

From: "[REDACTED] (RMD)(FBI)" <[REDACTED]>

To: "[REDACTED]. (MM) (FBI)" <[REDACTED]>

Subject: RE: 1142669

Date: Thu, 29 Apr 2010 12:17:25 +0000

Importance: Normal

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Good Morning,

I would like to finish processing the FOIPA request for Jeffrey Epstein. In order to do so, I need to have the pending questions answered so that we can respond to the requester. Although we discussed this case over the phone, I would need to have responses in writing so that I can provide my supervisor with the supporting information we are required to have. Thank you.

Our purpose is to collect and review the responsive information to determine how to properly respond to FOIPA requests. Depending on your response to the questions below, the FOIPA may allow for the application of certain exemptions or exclusions. A FOIA exemption will acknowledge that the subject of this FOIPA request is located within a pending investigation and the responsive documents may be withheld from public release during the pendency of the investigation. Additionally, pending or sensitive files may be withheld in their entirety by a FOIA exclusion under certain circumstances. Please note, an exclusion will not acknowledge that an investigation on the subject of the request exists. As such, it is imperative that the facts of your investigation are clearly articulated when answering the questions.

Please address the following:

1. Is the investigation pending, and why, i.e., trial is pending, an appeal from the trial is pending, awaiting U.S. Attorney decision to prosecute, etc.?
2. Can we advise the requester that the investigation is pending or will this jeopardize your investigation?
3. Is there any public source material contained in the investigative file?
4. Has the subject been interviewed?

Application of B7A (law enforcement exemption) will only apply as long as the investigation is pending. However, once the case is no longer pending additional exemptions may be applied to third party privacy, classified, and all other sensitive information, as appropriate.

[REDACTED]
Legal Administrative Specialist
RMD/RIDS/WPU 2
N-17, ICRC

[REDACTED]
Winchester, VA 22602
[REDACTED]

From: [REDACTED]. (MM) (FBI)
Sent: Friday, April 16, 2010 12:16 PM
To: [REDACTED] (RMD)(FBI)
Subject: RE: 1142669

Yes. Fax: [REDACTED]. Thanks

EFTA00174028

[REDACTED]

From: [REDACTED] (RMD)(FBI)
Sent: Wednesday, April 14, 2010 11:25 AM
To: [REDACTED]. (MM) (FBI)
Subject: RE: 1142669

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I can fax you a copy if you have a fax number. Would that work for you?

[REDACTED]
Legal Administrative Specialist
RMD/RIDS/WPU 2
N-17, ICRC
[REDACTED]
Winchester, VA 22602
[REDACTED]

From: [REDACTED]. (MM) (FBI)
Sent: Wednesday, April 14, 2010 11:21 AM
To: [REDACTED] (RMD)(FBI)
Subject: RE: 1142669

Hi [REDACTED],

Could you please send me a copy of the request so the AUSA on the case can review it?

There is no clause that prohibits the subject from requesting information.

Thanks.

[REDACTED]

From: [REDACTED] (RMD)(FBI)
Sent: Wednesday, April 14, 2010 7:32 AM
To: [REDACTED]. (MM) (FBI)
Subject: 1142669

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Good Morning Agent [REDACTED],

After talking to you yesterday and going back through the older requests from our subject (he has come in a total of three times over the years requesting on his own and then using two different lawyers), I went to talk to an LAS who has had experience with plea agreement documents. (The requester (through his current attorney who is based in Massachusetts) is asking for all records, files....agreements and/or instructions created from January 1, 2000 to December 31, 2009. It goes on to ask for cross references, as well.) She suggested that I check to see if the subject had a plea agreement that

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stated he could not ask for any FOIPA information. I was wondering if that was the case with our current requester. If there is a clause in this current agreement that states that he cannot ask for any information, then I was wondering if we could have a copy of the agreement to scan into the case. We would then have to draft a letter that stated he could not obtain this information. Please let me know what you think.

[REDACTED]
Legal Administrative Specialist
RMD/RIDS/WPU 2
N-17, ICRC

[REDACTED]
Winchester, VA 22602
[REDACTED]

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