From: "[redacted])" <[redacted]>
To: "[redacted])" <[redacted]>, Gary Bloxsome [redacted], Daniel Cundy <[redacted]>, Jennifer Richardson <[redacted]>
Cc: "[redacted])" <[redacted]>, "[redacted] <[redacted]>
Subject: RE: Reference materials further to our call
Date: Thu, 10 Sep 2020 19:59:37 +0000
Inline-Images: image001.jpg; image002.jpg

Gary,

Thank you for your email of September 1, 2020. We would like to confirm our understanding of that correspondence, as informed by all of our communications over the past few months, as conveying that (1) your client will not participate in a voluntary interview—either in person or via videoconference—with our office, and (2) that your client will not voluntarily answer questions, even as part of a written statement, regarding events that took place outside of the period 1994 to 1997. Please let us know if our understanding is incorrect.

Thank you,
[redacted]

[redacted]
Assistant United States Attorney
Southern District of New York
1 St. Andrew's Plaza
New York, NY 10007
[redacted]

From: [redacted]) <[redacted]>
Sent: Tuesday, September 1, 2020 1:35 PM
To: Gary Bloxsome [redacted] Daniel Cundy <[redacted]>; Jennifer Richardson <[redacted]>
Cc: [redacted]) <[redacted]>; [redacted]) <[redacted]>; [redacted]>
Subject: RE: Reference materials further to our call

Gary,

We have received the below communication, and we will revert back as appropriate.

thank you,
[redacted]

[redacted]
Assistant U.S. Attorney
Southern District of New York
[redacted]

From: Gary Bloxsome <[redacted]
Sent: Tuesday, September 01, 2020 13:04
To: [redacted]) <[redacted]>; [redacted]) <[redacted]>; Daniel Cundy <[redacted]>; Jennifer Richardson <[redacted]; [redacted]) <[redacted]>
Subject: Re: Reference materials further to our call

Dear [redacted]

We have found our recent conferences with you and your team (on 27 July, 3, 11 and 20 August 2020) helpful and informative and again I extend my thanks for your taking the time to discuss these matters at length.

In the UK the provision of a signed witness statement - bearing a statement attesting as to its truth - is a commonly used approach when a witness provides evidence. Whilst we appreciate that such an approach differs from what is standard in the US, we do not consider such an approach would be unhelpful, or of no utility, to your case. Our client is willing to provide you with a witness statement, addressing any issues that he may be able to,in relation to Ghislaine Maxwell and Jeffrey Epstein, his association with them and his knowledge of them such as may be relevant to the prosecution of Ghislaine Maxwell. In addition - should you make written requests for clarification arising from that witness statement - our client could provide written answers by way of a supplementary/addendum statement. Such an interaction could take place more than once if necessary. Providing written answers to either written questions or to questions previously put, is again a common practice in the UK.

You have invited us to identify any areas or subject topics which we would consider to be inappropriate or irrelevant to be put to our client; we consider that questions put/topics raised should rightfully be limited to the indictment period in the current proceedings (i.e. US v Ghislaine Maxwell), being 1994-1997.

We are of course aware that you have requested a *witness* interview in your request to the UKCA and to ourselves; you have confirmed to us however (in January this year, through your liaison officer immediately prior to our recent conferences, and then during our conferences) that you regard our client not as a *witness* but as a *subject*. We have ventilated at some length our concerns regarding our client being interviewed in those circumstances and we consider a witness statement and the offer of further engagement with written questioning to be a fair compromise and one which would be acceptable in the UK.

To move forward with the above approach, we would continue to require your assurance that the content of any such witness statement and supplementary written responses be treated with the utmost confidentiality, not used for any purpose other than in relation to the criminal proceedings against Ms Maxwell, and not be shared with any parties outside of your department, including complainants and their representatives in your investigation and in civil matters outside of it.

Kind regards

Gary

Gary Bloxsome | Partner
[redacted]
Blackfords LLP | 15 Old Bailey | London | EC4M 7EF
DX 161400 Old Bailey 5 | 020 3427 3343 | **www.blackfords.com**

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On 19 Aug 2020, at 18:19, [redacted]) <[redacted]> wrote:

External email: is it safe to open attachments and links?

Received, thank you. We'll speak with you then.

[redacted]

From: Gary Bloxsome [redacted]
Sent: Wednesday, August 19, 2020 12:39
To: [redacted]) <[redacted]>
Cc: [redacted]) <[redacted]>; [redacted]) <[redacted]>; Jennifer Richardson <[redacted]>; Daniel Cundy <[redacted]>
Subject: Re: Reference materials further to our call

Yes

Same dial in details as before.

Regards

Gary Bloxsome | Partner
[redacted]
Blackfords LLP | 15 Old Bailey | London | EC4M 7EF
DX 161400 Old Bailey 5 | 020 3427 3343 | **www.blackfords.com**

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On 19 Aug 2020, at 17:36, [redacted]) <[redacted]> wrote:

External email: is it safe to open attachments and links?

Gary,

Are we still planning to speak via phone tomorrow at 2:30 London time?

Regards,
[redacted]

From: Daniel Cundy <[redacted]
Sent: Sunday, August 09, 2020 12:30
To: [redacted]) <[redacted]>
Cc: [redacted]) <[redacted]>; [redacted]) <[redacted]>; Gary Bloxsome <gary.bloxsome@blackfords.com>; Jennifer Richardson <jennifer.richardson@blackfords.com>
Subject: Reference materials further to our call

Dear [redacted]

Apologies for the slight delay.

Please find attached an extract from The Decision Procedure and Penalties manual (DEPP 7) from the Financial Conduct Authority handbook – drawing attention to 7.2.14. This practice and approach resonates with the law as set out in *United States v. Allen,* 864 F.3d (2d Cir.2017). We also attach an extract from the publication '*Montgomery and Ormerod on Fraud: Criminal Law and Procedure*' (2008) which summarises the approach taken by the Serious Fraud Office (see A7-327) to the limitations and protections on use when their compulsory powers are used in MLAT requests, an approach which reflects such cases as *Kastigar v. United States*, 406 U.S. 441 (1972) as well as decisions in UK domestic law. We reiterate the protection at Article 7 (2) of the MLAT treaty although there is no need to attach it.

Kind regards

Daniel Cundy | Partner
[redacted]
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DX 161400 Old Bailey 5 | 020 3427 3343 | **www.blackfords.com**

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