

I. FACTS IN SUPPORT OF MOTION

1. Mr. Epstein died in New York on August 10, 2019. On August 15, 2019, a Petition for Probate and for Letters Testamentary was filed with the Court. On September 6, 2019, the Court issued Letters Testamentary appointing Messrs. Indyke and Kahn to act as Co-Executors for the Estate.

2. On November 14, 2019, the Co-Executors filed the *Expedited* Motion seeking the Court's approval to retain three independent, nationally recognized claims administration experts — Jordana Feldman, Kenneth Feinberg and Camille Biros — to design and implement a mass tort-type program to achieve the fair and expedited resolution of sexual abuse claims filed by numerous claimants against the Estate. As noted by the Co-Executors in their Request for Ruling on *Expedited* Motion for Establishment of a Voluntary Claims Resolution Program, filed December 4, 2019 ("Request for Ruling"), there are now 17 separate lawsuits pending against the Estate, involving allegations by twenty-six different plaintiffs of Mr. Epstein's sexual abuse. Moreover, last month attorneys for women who have sued the Estate announced in New York federal court that "[p]otentially dozens" of additional lawsuits can be expected. See Request for Ruling Ex. A, Status Conf. Tr. (November 21, 2019), at 38:7-14.

3. Additionally, on November 14, 2019, Ms. Feldman, Mr. Feinberg and Ms. Biros publicly announced the filing of the *Expedited* Motion. See "Administrator Jordana M. Feldman Announces Proposed Establishment of the Epstein Victims' Compensation Program," (November 14, 2019), copy attached hereto as **Exhibit A**. The proposed Epstein Victims' Compensation Program has received widespread publicity in the national press, and several United States federal judges have publicly recognized the significance of that Program.

4. On December 12, 2019, Ms. Feldman, Mr. Feinberg and Ms. Biros informed the Co-Executors that, without Court action on the *Expedited Motion*, they cannot move forward with the Program. In particular, they cannot engage critically necessary third-party vendors (e.g., information technology specialists and claims processing experts), cannot retain critical staff (including attorneys, claims evaluators and operational staff), and cannot lease or outfit space essential to house the Program's operations and staff, or perform other necessary Program-related activities.

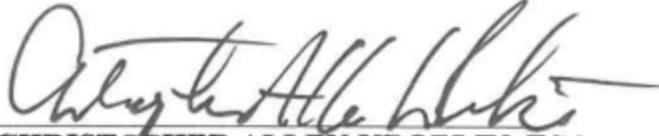
II. NEED FOR IMMEDIATE ACTION

By the *Expedited Motion*, the Co-Executors seek the Court's authorization to use Estate funds to retain the services of the proposed Program Administrator and Program Designers — Ms. Feldman, Mr. Feinberg and Ms. Biros — and authorize the release of payments necessary to ensure the prompt and effective implementation of the Program and design of a Program protocol ("Protocol") to establish a fair, independent claims resolution process. Once the Protocol is developed and finalized — with input sought from claimants and their counsel, as well as other interested parties — the Co-Executors will submit it to the Court for approval and will seek an order to formally commence claims resolution proceedings under the Program.

Without the Court's approval of the *Expedited Motion*, the Program simply cannot proceed. Instead, the multiple litigations in New York will move forward, at full speed and at great expense to the Estate and to claimants. Without an alternative solution in place for resolving claims, those litigations will continue and likely expand, with enormous attendant costs imposed on all parties in cases where a claimant might have alternatively participated in the Program. Out of necessity and responsibility to these parties and to the Estate, action from the Court is imperative. Time is of the essence.

Accordingly, it is respectfully requested that this Honorable Court set an immediate hearing or in-chambers conference on the *Expedited* Motion.

Respectfully,



Dated: December 13, 2019

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of December 2019, I caused a true and exact copy of the foregoing Request for *Immediate Hearing or Conference Regarding Expedited Motion for Establishment of a Voluntary Claims Resolution Program* to be served via electronic mail upon:

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Administrator Jordana H. Feldman Announces Proposed Establishment of the Epstein Victims' Compensation Program

Jordana ("Jordy") H. Feldman, Kenneth R. Feinberg and Camille S. Biros today announced that the Co-Executors of the Estate of Jeffrey E. Epstein ("Estate") have filed documents in the Superior Court of the U.S. Virgin Islands, seeking expedited approval from the Court for the establishment of a voluntary claims resolution program that will allow eligible individuals the opportunity to resolve their sexual abuse claims against Mr. Epstein and his Estate through a confidential, non-adversarial alternative to litigation.

Ms. Feldman, Mr. Feinberg and Ms. Biros – distinguished, independent claims administration experts with extensive experience in fashioning similar claims programs – will lead the design of the program, including developing criteria and requirements for the evaluation and determination of eligibility and compensation, and the accompanying claims process. Ms. Feldman, Mr. Feinberg and Ms. Biros will draft the program protocol and will afford interested parties, including potential claimants and/or their legal representatives, an opportunity to provide input on the protocol prior to its finalization. They expect that, once approved by the Court, the program will start accepting claims in approximately 90 days.

"This important program will offer victims the opportunity to obtain long-overdue compensation, to be heard and treated with the compassion, dignity and respect they deserve, and to achieve some measure of justice and validation that has eluded them for so many years. The claims resolution process will be fair, prompt, and non-adversarial, and will provide victims with a meaningful alternative to years of protracted civil litigation and its associated costs, risks and uncertainties," said Ms. Feldman.

Ms. Biros added that "participation in the program will be entirely voluntary and will not affect any rights the claimant may have unless and until she accepts the compensation determination and signs a litigation release. All claimants will be afforded an opportunity to meet confidentially with the Administrator, if they so desire, in order to provide any information that may be relevant to the evaluation of their claims."

Ms. Feldman, who recently served as Deputy Special Master of the September 11th Victim Compensation Fund, the litigation-alternative program administered by the U.S. Department of Justice that compensates victims who have become sick or died as a result of their September 11th-related exposure, will also administer the new program. Ms. Feldman will, in the role of Administrator, have complete autonomy and decision-making authority over program operations and claim determinations, and the Estate will have no authority to modify or reject Ms. Feldman's decisions on any basis or as to any claim. Mr. Feinberg, the nation's leading expert in fashioning effective dispute resolution alternatives, and his colleague, Ms. Biros, will partner with Ms. Feldman in the development and implementation of the program, lending their extensive expertise to that process.

Mr. Feinberg added, "We are pleased to have been asked to implement this important program, and are eager to begin designing it so that claimants will have a forum where their suffering is acknowledged and their claims are promptly and appropriately compensated." Regarding Ms. Feldman he said, "Jordy brings not only a wealth of experience from her long-time work with the 9/11 community, but also a profound sense of empathy for victims and a deep commitment to ensuring fairness in process and outcome."

Once approved, the program will operate and maintain a website that provides general information about the program, including the Protocol, Frequently Asked Questions, information about claims filing deadlines and a registration process for new complaints. Contact information for the program will also be available on the website.

For media inquiries about the program, contact Malisa L. Haley at MLHaley@MLHaleyConsulting.com or 877-312-3055.

Malisa L. Haley

Chief of Staff

Epstein Victims' Compensation Fund

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