

LAW OFFICE



AND ASSOCIATES

August 1, 2008



VIA FACSIMILE



Dear Mr. [Redacted]

I have received your July 25, 2008 letter indicating a change of course by the U.S. Attorney's Office and an apparent decision not to attempt to work out the undisputed facts in this case. If you would like to continue trying to work out the agreed facts then, of course, we are willing to continue to work with you towards that goal. If, as you suggested, that would be unproductive given the limited issues the Court needs to decide, then please consider some additional points below that may help to expedite this matter for the Court.

As indicated in your letter, your current position is that the victims' rights were not yet triggered because no case was filed against Jeffrey Epstein. Consequently, your letter indicates that you will be presenting only two facts to the Court, namely:

- (1) there are no charges in the District Court filed against Jeffrey Epstein; and
- (2) Jeffrey Epstein entered pleas of guilty in Florida State Court on June 30, 2008, was sentenced, and is now imprisoned in Palm Beach County.

We can certainly agree to those two facts. I am writing to see whether you would also be willing to include two additional uncontested facts in your Notice to the Court. The facts we would like you to include are:

(3) As a result of the guilty pleas in Florida State Court entered on June 30, 2008, there is currently in place a "non-prosecution" agreement between Jeffrey Epstein and the U.S. Attorney's Office for the Southern District of Florida that precludes filing of federal criminal charges against Jeffrey Epstein for federal sex crimes committed against the victims in this matter.

(4) While this non-prosecution agreement was negotiated between the U.S. Attorney's Office and Jeffrey Epstein in September 2007 (and amended twice more during that year), the victims and their attorneys were not told about the non-prosecution agreement until after June 30, 2008, because of an express confidentiality provision in the agreement that the U.S. Attorney's Office, the FBI, and other federal agents all complied with.

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In suggesting these stipulations, I am not foreclosing presenting other facts on behalf of the victims if the Court determines that other facts are necessary to have before the Court in order to effectively rule on these issues. It just seems to me that points (3) and (4) are so obviously uncontested, that your office would be willing to stipulate to them and make those facts available to the Court for consideration.

It is unclear from your recent letter whether you intend to give the victims the courtesy of seeing the full and complete non-prosecution agreement that was signed by the parties and that now covers their case. Your previous proposed stipulation of undisputed facts stated: "On July 9, 2008, [REDACTED] sent a victim notification to Jane Doe #1 via her attorney, Bradley Edwards, which is attached as Exhibit 6 to the [REDACTED] Declaration. That notification contains a written explanation of the *full terms* of the agreement between Epstein and the U.S. Attorney's Office." While it appears by this statement to have been your intent to provide the victims with a true and accurate copy of that non-prosecution agreement, that agreement has not yet been produced to them. While it is likely a mere oversight on your part, we would again request a true and accurate copy of the complete non-prosecution agreement that apparently bars federal prosecution of the man who committed sexual crimes against my clients.

Additionally, we would request again that if statements of my clients were taken by FBI agents or your office, that those interview reports containing those statements be produced to us. Finally, I continue to request that you assist the victims in this case by securing a transcript of the hearing on their petition. Your letter did not address that request, and we would hope that your office would assist the innocent and indigent victims in this case by providing that transcript.

Thank you for your attention to these concerns.

Sincerely,



Brad Edwards

BE/sg

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