

Mermelstein & Horowitz PA
attorneys at law

Jessica D. Arbour

[REDACTED]
[REDACTED]
Miami, Florida 33160
www.sexabuseattorney.com

March 12, 2010

VIA PROCESS SERVER
Federal Bureau of Investigation
[REDACTED]
North Miami Beach, FL 33169

Re: *Jane Does 2-7 v. Jeffrey Epstein*

To Whom It May Concern:

Enclosed please find federal subpoenas for the sworn statements of several witnesses taken during the investigation of Jeffrey Edward Epstein between approximately 2006 and 2007. The statements we seek are those given to the FBI by our clients, each of whom has brought suit as a Jane Doe in the Southern District of Florida. The statements given to the FBI investigators are directly relevant because the FBI investigation concerned the factual allegations underlying our clients' claims in their lawsuits.

It is my understanding that you will also require either a signed waiver from each of the women or a court order to release the information. I will move the court for an Order allowing you to release this information to me.

If you need any further information, please do not hesitate to contact me. Thank you.

Very truly yours,


Jessica D. Arbour

JDA/

Serialize as one serial

62F-MM-A96023-B-2179

EFTA00128680

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

03/15/10.
9:05 am.
JP

_____)	
Plaintiff)	
v.)	Civil Action No. 08-CV-80119- Marra
_____)	
Defendant)	(If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Federal Bureau of Investigation, _____, North Miami Beach, Florida, 33169

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:
See Schedule A as attached.

Place: Mermelstein & Horowitz, P.A. _____ Miami, FL 33160	Date and Time: 04/02/2010 10:00 am
---	---

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:

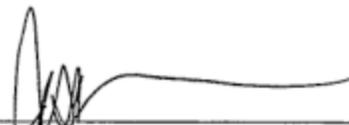
The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 3/12/10

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) _____ PLAINTIFF

_____, who issues or requests this subpoena, are:

Stuart Mermelstein, Adam Horowitz, Jessica Arbour, Mermelstein & Horowitz, P.A., _____, Miami, FL 33160 _____

Days, 3/25/2010

Could you please
Send them a CFR
letter. This is a civil
matter so they need
Privacy Act Court Order.
They are in Federal Court.
THKS
G. M. R.

Civil Action No. 08-CV-80119- Marra

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I served the subpoena by delivering a copy to the named person as follows: _____
_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) Contempt. The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

RE: Jane Doe 2-7 v. Jeffrey Epstein

[REDACTED] (USAFLS) [REDACTED]

Sent: Thursday, June 10, 2010 4:02 PM

To: [REDACTED], [REDACTED]

I have not received any response from Mermelstein & Horowitz to my letter.

From: [REDACTED], [REDACTED] (FBI)
Sent: Thursday, June 10, 2010 3:55 PM
To: [REDACTED] (USAFLS)
Subject: RE: Jane Doe 2-7 v. Jeffrey Epstein

Good afternoon [REDACTED],

I'm just going through my subpoena file, and was wondering if you ever received a response from Mermelstein & Horowitz to your letter. Please let me know.

Thank you.
[REDACTED]
Paralegal, FBI
[REDACTED]

From: [REDACTED] (USAFLS) [REDACTED]
Sent: Tuesday, April 13, 2010 10:34 AM
To: [REDACTED], [REDACTED]
Cc: [REDACTED] (USAFLS)
Subject: RE: Jane Doe 2-7 v. Jeffrey Epstein

[REDACTED],

Attached please find a letter I just faxed to plaintiffs' counsel, advising them that no responsive documents exist. I expect them to call back and ask what documents do exist, but we will deal with that when it happens. Thanks for your help.

From: [REDACTED], [REDACTED] (FBI)
Sent: Tuesday, April 13, 2010 7:25 AM
To: [REDACTED] (USAFLS)
Subject: Jane Doe 2-7 v. Jeffrey Epstein

Good morning [REDACTED],

We received some correspondence from Jessica Arbour (Mermelstein & Horowitz, PA) via facsimile this morning.

I will fax it to you in the next couple of minutes. I hope SA Richards reached out to you as requested. Please let me know if you need anything from us.

Thank you.

██████████
Paralegal, FBI
██████████

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092,

**PLAINTIFFS JANE DOE NOS. 2-7'S REPLY IN SUPPORT OF
PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF
PLAINTIFFS' SWORN STATEMENTS TO FBI INVESTIGATORS**

Plaintiffs, Jane Does Nos. 2-7, by and through undersigned counsel, hereby file this Reply in Support of Plaintiffs' Motion to Compel Production of Plaintiffs' Sworn Statements to FBI Investigators (DE 489), and state as follows:

1. Plaintiffs seek an Order from this Court compelling the FBI to comply with a subpoena duces tecum for their sworn statements given to FBI investigators during the FBI's investigation of Defendant Epstein. The FBI, which has received notice of this Motion, filed no opposition, but instead instructed Plaintiffs' undersigned counsel that such an Order is necessary to comply with the Privacy Act (5 U.S.C. § 552a). Nevertheless, Defendant Epstein objects on the basis that the subpoena does not comply with internal operating procedures of the FBI and Department of Justice set forth in federal regulations.

2. Initially, Defendant Epstein has no standing to raise objections to a subpoena directed to nonparty FBI. "A party has standing to object to a subpoena directed at a nonparty *when the party claims a 'personal right or privilege' regarding the documents sought.*" Chaikin v. Fidelity and Guaranty Life Ins. Co., 2003 WL 22715826 (N.D. Ill. 2003) (emphasis supplied). Defendant Epstein does not claim any personal right or privilege regarding the documents sought, nor could he.

3. In any event, on March 12, 2010, Plaintiff's undersigned counsel conferred with an FBI representative who instructed her as to the proper procedure for obtaining the Plaintiffs' statements. See Affidavit of Jessica Arbour, Esq., attached as Exhibit "1." In accordance with those instructions, Plaintiffs' counsel served a subpoena on the Records Custodian of the FBI that same day.

4. Plaintiff's counsel received a letter from the General Counsel of the FBI confirming receipt of the subpoena and that the FBI would produce the requested information when either a signed authorization from each Plaintiff was received or an Order of this Court was received. That letter is attached as Exhibit "2."

5. In accordance with the FBI's verbal and written instructions, Plaintiffs moved this Court for an Order to comply with the Privacy Act on March 17, 2010.

6. Plaintiffs have a right to the sworn statements they gave to the FBI investigators, and Defendant Epstein only seeks to delay them from receiving the statements, all of which are relevant and material to these cases.

WHEREFORE, Plaintiffs Jane Doe Nos. 2-7 respectfully request that this Court grant Plaintiffs' Motion to Compel Production of Jane Doe Nos. 2-7's Sworn Statements to FBI Investigators (DE 489).

Respectfully submitted,

By: /s/ Jessica D. Arbour
Stuart S. Mermelstein (FL Bar No. 947245)
ssm@sexabuseattorney.com
Adam D. Horowitz (FL Bar No. 376980)
ahorowitz@sexabuseattorney.com
Jessica D. Arbour (FL Bar No. 67885)
jarbour@sexabuseattorney.com
MERMELSTEIN & HOROWITZ, P.A.
Attorneys for Plaintiffs
18205 Biscayne Blvd., Suite 2218
Miami, Florida 33160
Tel: [REDACTED]
Fax: [REDACTED]

SERVICE LIST
DOE vs. JEFFREY EPSTEIN
United States District Court, Southern District of Florida

Jack Alan Goldberger, Esq.
jgoldberger@agwpa.com

Robert D. Critton, Esq.
rcritton@bclclaw.com

Bradley James Edwards
brad@pathtojustice.com

Isidro Manuel Garcia
isidrogarcia@bellsouth.net

Jack Patrick Hill
jph@searcylaw.com

Katherine Warthen Ezell
KEzell@podhurst.com

Michael James Pike
MPike@bclclaw.com

Paul G. Cassell
cassellp@law.utah.edu

Richard Horace Willits
lawyerwillits@aol.com

Robert C. Josefsberg
rjosefsberg@podhurst.com

By facsimile and U.S. Mail to:

██████████, Esq.
Chief Division Counsel
Federal Bureau of Investigations
16320 N.W. 2nd Avenue
North Miami Beach, FL 33169

with a "compliance letter" that stated the reasons I was requesting the information in order to comply with the Privacy Act. Third, I would need to provide either a signed, notarized authorization from each of my clients waiving their rights under the Privacy Act or an Order from this Court ordering the FBI to comply with the subpoena.

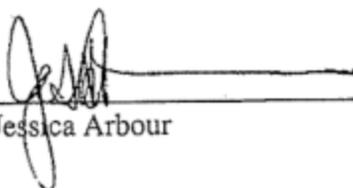
4. On March 12, 2010, Plaintiffs served a subpoena duces tecum, attached to the original Motion as Exhibit 1, for our clients' statements.

5. On March 16, 2010, I received a letter from FBI General Counsel [REDACTED] confirming that the FBI had received my subpoena and that they would await an Order from this Court or the signed authorizations from each of the Plaintiffs before producing the requested documents. I had previously informed him that I would seek an Order from this Court.

6. Given that discovery deadlines are approaching, a Motion was filed with this Court seeking a single Court Order applicable to all of the statements because Plaintiff's counsel believes that is the most efficient and timely means of obtaining the Plaintiffs' statements.

FURTHER AFFIANT SAYETH NAUGHT.

Dated: April 12, 2010

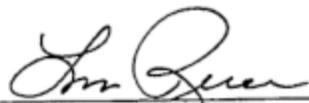


Jessica Arbour

BEFORE ME, personally appeared Jessica D. Arbour who after being first duly sworn, deposes and states that he has executed the foregoing Affidavit, and that it is correct to the best of his knowledge and belief.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12 day of April, 2010.

 Lisa Rivera
COMMISSION # DD878095
EXPIRES: APR. 11, 2013
WWW.AARONNOTARY.com



NOTARY PUBLIC,
STATE OF FLORIDA



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

16320 N.W. 2nd Avenue
North Miami Beach, Florida 33169
March 16, 2010

Sent Via Facsimile & U.S. Mail

Jessica D. Arbour, Esq.
Mermelstein & Horowitz, P.A.
[REDACTED]
Miami, Florida 33160

Re: Jane Doe 2-7 v. Jeffrey Epstein

Dear Ms. Arbour:

We are in receipt of your subpoena and letter dated March 12, 2010. Please be advised that the FBI response to this request is governed by the provisions of Title 28, Code of Federal Regulations (CFR), Section 16.21 et seq. and the Privacy Act (Title 5, United States Code, Section 552a). These regulations specify that no employee of the Department of Justice, past or present, shall in response to a demand, produce or disclose information unless there is compliance with the applicable provisions. The procedure is mandatory and governs state and federal proceedings and has been upheld in the United States Supreme Court. See U.S. ex rel, Touhy v. Ragen, 340 U.S. 462 (1951).

In addition, the Privacy Act (Title 5, U.S.C., Section 552a(b)), prohibits the release of agency records pertaining to an individual, or information from those records, for a non-law enforcement purpose. The FBI may not disclose this information without the notarized written consent of each record subject, or an order from a court of competent jurisdiction authorizing its disclosure by the FBI. In the absence of either the notarized consent of the record subject, or an appropriate court order authorizing disclosure, we are statutorily prohibited from releasing any information to you.

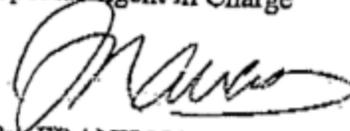
As you noted in your letter you will seek a court order allowing for the release of the records requested. Once the Privacy Act Order is issued, please provide a copy of the order along with a letter complying with the Code of Federal Regulations directed to **Chief Division Counsel Frank Navas** at the above address. In accordance with the above cited law and regulations, we must receive the notarized consent or Privacy Act Order before any documents may be released to you.



[REDACTED] at [REDACTED] require further assistance, please contact Paralegal Specialist [REDACTED]

Very Truly Yours,

JOHN V. GILLIES
Special Agent in Charge



By: FRANK NAVAS
Chief Division Counsel

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

Secret

Confidential

Sensitive

Unclassified

TO

Name of Office:

Mermelstein & Horowitz PA

Facsimile Number:

Date:

03/16/2010

Attn:

Jessica D. Arbour, Esq.

Room:

Telephone Number:

FROM

Name of Office:

FBI Miami, Chief Division Counsel

Number of Pages: (including cover)

3

Originator's Name:

PLS Deyanira

Originator's Telephone Number:

(305) 787-6727

Originator's Facsimile Number:

(305) 787-6124

Approved:

FN

DETAILS

Subject:

Jane Does 2-7 v. Jeffrey Epstein

Special Handling Instructions:

Please review and provide CFR compliance letter & Privacy Act Order to Chief Division Counsel Frank Navas.

Brief Description of Communication Faxed:

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

MERMELSTEIN & HOROWITZ, P.A.

ATTORNEYS AT LAW



MIAMI, FLORIDA 33160-2148



OPENED & INSPECTED

APR 14 2010

[Redacted]
Chief Division Counsel
Federal Bureau of Investigations

[Redacted]
North Miami Beach, FL 33169

L-1

3316996508 0007



RE: Jane Doe 2-7 v. Jeffrey Epstein

[REDACTED] (USAFLS) [REDACTED]

Sent: Tuesday, April 13, 2010 10:34 AM

To: [REDACTED], [REDACTED]

Cc: [REDACTED] (USAFLS)

Attachments: arbour_fbi_subpoena.pdf (41 KB)

[REDACTED],

Attached please find a letter I just faxed to plaintiffs' counsel, advising them that no responsive documents exist. I expect them to call back and ask what documents do exist, but we will deal with that when it happens. Thanks for your help.

[REDACTED]

From: [REDACTED], [REDACTED] (FBI)
Sent: Tuesday, April 13, 2010 7:25 AM
To: [REDACTED] (USAFLS)
Subject: Jane Doe 2-7 v. Jeffrey Epstein

Good morning [REDACTED],

We received some correspondence from Jessica Arbour (Mermelstein & Horowitz, PA) via facsimile this morning. I will fax it to you in the next couple of minutes. I hope SA Richards reached out to you as requested. Please let me know if you need anything from us.

Thank you.
[REDACTED]
Paralegal, FBI
[REDACTED]



U.S. Department of Justice

United States Attorney
Southern District of Florida

99 N.E. 4 Street
Miami, FL 33132
(305) 961-9000

VIA FACSIMILE AND REGULAR MAIL

April 13, 2010

Jessica D. Arbour, Esq.
Mermelstein & Horowitz, P.A.

[REDACTED]
Miami, Florida 33160

RE: Jane Doe No. 2 v. Jeffrey Epstein
Case No. 08-80119-CIV-MARRA/JOHNSON
Subpoena to Federal Bureau of Investigation (FBI)

Dear Ms. Arbour:

The subpoena served by plaintiffs upon the FBI has been referred to the U.S. Attorney's Office and assigned to me. The subpoena seeks sworn statements taken during the investigation of Jeffrey Edward Epstein ([REDACTED], Palm Beach, FL DOB 01/20/53) from the following: [REDACTED]; [REDACTED]).

I have contacted one of the FBI Special Agents who handled the investigation into Jeffrey Epstein. He advises me that no sworn statements were taken from any of the six individuals listed in the subpoena. If you need a declaration to that effect, please let me know. I can be reached at [REDACTED]. Thank you.

Sincerely,

JEFFREY H. SLOMAN
UNITED STATES ATTORNEY

By: [REDACTED]
Assistant U.S. Attorney

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

Immediate Priority Routine

CLASSIFICATION

Top Secret Secret Confidential Sensitive Unclassified

TO

Name of Office: U.S. Attorney's Office - Miami	Facsimile Number: [REDACTED]	Date: 04/14/2009
Attn: AUSA [REDACTED]	Room:	Telephone Number: [REDACTED]

FROM

Name of Office: FBI Miami, Chief Division Counsel	Number of Pages: (including cover) 11	
Originator's Name: PLS [REDACTED]	Originator's Telephone Number: [REDACTED]	Originator's Facsimile Number: [REDACTED]
Approved: FN		

DETAILS

Subject:
Jane Doe No. 2 vs. Jeffrey Epstein

Special Handling Instructions:

Brief Description of Communication Faxed:
Reply in Support of Motion to Compel Production of Sworn Statements

WARNING

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DATE/TIME = APR-13-2010 09:19
JOURNAL No. = 25
COMM. RESULT = OK
PAGE(S) = 012
DURATION = 00:01:15
FILE No. = 724
MODE = MEMORY TRANSMISSION
DESTINATION = 93055307139
RECEIVED ID = SUITE 300 / 3055307139
RESOLUTION = STD

***** -

- ***** -

- *****

MERMELSTEIN & HOROWITZ PA

ATTORNEYS AT LAW

Adam D. Horowitz
Tel [REDACTED]
Fax [REDACTED]
ahorowitz@sexabuseattorney.com

[REDACTED]
Miami, Florida 33160
www.sexabuseattorney.com

FAX TRANSMITTAL

FROM	DATE	NO. OF PAGES
Jessica Arbour, Esq.	February 17, 2010	11

TO	COMPANY	FAX NUMBER
[REDACTED], Esq.	Federal Bureau of Investigations	[REDACTED]

MESSAGE

RE: Jane Doe 2-7 v. Jeffrey Epstein

Please see attached Reply in Support of Motion to Compel Production of Jane Does Nos. 2-7's Sworn Statements to FBI Investigators and Incorporated Memorandum of Law.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Case 9:08-cv-80119-KAM Document 526 Entered on FLSD Docket 04/12/2010 Page 1 of 5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

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4. Plaintiff's counsel received a letter from the General Counsel of the FBI confirming receipt of the subpoena and that the FBI would produce the requested information when either a signed authorization from each Plaintiff was received or an Order of this Court was received. That letter is attached as Exhibit "2."

5. In accordance with the FBI's verbal and written instructions, Plaintiffs moved this Court for an Order to comply with the Privacy Act on March 17, 2010.

6. Plaintiffs have a right to the sworn statements they gave to the FBI investigators, and Defendant Epstein only seeks to delay them from receiving the statements, all of which are relevant and material to these cases.

WHEREFORE, Plaintiffs Jane Doe Nos. 2-7 respectfully request that this Court grant Plaintiffs' Motion to Compel Production of Jane Doe Nos. 2-7's Sworn Statements to FBI Investigators (DE 489).

Case 9:08-cv-80119-KAM Document 526 Entered on FLSD Docket 04/12/2010 Page 3 of 5

Respectfully submitted,

By: /s/ Jessica D. Arbour
Stuart S. Mermelstein (FL Bar No. 947245)
ssm@sexabuseattorney.com
Adam D. Horowitz (FL Bar No. 376980)
ahorowitz@sexabuseattorney.com
Jessica D. Arbour (FL Bar No. 67885)
jarbour@sexabuseattorney.com
MERMELSTEIN & HOROWITZ, P.A.
Attorneys for Plaintiffs
[REDACTED]
Miami, Florida 33160
Tel: [REDACTED]
Fax: [REDACTED]

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2010, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day to all parties on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Jessica D. Arbour

SERVICE LIST
DOE vs. JEFFREY EPSTEIN
United States District Court, Southern District of Florida

Jack Alan Goldberger, Esq.
jgoldberger@agwpa.com

Robert D. Critton, Esq.
rcritton@bclclaw.com

Bradley James Edwards
brad@pathtojustice.com

Isidro Manuel Garcia
isidrogarcia@bellsouth.net

Jack Patrick Hill
jph@searcylaw.com

Katherine Warthen Ezell
KEzell@podhurst.com

Michael James Pike
MPike@bclclaw.com

Paul G. Cassell
cassellp@law.utah.edu

Richard Horace Willits
lawyerwillits@aol.com

Robert C. Josefsberg
rjosefsberg@podhurst.com

By facsimile and U.S. Mail to:

██████████, Esq.
Chief Division Counsel
Federal Bureau of Investigations
16320 N.W. 2nd Avenue
North Miami Beach, FL 33169

with a "compliance letter" that stated the reasons I was requesting the information in order to comply with the Privacy Act. Third, I would need to provide either a signed, notarized authorization from each of my clients waiving their rights under the Privacy Act or an Order from this Court ordering the FBI to comply with the subpoena.

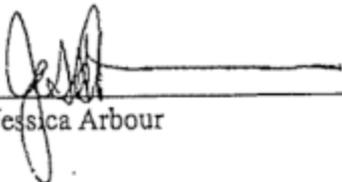
4. On March 12, 2010, Plaintiffs served a subpoena duces tecum, attached to the original Motion as Exhibit 1, for our clients' statements.

5. On March 16, 2010, I received a letter from FBI General Counsel [REDACTED] confirming that the FBI had received my subpoena and that they would await an Order from this Court or the signed authorizations from each of the Plaintiffs before producing the requested documents. I had previously informed him that I would seek an Order from this Court.

6. Given that discovery deadlines are approaching, a Motion was filed with this Court seeking a single Court Order applicable to all of the statements because Plaintiff's counsel believes that is the most efficient and timely means of obtaining the Plaintiffs' statements.

FURTHER AFFIANT SAYETH NAUGHT.

Dated: April 12, 2010



Jessica Arbour

BEFORE ME, personally appeared Jessica D. Arbour who after being first duly sworn, deposes and states that he has executed the foregoing Affidavit, and that it is correct to the best of his knowledge and belief.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 12 day of April, 2010.

 Lisa Rivera
COMMISSION # DDB78095
EXPIRES: APR. 11, 2013
WWW.AARONNOTARY.com



NOTARY PUBLIC,
STATE OF FLORIDA



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

16320 N.W. 2nd Avenue
North Miami Beach, Florida 33169
March 16, 2010

Sent Via Facsimile & U.S. Mail

Jessica D. Arbour, Esq.
Mermelstein & Horowitz, P.A.
[Redacted]
Miami, Florida 33160

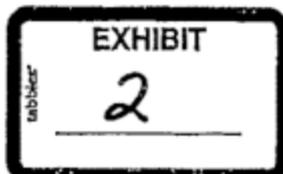
Re: Jane Doe 2-7 v. Jeffrey Epstein

Dear Ms. Arbour:

We are in receipt of your subpoena and letter dated March 12, 2010. Please be advised that the FBI response to this request is governed by the provisions of Title 28, Code of Federal Regulations (CFR), Section 16.21 et seq. and the Privacy Act (Title 5, United States Code, Section 552a). These regulations specify that no employee of the Department of Justice, past or present, shall in response to a demand, produce or disclose information unless there is compliance with the applicable provisions. The procedure is mandatory and governs state and federal proceedings and has been upheld in the United States Supreme Court. See U.S. ex rel, Touhy v. Ragen, 340 U.S. 462 (1951).

In addition, the Privacy Act (Title 5, U.S.C., Section 552a(b)), prohibits the release of agency records pertaining to an individual, or information from those records, for a non-law enforcement purpose. The FBI may not disclose this information without the notarized written consent of each record subject, or an order from a court of competent jurisdiction authorizing its disclosure by the FBI. In the absence of either the notarized consent of the record subject, or an appropriate court order authorizing disclosure, we are statutorily prohibited from releasing any information to you.

As you noted in your letter you will seek a court order allowing for the release of the records requested. Once the Privacy Act Order is issued, please provide a copy of the order along with a letter complying with the Code of Federal Regulations directed to **Chief Division Counsel Frank Navas** at the above address. In accordance with the above cited law and regulations, we must receive the notarized consent or Privacy Act Order before any documents may be released to you.

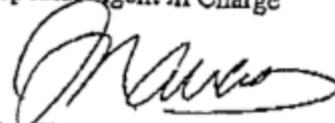


Case 9:08-cv-80119-KAM Document 526-2 Entered on FLSD Docket 04/12/2010 Page 2 of 3
MAR-16-2010 11:09 P.03

[redacted] at [redacted] Should you require further assistance, please contact Paralegal Specialist [redacted]

Very Truly Yours,

JOHN V. GILLIES
Special Agent in Charge



By: FRANK NAVAS
Chief Division Counsel

FD-448
Revised
10-27-2004

**FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET**

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

Secret

Confidential

Sensitive

Unclassified

TO

Name of Office:

Mermelstein & Horowitz PA

Facsimile:
(305) 931-0877

Date:
03/16/2010

Attn:

Jessica D. Arbour, Esq.

Room:

Telephone Number:
(305) 931-2200

FROM

Name of Office:

FBI Miami, Chief Division Counsel

Number of Pages: (including cover)
3

Originator's Name:

PLS Deyanira Aponte

Originator's Telephone Number:
(305) 787-6727

Originator's Facsimile Number:
(305) 787-6124

Approved:

FN

DETAILS

Subject:

Jane Does 2-7 v. Jeffrey Epstein

Special Handling Instructions:

Please review and provide CFR compliance letter & Privacy Act Order to Chief Division Counsel Frank Navas.

Brief Description of Communication Faxed:

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

Jane Doe 2-7 v. Jeffrey Epstein

[REDACTED], [REDACTED]

Sent: Thursday, March 25, 2010 8:35 AM

To: [REDACTED] (USAFLS)

Cc: [REDACTED]

Good morning [REDACTED],

Hope all is going well. I just wanted to let you know that I will be out of the office beginning this afternoon, and will be returning to the office on Monday April 12th. If you need any assistance on the above referenced matter, please contact Paralegal [REDACTED] or CDC [REDACTED] at [REDACTED].

[REDACTED]
Paralegal Spec., FBI
[REDACTED]

Jane Does 2-7 v. Jeffrey Epstein

[REDACTED], [REDACTED]

Sent: Monday, March 22, 2010 2:14 PM

To: [REDACTED] (USAFLS)

Cc: [REDACTED]

Importance: High

Good afternoon [REDACTED],

I spoke with CDC [REDACTED], and he believes the most appropriate person to sign the declaration regarding the FBI not having any sworn statements is the case agent (SA [REDACTED]). If you have any questions, or need any additional information please call me. Thank you for all your assistance.

[REDACTED]
Paralegal Spéc., FBI
[REDACTED]

JANE DOE NO. 2 vs. JEFFREY EPSTEIN

[REDACTED], [REDACTED]

Sent: Friday, March 19, 2010 11:25 AM

To: [REDACTED] (USAFLS)

Good morning [REDACTED],

I just received a copy of an order granting the plaintiff's motion to compel the FBI to produce sworn statements on the above referenced case. I faxed a copy over to your office. Please call me on Monday when you return to the office. Have a great weekend.

[REDACTED]
Paralegal Spec., FBI
[REDACTED]

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

Secret

Confidential

Sensitive

Unclassified

TO

Name of Office:

U.S. Attorney's Office - Miami

Facsimile Number:

(305) [REDACTED]

Date:

03/19/2010

Attn:

AUSA [REDACTED]

Room:

Telephone Number:

(305) 961-9320

FROM

Name of Office:

FBI Miami, Chief Division Counsel

Number of Pages: (including cover)

10

Originator's Name:

PLS [REDACTED]

Originator's Telephone Number:

[REDACTED]

Originator's Facsimile Number:

[REDACTED]

Approved:

FN

DETAILS

Subject:

JANE DOE NO. 2 vs. JEFFREY EPSTEIN

Special Handling Instructions:

Please call me when you receive this. Thank you.

Brief Description of Communication Faxed:

Order (Motion to Compel Production of Jane Doe Nos. 2-7's Sworn Statements to FBI Investigators)

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

DATE/TIME = MAR-19-2010 10:35
JOURNAL No. = 33
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PAGE(S) = 010
DURATION = 00:02:27
FILE No. = 632
MODE = MEMORY TRANSMISSION
DESTINATION = 93055364101
RECEIVED ID = / XXXXXXXXXX
RESOLUTION = STD

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- ***** -

- *****

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092,

**PLAINTIFF JANE DOE NOS. 2-7'S MOTION
TO COMPEL PRODUCTION OF JANE DOE NOS. 2-7'S
SWORN STATEMENTS TO FBI INVESTIGATORS
AND INCORPORATED MEMORANDUM OF LAW**

Plaintiffs, Jane Does Nos. 2-7, by and through undersigned counsel, hereby file this Motion to Compel Production of Jane Doe Nos. 2-7's Sworn Statements to FBI Investigators and Incorporated Memorandum of Law, and state as follows:

1. These lawsuits arise from the alleged childhood sexual battery of Jane Doe Nos. 2-7 by Jeffrey Epstein ("Epstein").

2. Prior to the filing of the Plaintiffs' lawsuits, Epstein was investigated by the Federal Bureau of Investigation (FBI). During the course of the FBI's investigation, some or all of Jane Doe Nos. 2-7 were interviewed by FBI agents and asked to provide sworn statements about their sexual abuse by Jeffrey Epstein, the same abuse underlying

Ral 3/19/10

EFTA00128719

the factual allegations in the lawsuits now in front of this Court.

3. Pursuant to FBI protocol and the Federal Privacy Act, 5 U.S.C. § 552a(b), Plaintiff's undersigned counsel has served a subpoena on the Records Custodian of the FBI's Miami office requesting the sworn statements of Jane Doe Nos. 2-7 given to FBI agents during their criminal investigation of Jeffrey Epstein. See Exhibit "A."

4. The FBI informed Plaintiffs' counsel that it requires further authorization in order to release the Plaintiffs' own sworn statements pursuant to the Federal Privacy Act. Counsel for the FBI has advised that an Order from this Court authorizing the FBI to release the requested statements would be sufficient. See 5 U.S.C. § 552a (b)(11). A proposed Order authorizing the FBI to release the subpoenaed statements is attached as Exhibit "B."

5. The requested statements are directly relevant and germane to the factual allegations underlying the Plaintiffs' lawsuits and seemingly cannot be obtained by the Plaintiffs in any other way. Upon information and belief, the Defendant is already in possession of these documents.

6. Plaintiffs' counsel has conferred with counsel for the Defendant who advised that Defendant opposes the relief requested.

WHEREFORE, Plaintiffs, Jane Does Nos. 2-7, respectfully request an Order directing the Federal Bureau of Investigation to release any sworn statements of Jane Doe Nos. 2-7 given to the FBI during the criminal investigation of Jeffrey Epstein and any materials responsive to the subpoena served upon the FBI.

SERVICE LIST
DOE vs. JEFFREY EPSTEIN
United States District Court, Southern District of Florida

Jack Alan Goldberger, Esq.
jgoldberger@agwpa.com

Robert D. Critton, Esq.
rcritton@bclclaw.com

Bradley James Edwards
bedwards@rra-law.com

Isidro Manuel Garcia
isidrogarcia@bellsouth.net

Jack Patrick Hill
jph@searcylaw.com

Katherine Warthen Ezell
KEzell@podhurst.com

Michael James Pike
MPike@bclclaw.com

Paul G. Cassell
cassellp@law.utah.edu

Richard Horace Willits
lawverwillits@aol.com

Robert C. Josefsberg
rjosefsberg@podhurst.com

By facsimile and U.S. Mail to:

██████████, Esq.
Chief Division Counsel
Federal Bureau of Investigations
16320 N.W. 2nd Avenue
North Miami Beach, FL 33169

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

Plaintiff v. Defendant Civil Action No. 08-CV-80119- Marra (If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Records Custodian, Federal Bureau of Investigation, North Miami Beach, Florida, 33169

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

See Schedule A as attached.

Place: Mermelstein & Horowitz, P.A. Miami, FL 33160 Date and Time: 04/02/2010 10:00 am

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place: Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 5/12/10

CLERK OF COURT

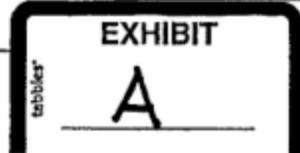
OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) PLAINTIFF, who issues or requests this subpoena, are:

Stuart Mermelstein, Adam Horowitz, Jessica Arbour, Mermelstein & Horowitz, P.A., jarbour@sexabuseattorney.com.



AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 08-CV-80119- Marra

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I served the subpoena by delivering a copy to the named person as follows: _____
_____ on *(date)* _____; or

I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) *Contempt.* The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

Schedule A

Sworn statements taken during the investigation of Jeffrey Edward Epstein ([REDACTED] [REDACTED], Palm Beach, FL, DOB: [REDACTED]) from the following:

- [REDACTED] (DOB: 2/29/1988)
- [REDACTED] (DOB: 3/5/1988)
- [REDACTED] (DOB: 6/6/1987)
- [REDACTED] (DOB: 10/23/1986)
- [REDACTED] (DOB: 9/30/1990)
- [REDACTED] (DOB: 06/30/1987)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092,

ORDER

Upon Plaintiffs' Motion to Compel Production of Jane Doe Nos. 2-7's Sworn Statements to FBI Investigators, and good cause being shown, it is hereby

ORDERED that Plaintiffs' Motion is Granted. Pursuant to the Federal Privacy Act, 5 U.S.C. § 552a (b)(11), the Records Custodian of the Federal Bureau of Investigation is ordered to comply with the subpoena dated March 12, 2010 and is directed to produce the sworn statements of Jane Doe Nos. 2-7 taken during its investigation of Jeffrey Epstein within 7 days, and any other materials responsive to the subpoena.

DONE AND ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida, this ____ day of _____, 2010.

DISTRICT COURT JUDGE

Copies furnished to:
Counsel of record

EXHIBIT "B"

MERMELSTEIN & HOROWITZ, P.A.

ATTORNEYS AT LAW

MIAMI, FLORIDA 33160-2148



OPENED & INSPECTED

MAR 18 2010

[REDACTED], Esq.
Chief Division Counsel
Federal Bureau of Investigations
16320 N.W. 2nd Avenue
North Miami Beach, FL 33169

LI

3316966508 0007



Jane Doe 2-7 vs. Jeffrey Epstein

[REDACTED], [REDACTED]

Sent: Wednesday, March 17, 2010 3:01 PM

To: [REDACTED] (USAFLS)

Good afternoon [REDACTED],

I spoke with [REDACTED], she made me aware that the above referenced case had been previously assigned to you. She said she forwarded copies of all the documents that I sent her to AUSA [REDACTED] in Fort Lauderdale, and advised me that you will be out of the office until Monday. We agreed that I would contact Maria.

After speaking with [REDACTED], she advised me that we did not have any records responsive to the request from Mermelstein & Horowitz, P.A., according to [REDACTED] there are no sworn statements from the victims listed on Schedule A of the subpoena. Please call me and let me know if you will be drafting a response to Mermelstein & Horowitz, and if there is anything else that you need from us.

Thank you.

[REDACTED]
Paralegal Spec., FBI

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

Secret

Confidential

Sensitive

Unclassified

TO

Name of Office:

U.S. Attorney's Office - Miami

Facsimile Number:

(305) [REDACTED]

Date:

03/17/2010

Attn:

AUSA Karen [REDACTED]

Room:

Telephone Number:

[REDACTED]

FROM

Name of Office:

FBI Miami, Chief Division Counsel

Number of Pages: (including cover)

10

Originator's Name:

PLS [REDACTED]

Originator's Telephone Number:

[REDACTED]

Originator's Facsimile Number:

[REDACTED]

Approved:

FN

DETAILS

Subject:

Jane Doe 2-7 v. Jeffrey Epstein

Special Handling Instructions:

Brief Description of Communication Faxed:

Attached is the most recent correspondence that we received today from Mermelstein & Horowitz.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

DATE/TIME = MAR-17-2010 12:45
JOURNAL No. = 17
COMM. RESULT = OK
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FILE No. = 616
MODE = MEMORY TRANSMISSION
DESTINATION = 93055364101
RECEIVED ID = / XXXXXXXXXX
RESOLUTION = STD

***** -

- ***** -

- *****

MERMELSTEIN & HOROWITZ PA

ATTORNEYS AT LAW

Adam D. Horowitz
Tel [REDACTED]
Fax [REDACTED]
ahorowitz@sexabuseattorney.com

[REDACTED]
Miami, Florida 33160
www.sexabuseattorney.com

FAX TRANSMITTAL

FROM	DATE	NO. OF PAGES
Lisa Rivera, legal assistant to Adam D. Horowitz, Esq.	February 17, 2010	10

TO	COMPANY	FAX NUMBER
[REDACTED], Esq.	Federal Bureau of Investigations	[REDACTED]

MESSAGE
RE: Jane Doe 2-7 v. Jeffrey Epstein

Please see attached Motion to Compel Production of Jane Does Nos. 2-7's Sworn Statements to FBI Investigators and Incorporated Memorandum of Law.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-CV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

vs.

JEFFREY EPSTEIN,

Defendant.

Related Cases:

08-80232, 08-80380, 08-80381, 08-80994,
08-80993, 08-80811, 08-80893, 09-80469,
09-80591, 09-80656, 09-80802, 09-81092,

**PLAINTIFF JANE DOE NOS. 2-7'S MOTION
TO COMPEL PRODUCTION OF JANE DOE NOS. 2-7'S
SWORN STATEMENTS TO FBI INVESTIGATORS
AND INCORPORATED MEMORANDUM OF LAW**

Plaintiffs, Jane Does Nos. 2-7, by and through undersigned counsel, hereby file this Motion to Compel Production of Jane Doe Nos. 2-7's Sworn Statements to FBI Investigators and Incorporated Memorandum of Law, and state as follows:

1. These lawsuits arise from the alleged childhood sexual battery of Jane Doe Nos. 2-7 by Jeffrey Epstein ("Epstein").

2. Prior to the filing of the Plaintiffs' lawsuits, Epstein was investigated by the Federal Bureau of Investigation (FBI). During the course of the FBI's investigation, some or all of Jane Doe Nos. 2-7 were interviewed by FBI agents and asked to provide sworn statements about their sexual abuse by Jeffrey Epstein, the same abuse underlying

the factual allegations in the lawsuits now in front of this Court.

3. Pursuant to FBI protocol and the Federal Privacy Act, 5 U.S.C. § 552a(b), Plaintiff's undersigned counsel has served a subpoena on the Records Custodian of the FBI's Miami office requesting the sworn statements of Jane Doe Nos. 2-7 given to FBI agents during their criminal investigation of Jeffrey Epstein. See Exhibit "A."

4. The FBI informed Plaintiffs' counsel that it requires further authorization in order to release the Plaintiffs' own sworn statements pursuant to the Federal Privacy Act. Counsel for the FBI has advised that an Order from this Court authorizing the FBI to release the requested statements would be sufficient. See 5 U.S.C. § 552a (b)(11). A proposed Order authorizing the FBI to release the subpoenaed statements is attached as Exhibit "B."

5. The requested statements are directly relevant and germane to the factual allegations underlying the Plaintiffs' lawsuits and seemingly cannot be obtained by the Plaintiffs in any other way. Upon information and belief, the Defendant is already in possession of these documents.

6. Plaintiffs' counsel has conferred with counsel for the Defendant who advised that Defendant opposes the relief requested.

WHEREFORE, Plaintiffs, Jane Does Nos. 2-7, respectfully request an Order directing the Federal Bureau of Investigation to release any sworn statements of Jane Doe Nos. 2-7 given to the FBI during the criminal investigation of Jeffrey Epstein and any materials responsive to the subpoena served upon the FBI.

Case 9:08-cv-80119-KAM Document 489 Entered on FLSD Docket 03/17/2010 Page 3 of 4

Certificate Pursuant to S.D.Fla.L.R. 7.1(A)(3)

Undersigned counsel has conferred with Defendant's counsel in a good faith effort to resolve the issues raised in this Motion, and has been unable to do so.

Dated: March 17, 2010

Respectfully submitted,

By: s/ Adam D. Horowitz
Stuart S. Mermelstein (FL Bar No. 947245)
ssm@sexabuseattorney.com
Adam D. Horowitz (FL Bar No. 376980)
ahorowitz@sexabuseattorney.com
Jessica D. Arbour (FL Bar No. 67885)
jarbour@sexabuseattorney.com
MRMELSTEIN & HOROWITZ, P.A.
Attorneys for Plaintiffs
[REDACTED]
Miami, Florida 33160
Tel: [REDACTED]
Fax: [REDACTED]

CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2010, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day to all parties on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Adam D. Horowitz

SERVICE LIST
DOE vs. JEFFREY EPSTEIN
United States District Court, Southern District of Florida

Jack Alan Goldberger, Esq.
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Robert D. Critton, Esq.
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Robert C. Josefsberg
rjosefsberg@podhurst.com

By facsimile and U.S. Mail to:

██████████, Esq.
Chief Division Counsel
Federal Bureau of Investigations
16320 N.W. 2nd Avenue
North Miami Beach, FL 33169

Case 9:08-cv-80119-KAM Document 489-1 Entered on FLSD Docket 03/17/2010 Page 1 of 4

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

[REDACTED])	
<i>Plaintiff</i>)	
v.)	Civil Action No. 08-CV-80119- Marra
<i>Defendant</i>)	(If the action is pending in another district, state where:)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Records Custodian, Federal Bureau of Investigation, [REDACTED], North Miami Beach, Florida, 33169

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

See Schedule A as attached.

Place: Mermelstein & Horowitz, P.A. [REDACTED] Miami, FL 33160	Date and Time: 04/02/2010 10:00 am
--	---

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

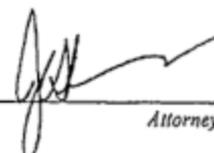
The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 4/12/10

CLERK OF COURT

OR

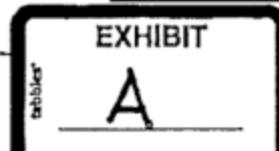
Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) PLAINTIFF, who issues or requests this subpoena, are:

Stuart Mermelstein, Adam Horowitz, Jessica Arbour, Mermelstein & Horowitz, P.A., [REDACTED], Miami, FL 33160, [REDACTED], jarbour@sexabuseattorney.com.



Case 9:08-cv-80119-KAM Document 489-1 Entered on FLSD Docket 03/17/2010 Page 2 of 4

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 08-CV-80119- Marra

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for (name of individual and title, if any) _____ was received by me on (date) _____.

I served the subpoena by delivering a copy to the named person as follows: _____ on (date) _____ ; or

I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 3)

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) *Contempt.* The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

Schedule A

Sworn statements taken during the investigation of Jeffrey Edward Epstein ([REDACTED] [REDACTED], Palm Beach, FL, DOB: [REDACTED]) from the following:

- [REDACTED] (DOB: 2/29/1988)
- [REDACTED] (DOB: 3/5/1988)
- [REDACTED] (DOB: 6/6/1987)
- [REDACTED] (DOB: 10/23/1986)
- [REDACTED] (DOB: 9/30/1990)
- [REDACTED] (DOB: 06/30/1987)

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

Secret

Confidential

Sensitive

Unclassified

TO

Name of Office:

U.S. Attorney's Office - Miami

Facsimile Number:

[REDACTED]

Date:

03/16/2010

Attn:

Maritza Arbesu

Room:

[REDACTED]

Telephone Number:

[REDACTED]

FROM

Name of Office:

FBI Miami, Chief Division Counsel

Number of Pages: (including cover)

8

Originator's Name:

PLS [REDACTED]

Originator's Telephone Number:

(305) [REDACTED]

Originator's Facsimile Number:

[REDACTED]

Approved:

FN

DETAILS

Subject:

Jane Does 2-7 v. Jeffrey Epstein

Special Handling Instructions:

Please let me know which AUSA will be assigned this matter. Thank you.

Brief Description of Communication Faxed:

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

DATE/TIME = MAR-16-2010 11:10
JOURNAL No. = 10
COMM. RESULT = OK
PAGE(S) = 008
DURATION = 00:02:05
FILE No. = 609
MODE = MEMORY TRANSMISSION
DESTINATION = 93055364101
RECEIVED ID = / XXXXXXXXXX
RESOLUTION = STD

***** -

- ***** -

- *****

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

Immediate

Priority

Routine

CLASSIFICATION

Top Secret

Secret

Confidential

Sensitive

Unclassified

TO

Name of Office:

Mermelstein & Horowitz PA

Facsimile Number:

(305) [REDACTED]

Date:

03/16/2010

Attn:

Jessica D. Arbour, Esq.

Room:

Telephone Number:

[REDACTED]

FROM

Name of Office:

FBI Miami, Chief Division Counsel

Number of Pages: (Including cover)

3

Originator's Name:

PLS [REDACTED]

Originator's Telephone Number:

[REDACTED]

Originator's Facsimile Number:

[REDACTED]

Approved:

FN

DETAILS

Subject:

Jane Does 2-7 v. Jeffrey Epstein

Special Handling Instructions:

Please review and provide CFR compliance letter & Privacy Act Order to Chief Division Counsel [REDACTED].

Brief Description of Communication Faxed:

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.U.S.C. § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

DATE/TIME = MAR-16-2010 11:09
JOURNAL No. = 09
COMM. RESULT = OK
PAGE(S) = 003
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FILE No. = 608
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DESTINATION = 93059310877
RECEIVED ID = / 305 9312200
RESOLUTION = STD

***** -

- ***** -

- *****



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

16320 N.W. 2nd Avenue
North Miami Beach, Florida 33169
March 16, 2010

Sent Via Facsimile & U.S. Mail

Jessica D. Arbour, Esq.
Mermelstein & Horowitz, PA
[REDACTED]
Miami, Florida 33160

Re: Jane Doe 2-7 v. Jeffrey Epstein

Dear Ms. Arbour:

We are in receipt of your subpoena and letter dated March 12, 2010. Please be advised that the FBI response to this request is governed by the provisions of Title 28, Code of Federal Regulations (CFR), Section 16.21 et seq. and the Privacy Act (Title 5, United States Code, Section 552a). These regulations specify that no employee of the Department of Justice, past or present, shall in response to a demand, produce or disclose information unless there is compliance with the applicable provisions. The procedure is mandatory and governs state and federal proceedings and has been upheld in the United States Supreme Court. See U.S. ex rel, Touhy v. Ragen, 340 U.S. 462 (1951).

In addition, the Privacy Act (Title 5, U.S.C., Section 552a(b)), prohibits the release of agency records pertaining to an individual, or information from those records, for a non-law enforcement purpose. The FBI may not disclose this information without the notarized written consent of each record subject, or an order from a court of competent jurisdiction authorizing its disclosure by the FBI. In the absence of either the notarized consent of the record subject, or an appropriate court order authorizing disclosure, we are statutorily prohibited from releasing any information to you.

As you noted in your letter you will seek a court order allowing for the release of the records requested. Once the Privacy Act Order is issued, please provide a copy of the order along with a letter complying with the Code of Federal Regulations directed to **Chief Division Counsel Frank Navas** at the above address. In accordance with the above cited law and regulations, we must receive the notarized consent or Privacy Act Order before any documents may be released to you.

Should you require further assistance, please contact Paralegal Specialist [REDACTED] at [REDACTED].

Very Truly Yours,

[REDACTED]

Chief Division Counsel

Subpoena Notes

Case : Jane Does 2-7 v. Jeffrey Epstein

Special Agent: Records Custodian

Date of Appearance: April 2, 2010 @ 10:00am

Date	Comments
3/15/2010	Received subpoena
3/16/2010	Faxed and mailed letter to requesting attorney Jessica D. Arbour requesting CFR compliance and PAO. Faxed copy of subpoena and CFR letter to USAO.
3/17/10	<p>Rec'd Motion to Compel Request submitted to court. Spoke w/ SA [redacted], he advised this is a pending case. Agreement was negotiated prior to indictment. Defendant agreed to plea guilty to state charges (sentenced to 18 months). Defendant is in the process of serving house arrest. Should the Defendant violate the non-prosecution agreement, they can prosecute him federally. In addition, information being sought are victim statements. The AUSA assigned [redacted] assigned to Crimes against Children out of Art Lauderdale. E-mailed Motion to Compel Correspondence to AUSA [redacted] - assigned AUSA. Spoke w/ [redacted], he advised [redacted] is going to handle this matter since he has dealt with this case in the past. He suggested I contact AUSA [redacted]. Spoke w/ [redacted] - he advised we do not have any documents (sworn statements) responsive to the request. E-mailed AUSA [redacted] with an update and requested he call me back next week when he gets back.</p>

Subpoena Notes

Case : Jane Does 2-7 v. Jeffrey Epstein

Special Agent: Records Custodian

Date of Appearance: April 2, 2010 @ 10:00am

Date	Comments
3/19/10	Rec'd Order Re: Motion to Compel production of sworn statements. Faxed copy of documents to AUSA [redacted] and e-mailed him advising of documents faxed and requested .p. call me back, on Monday when he returns to the office.
3/22/10	Left message on voicemail for [redacted] to call me back re: this subpoena, and court order.
3/22/10	Rec'd call from AUSA [redacted] He will call SA [redacted] to verify that the FBI had no sworn statements. He also needs to know who can sign the declaration stating the FBI had no sworn statements. Spoke with CDC [redacted] He feels that the most appropriate person to sign the declaration is the case agent SA [redacted].
	E-mailed AUSA [redacted] - SA [redacted]. Dexter clarified that the order received on Friday has not been signed. - Pending signed order.
4/12/10	E-mailed AUSA [redacted] re: stated on any add'l info that he may have received. He responded back advising he needs SA Richards to e-mail him back.
4/13/10	Rec'd Support of Motion to Compel (Reply) from [redacted] + Knowlitz, P. Faxed to AUSA [redacted]

