

From: "[REDACTED] (USANYS)" <[REDACTED]>
To: "[REDACTED] (USANYS)" <[REDACTED]>
Cc: "[REDACTED] (USANYS)" <[REDACTED]>, "[REDACTED]" <[REDACTED]>
Subject: FW: US v Epstein
Date: Tue, 13 Aug 2019 18:09:19 +0000

I sent this because Mr. Weinberg already included me in a couple of emails.

From: [REDACTED] (USANYS)
Sent: Tuesday, August 13, 2019 2:08 PM
To: [REDACTED]; 'Miller, Michael' <[REDACTED]>; 'Weingarten, Reid' <[REDACTED]>; [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: US v Epstein

Mr. Weinberg,

Thank you for this email. My contact information appears below.

Interpreting the requests in your August 11 email as relating to a potential civil action, our Office, as a custodian of potentially pertinent documents, has instituted a litigation hold. My role as [REDACTED] does not extend to directing or implementing holds at agencies other than this Office (the USAO-SDNY). To the extent you seek records from our Office (or any component of the Department of Justice) in connection with a potential civil matter, please note the Department of Justice's *Touhy* regulations, 28 C.F.R. sections 16.21 through 16.29, governing how such requests are to be made and processed.

Thank you.

Sincerely,

[REDACTED]
—
[REDACTED]
U.S. Attorney's Office, S.D.N.Y.
[REDACTED]
[REDACTED]
[REDACTED]

From: Martin Weinberg <[REDACTED]>
Sent: Tuesday, August 13, 2019 1:54 PM
To: 'Miller, Michael' <[REDACTED]>; 'Weingarten, Reid' <[REDACTED]>; [REDACTED] <[REDACTED]>

Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
(USANYS) <[REDACTED]>

Subject: Re: US v Epstein

[REDACTED], thank you for including [REDACTED]

[REDACTED], my cellphone or this email is the best contact points.

[REDACTED], I think I know the answer from our prior conversations but can I inform the other lawyers who like me have prior privileged communications with Mr Epstein that are contained in emails and/or documents on his computers and phones that there will be no review of the content of documents and emails whether they are on computers/phones seized in the VI or NY or NJ before a taint team is put in place and we are advised of the identity of the taint prosecutor so we can communicate to him/her the list of attorneys for whom the privilege is being asserted?

Finally, the Estate attorney has authorized me to have preliminary conversations with you that could/should include Mike Miller. Anytime today after 230 EST would work. If the subjects go beyond my expertise, I will convey the questions/issues that are of concern to others and reserve the right to have additional counsel in future communications.

Thanks

Marty

Martin G. Weinberg, Esq.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

=====This Electronic Message contains information from the Law Office of Martin G. Weinberg, P.C., and may be privileged. The information is intended for the use of the addressee only. If you are not the addressee, please note that any disclosure, copying, distribution, or use of the contents of this message is prohibited.

On Tuesday, August 13, 2019, 12:36:55 PM EDT, [REDACTED] <[REDACTED]> wrote:

Marty,

In connection with your below communication, I am copying [REDACTED], [REDACTED] of our Civil Division, whom I expect will be in touch with you directly regarding your requests.

Regarding the review of materials seized subject to search warrants, as you mentioned in your separate email of yesterday, August 12, I expect that we will be in touch with you in the coming weeks regarding the provision of information for our privilege screening process.

Regarding your question about the Government's intentions with respect to the Indictment, that is in progress but is ordinarily a process that can take some time. Please advise if you believe there is an emergency in

connection with the timing of that process.

Finally, can you please provide contact information for counsel for Mr. Epstein's estate (or anticipated estate, if that is not yet formally established)? If that is you, I will follow up separately regarding relevant issues, or otherwise can go directly to the right person or firm.

I realize I have been delayed in responding to your voicemails of yesterday and today, but we were working to be able to get you appropriate answers to your queries, including the correct contacts. Please let me know if you would still like to schedule a phone call to discuss any of the above.

thank you,

█

From: Martin G. Weinberg <█>
Sent: Sunday, August 11, 2019 15:55
To: █ <█>; 'Miller, Michael' <█>;
'Weingarten, Reid' <█>
Cc: █ <█>; █ <█>;
'Martin G. Weinberg' <█>
Subject: RE: US v Epstein

█, Mr. Epstein's family has asked me to send to you and █ at the MCC a request for the preservation of any and all documents, records, reports, videos, pictures, physical evidence, electronic communication data, tape recordings, logs, notes, papers, emails and any and all other forms of information that would be in the possession of the MCC, its Warden, their legal counsel, the USMS, the FBI, the Inspector General, the USAO for the SDNY or any other federal or relevant state or city agency that relate to Jeffrey Epstein's imprisonment/detention since July 6, 2019 and that relate particularly but not exclusively to the July 23, 2019 occurrence which was investigated as an attempted suicide by the MCC and the events relating to his death on August 10, 2019. The request encompasses but is not limited to any videos of the 9th floor area in the proximity of his cell during the evening of August 9 through the time Mr. Epstein was taken out of his cell for the last time on August 10, 2019, or videos of the cell itself during that time period, records of the identities of (i.e. MCC employees or independent contractors or anyone else) who were on duty from midnight through 8 AM on August 10, 2019 or otherwise had access to the 9th floor unit where Mr. Epstein was incarcerated during this time period, records of any observations of Mr. Epstein on August 9-10, 2019, any and all photographs of Mr. Epstein or his cell taken on August 10, 2019, any and all electronic or tape recordings or records of any internal communications within the MCC or any external communications by MCC staff on August 9 and August 10, 2019, records of any mental health interviews or assessments of Mr. Epstein at anytime during his detention, records of any decision to put him on or take Mr Epstein off suicide watch, photos of his cell taken on or before August 9 or on or after August 10, 2019, memoranda of interviews with any prisoners who were in Mr. Epstein's SHU unit on the 9th floor on or about July 23 or on August 9-10, 2019 relating to Mr. Epstein, the same request for interview memoranda of any MCC employee or independent contractor or any other person in the MCC midnight-8 AM August 10, 2019, any and all medical and EMS and hospital records from July 23 and/or August 10, 2019, and the future pathology and toxicology and medical examiner's reports. Additionally, we would request the preservation of any note or notes found in Mr. Epstein's cell on August 10, 2019, any ligature or other physical evidence related to his cause of death, any bedding, any medication or vitamins, any log showing who entered or were present in the MCC for the 12 hour period before 6:30 AM on August 10, 2019, as well as a list of inmates who were in Mr.

Epstein's unit during the evening of August 9 and the morning of August 10, 2019. We would in addition to the preservation request ask for the production of all of the above. We would receive and retain in subject any information received in response to this request subject to the terms and conditions of our Protective Order. In short, the family requests a preservation and production of any and all records and documents relevant to his detention, treatment, and death. I will send an identical request to Mr [REDACTED] (as well as to Mark Epstein's personal counsel

Thank you for your consideration of these requests and your ongoing assistance

Martin Weinberg

Martin G. Weinberg, Esq.

[REDACTED]

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From: [REDACTED] ([mailto:\[REDACTED\]](mailto:[REDACTED]))
Sent: Saturday, August 10, 2019 7:31 PM
To: Miller, Michael <[REDACTED]>; Martin G. Weinberg <[REDACTED]>; Weingarten, Reid <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: US v Epstein

Mike, Marty, Reid,

I just wanted to let you know that I don't expect we'll have any further updates today, and so wanted to send you a brief note to let you know that since we hadn't otherwise been in touch since earlier this afternoon. I imagine we will continue to be in contact in the coming days; meanwhile, I appreciate you being in touch today, and I hope the investigations of these events will be thorough and swift.

respectfully,

[REDACTED]

From: [REDACTED]
Sent: Saturday, August 10, 2019 14:14
To: Miller, Michael <[REDACTED]>; Martin G. Weinberg <[REDACTED]>; Weingarten, Reid

<[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: US v Epstein

Following up on the below, wanted to make sure the attached letter from the Warden immediately got to Mike as well (in addition to Marty and Reid having been copied and emailed). As the letter indicates, there are now investigations ongoing, including as initiated by the Attorney General himself. Separately, we have not received additional information on topics such as the apparent cause of death, the status of observation of Mr. Epstein at the time, etc., but we will continue to be in touch immediately if that changes.

thank you,

[REDACTED]

From: [REDACTED]
Sent: Saturday, August 10, 2019 11:57
To: Miller, Michael <[REDACTED]>; Martin G. Weinberg <[REDACTED]>; Weingarten, Reid <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: Re: US v Epstein

Mike, Marty, Reid,

Following up on my conversations with Mike and Marty this morning, and my discussion with Mike moments ago, attached is a press release just sent to us (and I believe also issued publicly) some minutes ago. It represents all the information we have from BOP so far, but of course if we are successful in our continuing efforts to get additional information we will pass it along immediately.

Separately, we can tell you that the reports that an FBI investigation into the death has been initiated are accurate, and I fully expect that investigation to be extremely rigorous.

As always please don't hesitate to reach out to us directly at any time if that would be useful.

thank you,

[REDACTED]