

From: Michael Bachner [REDACTED]
To: "[REDACTED]" <[REDACTED]>
Cc: "[REDACTED]" <[REDACTED]>, "[REDACTED]" <[REDACTED]>
Subject: Re: [REDACTED] Attorney Proffer
Date: Wed, 04 Mar 2020 22:31:22 +0000
Inline-Images: image001.jpg

[REDACTED] in DC on biz. Get back to u soon

Michael Bachner
Bachner & Weiner, PC
[REDACTED]

Please excuse typographical errors. Messages sent through dictation.



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On Mar 3, 2020, at 6:15 PM, [REDACTED] <[REDACTED]> wrote:

Michael,

Wanted to get back to you, as promised – as we indicated previously, the attorney proffers we’ve received from you haven’t caused us to change our view of Ms. [REDACTED] status, and I think you’ve generally addressed the initial and follow-up questions we’ve had. I think from our perspective the next step would be to have a conversation with Ms. [REDACTED] directly, and to cover with her the same topics that we’ve addressed with you. Ordinarily we would approach a discussion like that simply by going chronologically, and asking follow-up questions as appropriate along the way, but as I’ve mentioned to you previously, if it would be useful to proceed in a different format, or to focus (or avoid) specific topics in a first meeting, I think we would generally be amenable to that. And of course as we’ve also discussed, any discussion would be completely voluntary—not just the interview overall, but any specific topic or question that she wanted to pass on, or discuss with you in the moment, etc., would be totally up to her. Please let us know what you think? We’re also happy to chat via phone if that would be helpful as well.

thanks,
[REDACTED]

From: [REDACTED]
Sent: Saturday, February 22, 2020 21:59
To: Michael Bachner <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: [REDACTED] Attorney Proffer

Michael,

Received, thank you. This information is helpful, and as with the prior attorney proffer, does not cause us to change our view of Ms. [REDACTED] status.

We will be traveling most of this upcoming week, but I hope that we will be able to follow up with you the following week to discuss possible next steps.

thank you,

[REDACTED]

From: Michael Bachner <[REDACTED]>
Sent: Friday, February 21, 2020 10:45
To: [REDACTED] <[REDACTED]>
Subject: RE: [REDACTED] Attorney Proffer

[REDACTED] pls see attached replies to your questions.

From: Michael Bachner <[REDACTED]>
Sent: Tuesday, February 18, 2020 12:01
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: [REDACTED] Attorney Proffer

Good morning. [REDACTED] was away over the weekend. I expect to have a reply to your questions by tomorrow.

From: [REDACTED] <[REDACTED]>
Sent: Saturday, February 15, 2020 3:44 PM
To: Michael Bachner <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: [REDACTED] Attorney Proffer

Got it -- I had that down as London, rather than Paris, so that's helpful. And I should say, these questions aren't immediately time-sensitive, I just didn't want to forget to ask, since I'm reviewing the notes now.

[REDACTED]

From: Michael Bachner <[REDACTED]>
Sent: Saturday, February 15, 2020 15:41
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: Re: [REDACTED] Attorney Proffer

Hi [REDACTED] is away for the weekend. In our meeting I indicated that she stayed in the Paris apartment with her husband on one occasion. I will get back to you on Monday or Tuesday regarding the other questions you've asked today as well as at the meeting. Have a nice weekend

Michael Bachner
Bachner & Weiner, PC

[REDACTED]

Please excuse typographical errors. Messages sent through dictation.

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On Feb 15, 2020, at 3:05 PM, [REDACTED] <[REDACTED]> wrote:

Michael,

Following up on our meeting, one additional question / clarification we have from reviewing our notes is about whether Ms. [REDACTED] ever visited certain Epstein properties other than his New York mansion and the brief visit to the Palm Beach residence. I apologize if you addressed that and I missed it, but we wanted to add it to the list of additional questions – in particular, whether she ever visited the New Mexico ranch, the Little St. James Island, the Great St. James island, and/or the Paris residence. Also, is it correct that she just visited the Palm Beach residence the one time you referenced? It's not a problem or issue if she visited any of those other locations, we just wanted to clarify one way or the other. And happy to discuss via phone if that's useful.

I
thank you,
[REDACTED]

From: [REDACTED]
Sent: Thursday, February 13, 2020 13:40
To: Michael Bachner [REDACTED]
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: [REDACTED] Attorney Proffer

Michael,

We do understand that your attorney proffer today will be preliminary, and to the best of your client's current recollection and to the best of your current understanding, and without, e.g., having been provided documents or other materials by the Government.

We also confirm that your statements will be considered to be made pursuant to Fed. R. Evid. 410 and Fed. R. Crim. P. 11(f), and therefore under those protections. Regarding Rule 408, we'll just note what we have for other counsel in this case and others who have made similar statements or submissions, which is that we don't take any position on the effect or application of Rule 408 in a prospective or hypothetical dispute in civil litigation, because it doesn't implicate any rights the Government would or would not have, but you can consider us advised that your position is that your statements are also covered under 408. (While our Office itself can't guarantee the protections of Rule 408 because any dispute on that issue would be beyond our purview, we are also not taking the position that we believe it does not apply.)

thank you,
[REDACTED]

From: Michael Bachner [REDACTED]
Sent: Thursday, February 13, 2020 10:08
To: [REDACTED] <[REDACTED]>
Subject: [REDACTED] Attorney Proffer

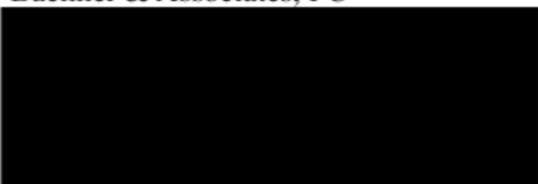
Hi [REDACTED]

Prior to our meeting today, I am writing to confirm that statements I make to you today are preliminary and subject to further refinement once Ms. [REDACTED] and I have the benefit of additional document review and refreshed recollection if necessary based upon input we may receive from your office. My statements to you are intended in hypothetical form only and in any event, we understand that the provisions of FRE 408 and 410 apply.

Please advise if my understanding is correct.

Thanks.

Michael Bachner
Bachner & Associates, PC



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