

From: "Kuyrkendall, E N. (MM) (FBI)" [REDACTED]

To: "Richards, Jason R. (MM) (FBI)" [REDACTED]

Subject: FW: Language for proposed settlement agreement

Date: Fri, 13 May 2016 19:21:01 +0000

Importance: Normal

Hey calling Julio now, please text me your thoughts! Happy weekend. ☺

Nesbitt Kuyrkendall

[REDACTED]

From: Thomas, Ellen S. (MM) (FBI)

Sent: Friday, May 13, 2016 2:48 PM

To: Ball, Julio (MM) (FBI); Bardfeld, Wende E. (MM) (FBI); Kuyrkendall, E N. (MM) (FBI)

Cc: Barber, Margo (MM) (FBI)

Subject: RE: Language for proposed settlement agreement

Wende, Nesbitt, can you look this over and call Julio? I have no knowledge of this case so I wouldn't feel comfortable saying yay or nay.

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----- Original message -----

From: "Ball, Julio (MM) (FBI)" [REDACTED]

Date: 05/13/2016 2:33 PM (GMT-05:00)

To: "Thomas, Ellen S. (MM) (FBI)" [REDACTED]

Cc: "Barber, Margo (MM) (FBI)" <[REDACTED]>

Subject: FW: Language for proposed settlement agreement

Ellen, give me a call referenced the below language in the Epstein matter. Thank you.

Julio Ball

Chief Division Counsel

FBI Miami Division

[REDACTED]

From: Sanchez, Eduardo (USAFLS) [[mailto:\[REDACTED\]](#)]

Sent: Thursday, May 12, 2016 4:52 PM

To: Barber, Margo (MM) (FBI)

Cc: Ball, Julio (MM) (FBI)

Subject: Language for proposed settlement agreement

Hi, Margo.

The following is the language concerning FBI that we are contemplating for the proposed settlement agreement that we discussed:

3. Respondent agrees that the U.S. Attorney's Office for the Southern District of Florida ("the USAO-SDFL") and the Miami Field Office of the Federal Bureau of Investigation ("FBI-Miami"), will maintain, until December 31, 2018, the criminal investigative files and original evidence related to the investigation conducted by them in the Southern District of Florida of Jeffrey Epstein and his co-conspirators, notwithstanding any general rule or regulation allowing earlier destruction of evidence in closed matters. Should the USAO-SDFL or the FBI-Miami receive any properly served federal grand jury subpoena, other appropriate law enforcement request, or federal court order to provide such evidence to a law enforcement agency, that evidence will be transferred or otherwise made available in accordance with governing federal laws and regulations.

4. If any Victim files a Freedom of Information Act ("FOIA") or Privacy Act request upon the FBI seeking access to information related to FBI-Miami's investigation of her particular victimization by Epstein, Respondent agrees that the FBI will respond promptly and will work with the Victim's counsel to address issues of privacy and privilege in an attempt to avoid unnecessary litigation. Petitioners acknowledge and agree that, for purposes of responding to FOIA or Privacy Act requests, FBI-Miami may transfer any files that it is maintaining pursuant to paragraph 3 to the applicable FBI section that is responsible for handling FOIA and Privacy Act requests.

Can you confirm as soon as you can whether the above language is acceptable to FBI? (As you may remember, we are tight on time due to the upcoming court-scheduled mediation and the need to circulate the government's settlement offer.) We are also wondering whether it would be possible for FBI to agree to "prioritize and respond promptly" to the Victims' FOIA/PA requests rather than just "respond promptly." We believe that the additional agreement to prioritize the Victims' requests would aid in reaching a resolution of this matter.

And please feel free to call me if you have any questions or if you want to discuss anything.

Thanks,

Ed

Eduardo I. Sánchez
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