

ROY BLACK
HOWARD M. SREBNICK
SCOTT A. KORNSPAN
LARRY A. STUMPF
MARIA NEYRA
JACKIE PERCZEK
MARK A.J. SHAPIRO
JARED [REDACTED]

BLACK
SREBNICK
KORNSPAN
& STUMPF
P.A.

JESSICA FONSECA-NADER
KATHLEEN P. PHILLIPS
AARON ANTHON
MARCOS BEATON, JR.
JENIFER J. SOULIKIAS
NOAH FOX
JOSHUA SHORE

E-Mail: RBlack@RoyBlack.com

May 18, 2010

VIA EMAIL AND U.S. MAIL

[REDACTED]
Assistant United States Attorney
United States Attorney's Office
Southern District of Florida
500 South Australian Avenue
Suite 400
West Palm Beach, Florida 33401

Jeff Sloman, Esq.
United States Attorney
99 N.E. 4th Street
Miami, FL 33132

[REDACTED]
Assistant United States Attorney
99 N.E. 4th Street
Miami, FL 33132

RE: Jeffrey Epstein

Dear Counsel:

We received notice this morning that Podhurst Orseck, P.A. has filed a civil complaint seeking over \$2,000,000 in addition to the \$526,000 they have already been paid by Jeffrey Epstein for their work as attorney representatives. As we communicated to you during our February 3, 2010 meeting and both before (January 20, 2010) and thereafter (February 18, 2010) by letter, see appended letters, there exists significant differences between fees that Mr. Epstein and his civil counsel believe are within his NPA obligations and additional amounts which the attorney representative is claiming are due.

Mr. Epstein has in the past attempted to resolve issues relating to the outstanding invoices through efforts to review the particulars in the unpaid bills with the attorney representative, through settlement discussions with the attorney representative, and through his signing on February 16, 2010 a Special Masters Agreement which would allow a neutral third party to make a binding determination as to what portions of the invoices at issue were reasonable, non-

████████████████████
Jeff Sloman, Esq.
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May 18, 2010

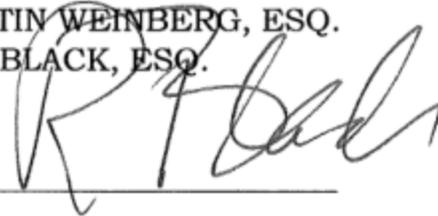
Page 2

duplicative, and within Mr. Epstein's NPA-obligations. As a preliminary matter, Mr. Epstein had been requesting, but did not receive, an invoice including billing dating back to the end of 2009 until May 11, 2010 – and even this invoice was without the charges of certain of the outside contractors relied upon by the Podhurst firm.

We regret that these efforts did not resolve the matter and that Podhurst Orseck, P.A. elected instead to litigate. Mr. Epstein is today, in response to the lawsuit, filing a motion for authority to place \$2,000,000 in an account maintained at the Clerk's Office for the United States District Court pending the results of the litigation. Mr. Epstein has always agreed that he is entirely responsible for any settlement-related fees that are not excessive and will take no litigation position inconsistent with that understanding. However, we have contended as a matter of principle that given the unexpected enormity of the claims for legal fees, that absent additional detail on why the invoiced fees were not duplicative and excessive and outside the ambit of Mr. Epstein's NPA obligations, payment should depend on either an agreement with the attorney representative which never occurred or a determination by a neutral third party. Mr. Epstein will pay whatever amount Judge Gold or any selected Master determine he owes under the NPA.

Respectfully submitted,

MARTIN WEINBERG, ESQ.
ROY BLACK, ESQ.

By 

/wg

BC | **BURMAN, CRITTON**
LC | **LUTTIER & COLEMAN, LLP**
YOUR TRUSTED ADVOCATES
A LIMITED LIABILITY PARTNERSHIP

J. MICHAEL BURMAN, P.A.^{1,2}
GREGORY W. COLEMAN, P.A.
ROBERT D. CRITTON, JR., P.A.¹
BERNARD A. LEBEDEKER
MARK T. LUTTIER, P.A.
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¹FLORIDA BOARD CERTIFIED CIVIL TRIAL LAWYER
²ADMITTED TO PRACTICE IN FLORIDA AND COLORADO

ADELQUI J. BENAVENTE
PARALEGAL/INVESTIGATOR
JESSICA CADWELL
BOBBIE M. MCKENNA
ASHLIE STOKEN-BARING
BETTY STOKES
PARALEGALS
RITA H. BUDNYK
OF COUNSEL
EDWARD M. RICCI
OF COUNSEL

May 25, 2010

Honorable Edward B. [REDACTED]
Akerman Senterfitt
One SE Third Avenue
Floor 28
Miami, FL 33131-1715

Sent by email and
by U.S. Mail to Judge [REDACTED] only

Re: Jeffrey Epstein

Dear Judge [REDACTED]:

We are in receipt of Mr. Josefsberg's letter to you dated May 21, 2010. We confirm that Mr. Epstein settled each and every case brought by the attorney-representative selected by you.

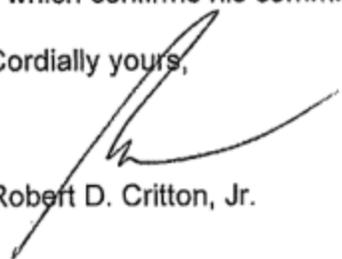
We write this response only to advise you that Mr. Epstein has never refused to pay reasonable settlement-related fees that are within the scope of the NPA. He has already paid the attorney-representative \$526,000. The attorney-representative has not yet presented him with a final invoice for settlement-related work. The incomplete invoices that have been presented seek \$2,000,000 in additional fees. Mr. Epstein has been advised by his attorneys that the requested fees include duplicative work, charges that relate to preparation for litigation not settlement (thus outside his NPA-fee obligations) and charges that are unreasonable and that should be reviewed by a Court rather than simply paid without meaningful review. A significant amount of the total fees (over \$1,000,000) is for legal work that the invoices document were done by two outside attorneys who are not even attorneys with the Podhurst Orseck, P.A. law firm. Mr. Epstein's disputes the necessity for and redundancy of these charges.

We respect Your Honor's selection and regret that the issue of disputed fees has resulted in litigation. Mr. Epstein is committed to paying whatever fees and costs are determined by the

May 25, 2010
Page 2

Court to be his obligation, if any, but he is not required to simply write a blank check. I have filed a motion in the case pursuant to F.R.Civ.P. 67, to allow him to deposit \$2,000,000 in Trust with the Court pending the outcome of the Complaint which confirms his commitment.

Cordially yours,



Robert D. Critton, Jr.

RDC/JPL:ab

Cc Jeffrey H. Sloman, AUSA - jeff.sloman@usdoj.gov

Jack Goldberger, Esq. @

EFTA00183041

Jeff - email re
test firing gun

Brad -

Alfredo Rodriguez

11/04

Alex Hall

Zos Epstein gets
boards on report →
fires Alfredo R.

[REDACTED] (USAFLS)

From: Acosta, Alex (USAFLS)
Sent: Friday, August 15, 2008 11:55 AM
To: [REDACTED] (USAFLS); Sloman, Jeff (USAFLS); [REDACTED] (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Subject: RE: New proposed response to Jay

How about a slightly different version:

Thank you for your response. Our communications with Roy Black and later with you were solely to determine what Mr. Epstein considered to be the terms of the Non-Prosecution Agreement. We appreciate your answering our question with finality. You have now made clear that Mr. Epstein did not accept the December modification, and accordingly, we will now consider that modification to be a nullity.

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: [REDACTED] (USAFLS)
Sent: Friday, August 15, 2008 11:42 AM
To: Acosta, Alex (USAFLS); Sloman, Jeff (USAFLS); [REDACTED] (USAFLS); Lee, Dexter (USAFLS); Atkinson, Karen (USAFLS)
Subject: New proposed response to Jay

Dear Jay:

Thank you for your response. Our communications with Roy Black and later with you were solely to determine what Mr. Epstein considered to be the terms of the Non-Prosecution Agreement. You have now made clear that Mr. Epstein did not accept the December modification and does not intend to perform the obligations set forth therein. The Office is not going to continue negotiating the terms of the Agreement. We only sought finality and you have answered our question. Accordingly, the December proposed modification is hereby withdrawn.

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.

Sincerely,


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

Brad Edwards

AND ASSOCIATES

July 3, 2008

[REDACTED]
United States Attorney's Office
500 South Australian Avenue
West Palm Beach, Florida 33401

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7007 2680 0002 5519 8503

Dear Ms. Villafana:

As you are aware, we represent several of the young girls that were victimized and abused by Jeffrey Epstein. While we are aware of his recent guilty plea and conviction in his State Court case, the sentence imposed in that case is grossly inadequate for a sexual predator of this magnitude. The information and evidence that has come to our attention in this matter leads to a grave concern that justice will not be served in this cause if Mr. Epstein is not aggressively prosecuted and appropriately punished. Based on our investigation and knowledge of this case, it is apparent that he has sexually abused more than 100 underage girls, and the evidence against him is overwhelmingly strong.

As former Assistant State Attorneys with seven years' prosecution experience, we believe that the evidence against Mr. Epstein is both credible and deep and that he may be the most dangerous sexual predator of children that our country has ever seen. The evidence suggests that for at least 4 years he was sexually abusing as many as three to four girls a day. It is inevitable that if he is not confined to prison, he will continue to manipulate and sexually abuse children and destroy more lives. He is a sexual addict that focused all of his free time on sexually abusing children, and he uses his extraordinary wealth and power to lure in poor, underprivileged little girls and then also uses his wealth to shield himself from prosecution and liability. We are very concerned for the health and welfare of the girls he has already victimized, and concerned that if justice is not properly served now and he is not imprisoned for a very long time, he will get a free pass to sexually abuse children in the future. Future abuse and victimization is obvious to anyone who really reviews the evidence in this case, and future sexual abuse of minors is inevitable unless he is prosecuted, tried and appropriately sentenced. Money and power should not allow a man to make his own laws, and he has clearly received preferential treatment at every step up to this point. If he were a man of average wealth or the abused girls were from middle or upper class families, then this man would spend the rest of his life in prison. In a country of true, blind justice, those distinctions are irrelevant, and we really hope he does not prove the point that a man can commit heinous crimes against children and buy his way out of it.

If the Department of Justice's recent commitment to the protection of our children from child molesters is to be more than rhetoric, then this is the time and the case where the Department must step forward. We urge the Attorney General and our United States

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BE@BRADEDWARDSLAW.COM

[REDACTED]
United States Attorney's Office
Page Two

Attorney to consider the fundamental import of the vigorous enforcement of our Federal laws. We urge you to move forward with the traditional indictments and criminal prosecution commensurate with the crimes Mr. Epstein has committed, and we further urge you to take the steps necessary to protect our children from this very dangerous sexual perpetrator. We will help you to do this in any way possible to ensure that true Justice is served in this case.

Sincerely,



Brad Edwards, Esquire
Jay Howell, Esquire

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EFTA00183046

Brad Edwards

October 15, 2008

██████████, AUSA
United States Attorney's Office
99 N.E. 4th Street
Miami, Florida 33132

Re: Jane Doe # and Jane Doe #2 ██████████, United States of America
Case No.: 08-80736-CIV-MARRA/JOHNSON

Dear Mr. Lee:

I am writing to inquire about whether Mr. Epstein has violated his Non-Prosecution Agreement with the Government.

As you know, the Government has repeatedly described the Non-Prosecution Agreement as guaranteeing to the victims of Epstein's sexual abuse at least \$150,000 in civil damages. The Government has made these representations in reliance on a current provision in the U.S. Code – 18 U.S.C. § 2255(a) – which provides for an automatic amount of damages of at least \$150,000. At the time that the Non-Prosecution Agreement was drafted and signed, that was the law that was in effect.

In Epstein's latest filing in federal court, however, he takes the position that the pre-2006 Amendments version of the law applies. *See* Defendant Epstein's Motion to Dismiss, for More Definite Statement and To Strike Directed to Plaintiff Jane Doe's Complaint at 9, *Jane Doe* ██████████, *Jeffrey Epstein*, No. 08-CIV-80893-Marra/Johnson (discussing § 2255 and stating that the "applicable version of the statute" is "pre-2006 Amendments"). The 2006 Amendments altered § 2255(a), by increasing the presumed minimum damages from \$50,000 to \$150,000. *See* Pub. L. 109-248, Title VII, § 707(b), (c), July 27, 2006, 120 Stat. 650.

In light of Epstein's latest filing, I write to ask several questions:

- (1) Would you stipulate that you told me several times that Epstein had agreed to pay at least \$150,000 to the identified victims of his abuse?
- (2) Did Epstein in fact agree to pay damages to the identified victims of his abuse at least \$150,000?
- (3) Did the Government tell victims, either directly or through counsel, that Epstein had agreed to pay his victims at least \$150,000?

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[REDACTED], AUSA
United States Attorney's Office
October 15, 2008
Page Two

(4) Is Epstein in compliance with his Non-Prosecution Agreement with the Government when he is now taking the legal position, through his attorneys, that he only has to pay the victims \$50,000 damages under § 2255?

Thank you for any clarification you can provide on these questions.

Sincerely,



Brad Edwards

BE/sg

cc:

[REDACTED]
United States Attorney's Office
500 South Australian Avenue
West Palm Beach, Florida 33401

2028 [REDACTED] STREET, SUITE 202, HOLLYWOOD, FLORIDA 33020

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EFTA00183048



U.S. Department of Justice

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June 27, 2008

VIA FACSIMILE

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One Clearlake Centre, Suite 1400
250 Australian Ave S.
West Palm Beach, FL 33401-5015

Roy Black, Esq.
Black Srebnick Kornspan & Stumpf P.A.
201 S. Biscayne Blvd, Suite 1300
Miami, FL 33131

Re: Jeffrey Epstein

Dear Messrs. Goldberger and Black:

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

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

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

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

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

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

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

Thank you.

Sincerely,

R. Alexander Acosta
United States Attorney

By:


Assistant United States Attorney

cc: , AUSA

Appeals court backs unsealing of Epstein's '07 deal with feds

By SUSAN SPENCER-WENDEL
Palm Beach Post Staff Writer

WEST PALM BEACH — An appeals court has affirmed a lower court ruling unsealing the confidential deal Jeffrey Epstein struck with federal prosecutors to avoid being charged by them.

The 4th District Court of Appeal this week upheld Circuit Judge Jeffrey Colbath's earlier decision to unseal the agreement.

Attorneys for the mon-

ey manager of billionaires have fought vigorously against the agreement's release. They have 15 days to request a rehearing with the 4th District Court of Appeal.

Absent that, it will become public.

Epstein's local criminal defense attorney Jack Goldberger did not return a call seeking comment.

Epstein's own attorneys, in federal filings, have
See EPSTEIN, 6B ▶



Epstein
Attorneys for the Palm Beach money manager have 15 days to seek a rehearing.

Civil litigation intensifies; deposition ends abruptly

▶ EPSTEIN from 1B

referred to his confidential deferred prosecution agreement with the U.S. Attorney's Office, struck in September 2007, as "unprecedented" and "highly unusual."

Attorneys for *The Palm Beach Post* as well as alleged victims of Epstein's sexual advances sought to have the deal unsealed in state court.

Colbath found that the proper sealing procedures had not been followed by an earlier judge.

"There is nothing more fundamentally important than for the public and press to observe how the government is doing its job," *Post* attorney Deanna Shullman has said. "There is great public interest in how everybody in this case is doing their job."

According to various media accounts, Epstein moved in circles that included President Clinton,

An attorney's questioning of Epstein becomes personal.

Donald Trump and Prince Andrew. "International Moneyman of Mystery," declared a 2002 *New York* magazine profile of Epstein.

He pleaded guilty in 2008 to procuring teens for prostitution and was sentenced to 18 months in jail, but allowed out extensively for work release. Epstein was released in late July, after serving 13 months of the sentence.

He now faces civil lawsuits filed by young women allegedly lured to his Palm Beach home and paid to perform massages and other acts.

That civil litigation is intensifying.

This week, while Epstein was being deposed by attorney Spencer Kuvin,

who represents an alleged victim identified only as "B.B.," Kuvin questioned Epstein about the shape of his genitalia and the deposition abruptly ended, according to a transcript.

Kuvin has since made a motion in court to be able to inspect Epstein's genitalia.

Kuvin said Thursday he seeks to corroborate a description one woman gave Palm Beach police.

Because Epstein is invoking his right to remain silent in depositions, this is the only way to do it, Kuvin said.

"We want to corroborate what those girls saw," Kuvin said.

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U.S. Department of Justice

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June 27, 2008

VIA FACSIMILE AND ELECTRONIC MAIL

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West Palm Beach, FL 33401-5015

Roy Black, Esq.
Black Srebnick Kornspan & Stumpf P.A.
201 S. Biscayne Blvd, Suite 1300
Miami, FL 33131

Re: Jeffrey Epstein

Dear Messrs. Goldberger and Black:

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

The second sentencing paragraph of the proposed plea agreement reads:

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

The Non-Prosecution Agreement specifically provides:

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

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

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

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

Secondly, we have not been provided with a copy of the Information filed in case number 08CF009381AMB. I want to confirm that Mr. Epstein is being charged with the substantive offense of procuring minors to engage in prostitution, not attempted procurement. Accordingly, please provide me with a copy of the Information at your earliest opportunity. I will be available via e-mail throughout the weekend or you may reach me on my cell phone at 561 601-2301.

Thank you.

Sincerely,

R. Alexander Acosta
United States Attorney

By:

[REDACTED]

[REDACTED]

Assistant United States Attorney

cc: [REDACTED], AUSA



U.S. Department of Justice

United States Attorney
Southern District of Florida

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

July 17, 2008

VIA FACSIMILE

[REDACTED], Esq.

Lewis Tein, P.L.
3059 Grand Avenue, Suite 340
Coconut Grove, FL 33133

Re: Jeffrey Epstein

Dear Mr. Tein:

The Office has reviewed your "Notice of Continued Pendency of Federal Criminal Action," and we feel that it misrepresents the posture of the federal investigation. For example, you cite to *In re Grand Jury*, No. FGJ 07-103 (WPB), as evidence that the federal criminal action remains pending. That is a citation to Mr. Epstein's Motion to Quash a subpoena for computer equipment removed from Mr. Epstein's home after he and his attorneys were aware of the existence of the state investigation. Pursuant to the Non-Prosecution Agreement, that motion was supposed to have been withdrawn several months ago, and, therefore, is not "pending" in our estimation.

The Non-Prosecution Agreement calls for *deferment* of federal prosecution "in favor of prosecution by the State of Florida, *provided* that Epstein abides by the [enumerated] conditions and the requirements of th[e] Agreement . . ." (Non-Prosecution Agreement, p. 2 (emphasis added).) One of those conditions is Epstein's agreement that the subject Jane Does, while minors, were victims of a violation of an offense enumerated in Title 18, United States Code Section 2255, and that they "will have the same rights to proceed under Section 2255 as [they] would have had if Mr. Epstein had been tried and convicted of an enumerated offense." (United States Attorney's December 19, 2007 letter to Lilly Ann Sanchez.)

If, in fact, your position is that the federal criminal action is still pending such that the Court must stay the civil proceedings, then the Office proposes that we seek the prompt resolution of the Motion to Quash, so that the computer equipment can be analyzed and the

MICHAEL TEIN, ESQ.
JULY 17, 2008
PAGE 2

federal investigation can continue. If, instead, Mr. Epstein intends to fully abide by the Non-Prosecution Agreement, then the "federal Grand Jury investigation will remain suspended, and all pending federal Grand Jury subpoenas will be held in abeyance unless and until [Epstein] violates any term of [the Non-Prosecution Agreement]." (Non-Prosecution Agreement, page 5.)

Please advise whether you intend to correct the representations to the Court regarding the status of the federal investigation.

Sincerely,

R. Alexander Acosta
United States Attorney

By:



Assistant United States Attorney

cc: Jack Goldberger, Esq.
[REDACTED], Esq.



U.S. Department of Justice

*United States Attorney
Southern District of Florida*

*A. Marie Villafaña
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Facsimile (561) 820-8777*

FACSIMILE COVER SHEET

TO: [REDACTED]

FAX NO. [REDACTED]

PHONE NO. [REDACTED]

TO: Jack Alan Goldberger

FAX NO. [REDACTED]

PHONE NO. [REDACTED]

DATE: July 17, 2008 **# OF PAGES:** 3

RE: Jeffrey Epstein

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

PHONE NO. [REDACTED]

COMMENTS:

*** TX REPORT ***

TRANSMISSION OK

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U.S. Department of Justice

United States Attorney
Southern District of Florida

A. Marie Villafaña
500 S. Australian Ave, 4th Floor
West Palm Beach, Florida 33401
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FACSIMILE COVER SHEET

TO: [REDACTED]

FAX NO. [REDACTED] PHONE NO. [REDACTED]

TO: Jack Alan Goldberger

FAX NO. [REDACTED] PHONE NO. [REDACTED]

DATE: July 17, 2008 # OF PAGES: 3

RE: Jeffrey Epstein

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

PHONE NO. [REDACTED]

*** TX REPORT ***

TRANSMISSION OK

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U.S. Department of Justice

United States Attorney
Southern District of Florida

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500 S. Australian Ave, 4th Floor
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(561) 820-8711
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FACSIMILE COVER SHEET

TO: [REDACTED]

FAX NO. [REDACTED] PHONE NO. [REDACTED]

TO: Jack Alan Goldberger

FAX NO. [REDACTED] PHONE NO. [REDACTED]

DATE: July 17, 2008 # OF PAGES: 3

RE: Jeffrey Epstein

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

PHONE NO. [REDACTED]

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT, IN AND FOR PALM BEACH
COUNTY, FLORIDA
CRIMINAL DIVISION "W"

CASE NO. 502008CF009381AXXMB
502006CF009454AXXMB

STATE OF FLORIDA,

vs.

JEFFREY EPSTEIN,
Defendant

ORDER RELEASING DOCUMENTS UNDER SEAL

THIS MATTER came before the Court as a result of the Fourth District Court of Appeal's per curiam affirmance of the trial court's order, wherefore it is

ORDERED AND ADJUDGED that the documents referred to as

- A. "Non-Prosecution Agreement" filed under seal in the court file on July 2, 2008,
- B. "The Addendum to the Non-Prosecution Agreement" filed under seal in the court file on August 25, 2008,

shall be released.

The Court notes that neither the Agreement nor the Addendum contain the names of any alleged juvenile victims. These documents will be released contemporaneously with this order.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida this

18 day of September, 2009.


JEFFREY J. COLBATH
Circuit Court Judge

Copies furnished:

R. Alexander Acosta, U.S. Attorney's Office - Southern District
500 South Australian Avenue, Suite 400
West Palm Beach, FL 33401

EFTA00183059

Page Two
Case No. 502008CF009381AXXMB/502006CF009454AXXMB
Order Releasing Documents Under Seal

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Tampa, FL 33602

IN RE:
INVESTIGATION OF
JEFFREY EPSTEIN

NON-PROSECUTION AGREEMENT

IT APPEARING that the City of Palm Beach Police Department and the State Attorney's Office for the 15th Judicial Circuit in and for Palm Beach County (hereinafter, the "State Attorney's Office") have conducted an investigation into the conduct of Jeffrey Epstein (hereinafter "Epstein");

IT APPEARING that the State Attorney's Office has charged Epstein by indictment with solicitation of prostitution, in violation of Florida Statutes Section 796.07;

IT APPEARING that the United States Attorney's Office and the Federal Bureau of Investigation have conducted their own investigation into Epstein's background and any offenses that may have been committed by Epstein against the United States from in or around 2001 through in or around September 2007, including:

- (1) knowingly and willfully conspiring with others known and unknown to commit an offense against the United States, that is, to use a facility or means of interstate or foreign commerce to knowingly persuade, induce, or entice minor females to engage in prostitution, in violation of Title 18, United States Code, Section 2422(b); all in violation of Title 18, United States Code, Section 371;
- (2) knowingly and willfully conspiring with others known and unknown to travel in interstate commerce for the purpose of engaging in illicit sexual conduct, as defined in 18 U.S.C. § 2423(f), with minor females, in violation of Title 18, United States Code, Section 2423(b); all in violation of Title 18, United States Code, Section 2423(e);
- (3) using a facility or means of interstate or foreign commerce to knowingly persuade, induce, or entice minor females to engage in prostitution; in violation of Title 18, United States Code, Sections 2422(b) and 2;
- (4) traveling in interstate commerce for the purpose of engaging in illicit sexual conduct, as defined in 18 U.S.C. § 2423(f), with minor females; in violation

of Title 18, United States Code, Section 2423(b); and

- (5) knowingly, in and affecting interstate and foreign commerce, recruiting, enticing, and obtaining by any means a person, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act as defined in 18 U.S.C. § 1591(c)(1); in violation of Title 18, United States Code, Sections 1591(a)(1) and 2; and

IT APPEARING that Epstein seeks to resolve globally his state and federal criminal liability and Epstein understands and acknowledges that, in exchange for the benefits provided by this agreement, he agrees to comply with its terms, including undertaking certain actions with the State Attorney's Office;

IT APPEARING, after an investigation of the offenses and Epstein's background by both State and Federal law enforcement agencies, and after due consultation with the State Attorney's Office, that the interests of the United States, the State of Florida, and the Defendant will be served by the following procedure;

THEREFORE, on the authority of R. Alexander Acosta, United States Attorney for the Southern District of Florida, prosecution in this District for these offenses shall be deferred in favor of prosecution by the State of Florida, provided that Epstein abides by the following conditions and the requirements of this Agreement set forth below.

If the United States Attorney should determine, based on reliable evidence, that, during the period of the Agreement, Epstein willfully violated any of the conditions of this Agreement, then the United States Attorney may, within ninety (90) days following the expiration of the term of home confinement discussed below, provide Epstein with timely notice specifying the condition(s) of the Agreement that he has violated, and shall initiate its prosecution on any offense within sixty (60) days' of giving notice of the violation. Any notice provided to Epstein pursuant to this paragraph shall be provided within 60 days of the United States learning of facts which may provide a basis for a determination of a breach of the Agreement.

After timely fulfilling all the terms and conditions of the Agreement, no prosecution for the offenses set out on pages 1 and 2 of this Agreement, nor any other offenses that have been the subject of the joint investigation by the Federal Bureau of Investigation and the United States Attorney's Office, nor any offenses that arose from the Federal Grand Jury investigation will be instituted in this District, and the charges against Epstein if any, will be dismissed.

Terms of the Agreement:

1. Epstein shall plead guilty (not nolo contendere) to the Indictment as currently pending against him in the 15th Judicial Circuit in and for Palm Beach County (Case No. 2006-cf-009495AXXXMB) charging one (1) count of solicitation of prostitution, in violation of Fl. Stat. § 796.07. In addition, Epstein shall plead guilty to an Information filed by the State Attorney's Office charging Epstein with an offense that requires him to register as a sex offender, that is, the solicitation of minors to engage in prostitution, in violation of Florida Statutes Section 796.03;
2. Epstein shall make a binding recommendation that the Court impose a thirty (30) month sentence to be divided as follows:
 - (a) Epstein shall be sentenced to consecutive terms of twelve (12) months and six (6) months in county jail for all charges, without any opportunity for withholding adjudication or sentencing, and without probation or community control in lieu of imprisonment; and
 - (b) Epstein shall be sentenced to a term of twelve (12) months of community control consecutive to his two terms in county jail as described in Term 2(a), *supra*.
3. This agreement is contingent upon a Judge of the 15th Judicial Circuit accepting and executing the sentence agreed upon between the State Attorney's Office and Epstein, the details of which are set forth in this agreement.
4. The terms contained in paragraphs 1 and 2, *supra*, do not foreclose Epstein and the State Attorney's Office from agreeing to recommend any additional charge(s) or any additional term(s) of probation and/or incarceration.
5. Epstein shall waive all challenges to the Information filed by the State Attorney's Office and shall waive the right to appeal his conviction and sentence, except a sentence that exceeds what is set forth in paragraph (2), *supra*.
6. Epstein shall provide to the U.S. Attorney's Office copies of all

proposed agreements with the State Attorney's Office prior to entering into those agreements.

7. The United States shall provide Epstein's attorneys with a list of individuals whom it has identified as victims, as defined in 18 U.S.C. § 2255, after Epstein has signed this agreement and been sentenced. Upon the execution of this agreement, the United States, in consultation with and subject to the good faith approval of Epstein's counsel, shall select an attorney representative for these persons, who shall be paid for by Epstein. Epstein's counsel may contact the identified individuals through that representative.
8. If any of the individuals referred to in paragraph (7), *supra*, elects to file suit pursuant to 18 U.S.C. § 2255, Epstein will not contest the jurisdiction of the United States District Court for the Southern District of Florida over his person and/or the subject matter, and Epstein waives his right to contest liability and also waives his right to contest damages up to an amount as agreed to between the identified individual and Epstein, so long as the identified individual elects to proceed exclusively under 18 U.S.C. § 2255, and agrees to waive any other claim for damages, whether pursuant to state, federal, or common law. Notwithstanding this waiver, as to those individuals whose names appear on the list provided by the United States, Epstein's signature on this agreement, his waivers and failures to contest liability and such damages in any suit are not to be construed as an admission of any criminal or civil liability.
9. Epstein's signature on this agreement also is not to be construed as an admission of civil or criminal liability or a waiver of any jurisdictional or other defense as to any person whose name does not appear on the list provided by the United States.
10. Except as to those individuals who elect to proceed exclusively under 18 U.S.C. § 2255, as set forth in paragraph (8), *supra*, neither Epstein's signature on this agreement, nor its terms, nor any resulting waivers or settlements by Epstein are to be construed as admissions or evidence of civil or criminal liability or a waiver of any jurisdictional or other defense as to any person, whether or not her name appears on the list provided by the United States.
11. Epstein shall use his best efforts to enter his guilty plea and be

sentenced not later than October 26, 2007. The United States has no objection to Epstein self-reporting to begin serving his sentence not later than January 4, 2008.

12. Epstein agrees that he will not be afforded any benefits with respect to gain time, other than the rights, opportunities, and benefits as any other inmate, including but not limited to, eligibility for gain time credit based on standard rules and regulations that apply in the State of Florida. At the United States' request, Epstein agrees to provide an accounting of the gain time he earned during his period of incarceration.
13. The parties anticipate that this agreement will not be made part of any public record. If the United States receives a Freedom of Information Act request or any compulsory process commanding the disclosure of the agreement, it will provide notice to Epstein before making that disclosure.

Epstein understands that the United States Attorney has no authority to require the State Attorney's Office to abide by any terms of this agreement. Epstein understands that it is his obligation to undertake discussions with the State Attorney's Office and to use his best efforts to ensure compliance with these procedures, which compliance will be necessary to satisfy the United States' interest. Epstein also understands that it is his obligation to use his best efforts to convince the Judge of the 15th Judicial Circuit to accept Epstein's binding recommendation regarding the sentence to be imposed, and understands that the failure to do so will be a breach of the agreement.

In consideration of Epstein's agreement to plead guilty and to provide compensation in the manner described above, if Epstein successfully fulfills all of the terms and conditions of this agreement, the United States also agrees that it will not institute any criminal charges against any potential co-conspirators of Epstein, including but not limited to [REDACTED], [REDACTED], [REDACTED], or Nadia Marcinkova. Further, upon execution of this agreement and a plea agreement with the State Attorney's Office, the federal Grand Jury investigation will be suspended, and all pending federal Grand Jury subpoenas will be held in abeyance unless and until the defendant violates any term of this agreement. The defendant likewise agrees to withdraw his pending motion to intervene and to quash certain grand jury subpoenas. Both parties agree to maintain their evidence, specifically evidence requested by or directly related to the grand jury subpoenas that have been issued, and including certain computer equipment, inviolate until all of the terms of this agreement have been satisfied. Upon the successful completion of the terms of this agreement, all outstanding grand jury subpoenas shall be deemed withdrawn.

By signing this agreement, Epstein asserts and certifies that each of these terms is material to this agreement and is supported by independent consideration and that a breach of any one of these conditions allows the United States to elect to terminate the agreement and to investigate and prosecute Epstein and any other individual or entity for any and all federal offenses.

By signing this agreement, Epstein asserts and certifies that he is aware of the fact that the Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial. Epstein further is aware that Rule 48(b) of the Federal Rules of Criminal Procedure provides that the Court may dismiss an indictment, information, or complaint for unnecessary delay in presenting a charge to the Grand Jury, filing an information, or in bringing a defendant to trial. Epstein hereby requests that the United States Attorney for the Southern District of Florida defer such prosecution. Epstein agrees and consents that any delay from the date of this Agreement to the date of initiation of prosecution, as provided for in the terms expressed herein, shall be deemed to be a necessary delay at his own request, and he hereby waives any defense to such prosecution on the ground that such delay operated to deny him rights under Rule 48(b) of the Federal Rules of Criminal Procedure and the Sixth Amendment to the Constitution of the United States to a speedy trial or to bar the prosecution by reason of the running of the statute of limitations for a period of months equal to the period between the signing of this agreement and the breach of this agreement as to those offenses that were the subject of the grand jury's investigation. Epstein further asserts and certifies that he understands that the Fifth Amendment and Rule 7(a) of the Federal Rules of Criminal Procedure provide that all felonies must be charged in an indictment presented to a grand jury. Epstein hereby agrees and consents that, if a prosecution against him is instituted for any offense that was the subject of the grand jury's investigation, it may be by way of an Information signed and filed by the United States Attorney, and hereby waives his right to be indicted by a grand jury as to any such offense.

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By signing this agreement, Epstein asserts and certifies that the above has been read and explained to him. Epstein hereby states that he understands the conditions of this Non-Prosecution Agreement and agrees to comply with them.

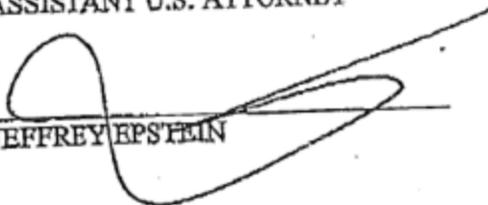
R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By:

ASSISTANT U.S. ATTORNEY

Dated: 8/24/07


JEFFREY EPSTEIN

Dated: _____

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: _____

LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

By signing this agreement, Epstein asserts and certifies that the above has been read and explained to him. Epstein hereby states that he understands the conditions of this Non-Prosecution Agreement and agrees to comply with them.

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By: _____
ASSISTANT U.S. ATTORNEY

Dated: _____

JEFFREY EPSTEIN

Dated: 9/24/07

Gerald Lefcourt

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: _____

LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

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R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By: _____
ASSISTANT U.S. ATTORNEY

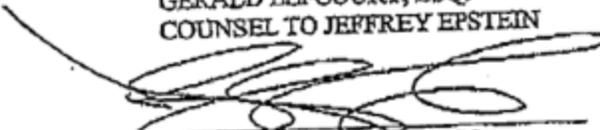
Dated: _____

JEFFREY EPSTEIN

Dated: _____

GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: 9-24-07


LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

IN RE:
INVESTIGATION OF
JEFFREY EPSTEIN

ADDENDUM TO THE NON-PROSECUTION AGREEMENT

IT APPEARING that the parties seek to clarify certain provisions of page 4, paragraph 7 of the Non-Prosecution Agreement (hereinafter "paragraph 7"), that agreement is modified as follows:

- 7A. The United States has the right to assign to an independent third-party the responsibility for consulting with and, subject to the good faith approval of Epstein's counsel, selecting the attorney representative for the individuals identified under the Agreement. If the United States elects to assign this responsibility to an independent third-party, both the United States and Epstein retain the right to make good faith objections to the attorney representative suggested by the independent third-party prior to the final designation of the attorney representative.
- 7B. The parties will jointly prepare a short written submission to the independent third-party regarding the role of the attorney representative and regarding Epstein's Agreement to pay such attorney representative his or her regular customary hourly rate for representing such victims subject to the provisions of paragraph C, infra.
- 7C. Pursuant to additional paragraph 7A, Epstein has agreed to pay the fees of the attorney representative selected by the independent third party. This provision, however, shall not obligate Epstein to pay the fees and costs of contested litigation filed against him. Thus, if after consideration of potential settlements, an attorney representative elects to file a contested lawsuit pursuant to 18 U.S.C. s 2255 or elects to pursue any other contested remedy, the paragraph 7 obligation of the Agreement to pay the costs of the attorney representative, as opposed to any statutory or other obligations to pay reasonable attorneys fees and costs such as those contained in s 2255 to bear the costs of the attorney representative, shall cease.

By signing this Addendum, Epstein asserts and certifies that the above has been read and explained to him. Epstein hereby states that he understands the clarifications to the Non-Prosecution Agreement and agrees to comply with them.

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

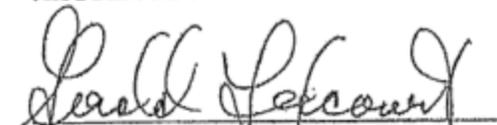
Dated: _____

By: _____
ASSISTANT U.S. ATTORNEY

Dated: _____

JEFFREY EPSTEIN

Dated: 10/29/07



GERALD LEFCOURT, ESQ.
COUNSEL TO JEFFREY EPSTEIN

Dated: _____

LILLY ANN SANCHEZ, ESQ.
ATTORNEY FOR JEFFREY EPSTEIN

Epstein's secret pact with feds reveals 'highly unusual' terms



Epstein
Faces many civil lawsuits filed by some of the 30 to 40 women identified as victims in the federal investigation.

By SUSAN SPENCER-WENDEL
Palm Beach Post Staff Writer

WEST PALM BEACH — A secret non-prosecution agreement multimillionaire financier Jeffrey Epstein struck with federal prosecutors is being called “highly unusual” by former federal prosecutors and downright outrageous by attorneys now representing young women who serviced him.

The deal reveals that the FBI and the U.S. Attorney's Office investigated him for several federal crimes, including engaging minors in commercial sex. The crimes are punishable by anywhere from 10 years to life in prison.

But federal prosecutors backed down and agreed to recall grand jury subpoenas if Epstein pleaded guilty to prostitution-related felonies in state court, which he ultimately did. He received an 18-month jail sentence, of which he served 13 months.

See EPSTEIN, 12A ►

Tension between prosecutors, police

► EPSTEIN from 1A

The U.S. Attorney's Office also agreed not to charge any of Epstein's possible co-conspirators:

[REDACTED] and [REDACTED]

The deal was negotiated in part by heavyweight New York criminal defense attorney Gerald Lefcourt.

Unsealed on Friday after attorneys for some of Epstein's victims and *The Palm Beach Post* sought its release, it offers the first public look at the deal Epstein's high-powered legal counsel brokered on his behalf.

Mark Johnson of Stuart, a former federal prosecutor, described the disparity in potential sentences as unusual, but even more so a provision on attorney payment.

The first draft of the agreement in September 2007 required that Epstein pay an attorney — tapped by the U.S. Attorney's Office and approved by Epstein — to represent some of the victims. That attorney is prominent Miami lawyer Bob Josefsberg.

But an addendum to the agreement signed the following month struck Epstein's duty to pay Josefsberg if he and the victims did not accept settlements — capped at \$150,000 — and instead pursued lawsuits.

Johnson said it appears the government was trying to balance the lesser sentence for Epstein with recovering \$150,000 for each victim. "I've never, ever seen anything like that in my life," he said. "It's highly unusual."

The deal does not say whether any victims were contacted or consulted before the deal was made.

Attorney Brad Edwards of Fort Lauderdale, who represents three of the young women, believes that none of the 30 to 40 women identified as victims in the federal inves-

tigation were told ahead of time. Edwards said his clients received letters from the U.S. Attorney's Office months after the deal was signed, assuring them Epstein would be prosecuted.

"Never consulting the victims is probably the most outrageous aspect of it," Edwards said. "It taught them that someone with money can buy his way out of anything. It's outrageous and embarrassing for United States Attorney's Office and the State Attorney's Office."

Epstein now faces many civil lawsuits filed by the women, who are represented by a variety of attorneys. In many, the allegations are the same: that Epstein had a predilection for teenage girls, identified poor, vulnerable ones and used other young women to lure them to his Palm Beach mansion. They walked away with between \$200 and \$1,000.

Former Circuit Judge Bill Berger, also representing victims, called the agreement a "sweetheart deal."

"Why was it so important for the government

to make this deal?" Berger asked rhetorically. "We have not yet had an honest explanation by any public official as to why it was made ... and why the victims were sold down the river."

Former federal prosecutor Ryon McCabe described the agreement as "very unorthodox." Such agreements, he said, are usually reserved for corporations, not individuals.

"It's very, very rare. I've never seen or heard of the procedure that was set up here," said McCabe, who has no involvement in any Epstein litigation.

"He's essentially avoiding federal prosecution because he can afford to pay that many lawyers to help those victims review their cases. ... If a person has no money, he couldn't be able to strike a deal like this and avoid federal prosecution."

The backroom deal with federal prosecutors is all the more interesting in light of the legal powerhouses who have worked for Epstein, including Harvard professor Alan Dershowitz and Bill Clinton investigator Kenneth

Starr. Lefcourt is a past president of the National Association of Criminal Defense Lawyers.

Epstein's local defense attorney, Jack Goldberger, issued a statement Friday saying he had fought the release of the sealed agreement to protect the third parties named there. "Mr. Epstein has fully abided by all of its terms and conditions. He is looking forward to putting this difficult period in his life behind him. He is continuing his long-standing history of science philanthropy."

The investigation triggered tensions between police and prosecutors, with then-Palm Beach Chief Michael Reiter saying in a May 2006 letter to then-State Attorney Barry Krischer that the chief prosecutor should disqualify himself.

"I continue to find your office's treatment of these cases highly unusual," Reiter wrote. He then asked for and got the federal investigation that ended in the sealed deal.

"The Jeffrey Epstein matter was an experience of what a many-million-dollar defense can accomplish," Reiter told the *Palm Beach Daily News* upon his retirement.

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@pbpost.com

**Former Judge Bill Berger, representing victims,
called the agreement a 'sweetheart deal.'**

More on Epstein

- Read the agreement that was unsealed Friday.
- Get past coverage on the the Jeffrey Epstein case.

PalmBeachPost.com/epstein

- See video of Epstein being questioned about his manhood.

Page2live.com

The Palm Beach Post

TIM BURKE, Executive Editor RANDY SCHULTZ, Editor of the Editorial Page

Sleazy perp, sleazier deal

Government acted like Epstein's go-betweens.

On the second page of the secret deal between federal prosecutors and Jeffrey Epstein, we read that the agreement will serve the interests of "the United States, the State of Florida, and the Defendant." Wrong on the first two, right on the third.

Until Friday, the public didn't know the terms of the deal that finalized the case of the Palm Beacher who arranged to have girls brought to his house for sex and massages. Only Epstein's platoon of lawyers, the U.S. Attorney's Office for the Southern District of Florida and the Palm Beach County State Attorney's Office knew the details. And now we know why the perpetrators of this outrage didn't want the public to know.



Epstein

The deal is an indictment of a system that did much more for a criminal than for his victims. Jeffrey Epstein — officially a registered sex offender but in plain terms a pervert — escaped what should have been serious prison time. Instead, the federal deal allowed him to plead guilty to light charges in state court. He spent just 13 months — nights only — in the Palm Beach County Jail. Meanwhile, the government tried to help Epstein buy off the young girls whom Epstein had exploited.

Several of those girls have filed civil suits against Epstein. (Their lawyers and lawyers for *The Post* sued to make the plea deal public.) In the agreement, the government proposes to identify all the alleged victims and steer them to a lawyer, whose expenses Epstein would pay. In return, however, the victims would withdraw all lawsuits from state court and agree to a settlement in federal court of no more than \$150,000 each. Even then, of course, Epstein would not acknowledge any "liability."

The agreement thus placed the Department of Justice in a role similar to those of the four women who procured girls for Epstein. If there's a precedent in this or any of the other 92 United States attorney's offices, we'd like to hear it. Not surprisingly, R. Alexander Acosta also agreed not to prosecute those women.

If the outcome is frustrating, so is the lack of accountability. Mr. Acosta's name is on the deal, but he's now the dean of Florida International University's law school. A call to his office for comment Monday was not returned. The name of Assistant U.S. Attorney [redacted] is on the deal. She still works as a federal prosecutor in West Palm Beach, but Alicia Valle, the office's special counsel, said in an e-mail, "We cannot comment on your questions." Didn't she really mean *will not*?

This case got into the federal system because former Palm Beach Police Chief Michael Reiter believed that Palm Beach County State Attorney Barry Krischer wasn't moving aggressively enough. Mr. Krischer retired last year. The assistant state attorney who oversaw the case is no longer with the office.

At this point, the public must hope that the civil suits suck as much money from Epstein as possible. Money seems to be all that he understands. Also, Jeffrey Sloman is serving as the acting U.S. attorney for the Southern District of Florida until President Obama nominates a permanent replacement for confirmation by the Senate. It would be good to know that whoever follows Mr. Acosta is on record that the Jeffrey Epstein deal did not serve the interests of the United States.

**TALK
BACK!**

How much of a break did the system give Jeffrey Epstein?

<http://blogs.PalmBeachPost.com/opinionzone>

M A N D A T E

from

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT

This cause having been brought to the Court by appeal, and after due consideration the Court having issued its opinion;

YOU ARE HEREBY COMMANDED that such further proceedings be had in said cause as may be in accordance with the opinion of this Court, and with the rules of procedure and laws of the State of Florida.

WITNESS the Honorable Robert M. Gross, Chief Judge of the District Court of Appeal of the State of Florida, Fourth District, and seal of the said Court at West Palm Beach, Florida on this day.

DATE: September 18, 2009

CASE NO.: 4D09-2554

COUNTY OF ORIGIN: Palm Beach

T.C. CASE NOS.: 502006CF009454AXXMB and 502008CF009381AXXMB

STYLE: JEFFREY EPSTEIN **STATE OF FLORIDA, ET AL.**



Marilyn Beuttenmuller
MARILYN BEUTTENMULLER, Clerk
Fourth District Court of Appeal

ORIGINAL TO: Sharon R. Bock, Clerk

cc:

Barbara J. Compiani
Deanna K. Shullman
Spencer T. Kuvin
Michael J. Pike

Jane Kreuzler-Walsh
Diana Martin
State Attorney-P.B.
James B. Lake

Jack A. Goldberger
William J. Berger
Bradley J. Edwards
R. Alexander Acosta

Robert D. Critton, Jr.
U.S. Attorney'S Office
Rebecca Mercier Vargas

kg

THE LOWDOWN

... Just don't ask millionaire Palm Beach sex offender **Jeffrey Epstein** about his privates. Local attorney **Spencer Kuvin** did during a deposition Sept. 2, and Epstein walked out — 100 seconds after it started. And it was all caught on a video posted on *Page Two's* online sister, *page2live.com*. Epstein did answer the first question: "What is your name?" But he balked at the second: "Is it true that ... you have an egg-shaped penis?" Epstein took off his microphone and left. And it cost the Wall Street prodigy Epstein: He was fined



Epstein

\$800 by the West Palm Beach court currently hearing civil lawsuits filed by women whom Epstein paid for sex when they were underage. "It absolutely was an important question," said Kuvin. "If he claims to have never met them, then we should know whether the victim is telling the truth." The deposition has been reset for Oct. 8, and Epstein should expect the same question ... **Burt Reynolds** was back in rehab Thursday. It was just for a daylong refresher at the Hanley Center in WPB. Reynolds, 73, admitted himself at Hanley for a 30-day program in mid-August and was released last week. He admitted to battling an addiction to pain pills ...

COURTS

WEST PALM BEACH — Financier and sex offender **Jeffrey Epstein's secret deal struck with federal prosecutors is due to be released to the public today.** Circuit Judge Jeffery Colbath ruled the document was improperly sealed and should be released, and an appellate court agreed. Under the deal, Epstein avoided federal charges and pleaded guilty in state court to felony solicitation of prostitution and procuring a person under the age of 18 for prostitution. In July 2008, he was sentenced to 18 months in jail and later allowed out up to six days a week on work release. He now faces at least 20 civil lawsuits filed by women who say they were victims.

Judge agrees to unseal Epstein's sex scandal deal

By SUSAN SPENCER-WENDEL
Palm Beach Post Staff Writer

WEST PALM BEACH — A circuit judge agreed Thursday to unseal a deal billionaire Jeffrey Epstein struck with federal prosecutors to avoid their filing of charges in the wake of his sex scandal with underage girls.

Circuit Judge Jeff Colbath said he would not release Epstein's agreement with federal prosecutors until Monday, allowing him time to redact the



Epstein

names of victims. Colbath ruled that the deal had not been sealed properly.

Jack Goldberger, Epstein's attorney, immediately asked for a stay of Colbath's decision to unseal the agreement in order to appeal it. A hearing on that request is set for this morning.

See EPSTEIN, 5B ►

Epstein scheduled for release in July

► EPSTEIN from 1B

Attorneys for women now suing Epstein, as well as attorneys for *The Palm Beach Post*, had asked Colbath to release the deal, arguing the public and the victims have a right to see it.

"There is nothing more fundamentally important than for the public and press to observe how the government is doing its job," *Post* attorney Deanna Shullman said. "There is great public interest in how everybody in this case is doing their job."

Goldberger argued that the confidential agreement Epstein struck with federal prosecutors should remain confidential. Included in it, Goldberger said, are references to federal grand jury proceedings, which are secret and protected by federal rules. A federal judge should decide the issue, he said.

Attorneys Spencer Kuvin and Brad Edwards, who represent some of the women now suing Epstein, both said they were not surprised by Epstein's attorney moving to appeal.

"Any chance to stall in any way and keep the agreement out of public disclosure, they will take it," said Edwards outside court.

He will have served about 13 months of an 18-month sentence.

Epstein pleaded guilty nearly one year ago to solicitation of prostitution and procuring teenagers for prostitution and was sentenced to 18 months in prison.

A sheriff's office official confirmed Thursday that Epstein will be released from the Palm Beach County Stockade on July 22 — nearly 13 months into his sentence.

Sheriff's office spokesperson Eric [redacted] said Epstein has earned gain time for good behavior and for participating in a work-release program.

The saga began years ago after Palm Beach police began investigating reports that young women were being brought to his manse on El Brillo Way to massage him and have sex with him in exchange for money.

Displeased with the way the state attorney's office handled the case, Palm Beach police later forwarded information to the Federal Bureau of Investigation.

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ROY BLACK
HOWARD M. SREBNICK
SCOTT A. KORNSPAN
LARRY A. STUMPF
MARIA NEYRA
JACKIE PERCZEK
MARK A.J. SHAPIRO
JARED [REDACTED]

BLACK
SREBNICK
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& STUMPF
P.A.

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E-Mail: RBlack@RoyBlack.com

February 8, 2010

Jeffrey Sloman, Esq.
United States Attorney
99 N.E. 4th Street
Miami, FL 33132

RE: Jeffrey Epstein

Dear Mr. Sloman:

First, thank you for meeting with us on Wednesday and providing us with an opportunity to address a wide range of concerns with you. At the conclusion of the meeting we discussed Mr Epstein's eligibility for a modification, or termination of his one-year community control sentence under either of two provisions of state law, FSA §948.05 and FSA §948.10(4). You asked what our position would be in the event an application for such relief was made regarding notification of those persons determined by you to be federal rather than just state victims. We believe that such notification would not be required by 18 USC §3771. Your office has come to a similar conclusion, see AUSA Alex Acosta's December 19, 2007 letter to Lilly Sanchez, pg 2. We are sensitive, however, to the adversarial litigation previously filed regarding other §3771 issues. Accordingly, we propose the following:

1. That if Mr Epstein applies for a termination of community control sentence that seeks an early release from all probation, that your office would (a) not oppose this request under state law, i.e., you would permit the state to make its own discretionary decision on the application without taking a position one way or the other, (b) not consider it a breach of the NPA for Epstein to either so apply or, if the application is allowed, to accept the reduction, and (c) notify the federal victims that such an application has been made, and the date, if any, when the matter would be heard. We further propose, however, that the victim notification letter neither request nor encourage the attendance of the federal victims at any scheduled hearing nor request nor encourage that the federal victims make filings in state court as to their position since those rights, to our understanding, are at most limited under state law to state victims. Those on the

Jeffrey Sloman, Esq.
February 8, 2010
Page 2

federal victim notification list, of course, once notified, would have the non-statutory right at their own election to attend any hearing,

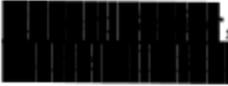
2. That if Mr Epstein applies for a modification of community control that only converts it, pursuant to FSA §948.10(4) into a normal probation with no shortening of the terms of supervision that you would neither oppose nor support the request nor would either the request nor any acceptance of any subsequent order converting the community control to some other form of probation be considered a breach of the NPA, however, given that Mr Epstein would remain under state supervision for the remainder of the 12-month sentence, no prior notification to federal victims would be provided.

Respectfully submitted,

MARTIN WEINBERG, ESQ.
ALAN DERSHOWITZ, ESQ.
ROY BLACK, ESQ.

By  _____

/wg

cc: , Esq.
, Esq.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

September 2, 2009

CASE NO.: 4D09-2554
L.T. No. : 20098CF009381A

JEFFREY EPSTEIN



STATE OF FLORIDA, ET AL.

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

ORDERED that appellee E.W.'s motion filed July 13, 2009, to file portion of response under seal is hereby determined to be moot; further,

ORDERED that appellant's agreed motion filed July 14, 2009, to file one reply supporting petition for writ of certiorari and for the time to run from service of the last-filed response is hereby granted; further,

ORDERED that appellee B.B.'s motion filed August 5, 2009, to supplement the record is hereby granted; further,

ORDERED that appellee E.W.'s motion filed July 27, 2009, for attorney's fees and costs is hereby denied; further,

ORDERED that appellee B.B.'s motion filed July 23, 2009, for attorneys' fees and costs is hereby denied; further,

ORDERED that appellee Palm Beach Newspapers, Inc. d/b/a *The Palm Beach Post's* motion filed July 21, 2009, for attorneys' fees and costs is hereby denied.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

Barbara J. Compiani
Robert D. Critton, Jr.
William J. Berger
State Attorney-P.B.
Michael J. Pike
Jeffrey H. Sloman

Jane Kreuzler-Walsh
Deanna K. Shullman
U.S. Attorney'S Office
Bradley J. Edwards
James B. Lake
Hon. Jeffrey J. Colbath

Jack A. Goldberger
Diana Martin
Spencer T. Kuvin
Rebecca Mercier Vargas
R. Alexander Acosta

lc

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2009

JEFFREY EPSTEIN,
Appellant,

■

**STATE OF FLORIDA, E.W. B.B. and
PALM BEACH NEWSPAPERS, INC., d/b/a THE PALM BEACH POST,**
Appellees.

No. 4D09-2554

[September 2, 2009]

PER CURIAM.

We treat petitioner's petition for writ of certiorari as a full appeal and affirm.

HAZOURI, DAMOORGIAN and LEVINE, JJ., concur.

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Jeffrey J. Colbath, Judge; L.T. Case Nos. 502006CF009454AXXMB & 502008CF009381AXXMB.

Jane Kreuzler-Walsh and Barbara J. Compiani of Kreuzler-Walsh, Compiani & Vargas, P.A., Robert D. Critton of Burman, Critton, Luttier & Coleman, and Jack A. Goldberger of Atterbury, Goldberger & Weiss, P.A., West Palm Beach, for appellant.

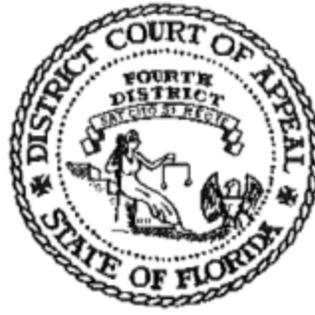
James B. Lake and Deanna K. Shullman of Thomas, LoCicero & Bralow, PL, Fort Lauderdale, for appellee Palm Beach Newspapers, Inc., d/b/a The Palm Beach Post.

William J. Berger of Rothstein Rosenfeldt Adler, Fort Lauderdale, for appellee E.W.

Diana L. Martin and Spencer T. Kuvin of Leopold-Kuvin, P.A., Palm Beach Gardens, for appellee B.B.

Not final until disposition of timely filed motion for rehearing.

Marilyn Beuttenmuller
MARILYN BEUTTENMULLER, Clerk
Fourth District Court of Appeal



IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT, IN AND FOR PALM BEACH
COUNTY, FLORIDA

CASE NO. 2008CF009381A

STATE OF FLORIDA

vs.

JEFFREY EPSTEIN,

Defendant.

AGREED ORDER

This cause came on to be heard upon the agreement of the parties, Jack Goldberger representing Jeffrey Epstein and Barbara Burns representing the State of Florida, and the Court being fully advised that the parties have reviewed both the plea agreement and the transcript of the plea conference in the Defendants case and have confirmed that the requirement of "mandatory public service" as a special condition of community control checked off on the Order Placing the Defendant on Community Control was due to a clerical error. Accordingly, it is hereby ordered and adjudged that the special condition of "mandatory public service" is deleted.

The Court being further advised that the Order Placing the Defendant on Community Control did not address the Defendant's travel outside the State of Florida for work or business purposes and the parties desire to clarify that omission, it is hereby ordered and adjudged that the Defendant is authorized to travel outside the State of Florida for business and work purposes if allowed by his community control officer. At least 48 hours before the need to travel outside the State of Florida for work purposes the Defendant shall first obtain the permission of his community control officer and then follow any instructions or

requirements imposed on him by his community control officer.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida on this
_____ day of September, 2009.

JEFFREY COLBATH
Circuit Court Judge

Copies:

Jack A. Goldberger, Esquire
Barbara Burns, ASA
Carmen Sloane, Department of Corrections