



U.S. Department of Justice

*United States Attorney
Southern District of Florida*

*500 South Australian Ave., Suite 400
West Palm Beach, FL 33401
(561) 820-8711
Facsimile: (561) 820-8777*

June 27, 2008

VIA FACSIMILE

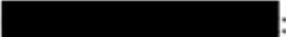
Jack A. Goldberger, Esq.



Roy Black, Esq.
Black Srebnick Kornspan & Stumpf P.A.



Re: Jeffrey Epstein

Dear Messrs. :

I write to follow up on my e-mail correspondence of June 24 and June 26, and my message this morning. As of 3:15 p.m., Friday, June 27, 2008, the Office still has not received a copy of a proposed plea agreement between Mr. Epstein and the State Attorney's Office, nor has the Office received notice of a date and time for a change of plea.

As you know, the Non-Prosecution Agreement between Mr. Epstein and the Office called for Mr. Epstein to plead, be sentenced, and begin serving his sentence not later than January 4, 2008—almost six months ago. The Office has continued that deadline to allow Mr. Epstein to raise various issues with the Department of Justice, but repeatedly advised that, once those appeals were completed, Mr. Epstein would need to perform the terms of the agreement within a short window thereafter. Now that those appeals have been exhausted, we promptly informed counsel for Mr. Epstein that he must enter his plea, be sentenced, and begin serving his sentence by 5:00 on Monday, June 30, 2008.

This week I have sent two e-mails and left a message with Mr.  receptionist asking for the date and time of the change of plea and for a copy of the proposed plea agreement between Mr. Epstein and the State Attorney's Office in accordance with the terms of the Non-Prosecution Agreement. I have received no response to any of those requests.

JACK GOLDBERGER, ESQ.
ROY BLACK, ESQ.
JUNE 27, 2008
PAGE 2 OF 2

I have received correspondence from counsel for a witness asking to cancel or continue the witness's appearance because he "understand[s] that there has been a recent development with respect to Mr. Epstein in that he intends to plead guilty in Florida state court on Monday pursuant to a deferred prosecution agreement with your office that has already been executed" and that he has "learned from Mr. Epstein's attorney that the plea is scheduled to take place on Monday morning." I also understand that there is an entry on Judge McSorley's docket that a hearing is scheduled for 8:30 a.m. on Monday.

Both parties have agreed that it is a material term of the Non-Prosecution Agreement that the United States shall have the right to review the terms of any agreements between Epstein and the State Attorney's Office prior to entering into those agreements. If, indeed, the change of plea is set for 8:30 Monday morning, the agreement with the State Attorney's Office must be provided to the Office by 4:30 today to allow adequate time to review and comment. Failure to provide this opportunity shall be deemed a breach of the Agreement.

Accordingly, I again ask that you provide me with a copy of the Plea Agreement with the State Attorney's Office and notification of the date and time of the change of plea.

Thank you.

Sincerely,

R. Alexander Acosta
United States Attorney

By:



Assistant United States Attorney

cc: [REDACTED], AUSA

* * * TRANSMISSION RESULT REPORT (JUN.27.2008 3:39PM) * * *

TTI USAO WPB FL

DATE	TIME	ADDRESS	MODE	TIME	PAGE	RESULT	PERS. NAME	FILE
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A-: ASYNC MODE

C : CONFIDENTIAL
@ : FORWARDING
D : DETAIL
1-: MIL_STD MODE

P : POLLING
E : ECM
F : FINE
G-: RICOH-MG3/COMPATIBLE MODE

M : MEMORY
> : REDUCTION

* * * TRANSMISSION RESULT REPORT (JUN.27.2008 3:38PM) * * *

TTI USAO WPB FL

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FACSIMILE COVER SHEET

TO: Roy Black, Esq.

DATE: June 27, 2008

FAX NO. [REDACTED]

OF PAGES: 3

PHONE NO. [REDACTED]

RE:

FROM: [REDACTED] Assistant U.S. Attorney

PHONE NO. [REDACTED]

COMMENTS:



U.S. Department of Justice

United States Attorney
Southern District of Florida

A. Marie Villafaña
500 S. Australian Ave, 4th Floor
West Palm Beach, Florida 33401
(561) 820-8711.
Facsimile (561) 820-8777

FACSIMILE COVER SHEET

TO: Jack Alan Goldberger

DATE: June 27, 2008

FAX NO. [REDACTED]

OF PAGES: 3

PHONE NO. [REDACTED]

RE: EPSTEIN

FROM: [REDACTED], Assistant U.S. Attorney

PHONE NO. [REDACTED]

COMMENTS:



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Southern District of Florida

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June 27, 2008

VIA FACSIMILE AND ELECTRONIC MAIL

Jack A. Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A.



Roy Black, Esq.
Black Srebnick Kornspan & Stumpf P.A.



Re: Jeffrey Epstein

Dear Messrs. [REDACTED]:

Thank you for providing me with the proposed plea agreement between Mr. Epstein and the State Attorney's Office. **The U.S. Attorney's Office hereby provides Notice that the proposed sentencing provision does not comply with the terms of the Non-Prosecution Agreement.**

The second sentencing paragraph of the proposed plea agreement reads:

On 08CF009381AMB, the Defendant is sentenced to 18 months Community Control 1 (one). As a special condition of this Community Control, the Defendant must serve the first 6 months in the Palm Beach County Detention Facility . . .

The Non-Prosecution Agreement specifically provides:

Epstein shall be sentenced to consecutive terms of twelve (12) months and six (6) months in county jail for all charges, . . . without probation or community control in lieu of imprisonment.

Thus, the proposed plea agreement with the State Attorney's Office does not comply with the terms of the Non-Prosecution Agreement. To comply with the Agreement, Mr. Epstein must make a binding recommendation of eighteen months imprisonment, which means confinement twenty-four

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JACK GOLDBERGER, ESQ.
ROY BLACK, ESQ.
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hours a day at the County Jail, and the judge must accept that recommendation. Community control must follow that term of incarceration.

Secondly, we have not been provided with a copy of the Information filed in case number 08CF009381AMB. I want to confirm that Mr. Epstein is being charged with the substantive offense of procuring minors to engage in prostitution, not attempted procurement. Accordingly, please provide me with a copy of the Information at your earliest opportunity. I will be available via e-mail throughout the weekend or you may reach me on my cell phone at [REDACTED].

Thank you.

Sincerely,

R. Alexander Acosta
United States Attorney

By: *Mani Villalobos*

[REDACTED]
Assistant United States Attorney

cc: [REDACTED], AUSA



U.S. Department of Justice

United States Attorney
Southern District of Florida

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FACSIMILE COVER SHEET

TO: Roy Black, Esq.

DATE: June 27, 2008

FAX NO. [REDACTED]

OF PAGES: 3

PHONE NO. [REDACTED]

RE: Jeffrey Epstein

FROM: [REDACTED], Assistant U.S. Attorney

PHONE NO. [REDACTED]

COMMENTS:



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Southern District of Florida

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TO: Jack Alan Goldberger

DATE: June 27, 2008

FAX NO. ██████████

OF PAGES: 3

PHONE NO. ██████████

RE: Jeffrey Epstein

FROM: A. MARIE VILLAFANA, Assistant U.S. Attorney

PHONE NO. ██████████

COMMENTS:

* * * TRANSMISSION RESULT REPORT (JUN.27.2008 5:55PM) * * *

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TTI USAO WPB FL

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