

[REDACTED] (USAFLS)

From: [REDACTED] (USAFLS) <[REDACTED]>
Sent: Monday, August 25, 2008 9:48 AM
To: Acosta, Alex (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS)
Subject: Letter re Epstein and Protective Order
Attachments: 080822 Lefkowitz ltr to [REDACTED]

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 [REDACTED] feedback regarding the notification to the victims of their right to see the agreement. Here is the language from my proposed victim notification letter:

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Lastly, from my discussion with [REDACTED], 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 – [REDACTED], the New York girls – and that you do not want me to re-add [REDACTED] to the list, even though we have extensive corroboration of her involvement with Epstein. Can someone please confirm?

Thank you all.

<<080822 Lefkowitz ltr to [REDACTED]>>

[REDACTED]
Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone [REDACTED]

Fax [REDACTED]

08-80736-CV-MARRA
385

P-015173

EFTA00189056

[REDACTED] (USAFLS)

From: [REDACTED] (USAFLS) <[REDACTED]>
Sent: Monday, August 25, 2008 10:25 AM
To: [REDACTED] (USAFLS); Acosta, Alex (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

[REDACTED]

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P-015174

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Thank you all.

<< File: 080822 Lefkowitz ltr to [REDACTED] >>

[REDACTED]
Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone [REDACTED]

Fax [REDACTED]

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

Citygroup Center

New York, New York 10022-4611

www.kirkland.com

Jay P. Iofkowitz, P.C.
To Call Writer Directly

Facsimile

August 22, 2008

VIA FACSIMILE ([REDACTED])

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

Re: *Jeffrey Epstein*

Dear [REDACTED]:

I write this letter to correct certain misstatements made in your letter dated August 21, 2008, and the accompanying draft notification.

First, you state that "Mr. Josefsberg expended time, effort and funds in preparing to serve as attorney representative in October of 2007." Neither I, nor any other attorney on Mr. Epstein's defense team, was notified of this work by Mr. Josefsberg.

Second, in the victim notification letter, no judge "has ordered that the United States" make available a copy of the Non-Prosecution Agreement. Section (d) of the Order to Compel Production and Protective Order provides that if any of the alleged "victims" and/or their attorneys "request the opportunity to review the Agreement," the USAO shall comply with the request so long as those individuals agree not to disclose the Non-Prosecution Agreement. There is no court order requiring the government to provide the alleged "victims" with notice that the Non-Prosecution Agreement is available to them upon request and doing so is in conflict with the confidentiality provisions of the Agreement. Given that the individuals on the list will have an attorney representative who is fully aware of the terms of the Non-Prosecution Agreement, this conflicting paragraph of your notice is unnecessary in any event and should be excised.

Third, misstatements in your prior notification were not made "with the approval of Mr. Epstein's counsel."

Fourth, we are concerned with your open-ended description of Mr. Epstein's responsibilities regarding civil restitution. The resolution of liability pursuant to 18 U.S.C.

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EFTA00189059

KIRKLAND & ELLIS LLP

[REDACTED]
August 22, 2008

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§ 2255 is as stated in paragraphs 7 and 8 of the Agreement and the Addendum to the Agreement, no more, no less.

Fifth, while you state, in your letter, that the USAO does not intend to delete any of the names on the list provided to Mr. Epstein's counsel, you do not confirm that the prior list is final and complete. There can be no expansion of the list of individuals that you informed us had been memorialized as of September 24, 2007 and disclosed to Mr. Epstein on June 30, 2008 (the date of sentence pursuant to the Agreement's disclosure requirements). Please confirm the exact name and number of individuals the government plans on notifying as provided for under the Agreement.

Sixth, based on express language in prior communications from your Office, we are in agreement that paragraphs 7 and 8 of the Agreement are in need of clarification and implementation. We will work with the attorney representative in attempting to reach a fair resolution of the outstanding civil matters in a manner that is in accordance with the Agreement.

Seventh, we have previously communicated our objections to the propriety of the attorney representative engaging in contested litigation. We again dispute the assertion that Mr. Josefsberg's duties include filing contested litigation. In any case, that issue is not ripe for resolution at this point, but again, given his agreement to be the attorney representative, we will address these matters directly with Mr. Josefsberg.

Sincerely,

[REDACTED]
Jay P. Lefkowitz

cc: [REDACTED] [REDACTED], Chief, Northern Division

KIRKLAND & ELLIS LLP

Fax Transmittal

Citigroup Center
[REDACTED]

New York, New York 10022-4611

Phone: [REDACTED]

Fax: [REDACTED]

Please notify us immediately if any pages are not received.

THE INFORMATION CONTAINED IN THIS COMMUNICATION IS CONFIDENTIAL, MAY BE ATTORNEY-CLIENT PRIVILEGED, MAY CONSTITUTE INSIDE INFORMATION, AND IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. UNAUTHORIZED USE, DISCLOSURE OR COPYING IS STRICTLY PROHIBITED AND MAY BE UNLAWFUL.

IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE NOTIFY US IMMEDIATELY AT:
[REDACTED]

To: [REDACTED]	Company: United States Attorney's Office	Fax #: [REDACTED]	Direct #: [REDACTED]	
CC: [REDACTED]	Company: United States Attorney's Office	Fax #: [REDACTED]	Direct #: [REDACTED]	
From: Jay P. Lelkowitz	Date: August 22, 2008	Pages w/cover: 3	Fax #: [REDACTED]	Direct #: [REDACTED]

Message:

[REDACTED] (USAFLS)

From: [REDACTED] (USAFLS) <[REDACTED]>
Sent: Monday, August 25, 2008 1:54 PM
To: [REDACTED] (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

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

[REDACTED]

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone [REDACTED]

Fax [REDACTED]

From: [REDACTED] (USAFLS)
Sent: Monday, August 25, 2008 10:25 AM
To: [REDACTED] (USAFLS); Acosta, Alex (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS)
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[REDACTED]

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Good morning, everyone.

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P-015179

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<< File: 080822 Lefkowitz ltr to [REDACTED] >>

[REDACTED]
Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone [REDACTED]

Fax [REDACTED]

[REDACTED] (USAFLS)

From: [REDACTED] (USAFLS) <[REDACTED]>
Sent: Monday, August 25, 2008 2:18 PM
To: [REDACTED] (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

[REDACTED]

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Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

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[REDACTED]

Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone [REDACTED]

Fax [REDACTED]

[REDACTED] (USAFLS)

From: [REDACTED] (USAFLS) <[REDACTED]>
Sent: Monday, August 25, 2008 2:20 PM
To: [REDACTED] (USAFLS)
Subject: RE: Letter re Epstein and Protective Order

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

[REDACTED]
Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

Phone [REDACTED]

Fax [REDACTED]

From: [REDACTED] (USAFLS)
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[REDACTED]
Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

08-80736-CV-MARRA

P-015184

Phone [REDACTED]

Fax [REDACTED]

From: [REDACTED] (USAFLS)
Sent: Monday, August 25, 2008 10:25 AM
To: [REDACTED] (USAFLS); Acosta, Alex (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS); [REDACTED] (USAFLS)
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