

Ghislaine Maxwell Trial: Opening Statements

Maxwell's trial begins as socialite faces 40-year sentence The jury has been picked Opening statements will follow jury selection

11:09

43m ago

Nathan is discussing what to do if they have to **replace** either of the two jurors.

She's **left the bench** to await more information from the problematic jurors.

[Patricia Hurtado](#)Legal Reporter

46m ago11:06

Nathan is back. The judge says she's still **gathering employer information** so she can call them.

The juror with the **surprise trip** from Dec. 24 to Dec. 28 tried to call their spouse to find out if the plans can be changed.

"I'm inclined to sit that week," the judge says. "I'm going let that juror know to **keep pressing** to see what options are moving."

Defense lawyers and prosecutors say they agree with Nathan on keeping the juror with surprise trip on the panel.

[Patricia Hurtado](#)Legal Reporter

52m ago11:00

We're **still waiting** for the judge to return to the bench while she sorts out issues with two jurors -- one who expressed concern about time off from work, and one who said their spouse has planned a vacation in late December.

[Chris DolmetschLegal Reporter](#)

1h 4m ago10:49

Other judges in the federal courthouse have been all too happy to **call up employers** of jurors. Judge Jed Rakoff has done this.

[Patricia HurtadoLegal Reporter](#)

1h 9m ago10:44

Nathan says the juror whose spouse surprised them with an **unplanned vacation** will be off Dec. 24 through Dec. 28.

[Patricia HurtadoLegal Reporter](#)

1h 9m ago10:43

Sternheim suggests that Nathan **call up the juror's employer** to put some pressure on them to compensate a seated juror.

[Patricia HurtadoLegal Reporter](#)

1h 10m ago10:42

This is **pretty typical** in jury selection -- people getting cold feet about six weeks of jury duty during the holidays.

[Patricia HurtadoLegal Reporter](#)

1h 11m ago10:42

Another juror just indicated that a spouse has **surprised them with a trip**.

Comey, one of the prosecutors, says she believes the juror with the **financial hardship** should be excused.

Nathan is discussing what to do next with prosecutors and defense attorneys.

[Mary Biekert](#)Legal Reporter

1h 12m ago10:40

The judge is back.

"We have a juror indicating **financial hardship**," she says. "The juror says they get two weeks of paid service" -- with five days remaining.

"The juror indicated that's a substantial financial hardship," Nathan says.

[Andrew Dunn](#)TOPLive Editor

1h 12m ago10:40

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[Andrew Dunn](#)TOPLive Editor

1h 14m ago10:39

Several potential jurors told Nathan during the selection process that they weren't sure their **employers** would pay them.

[Patricia Hurtado](#)Legal Reporter

1h 15m ago10:38

One juror has asked to speak to Nathan about their employer. The judge and court reporter are now going into the **robing room** to speak to that juror.

[Chris Dolmetsch](#)Legal Reporter

1h 22m ago10:31

Why the **lull**?

The jurors were all in different places in the courthouse, so while this seems like an interminable delay to spectators, it's pretty typical in an **old courthouse with slow elevators**.

[Patricia Hurtado](#)[Legal Reporter](#)

1h 22m ago10:30

[Sternheim](#) is a seasoned defense attorney, and works for Fasulo, Braverman & Di Maggio LLP.

[Tina Davis](#)[Executive Editor Legal](#)

1h 24m ago10:28

Delivering opening statements for the prosecution will be **Lara Pomerantz**, according to a spokesman for U.S. Attorney's Office.

Bobbi Sternheim will give the opening statements for Maxwell.

[Patricia Hurtado](#)[Legal Reporter](#)

1h 33m ago10:20

Preliminary **instructions** will come before opening arguments.

[Chris Dolmetsch](#)[Legal Reporter](#)

1h 38m ago10:15

After **weeks of winnowing** down the potential jury pool to 58 people (from hundreds who filled out an initial questionnaire), the selection of the final 12 was rather quick.

[Tina Davis](#)[Executive Editor Legal](#)

1h 44m ago10:08

Nathan is having the selected jurors and alternates come to the third-floor courtroom so **opening statements** can begin.

[Patricia HurtadoLegal Reporter](#)

1h 47m ago10:05

Nathan just **listed off** the numbers of the 12 selected jurors and six alternates.

[Mary BiekertLegal Reporter](#)

1h 50m ago10:03

Nathan is now going to read the **numbers** of the jurors who have been selected. The judge has ruled that they'll only be known publicly by these assigned numbers; **we don't have names**.

[Patricia HurtadoLegal Reporter](#)

1h 53m ago09:59

Prosecutors are exercising their peremptory **challenges** with Judge Nathan at the moment.

[Mary BiekertLegal Reporter](#)

1h 55m ago09:57

Maxwell is sitting with her right hand up to her face, shielding her view of the rest of the courtroom, from what I can see on the **streaming feed**.

[Mary BiekertLegal Reporter](#)

2h 2m ago09:50

No. 87 said he had **conversations** with people he works with who expressed strong opinions about Epstein case.

"I tried to cut them off, but some of the people who were speaking to me I wasn't comfortable with."

[Patricia HurtadoLegal Reporter](#)

2h 6m ago09:47

Juror 87 has entered the courtroom.

[Mary BiekertLegal Reporter](#)

2h 7m ago09:46

A few **other jurors** in the other courtroom also raised their hands, but it's unclear how many.

[Patricia HurtadoLegal Reporter](#)

2h 7m ago09:45

This juror has **expressed doubts** about being able to remain fair and impartial in his previous questioning from Judge Nathan.

[Mary BiekertLegal Reporter](#)

2h 8m ago09:45

Juror 87, who previously told the court he works for a private equity firm, is being brought into the courtroom for questioning.

[Mary BiekertLegal Reporter](#)

2h 8m ago09:44

The juror who raised his hand -- No. 87 -- is apparently the same one who said he feared he couldn't be impartial because of his job with a private equity firm.

More here:

[Private Equity Worker Fears He Can't Be Impartial Maxwell Juror](#)

[Tina DavisExecutive Editor Legal](#)

Updated 1h 18m ago

2h 8m ago09:44

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equity firm.

More here:

[Private Equity Worker Fears He Can't Be Impartial Maxwell Juror](#)
[Tina Davis](#)Executive Editor Legal

Updated 1h 14m ago

2h 10m ago09:42

Nathan says **one potential juror** has raised their hand. She's turning off the live feed to the courtrooms where prospective jurors are seated and waiting.

[Patricia Hurtado](#)Legal Reporter

2h 11m ago09:41

The judge is now asking the two questions and telling any potential jurors who have an issue to **raise their hand**.

Lawyers for both sides are in the overflow rooms to assess whether anyone raises a hand. Those who do will be **interviewed individually** by the court.

[Andrew Dunn](#)TOPLive Editor

2h 11m ago09:41

The question of whether the potential jurors have read anything new about the case and if there's a reason they can't be fair and impartial is the **third and final step** of jury selection.

[Chris Dolmetsch](#)Legal Reporter

2h 12m ago09:40

Nathan is now addressing the **two courtrooms** where potential jurors are gathered.

[Patricia HurtadoLegal Reporter](#)

2h 14m ago09:39

Maurene Comey, the daughter of former FBI Chief James Comey and one of the prosecutors on the case, is in the courtroom.

[Tina DavisExecutive Editor Legal](#)

2h 15m ago09:38

I got in line at the courthouse at **6 a.m.**

The press had already formed a small queue of about 20 people before the sun even started coming up. A security guard later told me the earliest person was here at **2 a.m.!**

We all waited to get in for about two hours, with the line ever-growing with press and press people chattering about whether Maxwell would testify or not.

I couldn't see any of the alleged victims (or general public for that matter) waiting in the line but I can't say for sure because the **line kept growing** and I was trying to get inside as fast as possible to snag a seat in the actual courtroom.

The **overflow rooms** are filled with press and illustrators.

[Mary BiekertLegal Reporter](#)

2h 18m ago09:35

Nathan is using a videotaped statement because she wants to **minimize her exposure** to the pool of prospective jurors who are seated in two large courtrooms in the courthouse.

[Patricia HurtadoLegal Reporter](#)

2h 20m ago09:33

Nathan is now **selecting a potential juror** from the second pool to replace one of the missing prospective jurors.

Then they're going to play a **videotaped introduction** to the group asking the two questions I mentioned earlier -- whether they have read or heard anything about the case since she last spoke to them, and whether they still think they can be fair and impartial.

[Patricia Hurtado](#)[Legal Reporter](#)

2h 21m ago09:32

The judge says two jurors are no-shows and can't be reached. Another juror "**forgot**" -- and Nathan says they're on the way to the courthouse.

[Patricia Hurtado](#)[Legal Reporter](#)

2h 21m ago09:31

Court action is being **delayed** by the wait for the missing potential jurors.

[Tina Davis](#)[Executive Editor Legal](#)

2h 22m ago09:31

There are about **50 people** on a security line outside the courthouse, many of whom are members of the media.

[Chris Dolmetsch](#)[Legal Reporter](#)

2h 23m ago09:30

The judge says there are three potential jurors who **haven't arrived** and are not yet accounted for on the security line.

[Bob Van Voris](#)[Legal Reporter](#)

2h 24m ago09:29

Judge Nathan says they're **still waiting** for some of the potential jurors to get to court.

[Patricia HurtadoLegal Reporter](#)

2h 25m ago09:27

The jurors will be selected from a group of the first 40 interviewed. The **total pool** of prospective jurors is 58. Lawyers for both sides get to exercise challenges to certain jurors as they select a panel.

[Patricia HurtadoLegal Reporter](#)

2h 27m ago09:26

Judge Nathan has told the lawyers she's going to ask potential jurors **two questions**: First, whether they've read or heard anything since she last spoke to them and, second, whether they still think they can be fair and impartial.

Depending on those who have an issue, she will interview them. They're going to select the 18.

[Patricia HurtadoLegal Reporter](#)

2h 28m ago09:24

The judge has drastically **limited seating** in the courtroom because of social-distancing measures in place due to of the Covid-19 pandemic.

Nathan also said she would ask potential jurors if they've been **vaccinated** and she will determine whether those who haven't been must socially distance from those who have.

[Patricia HurtadoLegal Reporter](#)

2h 30m ago09:23

Before opening statements begin, the judge will oversee final selection of the 12 jurors and six alternates who will decide Ghislaine Maxwell's fate.

More here:

Maxwell Jury Confronts Rare Case Alleging Female Sexual Predator

[Tina Davis](#)Executive Editor Legal

2h 30m ago09:23

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More here:

[Maxwell Jury Confronts Rare Case Alleging Female Sexual Predator](#)

[Tina Davis](#)Executive Editor Legal

Updated 1h 15m ago

2h 32m ago09:21

As the judge will instruct the jury, nothing that the prosecution or the defense says during their opening statements is **evidence**.

But the **openings are nonetheless crucial** for framing the stakes of the case as each side sees it, setting the tone for the trial and planting seeds that the lawyers will come back to during their closing arguments at the end of the trial.

[Jordan Rubin](#)Legal Reporter

2h 33m ago09:20

Maxwell, wearing a white turtleneck and dark slacks, is **in the courtroom** next to her lawyers. Her sister, Isabel Maxwell, is seated in the spectator section directly behind the defense table.

[Tina Davis](#)Executive Editor Legal

2h 34m ago09:19

As Maxwell first entered the courtroom today, she **embraced** each of her defense lawyers, as is her practice.

[Patricia Hurtado](#)Legal Reporter

2h 35m ago09:18

Epstein's arrest and suicide sent shock waves across the **business community**.

Ultimately, the case ensnared, to one degree or another, a cadre of **famous men** once part of Epstein's circle like Leon Black, the co-founder of Apollo Global Management; hedge fund manager Glenn Dubin; and Harvard Law School professor Alan Dershowitz.

Earlier this month, Barclays Plc Chief Executive Officer Jes Staley stepped down amid a U.K. regulatory probe into how he characterized his ties to Epstein.

The fallout from each of their associations has varied, but the common reaction is that **none claims to have had knowledge of Epstein's behavior**.

[Katia Porzecanski](#)Team Leader - Legal

2h 36m ago09:17

On Aug. 10, 2019, Epstein was **found dead** in his Manhattan jail cell in what authorities say was a suicide.

Two weeks later, 16 women appeared in court to describe the sexual abuse they say they experienced. Several of them named Maxwell as having **played a key role** in the alleged predation.

There, Sarah Ransome, an Epstein accuser, urged prosecutors:

"Please, please finish what you have started. For a very long time, Jeffrey Epstein gamed the system at every level. When he realized he couldn't do that any longer, he showed the world what a depraved individual he is by taking his own life."

[Katia Porzecanski Team Leader - Legal](#)

2h 37m ago 09:16

Twelve jurors and six alternates will be picked this morning before opening arguments begin.

The decision they have to wrestle with: Is Maxwell a predator or is she being used as a scapegoat for Epstein's crimes?

[Tina Davis Executive Editor Legal](#)

2h 38m ago 09:14

Maxwell's arrest came about a year after the arrest of Jeffrey Epstein, who faced up to 45 years in prison after being charged with abusing dozens of girls. A 2018 Miami Herald report detailing the breadth of his alleged abuse counted as many as 60 victims.



Then-U.S. Attorney Geoffrey Berman next to a poster displaying the image of Epstein during a news conference in New York in July 2019. Photographer: Louis Lanzano/Bloomberg

A decade earlier, Epstein had struck a **much-criticized deal** with Florida prosecutors and pleaded guilty to soliciting a minor for prostitution. Epstein served a 13-month sentence, during which he was allowed out for 12 hours a day to spend at his lawyer's office.

[Katia Porzecanski](#) Team Leader - Legal

2h 41m ago 09:12

Maxwell has been accused by four women of committing **crimes between 1994 and 2004**. None of the four women has been identified in public court records, although one of them -- Annie Farmer -- has identified herself as Minor Victim-2.

Under the rules of the court, some of the government's witnesses are being allowed to testify under **pseudonyms** because their identities could be used to identify the alleged victims.

[Tina Davis](#) Executive Editor Legal

2h 42m ago 09:11

Defense lawyers have also filed dozens of complaints about the conditions their client is being held under, including everything from requesting an eye mask to "sexually inappropriate" patdowns by her guards.

More:

'You Are Not Special': Ghislaine Maxwell's Complaints From Jail

[Tina Davis](#) Executive Editor Legal

2h 44m ago 09:09

Maxwell's lawyers have been rebuffed multiple times in their attempts to get her out of **jail** while she was awaiting trial.

She had offered as much as \$28.5 million in bond and the surrender of her **British and French passports** to allay government concerns that she would leave the U.S. Her lawyers said she had little reason to flee, citing a husband who lives in the U.S. but hasn't been identified.

The judge was not persuaded. Nathan said in March:

"There are no combination of conditions that can reasonably assure her appearance."

[Tina Davis](#)Executive Editor Legal

2h 45m ago09:08

U.S. District Judge Alison Nathan, who is presiding over the case, has been nominated to serve on a higher court by President Joe Biden.

She told the parties earlier this month that she intended to stay for the duration of what's expected to be a **six-week trial**.

[Tina Davis](#)Executive Editor Legal

2h 46m ago09:07

In a flurry of **pre-trial motions**, Maxwell's lawyers have given some hints about what their defense may be. They have asked to bring to the stand experts on **false memories** and on prosecutorial misconduct.

[Tina Davis](#)Executive Editor Legal

2h 47m ago09:05

Here are the specific **counts**:

1. Conspiracy to entice a minor to travel to engage in illegal sex acts
2. Enticing a minor to travel to engage in illegal sex acts
3. Conspiracy to transport a minor with the intent to engage in criminal sexual activity

4. Transporting a minor with the intent to engage in criminal sexual activity
5. Conspiracy to commit sex trafficking of minors
6. Sex trafficking of minors

Counts one, two, three and six carry a maximum sentence of **five years** in prison. Counts four and five carry higher potential sentences of **10 and 40 years**, respectively.

[Katia Porzecanski](#) Team Leader - Legal

2h 49m ago 09:04

[Maxwell](#), the former girlfriend of Jeffrey Epstein, faces charges including sex trafficking, conspiracy and enticing minors.

The defendant, 59, has been in jail since July 2, 2020, when she was arrested at her 156-acre estate in New Hampshire. If convicted of the most serious charges, she could be sentenced to 40 years in prison.

[Tina Davis](#) Executive Editor Legal

2h 50m ago 09:02

Reporters Patty Hurtado, Mary Biekert and Chris Dolmetsch will guide us through the final steps of **jury selection** and the trial's **opening statements** today in Courtroom 318 of the Thurgood Marshall U.S. Courthouse in lower Manhattan.

[Katia Porzecanski](#) Team Leader - Legal

2h 52m ago 09:00

Welcome to TOPLive. Opening statements in the trial of Ghislaine Maxwell are set to begin in a Manhattan federal court. Maxwell is charged with trafficking girls for abuse by Jeffrey Epstein, her ex-boyfriend, and participating in some of the abuse herself. She faces as long as 40 years in prison if convicted on the most serious charge.

Join us on Monday at 9 a.m. New York time to follow the proceedings.

[Andrew Dunn](#) **TOPLive Editor**