

From: "[REDACTED] (USANYS)" <[REDACTED]>
To: "[REDACTED] (USANYS)" <[REDACTED]>, "[REDACTED] (USANYS)" <[REDACTED]>
Cc: "[REDACTED] (USANYS)" <[REDACTED]>
Subject: RE: Epstein Estate Touhy Requests
Date: Tue, 20 Aug 2019 18:42:07 +0000

We have not, but we've discussed doing so. Under the protective order, we are entitled to.

From: [REDACTED] (USANYS) <[REDACTED]>
Sent: Tuesday, August 20, 2019 2:37 PM
To: [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>
Cc: [REDACTED] (USANYS) <[REDACTED]>
Subject: RE: Epstein Estate Touhy Requests

De-looping [REDACTED] and [REDACTED].

Maybe:

Your August 20, 2019, requests for disclosure under the Department of Justice's *Touhy* regulations will be handled by AUSA [REDACTED] [REDACTED] of our Civil Division, copied here. Please note that no further discovery will occur in the context of the criminal case of US v. Epstein, 19 Cr. 0490.

Separately, will we be clawing back discovery already made in the Epstein case?

From: [REDACTED] (USANYS) <[REDACTED]>
Sent: Tuesday, August 20, 2019 2:21 PM
To: [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>
Cc: [REDACTED], [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>
Subject: RE: Epstein Estate Touhy Requests

Thanks, [REDACTED].

In the interim, [REDACTED], I would propose having the crim team response as follows:

"Counsel – We are in receipt of your requests which do not appear to arise under Rule 16 or any other production obligation associated with the criminal proceeding. Moreover, as you are aware, the Government has submitted a proposed order of *nolle prosequi* which, once entered, will terminate that proceeding. We have forwarded your correspondence to the Civil Division which will handle any further correspondence regarding these matters." We can also have the point them directly to [REDACTED] if that makes sense.

From: [REDACTED] (USANYS) <[REDACTED]>
Sent: Tuesday, August 20, 2019 2:16 PM
To: [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>
Cc: [REDACTED], [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>
Subject: RE: Epstein Estate Touhy Requests

All,

I will reach out to [REDACTED] on this, including for the letters from Steptoe.

[REDACTED], the matter number here is 2019V01791.

Thanks,

[REDACTED]

From: [REDACTED] (USANYS) <[REDACTED]>

Sent: Tuesday, August 20, 2019 1:32 PM

To: [REDACTED] (USANYS) <[REDACTED]>

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

Subject: RE: Epstein Estate Touhy Requests

Thanks. Would you open a new matter on this, it may end up being substantial.

From: [REDACTED], [REDACTED] (USANYS) <[REDACTED]>

Sent: Tuesday, August 20, 2019 1:26 PM

To: [REDACTED] (USANYS) <[REDACTED]>

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

Subject: Re: Epstein Estate Touhy Requests

[REDACTED]

[REDACTED] [REDACTED] has been assigned. Thanks.

Jeff

On Aug 20, 2019, at 12:16 PM, [REDACTED] (USANYS) <[REDACTED]> wrote:

[REDACTED], [REDACTED]: could you kindly assign an AUSA to be the point of contact on Epstein-related *Touhy* requests? We can then discuss what the appropriate response may be. Thanks, as always, for your help on these issues.

[REDACTED]

From: [REDACTED] (USANYS) <[REDACTED]>

Sent: Tuesday, August 20, 2019 11:53 AM

To: [REDACTED] (USANYS) <[REDACTED]>

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

Subject: FW: United States v. [REDACTED] Epstein, 19-CRIM-00490 (S.D.N.Y.)

[REDACTED] – We continue to get document requests from Epstein’s defense team related to his death. How would you like us to handle? Should we refer them to someone at Civ Div? Ignore? There is, as best I can tell, no right to anything given that there is no “proceeding” pending related to the death but, in any event, our crim AUSAs are presumably not the appropriate point of contact.

From: [REDACTED] <[REDACTED]>

Sent: Tuesday, August 20, 2019 11:47 AM

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

Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>

Subject: FW: United States v. [REDACTED] Epstein, 19-CRIM-00490 (S.D.N.Y.)

[REDACTED]

We received the attached document requests from Epstein's lawyers. Based on our previous conversations about this, it sounds like these should be routed to the civil division, but I wasn't sure who in particular to contact, or whether you would prefer to make the referral.

Thanks,

[REDACTED]

From: Miller, Michael <[REDACTED]>
Sent: Tuesday, August 20, 2019 11:42 AM
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; Weingarten, Reid <[REDACTED]>; 'Martin G. Weinberg' <[REDACTED]>; Scavelli, Michael <[REDACTED]>; Meade, Jason <[REDACTED]>
Subject: United States v. [REDACTED] Epstein, 19-CRIM-00490 (S.D.N.Y.)

[REDACTED]

Please find attached correspondence for your attention. We intend to serve these requests separately on the MCC and the FBI, but are providing you with copies of all three letters as a courtesy. If you are willing to accept service for all three, we will not otherwise serve them.

Mike

Michael C. Miller
Partner

Step toe

Step toe & Johnson LLP

www.step toe.com

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<8.20.19 Epstein Letter to SDNY-c2.pdf>

<8.20.19 Epstein Letter to MCC-c2.pdf>

<8.20.19 Epstein Letter to FBI-c2.pdf>