

[REDACTED]

From: [REDACTED] Tuesday, August 07, 2007 4:02 PM
Sent: [REDACTED]
To: [REDACTED]
Subject: RE: Epstein

Thanks. [REDACTED] wants you and [REDACTED] in on the conference call, too, which means that we can't do the call until August 20th -- after the deadline we have already set. I don't know if I should say something or just wait patiently. What do you think? The agents and I were planning to go to New York on the 20th to track down the assistants and talk to other folks.

Tracking:

Recipient
Lourie, Andrew (USAFLS)

Read
Read: 8/7/2007 4:06 PM

From: A. Salter [mailto:acsalter@tds.com]
Sent: Friday, May 18, 2007 2:33 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: Possible Retainer for a Federal Criminal Investigation/Prosecution

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From: Villafana, Ann Marie C. (USAFLS) [mailto:Ann.Marie.C.Villafana@usdoj.gov]
Sent: Friday, May 18, 2007 1:00 PM
To: acsalter@annasalter.com
Subject: FW: Possible Retainer for a Federal Criminal Investigation/Prosecution

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Thank you for your assistance.

A. Marie Villafana
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500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

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How about 9 am central time? I am still confused, however. Are you expecting me to fly to Florida to testify? Anna

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P.S. I keep trying to send mail to your tds.com e-mail address and it is returned to me as undeliverable.

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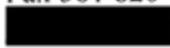
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From: Menchel, Matthew (USAFLS)
Sent: Monday, May 14, 2007 10:52 AM
To: Villafana, Ann Marie C. (USAFLS); Lourie, Andrew (USAFLS)
Subject: Re: Operation Leap Year

Marie,

You will not have approval to go forward tomorrow with an indictment or to proceed by complaint. Alex has your memo and lefcourt's letter but he is out of the district at the US Attorney's conference for the next several days.

I'm having trouble understanding - given how long this case has been pending - what the rush is. This is obviously a very significant case and alex wants to take his time making sure he is comfortable before proceeding.

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Villafana, Ann Marie C. (USAFLS) <AVillafana@usa.doj.gov>
To: Lourie, Andrew (USAFLS) <ALourie@usa.doj.gov>; Menchel, Matthew (USAFLS) <MMenchel@usa.doj.gov>
Sent: Mon May 14 10:38:15 2007
Subject: Operation Leap Year

Good morning: I just received a call that Epstein's plane is flying from the Virgin Islands to Newark now, so it looks like Epstein is going to show up for his court appearance tomorrow. Can you let me know if the indictment is going tomorrow or, if not, whether we are authorized to proceed by Complaint?

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To: Lourie, Andrew (USAFLS); Menchel, Matthew (USAFLS)
Subject: Operation Leap Year

Good morning: I just received a call that Epstein's plane is flying from the Virgin Islands to Newark now, so it looks like Epstein is going to show up for his court appearance tomorrow. Can you let me know if the indictment is going tomorrow or, if not, whether we are authorized to proceed by Complaint?

Thank you.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

180

EFTA00179815

Recipient

Lourie, Andrew (USAFLS)
Menchel, Matthew (USAFLS)

Read

Read: 5/14/2007 10:52 AM
Read: 5/14/2007 10:52 AM

Villafana, Ann Marie C. (USAFLS)

From: Menchel, Matthew (USAFLS)
Sent: Friday, May 11, 2007 2:09 PM
To: Villafana, Ann Marie C. (USAFLS); Lourie, Andrew (USAFLS)
Subject: RE:

Marie,

Is the pros memo the same as the earlier version that Andy emailed me? Also you reference Appendix A in your memo but it wasn't attached to my first memo.

Thanks,
Matt

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, May 09, 2007 5:36 PM
To: Lourie, Andrew (USAFLS)
Cc: Menchel, Matthew (USAFLS)
Subject: RE:

Hi Andy and Matt – Toni and I finalized the forfeiture provisions this afternoon, so here is the indictment with the forfeiture language and another copy of the pros memo. Andy – I will sign the indictment and add it to the packet. Thanks.

<< File: 070507 Indictment with Forfeiture.wpd >> << File: Pros Memo 5-1-07.wpd >>

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Lourie, Andrew (USAFLS)
Sent: Wednesday, May 09, 2007 5:17 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject:

Pls email me pros memo. Thanks.

Villafana, Ann Marie C. (USAFLS)

From: Yera, E.J. (USAFLS)
Sent: Thursday, May 10, 2007 9:53 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE:

AM -

This is so wrong - on so many levels - that I don't know where to begin.

E.J.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, May 10, 2007 9:51 AM
To: Yera, E.J. (USAFLS)
Subject: FW:

Your guidance is sorely needed.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Lourie, Andrew (USAFLS)
Sent: Thursday, May 10, 2007 9:49 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject:

marie
I believe that Epstein's attys are scared of the victims they don't know. Epstein has no doubt told them that there were many. Thus I believe the frist indictment should contain only the victims they have nothing on at all. We can add in the other ones that have myspace pages and prior testimony in a superseder. I think for the first strike we should make all their nightmare's come true. Thoughts?

Villafana, Ann Marie C. (USAFLS)

From: Lourie, Andrew (USAFLS)
Sent: Thursday, May 10, 2007 9:49 AM
To: Villafana, Ann Marie C. (USAFLS)

marie

I believe that Epstein's attys are scared of the victims they don't know. Epstein has no doubt told them that there were many. Thus I believe the frist indictment should contain only the victims they have nothing on at all. We can add in the other ones that have myspace pages and prior testimony in a superseder. I think for the first strike we should make all their nightmare's come true. Thoughts?

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, May 07, 2007 3:41 PM
To: Lourie, Andrew (USAFLS)
Cc: Barnes, Antonia (USAFLS)
Subject: Revised Indictment

Hi Andy – I caught a few typos today in the indictment, so here is a revised version (they didn't change any of the counts).

I don't think you sent the indictment to Matt Menchel yet, but if you want me to send it to him, please let me know. Thank you.



070507
Indictment.wpd

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

185

EFTA00179820

Recipient

Lourie, Andrew (USAFLS)

Barnes, Antonia (USAFLS)

Read

Read: 5/8/2007 12:37 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, May 03, 2007 4:29 PM
To: Crespo, Rosita (USAFLS)
Cc: Ball, Shawn (USAFLS)
Subject: FW: Litigative Consultant SOW

Hi Rosita – Here is the amended Memo. The case is highly sensitive because of the large number of identifiable minors, so I have been very succinct. If you have any questions, you can call me at my direct dial (shown below). Thank you.



Lit Consultant
SOW short.wpd

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Ball, Shawn (USAFLS)
Sent: Wednesday, May 02, 2007 3:19 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: FW: Litigative Consultant SOW

From: Crespo, Rosita (USAFLS)
Sent: Wednesday, May 02, 2007 3:16 PM
To: Ball, Shawn (USAFLS)
Subject: Litigative Consultant SOW

Shawn,

Attach is the SOW for Litigative Consultant. Add the information needed and return via email.
You need to add a brief summary of case.

Thanks.

Tracking:

187

EFTA00179822

Recipient

Crespo, Rosita (USAFLS)
Ball, Shawn (USAFLS)

Read

Read: 5/4/2007 8:08 AM

Villafana, Ann Marie C. (USAFLS)

From: Braden, Myesha
Sent: Thursday, May 03, 2007 12:05 PM
To: Villafana, Ann Marie C. (USAFLS)
Cc: Almanza, Paul
Subject: RE: 2423(c) and 2423(d)

A. Marie,

Paul Almanza asked that I respond to your inquiry.

Without knowing all of your facts, it does not appear to me that you can use the statue in the ways that you describe. Regarding the first question, I believe that the language of the statute clearly criminalizes engaging in illicit sexual conduct WHILE traveling in foreign commerce. The entire legislative history of the statute shows that it was designed to combat international sex tourism. Also the "travels in . . . and engages" language bears this out. However, it is not necessary to use 2423(c) to charge him if you know that his intent was to engage in sex with minors. If that is the case, you should charge 2423(b) because it is design to address BOTH interstate and foreign travel for the purpose of illicit sex.

Regarding the second question, I must respond with two questions. Can you prove that she arranged the travel and appointments for her own commercial or financial advantage? It sounds like she just doing what her boss in her legitimate job requested of her without additional benefit beyond her standard pay. If that is the case, you will have a great amount of difficulty proving the elements of your case. Can you prove that she purposely arranged appointments with underage prostitutes? Because 2423(f) defines illicit sexual conduct in two ways, both limiting the focus to sexual activity with minors, this is an important issue in deciding whether to charge the assistant. It is also an issue in determining whether your target will be able to raise the affirmative defense provided in 2423(g).

If you'd like to give me a call to talk more about this, please feel free to do so.

Good luck!

Myesha

Myesha K. Braden
U.S. Department of Justice
Criminal Division - CEOS
(202) 514-6037

From: Villafana, Ann Marie C. (USAFLS) [mailto:Ann.Marie.C.Villafana@usdoj.gov]
Sent: Thursday, May 03, 2007 10:47 AM
To: Almanza, Paul
Subject: 2423(c) and 2423(d)

Hi Paul - Sorry to bother you. I am charging a case where a man traveled from out of state (and, on one occasion, from outside the country) to Palm Beach County to engage in prostitution with minors.

First question: The man clearly traveled in "foreign commerce" when he traveled from outside the U.S. directly to Palm Beach county, and he is a U.S. citizen. Do you think that we could charge 2423(c) even though the sexual activity occurred in the U.S.?

Second question: Do you know of anyone who has charged 2423(d)? The man's personal assistant set up the appointments with the prostitutes and also was in charge of organizing his travel, so I think a 2423(d) charge is warranted. One question is whether we should charge a separate count for each trip? Or charge only one count covering the entire 18-month period of activity?

As always, thank you!

A. Marie Villafañá

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone 561 209-1047

Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, May 03, 2007 10:47 AM
To: Almanza, Paul
Subject: 2423(c) and 2423(d)

Hi Paul – Sorry to bother you. I am charging a case where a man traveled from out of state (and, on one occasion, from outside the country) to Palm Beach County to engage in prostitution with minors.

First question: The man clearly traveled in “foreign commerce” when he traveled from outside the U.S. directly to Palm Beach county, and he is a U.S. citizen. Do you think that we could charge 2423(c) even though the sexual activity occurred in the U.S.?

Second question: Do you know of anyone who has charged 2423(d)? The man’s personal assistant set up the appointments with the prostitutes and also was in charge of organizing his travel, so I think a 2423(d) charge is warranted. One question is whether we should charge a separate count for each trip? Or charge only one count covering the entire 18-month period of activity?

As always, thank you!

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, May 02, 2007 2:40 PM
To: Ball, Shawn (USAFLS)
Subject: Emailing: Xpert Statement of Work Lit Consult.wpd
Attachments: Xpert Statement of Work Lit Consult.wpd

Hi Shawn -- I changed it a bit. Thanks.

The message is ready to be sent with the following file or link attachments:

Xpert Statement of Work Lit Consult.wpd

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, May 01, 2007 5:14 PM
To: Sloman, Jeff (USAFLS)
Subject: Your call

Hi Jeff -- I got your message. I had already sent some stuff to Barbara, so I think she has what she and Alex need. If not, please let me know.

The big indictment package was turned in today, so hopefully Matt will have it by Thursday. May 15th is our target date.

Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, April 23, 2007 7:56 PM
To: Schultz, Anne (USAFLS)
Cc: Yera, E.J. (USAFLS)
Subject: RE: Eleventh Circuit Pattern Jury Instructions

Hi Annie -- The current version of the jury instruction for violating 18 USC 2422(b) (Offense Instruction 80) is currently drafted for the charge of ATTEMPTED enticement of a minor. Because attempt is a specific intent crime, an attempt requires that the defendant specifically intend to entice someone under 18, and the current pattern instruction includes a willfulness requirement. For the completed offense, however, the defendant only needs to knowingly use a computer to entice someone, and then the government has to prove that the person actually is under 18. The current pattern jury instruction also does not discuss enticement into prostitution.

So, the instruction for a completed offense should read:

First: That the Defendant knowingly used [the mail] [a computer] [describe other interstate facility as alleged in indictment] to persuade, induce, entice, or coerce an individual to engage in [prostitution] [sexual activity], as charged;

Second: That the individual whom the defendant enticed was less than eighteen (18) years of age at the time of the charged offense;

And [for cases not involving enticement into prostitution]

Third: That the Defendant and the individual engaged in sexual activity for which the Defendant could have been charged with a criminal offense under the law of [identify the state].

EJ and I have gone through all the cases on this for an upcoming indictment, so getting the 11th Circuit's attention would be wonderful. If you want the analysis, please let me know.

Thanks.

A. Marie Villafana
Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: Schultz, Anne (USAFLS)
Sent: Monday, April 23, 2007 11:29 AM
To: USAFLS-AUSAs District
Cc: Curnick, Janis (USAFLS)
Subject: Eleventh Circuit Pattern Jury Instructions

Judge Middlebrooks informed me on Friday that the Committee that reviews the Eleventh Circuit Pattern Jury Instructions will be meeting next week at the Eleventh Circuit Judicial Conference. The Committee will soon begin reviewing the current instructions, and Judge Middlebrooks has requested our input. If you have suggestions about the instructions as a whole please relay them to me within the next two days so that I can pass our general comments on to Judge Middlebrooks before the Judicial Conference. If you have any suggestions as to individuals or groups that the

Committee should contact for input regarding the instructions, please give me that information in the next two days as well. I would also like your thoughts on instructions that need to be revised or added. While all thoughts are welcome, it would really help if you attached instructions that you think should be included in the Pattern Instructions.

Tracking:

Recipient
Schultz, Anne (USAFLS)
Yera, E.J. (USAFLS)

Read
Read: 4/24/2007 9:13 AM

Villafana, Ann Marie C. (USAFLS)

From: Richards, Jason R. [Jason.Richards2@ic.fbi.gov]
Sent: Friday, April 20, 2007 6:21 PM
To: Villafana, Ann Marie C. (USAFLS)
Cc: genekuyrkendall@msn.com
Attachments: Epstein Ssheet.xls

Hey Marie,

Here's the draft spreadsheet you requested (Jennifer Siciliano's data still needs to be added). Have a good weekend.

Jason

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, April 20, 2007 12:32 PM
To: acsalter@tds.net
Subject: FW: Possible Retainer for a Federal Criminal Investigation/Prosecution

Hi Anna -- My secretary, Shawn Ball, will be calling to get your Social Security number, etc., so we can get funding approved. (I don't want to take up a lot of your time and then get into a fight with my Office.) I'll call you on Monday?

A. Marie Villafana

Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: A. Salter [mailto:acsalter@tds.com]
Sent: Wednesday, April 18, 2007 8:27 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: Possible Retainer for a Federal Criminal Investigation/Prosecution

Hi,

These are all things I could testify about. Can you tell me the time-line?

I charge \$250/hour for everything: reading records, testifying, etc. For traveling I charge from the time I leave the house until I arrive at the hotel, and then again the next day from the time I leave the hotel until I return to the hotel or to my home. I don't ask for a retainer.

If that's acceptable, please give me a call at 608-238-8223 at your convenience. Anna Salter

PS That email address is having trouble. Please send emails to acsalter@tds.net.

From: Villafana, Ann Marie C. (USAFLS) [mailto:Ann.Marie.C.Villafana@usdoj.gov]
Sent: Monday, April 16, 2007 10:50 AM
To: acsalter@annasalter.com
Subject: Possible Retainer for a Federal Criminal Investigation/Prosecution

Dear Dr. Salter:

I am a federal prosecutor in West Palm Beach, Florida, and the District-wide coordinator of child exploitation cases for the U.S. Attorney's Office for the Southern District of Florida. I have been reviewing your book, Predators: Pedophiles, Rapists, & Other Sex Offenders, and have found it immensely informative.

I am considering undertaking a prosecution, and I am hoping that you would consider serving as an expert consultant and possible witness for the case. The types of issues that I am hoping you can address include:

1. Why victims do not report sexual abuse and, when discovered, why it may take several sessions for a victim to disclose all of the sexual activity that took place.
2. Different types of paraphilia -- in particular, describing a predator's interest in post-pubescent children (many people are asking why we should prosecute someone who didn't go after really young children).
3. Traits of psychopathy.
4. Effects of abuse on victims.

When you have a chance, would you mind calling or e-mailing me? My direct dial number is shown below. You also can contact Special Agent Nesbitt Kuyrkendall, with the FBI, at 561 822-5946.

Thank you.

A. Marie Villafaña

Assistant U.S. Attorney

561 209-1047

Fax 561 820-8777

ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, April 20, 2007 12:31 PM
To: A. Salter
Subject: RE: Possible Retainer for a Federal Criminal Investigation/Prosecution

Hi Anna -- My secretary, Shawn Ball, will be calling to get your Social Security number, etc., so we can get funding approved. (I don't want to take up a lot of your time and then get into a fight with my Office.) I'll call you on Monday?

A. Marie Villafaña
Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: A. Salter [mailto:acsalter@tds.com]
Sent: Wednesday, April 18, 2007 8:27 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: Possible Retainer for a Federal Criminal Investigation/Prosecution

Hi,

These are all things I could testify about. Can you tell me the time-line?

I charge \$250/hour for everything: reading records, testifying, etc. For traveling I charge from the time I leave the house until I arrive at the hotel, and then again the next day from the time I leave the hotel until I return to the hotel or to my home. I don't ask for a retainer.

If that's acceptable, please give me a call at 608-238-8223 at your convenience. Anna Salter

PS That email address is having trouble. Please send emails to acsalter@tds.net.

From: Villafana, Ann Marie C. (USAFLS) [mailto:Ann.Marie.C.Villafana@usdoj.gov]
Sent: Monday, April 16, 2007 10:50 AM
To: acsalter@annsalter.com
Subject: Possible Retainer for a Federal Criminal Investigation/Prosecution

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3. Traits of psychopathy.
4. Effects of abuse on victims.

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Thank you.

A. Marie Villafaña

Assistant U.S. Attorney

561 209-1047

Fax 561 820-8777

ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, April 16, 2007 5:25 PM
To: Ortiz, Eliasib
Subject: FW: Possible Retainer for a Federal Criminal Investigation/Prosecution

Hi Junior -- Here are the questions that I have raised for the potential expert. Thank you.

The types of issues that I am hoping the expert can address include:

1. Why victims do not report sexual abuse and, when discovered, why it may take several sessions for a victim to disclose all of the sexual activity that took place.
2. Different types of paraphilia -- in particular, describing a predator's interest in post-pubescent children (many people are asking why we should prosecute someone who didn't go after really young children).
3. Traits of psychopathy.
4. Effects of abuse on victims.

Thank you.

A. Marie Villafana
Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, April 16, 2007 12:07 PM
To: Williams, Doncella
Cc: Ball, Shawn (USAFLS)
Subject: RE: Haley Robson and Tatum Miller

Thank you so much!

Shawn -- Can you prepare the final subpoenas?

A. Marie Villafana

Assistant U.S. Attorney

561 209-1047

Fax 561 820-8777

ann.marie.c.villafana@usdoj.gov

From: Williams, Doncella
Sent: Monday, April 16, 2007 12:03 PM
To: Villafana, Ann Marie C. (USAFLS)
Cc: Bannon, John
Subject: Haley Robson and Tatum Miller

The immunity authorization letters for witness Haley Robson and Tatum Miller has been faxed to your office at 561-820-8777.

Doncella Williams
Legal Assistant
Witness Immunity Unit
202-514-5541

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, April 16, 2007 11:50 AM
To: acsalter@annasalter.com
Subject: Possible Retainer for a Federal Criminal Investigation/Prosecution

Dear Dr. Salter:

I am a federal prosecutor in West Palm Beach, Florida, and the District-wide coordinator of child exploitation cases for the U.S. Attorney's Office for the Southern District of Florida. I have been reviewing your book, Predators: Pedophiles, Rapists, & Other Sex Offenders, and have found it immensely informative.

I am considering undertaking a prosecution, and I am hoping that you would consider serving as an expert consultant and possible witness for the case. The types of issues that I am hoping you can address include:

1. Why victims do not report sexual abuse and, when discovered, why it may take several sessions for a victim to disclose all of the sexual activity that took place.
2. Different types of paraphilia -- in particular, describing a predator's interest in post-pubescent children (many people are asking why we should prosecute someone who didn't go after really young children).
3. Traits of psychopathy.
4. Effects of abuse on victims.

When you have a chance, would you mind calling or e-mailing me? My direct dial number is shown below. You also can contact Special Agent Nesbitt Kuyrkendall, with the FBI, at 561 822-5946.

Thank you.

A. Marie Villafana
Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, March 27, 2007 2:32 PM
To: Lourie, Andrew (USAFLS)
Subject: RE:

Hi Andy -- Thank you. The letter went out earlier today. I put a copy in your box.

A. Marie Villafana

Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: Lourie, Andrew (USAFLS)
Sent: Monday, March 26, 2007 4:21 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject:

I told Dutko we would send him a kastigar letter this week . He said he would try to bring her in next week unless he had issues with the letter. Basically we should just tell him we are giving him 6001 immunity.

Also, I was thinking that seniors in High School start turning 18 in January. So that if you are getting messages from High School students during a school year between September and January, you can be assured none of them are 18. And even by graduation in June, 5/6 of the students in a Highschool will be under 18.

Tracking:

209

EFTA00179840

Recipient
Lourie, Andrew (USAFLS)

Read
Deleted: 4/3/2007 11:25 AM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, March 23, 2007 9:22 AM
To: Cassella, Stefan
Subject: RE: memory lane

Thank you, thank you, thank you!

A. Marie Villafaña

Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: Cassella, Stefan
Sent: Thursday, March 22, 2007 5:24 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: FW: memory lane

FYI

Stef

From: Harbin, Harry
Sent: Thursday, March 22, 2007 4:46 PM
To: Cassella, Stefan
Subject: RE: memory lane

Your memory is correct:

United States v. Tobon-Builes, 706 F.2d 1092 (11th Cir. 1982) Conviction aff'd. Tobon's criminal liability stems not from any duty on his part to file CTRs but from his willful act of concealment of material facts so as to cause financial institutions to fail in their duty to file. The panel found support for this holding in 18 U.S.C. § 2(b) under which a person is punishable as a principal if they cause an unwitting and therefore innocent intermediary to commit the offense.

An authority of more general application is 18 USC § 2(b) on which *Tobon-Builes* relied – which is a bit different from the "aiding and abetting" principal embodied in § 2(a).

Harry

From: Cassella, Stefan
Sent: Thursday, March 22, 2007 4:37 PM
To: Harbin, Harry
Subject: memory lane

Harry,

Am I correct that *Tobon-Builes* was the 11th Circuit case holding that a smurf could be convicted of causing (aiding and abetting) a financial institution to fail to file a CTR? Do you think that an AUSA in Florida could rely on that case to argue that a person using a money remitter to send money from New York to Florida to finance a prostitution offense is guilty of causing the remitter to violate 1960b1C?

Stef



Villafana, Ann Marie C. (USAFLS)

From: Cassella, Stefan
Sent: Thursday, March 22, 2007 5:24 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: FW: memory lane

FYI

Stef

From: Harbin, Harry
Sent: Thursday, March 22, 2007 4:46 PM
To: Cassella, Stefan
Subject: RE: memory lane

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An authority of more general application is 18 USC § 2(b) on which *Tobon-Builes* relied – which is a bit different from the "aiding and abetting" principal embodied in § 2(a).

Harry

From: Cassella, Stefan
Sent: Thursday, March 22, 2007 4:37 PM
To: Harbin, Harry
Subject: memory lane

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Stef

Villafana, Ann Marie C. (USAFLS)

From: Cassella, Stefan
Sent: Thursday, March 22, 2007 4:14 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: A Money Laundering Question

Aside from cases where there is a representation as to the nature of the money by a law enforcement agent (sting cases; 1956(a)(3)), or cases involving the international transfer of funds (intl money laundering; 1956(a)(2)(A)), all money laundering offenses under 1956 and 1957 require proof that the money actually was SUA proceeds. There is no provision, in other words, for "reverse money laundering" – i.e., the process of sending money from one place to another for the purpose of promoting a future criminal act. This is a problem in our money laundering statutes that we've asked Congress to fix. (Ironically, the State of Florida has a state reverse money laundering statute that might apply to your facts.)

There are some other possibilities, however. If the money was sent via a money remitter, there could be a violation of 1960(b)(1)(C) (sending funds through a money remitting business knowing that they were intended to be used for an illegal purpose). Also, since the end result of this transaction was the promotion of a prostitution offense, you could have a violation of 1952 (using a facility in interstate commerce to promote a state prostitution offense).

Please let me know if either of these work for you.

Stef

From: Villafana, Ann Marie C. (USAFLS) [mailto:Ann.Marie.C.Villafana@usdoj.gov]
Sent: Thursday, March 22, 2007 4:00 PM
To: Cassella, Stefan
Subject: RE: A Money Laundering Question

Thank you, Stef. I must admit that your answer doesn't make me happy. Do you think that there is any other type of money laundering that I could charge?

A. Marie Villafana

Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: Cassella, Stefan
Sent: Thursday, March 22, 2007 3:10 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: A Money Laundering Question

Marie,

We have always taken the position that a sting offense – i.e., a violation of 1956a3 – requires proof of a representation that the property involved in the transaction was either A) SUA proceeds, or B) property used to facilitate. In other words, contrary to your construction of the statute, we think the representation element applies to both of the phrases that follow, and not just to the proceeds. I could go into detail regarding the elements of 1956(a)(3) and its legislative history if

necessary (we did a memo on this to counsel for one of the agencies many years ago), but I think the reason you haven't found any case law on this is that we've discouraged bringing any prosecutions based on this reading of the statute.

I suspect that this is not what you were hoping to hear, but that's how we see it.

Good luck with this,

Stef

From: Villafana, Ann Marie C. (USAFLS) [mailto:Ann.Marie.C.Villafana@usdoj.gov]
Sent: Thursday, March 22, 2007 12:50 PM
To: Cassella, Stefan
Subject: A Money Laundering Question

Hi Stefan -- One of our ICE Agents recommended that I contact you with this question. I have a target who transfers funds from a bank account in New York to a bank account in Florida. The target then asks his assistant in Florida to withdraw cash from the Florida account to pay underage prostitutes here in Florida. I would like to charge money laundering under 1956(a)(3)(A): "Whoever, with the intent (A) to promote the carrying on of specified unlawful activity; . . . conducts or attempts to conduct a financial transaction involving . . . property used to conduct or facilitate specified unlawful activity, shall be fined under this title or imprisoned for not more than 20 years or both."

I read the statute as NOT requiring either the use of criminal proceeds or an attempt to conceal the transactions, but I haven't found any cases that involve purely promotional money laundering. Can you help?

Thank you so much.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Cassella, Stefan
Sent: Thursday, March 22, 2007 3:10 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: A Money Laundering Question

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We have always taken the position that a sting offense – i.e., a violation of 1956a3 – requires proof of a representation that the property involved in the transaction was either A) SUA proceeds, or B) property used to facilitate. In other words, contrary to your construction of the statute, we think the representation element applies to both of the phrases that follow, and not just to the proceeds. I could go into detail regarding the elements of 1956(a)(3) and its legislative history if necessary (we did a memo on this to counsel for one of the agencies many years ago), but I think the reason you haven't found any case law on this is that we've discouraged bringing any prosecutions based on this reading of the statute.

I suspect that this is not what you were hoping to hear, but that's how we see it.

Good luck with this,

Stef

From: Villafana, Ann Marie C. (USAFLS) [mailto:Ann.Marie.C.Villafana@usdoj.gov]
Sent: Thursday, March 22, 2007 12:50 PM
To: Cassella, Stefan
Subject: A Money Laundering Question

Hi Stefan -- One of our ICE Agents recommended that I contact you with this question. I have a target who transfers funds from a bank account in New York to a bank account in Florida. The target then asks his assistant in Florida to withdraw cash from the Florida account to pay underage prostitutes here in Florida. I would like to charge money laundering under 1956(a)(3)(A): "Whoever, with the intent (A) to promote the carrying on of specified unlawful activity; . . . conducts or attempts to conduct a financial transaction involving . . . property used to conduct or facilitate specified unlawful activity, shall be fined under this title or imprisoned for not more than 20 years or both."

I read the statute as NOT requiring either the use of criminal proceeds or an attempt to conceal the transactions, but I haven't found any cases that involve purely promotional money laundering. Can you help?

Thank you so much.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
[REDACTED]illafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, January 30, 2007 9:04 AM
To: Lourie, Andrew (USAFLS)
Subject: RE: Epstein

Hi Andy -- I got a little side-tracked with the Judge Zloch thing, but I am going to try to spend all day today and tomorrow on the Epstein pros memo. In the meantime, Shawn is making you a copy of the stuff that Gerald Lefcourt sent and a copy of the final Palm Beach police report. That doesn't include the interviews conducted by FBI, but it gives a good overview. Junior Ortiz from FBI would like to attend the meeting. Let me know if you have any objection to that. Maybe Junior can come over at 1:00 on Thursday so we can do a "pre-meeting meeting"

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: Lourie, Andrew (USAFLS)
Sent: Monday, January 29, 2007 4:55 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Epstein

Can I get a draft pros memo and anything else you think I should read before our meeting?

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, January 11, 2007 3:48 PM
To: Lourie, Andrew (USAFLS)
Subject: Lilly Ann Sanchez

Andy -- I just spoke with Lilly. They are going to give me nothing. I just get to listen to the pitch and hear about how the girls are liars and drug users. And the earliest that they can come to see me is the week after our "goal date."

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

Recipient
Lourie, Andrew (USAFLS)
Yera, E.J. (USAFLS)

Read
Read: 1/11/2007 4:00 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, January 10, 2007 7:26 AM
To: Lourie, Andrew (USAFLS)
Subject: RE: T/C with Lilly Ann Sanchez

Hi Andy -- I send Lilly a letter telling her that, as I mentioned in my earlier correspondence, I wanted to review the documents that she promised before we met and if she wanted me to review things before I made a presentation to the grand jury she should send them sooner rather than later. She just wants to "make a pitch" and not provide any information. I want the documents not the pitch.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

From: Lourie, Andrew (USAFLS)
Sent: Tuesday, January 09, 2007 5:20 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: T/C with Lilly Ann Sanchez

Marie,

Lilly Ann Sanchez called me. Based on her last conversation with you she was concerned an indictment was imminent and wanted to confirm that she would be given an opportunity to come in before and present the results of their own investigation to us and make a pitch. She said once they had an opportunity to do that, if we wanted to interview Epstein, that would be a possibility. I told her that she would be given the opportunity to do what she requested.

Recipient

Lourie, Andrew (USAFLS)
Yera, E.J. (USAFLS)
eliasib.ortiz@ic.fbi.gov

Read

Read: 1/11/2007 11:48 AM
Read: 1/10/2007 7:38 AM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, December 11, 2006 3:25 PM
To: 'Robert Blackburn Esq. (blackburnr@sec.gov)'
Subject: Meeting re Epstein

Hi Robert -- As promised, I am following up with you. Two FBI agents and I are traveling to New York on Thursday morning and will be there through Sunday. I remember that you are presenting an indictment on Friday, but is there any chance we could talk on Friday afternoon or early evening? And can you recommend a government-approved hotel?

Thank you so much!

A. Marie Villafana
Assistant U.S. Attorney
Southern District of Florida
500 S. Australian Ave, Ste 400
West Palm Beach, FL 33401
561 820-8711
Fax 561 820-8777

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, November 30, 2006 3:55 PM
To: Robert Blackburn Esq. (blackburnr@sec.gov)
Subject: Our discussion

Hi Robert -- Thank you for taking the time to speak with me today. I will follow up with you next week. All of my contact info is below.

A. Marie Villafana
Assistant U.S. Attorney
Southern District of Florida
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
561 209-1047
Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, November 30, 2006 3:55 PM
To: Robert Blackburn Esq. (blackburnr@sec.gov)
Subject: Our discussion
Contacts: Robert Blackburn Esq.

Hi Robert -- Thank you for taking the time to speak with me today. I will follow up with you next week. All of my contact info is below.

A. Marie Villafana
Assistant U.S. Attorney
Southern District of Florida
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
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Fax 561 820-8777
ann.marie.c.villafana@usdoj.gov

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, October 14, 2008 5:36 PM
To: Lee, Dexter (USAFLS)
Subject: Re: Letter from Brad Edwards

Hi Dexter. I have lost my patience with Mr. Edwards. He clearly is trying to use our litigation to affect the civil suits against Epstein. His letter states that he still wants to work out a resolution of our case but I think that everyone agrees that he has no remedy so I don't know what our incentive is to work with him anymore given his aggressive tactics. I agree with your strategy.

From: Lee, Dexter (USAFLS)
To: Villafana, Ann Marie C. (USAFLS)
Sent: Tue Oct 14 15:13:34 2008
Subject: Letter from Brad Edwards

Marie,

Today I received the attached letter from Brad Edwards, concerning the partially "false" statements made in the declaration accompanying our initial response to the victims' petition. Edwards doesn't seem to know there's a difference between incorrect and false. As far as stipulating, I think we go forward with our initial strategy, the only relevant facts are that Epstein was charged in state court, pled guilty, and is now in jail.

Dexter

<<edwards_ltr_100908.pdf>>

Villafana, Ann Marie C. (USAFLS)

From: Lee, Dexter (USAFLS)
Sent: Tuesday, October 14, 2008 3:14 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Letter from Brad Edwards

Marie,

Today I received the attached letter from Brad Edwards, concerning the partially "false" statements made in the declaration accompanying our initial response to the victims' petition. Edwards doesn't seem to know there's a difference between incorrect and false. As far as stipulating, I think we go forward with our initial strategy, the only relevant facts are that Epstein was charged in state court, pled guilty, and is now in jail.

Dexter



edwards_ltr_100
908.pdf

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, October 10, 2008 10:18 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS); Garcia, Rolando (USAFLS)
Subject: Epstein Press Coverage

FYI –

<http://www.palmbeachdailynews.com/news/content/news/2008/10/09/epstein1010.html>

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Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, October 08, 2008 2:17 PM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Cc: Lee, Dexter (USAFLS); Garcia, Rolando (USAFLS)
Subject: Jane Does v United States

Hi all – Here is the pleading that Dexter and I filed today in response to the Jane Does’ Motion to Unseal the Non-Prosecution Agreement. Although the Petitioners’ Motion asserts that they would provide notice of the motion to Epstein’s attorneys, I think it would be prudent for us to send a copy to Roy and Jay. Please let me know if you agree.

Thank you.

Once Judge Marra decides this motion, I think we should move to dismiss the petition, otherwise Brad Edwards will try to use the case as a never-ending “wishing well” to keep making more and more outrageous requests of Judge Marra.



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p to Motn Unsea

A. Marie Villafaña
Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777

Tracking:

Recipient

Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Atkinson, Karen (USAFLS)
Lee, Dexter (USAFLS)
Garcia, Rolando (USAFLS)

Read

Read: 10/8/2008 3:46 PM
Read: 10/8/2008 2:29 PM
Read: 10/8/2008 2:46 PM

Read: 10/8/2008 2:17 PM
Read: 10/8/2008 3:50 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, October 07, 2008 4:53 PM
To: Lee, Dexter (USAFLS)
Subject: Response to Motn to Unseal.doc

Hi Dexter – I made some changes, including trying to explain a bit more about how I was not misleading the court or the victims when I sent out the first notification letter. Let me know what you think and I can file it today, if you like. I think the deadline is Thursday.

Thank you!



Response to
Motn to Unseal.doc

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, October 07, 2008 3:20 PM
To: Kuyrkendall, E N. (FBI)
Subject: Letters to LegAtts

Hi Nesbitt – Just checking to see if they went out. The lawyers are coming up on Friday to interview some victims, and I would love to be able to tell them that we know where Molly is and anyone else whom we are missing. Thank you.

A. Marie Villafaña
Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, October 06, 2008 2:34 PM
To: Lee, Dexter (USAFLS)
Subject: Did you ever file the response in Jane Doe ■ United States?

If not, I will file it today. Thanks.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Lee, Dexter (USAFLS)
Sent: Saturday, September 27, 2008 7:31 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Draft Response to Motion to Unseal

Marie,

Here is my first attempt at a response to Edwards' motion to unseal. Please feel free to make any corrections.

Dexter



victim_opp_Mot_
unseal.wpd

Villafana, Ann Marie C. (USAFLS)

From: Lee, Dexter (USAFLS)
Sent: Thursday, September 25, 2008 7:38 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Victims' Motion to Unseal

Marie,

Edward's motion to unseal is rather odd, since the non-prosecution agreement was never filed under seal in the district court litigation. The reason the document is not public is because the parties entered into a confidentiality provision, not because the U.S. government filed it under seal. The purpose of the protective order was to preserve the confidentiality of the agreement, as the signatory parties envisioned.

Dexter

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 23, 2008 3:04 PM
To: Kuyrkendall, E N. (FBI)
Subject: RE: Yarbrough and Epstein stories
Attachments: image001.gif

There aren't any attachments. The paper is quoting from part of Tein's motion to stay all of the civil suits. In that motion, Tein said that Epstein could still be subjected to federal prosecution if he violates any of the terms of his state agreement (like not serving his whole time or failing to register, etc., etc.)

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Kuyrkendall, E N. (FBI)
Sent: Tuesday, September 23, 2008 2:58 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Yarbrough and Epstein stories

I can't open attachment. What plea violation are they talking about?

From: Villafana, Ann Marie C. (USAFLS)
To: Yera, E.J. (USAFLS); Richards, Jason R.; Kuyrkendall, E N.
Sent: Tue Sep 23 14:50:56 2008
Subject: Yarbrough and Epstein stories

FYI -

From the Palm Beach Post:

WEST PALM BEACH - A federal judge sentenced Marion Yarbrough to 40 years in prison Friday for sexually abusing a 15-year-old West Palm Beach girl. According to the U.S. Attorney's Office, Yarbrough, of Kentucky, met the girl on a Web-based social site and arranged to have a Greyhound bus ticket wired to her. The girl traveled to Tennessee, and Yarbrough took her by car to Kentucky and repeatedly sexually abused her. U.S. District Court Judge Kenneth A. Marra also ordered Yarbrough to register as a sex offender and to have no unsupervised contact with children. Yarbrough previously had been charged in Kentucky with sexually abusing three other minors.

From Palm Beach Daily News:

Plea deal violation could net federal charges for convicted sex offender Jeffrey Epstein

 Click-2-Listen

By MICHELE DARGAN
Daily News Staff Writer

Saturday, September 20, 2008

Convicted sex offender Jeffrey Epstein still faces the possibility of federal criminal charges if he violates any of the terms of his state plea agreement, according to federal court documents.

Although it was widely reported that federal prosecutors had agreed to drop their investigation of Epstein under his plea bargain, the documents show that the U.S. Attorney's Office agreed only to defer prosecution while Epstein completes his sentence.

Under the terms of the federal deferred-prosecution agreement, Epstein will have to comply with court orders and restrictions even up to 90 days after he completes the house arrest that will follow his 18-month jail term.

Epstein, 55, pleaded guilty June 30 to two felony counts: soliciting prostitution and procuring a person under 18 for prostitution. He is serving 18 months in jail to be followed by 12 months house arrest.

In addition to the criminal charges, there are nine federal and six state lawsuits pending against Epstein, all containing similar allegations: that Epstein, through his employees and assistants, brought minor girls to his Palm Beach home at 358 El Brillo Way for erotic massages and sometimes sex.

If Epstein violates any of the conditions of his state plea agreement during his sentence and up to 90 days after, the U.S. Attorney's Office "reserves the right to indict (or unseal an existing indictment against) Mr. Epstein," according to federal court documents filed by Epstein attorney Michael Tein.

Tein filed the documents in support of a motion asking U.S. District Judge Kenneth Marra to stay proceedings in a federal lawsuit by one of Epstein's victims until after Epstein completes all conditions of his sentence plus the three months.

If the lawsuit is not postponed, anything Epstein says in his defense could be used against him in a federal prosecution, Tein argued.

Marra denied the motion.

"The court sees no reason to delay this litigation for the next 33 months," he wrote. "After all, defendant is in control of his own destiny — it is up to him (and him alone) whether the plea agreement reached with the State of Florida is breached. If defendant does not breach the agreement, then he should have no concerns regarding his Fifth Amendment right against self-incrimination."

Under the conditions of his plea agreement, Epstein must register as a sex offender for life. While he is serving the 12 months of house arrest at his Palm Beach home, Epstein must:

- * Observe a 10 p.m. to 6 a.m. curfew.
- * Have no unsupervised contact with anyone younger than 18.
- * Neither view, own nor possess pornographic or sexual materials.

As a convicted sex offender, he will not be allowed to live within 1,000 feet of a school, playground or other place where children gather.

The federal deferred-prosecution agreement, which is tied to his state plea agreement, is under seal, but Tein's motion provided glimpses into the sealed agreement.

Paperwork filed by Tein discloses that "under the agreement, the USAO presently retains the continuing right to indict Mr. Epstein — or to unseal 'any' already-existing federal 'charges' that may already have been handed up by the federal grand jury and sealed — should he breach any of its provisions."

The Tein motion also indicates that the U.S. Attorney's agreement with Epstein requires that:

- * The grand jury's subpoenas remain outstanding.

- * The parties must maintain their evidence.

- * Any existing charges will not be dismissed until after Epstein has "fulfilled all the terms and conditions of the agreement."

The agreement also includes "a promise not to prosecute defendant Sarah Kellen only if Epstein successfully fulfills all the terms and conditions of the state agreement."

Kellen, Epstein's former assistant, was investigated for bringing the girls up to the room in his Palm Beach home where Epstein was waiting and for paying the girls afterward. She has not been charged.

Tein did not return calls on Friday.

Alicia Valle, special counsel to the U.S. Attorney, said via e-mail that the U.S. Attorney's Office had no comment on the agreement.

Hollywood attorney Brad Edwards is representing some of the victims in state and federal court. Marra recently granted Edwards' motion that he and two of his clients be allowed to see the sealed agreement.

Edwards — who is under orders by the judge not to discuss the contents of the agreement — says he intends to file a motion to unseal the agreement to the public.

"The public does have a right to know the terms of the agreement," Edwards said. "These are very unusual circumstances where a prosecutor and a criminal defendant enter into a confidential agreement for the purpose of keeping it from the public."

Miami attorney Jeffrey Herman, who represents six of the "Jane Does" in federal lawsuits, agreed.

"We anticipate trying to get that document unsealed," he said. "I think it's appropriate and should be seen, particularly by the victims, but I also think that the public should see it, too."

From Sun-Sentinel:

Kentucky man to serve 40 years for sexually abusing West Palm Beach girl, 15

Kentucky man to serve 40 years for abusing girl

By Missy Diaz | South Florida Sun-Sentinel

September 23, 2008

A Kentucky man will spend 40 years in federal prison followed by a lifetime on supervised release for sexually abusing a 15-year-old West Palm Beach girl he met over the Internet.

U.S. District Judge Kenneth Marra also ordered Marion Yarbrough to register as a sex offender and have no unsupervised contact with children.

Yarbrough, 35, met the teen last year on the mobile social networking site itsmy.com. During a series of online chats, Yarbrough told the girl he was 21. After chatting for several days, he wired the victim a Greyhound bus ticket to Tennessee, where he picked her up and drove her back to Kentucky. For two weeks, Yarbrough repeatedly sexually abused the teen, according to the U.S. Attorney's Office.

Yarbrough had previously been charged in Kentucky with sexually abusing three other minors. At the time of his arrest in this case, he had charges pending for the rape of a 12-year-old Kentucky girl. He is to be returned to Kentucky to face those charges.

A. Marie Villafaña

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone 561 209-1047

Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, September 19, 2008 4:06 PM
To: Valle, Alicia (USAFLS); Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS)
Subject: RE: Working on a story on deadline re: Jeffrey Epstein

I certainly don't want to talk to her.

I am just finishing a press release for you on another case. You should have it soon.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Valle, Alicia (USAFLS)
Sent: Friday, September 19, 2008 2:33 PM
To: Villafana, Ann Marie C. (USAFLS); Acosta, Alex (USAFLS)
Subject: FW: Working on a story on deadline re: Jeffrey Epstein

I am going to be calling her back with a big no comment, unless I get different instructions from you about what's in the public record.

From: Michele Dargan [mailto:mdargan@pbdailynews.com]
Sent: Friday, September 19, 2008 2:31 PM
To: Valle, Alicia (USAFLS)
Subject: Working on a story on deadline re: Jeffrey Epstein

Alicia,

I'm working on a story about the federal non-prosecution agreement that is part and parcel of the state plea agreement with Jeffrey Epstein.
I'd like to know why the U.S. Attorney's Office decided *not* to prosecute Epstein – because I do know, according to court records, that if he violates any portion of his state agreement that he can be federally prosecuted.

I wanted to know if I could speak with AUSA A. Marie Villafana for an answer to this question, since she was the AUSA on the case.

I am on deadline for today.

Thank you,
Michele

--
Michele Dargan, staff writer
Palm Beach Daily News
(561) 820-3863 phone
(561) 655-4594 fax

Tracking:

Recipient

Valle, Alicia (USAFLS)

Acosta, Alex (USAFLS)

Sloman, Jeff (USAFLS)

Read

Read: 9/19/2008 4:07 PM

Read: 9/19/2008 4:07 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, September 18, 2008 1:27 PM
To: Atkinson, Karen (USAFLS)
Subject: RE: My letter to the Bar

Thank you, ma'am.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Atkinson, Karen (USAFLS)
Sent: Thursday, September 18, 2008 1:24 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: My letter to the Bar

It looks good to me. I would have no changes. K

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, September 18, 2008 1:18 PM
To: Senior, Robert (USAFLS); Atkinson, Karen (USAFLS); Sloman, Jeff (USAFLS)
Subject: My letter to the Bar

Did you all have a chance to take a look? Any changes or suggestions? And do you want me to show it to anyone else before it goes out?

Thanks.

(Here it is again in case you lost my other e-mail.)
<< File: Florida Bar Ltr re Ethics Opinion.wpd >>

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, September 18, 2008 1:18 PM
To: Senior, Robert (USAFLS); Atkinson, Karen (USAFLS); Sloman, Jeff (USAFLS)
Subject: My letter to the Bar

Did you all have a chance to take a look? Any changes or suggestions? And do you want me to show it to anyone else before it goes out?

Thanks.

(Here it is again in case you lost my other e-mail.)



Florida Bar Ltr
re Ethics Opin...

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient

Senior, Robert (USAFLS)
Atkinson, Karen (USAFLS)
Sloman, Jeff (USAFLS)

Read

Read: 9/19/2008 11:50 AM

Read: 9/18/2008 1:34 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, September 18, 2008 1:17 PM
To: kezell@podhurst.com
Subject: My letter to the Bar

Hi Katherine – Did you have a chance to review the letter? Do you have any changes or suggestions? I would like to send it out today, if possible.

Thank you.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, September 17, 2008 5:06 PM
To: Sloman, Jeff (USAFLS); Atkinson, Karen (USAFLS); Senior, Robert (USAFLS)
Subject: Letter to Florida Bar

Hi all – I have drafted the attached. Dexter is out of town, so do you want anyone else to take a look before I send it out?

I have talked to one of Bob J.'s partners, and they are also drafting a letter.



Florida Bar Ltr
re Ethics Opin...

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

Recipient

Sloman, Jeff (USAFLS)
Atkinson, Karen (USAFLS)
Senior, Robert (USAFLS)

Read

Read: 9/17/2008 6:09 PM
Read: 9/17/2008 5:09 PM

Villafana, Ann Marie C. (USAFLS)

From: Senior, Robert (USAFLS)
Sent: Wednesday, September 17, 2008 11:25 AM
To: Villafana, Ann Marie C. (USAFLS); Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Cc: Garcia, Rolando (USAFLS)
Subject: RE: State █ Jeffrey Epstein

Given the non-disclosure agreement, aren't we left with telling the SAO that we have agreed to not disclose so it wouldn't be proper for us to now agree that unsealing is appropriate. Ultimately, it's the SAO's call because they will get the Florida Public Records Act request and they were not a signatory to the agreement. We should also notify defense counsel so that they can take whatever actions they believe are appropriate. Wait till others have had a chance to weigh in on this issue.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, September 17, 2008 10:50 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Cc: Garcia, Rolando (USAFLS)
Subject: FW: State █ Jeffrey Epstein

Will it never end? Barry Krischer sent the e-mail below to Rolando this morning. How would you like to handle this issue?

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Garcia, Rolando (USAFLS)
Sent: Wednesday, September 17, 2008 10:48 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: FW: State █ Jeffrey Epstein

From: Barry Krischer [mailto:Bkrische@sa15.state.fl.us]
Sent: Wednesday, September 17, 2008 10:46 AM
To: Garcia, Rolando (USAFLS)
Subject: FW: State █ Jeffrey Epstein

Please advise how you would like us to proceed. The agreement referred to is the Federal Non-Prosecution agreement sealed in the file by the judge at the time of the Epstein plea.

From: Lanna Belohlavek
Sent: Tuesday, September 16, 2008 4:21 PM
To: Barry Krischer
Subject: FW: State █ Jeffrey Epstein

How to proceed? Lanna

From: Bryce Albu [mailto:bryce@reederandreeder.com]
Sent: Tuesday, September 16, 2008 3:52 PM
To: Lanna Belohlavek
Cc: Martin Reeder
Subject: State v. Jeffrey Epstein

Ms. Belohlavek,

We represent The Palm Beach Daily News. The newspaper recently discovered that a non-prosecution agreement (and an addendum thereto) was filed under seal pursuant to an agreed order entered in the above-referenced case. Because the records are sealed, we cannot assess the propriety of the decision to seal them or even whether the newspaper is interested in the information contained therein. I was hoping you would discuss with me the nature of the agreement and the basis for sealing it so that we can advise our client on whether it should pursue an order unsealing the agreement. Please call me at your earliest convenience.

Very truly yours,

C. Bryce Albu
Reeder & Reeder P.A.
250 S. Central Blvd., Suite 200
Jupiter, FL 33458
Direct Dial: (561) 575-9721
Facsimile: (561) 575-9765
bryce@reederandreeder.com

Villafana, Ann Marie C. (USAFLS)

From: Sloman, Jeff (USAFLS)
Sent: Wednesday, September 17, 2008 11:22 AM
To: Villafana, Ann Marie C. (USAFLS); Acosta, Alex (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Cc: Garcia, Rolando (USAFLS)
Subject: RE: State █ Jeffrey Epstein

I have reviewed the Agreement. We have no obligation to seek its continued sealing. Per my conversation with Marie, she is going to notify Jack Goldberger that he has yet to file the remainder of the Agreement and that the unsealing issue is between him/Epstein and the SAO's office.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, September 17, 2008 10:50 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Cc: Garcia, Rolando (USAFLS)
Subject: FW: State █ Jeffrey Epstein

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Villafana, Ann Marie C. (USAFLS)

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Sent: Wednesday, September 17, 2008 10:50 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Cc: Garcia, Rolando (USAFLS)
Subject: FW: State █ Jeffrey Epstein

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To: Villafana, Ann Marie C. (USAFLS)
Subject: FW: State █ Jeffrey Epstein

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Sent: Wednesday, September 17, 2008 10:46 AM
To: Garcia, Rolando (USAFLS)
Subject: FW: State █ Jeffrey Epstein

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To: Barry Krischer
Subject: FW: State █ Jeffrey Epstein

How to proceed? Lanna

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Sent: Tuesday, September 16, 2008 3:52 PM
To: Lanna Belohlavek
Cc: Martin Reeder
Subject: State █ Jeffrey Epstein

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Direct Dial: (561) 575-9721
Facsimile: (561) 575-9765
bryce@reederandreeder.com

Recipient

Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Lee, Dexter (USAFLS)
Atkinson, Karen (USAFLS)
Garcia, Rolando (USAFLS)

Read

Read: 9/17/2008 10:51 AM
Read: 9/17/2008 10:54 AM
Read: 9/17/2008 11:11 AM
Read: 9/19/2008 9:59 AM

Read: 9/17/2008 10:51 AM

Villafana, Ann Marie C. (USAFLS)

From: Garcia, Rolando (USAFLS)
Sent: Wednesday, September 17, 2008 10:48 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: FW: State █. Jeffrey Epstein

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Sent: Tuesday, September 16, 2008 3:52 PM
To: Lanna Belohlavek
Cc: Martin Reeder
Subject: State █. Jeffrey Epstein

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Jupiter, FL 33458
Direct Dial: (561) 575-9721
Facsimile: (561) 575-9765
bryce@reederandreeder.com

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, September 17, 2008 10:43 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Subject: Communications from Jeff Herman re Epstein matter

Hi all – Today, Jeff and Dexter should receive hard copies of a letter I received from Jeff Herman yesterday. (Karen received her copy yesterday.) I had not intended to do much with it, but today I received a fax from Bob Josefsberg attaching a letter that he had received from Herman. I have scanned and attached both of the letters to this e-mail. In light of the two letters, I would like to get permission to contact the Florida Bar for a written staff opinion on the issue. I could only ask them to address the issue of my contacting the victims, but I recommend that we ask Bob if he wants to submit a written request at the same time regarding whether he can contact the victims.

I will note that, for those girls who we knew were represented, all communications were directed to their attorneys, and Bob J. knows that he cannot contact those girls directly.

Can you let me know if you have any objection to this? And, Dexter, are you willing to review my written request before it goes out?

Thank you.



080916 Ltr from 080915 Ltr from
Herman to Jose...Herman to Vill...

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient

Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Lee, Dexter (USAFLS)
Atkinson, Karen (USAFLS)
Kuyrkendall, E N. (FBI)
Richards, Jason R. (FBI)

Read

Read: 9/17/2008 10:44 AM
Read: 9/17/2008 10:51 AM
Read: 9/17/2008 11:26 AM
Read: 9/19/2008 9:56 AM

Villafana, Ann Marie C. (USAFLS)

From: Kuyrkendall, E N. (FBI)
Sent: Monday, September 15, 2008 2:59 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Do you know what school F.P. or A.H. attend?

Both attended RPBHS. Spoke with AH - her address is 1423 Devil's Dip, Tallahassee FL 32308. I'll work on DH.

From: Villafana, Ann Marie C. (USAFLS)
To: Kuyrkendall, E N.
Sent: Mon Sep 15 14:56:07 2008
Subject: Do you know what school F.P. or A.H. attend?

A. Marie Villafaña

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone 561 209-1047

Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Kuyrkendall, E N. (FBI)
Sent: Monday, September 15, 2008 10:55 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Megan D

Megan is going to come by your office tomorrow @ 200 to rcve her letter. I told her that u would leave it with the guard if u were unable to meet with her.

From: Villafana, Ann Marie C. (USAFLS)
To: Pamela Wynn
Cc: Richards, Jason R.; Kuyrkendall, E N.
Sent: Mon Sep 15 10:32:11 2008
Subject: RE: Hearing on Yarbrough's Motion to Continue
We are on for 1:00 tomorrow in front of Judge Marra.

Pam - I will see you there!

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Pamela Wynn [mailto:pam@pamelawynn.com]
Sent: Monday, September 15, 2008 10:03 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: Hearing on Yarbrough's Motion to Continue

Let me know the time & I will be there!

Wasnt this previously set in June?????

Pamela S. Wynn
Attorney at Law
1530 North Federal Highway
Post Office Box 1374
Lake Worth, FL 33460
Telephone (561) 588.8611
Facsimile (888) 771.0107

www.pamelawynn.com

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This communication does not constitute an agreement to represent the recipient and in no way shall be construed to create an attorney-client relationship where one has not already been contracted. Until a retainer has been paid and a retainer agreement has been signed, this office does not represent you.
Thank you.

Subject: Hearing on Yarbrough's Motion to Continue
Date: Mon, 15 Sep 2008 09:58:48 -0400
From: Ann.Marie.C.Villafana@usdoj.gov
To: E.Kuyrkendall@ic.fbi.gov; Jason.Richards2@ic.fbi.gov; pam@pamelawynn.com

Hi all – I had a message from Irene, Judge Marra's deputy, asking to set a hearing on the motion to continue for some time around lunch tomorrow (Tuesday). I don't know whether Pam got a similar message, but I am hoping that you can attend. He wants sixty more days, which is just absurd.
When I get a final time, I will let you all know.

Thanks.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, September 12, 2008 12:34 PM
To: jenn.siciliano@gmail.com
Subject: Victim Notification Letter

Dear Jennifer – Please review the attached letter. If you have questions, I encourage you to contact Attorney Bob Josefsberg. His contact information is included in the letter.

With warmest regards,
Marie



Final Victim
Notification -- J...

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, September 12, 2008 11:04 AM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Acosta, Alex (USAFLS); Atkinson, Karen (USAFLS); Lee, Dexter (USAFLS); Jacobus, Wendy (USAFLS)
Subject: Epstein -- FYI

Hi all – Three quick things.

FBI received a FOIA request from Mike Tein asking for everything – evidence, 302s, handwritten notes, etc.

FBI received a Florida Sunshine law request from Ted Leopold.

Epstein was in the newspaper yesterday because Jeff Herman filed two new lawsuits.

FBI counsel is responding to the two requests. Wendy and Dexter – Just wanted to let you know so you are on the lookout. I assume that we will receive similar requests.

Thank you.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient

Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Acosta, Alex (USAFLS)
Atkinson, Karen (USAFLS)
Lee, Dexter (USAFLS)
Jacobus, Wendy (USAFLS)

Read

Read: 9/12/2008 11:50 AM
Read: 9/12/2008 11:58 AM
Read: 9/12/2008 11:36 AM
Read: 9/12/2008 12:44 PM
Read: 9/12/2008 11:05 AM
Read: 9/12/2008 11:26 AM

Villafana, Ann Marie C. (USAFLS)

From: Roe, Susan (USAWAW)
Sent: Monday, September 08, 2008 2:10 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: epstein

Hi and thanks very much

The suggestion of civil rights is really interesting since we have his employees who were coconspirators and I think I'll work on it more. And yes they ALL flew through Ft Lauderdale, changing plans there for the Bahamas.

I have a phone meeting this morning with Bruce Lyons – we're going to offer his client immunity and put her in GJ. I am concerned about him knowing a lot but she's an appropriate one to hear from.

Thanks

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, September 05, 2008 11:39 AM
To: Roe, Susan (USAWAW)
Subject: RE: epstein

Hi Susan – Sorry I didn't respond sooner. Epstein entered into a state plea agreement and a federal Non-Prosecution Agreement. We have a confidentiality provision in our Non-Prosecution Agreement, so I'm not sure I can send it to you. I can definitely say that Epstein will not talk to anyone. He is still facing a possibility of federal prosecution if he doesn't abide by the terms of our agreement and he is facing a slew of civil suits, and he would just never turn in one of his friends unless it meant a big benefit for him.

Alexandra Gelber has some familiarity with my case and Drew Oosterbaan (the Chief) was a great ally during the prosecution, so I would recommend trying them. I worked with Myesha Braden at times throughout the investigation and she was amazing, but she is in the Civil Rights section now. If you think there is a way to bring a civil rights claim, (if you can find a co-conspirator you can probably do it), then definitely shoot her an e-mail.

Any chance that either Copperfield or the victim flew to the Bahamas via South Florida (Miami, Ft Lauderdale or West Palm)? Then I could pitch in.

If you have more facts or more victims and want me to think creatively about charging decisions, let me know.

A. Marie Villafaña
Assistant U.S. Attorney
561 209-1047
Fax 561 820-8777

From: Roe, Susan (USAWAW)
Sent: Friday, September 05, 2008 2:08 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: epstein

Hi

Hope you're well and not under water. (1) Any chance you could send me a copy of Epstein's guilty plea? And do you think he would ever talk about copperfield? (2) Do you have the name of someone good and helpful in DOJ who really knows the sexual and/or violent crimes stuff?

Thanks We're still working on Copperfield – lots of acts but concerns about applicable law!

Susie Roe

Villafana, Ann Marie C. (USAFLS)

From: Sloman, Jeff (USAFLS)
Sent: Friday, September 05, 2008 5:58 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: Thank you

You deserved it!

-----Original Message-----

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, September 05, 2008 5:45 PM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS)
Subject: Thank you

Dear Bob and Jeff:

I wanted to thank you for the generous award today. It was completely unexpected. I didn't even know that I had been nominated until Wednesday and Lynn just admitted today that she nominated me.

I want you to know that your support over the last 2 years means more to me than an award ever could. Thank you for your kindness and generosity.

Have a nice weekend and I will speak with you soon.

M

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, September 05, 2008 5:45 PM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS)
Subject: Thank you

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Have a nice weekend and I will speak with you soon.

M

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, September 03, 2008 12:23 PM
To: Ball, Shawn (USAFLS)
Subject: MySpace Contact

Hi Shawn: Here is the MySpace page info: <http://www.myspace.com/shasdy>

Dear Shasdy:

I am writing on behalf of Marie Villafana, the Assistant U.S. Attorney in West Palm Beach who prosecuted the Jeffrey Epstein case. She needs to provide you with information regarding the resolution of the case, including the name and contact information of an attorney who can advise you and represent you for free in connection with any civil claim you want to make against Mr. Epstein. Can you please provide her with a telephone number and an e-mail address? She can be reached at ann.marie.c.villafana@usdoj.gov. Thank you.

A. Marie Villafana
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Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, September 03, 2008 12:22 PM
To: Lee, Dexter (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: Brad Edwards

Hi Dexter – Brad Edwards just called me. Here is what he would like me to do:

1. Tell him the names of all of the victims.
2. Tell him the name of every witness we interviewed.
3. Turn over the statements of all of the people listed in (1) and (2).
4. Ask the Palm Beach County Jail to provide us with all of Epstein's e-mails and phone calls.
5. I stopped listening to the rest.

I told him "no" to all of the above. When he complained, I reminded him that he has subpoena power and he can get most of this stuff from Epstein.

I also asked him why I hadn't received any signed Protective Orders except his, and he said he hadn't shown a copy of it to anyone else yet.

I sent him a letter (I am sending a copy to you via inter-office) reminding him to send me the signed Protective Orders as he receives them, and telling him that he needs to sit down with you and me soon to decide how to resolve the case.

A. Marie Villafaña
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Recipient

Lee, Dexter (USAFLS)
Kuyrkendall, E N. (FBI)
Richards, Jason R. (FBI)

Read

Read: 9/3/2008 1:30 PM

Villafana, Ann Marie C. (USAFLS)

From: Sloman, Jeff (USAFLS)
Sent: Wednesday, September 03, 2008 11:47 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: Hello

No problem. Hope you're feeling better.

We had a great time in Central New York. Aside from Syracuse and the campus, we took a side trip to the Finger Lakes which was beautiful. Hopefully, we'll get a chance to get to Ithaca on another trip.

Nicole seems to be doing well but it's too early to tell and it hasn't even turned cold yet.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, September 03, 2008 10:13 AM
To: Sloman, Jeff (USAFLS)
Subject: Hello

Hi Jeff – I am sorry that I was so distracted yesterday. I have been having awful migraines for the last four days.

I never heard about the trip to Syracuse. Is your daughter enjoying it so far? And is she prepared for the dreaded "lake effect snow"?

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Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Kuyrkendall, E N. (FBI)
Sent: Tuesday, September 02, 2008 5:45 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Missing Contact Info for some of the victims

Marie, wait on sending the letters to the addresses u rc'vd from Twiler. I will attempt to verify and get up todate. I know some are nolonger good. In MM 2mrow AM. Call u soon

From: Villafana, Ann Marie C. (USAFLS)
To: Kuyrkendall, E N.
Sent: Tue Sep 02 13:55:48 2008
Subject: RE: Missing Contact Info for some of the victims
Hi Nesbitt - There are 7 girls that we need info for. Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Kuyrkendall, E N. (FBI)
Sent: Tuesday, September 02, 2008 1:52 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Missing Contact Info for some of the victims

Yes, I will try to reach out to dad. I'll forward once I get it.

From: Villafana, Ann Marie C. (USAFLS)
To: Kuyrkendall, E N.; Smith, Twiler [redacted]; Richards, Jason R.
Sent: Tue Sep 02 13:50:51 2008
Subject: Missing Contact Info for some of the victims

I think that I am still missing contact info for

Ashley

Megan

Lauren

Alex

Danielle

Courtney L.

Leigh

A. Marie Villafañá

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone 561 209-1047

Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Kuyrkendall, E N. (FBI)
Sent: Tuesday, September 02, 2008 1:52 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Missing Contact Info for some of the victims

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To: Kuyrkendall, E N.; Smith, Twiler [REDACTED]; Richards, Jason R.
Sent: Tue Sep 02 13:50:51 2008
Subject: Missing Contact Info for some of the victims

I think that I am still missing contact info for

Ashley

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Lauren

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Courtney L.

Leigh

A. Marie Villafaña

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone 561 209-1047

Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Senior, Robert (USAFLS)
Sent: Tuesday, September 02, 2008 1:33 PM
To: Villafana, Ann Marie C. (USAFLS); Sloman, Jeff (USAFLS)
Cc: Atkinson, Karen (USAFLS)
Subject: RE: Please make sure that you are sitting down when you read this.

Something is up. No, I don't want copies of the letters. Thx. Bob

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 1:30 PM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS)
Cc: Atkinson, Karen (USAFLS)
Subject: Please make sure that you are sitting down when you read this.

I spoke with Bob J. this morning, and it looks like Roy has come into the picture again as the voice of reason.

<< File: 080902 Lefkowitz Ltr to Villafana.pdf >>

Do you want copies of the victim notification letters as they go out?

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 1:30 PM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS)
Cc: Atkinson, Karen (USAFLS)
Subject: Please make sure that you are sitting down when you read this.

I spoke with Bob J. this morning, and it looks like Roy has come into the picture again as the voice of reason.



080902
kowitz Ltr to Villa

Do you want copies of the victim notification letters as they go out?

Tracking:

83

EFTA00179905

Recipient

Slovan, Jeff (USAFLS)
Senior, Robert (USAFLS)
Atkinson, Karen (USAFLS)
Richards, Jason R. (FBI)
Kuyrkendall, E N. (FBI)

Read

Read: 9/2/2008 1:48 PM
Read: 9/2/2008 1:31 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 12:44 PM
To: Lee, Dexter (USAFLS)
Cc: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS)
Subject: RE: Revised Notification to Victims regarding right to see Epstein agreement.

Hi Dexter – Jay’s complaint was that we were “advertising” the fact that the victims are now entitled to see the agreement, and he saw that as a breach of the confidentiality clause. I agree with you that this is just an extra step that the victims have to take to get the agreement, but I think it balances Epstein’s complaints with the Court’s desire that we inform the victims.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Lee, Dexter (USAFLS)
Sent: Tuesday, September 02, 2008 12:36 PM
To: Villafana, Ann Marie C. (USAFLS)
Cc: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS)
Subject: RE: Revised Notification to Victims regarding right to see Epstein agreement.

Marie,

Does Epstein’s lawyer not want the victims to know that an agreement exists? It seems they are imposing an additional barrier, since the victims’ lawyer will be able to review the order signed by Judge Marra. Once the attorney does that, I’m certain the attorney will want to obtain a copy of the Agreement. I’m not sure how this achieves any objective for Epstein, but if they’re satisfied with that language, that’s fine. As long as the victims know there is an agreement between Epstein and the U.S. Government, I believe we have complied with Judge Marra’s order.

Dexter

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 12:19 PM
To: Lee, Dexter (USAFLS)
Cc: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS)
Subject: Revised Notification to Victims regarding right to see Epstein agreement.

Hi Dexter – In light of the complaint of Mr. Epstein’s counsel regarding my earlier notification language, I have revised it as follows:

“In addition, there has been litigation between the United States and two other victims regarding the disclosure of the entire agreement between the United States and Mr. Epstein. Mr. Josefsberg can provide further

guidance on this issue or, if Ms. Robson has selected another attorney to represent her in the context of civil litigation, that attorney can review the Court's order in the matter of *In re Jane Does 1 and 2*, S.D. Fl. Court File No. 08-80736-CIV-MARRA, and advise her accordingly."

What do you think? This was my original language:

"In addition, a judge has ordered that the United States make available to any designated victim (and/or her attorney) a copy of the actual agreement between Mr. Epstein and the United States, so long as the victim (and/or her attorney) reviews, signs, and agrees to be bound by a Protective Order entered by the Court. If Ms. Robson would like to review the Agreement, please let me know, and I will forward a copy of the Protective Order for her signature."

Thanks.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient

Lee, Dexter (USAFLS)
Senior, Robert (USAFLS)
Sloman, Jeff (USAFLS)

Read

Read: 9/2/2008 12:46 PM
Read: 9/2/2008 12:57 PM
Read: 9/2/2008 1:09 PM

Villafana, Ann Marie C. (USAFLS)

From: Lee, Dexter (USAFLS)
Sent: Tuesday, September 02, 2008 12:36 PM
To: Villafana, Ann Marie C. (USAFLS)
Cc: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS)
Subject: RE: Revised Notification to Victims regarding right to see Epstein agreement.

Marie,

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Thanks.

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Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

Recipient

Lee, Dexter (USAFLS)
Senior, Robert (USAFLS)
Sloman, Jeff (USAFLS)

Read

Read: 9/2/2008 12:25 PM
Read: 9/2/2008 12:24 PM
Read: 9/2/2008 1:08 PM

Villafana, Ann Marie C. (USAFLS)

From: Senior, Robert (USAFLS)
Sent: Tuesday, September 02, 2008 11:48 AM
To: Sloman, Jeff (USAFLS); Villafana, Ann Marie C. (USAFLS); Atkinson, Karen (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: RE: No response from Jay

I don't have an objection either.

From: Sloman, Jeff (USAFLS)
Sent: Tuesday, September 02, 2008 11:04 AM
To: Villafana, Ann Marie C. (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: RE: No response from Jay

I'll defer to Bob but I do not.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 10:52 AM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS); Atkinson, Karen (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: No response from Jay

Hi all – Hope you had a nice weekend. Jay and Roy have not responded to my last letter. I spoke with Bob Josefsberg today, and he has a lot of great ideas. He spoke with Roy last week and it sounds like they are working out the details, but no documents have been signed.

I would like to send the letters out to the victims today. Do you have any objection?

Thanks.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Sloman, Jeff (USAFLS)
Sent: Tuesday, September 02, 2008 11:04 AM
To: Villafana, Ann Marie C. (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: RE: No response from Jay

I'll defer to Bob but I do not.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 10:52 AM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS); Atkinson, Karen (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: No response from Jay

Hi all – Hope you had a nice weekend. Jay and Roy have not responded to my last letter. I spoke with Bob Josefsberg today, and he has a lot of great ideas. He spoke with Roy last week and it sounds like they are working out the details, but no documents have been signed.

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West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 10:59 AM
To: Senior, Robert (USAFLS)
Subject: RE: No response from Jay

Correct. He complained about my description of the litigation, even though I quoted directly from the agreement, and he did not want me to disclose the fact that Judge Marra ordered us to make the full agreement available to all of the victims. He also didn't answer my question about which lawyer should be cc'd on the letter.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Senior, Robert (USAFLS)
Sent: Tuesday, September 02, 2008 10:54 AM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: No response from Jay

Jay hasn't "approved" the letters I presume ?

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 10:52 AM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS); Atkinson, Karen (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: No response from Jay

Hi all – Hope you had a nice weekend. Jay and Roy have not responded to my last letter. I spoke with Bob Josefsberg today, and he has a lot of great ideas. He spoke with Roy last week and it sounds like they are working out the details, but no documents have been signed.

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Thanks.

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Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 10:52 AM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS); Atkinson, Karen (USAFLS)
Cc: Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: No response from Jay

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I would like to send the letters out to the victims today. Do you have any objection?

Thanks.

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Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient

Senior, Robert (USAFLS)
Sloman, Jeff (USAFLS)
Atkinson, Karen (USAFLS)
Kuyrkendall, E N. (FBI)
Richards, Jason R. (FBI)

Read

Read: 9/2/2008 10:52 AM
Read: 9/2/2008 11:04 AM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, September 02, 2008 10:50 AM
To: Smith, Twiler (FBI); Kuyrkendall, E N. (FBI); Richards, Jason R. (FBI)
Subject: Felicia
Importance: High

Hi Twila – Sorry I didn't get back to you last week. Can you tell Felicia that she can contact Bob Josefsberg at 305 632-9230. He can represent her in civil litigation or settlement and she will not have to pay his fees. I am preparing a letter to go out today, so if she can wait a day or two, we will get it to her as soon as possible.

Thank you.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, August 28, 2008 4:10 PM
To: Campos, Cyndee (USAFLS)
Subject: RE: addendum

Thank you!!

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Campos, Cyndee (USAFLS)
Sent: Thursday, August 28, 2008 4:07 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: addendum

<< File: epstein addendum 10 30.pdf >>

Tracking:

101

EFTA00179921

Recipient
Campos, Cyndee (USAFLS)

Read
Read: 8/28/2008 4:12 PM

Recipient

lefkowitz@kirkland.com

Roy BLACK

Atkinson, Karen (USAFLS)

Acosta, Alex (USAFLS)

Senior, Robert (USAFLS)

Sloman, Jeff (USAFLS)

Read

Read: 8/26/2008 1:38 PM

Read: 8/26/2008 1:50 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, August 26, 2008 1:24 PM
To: Sloman, Jeff (USAFLS)
Subject: RE: Letter to Jay

Great. It is headed to you shortly.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Sloman, Jeff (USAFLS)
Sent: Tuesday, August 26, 2008 9:53 AM
To: Villafana, Ann Marie C. (USAFLS)
Cc: Acosta, Alex (USAFLS); Senior, Robert (USAFLS)
Subject: RE: Letter to Jay

Marie,

It's fine with one suggestion. Near the end when you say "if it comes to our attention that Mr. Epstein has breached the terms of the Agreement, the Office intends to enforce its right to indict Mr. Epstein." How about softening it just a tad to "the Office intends to enforce its rights pursuant to the Agreement." Otherwise, you're good to go.

Jeff

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, August 26, 2008 9:22 AM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS)
Subject: Letter to Jay

Hi guys – Is it alright to send out? I received one comment from Alex and have changed the letter to reflect that. Can you let me know if you have any other changes? I am off to mag court but shouldn't be gone too long. Thank you.

<< File: 080826 Villafana Ltr to Lefkowitz and Black with Acosta change.wpd >>

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401

Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, August 26, 2008 1:09 PM
To: Villafana, Ann Marie C. (USAFLS)



Lefkowitz
080826001.pdf

A. Marie Villafaña
Assistant U.S. Attorney
561 209-1047

Villafana, Ann Marie C. (USAFLS)

From: Sloman, Jeff (USAFLS)
Sent: Tuesday, August 26, 2008 9:53 AM
To: Villafana, Ann Marie C. (USAFLS)
Cc: Acosta, Alex (USAFLS); Senior, Robert (USAFLS)
Subject: RE: Letter to Jay

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Sent: Tuesday, August 26, 2008 9:22 AM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS)
Subject: Letter to Jay

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<< File: 080826 Villafana Ltr to Lefkowitz and Black with Acosta change.wpd >>

A. Marie Villafaña
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Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

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Sent: Tuesday, August 26, 2008 9:22 AM
To: Sloman, Jeff (USAFLS); Senior, Robert (USAFLS)
Subject: Letter to Jay

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080826 Villafana
Ltr to Lefkow...

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)

Read
Read: 8/26/2008 9:45 AM
Read: 8/26/2008 9:43 AM

Villafana, Ann Marie C. (USAFLS)

From: Acosta, Alex (USAFLS)
Sent: Monday, August 25, 2008 6:05 PM
To: Villafana, Ann Marie C. (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS);
Atkinson, Karen (USAFLS)
Subject: RE: Emailing: 080826 Villafana Ltr to Lefkowitz and Black.wpd

It might be easier to ask them to provide Josefsberg the letter directly, so you don't have to deal with it.

-----Original Message-----

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 5:33 PM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS);
Atkinson, Karen (USAFLS)
Subject: Emailing: 080826 Villafana Ltr to Lefkowitz and Black.wpd

Please let me know if you have any changes. Thank you.

The message is ready to be sent with the following file or link attachments:

080826 Villafana Ltr to Lefkowitz and Black.wpd

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 5:33 PM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Subject: Emailing: 080826 Villafana Ltr to Lefkowitz and Black.wpd
Attachments: 080826 Villafana Ltr to Lefkowitz and Black.wpd

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080826 Villafana Ltr to Lefkowitz and Black.wpd

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Recipient

Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Atkinson, Karen (USAFLS)

Read

Read: 8/25/2008 5:43 PM
Read: 8/25/2008 5:45 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 4:41 PM
To: Sloman, Jeff (USAFLS)
Subject: Bob Josefsberg

Hi Jeff – He has not heard back from Epstein’s folks either. I will draft a letter to Jay regarding the victim list and will raise the issue again.

Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

123

EFTA00179933

Recipient
Sloman, Jeff (USAFLS)

Read
Read: 8/25/2008 4:41 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 2:20 PM
To: Lee, Dexter (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

Yes, that was my plan. I will send it out today. Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Lee, Dexter (USAFLS)
Sent: Monday, August 25, 2008 2:18 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

Marie,

I have not sent Brad the Agreement, and would appreciate it if you could take care of that. Are we sending out parts I and II, and leaving out the December 2007 letter? Thanks.

Dexter

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 1:54 PM
To: Lee, Dexter (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

Hi Dexter – Thank you for your response. Did you ever send the agreement to Brad? Do you want me to do that?

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Lee, Dexter (USAFLS)
Sent: Monday, August 25, 2008 10:25 AM

To: Villafana, Ann Marie C. (USAFLS); Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

Marie,

During our telephonic hearing, I received the clear impression that Judge Marra wanted the other victims (non-parties to the Jane Doe litigation), would be given the opportunity to see the Agreement, subject to each one agreeing to be bound by the protective order. I believe it would be contrary to Judge Marra's intent for us to go through the trouble of creating a mechanism for the other non-party victims to have access to the Agreement, and then not tell them there is an Agreement.

Also, does CVRA impose any obligation on us, independent of what Judge Marra ordered, to advise the victims of the Agreement?

Dexter

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 9:48 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS); Lee, Dexter (USAFLS)
Subject: Letter re Epstein and Protective Order

Good morning, everyone.

I have attached a letter from Jay Lefkowitz that came in by fax on Friday night. The good news is that they seem to be in agreement regarding Mr. Josefsberg. Most of the letter doesn't really require a comment, but I wanted to get Dexter's feedback regarding the notification to the victims of their right to see the agreement. Here is the language from my proposed victim notification letter:

"In addition, a judge has ordered that the United States make available to any designated victim (and/or her attorney) a copy of the actual agreement between Mr. Epstein and the United States, so long as the victim (and/or her attorney) reviews, signs, and agrees to be bound by a Protective Order entered by the Court. If Ms. Robson would like to review the Agreement, please let me know, and I will forward a copy of the Protective Order for her signature."

Lefkowitz objects, but I am wondering whether Dexter agrees that the spirit of our discussions with Judge Marra requires such a notification. If we make the entire agreement available to Mr. Josefsberg and he conveys that information to all of his clients, the concern becomes moot, I suppose.

Lastly, from my discussion with Bob, it appears that the Office does not want to add to the list the names of victims identified after the date of signing the September agreement unless our investigation had provided enough information that we were prepared to include them in the indictment – i.e., the New York girls – and that you do not want me to re-add Tatum Miller to the list, even though we have extensive corroboration of her involvement with Epstein. Can someone please confirm?

Thank you all.

<< File: 080822 Lefkowitz ltr to Villafana.pdf >>

A. Marie Villafañá
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

127

EFTA00179937

Recipient
Lee, Dexter (USAFLS)

Read
Read: 8/25/2008 2:21 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 1:54 PM
To: Lee, Dexter (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

Hi Dexter – Thank you for your response. Did you ever send the agreement to Brad? Do you want me to do that?

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Lee, Dexter (USAFLS)
Sent: Monday, August 25, 2008 10:25 AM
To: Villafana, Ann Marie C. (USAFLS); Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

Marie,

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<< File: 080822 Lefkowitz ltr to Villafana.pdf >>

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient
Lee, Dexter (USAFLS)

Read
Read: 8/25/2008 2:17 PM

Villafana, Ann Marie C. (USAFLS)

From: Lee, Dexter (USAFLS)
Sent: Monday, August 25, 2008 10:25 AM
To: Villafana, Ann Marie C. (USAFLS); Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
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A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 25, 2008 9:48 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS); Lee, Dexter (USAFLS)
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Thank you all.



080822

kowitz ltr to Villa

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

134

EFTA00179944

Recipient

Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Atkinson, Karen (USAFLS)
Lee, Dexter (USAFLS)

Read

Read: 8/25/2008 9:56 AM
Read: 8/25/2008 9:49 AM
Read: 8/25/2008 10:11 AM

Recipient

lefkowitz@kirkland.com
Roy BLACK
Atkinson, Karen (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Acosta, Alex (USAFLS)

Read

Read: 8/21/2008 6:35 PM
Read: 8/21/2008 5:46 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, August 21, 2008 1:08 PM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS)
Subject: Emailing: 080820 Villafana Ltr to Lefkowitz and Black w Senior edits.wpd
Attachments: 080820 Villafana Ltr to Lefkowitz and Black w Senior edits.wpd

Here you go, Bob. Let me know if it looks alright.

Thanks.

The message is ready to be sent with the following file or link attachments:

080820 Villafana Ltr to Lefkowitz and Black w Senior edits.wpd

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Tracking:

Recipient
Senior, Robert (USAFLS)
Sloman, Jeff (USAFLS)

Read
Read: 8/21/2008 1:49 PM
Read: 8/21/2008 1:10 PM

Villafana, Ann Marie C. (USAFLS)

From: Senior, Robert (USAFLS)
Sent: Thursday, August 21, 2008 9:38 AM
To: Villafana, Ann Marie C. (USAFLS); Sloman, Jeff (USAFLS)
Subject: RE: Are these alright to send out to Jay and Roy?

No. Sorry, have been tied up. I looked at everything yesterday but what you wrote and then got busy when your email came.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, August 21, 2008 9:29 AM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS)
Subject: Are these alright to send out to Jay and Roy?

<< File: Amended Final Victim Notification -- Haley Robson final.wpd >> << File: 080820 Villafana Ltr to Lefkowitz and Black.wpd >>

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, August 21, 2008 9:31 AM
To: Lee, Dexter (USAFLS)
Subject: Notification to other victims

Hi Dexter – This is the language that I intend to include in the new victim notification letters. Can you let me know if it sounds alright?

In addition, a judge has ordered that the United States make available to any designated victim (and/or her attorney) a copy of the actual agreement between Mr. Epstein and the United States, so long as the victim (and/or her attorney) reviews, signs, and agrees to be bound by a Protective Order entered by the Court. If Ms. Robson would like to review the Agreement, please let me know, and I will forward a copy of the Protective Order for her signature.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient
Lee, Dexter (USAFLS)

Read
Read: 8/21/2008 9:38 AM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, August 21, 2008 9:29 AM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS)
Subject: Are these alright to send out to Jay and Roy?



Amended Final 080820 Villafana
Victim Notificat... Ltr to Lefkow...

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

143

EFTA00179952

Recipient
Senior, Robert (USAFLS)
Sloman, Jeff (USAFLS)

Read
Read: 8/21/2008 9:37 AM
Read: 8/21/2008 12:23 PM

Villafana, Ann Marie C. (USAFLS)

From: Roe, Susan (USAWAW)
Sent: Wednesday, August 20, 2008 5:54 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: sex criminals

Hi Ann Marie,
Well I'm still working on the Copperfield matter but some of the higher ups are very very uncomfortable with it. One question came up about his connection with Epstein . Do you think Epstein would ever talk or cooperate ? Any provision for that in his state plea agreement?
How do I contact his lawyer/the state prosecutor/etc.
Thanks and consider yourself lucky, I think, to have your famous offender off of your hands.
Good luck with TS/Hurricane Fay!
Susie Roe
From WDWA but at the Nac this week.

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, August 20, 2008 4:35 PM
To: Senior, Robert (USAFLS); Sloman, Jeff (USAFLS); Acosta, Alex (USAFLS); Atkinson, Karen (USAFLS)
Subject: Emailing: Amended Final Victim Notification -- Haley Robson final.wpd
Attachments: Amended Final Victim Notification -- Haley Robson final.wpd

I have attached a draft amended victim notification, which I will enclose with the letter to Jay that I forwarded earlier. Please let me know if you have any questions or changes.

Thank you.

The message is ready to be sent with the following file or link attachments:

Amended Final Victim Notification -- Haley Robson final.wpd

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, August 20, 2008 4:25 PM
To: Irene_Rivera@flsd.uscourts.gov
Subject: RE: Proposed Order in Jane Doe 1 and 2 United States

You are the best, my dear! I hope you did alright with the storm. Everyone here did fine.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

From: Irene_Rivera@flsd.uscourts.gov [mailto:Irene_Rivera@flsd.uscourts.gov]
Sent: Wednesday, August 20, 2008 4:20 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Proposed Order in Jane Doe 1 and 2 United States

No need to refile it. The order is on the judge's desk waiting to be signed.

Irene Rivera Ferrante
Judge Marra's Chambers
West Palm Beach, FL
(561)514-3765

"Villafana, Ann Marie C. (USAFLS)"
<Ann.Marie.C.Villafana@usdoj.gov>

08/20/2008 04:14 PM

To <Irene_Rivera@flsd.uscourts.gov>
cc
Subject Proposed Order in Jane Doe 1 and 2 United States

Hi Irene – Dexter Lee forwarded a proposed protective order in the Jane Doe case on Friday, but we never received a signed order. I think it might be because he didn't formally file it via CM/ECF, so if you want me to re-file it, I will do so right away.

Thank you!

A. Marie Villafaña

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone 561 209-1047

Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, August 20, 2008 4:13 PM
To: Irene_Rivera@flsd.uscourts.gov
Subject: Proposed Order in Jane Doe 1 and 2 ■ United States

Hi Irene – Dexter Lee forwarded a proposed protective order in the Jane Doe case on Friday, but we never received a signed order. I think it might be because he didn't formally file it via CM/ECF, so if you want me to re-file it, I will do so right away.

Thank you!

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, August 20, 2008 4:06 PM
To: Lee, Dexter (USAFLS)
Subject: Did you ever get the signed Protective Order from Judge Marra?

Hi Dexter -- I am wondering if the Protective Order got lost in the shuffle. Let me know and I will contact his CRD to check up on it.

Thank you.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

150

EFTA00179959

Recipient
Lee, Dexter (USAFLS)

Read
Read: 8/20/2008 4:11 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, August 20, 2008 3:47 PM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Subject: Emailing: 080820 Villafana Ltr to Lefkowitz and Black.wpd
Attachments: 080820 Villafana Ltr to Lefkowitz and Black.wpd

I have attached my proposed response to Jay Lefkowitz. Please let me know if you have any changes, I would like to try to get this out today, if possible.

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080820 Villafana Ltr to Lefkowitz and Black.wpd

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Recipient

Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Atkinson, Karen (USAFLS)

Read

Read: 8/20/2008 3:50 PM
Read: 8/20/2008 4:17 PM

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Wednesday, August 20, 2008 9:24 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Atkinson, Karen (USAFLS)
Subject: Response from Jay Lefkowitz

Hi all – Jay sent this by fax on Monday evening. I am off to mag court, but should be back around 11:30.

My first thought is, if they wish to limit the list to those girls identified prior to the signing of the non-pros agreement, that is fine, but then I get to prosecute him on the rest.

I am going to send Jay a quick e-mail telling him that I just got his fax because of the closure of the office and I will respond more fully this afternoon or tomorrow morning.



080818

kowitz Ltr to Villa

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

160

EFTA00179963

Recipient

Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Atkinson, Karen (USAFLS)
Kuyrkendall, E N. (FBI)
Richards, Jason R. (FBI)

Read

Read: 8/20/2008 9:29 AM

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Sent: Wednesday, August 20, 2008 9:24 AM
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080818
kowitz Ltr to Villa

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Tuesday, August 19, 2008 12:06 PM
To: Sloman, Jeff (USAFLS)
Subject: Bob J

Hi Jeff. I hope your flight went alright. The wind up here has been awful. The Podhurst firm is closed today so I will try Bob tomorrow morning.
Take care.

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Monday, August 18, 2008 2:54 PM
To: Sloman, Jeff (USAFLS)
Subject: Are you free?

Hi Jeff – I know that Miami is closed, but if you have a moment, can you give me a call at my desk? 561-209-1047.

Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient
Sloman, Jeff (USAFLS)

Read
Read: 8/18/2008 2:59 PM

Villafana, Ann Marie C. (USAFLS)

From: Kuyrkendall, E N. (FBI)
Sent: Monday, August 18, 2008 12:43 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Re: Victim List

Sorry for the delay. I discussed with Jason, we believe that is everyone at least everyone that was forthcoming. It appears a FOIA has been filed. I'm trying to ensure no docs are provided @ this time. It appears they were specific wanting JE's employees 302s.

From: Villafana, Ann Marie C. (USAFLS)
To: Richards, Jason R.; Kuyrkendall, E N.
Sent: Fri Aug 15 12:15:38 2008
Subject: Victim List

Hi guys – If we were going to expand our list to include victims we know about but weren't ready to charge in an indictment, who would we include besides Tatum?

A. Marie Villafaña

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone 561 209-1047

Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Lee, Dexter (USAFLS)
Sent: Friday, August 15, 2008 4:53 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: FW: Jane Doe # 1 and # 2. United States, Case No. 08-80736-CIV-MARRA/JOHNSON

Marie,

I filed this earlier this afternoon.

Dexter

From: Lee, Dexter (USAFLS)
Sent: Friday, August 15, 2008 3:23 PM
To: 'marra@flsd.uscourts.gov'
Subject: Jane Doe # 1 and # 2. United States, Case No. 08-80736-CIV-MARRA/JOHNSON

Hon. Kenneth A. Marra
United States District Judge

Dear Judge Marra:

Pursuant to the Court's direction at the conclusion of yesterday's Status Conference, attached please find a proposed Order to Produce and Protective Order which has been reviewed and agreed to by counsel for petitioners and the government.

Respectfully,

Dexter A. Lee
Assistant U.S. Attorney



Protective
Order_final.wpd

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, August 15, 2008 4:51 PM
To: Lee, Dexter (USAFLS)
Subject: Filing the proposed order

Hi Dexter – Are you going to file the proposed order? If not, please e-mail whatever the final, final is and I will file it with the Court. Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, August 15, 2008 4:51 PM
To: Sloman, Jeff (USAFLS)
Subject: Got your message

Sounds like good news. I'll call you on Monday unless a firestorm breaks over the weekend.

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Recipient
Sloman, Jeff (USAFLS)

Read
Read: 8/15/2008 4:51 PM

Recipient

lefkowitz@kirkland.com
Roy BLACK
Atkinson, Karen (USAFLS)
Acosta, Alex (USAFLS)
Sloman, Jeff (USAFLS)
Senior, Robert (USAFLS)
Lee, Dexter (USAFLS)

Read

Read: 8/15/2008 2:13 PM

Read: 8/15/2008 2:24 PM

Villafana, Ann Marie C. (USAFLS)

From: Lee, Dexter (USAFLS)
Sent: Friday, August 15, 2008 2:05 PM
To: Villafana, Ann Marie C. (USAFLS)
Cc: Sloman, Jeff (USAFLS)
Subject: RE: New proposed response to Jay

Something which is a nullity lacks any legal import. If it has been withdrawn, then the item had import at one time, but it no longer does. If the December 2007 letter is viewed as an offer, there was no acceptance, or it has been rejected. Consequently, the offer no longer has an legal import.

We are obligated to provide a copy of the non-prosecution agreement to petitioners, whatever that agreement is. If the December 2007 letter never became a part of the agreement, and the government and Epstein are in agreement as to that issue, then we can produce the September 2007 agreement and the addendum. Are we at that point?

Dexter

-----Original Message-----

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, August 15, 2008 1:54 PM
To: Lee, Dexter (USAFLS)
Cc: Sloman, Jeff (USAFLS)
Subject: FW: New proposed response to Jay
Importance: High

Dexter -- If we call it "a nullity" instead of "withdrawn" how does that affect the issue with the Jane Does?

A. Marie Villafaña
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

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From: Sloman, Jeff (USAFLS)
Sent: Friday, August 15, 2008 1:52 PM
To: Villafana, Ann Marie C. (USAFLS); Senior, Robert (USAFLS); Acosta, Alex (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Subject: RE: New proposed response to Jay

Marie,

Please substitute the word "withdrawn" in the first sentence with "a nullity"

Jeff

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Sent: Friday, August 15, 2008 1:49 PM
To: Senior, Robert (USAFLS); Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
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Dear Jay and Roy:

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Pursuant to our Agreement, I will prepare an Amended Notification that contains the names of additional identified victims. As you know, Judge Davis had selected the Podhurst firm to serve as the attorney representative for the victims. Assuming that Mr. Josefsberg is still amenable to the appointment, we will provide him with the victim list so that he may begin his service.

Finally, as you are aware, the United States has been ordered to produce the Non-Prosecution Agreement. In accordance with that Order, we will produce the September Agreement with the October Addendum signed by your client. We understand that Mr. Goldberger did not provide the state court with a true copy of the complete Agreement, and he should take steps to correct that error.

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Subject: Re: New proposed response to Jay

Shouldn't we formally withdraw the offer as opposed to considering it a nullity ?

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From: Acosta, Alex (USAFLS)
To: Villafana, Ann Marie C. (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Sent: Fri Aug 15 11:55:13 2008
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Pursuant to our Agreement, I will prepare an Amended Notification that contains the name of additional identified victims. In accordance with Paragraph 7B, please provide me with a proposed written submission to the Special Master by Monday afternoon.

Finally, as you are aware, the United States has been ordered to produce the Non-Prosecution Agreement. In accordance with that Order, we will produce the September Agreement with the October Addendum signed by your client. We understand that Mr. Goldberg may not have provided the state court with a true copy of the complete Agreement, and he should take steps to correct that error.

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, August 15, 2008 11:42 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); Senior, Robert (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Subject: New proposed response to Jay

Dear Jay:

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The United States has been ordered to produce the Non-Prosecution Agreement and, in accordance with that Order, will produce the September Agreement with the October Addendum signed by your client. Mr. Goldberger should be advised that we

understand he has not provided the state court with a true copy of the complete Agreement, and he should take steps to correct that error. I will prepare an Amended Notification that contains the name of additional identified victims and will provide that to you promptly.

In accordance with Paragraph 7B of the Agreement, please provide me with a proposed written submission to the Special Master by Monday afternoon. We will expect a showing of good faith in the selection of the attorney representative and all other terms of the Agreement and excessive delays, like those that have occurred in the past, will be considered a breach of that duty of good faith.

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Pursuant to our Agreement, I will prepare an Amended Notification that contains the names of additional identified victims. As you know, Judge Davis had selected the Podhurst firm to serve as the attorney representative for the victims. Assuming that Mr. Josefsberg is still amenable to the appointment, we will provide him with the victim list so that he may begin his service.

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Shouldn't we formally withdraw the offer as opposed to considering it a nullity ?

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Pursuant to our Agreement, I will prepare an Amended Notification that contains the name of additional identified victims. In accordance with Paragraph 7B,

please provide me with a proposed written submission to the Special Master by Monday afternoon.

Finally, as you are aware, the United States has been ordered to produce the Non-Prosecution Agreement. In accordance with that Order, we will produce the September Agreement with the October Addendum signed by your client. We understand that Mr. Goldberg may not have provided the state court with a true copy of the complete Agreement, and he should take steps to correct that error.

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Tracking:

186

EFTA00179982

Recipient
Lee, Dexter (USAFLS)
Sloman, Jeff (USAFLS)

Read
Read: 8/15/2008 1:55 PM
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Recipient

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