

November 15, 2019

Anjan Sahni

**FOIA CONFIDENTIAL TREATMENT REQUESTED
PURSUANT TO 28 C.F.R. § 16.8 AND 5 U.S.C. § 552**

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By E-mail (without enclosures) and FedEx

[REDACTED]
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007

Re: August 11, 2019 Grand Jury Subpoenas to JPMorgan Chase Bank, N.A., Chase Bank USA, N.A., and J.P. Morgan Securities LLC; August 16, 2019 and September 3, 2019 Grand Jury Subpoenas to JP Morgan Chase

Dear [REDACTED]:

In response to the above-referenced subpoenas, on behalf of our client JPMorgan Chase ("JPMorgan" or the "Firm"), we submit the enclosed encrypted zip file containing documents bates labeled JPM-SDNY-00000004 through JPM-SDNY-00000011.

Enclosed at JPM-SDNY-00000004 through JPM-SDNY-00000008 are Excel files reflecting the wire activity for account numbers 739110438 and 739470663, which are related to Jeffrey Epstein, and for account numbers 739116312, 3149920008, and 2916490721, which are related to Ghislaine Maxwell. To the extent that we identify any other JPMorgan accounts in the name of Mr. Epstein, Ms. Maxwell, or Ms. [REDACTED], we will produce those in a separate production.

In addition, enclosed at JPM-SDNY-00000009 through JPM-SDNY-00000011 are Excel files reflecting instances in which the names of Mr. Epstein, Ms. Maxwell, or Ms. [REDACTED] appear in a wire transaction involving JPMorgan, including the transactions that are reflected in JPM-SDNY-00000004 through JPM-SDNY-00000008 as well as wire transactions in which JPMC acted as a correspondent bank.

Although we previously communicated that wire information exists in both Excel and PDF format, we now understand that it exists only in Excel format, though it could be converted into PDF format from the Excel files. Accordingly, we are only producing the Excel files here.

As discussed, we anticipate making further productions on a rolling basis.

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Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, 28 C.F.R. § 16.8, and any other applicable law, rule, or regulation, Wilmer Cutler Pickering Hale and Dorr LLP requests on behalf of JPMorgan that confidential treatment be accorded to this letter (Bates numbered JPM-SDNY-CL-002-0001 through JPM-SDNY-CL-002-0003) and the referenced materials (Bates numbered JPM-SDNY-00000004 through JPM-SDNY-00000011 on JPM-SDNY-VOL-002) (collectively, the “Confidential Material”). Accordingly, the Confidential Material has been marked “Confidential Treatment Requested by JPMorgan Chase.” The Confidential Material contains confidential business information concerning JPMorgan. Furthermore, public disclosure of the Confidential Material could reasonably be expected to cause substantial competitive harm to JPMorgan. Accordingly, the Confidential Material is subject to, without limitation, Exemption 4 of the FOIA, 5 U.S.C. § 552(b)(4), and the Trade Secrets Act, 18 U.S.C. § 1905, and will continue to remain exempt from mandatory disclosure even after the conclusion of the Department of Justice’s (“Department”) consideration of this matter.

We note further that, since the Confidential Material constitutes investigatory records obtained by the Department in connection with a potential law enforcement proceeding, such records are subject, at least at present, to the exemption from mandatory disclosure under Exemption 7(A) of the FOIA, 5 U.S.C. § 552(b)(7)(A).¹ Since the documents pertain to the activities of JPMorgan, its employees, and its clients and their employees and agents, and not to the activities of any federal agency, JPMorgan also believes the documents are exempt from disclosure pursuant to Exemption 7(C) of the FOIA, 5 U.S.C. § 552(b)(7)(C).²

Should any third person request the opportunity to inspect or copy the Confidential Material pursuant to the FOIA or otherwise, we request on behalf of JPMorgan that the undersigned immediately be notified of such request and be furnished with a copy of all written materials pertaining to such request (including but not limited to the request and any agency determination with respect to such request). JPMorgan expects that it will be given an opportunity to object to such disclosure. And, should the Department be inclined to grant any such request, it is JPMorgan’s expectation that, pursuant to the procedures required by 28 C.F.R. § 16.8, and Exec. Order 12,600, 52 Fed. Reg. 23,781 (1987), we will be given reasonable advance notice of any such decision to enable our client to pursue any remedy that may be available to it.³ In such event, we request that you telephone the undersigned rather than rely upon the United States mail for such notice. If the Department is not satisfied that the

¹ See, e.g., *NLRB v. Robbins Tire & Rubber Co.*, 437 U.S. 214 (1978).

² See *Dep’t of Justice v. Reports Comm. For Freedom of Press*, 489 U.S. 749 (1989).

³ See, e.g., *Chrysler Corp. v. Brown*, 441 U.S. 281 (1979).

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submission is exempt from disclosure pursuant to the FOIA, we stand ready to supply further particulars.

The requests set forth in the preceding paragraphs also apply to any memoranda, notes, recordings, or other writings of any sort whatsoever which are made by, or at the request of, any employee of the Department (or any other government agency) and which (1) incorporate, include, or relate to any of the information contained in the Confidential Material; or (2) refer to any conference, meeting, telephone conversation, or interview between (a) our client's current or former employees, associates, representatives, agents, auditors, or counsel and (b) employees of the Department (or any other government agency).

This letter is not intended to, and does not, waive any applicable privilege or other legal basis under which information may not be subject to production.

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If you have any questions, please do not hesitate to contact me at the above-referenced number.

Sincerely,



Anjan Sahni

Enclosure

Confidential Treatment Requested by JP Morgan Chase

JPM-SDNY-CL-002-0003

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