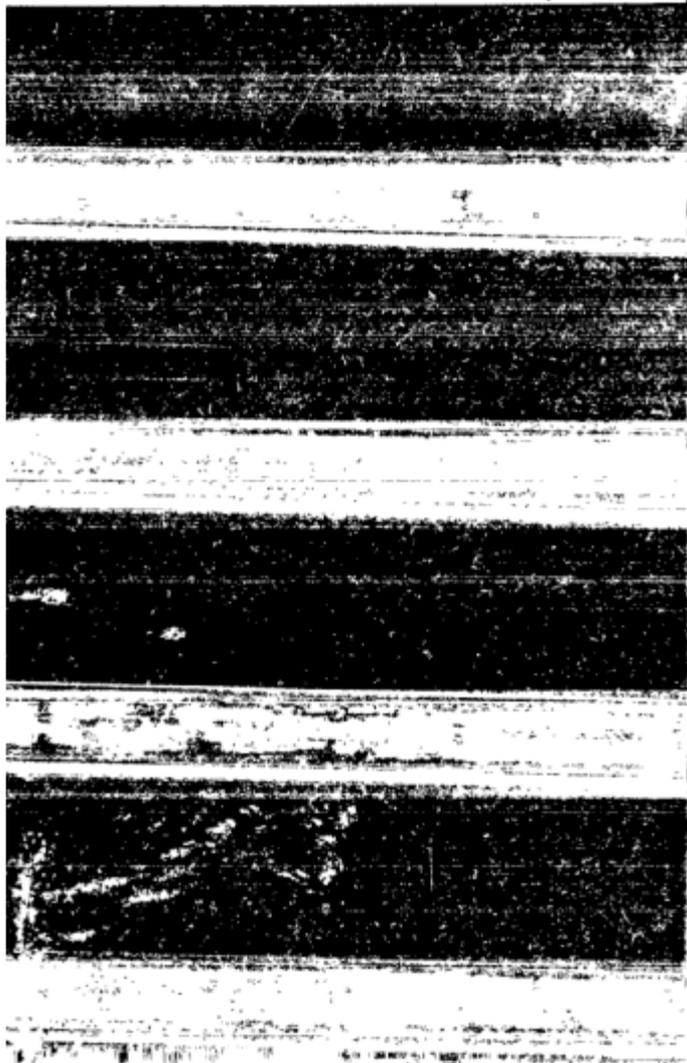




[REDACTED]  
**ASSISTANT STATE ATTORNEY  
GRAND JURY/HOMICIDE INTAKE  
OFFICE OF THE STATE ATTORNEY  
FIFTEENTH JUDICIAL CIRCUIT**

**401 NORTH DIXIE HIGHWAY  
WEST PALM BEACH, FLORIDA 33401**

**TEL.:** [REDACTED]



**United States District Court**  
**SOUTHERN DISTRICT OF FLORIDA**

TO: CUSTODIAN OF RECORDS  
STATE ATTORNEY'S OFFICE  
15th Judicial Circuit of Florida  
Palm Beach County

**SUBPOENA TO TESTIFY  
BEFORE GRAND JURY**  
FGJ 05-02(WPB)-Fri./No. OLY-10/2

**SUBPOENA FOR:**

PERSON

DOCUMENTS OR OBJECT[S]

**YOU ARE HEREBY COMMANDED** to appear and testify before the Grand Jury of the United States District Court at the place, date and time specified below.

<b>PLACE:</b> Palm Beach County Courthouse Juvenile Courts Building 205 N. Dixie Highway West Palm Beach, Florida 33401 (Temporary location for the United States District Courthouse, West Palm Beach)	<b>ROOM:</b> Room 4-A
	<b>DATE AND TIME:</b> September 15, 2006 9:00am

**YOU ARE ALSO COMMANDED** to bring with you the following document(s) or object(s):

Tapes or transcripts of any and all proceedings before the Grand Jury on Wednesday, July 19, 2006, referring or relating to Jeffrey Epstein and/or [REDACTED], including but not limited to witness testimony, statements made by any member of the State Attorney's Office, and instructions given by any member of the State Attorney's Office.

Please coordinate your compliance of this subpoena and confirm the date and time of your appearance with Special Agent Nesbitt Kuyrkendall, Federal Bureau of Investigation, Telephone: [REDACTED]

Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK		<b>DATE:</b>
(BY) DEPUTY CLERK		August 28, 2006

This subpoena is issued upon application of the United States of America



Name, Address and Phone Number of Assistant U.S. Attorney  
[REDACTED] Assistant U.S. Attorney  
500 So. Australian Avenue, Suite 400  
West Palm Beach, FL 33401-6235  
Tel: [REDACTED]  
Fax: [REDACTED]

\*If not applicable, enter "none."

RETURN OF SERVICE<sup>1</sup>

RECEIVED BY SERVER

DATE 09/05/06

PLACE West Palm Beach, FL

SERVED

DATE 09/06/06

PLACE West Palm Beach, FL

SERVED ON



SERVED BY



TITLE FBI Special Agent

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVICE<sup>2</sup>

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

09/06/06  
DATE



ADDITIONAL INFORMATION

1.As to who may serve a subpoena and the manner of its service see Rule 17(d). Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

2."Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)"



U.S. Department of Justice  
U.S. Department of Justice

United States Attorney  
Southern District of Florida

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500 South Australian Ave., Suite 400  
West Palm Beach, FL 33401

Facsimile: [REDACTED]

September 5, 2006

DELIVERY BY HAND

[REDACTED], Grand Jury Coordinator  
State Attorney's Office  
15th Judicial Circuit of Florida  
West Palm Beach, Florida

Re: Federal Grand Jury Subpoena

Dear [REDACTED]

Thank you for your assistance regarding the transcript of the proceedings from the State's grand jury related to Jeffrey Epstein. I have done some additional research regarding the procedures for obtaining the tapes or transcripts from those proceedings.<sup>1</sup> The cases that I have enclosed suggest that the appropriate way is to issue a federal grand jury subpoena to the party currently in possession of the tapes and/or transcripts of the proceedings. From my conversations with you and your staff, you currently possess the materials.

I reviewed the state statutes governing the release of grand jury transcripts, and both Sections 905.17(1) and 905.27 refer to the release of the transcripts upon an order of "a court;" they do not specify that the order must be issued by the Palm Beach County Court. The cases that I have enclosed both involve orders issued by a federal court that compel the production of the transcripts. If you feel that you must file a motion to quash the grand jury subpoena, or if you would like to state in writing your inability to produce the transcript absent a court order, we can proceed before the United States District Judge who empaneled the federal grand jury. If you prefer to proceed by motion, I can assist in notifying the Court of the motion, which should be filed ex parte and under seal in accordance with the Federal Rules of Criminal Procedure. If, instead, you prefer to proceed by stating in writing that you cannot produce the items without a court order, I can file a Motion to Compel with a proposed order for the United States District Judge to sign.

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<sup>1</sup>From our conversation and my conversation with [REDACTED], it appears that the proceedings may not yet have been transcribed. The enclosed subpoena calls for the tapes *or* the transcripts. If you would prefer to produce the tapes to be transcribed by one of our grand jury stenographers, that would satisfy the subpoena.

[REDACTED] GRAND JURY COORDINATOR

SEPTEMBER 5, 2006

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The subpoena calls for the production of the tape(s) or transcripts by September 15, 2006. If you need any additional time, please let me know.

If you have any questions or concerns, please do not hesitate to call me. Thank you for your assistance.

Sincerely,

[REDACTED]  
United States Attorney

By: [REDACTED]

Assistant United States Attorney

cc: Special Agent [REDACTED], F.B.I.



U.S. Department of Justice

United States Attorney  
Southern District of Florida

[REDACTED]  
500 South Australian Ave, Suite 400  
West Palm Beach, Florida 33401  
[REDACTED]  
Facsimile [REDACTED]

FACSIMILE COVER SHEET

TO: [REDACTED] DATE: September 6, 2006

FAX NO. [REDACTED] # OF PAGES: 5

PHONE NO. [REDACTED] RE: GRAND JURY SUBPOENA

FROM: [REDACTED] ASSISTANT U.S. ATTORNEY

PHONE NO. [REDACTED]

COMMENTS: Hi [REDACTED] - Here is a copy of the cover letter and subpoena for the Clerk of Court for your file.



U.S. Department of Justice

United States Attorney  
Southern District of Florida

500 South Australian Ave., Suite 400  
West Palm Beach, FL 33401

Facsimile: [REDACTED]

September 6, 2006

DELIVERY BY FACSIMILE

[REDACTED] Esq.  
Counsel to the Clerk of Court and Comptroller  
15th Judicial Circuit of Florida  
West Palm Beach, Florida

Re: Federal Grand Jury Subpoena

Dear [REDACTED]:

Thank you for your agreement to accept service of the attached subpoena by facsimile. As I discussed with [REDACTED], the Clerk of Court is the custodian of the transcripts<sup>1</sup> of the state grand jury proceedings. [REDACTED] asked me to inform you that the transcripts are kept in the Circuit's Criminal Department. Florida Statute Sections 905.17(1) and 905.27 discuss the disclosure of state grand jury transcripts. Pursuant to those statutes, a transcript can be released upon an order of "a court." The statutes do not require that the order be issued by the Palm Beach County Court.

I have attached two cases regarding the procedures for obtaining state grand jury transcripts for use in federal grand jury investigations. The cases that I have enclosed suggest that the appropriate way is to issue a federal grand jury subpoena to the party currently in possession of the tapes and/or transcripts of the proceedings. The cases that I have enclosed both involve orders issued by a federal court that compel the production of the transcripts.

If the Clerk of Court feels that she cannot comply with the grand jury subpoena absent an order from the United States District Court compelling the production, then you must file a motion to quash the grand jury subpoena before the United States District Judge who empaneled the federal grand jury. Alternatively, if you like, you can state in writing your inability to produce the transcript absent a court order, and I can proceed before the United States District Judge by filing a motion to

<sup>1</sup>I do not know whether the grand jury proceedings have yet been transcribed. The enclosed subpoena calls for the tapes or the transcripts. If you would prefer to produce the tapes to be transcribed by one of our grand jury stenographers, that would satisfy the subpoena. If the Clerk of Court would prefer to have one of the state court stenographers do the transcription, production of the transcripts also would suffice.

[REDACTED] Esq.  
SEPTEMBER 6, 2006  
PAGE 2

compel with a proposed order for the United States District Judge to sign. If you prefer to file your own motion, I can assist in notifying the Court of the motion, which should be filed ex parte and under seal in accordance with Federal Rule of Criminal Procedure 6(e)(5) and (6).

The subpoena calls for the production of the tape(s) or transcripts by September 15, 2006. If you need any additional time, please let me know.

If you have any questions or concerns, please do not hesitate to call me. Thank you for your assistance.

Sincerely,

[REDACTED]  
United States Attorney

By:

[REDACTED]  
Assistant United States Attorney

cc: Special Agent [REDACTED] F.B.I.

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