



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 4, 2021

BY ELECTRONIC MAIL

Christian Everdell, Esq.
Cohen & Gresser LLP
800 Third Avenue
New York, NY 10022

Laura Menninger, Esq.
Jeffrey Pagliuca, Esq.
Haddon, Morgan and Foreman, P.C.
150 East Tenth Avenue
Denver, CO 80203

Bobbi Sternheim, Esq.
Law Offices of Bobbi C. Sternheim
33 West 19th Street-4th Fl.
New York, NY 10007

Re: *United States v. Ghislaine Maxwell, 20 Cr. 330 (AJN)*

Dear Counsel:

Pursuant to the Court's November 1, 2021 order, we write to provide you with categories and exemplars of statements that are admissible as co-conspirator statements under Federal Rule of Evidence 801(d)(2)(E).

Because no attorney can predict the verbatim testimony of a witness, please note that the following statements are simply the Government's understanding of the sum and substance of the statement. And for that same reason, while we have identified examples of co-conspirator's statements that we expect to offer for the truth of the matters asserted therein under Rule 801(d)(2)(E), we also list certain examples of statements made by co-conspirators that we expect will not be offered for the truth of the matters asserted therein. We list these additional examples in an abundance of caution, in the event that the witness's statement varies from our expectation in a manner that makes some part of the statement admissible for its truth under Rule 801(d)(2)(E).

1. Statements made by Epstein to friends and family of Minor Victims

Epstein had one-on-one conversations with the friends and family of Minor Victims, generally on the telephone. For example:

- [REDACTED]

2. Statements by Epstein to his employees

Epstein made statements to his employees, including statements that relate to their duties, provide background information or history about the conspiracy, or promote efforts to conceal the conspiracy. For example:

- In or about 2005, Epstein told an employee witness (“CC-1”), who was identified as a co-conspirator in the Government’s October 11, 2021 letter, that the defendant used to find girls for him.
- In or about October 2005, Epstein and an employee (“CC-2”), who was identified as a co-conspirator in the Government’s October 11, 2021 letter, told CC-1 to go to his Palm Beach house to help someone who was coming to take the computers from Epstein’s Palm Beach House.

- [REDACTED]

3. Statements made by CC-2 to the Minor Victims or their families

CC-2 placed many calls to Minor Victims or their friends and family in order to schedule massage appointments. The Government expects several witnesses to testify about receiving those calls. For instance:

- [REDACTED]

4. Statements made by Jeffrey Epstein to the Minor Victims or in their presence

The Government expects to offer numerous statements made by Jeffrey Epstein to the Minor Victims, as well as statements that Epstein made in their presence. Many of these statements consist of (a) asking Minor Victims questions about their lives and discussing their future plans, or (b) asking them about their sexual preferences, and thus would not be offered for the truth of the matters asserted therein. In other instances, however, Epstein made statements about himself that would be admissible under Rule 801(d)(2)(E), among other reasons. For example:

- [REDACTED]

• [REDACTED]

Very truly yours,

DAMIAN WILLIAMS
United States Attorney

by: s/ _____
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Assistant United States Attorneys