

From: "[REDACTED]" >
To: "[REDACTED]" >
Cc: "[REDACTED]" >, "[REDACTED]" >, "[REDACTED]" >

Subject: Re: USVI AG

Date: Wed, 02 Dec 2020 14:54:28 +0000

Can you remind us - as part of your communications in October did you ask her who at USVI AG was supervising this, and did you get an answer? Particularly if not, and while we're certainly happy to get involved, I might suggest you start by reaching out again to (1) confirm that USVI has been issuing subpoenas (and obviously try to gather any intel we can), and (2) express our concern about that at the line level. In the same call, assuming (as we do) that it doesn't result in them immediately agreeing to stand down, I would tell her you plan to elevate and ask her (again?) who the appropriate supervisor is at USVI AG. It will then be well teed up for [REDACTED] to reach out later this week or next.

Sent from my iPhone

On Dec 1, 2020, at 6:05 PM, [REDACTED] wrote:

Hi [REDACTED],

Following up on this, we spoke with counsel to the USVI in October and raised these concerns. The attorney said she would consult with the USVI AG and get back to us. She did not get back to us, and we've learned today that the USVI has been issuing a number of subpoenas to individuals—including to [REDACTED]. It seems clear to us they're not willing to work with us at the line level on this issue. Would it be possible to elevate this?

Thanks,

[REDACTED]

From: [REDACTED]
Sent: Wednesday, September 30, 2020 4:21 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: USVI AG

Okay, sounds good.

And that's great. Makes it somewhat easier for us to tell USVI AG, if we get there, that we are prepared to intervene to seek a stay if we have to.

From: [REDACTED] >
Sent: Wednesday, September 30, 2020 4:19 PM
To: [REDACTED] >; [REDACTED] >
Cc: [REDACTED] >; [REDACTED] >
Subject: RE: USVI AG

Thanks – we can reach out at the line level for a call and let you know how it goes. [REDACTED] and I agree this will likely need to be elevated, but we're happy to start there.

Judge Freeman granted our motion for a stay, which is good.

From: [REDACTED] >
Sent: Wednesday, September 30, 2020 2:19 PM
To: [REDACTED] >; [REDACTED] >
Cc: [REDACTED] >; [REDACTED] >
Subject: RE: USVI AG

Got it. So couple thoughts for consideration:

One thing you could do is reach back out to her, tell her that you're hearing they may be trying to interview victims and witnesses and that so doing poses concerns for the criminal case, and see if you can reach agreement that they will either stand down or at least consult with us in the first instance before making contact, since I imagine there are some victims and witnesses we may be less concerned with them attempting to interview at this point, right?

Based on what you've told me, I don't have high hopes that completely resolves things, but as a process point, it may be helpful to have a record of at least trying. If it doesn't work, you could then ask her who at USVI AG is supervising her work, because supervisors on this end are likely to reach out. Depending on the answer she gives you, we can then decide who here should make the outreach.

Alternatively, we could just try to cold call supervisors at USVI AG (their website helpfully includes unit chief names/phone numbers). Unless you happen to already know who at USVI AG is supervising the case/investigation, I'd probably start with the head of their Special Investigations Division.

Also, on the issue of a stay, did Freeman rule on [REDACTED] and the civil suit? Apologies if I'm completely blanking on a conversation we recently had, but this reminded me of our having to weigh in there...

From: [REDACTED] >

Sent: Wednesday, September 30, 2020 1:40 PM

To: [REDACTED] >; [REDACTED] >

Cc: [REDACTED] >; [REDACTED] >

Subject: RE: USVI AG

You're exactly right, good memory. The USVI is represented by a private attorney. After they filed their suit (seemingly based on no work on their part, and with obvious awareness of a pending criminal investigation), the attorney reached out to us to boldly ask if we would give them information from our investigation. [REDACTED] and I told them that we were extremely surprised and frustrated that we were hearing from them only after the filed lawsuit suit, since they clearly knew about our investigation and were making no efforts to avoid interfering with it. We told them we would not be sharing information from our investigation and were disappointed in their lack of sensitivity towards an active federal criminal investigation. We were professional, but it was not a friendly call.

The firm that represents the USVI is Linda Singer from Motley Rice: <https://www.motleyrice.com/attorneys/linda-singer>.

That same firm filed the motion to intervene in the [REDACTED] lawsuit.

It's hard to know who they've recently reached out to without canvassing all of our witnesses to ask. However, we recently spoke with an attorney who represents one of Epstein's former chefs (who remembers [REDACTED], but met her after she turned 18, so it's unlikely we would call him), who told us that the USVI had reached out. There has been public reporting about a leaked subpoena in their investigation seeking flight records, but the reporting is unclear as to whether it was addressed to the pilots (who are witnesses in our case) or the estate. In either case, we would not want those records to be made public in connection with a leaky civil case, because they will be trial exhibits for us (and they include the names of trial witnesses).

From: [REDACTED] >

Sent: Wednesday, September 30, 2020 1:28 PM

To: [REDACTED] >; [REDACTED] >

Cc: [REDACTED] >; [REDACTED] >

Subject: RE: USVI AG

Thanks, [REDACTED]. Very frustrating. Remind me, did we ever make contact with anyone at that Office? I have some memory that they had actually hired a private attorney to handle the case and maybe we had talked with him? Am I making that up? Mostly curious as to who we've talked to there and where we left things.

On the victim front, do you have a sense of who they have reached out to and whether those victims are folks we'd be likely to call as trial witnesses?

From: [REDACTED] >

Sent: Wednesday, September 30, 2020 11:25 AM

To: [REDACTED] >; [REDACTED] >

Cc: [REDACTED] >; [REDACTED] >

Subject: USVI AG

Hi [REDACTED],

We wanted to touch base about the USVI AG. As you know, they have a pending civil suit against Epstein's estate, alleging very broad claims. At the time they filed, it seemed like their complaint was mostly based on articles they'd read

– it did not appear that they had actually done any investigating. Lately, their “investigation” has had broader reach – they moved to intervene to unseal civil documents in the [REDACTED] case, and at least one attorney for a witness we spoke with has told us that the USVI reached out to ask for an interview. Subpoenas they have issued have also leaked. If USVI is approaching witnesses (or asking for documents from them), we have concerns about a potential impact on our case. We have been considering seeking a stay, or, in the alternative, were wondering if it would make sense for [REDACTED] or someone else within the supervisory chain to reach out to the USVI to convey our concerns and ask them to stop interfering. It would be helpful to get your thoughts on how you think we should proceed.

We’d be happy to have a call it’s easier to discuss—

Thanks,

[REDACTED]

[REDACTED]

Assistant United States Attorney
Southern District of New York

[REDACTED]

New York, NY 10007

[REDACTED]