

Alyx's Letters + Misc

[REDACTED] (USAFLS)

From: [REDACTED] (USAFLS)
Sent: Monday, September 17, 2007 12:47 PM
To: [REDACTED]
Subject: [REDACTED]

Hi [REDACTED] – I still am having trouble with my voice and am headed home now. Here is the latest:

[REDACTED]

[REDACTED]

[REDACTED] That is probably coming late tonight or early tomorrow morning.

The hearing is off for tomorrow, as is the grand jury time. [REDACTED]

When you have a chance, can you stop by and get from [REDACTED] a copy of the draft indictment, copies of the grand jury transcripts, and a [REDACTED] so you can start on that while I am laid up? Thank you.

[REDACTED]
Assistant U.S. Attorney
[REDACTED]
West Palm Beach, FL 33401
Phone [REDACTED]
Fax [REDACTED]

FD-448

Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

Secret

Confidential

Sensitive

Unclassified

TO

Name of Office:

Facsimile Number:

Date:

9/12/2008

Attn:

Telephone Number:

FROM

Name of Office:

RIDS

Number of Pages: (including cover)

4

Originator:

Originator's Telephone Number:

Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Epstein

Special Handling Instructions:

Brief Description of Communication Faxed:

Copy of FOIA Request

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

LEWIS TEIN PL
ATTORNEYS AT LAW

July 28, 2008

Via FedEx:

Record/Information Dissemination Section
FOIA Request Coordinator
Federal Bureau of Investigation, Miami Field Office
[REDACTED]
North Miami Beach, FL 33169

Re: *Freedom of Information Act/Privacy Act Request
Seeking Documents from a USAO / FBI Investigation
in the Southern District of Florida.*

To Whom It May Concern: [REDACTED]

We write on behalf of our client, Jeffrey Epstein, to request certain records under the Freedom of Information Act and Privacy Act.

Mr. Epstein has been the focus of a joint investigation by the U.S. Attorney's Office for the Southern District of Florida ("USAO") and Federal Bureau of Investigation ("FBI").

The USAO and/or FBI may have in its possession original (or copies of original) documents in paper and electronic form seized from Mr. Epstein pursuant to a search warrant executed on his Palm Beach, Florida home on October 20, 2005. We request copies of these paper and electronic documents.

Further, the USAO and/or FBI may have interviewed (i) [REDACTED] (DOB [REDACTED]), (ii) [REDACTED] (DOB [REDACTED]), (iii) [REDACTED] a/k/a [REDACTED] (DOB [REDACTED]), (iv) [REDACTED] (DOB [REDACTED]), (v) [REDACTED] a/k/a [REDACTED] (DOB [REDACTED]), (vi) [REDACTED] (DOB [REDACTED]), (vii) [REDACTED] (DOB [REDACTED]), (viii) [REDACTED] (DOB [REDACTED]), and (ix) [REDACTED] a/k/a [REDACTED] (DOB [REDACTED]). We believe that these interviews would have taken place between 2006 and the present. Under FOIA/PA, we request copies of all interview notes and FBI 302s concerning these interviews.

We are enclosing Mr. Epstein's fully executed Certification of Identity (Form DOJ -361).

Copies of any records responsive to this FOIA/PA request should be sent to my attention at the address listed below. Thank you for your courtesy.

Very truly yours,

[REDACTED]
[REDACTED]

Encl.



Privacy Act Statement. In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Failure to furnish this information will result in no action being taken on the request. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to Director, Facilities and Administrative Services Staff, Justice Management Division, U.S. Department of Justice, Washington, DC 20530 and the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester ¹ Jeffrey Epstein

Citizenship Status ² United States Social Security Number ³ [REDACTED]

Current Address c/o Lewis Tein, [REDACTED] Coconut Grove, FL 33133

Date of Birth Jan. 20, 1953 Place of Birth New York

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature ⁴ [Signature] Date 7/27/01

OPTIONAL: Authorization to Release Information to Another Person

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

Print or Type Name

¹ Name of individual who is the subject of the record sought.
² Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552a(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5 U.S.C. Section 552, rather than Privacy Act requests, for individuals who are not United States citizens or aliens lawfully admitted for permanent residence.
³ Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.
⁴ Signature of individual who is the subject of the record sought.



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Full Name of Requester ¹ JEFFREY EPSTEIN

Citizenship/Status ² UNITED STATES Social Security Number ³

Current Address c/o Lewis Tein Coconut Grove, FL 33133

Date of Birth Jan. 20, 1953 Place of Birth New York

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature ⁴ Date 7/27/81

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⁴ Signature of individual who is the subject of the record sought.



Embassy of the United States of America

Office of the Legal Attaché
US Consulate

[REDACTED]
Sydney NSW 2000

File No. [REDACTED]

03 December 2008

Mr. [REDACTED]
Acting Coordinator
Americas, Europe, Middle East & Africa Desk
Australian Federal Police
Canberra, ACT Australia

Re: Jeffrey Epstein

Dear Mr. [REDACTED]:

The United States Attorney's Office, West Palm Beach, Florida, requests the assistance of the Australian Federal Police (AFP) in delivering the enclosed letter to Ms. [REDACTED] DOB [REDACTED] of Canberra, Australia; telephone numbers [REDACTED] and [REDACTED]. The letter references the outcome of a Non-Prosecution Agreement entered into by the U.S. Government and Mr. Jeffrey Epstein. The letter provides Ms. [REDACTED] with the terms of the Agreement and contact information should she have any questions.

On 24/07/06, the Federal Bureau of Investigation (FBI) Palm Beach Resident Agency (PBRA) opened an investigation involving the illegal sexual activity between multimillionaire Jeffrey Epstein and minor aged children. At the conclusion of the sexual activity, the minors were paid sums of money ranging from \$200 - \$1,000. Testimony from multiple witnesses indicate that [REDACTED], a minor at the time, was one of Jeffrey Epstein's victims. Ms. [REDACTED]. Mr. Epstein is currently incarcerated at the Palm Beach County Stockade serving an 18 month prison sentence, followed by a year of house arrest. Mr. Epstein will also be a life time registered sex offender.

If you have any questions regarding this request, please contact Assistant Legal Attaché Matthew C. Witt, at telephone [REDACTED].

Sincerely yours,

[REDACTED]
Legal Attaché

By:

[REDACTED]
Assistant Legal Attaché

Enc. 1

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

EFTA01718413



ATTN- SA [redacted]

U.S. Department of Justice

Federal Bureau of Investigation

File No. [redacted] & [redacted]

25 August 2008

Mr. [redacted]
Federal Agent
Australian Federal Police
Americas, Europe and Middle East Desk
Canberra, ACT, Australina

Dear Federal Agent [redacted];,

The Miami Division of the Federal Bureau of Investigation (FBI) requests the assistance of the Australian Federal Police (AFP) in delivering a Victim Notification Letter and brochure to [redacted] date of birth [redacted] who has been contacted in the past at [redacted] and/or [redacted]

On 24 July 2006, the Federal Bureau of Investigation (FBI), Palm Beach Resident Agency(PBCRA)opened an investigation involving the illegal sexual activity between multi-millionaire Jeffrey Epstein and minor aged children. At the conclusion of the sexual activity, the minors were paid sums of money ranging from \$200.00-\$1,000.00. Testimony from multiple witnesses indicate hat [redacted] a minor at the time, was one of Jeffrey Epstein's victims. Mr. Epstein is believed to have had contact with [redacted] during the years of 1998/99 - 2003/04. [redacted] Under United States Code Title 18 Section 3771, a victim of a crime in the United States has a number of rights which are detailed in the enclosed letter and brochures. It is requested that the Australian Federal Police locate [redacted] and deliver the enclosed letter and brochure. If you have any questions regarding this request, please contact Assistant Legal Attache Matthew C. Witt at [redacted]

Sincerely,

[redacted] L. [redacted]
LEGAL ATTACHE

[redacted]
Assistant Legal Attache

Close had covered 9/18/08
8/25/08
5: [redacted]

[redacted]

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

[REDACTED]
Los Angeles, California 90017

Kenneth W. Starr
To Call Writer Directly:

[REDACTED]

[REDACTED]
www.kirkland.com

Facsimile:

[REDACTED]

December 7, 2007

VIA FACSIMILE [REDACTED]

Honorable R. Alexander Acosta
United States Attorney
United States Attorney's Office
Southern District of Florida
[REDACTED]
Miami, FL 33132

Re: Jeffrey Epstein

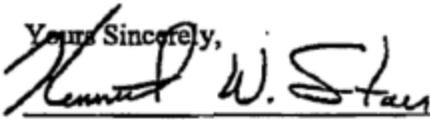
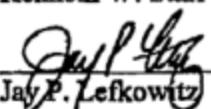
Dear Alex:

As we discussed by phone earlier today, we will be providing submissions with respect to (i) [REDACTED] and (ii) [REDACTED].

We propose to have both submissions to you by no later than 3:00 PM on Monday December 10. In the meantime, we are furnishing herewith the [REDACTED]

[REDACTED]. We will follow up with you by phone regarding our submissions before the close of business on Monday.

As we discussed earlier today, [REDACTED]

Yours Sincerely,

Kenneth W. Starr

Jay P. Lefkowitz

cc: Honorable Alice Fisher, Assistant Attorney General
[REDACTED], First Assistant U.S. Attorney

Chicago

Hong Kong

London

Munich

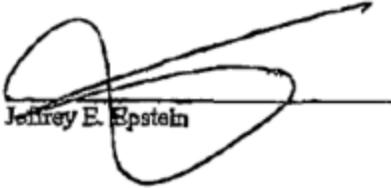
New York

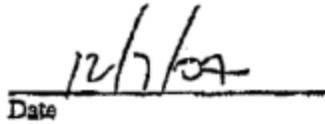
San Francisco

Washington, D.C.

Affirmation

I, Jeffrey E. Epstein do hereby re-affirm the Non-Prosecution Agreement and Addendum to same dated October 30, 2007.


Jeffrey E. Epstein


Date

KIRKLAND & ELLIS LLP

Fax Transmittal

[REDACTED]
Los Angeles, California 90017

Phone: [REDACTED]

Fax: [REDACTED]

Please notify us immediately if any pages are not received.

THE INFORMATION CONTAINED IN THIS COMMUNICATION IS CONFIDENTIAL, MAY BE ATTORNEY-CLIENT PRIVILEGED, MAY CONSTITUTE INSIDE INFORMATION, AND IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. UNAUTHORIZED USE, DISCLOSURE OR COPYING IS STRICTLY PROHIBITED AND MAY BE UNLAWFUL.

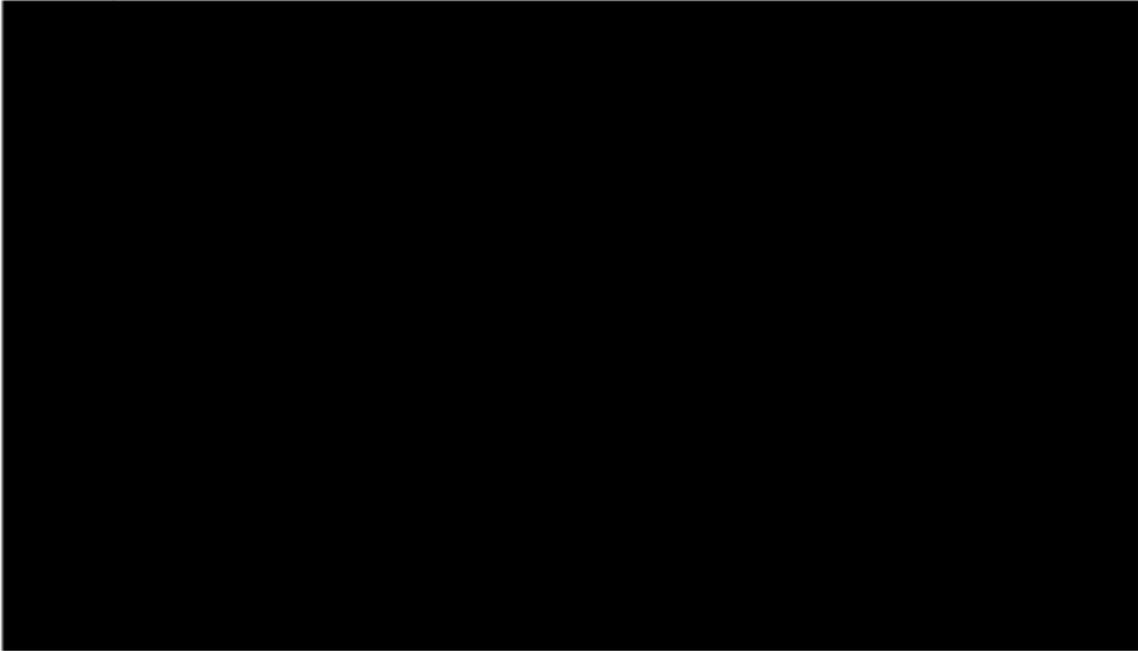
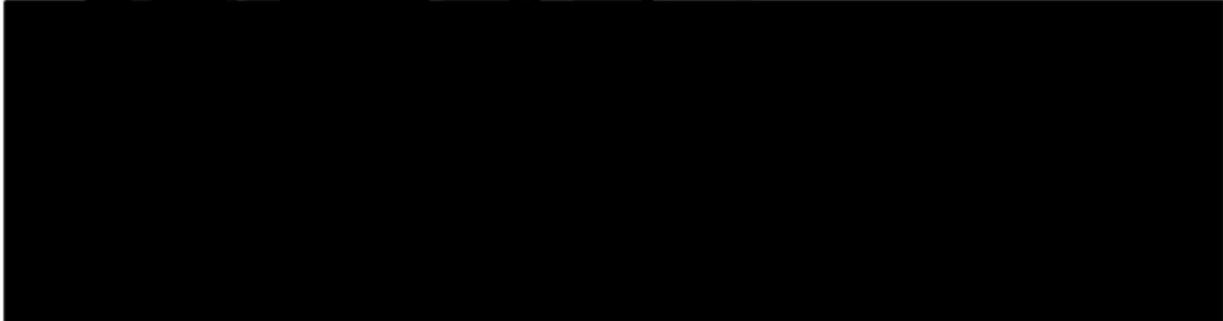
IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE NOTIFY US IMMEDIATELY AT:
[REDACTED]

<i>To:</i>	<i>Company:</i>	<i>Fax #:</i>	<i>Direct #:</i>	
Hon. R. Alexander Acosta	United States Attorney's Office Southern District of Florida	[REDACTED]	[REDACTED]	
<i>From:</i>	<i>Date:</i>	<i>Pages w/cover:</i>	<i>Fax #:</i>	<i>Direct #:</i>
Kenneth W. Starr	December 7, 2007	34	[REDACTED]	[REDACTED]

Message:

**Privileged and Confidential
Attorney-Client Work Product**

ALSTON&BIRD LLP



PROCEDURAL HISTORY



VICTIMS

[REDACTED], [REDACTED]
DOB: [REDACTED] Age: 14
Sexual Contact with Epstein:
[REDACTED] (Epstein)
[REDACTED] watched as Epstein [REDACTED]
-Epstein introduced unidentified female who [REDACTED] while
Epstein had [REDACTED] with the unidentified female
-Epstein [REDACTED]

[REDACTED], [REDACTED]
DOB: [REDACTED] Age: 17
Sexual Contact with Epstein:
[REDACTED]
-Epstein touched [REDACTED]

[REDACTED], [REDACTED]
DOB: [REDACTED] Age: 17
Sexual Contact with Epstein:
[REDACTED] (Epstein)
[REDACTED] Epstein [REDACTED]
(girlfriend/assistant)
-Epstein introduced [REDACTED] to [REDACTED] where they engaged in the [REDACTED]
[REDACTED]

[REDACTED], [REDACTED]
DOB: [REDACTED] Age: 16
Sexual Contact with Epstein:
[REDACTED]

[REDACTED], [REDACTED]
DOB: [REDACTED] Age: 17
[REDACTED]
[REDACTED]
[REDACTED]

DOB: [REDACTED] Age: 14
[REDACTED]
[REDACTED]
[REDACTED]

DOB: [REDACTED] Age: 17
Sexual Contact with Epstein:
[REDACTED] (Epstein)
[REDACTED] by Epstein
[REDACTED] watched as Epstein engaged in [REDACTED] with [REDACTED]
[REDACTED] (girlfriend/assistant)
-Epstein paid(\$200.00 for 5 minutes) [REDACTED]

DOB: [REDACTED] Age: 16
Sexual Contact with Epstein:
[REDACTED] (Epstein)
[REDACTED]

DOB: [REDACTED] Age: 16
Sexual Contact with Epstein:
[REDACTED] (Epstein)
[REDACTED]

DOB: [REDACTED] Age: 16
Sexual Contact with Epstein:
[REDACTED] (Epstein)
-Epstein [REDACTED]

DOB: [REDACTED] Age: 15
Sexual Contact with Epstein:
[REDACTED] (Epstein)

DOB: [REDACTED] Age: 17
Sexual Contact with Epstein:
[REDACTED] (Epstein)
[REDACTED]

DOB: [REDACTED] Age: 16
Sexual Contact with Epstein:
[REDACTED] (Epstein)
-Epstein [REDACTED]

DOB: [REDACTED] Age: 15
Sexual Contact with Epstein:
[REDACTED] with [REDACTED] when she was 17 years of age

DOB: [REDACTED] Age: 17
Sexual Contact with Epstein:
[REDACTED] (Epstein)

DOB: [REDACTED] Age: 17
Sexual Contact with Epstein:
[REDACTED] (Epstein)
[REDACTED]

DOB: [REDACTED] Age: 16
Sexual Contact with Epstein:
[REDACTED] (Epstein)

DOB: [REDACTED] Age: 15
Sexual Contact with Epstein:
[REDACTED] (Epstein)
-Epstein instructed [REDACTED]
[REDACTED]
[REDACTED]

DOB: [REDACTED] Age: 16

Sexual Contact with Epstein:

-Masturbation(Epstein)

[REDACTED]

***AGE is the age the Victim first encountered Epstein .

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

[Redacted]
Los Angeles, California 90017

Kenneth W. Starr
To Call Writer Directly:

[Redacted]

[Redacted]

www.kirkland.com

Facsimile:

[Redacted]

December 11, 2007

VIA FACSIMILE

[Redacted]

Honorable R. Alexander Acosta
United States Attorney
United States Attorney's Office
Southern District of Florida
[Redacted]
Miami, FL 33132

Re: Jeffrey Epstein

Dear Alex:

As we discussed during our telephone conversations on both Friday and Monday (yesterday), we are submitting two separate letters that address our broad areas of deep concern in this matter:

[Redacted]

We are grateful for your courtesy in agreeing to receive and consider these submissions, and then to meet to discuss them.

As you undertake your study and reflection, kindly allow me to make this pivotal point:

[Redacted]

JEFFREY EPSTEIN
Timeline-Summary

2/20/2007--Meeting (US: [REDACTED], [REDACTED] and [REDACTED]
[REDACTED] DEF: Lilly Sanchez and Gerald Lefcourt).

6/26/2007--Meeting (US: [REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED], DEF: Alan
Dershowitz; Roy Black, Gerald Lefcourt and Lilly Sanchez).

[REDACTED]

7/26/2007--Meeting (US: [REDACTED], [REDACTED], [REDACTED]
[REDACTED] (conference call), [REDACTED]
[REDACTED] and [REDACTED]).

[REDACTED]

7/31/2007--Meeting (US: [REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED] and [REDACTED],
DEF: Roy Black, Gerald Lefcourt and Lilly Sanchez).

[REDACTED]

8/31/2007--Meeting (US: [REDACTED], [REDACTED],
[REDACTED] and [REDACTED])

[REDACTED]

9/7/2007--Meeting (US: Alexander Acosta, [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED] DEF: Kenneth Starr, Jay
Lefkowitz, Lilly Sanchez).

9/12/2007--Meeting (US: [REDACTED], [REDACTED] and [REDACTED], DEF: Jay Lefkowitz, Gerald Lefcourt and Jack Goldberger, STATE OF FLORIDA: Barry Krisher and Lanna Belohlavek).

9/18/2007--Rescheduled date for computer hearing. (Hearing initially set for 9/13/2007).

9/24/2007--Non-Prosecution Agreement signed.

9/25/2007--Scheduled date for Federal Indictment.

JEFFREY EPSTEIN
Timeline-Summary

2/20/2007--Meeting (US: [REDACTED] [REDACTED] and [REDACTED]
[REDACTED] DEF: Lilly Sanchez and Gerald Lefcourt).

6/26/2007--Meeting (US: [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] DEF: Alan
Dershowitz, Roy Black, Gerald Lefcourt and Lilly Sanchez).

[REDACTED]

7/26/2007--Meeting (US: [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] (conference call), [REDACTED], [REDACTED]
[REDACTED] and [REDACTED]).

[REDACTED]

7/31/2007--Meeting (US: [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] and [REDACTED],
DEF: Roy Black, Gerald Lefcourt and Lilly Sanchez).

[REDACTED]

8/31/2007--Meeting (US: [REDACTED] [REDACTED]
[REDACTED] and [REDACTED])

[REDACTED]

9/7/2007--Meeting (US: Alexander Acosta, [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] DEF: Kenneth Starr, Jay
Lefkowitz, Lilly Sanchez).

9/12/2007--Meeting (US: [REDACTED] [REDACTED] and [REDACTED]
[REDACTED] DEF: Jay Lefkowitz, Gerald Lefcourt and Jack
Goldberger, STATE OF FLORIDA: Barry Krisher and Lanna
Belohlavek).

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6/26/2007--Meeting (US: [REDACTED], [REDACTED], [REDACTED], [REDACTED] DEF: Alan Dershowitz, Roy Black, Gerald Lefcourt and Lilly Sanchez).

7/26/2007--Meeting (US: [REDACTED], [REDACTED], [REDACTED], [REDACTED] (conference call), [REDACTED] and [REDACTED]).

7/31/2007--Meeting (US: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED] DEF: Roy Black, Gerald Lefcourt and Lilly Sanchez).

8/31/2007--Meeting (US: [REDACTED], [REDACTED], [REDACTED] and [REDACTED]).

9/7/2007--Meeting (US: Alexander Acosta, [REDACTED], [REDACTED], [REDACTED] DEF: Kenneth Starr, Jay Lefkowitz, Lilly Sanchez).

9/12/2007--Meeting (US: [REDACTED], [REDACTED] and [REDACTED] DEF: Jay Lefkowitz, Gerald Lefcourt and Jack Goldberger, STATE OF FLORIDA: Barry Krisher and Lanna Belohlavek).

9/18/2007--Scheduled date for computer hearing.

9/24/2007--Non-Prosecution Agreement signed.

9/25/2007--Scheduled date for Federal Indictment.



U.S. Department of Justice

United States Attorney
Southern District of Florida

[REDACTED]
Miami, FL 33132-2111

Facsimile: [REDACTED]

November 13, 2007

DELIVERY BY FACSIMILE

Jay P. Lefkowitz, Esq.
Kirkland & Ellis LLP

[REDACTED]
New York, New York 10022-4675

Re: Jeffrey Epstein

Dear Jay:

I write in response to your letter of November 8, 2007.

Most importantly, I want to re-iterate [REDACTED]

[REDACTED] Please advise me of the new date and time so that someone from our Office can be present.

Your letter asserts that [REDACTED]

DRAFT

JAY P. LEFKOWITZ, ESQ.
NOVEMBER 13, 2007
PAGE 2 OF 3

[REDACTED]

[REDACTED]

Finally, as to the matters related to

[REDACTED]

[REDACTED]

JAY P. LEFKOWITZ, ESQ.
NOVEMBER 13, 2007
PAGE 3 OF 3

Lastly, the statement at the end of your letter that you [REDACTED]

[REDACTED]
[REDACTED] Please clarify your position on this point.
[REDACTED]

Sincerely,

R. Alexander Acosta
United States Attorney

By:

[REDACTED]
First Assistant United States Attorney

cc: R. Alexander Acosta, U.S. Attorney
AUSA [REDACTED]

EFTA01718431

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

Jay P. Lefkowitz, P.C.
To Call Writer Directly:

[REDACTED]

[REDACTED]
New York, New York 10022-4611

[REDACTED]

www.kirkland.com

Facsimile:

[REDACTED]

November 8, 2007

VIA E-MAIL

[REDACTED]
United States Attorney's Office
Southern District of Florida

[REDACTED]

Miami, Florida 33132-2111

Re: Jeffrey Epstein

Dear [REDACTED]:

I write in response to your recent letter, dated November 5, 2007. I want to make clear at the outset that [REDACTED]

[REDACTED]

[REDACTED] I do, however, want to address each of the points you raise in your letter.

[REDACTED]

[REDACTED]

Chicago

Hong Kong

London

Los Angeles

Munich

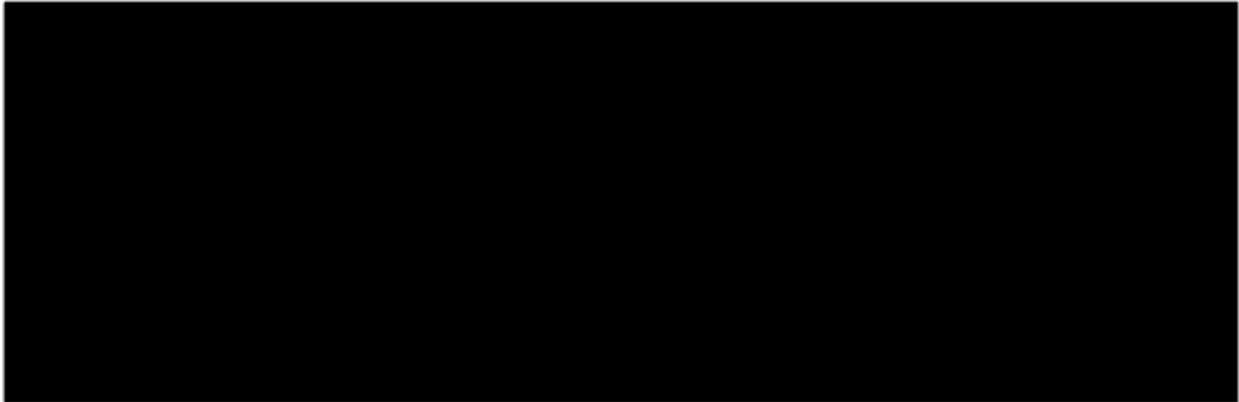
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Washington, D.C.

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KIRKLAND & ELLIS LLP


November 8, 2007
Page 2



KIRKLAND & ELLIS LLP


November 8, 2007
Page 3


I look forward to continuing to work with your Office to resolve any outstanding issues,
and I sincerely anticipate a conclusion of this matter in the very near future.

Sincerely,



Jay P. Leikowitz



U.S. Department of Justice

United States Attorney
Southern District of Florida

[REDACTED]
Miami, FL 33132-2111

Facsimile: [REDACTED]

November 5, 2007

DELIVERY BY FACSIMILE

Jay P. Lefkowitz, Esq.
Kirkland & Ellis LLP

[REDACTED]
New York, New York 10022-4675

Re: Jeffrey Epstein

Dear Jay:

[REDACTED]

[REDACTED]

[REDACTED]

JAY P. LEFKOWITZ, ESQ.
NOVEMBER 5, 2007
PAGE 2 OF 2

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sincerely,

R. Alexander Acosta
United States Attorney

By:

[REDACTED]
First Assistant United States Attorney

cc: R. Alexander Acosta, U.S. Attorney
AUSA [REDACTED]

FW: Epstein settlement agreement

[REDACTED] (USAFLS) [REDACTED]@usdoj.gov]

Sent: Friday, November 02, 2007 9:56 AM

To: [REDACTED]; [REDACTED]

Importance: High

DRAFT

FYI. [REDACTED] It went out this morning.

[REDACTED]
Assistant U.S. Attorney
[REDACTED]
West Palm Beach, FL 33401
Phone [REDACTED]
Fax [REDACTED]

From: [REDACTED] (USAFLS)
Sent: Friday, November 02, 2007 9:51 AM
To: [REDACTED]
Cc: [REDACTED] (USAFLS)
Subject: RE: Epstein settlement agreement

Dear Lanna:

I was just informed that a case disposition conference has been set in the Epstein case on January 7, 2008.

[REDACTED]

I also would appreciate it if you could send me a copy of the plea agreement, the Information that you plan to file (if it hasn't been filed already), and any factual proffer or other documents related to the plea. Please also let me know the date and time of the plea and sentencing so that someone from our office can attend and insure Mr. Epstein's compliance with the terms of his federal non-prosecution agreement.

If you need any information regarding the federal investigation, or if you have any questions about the terms of the federal non-prosecution agreement, please do not hesitate to contact me at the number below or Marie in the West Palm Beach office.

Thank you,

[REDACTED]
First Assistant United States Attorney
[REDACTED]
Miami, Florida 33132

Phone [REDACTED]

[REDACTED]
Assistant U.S. Attorney

[REDACTED]
West Palm Beach, FL 33401

Phone [REDACTED]

Fax [REDACTED]

DRAFT

From: [REDACTED]

Sent: Monday, October 29, 2007 9:22 PM

To: [REDACTED] (USAFLS)

Subject: Epstein settlement agreement

[REDACTED]

Good evening. I am the ASA with the Epstein case in Palm Beach County. The negotiated settlement is a definite go. [REDACTED]

[REDACTED] Therefore, the case was set for the first week of January, but the plea and sentence will definitely occur before the January 4th date that was agreed on by all for the sentencing.

If you have any questions, please contact me at [REDACTED] or [REDACTED]

Lanna Belohlavek

[REDACTED] ... 11/9/2007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No: _____

18 U.S.C. § 371
18 U.S.C. § 2423(e)
18 U.S.C. § 2423(d)
18 U.S.C. § 1591(a)(2)
18 U.S.C. § 2422(b)
18 U.S.C. § 2423(b)
18 U.S.C. § 1591(a)(1)

UNITED STATES OF AMERICA

vs.

JEFFREY EPSTEIN,

██████████
██████████ a/k/a "██████████"
and ██████████,

Defendants.

_____ /

INDICTMENT

The Grand Jury charges that:

BACKGROUND

At all times relevant to this Indictment:

1. Defendant JEFFREY EPSTEIN employed defendants ██████████ ██████████
██████████ a/k/a "██████████" and ██████████ to perform, among other things,
services as personal assistants.
2. Defendant JEFFREY EPSTEIN owned a property located at ██████████ Palm
Beach, Florida, in the Southern District of Florida.

3. Defendant JEFFREY EPSTEIN was the principal owner of JEGE, INC., a Delaware corporation. JEGE, INC.'s sole business activities related to the operation and ownership of a Boeing 727-31 aircraft bearing tail number N908JE.

4. Defendant JEFFREY EPSTEIN served as president, sole director, and sole shareholder of JEGE, INC., and had the power to direct all of its operations.

5. Defendant JEFFREY EPSTEIN was a principal owner of Hyperion Air, Inc., a Delaware corporation. Hyperion Air, Inc.'s sole business activities related to the operation and ownership of a Gulfstream G-1159B aircraft bearing tail number N909JE.

6. Defendant JEFFREY EPSTEIN served as president, sole director, and sole shareholder of Hyperion Air, Inc., and had the power to direct all of its operations.

7. Pursuant to Florida Statutes Section 794.05, a "person 24 years of age or older who engages in sexual activity with a person 16 or 17 years of age commits a felony of the second degree." For purposes of "this section, 'sexual activity' means oral, anal, or vaginal penetration by, or union with, the sexual organ of another; however, sexual activity does not include an act done for a bona fide medical purpose." Florida Statutes Section 794.021 states that "ignorance of the age [of the victim] is no defense," and that neither "misrepresentation of age by [the victim] nor a bona fide belief that such person is over the specified age [shall] be a defense."

8. Pursuant to Florida Statutes Sections 800.04(5)(a) and 800.04(5)(c)(2), an adult "who intentionally touches in a lewd or lascivious manner the breasts, genitals, genital area, or buttocks, or the clothing covering them, of a person less than 16 years of age, or forces or

entices a person under 16 years of age to so touch the perpetrator, commits lewd or lascivious molestation,” which is a felony of the second degree if the victim is 12 years of age or older but less than 16 years of age.

9. Pursuant to Florida Statutes Sections 800.04(6)(a) and 800.04(6)(b), an adult “who [i]ntentionally touches a person under 16 years of age in a lewd or lascivious manner or [s]olicits a person under 16 years of age to commit a lewd or lascivious act commits lewd or lascivious conduct,” which is a felony of the second degree.

10. Pursuant to Florida Statutes Sections 800.04(7)(a) and 800.04(7)(c), an adult “who: (1) [i]ntentionally masturbates; (2) [i]ntentionally exposes the genitals in a lewd or lascivious manner; or (3) [i]ntentionally commits any other sexual act that does not involve actual physical or sexual contact with the victim, including, but not limited to . . . the simulation of any act involving sexual activity in the presence of a victim who is less than 16 years of age, commits lewd or lascivious exhibition,” which is a felony of the second degree.

11. Pursuant to Florida Statutes Section 800.04(2), “[n]either the victim’s lack of chastity nor the victim’s consent is a defense to the crimes proscribed by [Section 800.04].”

12. Pursuant to Florida Statutes Section 800.04(3), “[t]he perpetrator’s ignorance of the victim’s age, the victim’s misrepresentation of his or her age, or the perpetrator’s bona fide belief of the victim’s age cannot be raised as a defense in a prosecution under [Section 800.04].”

13. Pursuant to Florida Statutes Section 800.02, a “person who commits any unnatural and lascivious act with another person commits a misdemeanor of the second degree.”

14. Defendant JEFFREY EPSTEIN was over the age of 24 and did not have any medical licensure.

15. During the period of their involvement with the Defendants, Jane Does # 3 and 10 attended [REDACTED] in Palm Beach County.

16. During the periods of their involvement with the Defendants, Jane Does # 5, 6, 8, 12, 13, 14, 15, 16, 17, 18, and 19 attended [REDACTED] in Palm Beach County.

17. During the period of her involvement with the Defendants, Jane Doe #7 attended [REDACTED] in Palm Beach County.

18. During the period of her involvement with the Defendants, Jane Doe #9 attended [REDACTED] in Palm Beach County.

19. During the period of her involvement with the Defendants, Jane Doe #11 attended [REDACTED] in Palm Beach County.

COUNT 1
(Conspiracy: 18 U.S.C. § 371)

20. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

21. From at least as early as 2001, the exact date being unknown to the Grand Jury, through in or around October 2005, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,
[REDACTED] [REDACTED]
[REDACTED] a/k/a "[REDACTED]"
and
[REDACTED]

did knowingly and willfully combine, conspire, confederate and agree with each other and with others known and unknown to commit an offense against the United States, that is, to

use a facility or means of interstate or foreign commerce to knowingly persuade, induce, and entice individuals who had not attained the age of 18 years to engage in prostitution, in violation of Title 18, United States Code, Section 2422(b).

Purpose and Object of the Conspiracy

22. It was the purpose and object of the conspiracy to procure females under the age of 18 to travel to [REDACTED], Palm Beach, Florida so that JEFFREY EPSTEIN could, in exchange for money, engage in lewd conduct with those minor females in order to satisfy JEFFREY EPSTEIN's prurient interests.

Manner and Means

23. The manner and means by which the defendants and other participants sought to accomplish the purpose and object of the conspiracy included the following:

(a) It was part of the conspiracy that Defendants [REDACTED], [REDACTED], [REDACTED] a/k/a [REDACTED] and [REDACTED] would contact minor females via the use of cellular and other telephones to arrange appointments for minor females to travel to [REDACTED] to allow Defendant JEFFREY EPSTEIN to engage in lewd conduct with them.

(b) It was further a part of the conspiracy that Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] a/k/a [REDACTED] would make payments to, or cause payments to be made to, minor females in exchange for engaging in lewd conduct.

(c) It was further a part of the conspiracy that Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] a/k/a [REDACTED] would ask females to recruit other minor females to engage in lewd conduct with Defendant JEFFREY EPSTEIN.

(d) It was further a part of the conspiracy that Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] a/k/a [REDACTED] would make payments to, or cause payments to be made to, the recruiters for bringing additional minor females to [REDACTED] to engage in lewd conduct with Defendant JEFFREY EPSTEIN.

(e) It was further a part of the conspiracy that Defendant JEFFREY EPSTEIN would pay minor females to engage in lewd conduct with Defendant [REDACTED] to satisfy Defendant JEFFREY EPSTEIN's prurient interests.

Overt Acts

24. In furtherance of this conspiracy and to effect the objects thereof, there was committed by at least one of the co-conspirators herein, at least one of the following overt acts, among others, in the Southern District of Florida:

(1) In 2001, Defendant [REDACTED] led Jane Doe #2 from the kitchen of [REDACTED] upstairs to Defendant JEFFREY EPSTEIN's bedroom at [REDACTED]

(2) In the beginning of 2001, Defendant JEFFREY EPSTEIN engaged in sexual intercourse with Jane Doe #1, who was then a seventeen-year-old girl, in the presence of Jane Doe #2, who was then a fourteen-year-old girl.

(3) In or around 2001, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #2, who was then a fourteen-year-old girl.

(4) In or around 2001, Defendant JEFFREY EPSTEIN made a payment of \$300 to Jane Doe #2.

(5) In or around 2001, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #2 to make an appointment for Jane Doe #2 to travel to [REDACTED]

(6) In or around 2002, Defendant JEFFREY EPSTEIN paid \$400 to Jane Doe #2, who was then fifteen years' old, to [REDACTED]

(7) In or around 2002, Defendant JEFFREY EPSTEIN asked Jane Doe #2 if she had any younger friends who would be interested in engaging in similar activities with him.

(8) In or around 2003, Defendant [REDACTED] took nude photographs of Jane Doe #2, who was then a sixteen-year-old girl.

(9) In or around 2003, Defendant [REDACTED] made a payment of \$500 to Jane Doe #2 in exchange for posing for nude photographs.

(10) In or around 2003, Defendant [REDACTED] told Jane Doe #2 that Defendant JEFFREY EPSTEIN had asked [REDACTED] to take nude photographs of Jane Doe #2.

(11) In or around 2003, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #2, who was then a sixteen-year-old girl.

(12) In or around 2003, Defendant JEFFREY EPSTEIN made a payment of \$300 to Jane Doe #2, who was then a sixteen-year-old girl.

(13) In or around 2003, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #2 to make an appointment for Jane Doe #2 to travel to [REDACTED]

(14) In or around 2003, JEFFREY EPSTEIN engaged in sexual intercourse with an unidentified female in the presence of Jane Doe #2, who was then a sixteen-year-old girl.

(15) In or around 2003, Defendant JEFFREY EPSTEIN paid \$300 to Jane Doe #2, who was then a sixteen-year-old girl, for allowing an unidentified female to perform oral sex on Jane Doe #2 in EPSTEIN's presence.

(16) In or around the spring of 2003, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #4, who was then a fifteen-year-old girl.

(17) In or around the spring of 2003, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #4.

(18) In or around 2004, Defendant JEFFREY EPSTEIN directed Jane Doe #4, who was then a sixteen- or seventeen-year-old girl, to [REDACTED]

(19) In or around 2004, Defendant JEFFREY EPSTEIN [REDACTED] of an adult female in the presence of Jane Doe #4, who was then a sixteen- or seventeen-year-old girl.

(20) In or around 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #4.

- (21) In or around 2004, Defendant JEFFREY EPSTEIN instructed Jane Doe #4 to [REDACTED]
- (22) In or around 2004, Defendant JEFFREY EPSTEIN [REDACTED] of Jane Doe #4, who was then a sixteen- or seventeen-year-old girl.
- (23) In or around the first half of 2004, Defendant JEFFREY EPSTEIN offered to pay Jane Doe #6 to bring additional girls to [REDACTED]
- (24) In or around the first half of 2004, Defendant [REDACTED] made a payment of \$200 to Jane Doe #6 for recruiting a minor female to travel to [REDACTED].
- (25) In or around the first half of 2004, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #8, who was then a seventeen-year-old girl.
- (26) On or about March 11, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] [REDACTED], and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.
- (27) In or around March 2004, Defendants JEFFREY EPSTEIN and [REDACTED] [REDACTED] caused Jane Doe #5, who was then a seventeen-year-old girl, to travel to [REDACTED] Palm Beach, Florida.
- (28) In or around March 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #5, who was then a seventeen-year-old girl.
- (29) In or around March 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #5.

(30) On or about May 1, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] [REDACTED] and [REDACTED] traveled from New York, New York to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JECE, INC.

(31) On or about May 14, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] [REDACTED] and [REDACTED] traveled from Canada to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JECE, INC.

(32) On or about May 14, 2004, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #6.

(33) In or around May 2004, Defendant [REDACTED] led Jane Doe #6 from the kitchen at [REDACTED] upstairs to Defendant JEFFREY EPSTEIN's bedroom at 358 El Brillo Way.

(34) In or around May 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #6, who was then a sixteen-year-old girl.

(35) In or around May 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #6.

(36) On or about June 11, 2004, Defendants JEFFREY EPSTEIN and [REDACTED] traveled from Chicago, Illinois to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(37) On or about June 11, 2004, Defendant [REDACTED] made one or more telephone calls to a telephone used by Jane Doe #6.

(38) On or about June 20, 2004, Defendant [REDACTED] made one or more telephone calls to a telephone used by Jane Doe #6.

(39) On or about June 20, 2004, Defendants JEFFREY EPSTEIN and [REDACTED] [REDACTED] traveled from the U.S. Virgin Islands to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(40) On or about July 4, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] [REDACTED] and [REDACTED] traveled from Aspen, Colorado to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(41) On or about July 4, 2004, Defendant [REDACTED] made one or more telephone calls to a telephone used by Jane Doe #7.

(42) In or around July 2004, Defendant JEFFREY EPSTEIN led Jane Doe #3, who was then a fifteen-year-old girl, and Jane Doe #7, who was then a sixteen-year-old girl, from the kitchen of [REDACTED] upstairs to Defendant JEFFREY EPSTEIN's bedroom at [REDACTED].

(43) In or around July 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #7, who was then a sixteen-year-old girl.

(44) In or around July 2004, Defendant JEFFREY EPSTEIN instructed Jane Doe #7, who was then a sixteen-year-old girl, to [REDACTED]

(45) In or around July 2004, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #7, who was then a sixteen-year-old girl.

(46) In or around July 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #7.

(47) In or around July 2004, Defendant JEFFREY EPSTEIN told Jane Doe #7 that if she reported to anyone what had occurred at Defendant JEFFREY EPSTEIN's home, bad things could happen to her.

(48) In or around July 2004, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #8, who was then a seventeen-year-old girl.

(49) In or around July 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #8, who was then a seventeen-year-old girl.

(50) In or around July 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #8.

(51) On or about July 15, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #7.

(52) On or about July 15, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #8.

(53) On or about July 16, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #7.

(54) On or about July 16, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] [REDACTED] and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(55) On or about July 16, 2004, Defendant [REDACTED] caused Jane Doe #8 to make one or more telephone calls to a telephone used by Jane Doe #9.

(56) On or about July 17, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #8.

(57) On or about July 18, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #6.

(58) On or about July 18, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #8.

(59) On or about July 22, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #6.

(60) On or about July 22, 2004, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #8.

(61) On or about July 22, 2004, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #9.

(62) On or about July 22, 2004, Defendants JEFFREY EPSTEIN, [REDACTED], [REDACTED], and [REDACTED] traveled from the U.S. Virgin Islands to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(63) In or around the last half of 2004, Defendants JEFFREY EPSTEIN and [REDACTED] engaged in oral sex and sexual intercourse in the presence of Jane Doe #8, who was then a seventeen-year-old girl.

(64) In or around the last half of 2004, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #8, who was then a seventeen-year-old girl.

(65) In or around the last half of 2004, Defendant JEFFREY EPSTEIN made a payment of \$300 or more to Jane Doe #8.

(66) In or around the last half of 2004, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #9, who was then a seventeen-year-old girl.

(67) In or around the last half of 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #9.

(68) In or around the last half of 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #10, who was then a seventeen-year-old girl.

(69) In or around the last half of 2004, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #10, who was then a seventeen-year-old girl.

(70) In or around the last half of 2004, Defendant JEFFREY EPSTEIN attempted to [REDACTED] Jane Doe #10, who was then a seventeen-year-old girl.

(71) In or around the last half of 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #10.

(72) In or around the last half of 2004, Defendant [REDACTED] led Jane Doe #13 from the kitchen of [REDACTED] upstairs to Defendant JEFFREY EPSTEIN's bedroom at [REDACTED].

(73) In or around the last half of 2004, Defendant JEFFREY EPSTEIN asked Jane Doe #13 to provide her telephone number.

(74) In or around the last half of 2004, Defendant JEFFREY EPSTEIN instructed Jane Doe #13, who was then a seventeen-year-old girl, to [REDACTED]

(75) In or around the last half of 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #13, who was then a seventeen-year old girl.

(76) In or around the last half of 2004, Defendant JEFFREY EPSTEIN made a payment of \$300 to Jane Doe #13.

(77) On or about August 19, 2004, Defendants JEFFREY EPSTEIN and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(78) On or about August 21, 2004, Defendant [REDACTED] placed one or more calls to a telephone used by Jane Doe #11.

(79) On or about August 25, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(80) In or around the last quarter of 2004, Defendant [REDACTED] caused Jane Doe #5 to place a telephone call to Jane Doe #12.

(81) In or around the last quarter of 2004, Defendants JEFFREY EPSTEIN and [REDACTED] caused Jane Doe #5 to travel with Jane Doe #12 to [REDACTED].

(82) In or around the last quarter of 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #12, who was then a sixteen-year-old girl.

(83) In or around the last quarter of 2004, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #12, who was then a sixteen-year-old girl.

(84) In or around the last quarter of 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #12.

(85) In or around the last quarter of 2004, Defendant JEFFREY EPSTEIN caused a payment to be made to Jane Doe #5 for recruiting Jane Doe #12 to travel to [REDACTED].

(86) On or about October 2, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] traveled from the U.S. Virgin Islands to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEJE, INC.

(87) On or about October 29, 2004, Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, INC.

(88) In or around the end of 2004, Defendant [REDACTED] led Jane Doe #19, who was then a sixteen-year-old girl, from the kitchen of [REDACTED], upstairs to Defendant JEFFREY EPSTEIN's bedroom at [REDACTED].

(89) In or around the end of 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #19, who was then a sixteen-year-old girl.

(90) In or around the end of 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #19.

(91) In or around the end of 2004, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #5 to arrange for Jane Doe #19 to travel to [REDACTED]

(92) On or about November 10, 2004, Defendants JEFFREY EPSTEIN and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(93) On or about November 18, 2004, Defendants JEFFREY EPSTEIN, [REDACTED], [REDACTED], [REDACTED] a/k/a [REDACTED] and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(94) In or around December 2004, Defendant [REDACTED] caused Jane Doe #12 to place a telephone call to Jane Doe #15.

(95) In or around December 2004, Defendant JEFFREY EPSTEIN made a payment of \$100 to Jane Doe #12 for bringing Jane Doe #15 to [REDACTED].

(96) In or around December 2004, Defendant [REDACTED] led Jane Doe #15 from the kitchen [REDACTED] upstairs to Defendant JEFFREY EPSTEIN's bedroom at [REDACTED].

(97) In or around December 2004, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #15, who was then a sixteen-year-old girl.

(98) In or around December 2004, Defendant JEFFREY EPSTEIN [REDACTED]

[REDACTED] Jane Doe #15, who was then a sixteen-year-old girl.

(99) In or around December 2004, Defendant JEFFREY EPSTEIN [REDACTED]

[REDACTED] Jane Doe #15, who was then a sixteen-year-old girl.

(100) In or around December 2004, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #15, who was then a sixteen-year-old girl.

(101) On or about December 3, 2004, Defendants JEFFREY EPSTEIN,

[REDACTED], and [REDACTED] a/k/a [REDACTED] traveled from New York, New York to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(102) On or about December 4, 2004, Defendant [REDACTED] provided a

written message to Defendant JEFFREY EPSTEIN regarding Jane Does # 8 and 9, stating: “[Jane Doe #9] would like to work @ 4:00 pm if possible. [[Jane Doe #8] is scheduled for 5:00 today.] the movie is @ 7:30”.

(103) On or about December 6, 2004, Defendant [REDACTED] placed

one or more calls to a telephone used by Jane Doe #14.

(104) On or about December 13, 2004, Defendant JEFFREY EPSTEIN

traveled from the U.S. Virgin Islands to Palm Beach County, Florida, aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(105) On or about December 17, 2004, Defendants JEFFREY EPSTEIN and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(106) On or about December 18, 2004, Defendant [REDACTED] caused Jane Doe #12 to place one or more telephone calls to a telephone used by Jane Doe #15.

(107) In or around the last half of 2004 or January 2005, Defendant [REDACTED] [REDACTED] Jane Doe #9, who was then a seventeen-year-old girl, in the presence of Defendant JEFFREY EPSTEIN.

(108) In or around the last half of 2004 or January 2005, Defendant [REDACTED] [REDACTED] and Defendant JEFFREY EPSTEIN performed sexual acts in the presence of Jane Doe #9, who was then a seventeen-year-old girl.

(109) In or around the end of 2004 and the beginning of 2005, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #13, who was then a seventeen-year-old girl.

(110) On or about December 23, 2004, Defendant JEFFREY EPSTEIN caused a Western Union wire transfer order to be sent to Jane Doe #13.

(111) On or about December 29, 2004, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #8.

(112) On or about December 30, 2004, Defendant [REDACTED] used a credit card to purchase Broadway tickets as an eighteenth birthday gift for Jane Doe #8.

(113) On or about January 1, 2005, Defendants JEFFREY EPSTEIN, [REDACTED], [REDACTED] and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(114) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #13, who was then a seventeen-year-old girl.

(115) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN engaged in sexual intercourse with Jane Doe #13, who was then a seventeen-year-old girl.

(116) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN performed oral sex on Jane Doe #13, who was then a seventeen-year-old girl.

(117) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN made a payment of \$600 to Jane Doe #13.

(118) In or around the first quarter of 2005, Defendants JEFFREY EPSTEIN and [REDACTED] caused Jane Doe #17 to place a telephone call to Jane Doe #18 to ask her to travel to [REDACTED]

(119) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN made a payment to Jane Doe #17 for recruiting Jane Doe #18 to travel to [REDACTED]

(120) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #18, who was then a sixteen-year-old girl.

(121) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN instructed Jane Doe #18, who was then a sixteen-year-old girl, to remove all of her clothing.

(122) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #18, who was then a sixteen-year-old girl.

(123) In or around the first quarter of 2005, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #18, who was then a sixteen-year-old girl.

(124) In or around the first half of 2005, Defendant [REDACTED] made a payment of \$200 to Jane Doe #6 for recruiting another minor female to travel to [REDACTED]

(125) In or around the first half of 2005, Defendant [REDACTED] led Jane Doe #14 from the kitchen of [REDACTED] upstairs to Defendant JEFFREY EPSTEIN's bedroom at [REDACTED]

(126) In or around the first half of 2005, Defendant JEFFREY EPSTEIN instructed Jane Doe #14, who was then a seventeen-year-old girl, to [REDACTED]

(127) In or around the first half of 2005, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #14.

(128) In or around the first half of 2005, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #14.

(129) In or around the first nine months of 2005, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #17, who was then a seventeen-year-old girl.

(130) In or around the first nine months of 2005, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #17, who was then a seventeen-year-old girl.

(131) In or around the first nine months of 2005, Defendant JEFFREY EPSTEIN asked Jane Doe #17, who was then a seventeen-year-old girl, how old she was.

(132) In or around the first nine months of 2005, Defendant JEFFREY EPSTEIN engaged in sexual activity with Defendant [REDACTED] in the presence of Jane Doe #17, who was then a seventeen-year-old girl.

(133) In or around the first nine months of 2005, Defendant JEFFREY EPSTEIN asked Jane Doe #17, who was then a seventeen-year-old girl, [REDACTED] Defendant [REDACTED]

(134) On or about January 6, 2005, Defendant JEFFREY EPSTEIN traveled from [REDACTED] to Palm Beach County, Florida, aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(135) On or about January 7, 2005, Defendant [REDACTED] [REDACTED] a/k/a [REDACTED] placed one or more calls to a telephone used by Jane Doe #14.

(136) On or about January 8, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #13.

(137) On or about January 9, 2005, Defendant [REDACTED], [REDACTED], a/k/a [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #13.

(138) On or about January 14, 2005, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #4.

(139) On or about January 14, 2005, Defendants JEFFREY EPSTEIN, [REDACTED], [REDACTED], [REDACTED], a/k/a [REDACTED] and [REDACTED] traveled from the U.S. Virgin Islands to Palm Beach County, Florida, aboard the Boeing 727 aircraft owned by JEGE, INC.

(140) On or about January 14, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #9.

(141) On or about January 19, 2005, Defendants JEFFREY EPSTEIN, [REDACTED], [REDACTED], [REDACTED], a/k/a [REDACTED] and [REDACTED] traveled from New York, New York to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(142) On or about January 27, 2005, Defendant [REDACTED], [REDACTED], a/k/a [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #9.

(143) On or about January 28, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #9.

(144) In or around the February 2005, Defendant JEFFREY EPSTEIN caused a payment of \$200 to be made to Jane Doe #8 for recruiting Jane Doe #14 to travel to

██████████

(145) In or around February 2005, Defendants JEFFREY EPSTEIN and

██████████ caused Jane Doe #10 to recruit Jane Doe #11 to travel to

██████████

(146) In or around February 2005, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #11, who was then a seventeen-year-old girl.

(147) In or around February 2005, Defendant JEFFREY EPSTEIN

██████████ Jane Doe #11, who was then a seventeen-year-old girl.

(148) In or around February 2005, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #11.

(149) On or about February 1, 2005, Defendant ██████████ placed one or more telephone calls to a telephone used by Jane Doe #13.

(150) On or about February 1, 2005, Defendant ██████████ placed one or more telephone calls to a telephone used by Jane Doe #9.

(151) On or about February 3, 2005, Defendants JEFFREY EPSTEIN, ██████████ and ██████████ traveled from ██████████ to Palm Beach County, Florida, aboard the Boeing 727 aircraft owned by JEGE, INC.

(152) On or about February 4, 2005, Defendant ██████████ placed one or more telephone calls to a telephone used by Jane Doe #14.

(153) On or about February 6, 2005, Defendants JEFFREY EPSTEIN and [REDACTED] caused Jane Doe #5 to make one or more telephone calls to Jane Doe #16.

(154) On or about February 6, 2005, Defendants JEFFREY EPSTEIN and [REDACTED] caused Jane Doe #5 to transport Jane Doe #16 to [REDACTED], Palm Beach, Florida.

(155) On or about February 6, 2005, Defendant JEFFREY EPSTEIN masturbated in the presence of Jane Doe #16, who was then a fourteen-year-old girl.

(156) On or about February 6, 2005, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #16, who was then a fourteen-year-old girl.

(157) On or about February 6, 2005, Defendant JEFFREY EPSTEIN [REDACTED] Jane Doe #16, who was then a fourteen-year-old girl.

(158) On or about February 6, 2005, Defendant JEFFREY EPSTEIN made a payment of \$300 to Jane Doe #16.

(159) On or about February 6, 2005, Defendant JEFFREY EPSTEIN made a payment of \$200 to Jane Doe #5.

(160) On or about February 10, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #13.

(161) On or about February 10, 2005, Defendants JEFFREY EPSTEIN, [REDACTED] [REDACTED], [REDACTED] a/k/a [REDACTED] and [REDACTED] traveled from New York, New York to Palm Beach County, Florida, aboard the Boeing 727 aircraft owned by JEGE, INC.

(162) On or about February 10, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(163) On or about February 21, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(164) On or about February 21, 2005, Defendants EPSTEIN, [REDACTED] and [REDACTED] traveled from the U.S. Virgin Islands to Palm Beach County, Florida, aboard the Boeing 727 aircraft owned by JEGE, INC.

(165) On or about February 23, 2005, Defendant [REDACTED] placed a telephone call to a telephone used by Jane Doe #4.

(166) On or about February 24, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(167) On or about February 24, 2005, Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida, aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(168) In or around March 2005, Defendant JEFFREY EPSTEIN [REDACTED] [REDACTED] Jane Doe #11, who was then a seventeen-year-old girl.

(169) On or about March 1, 2005, Defendant [REDACTED] [REDACTED] a/k/a [REDACTED] [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #13.

(170) On or about March 4, 2005, Defendants JEFFREY EPSTEIN, [REDACTED] [REDACTED] a/k/a [REDACTED] and [REDACTED] traveled from New York, New York to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(171) On or about March 16, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #13.

(172) On or about March 17, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(173) On or about March 18, 2005, Defendant JEFFREY EPSTEIN traveled from New York, New York to Palm Beach County, Florida aboard the Boeing 727 aircraft owned by JEGE, INC.

(174) On or about March 18, 2005, Defendant [REDACTED] left a telephone message for Defendant JEFFREY EPSTEIN regarding Jane Doe #6, stating: "Is it ok if [Jane Doe #6] will come at 5?"

(175) On or about March 21, 2005, Defendant [REDACTED], [REDACTED] a/k/a [REDACTED] [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #13.

(176) On or about March 29, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #6.

(177) On or about March 29, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #5.

(178) On or about March 29, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #13.

(179) On or about March 30, 2005, Defendant [REDACTED] placed one or more calls to a telephone used by Jane Doe #5.

(180) On or about March 30, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(181) On or about March 31, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(182) On or about March 31, 2005, Defendant [REDACTED] placed one or more calls to a telephone used by Jane Doe #5.

(183) On or about March 31, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #8.

(184) On or about March 31, 2005, Defendant [REDACTED] [REDACTED], a/k/a [REDACTED] [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(185) On or about March 31, 2005, Defendant JEFFREY EPSTEIN traveled from New York, New York to Palm Beach County, Florida, aboard the Boeing 727 aircraft owned by JEGE, INC.

(186) On or about March 31, 2005, Defendants JEFFREY EPSTEIN and [REDACTED] [REDACTED] caused Jane Doe #5 to make a call to a telephone used by Jane Doe #16.

(187) On or about April 1, 2005, Defendants JEFFREY EPSTEIN and [REDACTED] [REDACTED] caused Jane Doe #5 to make one or more calls to a telephone used by Jane Doe #16.

(188) On or about April 1, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #8.

(189) On or about April 2, 2005, Defendant [REDACTED] [REDACTED], a/k/a [REDACTED] [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(190) On or about April 2, 2005, Defendant [REDACTED] [REDACTED], a/k/a [REDACTED] [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(191) On or about May 19, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #14.

(192) On or about May 19, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(193) On or about May 19, 2005, Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED], a/k/a [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida, aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(194) On or about June 30, 2005, Defendant [REDACTED] caused one or more telephone calls to a telephone used by Jane Doe #17.

(195) On or about June 30, 2005, Defendants JEFFREY EPSTEIN and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(196) In or around July 2005, Defendant [REDACTED] led Jane Doe #18 from the kitchen of [REDACTED] upstairs to Defendant JEFFREY EPSTEIN's bedroom at [REDACTED].

(197) On or about July 2, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(198) On or about July 22, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(199) On or about July 22, 2005, Defendants JEFFREY EPSTEIN and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(200) On or about August 18, 2005, Defendants JEFFREY EPSTEIN, [REDACTED] a/k/a [REDACTED] and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(201) On or about August 18, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(202) On or about August 19, 2005, Defendant [REDACTED] a/k/a [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(203) On or about August 21, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(204) On or about September 3, 2005, Defendants JEFFREY EPSTEIN and [REDACTED] a/k/a [REDACTED] traveled from the U.S. Virgin Islands to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(205) On or about September 3, 2005, Defendant [REDACTED] a/k/a [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(206) On or about September 18, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(207) On or about September 18, 2005, Defendants JEFFREY EPSTEIN, [REDACTED] and [REDACTED] a/k/a [REDACTED] traveled from

[REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(208) On or about September 18, 2005, Defendant [REDACTED] sent a text message to a telephone used by Jane Doe #17.

(209) On or about September 29, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(210) On or about September 29, 2005, Defendants JEFFREY EPSTEIN, [REDACTED], [REDACTED] a/k/a "[REDACTED]" and [REDACTED] traveled from [REDACTED] to Palm Beach County, Florida aboard the Gulfstream aircraft owned by Hyperion Air, Inc.

(211) On or about September 30, 2005, Defendant [REDACTED], [REDACTED] a/k/a "[REDACTED]" placed one or more telephone calls to a telephone used by Jane Doe #17.

(212) On or about October 1, 2005, Defendant [REDACTED] left a telephone message for Defendant JEFFREY EPSTEIN stating: "[Jane Doe #14] confirmed at 11 AM and [Jane Doe #17] – 4PM".

(213) On or about October 2, 2005, Defendant [REDACTED] placed one or more telephone calls to a telephone used by Jane Doe #17.

(214) On or about October 3, 2005, Defendant [REDACTED] caused one or more telephone calls to a telephone used by Jane Doe #17.

(215) On or about October 3, 2005, Defendant [REDACTED] left a telephone message for Defendant JEFFREY EPSTEIN stating: “[Jane Doe #17] will be ½ hour late”.

(216) In or around the first week of October of 2005, Defendant JEFFREY EPSTEIN engaged in sexual intercourse with Jane Doe #17, who was then a seventeen-year-old girl.

(217) In or around the first week of October of 2005, Defendant JEFFREY EPSTEIN made a payment of \$350.00 to Jane Doe #17, who was then a seventeen-year-old girl.

All in violation of Title 18, United States Code, Sections 371 and 2.

COUNT 2
(Conspiracy to Travel: 18 U.S.C. § 2423(e))

25. Paragraphs 1 through 19 of this indictment are re-alleged and incorporated by reference as fully set for the herein.

26. From at least as early as 2001 through in or around October 2005, the exact dates being unknown to the Grand Jury, the defendants,

JEFFREY EPSTEIN,

[REDACTED] [REDACTED]
[REDACTED] a/k/a [REDACTED]
and
[REDACTED]

and

did knowingly and willfully conspire with each other and with others known and unknown to travel in interstate commerce for the purpose of engaging in illicit sexual conduct, as defined in 18 U.S.C. § 2423(f), with another person, in violation of Title 18, United States Code, Section 2423(b); all in violation of Title 18, United States Code, Section 2423(e).

COUNT 3
(Facilitation of Unlawful Travel of Another: 18 U.S.C. § 2423(d))

27. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

28. From at least as early as in or about 2001 through in or around October 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

[REDACTED] [REDACTED]

did, for the purpose of commercial advantage or private financial gain, arrange and facilitate the travel of a person, that is Defendant Jeffrey Epstein, knowing that such person was traveling in

interstate commerce for the purpose of engaging in illicit sexual conduct, as defined in 18 U.S.C. § 2423(f); in violation of Title 18, United States Code, Section 2423(d).

COUNT 4
(Sex Trafficking: 18 U.S.C. § 1591(a)(2))

29. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

30. From at least as early as in or about 2001 through in or about October 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

[REDACTED] [REDACTED]
[REDACTED] [REDACTED] a/k/a [REDACTED]
and
[REDACTED]

did knowingly benefit, financially or by receiving anything of value, from participation in a venture, as defined in 18 U.S.C. § 1591(c)(3), which had engaged in an act described in violation of 18 U.S.C. § 1591(a)(1), that is, the recruiting, enticing, providing, and obtaining by any means a person, in or affecting interstate commerce, knowing that the person or persons had not attained the age of 18 years and would be caused to engage in a commercial sex act as defined in 18 U.S.C. § 1591(c)(1); in violation of Title 18, United States Code, Sections 1591(a)(2), 1591(b)(2), and 2.

COUNT 5
(Enticement of a Minor: 18 U.S.C. § 2422(b))

31. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

32. From in or around the spring of 2003 through on or about October 2, 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN

and

██████████ ██████████

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #4, who was a person who had not attained the age of 18 years, to engage in prostitution and in a sexual activity for which a person can be charged with a criminal offense, that is violations of Florida Statutes Sections 800.04(5)(a), 800.04(6)(a), and 800.04(7)(a); in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 6

(Enticement of a Minor: 18 U.S.C. § 2422(b))

33. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

34. In or around March 2004, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN

and

██████████ ██████████

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #5, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 7

(Enticement of a Minor: 18 U.S.C. § 2422(b))

35. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

36. From in or around April 2004 through on or around June 29, 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,

and

[REDACTED] a/k/a [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #6, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 8

(Enticement of a Minor: 18 U.S.C. § 2422(b))

37. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

38. In or around July 2004, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN

and

[REDACTED] [REDACTED]
did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #7, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 9
(Enticement of a Minor: 18 U.S.C. § 2422(b))

39. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

40. From in or around July 2004 through on or around December 29, 2004, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN
[REDACTED] [REDACTED]
[REDACTED] a/k/a [REDACTED] [REDACTED]
and
[REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #8, who was a person who had not attained the age of 18 years, to engage in prostitution and in a sexual activity for which a person can be charged with a criminal offense, that is a violation of Florida Statutes Section 794.05; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 10
(Enticement of a Minor: 18 U.S.C. § 2422(b))

41. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

42. From in or around July 2004 through on or about January 31, 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,

[REDACTED] a/k/a [REDACTED]
and [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #9, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 11
(Enticement of a Minor: 18 U.S.C. § 2422(b))

43. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

44. From in or around the middle of 2004 through on or about April 22, 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN
and
[REDACTED] [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #10, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 12
(Enticement of a Minor: 18 U.S.C. § 2422(b))

45. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

46. From in or around August 2004 through on or about May 27, 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,

and

[REDACTED] a/k/a [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #11, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 13

(Enticement of a Minor: 18 U.S.C. § 2422(b))

47. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

48. From in or around November 2004 through in or around March 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,

and

[REDACTED] a/k/a [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #13, who was a person who had not attained the age of 18 years, to engage in prostitution and in a sexual activity for which a person can be charged with a criminal

offense, that is a violation of Florida Statutes Section 794.05; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 14
(Enticement of a Minor: 18 U.S.C. § 2422(b))

49. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

50. From in or around December 2004 through on or about June 5, 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,

[REDACTED] and

[REDACTED] a/k/a [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #14, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 15
(Enticement of a Minor: 18 U.S.C. § 2422(b))

51. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

52. In or around December 2004, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN

and

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #15, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 16
(Enticement of a Minor: 18 U.S.C. § 2422(b))

53. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

54. In or around February 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN

and

[REDACTED] [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #16, who was a person who had not attained the age of 18 years, to engage in prostitution and in a sexual activity for which any person can be charged with a criminal offense, that is violations of Florida Statutes Sections 800.04(5)(a), 800.04(6)(a), and 800.04(7)(a); in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 17
(Enticement of a Minor: 18 U.S.C. § 2422(b))

55. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

56. From in or around February 2005 through in or around the first week of October 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,

[REDACTED] a/k/a [REDACTED]

and [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce or entice Jane Doe #17, who was a person who had not attained the age of 18 years, to engage in prostitution and in a sexual activity for which a person can be charged with a criminal offense, that is a violation of Florida Statutes Section 794.05; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNT 18

(Enticement of a Minor: 18 U.S.C. § 2422(b))

57. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

58. From in or around February 2005 through in or around April 2005, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JEFFREY EPSTEIN,

[REDACTED] a/k/a [REDACTED]

and [REDACTED]

did use a facility or means of interstate commerce, that is, the telephone, to knowingly persuade, induce and entice Jane Doe #18, who was a person who had not attained the age of 18 years, to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2.

COUNTS 19 THROUGH 22

(Travel to Engage in Illicit Sexual Conduct: 18 U.S.C. § 2423(b))

59. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

60. On or about the dates enumerated as to each count listed below, from a place outside the Southern District of Florida to a place inside the Southern District of Florida, the Defendant(s) listed below traveled in interstate commerce for the purpose of engaging in illicit sexual conduct as defined in 18 U.S.C. § 2423(f), with a person under 18 years of age, that is, the person(s) listed in each count below:

COUNT	DATE(S)	MINOR(S) INVOLVED	DEFENDANT(S)
19	7/16/2004	Jane Doe #7 Jane Doe #8 Jane Doe #9	JEFFREY EPSTEIN [REDACTED]
20	3/31/2005	Jane Doe #6 Jane Doe #13 Jane Doe #14 Jane Doe #16 Jane Doe #17	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]
21	9/18/2005	Jane Doe #17	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]
22	9/29/05	Jane Doe #17	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]

All in violation of Title 18, United States Code, Sections 2423(b) and 2.

COUNTS 23 THROUGH 32

(Sex Trafficking: 18 U.S.C. § 1591(a)(1))

61. Paragraphs 1 through 19 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

62. On or about the dates enumerated as to each count listed below, the exact dates being unknown to the Grand Jury, in Palm Beach County, in the Southern District of Florida, and elsewhere, the Defendants listed below did knowingly, in and affecting interstate and foreign commerce, recruit, entice, provide, and obtain by any means a person, that is, the person in each count listed below, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act as defined in 18 U.S.C. § 1591(c)(1):

COUNT	DATE(S)	MINOR(S) INVOLVED	DEFENDANT(S)
23	2001 - 2004	Jane Doe #2	JEFFREY EPSTEIN [REDACTED]
24	April 2004 through June 29, 2005	Jane Doe #6	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]
25	July 2004	Jane Doe #7	JEFFREY EPSTEIN [REDACTED]
26	July 2004 through December 29, 2004	Jane Doe #8	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]
27	July 2004 through January 31, 2005	Jane Doe #9	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]

COUNT	DATE(S)	MINOR(S) INVOLVED	DEFENDANT(S)
28	Mid-2004 through April 22, 2005	Jane Doe #10	JEFFREY EPSTEIN [REDACTED]
29	August 2004 through May 27, 2005	Jane Doe #11	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]
30	November 2004 through March 2005	Jane Doe #13	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]
31	December 2004 through June 5, 2005	Jane Doe #14	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]
32	February 2005 through first week of October 2005	Jane Doe #17	JEFFREY EPSTEIN [REDACTED] a/k/a [REDACTED]

All in violation of Title 18, United States Code, Sections 1591(a)(1) and 2.

FORFEITURE 1

Upon conviction of the violation alleged in Count 1 of this indictment, the defendants, JEFFREY EPSTEIN, [REDACTED], [REDACTED], [REDACTED], a/k/a [REDACTED] and [REDACTED], shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to the violation.

Pursuant to Title 28, United States Code, Section 2461; Title 18, United States Code, Section 981(a)(1)(C); and Title 21, United States Code, Section 853.

If the property described above as being subject to forfeiture, as a result of any act or omission of the defendants, JEFFREY EPSTEIN, [REDACTED] [REDACTED] [REDACTED] a/k/a [REDACTED] and [REDACTED],

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

All pursuant to Title 28 United States Code, Section 2461; Title 18, United States Code, Section 981(a)(1)(C); and Title 21 United States Code, Section 853.

FORFEITURE 2

Upon conviction of any of the violations alleged in Counts 2, 3, 5-50, 59, 60, of this indictment, the defendants, JEFFREY EPSTEIN, [REDACTED] [REDACTED] [REDACTED] a/k/a [REDACTED] and [REDACTED], shall forfeit to the United States any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and any property, real or personal, used or intended to be used to

commit or to promote the commission of such offense, including but not limited to the following:

a. A parcel of land located at [REDACTED], Palm Beach, Florida 33480, including all buildings, improvements, fixtures, attachments, and easements found therein or thereon, and more particularly described as:

Being all of [REDACTED], [REDACTED], as recorded in [REDACTED], in the records of Palm Beach County, Florida and

BEING that portion lying [REDACTED], as recorded in [REDACTED] Public Records of Palm Beach County, Florida, being bounded on the West by the West side of an existing concrete seawall and the northerly extension thereof as shown on the Adair & Brady, Inc., drawing [REDACTED], and bounded on the East by the shoreline as shown on the plat of [REDACTED] and bounded on the North and South by the Westerly extensions of the North and South lines respectively of [REDACTED] containing 0.07 acres, more or less.

Pursuant to Title 18, United States Code, Section 2253.

If any of the forfeitable property described in the forfeiture section of this indictment, as a result of any act or omission of the defendants JEFFREY EPSTEIN, [REDACTED]

[REDACTED], [REDACTED] a/k/a "[REDACTED]" and [REDACTED],

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(o), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

Pursuant to Title 18, United States Code, Section 2253.

FORFEITURE 3

Upon conviction of any of the violations alleged in Counts 4, 51-58, of this indictment, the defendants, JEFFREY EPSTEIN, [REDACTED], [REDACTED], [REDACTED] a/k/a "[REDACTED]" and [REDACTED], shall forfeit to the United States any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and any property, real or personal, constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such violation, including but not limited to the following:

a. A parcel of land located at [REDACTED], Palm Beach, Florida 33480, including all buildings, improvements, fixtures, attachments, and easements found therein or thereon, and more particularly described as:

Being all of [REDACTED], as recorded in [REDACTED], in the records of Palm Beach County, Florida and

BEING that portion lying West of [REDACTED], as recorded in [REDACTED] Public

Records of Palm Beach County, Florida, being bounded on the West by the West side of an existing concrete seawall and the northerly extension thereof as shown on the Adair & Brady, Inc., drawing [REDACTED], and bounded on the East by the shoreline as shown on the plat of [REDACTED], and bounded on the North and South by the Westerly extensions of the North and South lines respectively of [REDACTED] containing 0.07 acres, more or less.

Pursuant to Title 18, United States Code, Section 1594(b).

A TRUE BILL.

FOREPERSON

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

[REDACTED]
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DEPARTMENT OF JUSTICE

Criminal Division Child Exploitation and Obscenity Section

[REDACTED]

CEOS: [REDACTED] [REDACTED]

Washington, DC 20530-0001
20005

FAX: [REDACTED] [REDACTED]



TO: R. Alexander Acosta, Esq.
Jay Lefkowitz, Esq.

OFFICE NUMBER:

FAX NUMBER:

[REDACTED]

FROM:

[REDACTED]

DATE/TIME: May 16, 2008

OFFICE NUMBER: [REDACTED] [REDACTED]

NUMBER OF PAGES, EXCLUDING THIS SHEET: 5

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U.S. Department of Justice

Criminal Division

Andrew G. Oosterbaan, Chief

Child Exploitation and Obscenity Section

1400 New York Avenue, NW
Suite 600
Washington, DC 20530

FAX: [REDACTED]

May 15, 2008

Jay Lefkowitz, Esq.
Kirkland & Ellis LLP
Citigroup Center
153 E. 53rd St.
New York, NY 10022-4611

Re: *Investigation of Jeffery Epstein*

Dear Mr. Lefkowitz:

Pursuant to your request and the request of U.S. Attorney R. Alexander Acosta, we have independently evaluated certain issues raised in the investigation of Jeffrey Epstein to determine whether a decision to prosecute Mr. Epstein for federal criminal violations would contradict criminal enforcement policy interests. As part of our evaluation, we have reviewed letters written on behalf of Mr. Epstein on February 1, 2007, June 25, 2007, July 6, 2007, March 28, 2008, April 8, 2008, April 28, 2008, and May 14, 2008, with their attachments. We have also reviewed memos prepared by the U.S. Attorney's Office. As you will recall, we met with you and other representatives of Mr. Epstein to further discuss your views on the propriety of a federal prosecution. We have discussed the factual and legal issues you raise with the Criminal Division's Appellate Section, and we consulted with the Office of Enforcement Operations concerning the petite policy.

We are examining the narrow question as to whether there is a legitimate basis for the U.S. Attorney's Office to proceed with a federal prosecution of Mr. Epstein. Ultimately, the prosecutorial decision making authority within a U.S. Attorney's Office lies with the U.S. Attorney. Therefore, to borrow a phrase from the case law, the question we sought to answer was whether U.S. Attorney Acosta would abuse his discretion if he authorized prosecution in this case.

As you know, our review of this case is limited, both factually and legally. We have not looked at the entire universe of facts in this case. It is not the role of the Criminal Division to re-conduct a complete factual inquiry from scratch. Furthermore, we did not analyze any issues concerning prosecution under federal statutes that do not pertain to child exploitation, such as the money laundering statutes.

As was made clear at the outset, we did not review the facts, circumstances, or terms included in the plea offer, nor any allegations that individuals involved in the investigation engaged in misconduct. Despite that agreement, we note that your letters of April 8, April 28, and May 14 focus in large part on accusations of investigative or prosecutorial misconduct. Not only do allegations of prosecutorial misconduct fall outside the boundary of our agreed review, they also fall outside the authority of the Criminal Division in the first instance. Simply, the Criminal Division does not investigate or resolve allegations of professional misconduct by federal prosecutors. For these reasons, we do not respond to the portion of those letters that discuss alleged misconduct.

Based on our review of all of these materials, and after careful consideration of the issues, we conclude that U.S. Attorney Acosta could properly use his discretion to authorize prosecution in this case. We will briefly address each of the issues that you have raised.

Knowledge of age. Federal child exploitation statutes differ as to whether there must be proof that the defendant was aware that the children were under the age of 18. However, even for those statutes where knowledge of age is an element of the offense, it is possible to satisfy that element with proof that the defendant was deliberately ignorant of facts which would suggest that the person was a minor. For that reason, the fact that some of the individuals allegedly lied to Mr. Epstein about their age is not dispositive of the issue. While there may be an open factual issue as to Mr. Epstein's knowledge, we cannot say that it would be impossible to prove knowledge of age for any such charges which require it. Therefore, Mr. Acosta could rightfully conclude that this factual issue is best resolved by a jury.

Travel for the purpose. In the materials you prepared, you suggest that Mr. Epstein should not be charged with violating 18 U.S.C. § 2423(b) because his dominant purpose in going to Florida was not to engage in illegal sexual activity, but rather to return to one of his residences. While we fully understand your argument, we also find that the U.S. Attorney's office has a good faith basis fully to develop the facts on this issue and brief the law to permit a court to decide whether the law properly reaches such conduct. Mr. Acosta would not be abusing his discretion if he decided to pursue such a course of action.

Intent to engage in the conduct at the time of travel. Based on our review of the facts of this case, we respectfully disagree that there is no evidence concerning Mr. Epstein's intent when he traveled, and when that intent was formed. Should Mr. Acosta elect to let the case proceed so that a jury can resolve this factual issue, he would be within his discretion to do so.

Use of a facility or means of interstate or foreign commerce. Much of the materials you have prepared and much of the meeting we had focused on 18 U.S.C. § 2422(b), specifically your contention that Mr. Epstein did not use the phone to coerce anyone to engage in illegal sexual activity. We understand the issue you raise concerning the statutory interpretation. As before, however, we cannot agree that there is no evidence that would support a charge under Section 2422(b), nor can we agree that there is no argument in support of the application of that statute to this case. Finally, our assessment is that the application of that statute to these facts would not be

so novel as to implicate the so-called "clear statement rule," the *Ex Post Facto* clause, or the Due Process clause. As with the other legal issues, Mr. Acosta may elect to proceed with the case.

Absence of coercion. With respect to 18 U.S.C. § 1591, the alleged absence of the use of force, fraud, or coercion is of no moment. The statute does not require the use of force, fraud, and coercion against minors. Because of their age, a degree of coercion is presumed. In your materials, you note that the statute requires that the minors must be "caused" to engage in a commercial sex act, further arguing that the word "cause" suggests that a certain amount of undue influence was used. We reject that interpretation, as it would read back into the offense an element—coercion—that Congress has expressly excluded. We have successfully prosecuted defendants for the commercial sexual exploitation of minors, even when the minors testified that not only did they voluntarily engage in the commercial sex acts, it was their idea to do so. As such, Mr. Acosta could properly decide to pursue charges under Section 1591 even if there is no evidence of coercion.

More broadly, a defendant's criminal liability does not hinge on his victim identifying as having suffered at his hands. Therefore, a prosecution could proceed, should Mr. Acosta decide to do so, even though some of the young women allegedly have said that they do not view themselves as victims.

Witness credibility. As all prosecutors know, there are no perfect witnesses. Particularly in cases involving exploited children, as one member of your defense team, Ms. Thacker, surely knows from her work at CEOS, it is not uncommon for victim-witnesses to give conflicting statements. The prosecutors are in the best position to assess the witness's credibility. Often, the prosecutor may decide that the best approach is to present the witness, let defense counsel explore the credibility problems on cross-examination, and let the jury resolve the issue. Mr. Acosta would be within his authority to select that approach, especially when there are multiple, mutually-corroborating witnesses.

Contradictions and omissions in the search warrant application. We have carefully reviewed the factual issues you raise concerning the search warrant application. For a search warrant to be suppressed, however, the factual errors must be material, and the officers must not have proceeded in good faith. Despite the numerous factual errors you describe, the U.S. Attorney's Office could still plausibly argue that the mistakes—whether inadvertent or intentional—were not material to the determination that probable cause existed for a search, and that the search was in good faith in any event. As such, Mr. Acosta could properly elect to defend the search warrant in court rather than forego prosecution.

Petite Policy: After reviewing the petite policy and consulting with the Office of Enforcement Operations ("OEO"), we conclude that the petite policy does not prohibit federal prosecution in this case. According to the U.S. Attorney's Manual, the petite policy "applies whenever there has been a prior state or federal prosecution resulting in an acquittal, a conviction, including one resulting from a plea agreement, or a dismissal or other termination of

the case on the merits after jeopardy has attached." USAM 9-2.031(C). Our understanding is that the state case is still pending. As such, the procedural posture of the state case does not implicate the petite policy.

We recognize that the petite policy could be triggered if the state case concluded after a federal indictment was issued but prior to the commencement of any federal trial. *Id.* However, the policy "does not apply ... where the [state] prosecution involved only a minor part of the contemplated federal charges." USAM 9-2.031(B). Based on our understanding of the possible federal charges and existing state charges, we do not think the petite policy would be an issue should federal proceedings take place.

Federalism and Prosecutorial Discretion. All of the above issues essentially ask whether a federal prosecution *can* proceed. We understand, however, that you also ask whether a federal prosecution *should* proceed, even in the event that all of the elements of a federal offense could be proven. On this issue, you raised two arguments: that the conduct at issue here is traditionally a state concern because the activity is entirely local, and that the typical prosecution under federal child exploitation statutes have different facts than the ones implicated here. You have essentially asked us to look into whether a prosecution would so violate federal prosecutorial policy that a United States Attorney's Office should not pursue a prosecution. We do not think that is the case here for the following reasons.

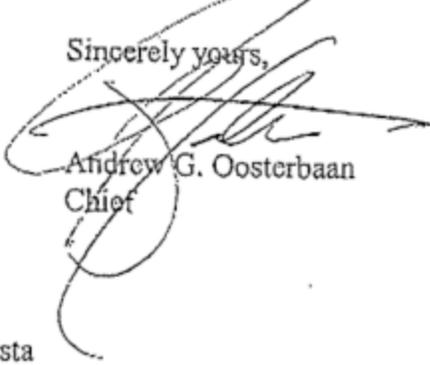
Simply, the commercial sexual exploitation of children is a federal concern, even when the conduct is local, and regardless of whether the defendant provided the child (the "pimp") or paid for the child (the "john"). In your materials, you refer to a letter sent by the Department of Justice to Congress in which the Department expresses concern over the expansion of federal laws to reach almost all instances of prostitution. In that portion of the letter, the Department was expressly referring to a proposed federal law that reach adult prostitution where no force, fraud, or coercion was used. Indeed, the point being made in that letter is that the Department's efforts are properly focused on the commercial sexual exploitation of children and the exploitation of adults through the use of force, fraud, or coercion. As such, there is no inconsistency between the position taken in that letter and the federal prosecution of wholly local instances of the commercial sexual exploitation of children.

If Congress wanted to limit the reach of federal statutes only to those who profit from the commercial sexual exploitation of children, or only to those who actually traffic children across state lines, it could have done so. It did not. Finally, that a prosecution of Mr. Epstein might not look precisely like the cases that came before it is not dispositive. We can say with confidence that this case is consistent in principle with other federal prosecutions nationwide. As such, Mr. Acosta can soundly exercise his authority to decide to pursue a prosecution even though it might involve a novel application of a federal statute.

Conclusion. After carefully considering all the factual and legal issues raised, as well as the arguments concerning the general propriety of a federal case against Mr. Epstein on these

facts, we conclude that federal prosecution in this case would not be improper or inappropriate. While you raise many compelling arguments, we do not see anything that says to us categorically that a federal case should not be brought. Mr. Acosta would not be abusing his prosecutorial discretion should he authorize federal prosecution of Mr. Epstein.

Sincerely yours,



Andrew G. Oosterbaan
Chief

cc: AAG Alice S. Fisher
DAAG Sigal P. Mandelker
U.S. Attorney R. Alexander Acosta



U.S. Department of Justice

United States Attorney
Southern District of Florida

UNITED STATES ATTORNEY'S OFFICE
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First Assistant U.S. Attorney

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Staff Assistant

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SUBJECT: Epstein

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3E-11-11-8062

Kenneth W. Starr
Kirkland & Ellis LLP

Joe D. Whitley
Aston & Bird LLP

May 27, 2008

VIA FACSIMILE

CONFIDENTIAL

Honorable Mark Filip
Office of the Deputy Attorney General
United States Department of Justice

Washington, D.C. 20530

Dear Judge Filip:

This letter briefly supplements our prior submission to you dated May 19, 2008. In that communication, we urgently requested that your Office conduct an independent review of the proposed federal prosecution of our client, Jeffrey Epstein. The dual reasons for our request that you review this matter are (i) the bedrock need for integrity in the enforcement of federal criminal laws, and (ii) the profound questions raised by the unprecedented extension of federal law by the United States Attorney's Office in Miami (the "USAO") to a prominent public figure who has close ties to former President Clinton.

The need for review is now all the more exigent. On Monday, May 19, 2008, First Assistant Jeffrey [redacted] the USAO responded to an email from Jay Lefkowitz informing U.S. Attorney Alex Acosta that we would be seeking your Office's review. Mr. [redacted] letter, which imposed a deadline of June 2, 2008 to comply with all the terms of the current Non-Prosecution Agreement (the "Agreement"), plus new unilateral modifications, on pain of being deemed in breach of that Agreement, appears to have been deliberately designed to deprive us of an adequate opportunity to seek your Office's review in this matter.

The USAO's desire to foreclose a complete review is understandable, given that the Child Exploitation and Obscenity Section ("CEOS") has already determined that our substantive arguments regarding why a federal prosecution of Mr. Epstein is not warranted were "compelling." However, in contradiction to Mr. [redacted] assertion that CEOS had provided an independent, *de novo* review, CEOS made clear that it did not do so, indeed, CEOS declined to examine several of the more troubling aspects of the investigation of Mr. Epstein, including the deliberate leak to the *New York Times* of numerous highly confidential aspects of the investigation and negotiations between the parties as well as the recent crop of civil lawsuits filed against Mr. Epstein by Mr. [redacted] former law partner.

The unnecessary and arbitrarily imposed deadline set by the USAO was done without any respect for the normal functioning and scheduling of state judicial matters. It requires that Mr. Epstein's counsel persuade the State Attorney of Palm Beach to issue a criminal information

Honorable Mark Filip
May 27, 2008
Page 2

to a charge that the State Attorney has not, despite a two year investigation, determined to be appropriate. Mr. Epstein's counsel must also successfully expedite a plea of guilty to this charge on a date prior to July 8, 2008, which is the date presently set by the state court Judge.

Further, the unnecessary deadline is even more problematic because Mr. Epstein's effort to reconcile the state charge and sentence with the terms of the Agreement requires an unusual and unprecedented threatened application of federal law. Thus, it places Mr. Epstein in the highly unusual position of having to demand that the State acquiesce to a more severe punishment than it had already determined was appropriate.

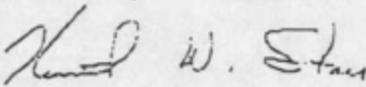
We have attempted to resolve these and other issues through the USAO and CEOA, including raising our concerns about the USAO's inappropriate conduct with respect to this matter. But those avenues have now been shut down. Mr. [REDACTED]'s letter purports to prohibit any further contact between Mr. Epstein's defense team and U.S. Attorney Acosta, and instead requires us to communicate with the USAO only through Mr. Sloman's subordinates.

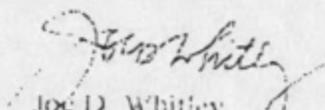
While it pains us to say this, this misguided prosecution from the outset gives the appearance that it may have been politically motivated. Mr. Epstein is a highly successful, self-made businessman and philanthropist who entered the public arena only by virtue of his close personal association with former President Bill Clinton. There is little doubt in our minds that the USAO never would have contemplated a prosecution in this case if Mr. Epstein were just another "John."

U.S. Attorney Acosta previously has stated that he is "sympathetic" to our federalism-related concerns, but he has taken the position that his authority is limited by enforcement policies set forth in Washington, D.C. As expressed in our prior communication to you, we believe that a complete and independent appraisal and resolution of this case most appropriately would be undertaken by your Office, beginning with the rescission of the arbitrary, unfair, and unprecedented deadline that Mr. [REDACTED] demands to have imposed in this case. At the very least, we would appreciate a tolling of the arbitrary timeline imposed on our client by the USAO in order to allow time for your office to consider our request that you undertake a review of this case.

Thank you for your time and attention.

Respectfully submitted,


Kenneth W. Starr
Kirkland & Ellis LLP


Joe D. Whitley
Alston & Bird LL

KIRKLAND & ELLIS LLP

Fax Transmittal

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Joe D. Whitley
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Washington, DC 20004-1404

May 19, 2008

VIA FACSIMILE [REDACTED]

CONFIDENTIAL

Honorable Mark Filip
Office of the Deputy Attorney General
United States Department of Justice

[REDACTED]
Washington, D.C. 20530

Dear Judge Filip:

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Honorable Mark Filip
May 19, 2008
Page 2

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Honorable Mark Filip
May 19, 2008
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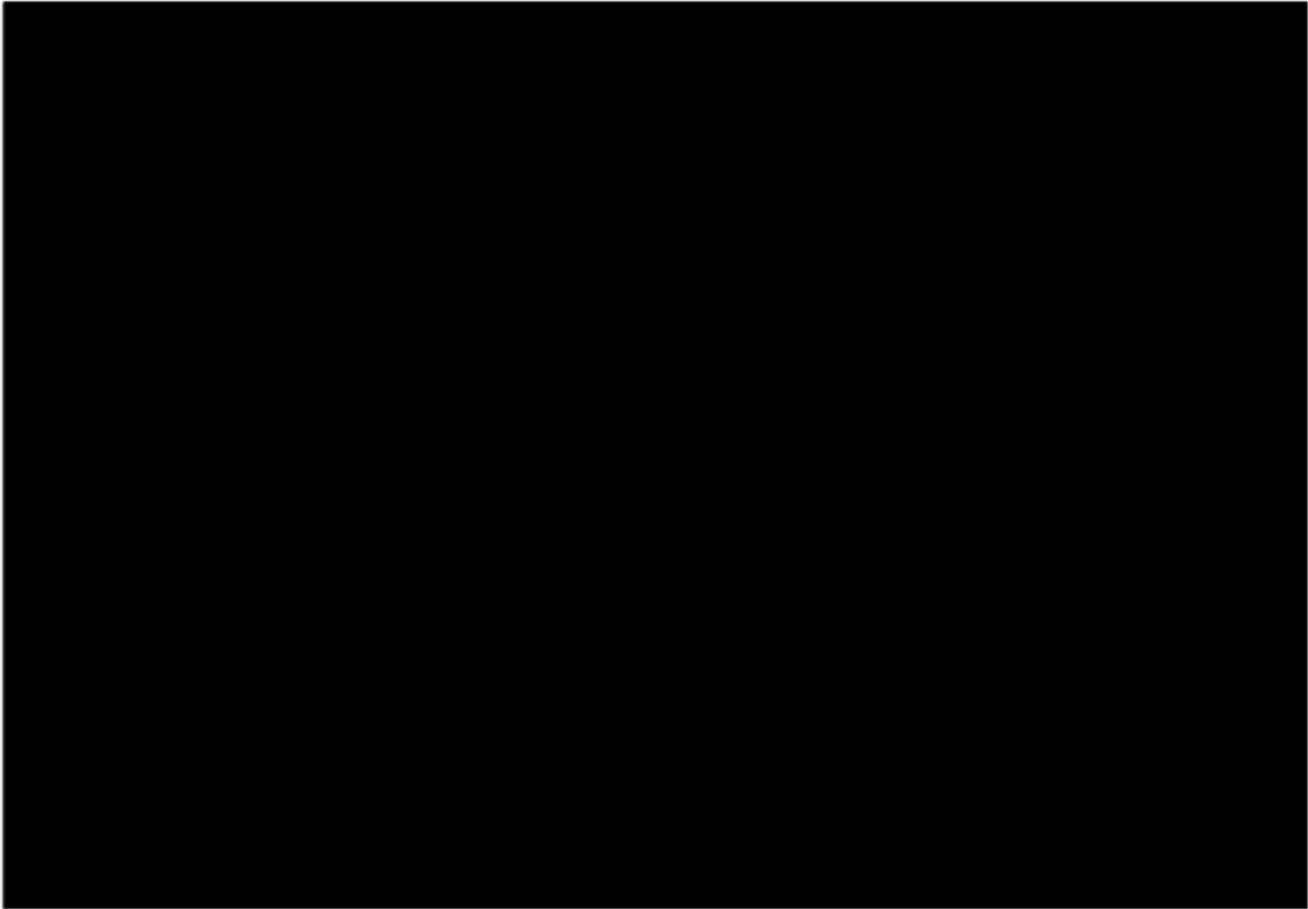
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