COURT: Overruled?

17 A Do I answer the question?

18 THE COURT: You can answer if you understand it.

19 A Could you repeat it please.

20 Q Sure. That is a pretty nice building, right?

21 A Yes.

22 Q A high end building?

23 A Yes.

24 Q And is it common place since you worked there in 1989
25 all the way up, that some of the residents step out of a black

1 car to come into the building?

2 A Yes.

3 Q And is it uncommon that somebody left something in the
4 car and somebody brings it to them?

5 A A limousine car or a cab?

6 Q Either, just a black car?

7 A Generally the doorman looks inside to see if they
8 forget anything.

9 Q But at night, if they just walk out, somebody could
10 come in and give it to them, right?

11 MR. AIDALA: Objection.

12 Q And say they forgot it?

13 MR. AIDALA: Objection.

14 THE COURT: Overruled.

15 A Anything is possible.

16 Q And of course, you would hope that your doormen were
17 all very vigilant on their job, correct?

18 A Correct.

19 Q But on a period of a break in the evening, you don't
20 know whether or not one of them used the rest room without
21 getting covered, correct?

22 A Not, I cannot say that would be possible.

23 Q You cannot say, it would be impossible?

24 A No, I'm always around, so they would call me.

25 Q Are you around even in the evenings 10 at night every

1 single night?

2 A Yes.

3 Q What time do you work?

4 A I'm 24, seven.

5 Q So, you would have been called yourself?

6 A Yeah, they would contact me, yes.

7 Q Do you know a man named Harvey Weinstein?

8 A I met him, I know him because of the media.

9 Q Do you ever see him in that building?

10 A Never.

11 Q And you wouldn't know, let's say if one of the doormen
12 could have been bribed to let somebody up?

13 MR. CHERONIS: Objection.

14 THE COURT: Sustained.

15 Q You don't know what could have happened, somebody could
16 have got past the doorman?

17 MR. AIDALA: Objection, your Honor.

18 THE COURT: Overruled then move on.

19 A No, I don't think they could be bribed.

20 Q But you don't know?

21 MR. AIDALA: Objection.

22 A No.

23 THE COURT: Sustained, don't answer it, move on.

24 Q Mr. Lopez, you are very protective of that building,
25 correct?

1 MR. AIDALA: Objection?

2 A It's my home.

3 THE COURT: Overruled.

4 Q Has there ever been any complaints about the doormen in
5 the building?

6 MR. CHERONIS: Objection.

7 A No.

8 Q Never one time a resident ever complained about the
9 doormen?

10 A No, they are good.

11 MS. ILLUZZI: Thank you.

12 MR. AIDALA: Briefly.

13 REDIRECT EXAMINATION

14 BY MR. AIDALA:

15 Q If one of your doormen calls in sick, is it part of
16 your responsibility, your job, to fill that spot with another
17 doorman?

18 A Yes.

19 Q And is there ever a time there is only one doorman who
20 is working because somebody called in sick?

21 A No never.

22 Q And regarding the bathroom breaks, when the 22nd street
23 door is locked, the only way someone can get access through that
24 is if they are a resident who has a key, correct?

25 A Yes, yes.

1 Q A visitor cannot come in, correct?

2 A No.

3 Q When you come in through the Gramercy Park side which
4 is the 21st Street side, outside is there any kind of directory
5 of who lives in what apartment?

6 A No.

7 Q You never fired any of your doormen because they took a
8 bribe, right?

9 A Never.

10 Q Did you ever hear of any of your doormen taking a
11 bribe?

12 A No.

13 MR. AIDALA: Nothing further.

14 MS. ILLUZZI: Nothing from the People.

15 THE COURT: Thank you, Mr. Lopez.

16 (Continued on next page)

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1 (Continued from the previous page.)

2 THE COURT: All right, defense, call your next
3 witness.

4 MS. ROTUNNO: Judge, we call Talita Coco.
5 Judge, I believe our witness may be using the
6 restroom.

7 COURT OFFICER: Witness entering.

8 (Witness entered the courtroom.)

9 COURT OFFICER: This way, please. Watch your
10 step. Remain standing. Raise your right hand and face the
11 Clerk.

12 THE CLERK: Do you swear or affirm the testimony
13 you are about to give today will be the truth, the whole
14 truth and nothing but the truth under the penalty of
15 perjury?

16 THE WITNESS: Yes, I do.

17 THE CLERK: Please have a seat.

18 T A L I T A M A I A,
19 called as a witness on behalf of the Defendant, being first
20 duly sworn by the Clerk of the Court, was examined and
21 testified as follows:

22 COURT OFFICER: Pull your chair in. Please state
23 your full name. Spell your last name.

24 THE WITNESS: My name is Talita Coco and I am
25 known also as Talita Maia, TALITA, MAIA.

1 THE COURT: Give your county of residence.

2 THE WITNESS: Los Angeles, California.

3 THE COURT: All right. Good morning.

4 Please listen carefully to the questions from Ms.
5 Rotunno and answer her questions to the best of your
6 ability.

7 Please answer them loudly, clearly and slowly.
8 Please give full and complete responses to all of her
9 questions but try not to volunteer information that goes
10 beyond the specific question area.

11 On cross-examination Ms. Illuzzi may very well
12 ask you questions. Please give to her the same courtesy
13 that you are about to give to Ms. Rotunno.

14 And if you are comfortable responding to either
15 attorneys questions directly to the jury, please feel to do
16 that; otherwise, just respond to whomever is asking you
17 questions at any given time.

18 And if you are asked to view or review or handle
19 any exhibits or any items in evidence, you may do that upon
20 the request from either attorney without further permission
21 from the Court.

22 You might want to pull that microphone down a
23 little bit more and speak directly into it.

24 Please require.

25 MS. ROTUNNO: Thank you.

1 DIRECT EXAMINATION

2 BY MS. ROTUNNO:

3 Q Good morning, Ms. Maia.

4 A Good morning.

5 Q How old are you?

6 A I am 35.

7 Q And where do you currently live?

8 A Los Angeles, California.

9 Q What do you do for a living?

10 A I am an actress and producer.

11 Q How long have you been working in the entertainment
12 industry?

13 A Well, in LA for 10 years but I have been doing this
14 since I was 16.

15 Q Where are you originally from?

16 A Brazil.

17 Q How long have you been in the United States?

18 A Ten years.

19 Q And you have been in Los Angeles the entire time?

20 A No, I was bicoastal.

21 Q Tell the Ladies and Gentlemen of the Jury where you
22 were living?

23 A I was living between Los Angeles and New York, Jersey
24 City.

25 Q And do you -- I will ask you this, Ms. Maia, you are

1 here because you were subpoenaed to be here, correct?

2 A Yes.

3 Q You didn't want to come?

4 A Definitely not.

5 Q Do you know Jessica Mann?

6 A Yes.

7 Q Can you tell the Ladies and Gentlemen of the Jury how
8 and when you met Jessica Mann?

9 A Yes, I met Jessica on a movie set in October, 2012.

10 Q And did you become friends?

11 A Yes.

12 Q And how close did you become with Jessica after
13 shooting that movie?

14 A Like I -- I met her twice before she moved in, like
15 twice in the movie set.

16 Q And did she eventually become your roommate?

17 A Yes.

18 Q And what were the circumstances of Ms. Mann becoming
19 your roommate?

20 A Well, on the re-shoot, that was the second time I was
21 seeing her, she told me that she was just breaking up a
22 relationship and she was living in her car. I walked her to
23 her car after the shoot and she had a big dog inside of the
24 car.

25 So I told her like, look, I have a spare room. Why

1 don't you come over to see my apartment and see if you want to
2 move in?

3 Q And did she do that?

4 A She did.

5 Q And do you remember, specifically, when she moved in?

6 A Well, my family always comes to US in December. I
7 don't remember if it was like the beginning of January or late
8 January but it was around that time, like right after new
9 years.

10 Q So late 2012, early 2013?

11 A Yes.

12 Q And did you and Jessica attend a party together in the
13 Hollywood Hills for someone named, Michael Lambert?

14 A Yes.

15 Q Do you remember attending that party?

16 A If I remember what?

17 Q Do you remember attending that party?

18 A Yes.

19 Q And did you and Jessica go to that party together or
20 separately?

21 A Together. She was my guest.

22 Q And you took her to that party?

23 A Yes, it wasn't just the two of us. It was a few
24 friends.

25 Q A group of you?

1 A Yes.

2 Q And at that party did you meet someone?

3 A Yes.

4 Q And who did you meet?

5 A Several people, but one of them was Harvey.

6 Q And do you see someone in the courtroom today that you
7 met at that party?

8 A Yes, I do.

9 Q Can you identify them by something he is wearing?

10 A Yes, with the -- yeah, with the purple -- what's the
11 name of this -- like tie.

12 MS. ROTUNNO: For the record, indicating Mr.
13 Weinstein.

14 THE COURT: Very well. Next question.

15 THE WITNESS: May I ask for water?

16 MS. ROTUNNO: Sure.

17 COURT OFFICER: That's yours?

18 THE WITNESS: This is mine, thank you.

19 Q Can you tell the Ladies and Gentlemen of the Jury the
20 circumstances under which you met Mr. Weinstein?

21 A Sure. I was eating and I was like leaning on a couch
22 and Harvey approached me, making a joke that I was the only
23 person eating in a Hollywood party, Los Angeles party and I
24 thought it was hilarious because it was true.

25 Q Did you start speaking with Harvey?

1 A Yes, we started to talk.

2 Q Were you speaking with Harvey alone or was Jessica
3 involved in the initial conversation?

4 A No. It was alone. People would come and go and say
5 hi to him. Jessica wasn't there until like, maybe, five
6 minutes in the conversation.

7 Q Were you speaking to Harvey and Jessica approached or
8 how did that happen?

9 A Jessica approached.

10 Q What happened when Jessica approached you and Mr.
11 Weinstein?

12 A I realized I had to introduce them and I didn't know
13 who he was. So I asked, by the way, we have been talking here
14 a long time, what's your name?

15 So he said, I am Harvey Weinstein. And I think he
16 realized that we didn't know who he was. So he repeated
17 himself, I am Harvey Weinstein from the Weinstein Company.

18 Q Did Jessica react in any way?

19 A I don't remember, but I made a joke because I said
20 like, well, then that's why everyone is being so nice to you.

21 And Jessica reacted. She put her arm around Harvey
22 and pinched his cheeks and said, no, it's because he is so
23 cute.

24 Q And what happened next?

25 A Um, well, this, we -- I don't remember what we talked

1 about. I remember we mentioned something about the Oscars
2 because his movie was running, the master was running. And
3 then they started talking only between themselves after that
4 and um, I went back to eating.

5 Q And did you see them leave the area where you were?
6 What did you see next?

7 A Yes, I saw them leaving together.

8 Q And what happened next?

9 A Later on I saw Jessica and Harvey coming out of a
10 secluded area.

11 Q And did you have a conversation with Jessica after you
12 saw her coming back to the party area with Harvey?

13 A I don't remember the conversation itself. I just
14 remember that she told me that she gave her number.

15 Q How did she appear after she said she gave Harvey her
16 number?

17 A I -- I think she was impressed, maybe.

18 Q And did you leave the party with Jessica?

19 A Yes, I did.

20 Q And what happened next?

21 A After the party we went home.

22 Q And after you went home, do you know whether or not
23 Ms. Mann maintained a relationship with Mr. Weinstein?

24 A Yeah, they kept in touch.

25 Q And do you remember being invited to the Oscar party

1 in February of 2013?

2 A I was invited for both the pre-Oscar party and the
3 Oscar party. I don't know which one was that date.

4 Q Was one at the Soho House?

5 A Yes.

6 Q And was one at the Mondrian?

7 A Yes.

8 Q And do you remember going to one or both of those
9 parties?

10 A Both.

11 Q And did you go to one or both of those parties with
12 Ms. Mann?

13 A Yes, with her.

14 Q Both or one?

15 A Both.

16 Q And after one of those parties, do you remember if you
17 and Ms. Mann went anywhere?

18 A Um, not after the pre-Oscar party, after the Mondrian
19 we went to gatherings with Harvey.

20 Q And the party at Mondrian was the actual night of the
21 Oscars, is that correct?

22 A That's correct.

23 Q And where did you go after the party at the Mondrian?

24 A We went to the Montage. I think that's the name of
25 the hotel. We went to the bar over there.

1 Q And what were the circumstances of you and Jessica
2 going to the Montage?

3 A She asked me to drive her there. She asked me to go
4 with her and Harvey invited us to go to drinks. I thought it
5 was a good professional connection so, yes.

6 Q When Harvey invited you, did he invite you both to go
7 to drinks? Did he invite Jessica to go to drinks? Do you
8 remember how that happened?

9 A I don't member.

10 Q And you said Jessica asked you to drive her?

11 A Yes.

12 Q At any point in time, did you suggest to Jessica that
13 it was very important that the two of you go to the Montage?

14 A No.

15 Q At any point in time, did you tell Jessica that it was
16 good for our careers that you should go to the Montage?

17 A No.

18 MS. ILLUZZI: Objection, Judge.

19 THE COURT: Overruled.

20 BY MS. ROTUNNO:

21 Q And when you accepted the invitation to go to the
22 Montage, other than meeting Mr. Weinstein at the engagement
23 party and then seeing him again at the two Oscar parties, had
24 you seen him any time in between then?

25 A Yes.

1 Q When had you seen him?

2 A At a dinner at a -- I forgot the name of the place. I
3 think it's Argo (sic) or something like that.

4 Q And was that on Melrose in Beverly Hills?

5 A Yes, Melrose.

6 Q Was Jessica also at that dinner?

7 A Yes, she was the one that invited me.

8 Q And that happened between the party?

9 A Yes.

10 Q The Lambert party and the Oscars?

11 A Yes.

12 Q And do you remember what else happened when you went
13 to the party? Was there any screenings or anything that night?

14 A What party?

15 Q When you went to the restaurant on Melrose?

16 A No, it was just a dinner.

17 Q Just a dinner?

18 A Yes.

19 Q Do you know if Jessica had seen Harvey without you at
20 any point in time between the party, the dinner and going to
21 the Montage?

22 MS. ILLUZZI: Objection.

23 THE COURT: Overruled.

24 THE WITNESS: Yes.

25 Q And what did Ms. Mann relay to you about her time with

1 Harvey?

2 A Well, as far as I recall, the one time she told me was
3 right after she met him, she had gone to meet him in a hotel.

4 Q And did she tell you about that meeting in the hotel?

5 A Briefly, yes.

6 Q And what did she tell you about that meeting?

7 A That she went upstairs with him after the meeting and
8 she sang for him.

9 Q And she sang for him?

10 A Yes.

11 Q Did she tell you she was uncomfortable about that at
12 all?

13 A No, she was very happy.

14 Q She was?

15 A Very happy.

16 Q And when you agreed to drive Ms. Mann to the Montage,
17 tell the Ladies and Gentlemen of the Jury what happened at the
18 Montage?

19 A Well, we went to the bar and we were having drinks.

20 Eventually, the bar was closing, so I went to the
21 bathroom before we had to leave and when I got out of the
22 bathroom, I got kind of surprised by them in the would lobby.

23 Q When you say, surprised, what do you mean?

24 A Caught off guard.

25 Q What about them made you surprised?

1 A They asked me to go upstairs with them and they were
2 very clear that there was nothing for me to worry about. It
3 was like a suite. It wasn't a room.

4 They said it's going to be very, very fast. Since I
5 was driving Jessica and I didn't have anywhere to wait because
6 the bar was closing and if I stayed in the lobby, I would look
7 like a hooker, so I just said, okay, I will go.

8 Q Did you go up to a hotel room at the Montage?

9 A Yes, I did.

10 Q When you went up to the hotel room at the Montage, did
11 Mr. Weinstein say anything about having you both come so you
12 could look at scripts?

13 A Honestly, I don't recall. I was just uncomfortable
14 with the situation and I just went because --

15 Q Why were you uncomfortable?

16 A Because I didn't want to go to a room with them. I
17 don't know what they are going to do. It's weird.

18 Q Did you get the impression that it was not a
19 professional reason that they wanted to go up to the hotel
20 room?

21 A Well, I had the -- well, I know that Jessica was
22 already seeing him.

23 Q So when you went up with them, tell the Ladies and
24 Gentlemen of the Jury what happened when you went up to the
25 hotel room at the Montage?

1 A I sat on the couch and I watched TV.

2 Q And did you sit on the sofa by yourself?

3 A By myself for around ten minutes.

4 Q At any point in time was there any argument or
5 negotiating between Harvey and Jessica?

6 A Not that I recall.

7 Q What did you see Harvey and Jessica do?

8 A They went in the room and they closed the door.

9 Q At any point in time did you hear any argument to from
10 room?

11 A No.

12 Q Did you hear any yelling from that room?

13 A No.

14 Q Did your friend ever ask you for any help?

15 A No.

16 Q What happened when Harvey and Jessica exited the room
17 or did they exit the room?

18 A Well, they had to, yeah.

19 Q About how long would you say they were in that room?

20 A Ten minutes. It wasn't that long.

21 Q And what happened they exited the room?

22 A Then we left.

23 Q Did they exit the room together?

24 A As I recall, yes.

25 Q And how did your friend appear to you?

1 A Normal.

2 Q And did she say anything to you?

3 A No, she did -- I probably didn't pay attention because
4 I was just super uncomfortable.

5 Q Did you say anything about the fact that you had to
6 leave right now?

7 A No.

8 Q Did she seem upset in any way?

9 A No.

10 Q Did she say anything to you about what happened in
11 that bedroom?

12 A No.

13 Q What did you do next?

14 A We went home. I drove us home.

15 Q And did she say anything in the car?

16 A Not that I recall.

17 Q Did she seem okay in the car?

18 A She seemed okay.

19 Q Did she seem happy?

20 A She seemed okay. She seemed normal like nothing out
21 of the ordinary.

22 Q And did she then maintain a relationship with Mr.
23 Weinstein after that?

24 A Yes.

25 Q And did you know her to see him on a regular basis?

1 A I don't know if it was a regular basis but I know that
2 they were in touch frequently.

3 Q And do you know -- did you then go to New York
4 sometime in March of 2013?

5 A Yes, I was going back and forth to New York.

6 Q And at that point you said you had a place in Jersey
7 City?

8 A Yes.

9 Q Do you still have that place in Jersey City?

10 A No, I sold my apartment.

11 Q Do you remember being in your Jersey City apartment
12 over St. Patrick's Day of 2013, that weekend?

13 A I am sorry. When is St. Patrick's Day?

14 Q Like, March 17th, mid March of 2013?

15 A Yes.

16 Q And did Jessica come to New York?

17 A Yes, she was here.

18 Q And did you have plans to meet her while she was in
19 New York?

20 A Well, she was here separate from me. Of course, she
21 was my roommate so we planned to meet up.

22 Q Do you remember going to a hotel to meet Jessica?

23 A Yes.

24 Q Do you remember if you saw her the day before you went
25 to the hotel?

1 A Yes, I did.

2 Q And what did you do when you saw her the day before
3 you went to the Doubletree?

4 A We went to a bar. It was me, her and her agent
5 friend.

6 Q And is that agent friend Tommy Richards?

7 A Thomas, yes.

8 Q And do you remember being out with both of them?

9 A Yeah.

10 Q And what did you -- you were in a bar, what was
11 happening?

12 A We were in a bar.

13 Q Drinking, dancing?

14 A Drinking. It wasn't a dancing place.

15 Q Do you know if Jessica left with Tommy? Did she leave
16 with you or do you remember?

17 A She left with him.

18 Q I am sorry.

19 A She left with him.

20 Q Do you know if it was late or do you have any idea?

21 A It was nighttime. I don't remember.

22 Q And what happened the next day?

23 A The next day I met up with her for breakfast.

24 Q And do you remember where that meeting was?

25 A At the Doubletree.

1 Q And who was scheduled to be at that meeting at the
2 Doubletree?

3 A Me, her and Thomas.

4 Q And is that who was there?

5 A Harvey was there.

6 Q Did she tell you ahead of time that you were going to
7 see Harvey?

8 A I don't remember.

9 Q Do you know if she called you in that morning saying,
10 Harvey's early, I need you to hurry?

11 A She probably did. I think so. I think so.

12 Q And did you come to the hotel?

13 A Yes.

14 Q And at any point in time, do you remember what
15 happened when you first saw Jessica? What were the
16 circumstances of first seeing Jessica at the hotel?

17 A I remember I saw her and Harvey across the street in
18 front of the hotel and I crossed the street. I said, hi to
19 Harvey.

20 I saw him very briefly. We talked for like very
21 little and then I went upstairs with Jessica because she had to
22 checkout.

23 Q And do you remember a conversation about the fact that
24 she was going to stay longer?

25 A Yeah, I think she was supposed to leave that day and

1 Harvey invited us for a screening and she decided to stay one
2 more night.

3 Q Did she seem upset at all about the decision to decide
4 to stay?

5 A No.

6 Q Did you in any way push her to stay?

7 A No, of course not.

8 Q And you said you went upstairs with her, was that so
9 she could get her things?

10 A Yes.

11 Q Did she say anything bad or negative happened with
12 Harvey that morning?

13 A Not that I recall. Nothing that stood out for me.

14 Q Did she seem like herself to you?

15 A Yes.

16 Q At this point you are still living together in
17 California?

18 A Yes.

19 Q How did you and Jessica spend the rest of that day
20 after she got her things?

21 A We were walking around the city.

22 Q And did you have a meeting at The Weinstein Company
23 with Julie O.?

24 A I don't recall Julie O., but I, as far as I recall, we
25 did stop by.

1 Q You went to The Weinstein Company?

2 A Yes.

3 Q Did you go to The Weinstein Company because you wanted
4 to pitch a book?

5 A No, I never wrote a book.

6 Q Did you ever want to pitch a book?

7 A No.

8 Q Are you a writer?

9 A I write scripts, not books.

10 Q Did you ever try to pitch a script?

11 A No.

12 Q What did you and --

13 A I am sorry. Let me fix that answer.

14 I have actually wrote a script -- I was writing a
15 script with Jessica in 2016 which we did -- I don't even
16 remember if we talked to Harvey about it. We were writing a
17 script.

18 Q But at the time in 2013 --

19 A No not at that time, no.

20 Q And what did you do with Jessica later in the day on
21 March 19th -- excuse me, March 18th?

22 A We went to the screening.

23 Q I am sorry.

24 A We went to the screening.

25 Q And was that August of Osage County.

1 A Yes.

2 Q Did you see Harvey at the screening?

3 A Yes.

4 Q Did you see Harvey's wife at the screening?

5 A Briefly.

6 Q And how was Jessica's reaction to seeing Harvey and
7 his wife?

8 A I think it was very awkward for both of us. She was
9 just in awe of Georgina. She is a very beautiful woman.

10 She kept saying oh, my God, she's so beautiful.

11 Q Did you and Jessica go back to your home in Jersey
12 City after the screening?

13 A Yes.

14 Q And did you know that Jessica went to meet Harvey the
15 next day?

16 A No.

17 Q Did she tell you that?

18 A No.

19 Q Not that I recall.

20 How long did Jessica live with you in LA?

21 A Not long, maybe like six months.

22 Q Did you remain friends?

23 A Um, not as close as we once were while she was living
24 there but up until 2016, yes.

25 Q And during the period of time from the beginning of

1 2013 until 2016, when you and Jessica were no longer friends,
2 did she ever, in any way, tell you that Harvey Weinstein hurt
3 her in any way?

4 A No.

5 Q That he ever raped her?

6 A While we were friends, no.

7 Q That he ever forced her to do anything against her
8 will?

9 A No, she spoke highly of him.

10 Q And what was your impression of Jessica's relationship
11 with Harvey Weinstein?

12 A Um, she seemed to really like him as a person. She
13 would only compliment him.

14 Q And Ms. Maia, you had your own ability to contact Mr.
15 Weinstein, correct?

16 A Yes.

17 Q And you emailed him over the years, correct?

18 A A couple of -- couple of times.

19 Q And you didn't need Jessica to talk to Harvey
20 directly?

21 A No, I had his contact from since the pre-Oscar party.

22 Q At any point in time did you use your friendship with
23 Jessica to get closer to Harvey Weinstein?

24 A No.

25 Q At any point in time did you have any desire to have a

1 relationship with Mr. Weinstein like the one Ms. Mann had?

2 A No.

3 MS. ROTUNNO: One minute.

4 Q The night that Jessica stayed with you in New York,
5 where did she sleep in your home?

6 A In my couch.

7 Q And did she sleep in a closet?

8 A No, I had a nice apartment.

9 Q Would you ever have someone sleep in a closet?

10 A No.

11 Q Did you have plenty of room for her to be at your
12 house?

13 A Yes.

14 Q And do you remember getting a text message or, excuse
15 me, do you remember Jessica getting a text message from Harvey
16 when she was at your house in Jersey City after you saw the
17 screening?

18 A Yes.

19 Q And do you remember what her reaction was to that?

20 A He asked her to come see him in New York and she did
21 not want to go.

22 Q And what did you tell her?

23 A Don't go.

24 Q And was she crying about not wanting to go or did she
25 just say I didn't want to go?

1 A She didn't want to say no to him. She was afraid to
2 save no to him.

3 Q Did she say no?

4 A I told her to just say that you don't want to go. Say
5 that you are with me and say you don't want to go back. And
6 she eventually said no.

7 Q And she stayed with you?

8 A She stayed with me.

9 Q Again, she didn't tell you she was going to see him
10 the next day?

11 A No, she did not.

12 Q Did she ever have a conversation with you regarding
13 Harvey, about her interactions with him being the best orgasm
14 she has ever had?

15 A She did volunteer that information at some point. I
16 don't remember when.

17 Q Do you remember whether it was the night you left the
18 Montage?

19 A No, it was not that night.

20 MS. ROTUNNO: Nothing further.

21 THE COURT: Any cross-examination?

22 MS. ILLUZZI: Yes, thank you.

23 CROSS-EXAMINATION

24 BY MS. ILLUZZI:

25 Q Hi, Ms. Maia. How are you?

1 A Hi.

2 Q When Ms. Rotunno asked you if you were still friends
3 with Jessica, you said that you sort of just drifted apart, is
4 that correct?

5 A Not drifted apart, that's not what I said. I said we
6 weren't as close as we were while we were living together.

7 Q But that's not true, right?

8 In fact, you twice had a very, very bitter falling out
9 and you, in fact, very much dislike Jessica Mann, is that
10 correct?

11 A In 2016?

12 Q Right now.

13 A I don't dislike Jessica. I --

14 Q Well --

15 A Let me explain. I don't dislike Jessica. Jessica did
16 things in my life that it impacted my life in a very
17 negative -- in a terrible, terrible way and I wish I didn't
18 have to go through that.

19 I don't hate her or anything like that.

20 Q Well, in fact, would it be fair to say that you
21 invited Harvey Weinstein to your wedding but didn't invite
22 Jessica, is that correct?

23 A No, of course not. She was one of my bridesmaids. I
24 stopped talking to her and I told her, I don't want you in my
25 life anywhere. Therefore, you are not, obviously, she's not a

1 bridesmaid.

2 I invited him when she was still a guest. She was
3 still my bridesmaid.

4 Q Okay. But you invited Harvey Weinstein to your
5 wedding, correct?

6 A Yes, and Jessica was very aware. He was going to be
7 her date if he was available.

8 Q When was that?

9 A He was going to be her date if he was available and
10 that was -- and, honestly, I invited him as a gesture. I never
11 expected him to go.

12 Q Okay. When you say -- what date did you get married?

13 A I got married -- I have two wedding dates. I got
14 married in January 21st of 2017 and I also got married before
15 that in a courthouse in July. So I consider July my date that
16 I actually got married.

17 Q What of those weddings -- which one of those weddings
18 did you invite Mr. Weinstein to?

19 A The second one. Jessica was invited for both and I
20 invited Harvey for the ceremony which was like a about a
21 hundred and something people.

22 Q So when you say, Jessica was going, Harvey was going
23 to be Jessica's date, you mean for your wedding in 2017?

24 A That's what she said. She said like if he is
25 available, he's going to come as my date.

1 Q Jessica was speaking the entire time that she had a
2 relationship with Harvey, she always spoke very, very well of
3 him?

4 A Yes.

5 Q She seemed to be romantically involved with him?

6 A For a period of time yes. For another period of time
7 they seemed to be just friends.

8 Q So that I --

9 A For a period of time they seemed to be romantically
10 involved -- well, I know they were and then for the other
11 period of time they were just friends.

12 Q And did Jessica talk about the -- talk about the fact
13 that she found him very attractive?

14 A No.

15 Q Would Jessica talk about the fact that she looked
16 forward to sexual events with him?

17 A We wouldn't really talk that much about Harvey.

18 Q So I am sorry.

19 Did you speak to Jessica Mann about her having
20 romantic feelings towards Harvey Weinstein?

21 A She said a few times that he was like a -- her
22 spiritual soulmate.

23 Q Did she talk about him in wanting him in a sexual
24 manner is what I am asking you?

25 A Like I told you, we wouldn't really talk that much

1 about Harvey.

2 Q So she never said to you that she was attracted to him
3 sexually, is that what you are saying, ma'am?

4 A She would say he was a wonderful person and he was her
5 soulmate and really good things. I didn't ask about their
6 sexual life. I wasn't interested.

7 Q So then the answer is no?

8 A She volunteered information about the orgasm.

9 Q Did she ever indicate to you that she was romantically
10 interested in Harvey Weinstein?

11 MS. ROTUNNO: Judge, objection. Asked and
12 answered three times.

13 THE COURT: Overruled.

14 THE WITNESS: She seemed like she was.

15 Q Did she ever talk to you about that? Did she ever say
16 anything that led you to that conclusion?

17 A Well, she was always going to see him.

18 Q We are talking about a romantic interest.

19 MS. ROTUNNO: She's answering the question.

20 THE WITNESS: That's what I am saying.

21 Q And throughout this period of time that you were aware
22 that Jessica was having some relationship with Mr. Weinstein
23 you indicated that there was never any reservation on her part
24 about being with him, is that correct?

25 A As far as I remember, no.

1 Q Now, in -- you met Jessica in 2012, correct?

2 A End of 2012, yes.

3 Q And the party where you both met Harvey Weinstein was
4 the beginning of 2013, is that correct?

5 A Yes.

6 Q And at that time, at that party you indicated to us
7 that at first you didn't know who Mr. Weinstein was, right?

8 A I did not know.

9 Q When did you realize who he was?

10 A When he mentioned that he was Harvey Weinstein from
11 the Weinstein Company. I knew about the Weinstein Company.

12 Q Was it obvious to you that Jessica didn't know who he
13 was either?

14 A Yes, we both didn't know who he was.

15 Q Did Mr. Weinstein ever discuss with you and Jessica
16 that you had a really good look for a certain movie?

17 A Yes.

18 Q And what movie was that?

19 A Vampire Academy.

20 Q When was it that Mr. Weinstein said to you and Jessica
21 that you guys looked perfect for that movie?

22 A The day at the Montage at the bar.

23 Q So at the Montage when you met Mr. Weinstein with
24 Jessica for a drink, Mr. Weinstein talked to you about Vampire
25 Academy, is that right?

1 A Yes.

2 Q And did he say to you you guys are perfect for the
3 leads in this movie?

4 A I don't -- I don't know if he said perfect. I
5 remember that he said that we could be really good for this
6 movie and that he was going to send us to an audition.

7 Q Okay. And did he say that, in fact, you guys looked
8 like you could be the leads in that movie?

9 A Yes, he did. He said, he gave us advise, yes.

10 Q And did you know at that time that the leads to that
11 movie were already cast?

12 MS. ROTUNNO: Objection.

13 MR. CHERONIS: Objection.

14 THE COURT: Sustained.

15 BY MS. ILLUZZI:

16 Q Well, that was in the beginning, that was like
17 February of 2013?

18 A Yeah.

19 Q Would it surprise you to find out that the leads in
20 that movie were already cast?

21 MS. ROTUNNO: Objection.

22 THE COURT: I will allow it.

23 THE WITNESS: If I was surprised?

24 Q Would it surprise you to know that the leads in that
25 movie were already cast?

1 A Yes, of course.

2 Q It would surprise you because he was speaking to you
3 about it in what you thought was a genuine way about being
4 eligible to be in that movie, is that right?

5 A Of course, yes.

6 Q Did you realize that that movie was a teen movie?

7 A A what.

8 Q Teen.

9 A Teen? Yeah, I read the book and I -- yeah, I read the
10 book.

11 Q When did you read the book?

12 A When I was in New York.

13 Q So that -- so that was after this discussion with Mr.
14 Weinstein?

15 A Yes.

16 Q About you guys having a good look for it?

17 A Yes.

18 Q Were you surprised to found out then that, in fact, it
19 was a teen movie and being cast with teen actors?

20 A Well, there is a lot of actors that they play parts
21 way younger than themselves. So I didn't see that as an
22 impossible thing to do.

23 Q At the time, would it be fair to say that you were
24 about 27 years old?

25 A Yeah.

1 Q Now, you indicated on direct examination that, in
2 fact, at the drinks at the Montage, Mr. Weinstein was talking
3 to you and Jessica about being good for this role, right?

4 A Yes.

5 Q And that was while you were downstairs in the Montage
6 for drinks?

7 A No, I was downstairs because I was invited for drinks,
8 that was just part of the conversation.

9 Q That's what I am asking you. Was -- it was at that
10 point in time when you were having drinks downstairs at the
11 Montage that this conversation occurred, correct?

12 A Yes.

13 Q And you went with Jessica, correct?

14 A I drove her there, yes.

15 Q And Jessica wanted you to come with her, right?

16 A Yes, she asked me to drive her there.

17 Q But she didn't ask you to drop her off? She wanted
18 you to come with her and stay with her, right?

19 A Yes, yes.

20 Q So it wasn't just for a ride?

21 A No, no.

22 Q Jessica wanted you there?

23 A Yes.

24 Q And at some point Mr. Weinstein asked you and Jessica
25 to come up to his room, is that right?

1 A Well, when that conversation happened, I wasn't
2 present because I was in the bathroom.

3 Q So you happened to go to the bathroom.

4 A I went to the bathroom because we were leaving. The
5 bar was closed.

6 Q That's when you say both Jessica and Mr. Weinstein
7 came up to you about going upstairs?

8 A Yes, when I came out of the bathroom.

9 Q And was there any conversation between either one of
10 you and Mr. Weinstein about it just being casual and he is a
11 harmless old man, do you recall that?

12 A I don't recall. They just really made me secure that
13 there was nothing for me to worry about.

14 Q Who made you secure? Was it Mr. Weinstein or Jessica
15 specifically?

16 A I don't recall.

17 Q It -- could it have been Mr. Weinstein that was
18 assuring you that it was just a casual thing and nothing to
19 worry about?

20 MR. CHERONIS: Objection.

21 MS. ROTUNNO: Objection.

22 THE COURT: Overruled.

23 Q Could it have been Mr. Weinstein?

24 A Could have.

25 Q And then you and Jessica and Mr. Weinstein go

1 upstairs, is that correct?

2 A Yes.

3 Q And when you go upstairs immediately upon entering the
4 room, where do you go?

5 A Immediately. I don't remember immediately what
6 happened. I remember I went and sat down on the couch and
7 watched TV.

8 Q Did Jessica sit down momentarily on the couch with
9 you?

10 A Not that I recall.

11 Q According to your recollection, you sat down in the
12 living room area and Jessica and Mr. Weinstein went right for
13 the bedroom?

14 A That's what I recall.

15 Q No conversation about it?

16 A Probably, yeah. They probably said something. I
17 don't recall what they said.

18 Q Did you wonder why you were there if they were just
19 going into the bedroom?

20 A Yes.

21 Q Did you ask either one of them, well, can I leave?

22 A Well, I didn't really have a way of leaving. I was
23 driving her and I couldn't wait downstairs.

24 Q Well, but it was your car you came in, right?

25 A Yes, it was my car.

1 Q You didn't find it odd that Jessica and Mr. Weinstein
2 went inside the bedroom and just left you with not a word in
3 the living room?

4 A I am not saying they didn't say a word. I am saying I
5 didn't remember. Now, yes, it was a really awkward situation.

6 Q But you didn't get up and leave?

7 A So, no because they said it was going to be really
8 fast.

9 Q And not only did you not get up, you did not ask
10 Jessica, what is going on?

11 A It was pretty clear to me what was going on.

12 Q And if it was clear to you what was going on, why
13 would you have to be there?

14 A Because I was driving her. I couldn't wait in the bar
15 and I couldn't wait in the lobby.

16 Q So rather than being some where else or even sitting
17 in your car, they wanted you to sit in the living room when
18 they went to the bedroom?

19 MS. ROTUNNO: Objection as to what they wanted.

20 THE COURT: Sustained.

21 BY MS. ILLUZZI:

22 Q Well, to your observation, they wanted you to be there
23 in the room while they went into the bedroom?

24 A Let me explain something.

25 Q Please.

1 A I have no reason -- what is known about Harvey
2 nowadays, I did not know back then. I had no reason to think
3 that I was in harm.

4 So, they, specifically, said it's not going to take a
5 long time.

6 Can you please come with us?

7 It was -- I was got caught off guard. I am like,
8 okay.

9 Q And Jessica happily went into the bedroom to your
10 observation?

11 A Yes.

12 Q Can I just take you back a step, Ms. Maia. When you
13 indicated that the first time that you heard Jessica was
14 meeting Harvey prior to this, did you tell someone that, in
15 fact, Jessica took her boyfriend with her?

16 A Wait, what?

17 Q When Ms. Mann went to see Harvey the first time, do
18 you recall saying that she took her boyfriend with her?

19 A No, I did not say that.

20 Q She went by herself.

21 Are you sure? You are sure? I am sorry, I can't hear
22 you.

23 Are you sure?

24 A Yes, I am absolutely sure. She told me and her
25 boyfriend when she came home, that she had met Harvey. And

1 they weren't boyfriend and girlfriend yet. They were just --
2 they were causally dating.

3 Q We will get back to that.

4 So, now, when you leave Harvey's room that day,
5 Jessica doesn't say anything to you?

6 A If she did, I don't remember.

7 I didn't -- it was an awkward situation.

8 Q I am sorry. You don't remember if there was any
9 discussion at all?

10 A No.

11 Q Do you recall meeting with investigators and saying
12 about after meeting Mr. Weinstein at the party, that the next
13 day you heard from Jessica that she met with Harvey at the
14 hotel and Jessica's boyfriend was present?

15 A Yes, I just said.

16 Q The boyfriend was present when she said that?

17 A Yes.

18 Q She said it in front of you and her boyfriend?

19 A Yes.

20 Q Did you get the impression then that Jessica was
21 looking to Harvey Weinstein?

22 A Well, because of her first encounter, the way things
23 happened, yes. That's -- well, not in front of him, afterwards
24 she told me private more details about that night.

25 Q She told you in private?

1 A Yes, later on, that she had gone to his room. She
2 didn't say that in front of her boyfriend.

3 Q Did she tell you what happened when she went to the
4 room?

5 A Yes, she said she sang for him.

6 Q Did she say she had sex with him?

7 A Not that I recall.

8 Q But you don't know whether or not she believed it to
9 be a professional situation where she was auditioning for him,
10 right?

11 MS. ROTUNNO: Objection.

12 THE COURT: Overruled.

13 THE WITNESS: It wasn't an audition.

14 BY MS. ILLUZZI:

15 Q But she didn't tell you she had any sexual interest in
16 him, right?

17 A She mentioned that there was flirtation between them.

18 Q Now, it's flirtation.

19 When was this that there was flirtation?

20 MS. ROTUNNO: Objection.

21 THE COURT: Sustained.

22 Q When was there flirtation?

23 A Since the first day.

24 Q Isn't it true that when she first met Mr. Weinstein he
25 was in a tuxedo?

1 A No, I don't remember what he was wearing. I remember
2 what I was wearing.

3 Q Is it possible that Ms. Mann just said he looked
4 dapper in a tuxedo because no one else was wearing one?

5 A I don't know what she considers dapper.

6 Q But you don't recall that at all?

7 A No, not at all.

8 Q So, now, moving forward to March of 2013, when you saw
9 Jessica and Mr. Weinstein at a hotel here in Manhattan, do you
10 recall that?

11 A Can you repeat the question, if I recall --

12 Q That you saw Jessica. Remember Ms. Rotunno asked you
13 about seeing Jessica and Harvey in New York?

14 A Yes.

15 Q In March of 2013, I am directing you to that.

16 A Yes.

17 Q And at that time you indicated, did you not, that,
18 that, the night before, which would be St. Patrick's Day, you
19 went out with Jessica and a group of friends, is that right?

20 A It was just Jessica, Thomas and I.

21 Q There was nobody else there?

22 A I don't remember.

23 Q I am sorry.

24 A I don't remember.

25 Q And do you remember whether or not -- what's her

1 friend's name, the man she was with?

2 A Thomas.

3 Q Thomas?

4 A Yes.

5 Q Do you recall whether or not Thomas drank a lot that
6 night, the night of St. Patrick's Day?

7 A Yes, I remember he drank, yes.

8 Q Do you know whether or not he and Jessica left
9 together or he stayed out?

10 A I don't know.

11 Q You don't know?

12 A I don't know.

13 Q Because you said -- I thought you said to Ms. Rotunno
14 that they left together?

15 A Well, I mean, I left without them.

16 Q So you don't know if they left together?

17 A I am pretty sure they left together, the bar. I don't
18 know what happened after the bar.

19 Q You left before they left?

20 A We left all together from the bar and then I went my
21 way and they went their ways. I don't know if they went to the
22 hotel, he went to another party.

23 I don't know what happened after that.

24 Q Okay. And then at the Doubletree that morning, you
25 recall that Jessica called you and said, Harvey is here early,

1 hurry up?

2 A I don't recall that. It could have happened. I don't
3 recall that.

4 Q I thought you said that you did recall that?

5 A No, I don't recall if she really said that. She could
6 have said that, that's what I am saying.

7 Q At some point you met up with her and you saw Harvey
8 at the hotel?

9 A Yes, I saw him.

10 Q And at that time you went up with Jessica to checkout
11 of her room?

12 A Yes.

13 Q That's the room she stayed in with Thomas?

14 A I don't know.

15 Q She had her stuff in one room?

16 A She had her stuff in one room.

17 Q And was it clear to you that Mr. Weinstein was paying
18 for Jessica to stay in the hotel and for another night?

19 A I don't know if he was paying.

20 Q Well, he asked her to stay over, right?

21 A He asked her to stay one more night for the premier.
22 I don't know if he was paying for her to be there.

23 Q But she didn't stay at the hotel that night?

24 A No, because she had to checkout.

25 Q She stayed with you, right?

1 A She stayed with me.

2 Q Now, do you recall her not wanting to go to the
3 premier?

4 A No.

5 Q Do you recall instead that it came to pass that it was
6 going to be you plus one or two guests and then Jessica
7 eventually came?

8 A No.

9 Q Did you want to go to the premier?

10 A Yeah. It wasn't a big deal, but yeah.

11 Q But at some point in the evening after the premier --
12 by the way, did you guys spend any time with Mr. Weinstein at
13 the premier?

14 A No.

15 Q And after the premier, back in your apartment, Ms.
16 Mann indicated to you that she was getting texts from the
17 defendant?

18 A Yes.

19 Q But that she didn't want to see him?

20 A Yes.

21 Q Did you ask her why?

22 A I don't remember if I did ask her why. I remember
23 that I told her to just say that she didn't want to go.

24 Q By the way, Ms. Maia, at some point Jessica couldn't
25 pay her rent with you, is that correct?

1 A Yes, that's correct.

2 Q And did you tell Harvey this?

3 A No.

4 Q You didn't communicate to Mr. Weinstein, that Jessica
5 needed money?

6 A No, I didn't have that --

7 Q Do you know if Jessica accepted money from him?

8 A No, I don't know.

9 Q Did you ever see Jessica accepting money from him?

10 A No.

11 Q Did you ever see her having gifts that he had bought
12 her?

13 A Not that I know of.

14 Q Did you ever hear that she was going on vacation with
15 him?

16 A No.

17 Q What about clothes, did you ever see or hear that he
18 was buying her clothes?

19 A No.

20 Q In fact, Jessica was pretty indigent, was she not,
21 poor, during this period of time?

22 A You mean poor -- well, she -- yeah, she didn't have a
23 good financial situation.

24 (Continued on the following page.)

25

1 Q Now, although you have testified here that she never
2 complained about Mr. Weinstein and never had a bad word to say,
3 isn't it correct at some point you spoke to an investigator for
4 the defense in July of 2019.

5 Do you remember speaking to a man named Sergio in July
6 of 2019 on behalf of Mr. Weinstein?

7 A On behalf of Weinstein?

8 Q Yes.

9 A I don't, well, if he was on behalf of Weinstein, I
10 didn't know, I thought I was only speaking to the investigators
11 for you guys.

12 Q You didn't speak to a Sergio Saradelli?

13 A Well, if I did, I really thought he was an investigator
14 for you guys.

15 Q Was it possible it was a phone call with Ms. Rotunno?

16 A I had a brief phone call with her, very brief.

17 Q And do you know if there were other people on the line?

18 A No.

19 Q You weren't told. And at that time, did you say that
20 Ms. Mann told you that Mr. Weinstein was very controlling of
21 her?

22 A Yeah, she did say.

23 Q So, she told you at some point that Harvey Weinstein
24 was being very controlling; is that right?

25 A When we were, should I say when?

1 Q Yes.

2 A When we were at the pre Oscar party, Harvey had asked
3 Jessica to stay in like one table, and Jessica was just saying
4 oh my God, he's so controlling, he wants me to stay at his table
5 all the time.

6 I said you don't have to stay, you are not a dog, she
7 didn't stay, but she was like just, yeah, she said he was
8 controlling.

9 Q And at that point, did she look a little bit upset
10 about that?

11 A I wouldn't say upset.

12 Q She said it in a happy tone, oh he's controlling like
13 it's a positive thing?

14 A Not in positive, kind of like in an annoying way.

15 Q Do you also recall Jessica telling you how, that she
16 was extremely upset and uncomfortable when the defendant wanted
17 her to do things with an Italian woman?

18 A Yes, she told me that.

19 Q And in fact, isn't it correct that you have noted that
20 her face was very uncomfortable?

21 A That was, she didn't tell me that in person, she told
22 me that on the phone.

23 Q Did you say to Ms. Rotunno CoCo told us, that is you,
24 sorry, it is Maia?

25 A Yes.

1 Q Told us that it was one time she saw discomfort on
2 Mann's phase, so you saw Ms. Mann, correct?

3 A Well, English is my second language, so sometimes I
4 might say one thing trying to explain something.

5 But she told me on the phone call, I didn't see her
6 when she told me that.

7 Q That was not true you saw her and she was upset in
8 person?

9 A No, she told me that over the phone and she seemed very
10 upset.

11 Q She seemed very upset?

12 A Yes.

13 Q Now, you indicated that it was, the invitation went to
14 Jessica, not you for that premier on March 18, 2013?

15 A Sorry.

16 Q You just indicated it was Jessica, not you, that was
17 the primary guest for that screening?

18 A He invited both of us.

19 Q But were you going as Jessica's guest, or was it she
20 did not want to go and you wanted to go, so you asked for the
21 invitation?

22 A That was not the case. He invited both of us in
23 person, then I got an e-mail later on asking if it would just be
24 me or a guest.

25 Q I'm going to mark an e-mail marked People's Exhibit

1 Number 109, and I'm going to ask you to read it to see if it
2 refreshes your recollection that in fact it was you and three
3 guests that were going to the premier.

4 (Handed to witness).

5 A It was already, like Jessica was with me the whole
6 time.

7 Q Right.

8 A This was just them asking if I wanted to bring more
9 people.

10 Q Okay. Did Harvey Weinstein have your e-mail address by
11 then?

12 A Yes.

13 Q And so, isn't it correct that you in fact, I am asking
14 to mark this in evidence as People's 109.

15 THE COURT: Any objection?

16 MS. ROTUNNO: No.

17 THE COURT: It is received into evidence.

18 Q Isn't it correct that in fact the invitation went
19 directly to your hotmail account and it was for you and three
20 guests?

21 A Yes but, yes, she was with me.

22 MS. ILLUZZI: We marked an e-mail People's Number
23 110 and will show it to the witness.

24 (Handed to witness).

25 A Yes.

1 Q Do you recall that?

2 A Yes.

3 MS. ILLUZZI: I ask that be marked into evidence
4 as 110.

5 THE COURT: Hold opinion, any objection?

6 MS. ROTUNNO: No.

7 THE COURT: 110 is received into evidence.

8 Q Then, isn't it correct that Jessica did not want to go
9 to this screening that you really wanted to go and she agreed to
10 go with you?

11 A That is not correct.

12 Q I'm going to show you an e-mail marked People's Exhibit
13 Number 111.

14 THE COURT: Do you have any others for this
15 witness?

16 MS. ILLUZZI: Not at this moment.

17 Q Then it was a little after that that you informed the
18 Weinstein Company you are going to go with Jessica?

19 A That was already understood from the moment we were
20 invited.

21 Q Look at that e-mail and tell us if that is your
22 response.

23 (Handed to witness).

24 A Yes, I said I'm going just with Jessica because that
25 was implied before.

1 Q That was only after that, that Ms. Mann was in fact
2 added to the list?

3 MS. ROTUNNO: Objection.

4 Q Do you know that?

5 THE COURT: Overruled.

6 A Not that I know. Like she was, as I said, she was with
7 me the whole time.

8 Q Were you also very pleased to make Harvey Weinstein's
9 acquaintance?

10 A No, I was not very pleased, I thought he was a good
11 professional connection, that is it.

12 Q So, did that make you happy to get to know him and to
13 be invited to things and to see him?

14 A I wouldn't call it happy. I would say he was a
15 valuable connection, and like anyone that works in any career,
16 you have to network, he was, he was ahead of me, successful, so
17 I thought he was a good connection, that is it, I was not happy.

18 Q You in fact stayed connected to him, isn't that right?

19 A Just when Jessica was, I didn't keep in contact with
20 him, I saw Harvey a few times with Jessica.

21 Q So, you didn't keep in contact with Harvey after
22 Jessica stopped being in contact with him?

23 A After, no.

24 Q And you didn't keep in contact with the defendant after
25 you and Jessica had a falling out?

1 A No.

2 Q Did Mr. Weinstein tell you that he was going to be
3 giving you a script at the Montage for Vampire Academy?

4 A No.

5 Q You don't recall that?

6 A No.

7 MS. ROTUNNO: She answered no.

8 THE COURT: Say objection and say it audibly if
9 that is what you want to say.

10 MS. ROTUNNO: Thank you, Judge.

11 THE COURT: Are you saying objection?

12 MS. ROTUNNO: Objection.

13 THE COURT: Sustained.

14 Q Ms. Maia, let me ask you at some point you did get a
15 script for Vampire Academy, right?

16 A I don't know if I got the script, I know I got the
17 sides right before the audition, it always happens in an
18 audition.

19 Q I'm going to show you an exhibit we have marked
20 People's Number 112 and I would like to show it to the witness.

21 (Handed to witness).

22 Q Can you look at that. Does that refresh your
23 recollection in fact you did get the script for vampire Academy?

24 A Okay, this is interesting, sorry, I've never read this
25 e-mail before, I never heard of the giver or Vincent DiVinize

1 (phon splg.).

2 If that was a conversation between them, I had no idea
3 about this, but they could have sent me a script, I don't
4 remember, I remember I read the book and the sides.

5 Q But you could have had the script, is that correct?

6 A By e-mail, yes.

7 Q Do you think as you sit there today, that Jessica was
8 very concerned about you being able to keep in contact with the
9 defendant and him helping you in your career?

10 MR. CHERONIS: Objection, speculation.

11 THE COURT: Sustained.

12 Q Did Jessica express to you that she wanted you to be
13 able to, through her, continue to contact Mr. Weinstein for your
14 career?

15 A I was very respectful of Jessica. The first time I
16 contacted Harvey I didn't need to ask her for his e-mail, but I
17 did because I wanted to make clear I was not going behind her.

18 Q And even at some point, Ms. Maia, wasn't it clear to
19 you that Jessica was not happy and that the defendant was asking
20 you for help with Jessica?

21 A No, that was not she was not happy, maybe he made a
22 joke, but no.

23 Q So, do you recall in January of 2014, you wished Mr.
24 Weinstein a happy New Year and thanked him for his suggestions
25 and help and connections, and Mr. Weinstein's response is tell

1 your friend Jess I'm friendly?

2 A Can I read the e-mail please.

3 MS. ILLUZZI: Sure. We marked it People's 114
4 your Honor, it is two pages.

5 THE COURT: Number 114, are you sure?

6 MS. ILLUZZI: Yes.

7 (Handed to witness).

8 A Yes, I understood that as a joke.

9 Q Sorry?

10 A I understood that as a joke. They seem to have a
11 really friendly, really good relationship going.

12 Q Well --

13 MS. ILLUZZI: We ask it be marked as People's 114.

14 MS. ROTUNNO: No objection.

15 THE COURT: Received into evidence.

16 Q When you received this e-mail and the defendant said to
17 you tell your friend Jess I'm friendly, you took that as a joke?

18 A Yeah, because she was always saying good things about
19 him, she never said anything bad.

20 Q And then he, you went on to say --

21 A You can read it.

22 Q Ha, ha, ha, Jessica is giving you a hard time with a
23 friendly thing, question mark, she adores you?

24 A Yeah.

25 Q Then he said once again help, do you recall that?

1 A Again, it was all a joke.

2 Q You thought that was all a joke?

3 A Yes.

4 Q Did you ask Jessica whether or not she was upset to
5 have to continue to see the defendant?

6 A She never, at least to me, she never seemed upset.

7 Q Well, you said that she didn't want to see him on March
8 18 after the premier, correct?

9 A That was the one time she told me she did not want to
10 see him.

11 Q She was very upset about the fact that the defendant
12 wanted her to do something with an Italian girl, right?

13 A Well, you have to understand the context, okay.
14 Jessica was curious about girls. When she meant Manuella she
15 mentioned Manuella was gorgeous, she was like kept saying that.
16 So I think she, for me, what I understood back then is
17 she just panicked and she could not go through, for me, it was
18 not something with Harvey, for me, it was something with like
19 herself.

20 Q So, in fact, your recollection is that she met a woman
21 named Emmanuella?

22 A Yes.

23 Q And then she started talking about her?

24 A Well, the day of, yes, she said she kept saying she was
25 very beautiful.

1 Q Did she say she wanted to be sexual with her?

2 A With her specifically, no.

3 Q And how long after that was Jessica very upset about
4 what happened with Emmanuella?

5 A I don't know, the one time we spoke about it was on the
6 phone.

7 Q But after she told you she met Emmanuella, was it days,
8 weeks, months, you remember?

9 A I don't remember, it was days like, but I do not
10 remember exactly when.

11 Q And she didn't indicate to you that she was
12 romantically interested in Emmanuella, did she?

13 A No.

14 Q Now, in 2014 when the e-mail regarding Jessica being
15 friendly or not, on that e-mail, you then asked to be invited to
16 a pre Oscar party, is that correct, do you recall that?

17 A I don't recall it.

18 Q The e-mail chain goes on.

19 A I don't recall, I don't think it was in the same
20 e-mail.

21 I sent an e-mail saying happy New Year and thanks for
22 the audition.

23 Q I'm going to show you a two page e-mail marked People's
24 115 for identification.

25 MS. ROTUNNO: Can I see it.

1 MS. ILLUZZI: I'm sorry.

2 (Handed to witness).

3 A Where?

4 Q Do you recall that you invite yourself to a pre Oscar
5 party then?

6 A That was not in the same date.

7 Q The e-mail chain?

8 A It is an e-mail chain, yes.

9 Q Yes, do you recall now?

10 A Yeah, but these are very separate from like, very
11 separate from the other e-mails.

12 Q When did you stop being friends with Jessica?

13 A 2016.

14 Q So, at this time you were friends with Jessica,
15 correct?

16 A At this time, yes.

17 Q But you never asked her about any difficulty she was
18 having, right?

19 A Difficulty?

20 Q Yes?

21 A We would talk about her difficulties.

22 Q In fact, Jessica in 2014 had a boyfriend named Edi,
23 right?

24 A Yes.

25 Q Did the defendant also tell you that you needed to lose

1 some weight?

2 A If Harvey told me, yes.

3 Q Then isn't it correct that he introduced you to one or
4 two agents?

5 A No, he never introduced me to any agent.

6 Q Who is Jose Padilla?

7 A A director, he never introduced me to him.

8 Q He never introduced you?

9 A No, he said, he never introduced me.

10 THE COURT: Wait for a question.

11 A Okay.

12 Q I'm going to show you a two page e-mail we are marking
13 People's Exhibit Number 116 and I'll show it to defense.

14 A I know about the e-mail, but I'm telling you he never
15 introduced me, he mentioned about Narcos (phon), a TV show with
16 a lot of Latinos.

17 Q There is no question to you.

18 A Sorry.

19 Q If you can look at that e-mail and indicate whether or
20 not Mr. Weinstein introduced you to someone, spoke to you about
21 this director?

22 A I don't see in this e-mail, not in this e-mail. Oh
23 here, it was an offer. He never introduced me to Padilla. When
24 I mean offer, he mentioned that he thought that Narcos would be
25 a good show for me, I should get in contact with Jose Padilla.

1 Q Did he make any effort to do that for you?

2 A He himself, I don't know. He said someone would
3 contact me and try to help me, but I never met him, I wouldn't
4 no, he's a big director.

5 Q Isn't it correct that he connected you with Barbara
6 from his office regarding that?

7 A Yes.

8 Q Did you meet with Barbara?

9 A No.

10 Q Did you speak to her?

11 A I spoke to her.

12 Q And did she assist you with either one of those two
13 shows or meeting this director?

14 A No.

15 Q In September of 2016, did you invite Harvey Weinstein
16 to your wedding?

17 MS. ROTUNNO: Objection, asked and answered.

18 THE COURT: Sustained. Actually, there was no
19 delineation which of the weddings then.

20 MS. ROTUNNO: Yes there was. She said the second
21 one she invited him to.

22 Q In September of 2016, did you in fact invite Mr.
23 Weinstein to your reading?

24 MS. ROTUNNO: I object, she got married in a
25 courthouse in July.

1 MS. ILLUZZI: I ask Ms. Rotunno not to testify.

2 THE COURT: It is overruled, clarification.

3 A I don't recall the exact date I invited him.

4 Q You sent him an invitation?

5 A I didn't send him an invitation, I sent him an e-mail.

6 Q Sorry, I cannot hear.

7 A I sent him an e-mail, not an invitation.

8 Q Did you send the invitation by e-mail?

9 MS. ROTUNNO: Objection, asked and answered.

10 A The invitation was sent by paper. I had a save the
11 date, that was by e-mail. I never even sent him the invitation
12 because I decided not to invite Jessica anymore.

13 THE COURT: Overruled, move on please.

14 MS. ILLUZZI: Yes.

15 Q Did you continue in August of 2017 to reach out to
16 Harvey Weinstein?

17 A No.

18 Q Did you ask to go to a reading for a production called
19 Yellowstone?

20 A No.

21 Q I'm going to ask you to look at this e-mail which we
22 are marking People's Exhibit 117.

23 MS. ROTUNNO: I object, this is not an e-mail
24 written by Ms. Maia.

25 MS. ILLUZZI: We are asking her if it refreshes

1 her recollection, Judge.

2 THE COURT: May I see it please.

3 MS. ILLUZZI: Sure.

4 THE COURT: What is the purported question.

5 Q Does that refresh your recollection that you reached
6 out to the Weinstein Company for an opportunity to be part of
7 this production called Yellowstone?

8 A Well, you asked me if I reached out to Harvey. I never
9 reached out to Harvey again after I stopped talking to Jessica.

10 Now, if I reached out to the company, maybe, I don't
11 recall asking for anything.

12 Q Sorry, did you or didn't you?

13 THE COURT: As of right now, sustained.

14 Q Well, do you recall now that you did reach out to
15 either Harvey or somebody in the Weinstein Company about this
16 production?

17 A I just said --

18 THE COURT: Hold on, don't answer, sustained.

19 Q Did you reach out to anybody regarding trying to have
20 an opportunity for the production Yellowstone?

21 MS. ROTUNNO: Objection.

22 THE COURT: Overruled.

23 A I don't recall.

24 MS. ILLUZZI: I ask to refresh her recollection.

25 THE COURT: Okay.

1 A You have to let me see.

2 THE COURT: Is that marked?

3 Q Look at this e-mail marked as 117 for identification
4 and see if it refreshes your recollection.

5 (Handed to witness).

6 A I really don't remember ever reaching out to them about
7 this.

8 THE COURT: Hold on.

9 A Sorry.

10 Q Does that refresh your recollection?

11 A I did not send this e-mail.

12 Q I didn't say you did, I'm asking if that refreshes your
13 recollection that you reached out?

14 A No, no, I don't think Yellowstone --

15 THE COURT: Hold on, wait for a question.

16 A Sorry.

17 Q Did you post on social media a photograph of you and
18 Jessica on March 17th of 2013?

19 A I don't remember.

20 Q I'm going to show you a photograph marked People's
21 Exhibit Number 118.

22 (Handed to witness).

23 A Yes.

24 Q You do recall?

25 A Yes.

1 Q Is that the photograph that you posted with a
2 photograph of you and Jessica out on March 17th of 2013, yes?

3 A I have to look at the dates, yes.

4 MS. ILLUZZI: I ask it be marked in Evidence as
5 People's Exhibit Number 118.

6 THE COURT: All right that is received into
7 evidence.

8 MS. ROTUNNO: No objection.

9 MS. ILLUZZI: One moment, Judge.

10 Q When was the last time you spoke to Harvey Weinstein?

11 MS. ROTUNNO: Objection, asked and answered.

12 THE COURT: Overruled.

13 A The last time was probably when I sent the save the
14 date.

15 Q So, you never spoke to him after September of 2016?

16 A I know, I don't remember when I sent the save the date,
17 I know that was the last time.

18 Q That is the last time you spoke to him on the phone,
19 was it?

20 A That was on e-mail.

21 Q When was the last time you spoke to Harvey Weinstein?

22 A I don't remember.

23 Q When was the last time that you reached out to either
24 him or anybody at the Weinstein Company?

25 A I don't remember.

1 MS. ILLUZZI: Nothing further, thank you.

2 THE COURT: Any redirect?

3 MS. ROTUNNO: Briefly.

4 REDIRECT EXAMINATION

5 BY MS. ROTUNNO:

6 Q Mr. Weinstein never promised you anything, did he?

7 A No.

8 Q He gave you opportunities?

9 A He gave me a chance to do an audition which is more
10 than --

11 Q You went to an audition?

12 A Yes.

13 Q You didn't think there was anything odd about that
14 audition, correct?

15 A Not that I recall.

16 Q You met with the casting agent at that audition,
17 correct?

18 A Yes.

19 Q And you were recorded, correct?

20 A Yes.

21 Q And you didn't get the part?

22 A Yes.

23 Q How many auditions as an actress would you say you've
24 gone on and not got the part?

25 A Oh my God.

1 Q More than the one you have gotten?

2 A For sure.

3 Q Many more than the one you have gotten?

4 A They say you have to do eight hundred auditions to book
5 one, that is what it says in the industry.

6 Q If you have to book eight hundred auditions to get one,
7 you were not expecting anything from Harvey Weinstein?

8 A No.

9 Q Did Harvey ever do anything other than try to help you
10 when you asked?

11 A Well, to be very specific, I did not ask for the
12 audition, he mentioned it, but yes.

13 Q And when you did ask for certain feedback or help, he
14 would give it to you?

15 A Yeah.

16 Q He did not expect anything in return?

17 A No.

18 Q When I called you back in July, I was in my office in
19 Chicago and you were in California, correct?

20 A Yes.

21 Q There was a phone call that we had?

22 A Yes.

23 Q I introduced myself to you as Mr. Weinstein's counsel,
24 correct?

25 A Yes.

1 Q And I actually tried to set up a time to meet with you,
2 correct?

3 A Yes, you did try.

4 Q You told me you couldn't talk right now?

5 A Yeah, I did not want to talk to you.

6 Q No you didn't. And I told you that I needed to have
7 someone in the room so they could take notes about what we were
8 talking about?

9 A Yes you did.

10 Q I may not have introduced someone to you, I told you I
11 had an investigator going--

12 MS. ILLUZZI: Objection.

13 THE COURT: Overruled.

14 A I don't remember.

15 Q And do you remember that when we had that phone call,
16 you ended up calling me back actually?

17 A Yes, because --

18 Q Gave me more information?

19 A You were calling me a lot so I just wanted to like be
20 done with this, yeah.

21 Q And the first person you spoke to about this whole case
22 was not somebody from Mr. Weinstein's team, right?

23 A No, I was avoiding you guys.

24 Q Sorry?

25 A I was avoiding you guys.

1 Q The first group of people you talked to about this case
2 was the District Attorney's Office?

3 A Yes.

4 Q And the police department?

5 A Yes.

6 Q And investigators from New York and L.A, right?

7 A Yes.

8 Q And when they reached out to you, they reached out to
9 you numerous times, right?

10 A Yes.

11 Q And they came to your door?

12 A Yes.

13 Q They called you on the phone?

14 A Yes.

15 Q They showed up when you did not want them there?

16 A Yes.

17 MS. ILLUZZI: Objection to that.

18 A After my surgery --

19 THE COURT: Sustained as to that.

20 Q Did they show up on the morning you came home from
21 surgery?

22 MS. ILLUZZI: Objection.

23 A They did.

24 THE COURT: Overruled.

25 Q Did you talk to a Nicholas DiGaudio from New York?

1 A I don't remember his name, but I guess so, yes.

2 Q An investigator detective from New York?

3 A Yes, two investigators.

4 Q Did they take notes when they talked to you?

5 A They did.

6 Q You are not here because you no longer have a
7 friendship with Jessica, correct?

8 A I did not want to be here at all.

9 MS. ROTUNNO: If I can just have a moment.

10 Nothing further.

11 THE COURT: Anything?

12 RE CROSS EXAMINATION

13 BY MS. ILLUZZI:

14 Q Was Detective DiGaudio -- or do you recall speaking
15 also to a John Reid?

16 A I spoke to two gentlemen.

17 Q And Ms. Rotunno asked you why you were here, and you
18 said you did not want to be here, is that correct?

19 A Yes.

20 Q But certainly, your testimony is colored by the fact
21 that you don't like Jessica Mann anymore.

22 MS. ROTUNNO: Objection.

23 A Ma'am --

24 THE COURT: Sustained, don't answer.

25 MS. ILLUZZI: Nothing further.

1 THE COURT: Thank you very much for your
2 testimony, you may step down, you are excused.

3 A Thank you.

4 THE COURT: All right jurors, we will take a
5 break. Please remain mindful of all my prior admissions
6 and instructions during this or any other recess.

7 Keep an open mind. Do not form an opinion as to
8 the guilt or innocence of the defendant.

9 Do not discuss this case among yourselves or with
10 anyone else or allow anyone to discuss it in your
11 presence. See you back here in a few minutes, thank you.

12 (Jury exits courtroom).

13 THE COURT: All right, the jurors have left. If
14 anybody needs to use the facilities, do so and be back here
15 in 10 minutes, thank you.

16 (Brief recess taken).

17 THE COURT: Okay.

18 COURT OFFICER: Jury entering.

19 (Jury enters courtroom).

20 THE CLERK: Case on trial continues, all parties
21 are present. Parties stipulate the jury is present and
22 properly seated?

23 MS. ILLUZZI: Yes.

24 MR. CHERONIS: Yes.

25 THE COURT: Welcome back jurors. Call your next

1 witness.

2 MR. CHERONIS: We call Claudia Salinas.

3 COURT OFFICER: Witness entering.

4 (Witness enters courtroom and is sworn in).

5 COURT OFFICER: Pull your chair up. State your
6 full name, spelling your last name.

7 A Claudia Salinas, S. A. L. I. N. A. S.

8 COURT OFFICER: County of residence?

9 A Los Angeles, California.

10 THE COURT: Good afternoon. Please listen
11 carefully to the questions from Mr. Cheronis and answer his
12 questions to the best of your ability.

13 Please answer them loudly, clearly, and slowly.
14 Please give full and complete responses to all his
15 questions, but try not to volunteer information that goes
16 beyond his specific question area.

17 On cross examination, Ms. Hast is likely to ask
18 you questions. Please give to her the same courtesy you're
19 about to give to Mr. Cheronis.

20 If you are comfortable responding to the jury
21 regarding questions from either attorneys, please feel free
22 to do that, otherwise respond to whomever is asking you
23 questions at any given time.

24 And if and when you're asked to view or review or
25 handle any exhibits or items in evidence, you may do that

1 upon the request from either attorney without further
2 permission from the Court, okay?

3 A Okay.

4 THE COURT: Keep your voice up. Please inquire.

5 DIRECT EXAMINATION

6 BY MR. CHERONIS:

7 Q Good morning.

8 A Do you know Harvey Weinstein?

9 A Yes I do.

10 Q Do you see him in court now?

11 A Yes, I do.

12 Q Can you identify him by an article of clothing he's
13 wearing.

14 A Repeat the question.

15 Q Can you identify an article of clothing he's wearing,
16 maybe his tie?

17 A Yes.

18 Q What color tie is he wearing?

19 A Purple.

20 MR. CHERONIS: I ask for an in-court
21 identification.

22 THE COURT: Very well.

23 Q I'm going to cut right to it. Have you ever seen
24 Harvey Weinstein run out of a bathroom suite naked?

25 A No, I've never seen him.

1 Q Ever seen him naked under any circumstances?

2 A No, never.

3 Q Do you know an individual named Lauren Young?

4 A I do.

5 Q Did you ever lure Lauren Young into a bathroom with
6 Harvey Weinstein?

7 A No.

8 Q Did you ever lock Lauren Young in a bathroom with
9 Harvey Weinstein?

10 A No.

11 Q Ever stand outside of a bathroom door while Lauren
12 Young was inside with Harvey Weinstein?

13 A No, never.

14 Q Ever see Lauren Young follow a naked Harvey Weinstein
15 out of a bathroom with a white dress around her elbows?

16 A Absolutely not.

17 Q Are you sure?

18 A I'm sure.

19 Q Would you remember that?

20 A I would remember that.

21 Q Where do you currently live, ma'am?

22 A Beverly Hills, California.

23 Q Where were you born?

24 A I was born in Monterrey, Mexico.

25 Q How long did you live in Monterrey, Mexico?

1 A Till I was 20.

2 Q Can you tell the members of the jury if you attended
3 school in Monterrey?

4 A I did, I have a Bachelor's degree in engineering.

5 Q Where did you get your Bachelor's from?

6 A From the university called T. E. C. D. E. M. O. N. T.
7 E. R. R. E. Y.

8 Q What type of engineering did you study?

9 A Industrial and systems engineering.

10 Q What year was it, if you already answered this I
11 apologize. What year was it you came to the United States?

12 A 2001.

13 Q Where did you go when you came to the United States?

14 A I moved to New York City.

15 Q Do you know or remember where it was in New York you
16 moved?

17 A I lived in Gramercy Park South in a womens residence.

18 Q What was your job when you moved to New York?

19 A I didn't have a job. I attended a two year fulltime
20 acting program at the Lee Strassburg Theater Institute.

21 Q Did you have any background in acting before you moved
22 to New York?

23 A No.

24 Q Did you have any background in dancing?

25 A Yes.

1 Q Tell the members of the jury what that was?

2 A I'm a trained dancer. I started dancing ballet at four
3 years old and am still dancing to this day.

4 Q Are you currently employed?

5 A Yes, self-employed.

6 Q What do you do?

7 A I'm a social media influencer on fashion and beauty.

8 Q You identified Harvey Weinstein as somebody you know.
9 Can you tell the members of the jury approximately when it was
10 that you met Mr. Weinstein?

11 A Approximately I met him in New York in 2003.

12 Q Do you remember where it was you met him?

13 A At a restaurant called Cipriani.

14 Q Who were you with when you met him?

15 A Having dinner with my mom.

16 Q Can you tell the members of the jury how it was that
17 you came to meet Mr. Weinstein that night?

18 A He was sitting at a table close to mine with a person I
19 knew. When I was coming out of the bathroom I stopped by and
20 said hi, and we got introduced.

21 Q Did you tell him that you were studying acting?

22 A Yes I did.

23 Q Did you exchange numbers with Mr. Weinstein?

24 A Yes, we did.

25 Q From your first meeting with Harvey Weinstein, did the

1 two of you discuss any specific type of role or acting that you
2 might be interested in?

3 A He was casting a movie at the time where he needed
4 dancers, and I told him about my dancing background, and he
5 suggested I get an audition for the movie and he did get me an
6 audition.

7 Q Can you tell the members of the jury what that movie
8 was?

9 A Havana Nights.

10 Q Did you in fact book that role?

11 A I did.

12 Q Tell the members of the jury what that means?

13 A I went in for an audition with my dancing partner at
14 the time, and we danced, and a few days later I heard from
15 casting and they said I had booked the role.

16 Q Have you done any other acting?

17 A I have.

18 Q Can you tell us some of the acting roles you had?

19 A I had another part subsequently in another Weinstein
20 Company movie on my own called Crossing Over. I also starred in
21 two major Mexican films. One is called Saving Private Perez,
22 the biggest budget Mexican film ever made. I also was a very
23 successful commercial actress.

24 Q When you say the Weinstein Company Crossing Over you
25 got that on your own, tell us what you mean by that?

1 A I went to an audition, and the call back was actually
2 on set with the director and the leading star of the film
3 Harrison Ford and they asked me to stay on set.

4 Q Were you ever employed by the Weinstein Company as
5 Harvey Weinstein's assistant?

6 A No, never.

7 Q Did you ever set up meetings for Harvey Weinstein?

8 A Never.

9 Q Did you ever receive a paycheck from Harvey Weinstein?

10 A Never.

11 Q Have you ever had a romantic relationship with Harvey
12 Weinstein?

13 A No.

14 Q Did there ever come a point in time while you had a
15 relationship with Mr. Weinstein where he asked you to help out
16 with an investment opportunity?

17 A Yes.

18 Q Tell the members of the jury about that.

19 A Around 2008 Mr. Weinstein suggested I meet with this
20 Argentinean business man named Eduardo Costantini because he was
21 setting up a Latin American film fund to raise money to create
22 Latin based content to be distributed through the Weinstein
23 Company.

24 He suggested I get involved so I can bring Mexican
25 investors since I'm from Mexico.

1 Q Did anything ever come of that?

2 A Nothing ever happened with that.

3 Q Do you know why?

4 A It was 2008 and we had an economic reession, so nobody
5 wanted to really invest money anywhere, especially in film.

6 Q From the time you met Mr. Weinstein until 2013, how
7 often would you see him?

8 A Not often, two or three maybe four at the most times a
9 year.

10 Q Under what circumstances would you normally see him?

11 A It was always social, industry events.

12 Q Do you know an individual named Lauren Young?

13 A I do.

14 Q I want to draw your attention to January of 2012. Did
15 you meet Lauren Young at a party in January of 2012?

16 A Correct.

17 Q Do you remember where that party was?

18 A Mr. Cee's.

19 Q If I may approach.

20 A Is this my water?

21 Q It is. This has been admitted into evidence. Do you
22 recognize that black and white photograph?

23 A I do.

24 Q Is this you?

25 A That is me.

1 Q Is that Ms. Young?

2 A That appears to be her, yes.

3 Q Prior to meeting Ms. Young in January of 2012, did you
4 know who she was?

5 A No idea.

6 Q Did you say dinner was at a place called Mr. Cee's?

7 A Yes.

8 Q Tell the members of the jury where that is located?

9 A Mr. Cee's, a hotel and restaurant in Beverly Hills.

10 Q Do you remember how you were invited to that party?

11 A I don't remember specifics.

12 Q Did you guys, did you have any friends who were going
13 to be at that dinner?

14 A Yes.

15 Q Who was the friend who was going to be at the dinner?

16 A Very good friend of mine named Stephano G. A. L. L. I.
17 N. I.

18 Q Are you still friends with Stephano?

19 A Yes.

20 Q You testified that you met Lauren Young at that party?

21 A Yes.

22 Q Do you remember the circumstances or any of the
23 conversations you had with Ms. Young at the party?

24 A Not specifically, but we talked about, you know,
25 regular stuff like what do you do, where do you live, do you

1 have a boyfriend.

2 Q Did you hit it off with Ms. Young?

3 A Yeah, I thought she was nice.

4 Q Do you remember taking that picture with Ms. Young?

5 A Yes.

6 Q Do you remember from that first conversation with Ms.
7 Young, if you learned what it was she did for a living?

8 A Yeah, she told me she was a model.

9 Q Did Lauren Young ever tell you at the first meeting she
10 was writing scripts?

11 A No never.

12 Q Did she ever tell you she was trying to write scripts
13 for Hollywood?

14 A No.

15 Q Do you remember how long you were at that dinner?

16 A Don't remember, an hour or two.

17 Q And did you exchange contact information with Lauren
18 Young?

19 A I did.

20 Q How many times do you think you met Lauren Young in
21 your entire life?

22 A I'm going to guess no more than five.

23 Q Do you recall a second meeting that you had with Lauren
24 Young?

25 A Yes.

1 Q Do you remember when that was in relation to the first
2 meeting?

3 A I mean I don't really remember from memories, but I
4 remember from data, it was a year after.

5 Q As you sit here today, forgetting about e-mails or
6 anything, do you have a recollection how long after the initial
7 meeting with her you met her a second time?

8 A No.

9 Q Do you know how many times you spent time with Ms.
10 Young in between the first time you met her at Mr. Cee's and the
11 time we are now talking about?

12 A I don't remember.

13 Q Do you remember where it was you met with Lauren Young
14 the second time or, excuse me, later in Beverly Hills?

15 A At the Montage.

16 Q Had you been to the Montage before?

17 A Yes.

18 Q Do you remember around what time of year that was?

19 A It was during Oscar time, so around this time of the
20 year in 2018.

21 Q Do you remember if you called Lauren Young to go out or
22 if Lauren Young called you?

23 A I don't remember.

24 Q Did Harvey Weinstein ever ask you specifically to bring
25 Lauren Young to the Montage?

1 A No.

2 Q Do you know why it is if you had called Lauren Young
3 you would have called her?

4 MS. HAST: Objection.

5 THE COURT: Overruled.

6 A What was the question?

7 Q You don't remember if it was you who called Lauren or
8 Lauren called you?

9 A I don't.

10 Q Do you know if you were to be the one who called
11 Lauren, do you know why you would have called her?

12 MS. HAST: Objection.

13 THE COURT: Overruled.

14 A Just to come out and have a drink.

15 Q Is that something you would normally do?

16 MS. HAST: Objection.

17 A Yes.

18 THE COURT: Overruled.

19 Q When you called Lauren Young or when you spoke to
20 Lauren Young, strike that. Did you ever talk to her about
21 bringing scripts to the meeting?

22 A No.

23 Q Are you sure?

24 A I'm very sure.

25 Q Did you eventually go to the Montage Hotel?

1 A Yes.

2 Q And when you went to the Montage Hotel, did you meet
3 with Lauren Young?

4 A I did.

5 Q Did Lauren Young give you a script?

6 A No she didn't.

7 Q Did you take a script from Lauren Young and put it in
8 your purse?

9 A No.

10 Q Who was at the Montage with you and Lauren Young?

11 A We were there to meet Harvey Weinstein.

12 Q And do you remember how long the meeting occurred?

13 A I don't remember.

14 Q Did you have anything to drink?

15 A No, I don't drink.

16 Q Did you know if Mr. Weinstein had anything to drink?

17 A I don't remember.

18 Q Do you remember what you spoke about at that meeting at
19 the Montage?

20 A We talked about, it was Oscar week, so we were talking
21 about what events were happening, you know. She was telling me
22 about her modeling and what she was doing, just again, regular
23 stuff.

24 Q Did you ever recall a conversation between Mr.
25 Weinstein and yourself and Lauren Young about Americas Next Top

1 Model?

2 A No.

3 Q Do you know if Mr. Weinstein was even affiliated with
4 Americas Top Model?

5 A Not that I know of.

6 Q Do you know any other modeling show Mr. Weinstein was
7 affiliated with?

8 A Yes.

9 Q What is that?

10 A Project Runway.

11 Q This was Oscar season?

12 A Yes.

13 Q Did Mr. Weinstein have a busy schedule?

14 A Very busy.

15 Q In the time you met with Mr. Weinstein, did you spend
16 the entire evening with him everytime you met him?

17 A Never.

18 Q Do you know how long it was that you spent with Mr.
19 Weinstein and Lauren Young?

20 A I don't remember.

21 Q Do you recall anything unusual about the conversation
22 at the bar?

23 A No.

24 Q You didn't have a script at all that day, did you?

25 A No script.

1 Q Now, I'm going to show you some photos that have
2 already been introduced into evidence, People's 161.

3 Do you recognize that photograph?

4 A I don't.

5 Q Do you ever recall walking down that hallway behind
6 Lauren Young as Mr. Weinstein was in front of her?

7 A No, that never happened.

8 Q Excuse me?

9 A That never happened.

10 Q Do you see that photograph?

11 A Yes.

12 Q Do you recognize that suite?

13 A I don't.

14 Q Do you ever recall following Lauren Young into that
15 suite with Mr. Weinstein in front of her?

16 A No.

17 Q Did that ever happen?

18 A No.

19 Q Would you --

20 THE COURT: What number?

21 MR. CHERONIS: 162.

22 THE COURT: Okay.

23 Q I'm going to show you 163. That looks like another
24 view of that suite, you see that?

25 A Yes.

1 Q Did you ever recall following Lauren Young with Mr.
2 Weinstein leading through that sort of living room area?

3 A No.

4 Q That appears to be a photograph of a bedroom. Do you
5 ever recall following Lauren Young through that room with Mr.
6 Weinstein in front of her?

7 A No.

8 Q Another photograph, this is 165. Do you ever remember
9 walking through that doorway behind Lauren Young with Mr.
10 Weinstein in front of her?

11 A No.

12 Q See that hallway?

13 A Yes.

14 Q Do you ever recall following Lauren Young down that
15 hallway with Mr. Weinstein in front of her?

16 A No.

17 Q You see that door?

18 A Yes.

19 Q Does there appear to be a shower past that door?

20 A Yes.

21 Q Do you even recognize that room as a place you have
22 ever been?

23 A No.

24 Q Did you ever close that door on Lauren Young while she
25 was in a bathroom with Harvey Weinstein?

1 A No.

2 Q Are you sure?

3 A I am very sure.

4 Q How are you sure?

5 A Because if I had done that I would remember that.

6 Q Would you ever do that?

7 A I would never do that, I never closed a door behind
8 anybody ever.

9 THE COURT: Just state the numbers.

10 MR. CHERONIS: That was 167.

11 Q Do you recognize that bathroom?

12 A I don't.

13 THE COURT: That last one?

14 MR. CHERONIS: I'm sorry, that was 168.

15 Q Do you remember where you went later that night, the
16 night you met Lauren Young?

17 A I don't.

18 Q Was there anything about that night that stuck out in
19 your mind?

20 A No, nothing.

21 Q Was it relatively uneventful?

22 A It was pretty uneventful.

23 Q Do you recall going to a meeting with Lauren Young the
24 following day at the Weinstein Company's office?

25 A I don't remember.

1 Q Are you saying you didn't do it or you don't remember?

2 A I just don't remember.

3 Q Now, I'm going to show you what I will mark as K. Five.

4 (Handed to witness).

5 Q Do you recognize that as an e-mail chain you were a
6 part of?

7 A Yes.

8 Q Is that a true and accurate depiction of the e-mail
9 chain?

10 A Yes.

11 MR. CHERONIS: I ask the identification be
12 stricken and those be received.

13 THE COURT: Any objection?

14 MS. HAST: No objection.

15 THE COURT: All right, that is received into
16 evidence.

17 Q Do you see an e-mail to you from Mr. Weinstein on
18 February 22nd, I'd like to find some time to say hello to you
19 and Lauren during the day tomorrow.

20 A Yes.

21 Q You say hi Harvey, what's your best time tomorrow to
22 meet?

23 A Yes.

24 Q The next page starting from the bottom, Mr. Weinstein
25 says with Lauren on top, it says yes, I will try to coordinate

1 but I need a timeframe. Mr. Weinstein says when is she free.
2 You say she has a modeling job. She's free after eight, you see
3 that?

4 A Yes.

5 Q That is February 23rd of 2013?

6 A Uh huh.

7 Q Is that a yes?

8 A Yes.

9 Q Did you know Lauren Young's schedule on February 23rd
10 of 2013?

11 A Well, it appears that I probably talked to her and she
12 told me she had a modeling job.

13 Q Let me ask you aside from talking to her, did you have
14 a copy of her calendar?

15 A I -- no.

16 Q To get this information regarding the fact Lauren Young
17 had a modeling job and free after eight, would you have had to
18 speak to her?

19 A Yes.

20 Q That is dated February 23rd of 2013, correct?

21 A Correct.

22 Q Were you invited to a party on February 23rd of 2013, a
23 Weinstein Oscar party?

24 A Yes.

25 Q Do you remember if you attended that or not?

1 A I don't completely remember, I think I didn't attend.

2 Q And do you remember sitting here today when the last
3 time was that you saw Lauren Young?

4 A I don't remember.

5 Q At some point, do you recall-- had you ever been in a
6 hotel room with Harvey Weinstein before?

7 A Yes.

8 Q What types of situations?

9 A It was always a social thing. He always used his hotel
10 room as a mobile office so I met him on occasions there and I
11 remember there were always people around, assistants or hotel
12 staff or other people talking, meetings.

13 Q As you sit here today, you don't recall ever being in a
14 hotel suite alone with Lauren Young and Harvey Weinstein?

15 A No.

16 Q Do you remember when it was the last time you reached
17 out to Harvey Weinstein was?

18 A I do.

19 Q When was that?

20 A September 2017.

21 Q What was the reason?

22 A I was in town in New York for a fashion week, and I
23 asked him if it was possible for me to attend the M. A. R. C. H.
24 E. S. A show, his ex-wife, it was his ex-wife's label.

25 Q Did he respond to you?

1 A He didn't.

2 Q And throughout the time of your dealing with Harvey
3 Weinstein, other than being in Havana Nights, did you ever have
4 any financial relationship with him?

5 A No.

6 Q I'm going to show you what has already been received
7 into evidence as People's 246.

8 This is a Facebook tag where it says Claudia Salinas
9 added a photo of you, you see that?

10 A I do.

11 Q You don't dispute you did that, do you?

12 A No.

13 Q Why would you add a photo of Lauren Young to Facebook?

14 A Because I add photos with my friends or people I like
15 on social media.

16 Q Okay. Same thing with February 19th of 2013, you added
17 two photos of Lauren Young, is that right?

18 A That appears to be right.

19 Q Do you know if you were with Lauren Young on February
20 19, 2013?

21 A I don't remember.

22 Q You don't remember the exact date?

23 A I don't remember the exact date.

24 MR. CHERONIS: If I may have a moment.

25 Q You were subpoenaed to testify in court today?

1 A Yes.

2 Q You live in California?

3 A I do.

4 Q The subpoena was issued to you at your home?

5 A Yes.

6 Q You had to appear in court in California?

7 A Yes.

8 Q You were ordered by a judge to come to New York?

9 A Yes.

10 Q You were also interviewed in the past by Ms. Illuzzi?

11 A Correct.

12 Q You were also interviewed in the past by individuals
13 from L.A?

14 A Yes.

15 Q You never refused to speak to them?

16 A Never.

17 Q Never asked for a lawyer?

18 A No.

19 Q Turning to that issue about the party that we talked
20 about a little bit. Do you have a friend name Claudine?

21 A O. R. I. O. L.

22 Q Do you recall that sometime in February of 2013 that
23 you wanted to take her to a Weinstein party?

24 A I do.

25 Q Do you recall that the only plus one that you could

1 take was actually Lauren Young?

2 A Yes.

3 Q And do you recall if you went to that party?

4 A I think I didn't go.

5 MR. CHERONIS: I have no further questions.

6 THE COURT: Any cross examination?

7 MS. HAST: Yes, thank you.

8 CROSS EXAMINATION

9 BY MS. HAST:

10 Q You stated on direct examination you remember speaking
11 to Ms. Illuzzi, correct?

12 A Correct.

13 Q Do you remember I was on the phone call as well?

14 A I don't remember you, but I remember there were other
15 people on the phone call.

16 Q That was in the summer on July fifth of 2019, would
17 that be fair?

18 A That would be fair.

19 Q You got a little emotional during that conversation, do
20 you recall that?

21 A I don't recall.

22 Q Then some investigators with the Manhattan District
23 Attorney's Office actually visited you out in California a few
24 weeks later, do you recall that?

25 A Yes.

1 Q Do you recall one of them being Tommy Mullen?

2 A What?

3 Q Tommy Mullen?

4 A Thomas, yes.

5 Q There was a female investigator with him as well?

6 A Yes.

7 Q They had a conversation with you about Harvey Weinstein
8 and Lauren Young, you remember that?

9 A Yes.

10 Q You remember getting a little emotional during that
11 conversation as well, right?

12 A Maybe.

13 Q Then do you recall in August of 2019 being contacted by
14 investigators for Harvey Weinstein, do you remember that?

15 A Yes.

16 Q There are several phone calls and they finally got in
17 touch with you?

18 A Yes.

19 Q You had a conversation with those investigators?

20 A Yes.

21 Q That was also about Lauren Young and Harvey Weinstein,
22 right?

23 A Yes.

24 Q Do you recall myself or ADA Illuzzi or Investigator
25 Mullen reaching out to you again in the fall of 2019?

1 A Yes.

2 Q You recall we were actually in L.A, right?

3 A Yes.

4 Q We made several attempts to come speak with you, right?

5 A Yes.

6 Q You continued to say you were too busy, right?

7 A Yes.

8 Q At one point when we called you, you told us that you
9 reached out to a lawyer, correct?

10 A Correct.

11 Q You said that lawyer was out of the country at that
12 time?

13 A Out of the state, yes.

14 Q Right?

15 A Uh huh.

16 Q And you were waiting for him to come back before you
17 wanted to talk to us, correct?

18 A Correct.

19 Q Then did you actually hire that lawyer?

20 A I sought counsel, I sought advise from him. I did not
21 hire him.

22 Q So, did that lawyer, did you ask that lawyer to reach
23 out to us to schedule a meeting?

24 A I didn't.

25 Q Did you ever reach out to us to try to schedule a

1 meeting?

2 A I didn't.

3 Q Then detective from the LAPD and L.A District Attorney
4 spoke to you, correct?

5 A Yes.

6 Q That phone call took place on November first of 2019,
7 correct?

8 A Yes.

9 Q That phone call was actually recorded, right?

10 A Uh huh, yes.

11 Q In all of those meetings on July fifth of 2019, July
12 19, 2019, the August meeting in 2019, the October, sorry
13 November 1st meeting of 2019, did you ever recall where you met
14 with Harvey Weinstein and Lauren Young?

15 A I did.

16 Q Oh, really?

17 A In some of them I did.

18 MR. CHERONIS: Objection.

19 THE COURT: Overruled.

20 Q What do you recall?

21 A Ask the question again.

22 Q Did you recall specifically in any of those interviews
23 where you actually met with Lauren Young and Harvey Weinstein
24 the second time?

25 A Oh, not the second time.

1 Q Okay, where did you guess that you met with Harvey
2 Weinstein and Lauren Young?

3 A The first time?

4 Q The second time?

5 A I never guessed there was a second time.

6 Q Isn't it true you said it would probably have been at
7 the Montage or the Peninsular?

8 A That was the first time we met for drinks, I did
9 suggest it could have been the Montage.

10 Q Let me step back. Do you recall the meeting where you
11 took some photographs of you and Lauren?

12 A Correct.

13 Q That meeting you had recalled happened at Mr. Cee's, is
14 that correct?

15 A Yes.

16 Q Then you just testified on direct that based on some
17 review of e-mails, you believed there was a second meeting you
18 had with Lauren Young and Harvey Weinstein, correct?

19 A Correct.

20 Q That second meeting you believe happened in a year
21 later, correct?

22 A Correct.

23 Q What e-mails were you reviewing that led you to that
24 conclusion?

25 A Personal e-mails based on during that time it was Oscar

1 week, and being that I was exchanging messages with the
2 Weinstein Company about events, and Lauren was invited or Lauren
3 was suggested as my guest.

4 Q So, it is based on that e-mail that you discussed on
5 direct regarding getting invited to an Oscar party, is that
6 correct?

7 A Yes.

8 Q So based on your memory of getting invited to an Oscar
9 party, you believed there was a meeting with you, Lauren, and
10 Harvey prior to that, is that what you are saying?

11 A Yes.

12 Q In July of 2019, did you have any recollection
13 whatsoever about what that meeting was about between you,
14 Harvey, and Lauren?

15 A What date?

16 Q When you spoke with us in July 2019, isn't it true you
17 told us you had zero recollection of what happened when you met
18 with Harvey and Lauren in February of 20 --

19 A I don't remember what I said. I don't remember if I
20 said I had no recollection, I said that we met for a drink.

21 Q Isn't it true the main thing you remembered during that
22 conversation was Harvey Weinstein not allowing you to bring a
23 guest other than Lauren Young to that party?

24 A I remember that because I checked again, I checked my
25 time, e-mail, to get a timeline of events. It has been a long

1 time.

2 Q Isn't it true during that conversation you told us that
3 you were upset by that?

4 A I was.

5 Q Tell us about that.

6 A Well, I wanted to bring a friend, and I basically got
7 back saying my only guest allowed was this girl Lauren Young.

8 Q So, he limited you to only bringing Lauren Young to
9 that party?

10 A Yes.

11 Q Was that unusual for you?

12 A I mean yes.

13 Q Isn't it true when we asked you about the details of
14 the meeting between Harvey Weinstein, Lauren Young, and
15 yourself, you told us I remember being with Harvey Weinstein and
16 Lauren Young on the same day, but I don't recall anything else
17 that happened. Isn't that what you told us in July of 2019?

18 A I don't remember what I told you exactly.

19 Q Well, did you recall anything about what happened in
20 that meeting when you spoke with us in July of 2019?

21 A I recall a little, we talked in a very general way
22 about what happened.

23 Q Isn't it true on July when you spoke with investigators
24 from the D.A's Office, you told them you didn't remember
25 anything about what happened when you met with Lauren Young and

1 Harvey Weinstein in February of 2013?

2 A I didn't say I did not remember anything, I don't
3 think.

4 Q What did you say you remember?

5 A I mean I remember meeting for a drink, I've always
6 remembered meeting for a drink, that is all I remember.

7 Q Did you remember where you met for the drink?

8 A I remember it was at the Montage.

9 Q When did you come to that conclusion?

10 A I just remember.

11 Q Did you remember that in July of 2019?

12 A I didn't.

13 Q Did you remember that when you interviewed with the L.A.
14 District Attorney back in November of 2019?

15 A I remembered at the time it was somewhere between the
16 Montage or the Peninsular, because those are the normal places I
17 would meet Mr. Weinstein for a drink.

18 Q You would meet Mr. Weinstein at the Montage and the
19 Peninsular when he was in town, is that correct?

20 A Not everytime he was in town. When he had time to meet
21 me for a drink.

22 Q Why would you meet him at the Montage and Peninsular?

23 A That is where he would stay.

24 Q It is true that you would go upstairs to Harvey
25 Weinstein's suite at the Montage or Peninsular, correct?

1 A Not all the time, but I have been up to his suites on
2 occasions.

3 Q But you don't recognize the suite that he stayed in the
4 Montage when he was there, suite 520 from the photographs?

5 MR. CHERONIS: Objection, that assumes a fact not
6 in evidence from this witness.

7 THE COURT: Overruled.

8 A I don't remember that particular suite, it's a very
9 generic looking suite.

10 Q Again, do you recall telling ADA Illuzzi and myself and
11 one of our analysts --

12 MR. CHERONIS: I object to Ms. Hast making herself
13 a witness, your Honor.

14 THE COURT: Overruled.

15 Q In that phone call in July of 2019 that you recall
16 meeting Lauren for drinks with Harvey Weinstein, but you don't
17 recall anything that happened after, do you remember telling us
18 that?

19 A I do.

20 Q Do you remember also telling us that it is possible
21 that you went up to his room because he always got people in his
22 room, do you remember telling us that?

23 A I don't remember saying that.

24 Q Is that true?

25 A What is true, what?

1 Q That Harvey Weinstein would always get people to go up
2 to his room at the Peninsular and Montage?

3 A It is not that he would always get people up to his
4 room. But again, I have been to his room before because he
5 always had people there.

6 Q Do you remember also telling us that you don't remember
7 anything involving a bathroom, but I'm not saying it isn't true,
8 do you remember telling us that?

9 A I don't remember saying that. If I suggested that, it
10 does not mean that isn't true. It is not true, what is true is
11 I was not there in a bathroom scenario.

12 Q Do you remember further telling us that I don't recall
13 it, but it could have happened?

14 A Again, if I said that, it was suggesting that it could
15 have happened, but that didn't mean that I was there.

16 Q Do you remember telling us that Harvey Weinstein told
17 you to tell Lauren Young that he could help her with her career,
18 you remember that?

19 A No.

20 Q Did you often try to -- withdrawn. Did you introduce
21 other women to Harvey Weinstein?

22 A I didn't introduce other women to Harvey Weinstein. He
23 met some of my friends because I would always come with a
24 friend.

25 Q Do you recall telling us in July of 2019 that Harvey

1 Weinstein was always asking me to bring my better looking
2 friends, you remember that?

3 A I did.

4 Q Is that true, Harvey Weinstein was asking you to bring
5 your better looking friends when you came to meet him?

6 A It is not to meet him. If I was invited to an event he
7 always said please bring your good looking friends.

8 Q Would he further tell you to tell your good looking
9 friends good things about him?

10 A It was like for me I saw it as an innocent suggestion.
11 Just say good things about me kind of thing. I did not make
12 anything of it.

13 Q You met Harvey Weinstein when you were 19 years old?

14 A Correct.

15 Q He was probably close to 50 at that time, would that be
16 fair?

17 A Yeah.

18 Q He hit on you, right?

19 A He was flirtatious with me.

20 Q What did you tell you?

21 A I told him I was not interested.

22 Q What words did you use?

23 A I don't remember the exact words, but.

24 Q Do you remember having a conversation with the L.A
25 District Attorney?

1 A Yes.

2 Q Do you remember very specifically recalling the exact
3 word you used?

4 A I used the words fuck off to describe it. That does
5 not mean I told Mr. Weinstein to fuck off.

6 Q After that, you started bringing your pretty better
7 looking friends to meet with Harvey Weinstein?

8 MR. CHERONIS: Objection, come on.

9 THE COURT: Overruled.

10 A No.

11 Q But you did bring your better looking friends?

12 MR. CHERONIS: Objection, asked and answered.

13 Q To parties, correct?

14 MR. CHERONIS: Asked and answered.

15 THE COURT: Overruled.

16 A What was the question?

17 Q You did bring your better looking friends when you were
18 invited to parties by Harvey Weinstein, correct?

19 A I always bring -- all my friends are good looking.

20 Q Do you remember having, do you remember talking a
21 little bit with us in July of 2019 about Harvey Weinstein,
22 remember those questions?

23 A When?

24 Q When you had a conversation with the D.A's Office in
25 July of 2019?

1 A Was that our first conversation?

2 Q Yes.

3 A Yeah, we talked about Harvey Weinstein.

4 Q Do you remember telling the District Attorney he was
5 not very ethical?

6 MR. CHERONIS: Objection.

7 THE COURT: Overruled.

8 MR. CHERONIS: May I approach?

9 THE COURT: No.

10 MR. CHERONIS: She's being impeached with a
11 statement she was not asked about.

12 THE COURT: Continue.

13 Q Do you recall that?

14 A I may have used those words, but I didn't mean it
15 literally.

16 Q Can you tell us what you meant?

17 MR. CHERONIS: Objection.

18 THE COURT: Overruled.

19 A You know, Mr. Weinstein was just, you know, he had to
20 have his way. He was a very strong personality person.

21 So you know, I don't really know what I meant, it was
22 just a remark.

23 (Continued on next page).

24

25

1 (Continued from the previous page.)

2 Q Do you remember telling us that he wasn't nice to me?

3 A At times he wasn't nice to me. He never helped me
4 with anything, my career.

5 Q Can you give us an example of when he wasn't nice to
6 you?

7 MR. CHERONIS: Objection.

8 THE COURT: Sustained.

9 Q Do you remember describing Harvey Weinstein as a
10 bully?

11 MR. CHERONIS: Objection.

12 THE COURT: Overruled.

13 MR. CHERONIS: Mischaracterized, Your Honor.

14 THE WITNESS: Again, it's just a description. He
15 was a little bit of a bully, business-wise.

16 Q Were you afraid of Harvey Weinstein.

17 MR. CHERONIS: Objection.

18 THE WITNESS: No.

19 THE COURT: Overruled. Question and answer
20 stand.

21 Q Do you recall telling the District Attorneys that you
22 felt like Harvey Weinstein was using you?

23 MR. CHERONIS: Objection.

24 THE COURT: Overruled.

25 THE WITNESS: I remember saying it.

1 Q Okay. Can you describe for the jury what you mean
2 when you say Harvey Weinstein was using you?

3 A Again, it's one of those things that I didn't mean
4 literally, using me. I just, you know, because of his
5 personality type, I felt sometimes, you know, I was a little
6 frustrated, because, again, I never got any help from him in
7 any way.

8 I just wanted to keep him as a professional
9 relationship but like I wasn't getting any professional help at
10 all. So --

11 Q And, in fact, you talked about Havana Nights, correct?

12 A Correct.

13 Q And that was in 2004?

14 A Yes.

15 Q And that was your first big movie here in the US,
16 correct?

17 A Yes.

18 Q And that was a Miramax film?

19 A Yes.

20 Q And then in 2008, you played a small role in the Hell
21 Ride, is that correct?

22 A Yes.

23 Q And that was Weinstein Company film, correct?

24 A Yes.

25 Q And in 2009, you played a small role in Crossing Over,

1 correct?

2 A Correct.

3 Q Another Weinstein Company film, right?

4 A Yes.

5 Q Do you have any other big movies in the US other than
6 those?

7 A No.

8 Q And in 2009, do you recall reaching out to Harvey
9 Weinstein asking him to help you with a fund raiser for St.
10 Jude's, do you remember that?

11 A Yes.

12 Q And you wanted him to have -- try to get his wife
13 Georgina involved, is that correct?

14 A Yes.

15 Q And in 2009, you sent him a book with respect to a
16 script that was being written, is that right?

17 A Yes.

18 Q And you were looking to maybe be cast in the lead role
19 there, correct?

20 A I was looking to be involved in anything, whether it
21 was the production or something.

22 Q And in 2010, you actually sent Harvey Weinstein a
23 letter of intent regarding that project in Latin America,
24 correct?

25 A I don't remember sending him a letter of intent of any

1 sorts.

2 Q I am just going to show you what I will mark as
3 People's Exhibit 123.

4 Do you recognize that email?

5 A Yes.

6 Q Is that an email from you to Harvey Weinstein?

7 A It appears so.

8 Q Does that refresh your recollection with respect to
9 sending Harvey Weinstein a letter of intent in 2010?

10 A Yes.

11 Q And that was involving that Latin America project you
12 talked about?

13 A I don't remember what it was about.

14 Q But you were seeking a letter of intent with Harvey
15 Weinstein for a project that you were involved in, correct?

16 A Correct.

17 Q By the way, in that -- with respect to the Latin
18 American project, I think you had said that Harvey Weinstein
19 introduced you so to somebody?

20 A Yes.

21 Q Who is that?

22 A An Argentinian business man. His name is Eduardo
23 Costantini.

24 Q Do you consider him a pretty successful business man
25 in Argentina?

1 MR. CHERONIS: Objection. Irrelevant.

2 THE COURT: Overruled.

3 THE WITNESS: I don't know if he is successful or
4 not. He is a good -- he is successful.

5 Q He is a pretty wealthy man, right?

6 A Yes.

7 Q And you are still friends with him, right?

8 A Yes.

9 Q And that was through a connection that Harvey
10 Weinstein gave you, correct?

11 A Yes.

12 Q And in 2011, you reached out to Harvey Weinstein
13 asking for an invite to the Golden Globes, right?

14 A Possibly.

15 Q Did you regularly, in fact, reach out to Harvey
16 Weinstein asking for invites to parties?

17 A I did. I mean, not regularly but, again, two or three
18 times a year.

19 Q So when the Oscars and Golden Globes were happening?

20 A Yes. Look, I get invited to a lot of events. So I
21 want to kind of be kind of covered.

22 Q Are you getting invited to those by other people and
23 are you reaching out to Harvey Weinstein to get invited --

24 A I also get invited by other people.

25 Q Were you reaching out to Harvey Weinstein in 2011 to

1 get invited to the Golden Globes and Oscars?

2 A I don't remember what year and what events.

3 Q Would it be fair to say that on regular years you
4 would reach out to Harvey Weinstein to get invited to the
5 Golden Globes and Oscar parties?

6 A To his events, yes.

7 Q And, in fact, even in February of 2017, you were still
8 reaching out to Harvey Weinstein asking for an invite to his
9 parties, correct?

10 A Possibly.

11 Q I am going to show you what I will mark as People's
12 Exhibit 124 for identification.

13 MR. CHERONIS: Go ahead.

14 Q Do you recognize that email?

15 A I do.

16 Q That's an email from you to Harvey Weinstein?

17 A Yes.

18 Q Does that refresh your recollection about February of
19 2017?

20 A Yes.

21 Q So what were you doing in February of 2017 with
22 respect to Harvey Weinstein?

23 A I reached out -- I don't even think I heard back from
24 him.

25 Q Well, what did you reach out about that?

1 A About getting invited to a party. That's what it says
2 here.

3 Q And on direct examination -- I can take that back. On
4 direct examination you had talked about reaching out to Harvey
5 Weinstein in September of 2017, do you remember that?

6 A Yes.

7 Q Again, just describe why you reached out to him with
8 respect to that?

9 A I was in New York. It was fashion week. I come to
10 New York for fashion week because I am a fashion influencer.
11 And I wanted to see if I can get to the Marchesa fashion show
12 since he was involved.

13 Q And are you still very much involved in fashion now?

14 A Yes.

15 Q And it's important to you to have good relationships
16 with the people in fashion, would that be fair?

17 A Yes.

18 Q And you are still involved in dancing, is that right?

19 A Yes.

20 Q So you are still involved in the entertainment
21 industry?

22 A Yes.

23 Q Is it important for you to maintain good contacts even
24 today in the entertainment industry?

25 A Yes.

1 Q Would you agree that admitting to closing the door on
2 Lauren Young and Harvey Weinstein in the bathroom would not be
3 good for your contacts in the entertainment business today?

4 MR. CHERONIS: Objection.

5 THE COURT: Sustained.

6 Q I want to go back to February of 2013. The meeting
7 that you had with Lauren Young, Harvey Weinstein in -- Harvey
8 Weinstein, okay.

9 Do you recall on a recorded conversation -- withdrawn.

10 I am going to hand you up a portion of a transcript
11 from a conversation you had with LA detectives and the LA DA,
12 okay.

13 MR. CHERONIS: Just for the record, I have never
14 gotten a copy of that transcript.

15 MS. HAST: You have a copy of the audio
16 recording.

17 BY MS. HAST:

18 Q I am just going to hand up a portion of the transcript
19 and draw your attention to the starred portion, ma'am.

20 Do you recall that response in discussing the meeting
21 you had with Lauren Young, Harvey Weinstein in February of
22 2013?

23 MR. CHERONIS: Objection. I don't know what the
24 question is.

25 THE COURT: Sustained.

1 Q Does that, reading that, refresh your recollection
2 with respect to the conversation that you had with detectives
3 and DAs in LA?

4 A I am reading it. Give me a second.

5 Yes, this looks like a conversation I had with the LA
6 people.

7 Q And when you were speaking with the LA people in
8 November of 2019, isn't it true you told them you had no real
9 recollection of that meeting?

10 A I -- it appears that I did, yes.

11 Q And is that true, that's what you were saying in that
12 conversation?

13 A Look, it's been between a lot of data, emails and
14 evidence and things that I don't know at this point sometimes I
15 don't know whether it's something that I remembered from my own
16 memory or is it something that I read.

17 I just remember we met. I don't remember specifics.
18 I remember we met for a drink.

19 Q Do you remember who reached out to Harvey meeting with
20 you and Lauren at the Montage?

21 A Who reached out to who?

22 Q Yes. Do you remember if Harvey Weinstein reached out
23 to you to invite you there?

24 A Most likely, to the best of my recollection, he
25 accommodated a time for me to have drinks with him.

1 Q So he reached out to you?

2 A Well, he was in town. I don't remember if he reached
3 out. I don't remember if he reached to me or I reached out,
4 are you in town?

5 I don't remember that.

6 Q And did -- then how did Lauren end up coming to that
7 meeting?

8 A Again, I don't remember exactly how she ended up at
9 the meeting. I -- I remember the last time I saw Mr. Weinstein
10 was probably the year prior because we didn't see each other
11 that often. When I met Lauren -- when he met Lauren too, I
12 believe, so --

13 Q You exchanged phone numbers with Lauren back then,
14 right?

15 A I -- I guess -- I definitely exchanged emails.

16 Q And you sent her those pictures back in February of
17 2012?

18 A Yes, and I think we became Facebook friends too. We
19 connected on social media of sorts.

20 Q And the pictures that you flagged her in in 2013, a
21 year later, those were the same pictures that you took back in
22 2012 with Lauren, correct?

23 A The pictures that I what?

24 Q The pictures that you took with Lauren in 2012 at Mr.
25 C's, correct?

1 A What about those pictures?

2 Q Those were the pictures you tagged Lauren in a year
3 later?

4 A I don't remember if I tagged her a year later. I
5 don't remember.

6 Q Do you remember seeing the email on direct examination
7 with respect to talking Lauren?

8 A Yes, I don't remember if the date was 2012 or 2013.

9 MR. CHERONIS: Oh, I have them here.

10 THE WITNESS: Do we have a picture of the
11 pictures that were tagged?

12 Q Well, when you were going through your records, do you
13 have any other pictures other than the pictures taken at Mr.
14 C's in February of 2012?

15 A I didn't look extensively. So I don't think so.

16 Q So that was on February 20th of 2013, that you tagged
17 Lauren in Facebook photos?

18 A Yes, I see that. I don't know if they were the same
19 photos because I don't remember.

20 Q And, again, have you looked at your Facebook page?

21 A I haven't. I really don't look on Facebook.

22 Q Would you recall taking any other pictures with
23 Lauren?

24 A No.

25 Q And tagging her, again, the day before on February

1 19th, 2013, correct?

2 A Correct.

3 Q I am going to show you what I have marked as People's
4 Exhibit, 125. Do you recognize the phone number listed for
5 yourself that's on People's Exhibit 125?

6 A This is my number, yes.

7 Q Is that the number you had back in 2013?

8 A Yes.

9 Q Is that your current number?

10 A Yes.

11 MS. HAST: So I will ask that that be admitted in
12 evidence pending some redaction with respect to the phone
13 number.

14 THE COURT: Any objection?

15 MR. CHERONIS: No objection.

16 THE COURT: 125 is received into evidence.

17 MS. HAST: Judge, this may be a good time to
18 break for lunch.

19 THE COURT: All right, Ms. Salanis, if you would
20 be good enough to wait in the witness room for further
21 instructions from Mr. Cheronis and we will see you back
22 here prior to 2:15.

23 THE WITNESS: Thank you, Your Honor.

24 (Witness is excused.)

25 THE COURT: All right, Jurors. We will break for

1 lunch. Have a good lunch.

2 Please remain mindful of all of my prior
3 admonitions and instructions during this or any other
4 recess.

5 (The jury exited the courtroom and the
6 following occurred:)

7 THE COURT: The Jurors have left and the door is
8 closed. See you at 2:15.

9 Don't forget your witness is in the witness room.

10 (A luncheon recess was taken.)

11 (After the luncheon recess, the following
12 occurred:)

13 ***

14 A F T E R N O O N S E S S I O N .

15 (The trial continued.)
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1 THE CLERK: Come to order. Case on trial
2 continues. All parties are present.

3 THE COURT: All right, jury is entering.

4 (The jury entered the courtroom and the
5 following occurred:)

6 THE CLERK: Case on trial continues. All parties
7 are present. Do the parties stipulate that the jury is
8 present and properly seated? The People.

9 MS. ILLUZZI: Yes.

10 THE CLERK: Defense.

11 MR. CHERONIS: Yes.

12 THE COURT: All right. So we will recall the
13 witness in just a moment.

14 COURT OFFICER: Witness entering.

15 (Witness entered the courtroom.)

16 THE COURT: Welcome back, Ms. Salanis?

17 THE WITNESS: Thank you.

18 THE COURT: I remind you you are still under oath
19 and the same rules apply. Just settle in there and once
20 you are all settled in, the DA will resume their
21 cross-examination.

22 CONTINUED CROSS-EXAMINATION

23 BY MS. HAST:

24 Q Ms. Salanis, did you talk to anyone over the lunch
25 break?

1 A Yes, I saw, Arthur Aidala.

2 Q You spoke to Arthur Aidala over the lunch break?

3 A We didn't speak. He just asked me what I wanted for
4 lunch.

5 Q Those emails that you discussed that helped you date
6 the meeting with Harvey Weinstein and Lauren Young at the
7 Montage, do you remember talking about those?

8 A Say that again.

9 Q The emails, your personal emails, that you said helped
10 you date things --

11 A Yes.

12 Q -- did you provide copies of those emails to the
13 defense?

14 A I did not.

15 Q Just before break we were talking about these,
16 People's Exhibit 246 and 247, where you tagged Lauren Young on
17 February 19th and February 20, 2013, do you remember that?

18 A Yes.

19 Q And isn't it true that you tagged her on the day that
20 you met with her and Harvey Weinstein and the day after you met
21 with her and Harvey Weinstein?

22 A I don't remember tagging these photos but it appears
23 that it is that day. I don't know if there were different
24 photos because I checked on my -- I just checked on my social
25 media and the photos aren't there. So I can't tell you.

1 Q Isn't it true that you tagged her because you wanted
2 it to appear that you and Lauren Young were still friends,
3 right?

4 A I didn't tag her from any particular reason. I don't
5 know what photos I tagged.

6 Q So you just happened to take tag her on the day of the
7 meeting?

8 A You know what, maybe we took photos that day and I
9 posted them because I thought we had a nice time.

10 Q And the next day on February 20th, the day -- the
11 second day that you tag her, that day you went to a meeting
12 with Barbara Schneeweiss and Lauren Young?

13 A I don't remember that meeting.

14 Q Do you know Barbara Schneeweiss?

15 A I have met her a few times.

16 Q Who is she?

17 A She used to work for Mr. Weinstein.

18 Q Have you gone to The Weinstein Company to meet with
19 Barbara Schneeweiss?

20 A I don't remember ever going to the LA office.

21 Q So it's your testimony that you have never gone to the
22 LA office?

23 MR. CHERONIS: Objection. Objection. She said
24 she doesn't remember.

25 THE COURT: Sustained.

1 Q Isn't it true that you were staying in touch with
2 Lauren Young to make sure that she stayed quiet?

3 A Absolutely not.

4 Q Now, defense showed you an email 5K.

5 Do you remember this email?

6 I am going to put up the beginning part of this and
7 this is February 22nd.

8 A Yes, I remember seeing that.

9 Q And this is the day before the big Oscar party on
10 February 23rd, correct?

11 A Correct.

12 Q And this is Harvey Weinstein reaching out to you to
13 say that he wants to find time to say hi to you and Lauren on
14 the day of the Oscar party, correct?

15 A Yes.

16 Q He is reaching out to you to set up a meeting with
17 you, him and Lauren, correct?

18 MR. CHERONIS: Objection. Objection; asked and
19 answered.

20 THE COURT: Overruled.

21 THE WITNESS: To find time to meet during the day
22 tomorrow, that's what it says.

23 BY MS. HAST:

24 Q And he tells you he wants you to bring Lauren,
25 correct?

1 A He just says, I would like to find some time to say
2 hello to you and Lauren.

3 Q He reached out to you, right, not Lauren?

4 MR. CHERONIS: Objection, Judge.

5 THE COURT: Overruled.

6 THE WITNESS: He did reach out to me.

7 Q And you respond asking him what time is best, right?

8 A Yes.

9 Q And here he responds confirming that it is clear that
10 you are to bring Lauren, correct?

11 A He was checking in with me. I don't know if he had
12 her information. He had my information.

13 Q Because you set up the meetings between Harvey
14 Weinstein and Lauren Young, correct?

15 A I did not set any meetings at all. I am not a meeting
16 setter.

17 Q Was it clear here that Harvey Weinstein was reaching
18 out to you to set up a meeting between him and Lauren Young?

19 MR. CHERONIS: Objection. Speculation.

20 THE COURT: Overruled.

21 THE WITNESS: It does look like speculation. I
22 don't think this looked like a meeting.

23 In fact, I told him I can't make it. I am going
24 to see if she can meet you alone. Like, I don't know. It
25 seems like I reached out to her and she said she was free

1 after a certain time.

2 I wasn't free. I had an event to go to.

3 Q But Harvey Weinstein reached out to you to get in
4 touch with Lauren for a meeting, correct?

5 MR. CHERONIS: Objection; asked and answered.

6 THE COURT: Sustained.

7 Q Isn't it true, that on February 22, 2013, Lauren Young
8 was no longer talking to you?

9 A I don't remember when we stopped talking and why.
10 It's just that kind of thing that you can connect with some
11 people, you don't connect with other people. Some people you
12 keep in touch, other people you don't keep in touch.

13 Q When is the last time you remember speaking with
14 Lauren Young?

15 A I don't remember.

16 Q Would it be fair to say the last time you remember is
17 the meeting with Lauren Young and Harvey Weinstein at the
18 Montage?

19 MR. CHERONIS: Objection.

20 THE COURT: Overruled.

21 THE WITNESS: I disagree. I thought -- I think
22 in my -- what I remember, we kept in touch. We were
23 friends in social media. We liked each other photos.

24 Just like I have a ton of those types of friends
25 that I don't see them. I don't talk to them. I just keep

1 them there.

2 I don't hang out with every single person I know.

3 Q Did you find any other dates, other than the February
4 19th and 20, 2013, dates where you liked Lauren Young in
5 photos?

6 A I didn't look extensively to find anything.

7 Q Did you find any other pictures of Lauren Young?

8 A I didn't.

9 Q Did you find any other text messages to Lauren Young?

10 A Again, I didn't look.

11 Q Isn't it true you --

12 A I don't save my text messages. I don't keep clutter
13 so I don't have any text messages with anybody.

14 Q Well, you were able to find emails --

15 A Emails I do. Emails stay there. I don't keep my text
16 messages.

17 Q Did you have any other emails with Lauren Young after
18 the time that you liked her --

19 A Yes -- yes, but I don't -- I don't email people
20 regularly.

21 Q Yes but you don't what?

22 A I text with people, with friends. I don't really use
23 email that much.

24 THE COURT: Ms. Hast, be careful not to speak
25 over the witness, please.

1 Q When was the last email you found where you
2 communicated with Lauren Young?

3 A The only email I found that I communicated with Lauren
4 Young were the pictures from 2012.

5 Q And when was the last Facebook or Instagram tag that
6 you saw with Lauren Young?

7 A I didn't look so I don't know.

8 Q So the only one you are aware of sitting here today is
9 the one in February of 2013?

10 A I wasn't even aware of that until you showed me. I
11 don't remember every photo I tag on the internet.

12 Q And on February 23, 2013, when you got invited to the
13 party, do you remember that?

14 A Yes.

15 Q And you reached out saying that your guest was going
16 to be Claudine Oriol, correct?

17 A Correct.

18 Q And The Weinstein Company reached back telling you
19 that you weren't allowed to bring Claudine, correct?

20 A Correct.

21 Q And they told you that your plus one had to be Lauren,
22 correct?

23 A Yes.

24 Q And then you responded saying that Lauren would be
25 attending with you, isn't that correct?

1 A Correct.

2 Q And that wasn't true, was it?

3 A It was true.

4 Q Did Lauren attend that party with you?

5 A I didn't go to that party. I ended up going some
6 where else.

7 Q And did Lauren attend that party with you?

8 A I didn't attend so, therefore, I don't know if she
9 attended on her own. I don't keep track of her schedules.

10 Q Here you were confirming that Lauren Young was your
11 plus one to go to the party, correct?

12 A Well, I am assuming, looking at that email, that I
13 most likely reached out to her and she said, yes, I will come
14 along. I don't have the exact recollection but that's what it
15 looks like on my email, yes.

16 Q I am going to go back to the conversation that you had
17 with Assistant District Attorneys back in July of 2019.

18 Do you remember telling the Assistant District
19 Attorneys that it's very possible that you got called upstairs
20 that night, do you remember that?

21 A I don't remember that.

22 Q Is it possible?

23 MR. CHERONIS: Objection.

24 THE COURT: Overruled.

25 THE WITNESS: What was the question?

1 Q Is it possible?

2 A I don't think so, no.

3 Q Do you recall telling the Assistant District Attorneys
4 that you remember Harvey Weinstein being in a robe a few times
5 over the years but you never saw him in an open robe?

6 A I didn't say that.

7 Q Have you seen Harvey Weinstein in his hotel room in a
8 robe in the past?

9 MR. CHERONIS: Objection?

10 THE WITNESS: I haven't.

11 THE COURT: Overruled.

12 Q So if you said that to the Assistant District Attorney
13 back in July of 2019, in the first conversation, you are saying
14 that would be incorrect?

15 A I think that would be incorrect because I don't ever
16 remember seeing Mr. Weinstein in a robe.

17 Q But it is true when the Assistant District Attorney
18 asked you if you recalled an incident where Harvey Weinstein
19 and Lauren Young in a bathroom that you said, I am not saying
20 it's not true, I don't recall it but it could have happened,
21 isn't that true?

22 A Let's go back to that.

23 I don't remember saying that. If I said that I meant
24 if it happened, I most certainly wasn't there because I never
25 saw that ever happening.

1 So I don't know what happened when I am there because
2 I don't have a double, a clone so I am just saying -- and also,
3 when I first got reached out by the District Attorney's Office,
4 they weren't telling me about any bathroom incidents. They
5 were just saying, what happened this night and then -- so I
6 don't know -- I mean, that's all I have to say.

7 Q We talked to you about Lauren Young, correct?

8 A You asked me if I knew her.

9 Q Isn't it true that started actually crying during that
10 conversation?

11 A No, I did not cry.

12 MS. HAST: No further questions.

13 THE COURT: Any redirect?

14 MR. CHERONIS: Yes.

15 REDIRECT EXAMINATION.

16 BY MR. CHERONIS:

17 Q Ms. Salanis, let's pick up on that July 2019,
18 conversation that Ms. Hast has asked you numerous questions
19 about, okay?

20 A Yes.

21 Q Do you remember Ms. Hast and Ms. Illuzzi calling you
22 up to talk to you on that date?

23 A Yes.

24 Q Did they yell at you at that time?

25 A I wouldn't say they yelled. I would say they were

1 very strong.

2 Q You just told the Members of the Jury that during that
3 conversation, they never told you that Lauren Young had accused
4 you of doing anything, right?

5 A Correct.

6 Q So when they called you in July of 2019, they didn't
7 say, hey, Claudia, Lauren Young claims you looked her in a
8 bathroom?

9 A Yeah, they didn't say that.

10 Q They didn't tell you that Lauren Young had accused you
11 of anything?

12 A They didn't mention anything.

13 Q They just asked you about a night in February of 2013,
14 with Lauren Young?

15 A Yes.

16 Q So you had no idea at that time that Lauren Young had
17 made an accusation against you?

18 A No idea.

19 MS. HAST: Objection.

20 THE COURT: Overruled.

21 THE WITNESS: No, I was very confused.

22 BY MR. CHERONIS:

23 Q If they would have told you in July of 2019, that
24 Lauren Young had accused you of luring her into a bathroom,
25 would you have denied it?

1 MS. HAST: Objection.

2 THE WITNESS: Absolutely.

3 THE COURT: Overruled.

4 Q Right?

5 A Absolutely.

6 Q As a matter of fact, in August of 2019, a defense
7 investigator came to talk to you, correct?

8 A Yes.

9 Q And that defense investigator actually told you what
10 Lauren Young was saying about you, didn't she?

11 A Yes.

12 Q That was the first time that you knew about these
13 allegations, correct?

14 A Yes.

15 Q And at that time when you knew what was going on,
16 isn't it true that you told the defense investigator, I would
17 definitely remember if Lauren Young --

18 MS. HAST: Objection.

19 THE COURT: Sustained.

20 MR. CHERONIS: How?

21 Can I approach, please?

22 THE COURT: No. Next question.

23 BY MR. CHERONIS:

24 Q Isn't it true that the defense investigator actually
25 told you what was going on and you denied it?

1 MS. HAST: Objection.

2 THE COURT: Overruled.

3 THE WITNESS: I denied it.

4 BY MR. CHERONIS:

5 Q That was the first time that you knew what Lauren
6 Young was saying about you?

7 MS. HAST: Objection.

8 THE COURT: Overruled.

9 THE WITNESS: Yeah, that was the first time I
10 ever heard.

11 Q Because they didn't tell you when they called you?

12 A They didn't tell me.

13 MS. HAST: Objection.

14 THE COURT: Overruled.

15 Q Ms. Hast just asked you some questions about whether
16 or not you have ever seen Harvey Weinstein in a bathrobe.

17 Do you remember those questions?

18 A Yes.

19 Q Do you remember talking to the Los Angeles DA in
20 November of 2019?

21 A Yes.

22 Q Do you remember them asking you, okay, when you would
23 hang out with them in a hotel suite was he always clothed in
24 street clothes?

25 MS. HAST: Objection.

1 THE COURT: Sustained as to redirect.

2 Q Isn't it true that you told them you never saw Mr.
3 Weinstein in a bathrobe?

4 MS. HAST: Objection.

5 THE WITNESS: True.

6 THE COURT: I am going to allow it.

7 Q Right?

8 A Yes.

9 MS. HAST: Objection.

10 Q The state asked you questions about whether or not you
11 would call Mr. Weinstein up about parties and things like that,
12 right?

13 A Yes.

14 Q Did Harvey Weinstein ever do anything for you other
15 than give you a chance to be in Havana Nights?

16 A No, nothing else.

17 Q And let's talk about this. Were you an active model?

18 A Yes.

19 Q Name some of the places you worked for as a model?

20 A I have done a lot of national television commercials
21 for brands like Old Navy, Budweiser, Bud Light, Carl's Junior,
22 Lexus, Lincoln, Toyota.

23 Like, basically, every single brand that you have seen
24 a commercial. I have been in the Spanish and English market.

25 Q Since you have been 20 years old, have you supported

1 yourself?

2 A Yes.

3 Q Ms. Hast asked you on cross-examination if Mr.
4 Weinstein was a bully, right?

5 A Yes.

6 Q Had you ever seen Mr. Weinstein be aggressive with
7 anyone?

8 A No.

9 Q And you told that to the State in July of 2019?

10 A I did.

11 Q They asked you if Mr. Weinstein hit on you at some
12 point, do you remember that?

13 A Yes.

14 Q And when they asked you that you said, essentially,
15 you set him straight?

16 MS. HAST: Objection.

17 THE WITNESS: Yes.

18 THE COURT: Overruled.

19 Q And after you set Mr. Weinstein straight, did he
20 continue to hit on you?

21 A No, he didn't. He was just flirtatious but the normal
22 kind of -- flirtatious.

23 Q Was he inappropriate with you?

24 A Never.

25 Q The state asked you questions about whether you wanted

1 to talk to them a second time, do you remember that?

2 A Who?

3 Q Ms. Hast asked you questions about talking a second
4 time?

5 A Yes.

6 Q At that time had you already talked to them once?

7 A Yes, I talked to them about four times total.

8 Q And the LA DA, right?

9 A Yes.

10 Q When you were talking to the LA DA, you didn't ask for
11 a lawyer, did you?

12 A I did not.

13 Q When you spoke to the New York DA the first time, you
14 didn't ask for a lawyer, did you?

15 A No.

16 Q You didn't ask for a lawyer today before you came in
17 to testify, did you?

18 A I did not.

19 Q Are you here to help Harvey Weinstein or are you here
20 to tell the truth?

21 A I am here to tell the truth.

22 Q The state asked you questions about what you remember
23 from that night of February of 2013, right?

24 A Yes.

25 Q And you said you didn't have a recollection of

1 everything that occurred at the meeting with Lauren and Harvey?

2 MS. HAST: Objection.

3 THE COURT: Overruled.

4 THE WITNESS: Yes, I don't remember everything.

5 I don't have the exact recollection.

6 Q Do you remember not being in a bathroom by Lauren
7 Young?

8 MS. HAST: Objection.

9 THE WITNESS: I remember never being in a
10 bathroom alone with Lauren Young at least once.

11 Q Do you ever remember Mr. Weinstein running out of a
12 bathroom naked?

13 MS. HAST: Objection.

14 THE WITNESS: No.

15 Q Would you have remember that?

16 A Of course I would remember that, yes.

17 THE COURT: Overruled.

18 Q Did that ever happen?

19 A That never happened.

20 Q The state asked you some questions about reaching out
21 to Mr. Weinstein about a St. Jude's fund raiser, do you
22 remember that?

23 A Yes.

24 Q Did you reach out to him for that?

25 A I emailed him about that.

1 Q You asked -- the state asked you questions on
2 cross-examination about being invited to parties by Mr.
3 Weinstein?

4 A Yes.

5 Q And you actually seeking out some of those parties,
6 right?

7 A Yes.

8 Q Anything wrong with asking Mr. Weinstein to go to a
9 party.

10 MS. HAST: Objection.

11 THE COURT: Sustained. Don't answer.

12 MR. CHERONIS: They got in to this on
13 cross-examination.

14 THE COURT: You just asked the witness if there
15 is anything wrong.

16 BY MR. CHERONIS:

17 Q Let me ask you this, when you asked Mr. Weinstein if
18 you could go to the party, what was the reason you did that?

19 A Because I wanted to go to the party. I wanted to go
20 to a party to network.

21 Q And were you also an aspiring actress at the time?

22 A At the time I was.

23 Q And actually doing acting work?

24 A Yes.

25 Q Ms. Hast asked you a question about whether or not you

1 tagged Lauren Young to make it appear as if you were friends.

2 Do you remember that question?

3 A I do.

4 Q Is that the reason you tagged her?

5 A Of course not. If I even tagged her, which it appears
6 it did, I didn't tag it to appear we were friends. I tagged
7 her because we had some cute photos and I wanted to show them
8 on my Facebook, whatever it was.

9 Q It wasn't part of some broad conspiracy?

10 A Absolutely not.

11 MR. CHERONIS: If I may have a moment.

12 No further questions.

13 THE COURT: Any recross?

14 MS. HAST: Sure.

15 RE-CROSS-EXAMINATION

16 BY MS. HAST:

17 Q The District Attorneys, when you spoke to them in
18 July, we never accused you of anything, correct?

19 A Correct.

20 Q But we did ask you whether or not there was an
21 incident that you remembered of Harvey Weinstein and Lauren
22 Young in a bathroom, correct?

23 A Can you repeat the question?

24 Q We did ask you if you remembered an incident in a
25 bathroom with Harvey Weinstein?

1 A You did not mention an incident in a bathroom. You
2 mentioned an incident. You did not mention a bathroom as far
3 as I remember.

4 Q So it's your testimony that we never bought up a
5 bathroom?

6 A Not on the first time we talked.

7 THE COURT: Okay. Thank you for your testimony.

8 You may step down. You are excused.

9 THE WITNESS: Thank you, Your Honor.

10 (Witness is excused.)

11 THE COURT: Defense any more witnesses for today?

12 MR. CHERONIS: No, Your Honor.

13 THE COURT: Okay. All right, Jurors. I believe
14 there are quite a few witnesses for tomorrow.

15 Just so you know, I will tell you what I perceive
16 the schedule to be, it may change. I have no idea what the
17 attorneys are planning in terms of like their wrap up
18 witnesses.

19 But if things go as I believe they are going to
20 go, we might well finish all witnesses tomorrow. I suppose
21 it's possible, you know, Wednesday we are off. I suppose
22 it's possible that we might hear from one last witness or
23 something like that Thursday morning. But in all
24 likelihood, you will be hearing the closing arguments from
25 Ms. Rotunno on Thursday and whenever she finishes we will

1 break for the day, whether it's early or late.

2 And then Friday, unless she is still going, then
3 we will hear from Ms. Illuzzi and whenever she finishes, we
4 will break for the day.

5 And then we will have the long weekend and on
6 Tuesday I will give you the final instructions on the law
7 that pertain to this particular case and I will ask you to
8 deliberate on each count until you reach a unanimous
9 verdict. And you can take whatever period of time long or
10 short for that. You have at least until March 6th to
11 complete that but that entirely is up to you.

12 See you tomorrow. Please remain mindful of all
13 of my prior admonitions and instructions during this or any
14 another recess.

15 Keep an open mind. Do not form an opinion as to
16 the guilt or innocence of the defendant.

17 See you tomorrow. Thank you.

18 (The jury exited the courtroom and the
19 following occurred:)

20 THE COURT: All right. So who do you have for
21 tomorrow?

22 MR. CHERONIS: Tommy Richards, Stephanie Andro,
23 possibly Kevin Wilson. I am trying to work out some
24 stipulations with the state. Potentially Denise Doyle and
25 depending on your ruling, Nicholas DiGaudio.

1 THE COURT: Okay.

2 I have ruled on that.

3 MR. CHERONIS: You what?

4 THE COURT: I have previously ruled on that.

5 MR. CHERONIS: Sure. So it's our position,
6 Judge, based on our written application, based on the
7 testimony of Jessica Mann, where it certainly seems to be
8 in play that a New York police detective was improperly
9 attempting to ask Ms. Mann to either hide evidence or do
10 something inappropriate, we believe that Mr. Weinstein has
11 a Constitutional Right to call Detective DiGaudio and to
12 cross-examine him about what the true scope of what he told
13 Ms. Mann was.

14 It is our position that this is evidence tending
15 to show that Nicholas DiGaudio during the course of his
16 investigation undertook an effort to, essentially, cover
17 evidence, hide evidence and it calls the integrity of the
18 investigation in to question. And we believe that Mr.
19 Weinstein has a Constitutional Right under the Sixth
20 Amendment to effectively cross-examine witnesses and so
21 that the jury can hear the entire story of this case.

22 Their lead investigator, who is not testifying,
23 there hasn't been one police officer in this case to
24 testify and the reason that that is being done is to hide
25 from the jury to some extent the true scope of this

1 investigation and what actually occurred.

2 When you have a police officer who is telling the
3 key witness in this case, it is okay to not turn over
4 evidence to the DA, we think that's something that goes to
5 the credibility, not only of the state's case in its
6 entirety but we want to find out if Jessica Mann was being
7 honest about things.

8 Maybe Detective DiGaudio is someone that could be
9 called prove up impeachment. Maybe he will deny that.
10 Maybe he will say that that never happened. Maybe he will
11 say it did happen. Maybe he will say that he told her to
12 do more.

13 Either way, under any circumstance, there is no
14 reason why this Court should not allow us to call Detective
15 DiGaudio, present him before this jury, subject him to
16 direct and cross-examination regarding the nature of his
17 dealings with Jessica Mann, telling her to hide evidence.

18 And if he denies that, then we are impeaching
19 Jessica Mann because then that never occurred, that further
20 calls her testimony in to credit and question.

21 So we think that there is no basis to deny us to
22 call Detective DiGaudio in order to fully probe what his
23 role was in telling one of the key witnesses in this case
24 to either destroy or hide evidence.

25 THE COURT: All right. You are repeating

1 yourself.

2 So Tommy Richards is a definite?

3 MR. CHERONIS: Judge, nothing -- I think Mr.
4 Richards is probably likely.

5 THE COURT: And Stephanie Andro is?

6 MR. CHERONIS: On the fence.

7 THE COURT: So like 50 percent on the fence or 60
8 percent?

9 MR. CHERONIS: That I won't even give out. I
10 will let the state know by the end of tonight.

11 THE COURT: Okay. Denise Doyle is less than on
12 the fence.

13 MR. CHERONIS: She is climbing the fence.

14 THE COURT: And Kevin Wilson, you already
15 explained that well enough and then there are others.

16 And People, my previous ruling I stand by in
17 terms of if you think you have a rebuttal case, have that
18 rebuttal case in the witness room at 9:30, otherwise,
19 forget it.

20 MS. ILLUZZI: Okay, Judge. Thank you.

21 MR. CHERONIS: I would also like to just add
22 based on the cross-examination of Ms. Salanis, which has
23 been a constant sort of a way for the state to attempt to
24 get character evidence in through a witness
25 inappropriately, there is no reason Ms. Hast should have

1 gotten into whether or not Mr. Weinstein was ethical or a
2 bully. That had nothing to do with her direct examination.

3 Of course they took the ball and they ran with
4 it. They did it in an improper way. We objected to that.
5 I think that, again, is a basis for a mistrial. So I am
6 requesting that.

7 We have one other issue, Your Honor, regarding --
8 I will talk to Ms. Illuzzi about this, there seems to have
9 been -- and I talked -- I am not going to misstate what she
10 said, but during jury selection there were some questions
11 about Mr. Weinstein's physical well-being.

12 It has been reported on incessantly about his
13 walker, about his ability to stand and walk for extensive
14 periods of time.

15 We may be seeking to call his surgeon who
16 testified that he did, in fact, have a laminectomy. That
17 he is, in fact, injured.

18 We are making no argument, nor will we, that in
19 2013 or 2016 or any of the relevant periods of time
20 throughout the course of this case that his back or his
21 condition made it impossible for him to commit the crimes
22 alleged.

23 THE COURT: Well, that's denied. That has
24 nothing to do with the case at hand.

25 MR. CHERONIS: We disagree.

1 THE COURT: Stop reading the newspapers.

2 MR. CHERONIS: It's got nothing to do with me
3 reading the newspapers. I also asked that you, during jury
4 selection when they pointed at Mr. Weinstein and said, do
5 you think a man like this could commit a crime, and they
6 are talking about his physical nature, they are talking
7 about the fact that he looks in-feeble right now.

8 At the end of the day he is hurt and in-feeble.
9 If the jury thinks he is faking it, it could be a problem.

10 That's why we think it is irrelevant.

11 THE COURT: People, do you want to be heard on
12 the DiGaudio matter?

13 (Continued on the following page.)

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1 MS. ILLUZZI: Yes, your Honor.

2 Ms. Mann indicated she was reluctant to give her
3 phones because she had nude photos on the phone completely
4 personal to her, and the detective did say okay, delete
5 those and we won't tell Joan, I guess referring to me, and
6 she did not delete them.

7 She handed them over to her lawyer who gave them
8 to us.

9 Now Judge, if you recall, we went further and
10 called our computer tech person, David Chan, who indicated
11 that he's able to determine the last time any of those
12 phones were accessed, and every one of those phones were
13 accessed the last time far in advance, far in advance of
14 that conversation with Nick DiGaudio.

15 Further, the only phone accessed after that was
16 one to save a voicemail. The defense didn't have a
17 question for him, not a single question.

18 He was the only witness here that they did not
19 stand up and ask a single cross examination question to.

20 And so Judge, the evidence is very clear that they
21 were not accessed -- those phones were not accessed.

22 To call Nick DiGaudio just to inflame this jury on
23 an irrelevant matter is inappropriate.

24 THE COURT: I maintain my prior ruling for
25 Detective DiGaudio. The application to call him is

1 denied. The application for the mistrial is denied. See
2 everybody 9:30.

3 MS. ROTUNNO: Briefly. We have an objection. My
4 conversation I thought we discussed earlier was if I was
5 done by lunchtime, Ms. Illuzzi will have to start hers.

6 THE COURT: No. Then after that I reconsidered
7 because I did not want to charge the jury until after the
8 President's Day weekend.

9 MS. ROTUNNO: I thought you said she was going to
10 go, because based on your representation, Mr. Cheronis and
11 I booked plane tickets to go home.

12 Night one of us has been home in six weeks. We
13 were trying to leave Friday after we were done here.

14 THE COURT: Sorry.

15 MR. CHERONIS: We love New York, we can stay
16 another weekend.

17 THE COURT: That is what I like to hear. See you
18 tomorrow.

19 (Trial adjourned to February 11, 2020)

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