

**Villafana, Ann Marie C. (USAFLS)**

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**From:** Villafana, Ann Marie C. (USAFLS)  
**Sent:** Thursday, December 20, 2007 11:01 AM  
**To:** Sloman, Jeff (USAFLS)  
**Subject:** RE: State of Florida █ Jeffrey Epstein, Case No. 2006CF009454AXX

I like it. I don't know about trying to limit its distribution, but maybe add something like, "I hope that you, Mr. Krischer, and I will have a chance to discuss this openly and objectively before Mr. Epstein's counsel provides us with their slanted view."

*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:** Thursday, December 20, 2007 10:54 AM  
**To:** Villafana, Ann Marie C. (USAFLS)  
**Subject:** State of Florida █ Jeffrey Epstein, Case No. 2006CF009454AXX

Marie,

I've tailored your email for Lana a little bit. Before I press send, please take a look one more time. Perhaps we should include some caveat to prohibit further distribution. What do you think?

Jeff

Ms. Belohlavek,

I called you this morning and left a message. I wanted to inform you that on Friday, December 14, 2007, Jeffrey Epstein's defense team argued, for the first time, that the state charge contained in the Non-Prosecution Agreement does not apply to the facts of his case. As an ethical matter, the U.S. Attorney's Office for the Southern District of Florida does not want a defendant to plead guilty to a crime that he did not commit; however, we are not experts in the interpretation of the Florida Criminal Code, so we look to you for guidance. To assist, I have listed the statute below and summarized the arguments of Mr. Epstein's attorneys. I also have included the factual proffer that you have previously requested so that you can determine whether, in your opinion, there is a sufficient factual basis for a plea.

Fl. Stat. 796.03 states: "A person who procures for prostitution, or causes to be prostituted, any person who is under the age of 18 years commits a felony of the second degree . . ."

Fl. Stat. 777.011 states: "Whoever commits any criminal offense against the state, whether felony or misdemeanor, or aids, abets, counsels, hires, or otherwise procures such offense to be committed, and such offense is committed or is attempted to be committed, is a principal in the first degree and may be charged, convicted, and punished as such, whether he or she is or is not actually or constructively present at the commission of such offense."

Mr. Epstein's counsel state that Section 796.03 applies only to procuring a minor to engage in a sex act with a third party, not with the defendant himself, relying on Kobel v. State, 745 So.2d 979, 982 (Fla. 4<sup>th</sup> DCA 1999), and Register v. State, 715 So.2d 274, 278 (Fla. 1<sup>st</sup> DCA 1998). They also assert that a commercial motive must be shown. Please consider whether the following facts are sufficient to prove a violation of Section 796.03, when read in conjunction with Section 777.011.

From at least as early as 2001 through October 2005, the defendant, Jeffrey Epstein, procured at least 30 identified minor females between the ages of 14 and 17 in Palm Beach County to come to his home in Palm Beach to engage in sexual conduct in exchange for money. In particular, the defendant would pay females, including minors, \$200 to recruit other females, including minors, to come to his house to engage in sexual activity. The minors who were procured would receive between \$200 and \$1,000 depending upon the type of sexual activity that they engaged in. Several victims have stated that, when they were unwilling to engage in sexual activity with the defendant, the defendant would ask them to bring other girls instead, and promised to pay them \$200 for each girl whom they brought. Mr. Epstein would regularly ask his recruiters to find new girls for him because he wanted "fresh faces."

In some instances, the defendant did not know the correct age of the minor female who was procured as a prostitute, but in more than half of the instances he did. For example, the defendant purchased gifts for some girls for their 18th birthdays, promised to send them on trips when they turned 18, talked with them about activities at their high schools; and provided transportation for those who could not drive.

The sexual activity the defendant engaged in with the minor females included: requiring minor females to perform topless or nude massages while the defendant masturbated himself; fondling the breasts and vaginas of the minor females; digital penetration of the vaginas of minors; the use of a massaging device on the vaginas of minors; requiring a minor female to pose for nude photographs; requiring minor females to watch others (including the defendant) engage in sexual intercourse; requiring minor females to fondle the breasts of the defendant's adult female companion; performing oral sex on minor females; requiring minor females to perform oral sex on the defendant's adult female companion; and sexual intercourse with minor females. There are four minor females who engaged in vaginal intercourse with the defendant in exchange for money. None of the minor females who was brought to Mr. Epstein's house had ever engaged in prostitution prior to being procured by one of Mr. Epstein's recruiters.

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**From:** Lanna Belohlavek [mailto:Lbelohla@sa15.state.fl.us]  
**Sent:** Wednesday, November 07, 2007 3:25 PM  
**To:** lbelohlavek@bellsouth.net; Sloman, Jeff (USAFLS)  
**Subject:** RE: RE: Epstein settlement agreement

The plea and sentence will both occur on the same date and that date will be before January 4th.

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**From:** lbelohlavek@bellsouth.net [mailto:lbelohlavek@bellsouth.net]  
**Sent:** Mon 11/5/2007 5:31 AM  
**To:** Lanna Belohlavek  
**Subject:** FW: RE: Epstein settlement agreement

----- Forwarded Message: -----  
From: "Sloman, Jeff (USAFLS)" <Jeff.Sloman@usdoj.gov>

2141

08-80736-CV-MARRA

P-014458

EFTA00189246

To: <lbelohlavek@bellsouth.net>  
Cc: "Villafana, Ann Marie C. (USAFLS)" <Ann.Marie.C.Villafana@usdoj.gov>  
Subject: RE: Epstein settlement agreement  
Date: Fri, 2 Nov 2007 13:58:13 +0000

Dear Lanna:

I was just informed that a case disposition conference has been set in the Epstein case on January 7, 2008. Our agreement with Mr. Epstein contemplated a simultaneous plea and sentencing for October (or, as we later agreed, November), followed by Mr. Epstein self-surrendering to begin serving his sentence not later than January 4, 2008. From your last e-mail, it appeared that the judge was under the impression that Mr. Epstein could not be sentenced before January 2008. We are hoping that Judge McSorley would consider conducting the simultaneous plea and sentencing some time before January 4, 2008, so that Mr. Epstein can comply with the terms of our agreement and begin serving his sentence on January 4, 2008.

I also would appreciate it if you could send me a copy of the plea agreement, the information that you plan to file (if it hasn't been filed already), and any factual proffer or other documents related to the plea. Please also let me know the date and time of the plea and sentencing so that someone from our office can attend and insure Mr. Epstein's compliance with the terms of his federal non-prosecution agreement.

If you need any information regarding the federal investigation, or if you have any questions about the terms of the federal non-prosecution agreement, please do not hesitate to contact me at the number below or Marie in the West Palm Beach office.

Thank you,

*Jeffrey H. Sloman,*  
First Assistant United States Attorney  
99 N.E. 4<sup>th</sup> Street  
Miami, Florida 33132  
Phone (305) 961-9299

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

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**From:** lbelohlavek@bellsouth.net [mailto:lbelohlavek@bellsouth.net]  
**Sent:** Monday, October 29, 2007 9:22 PM  
**To:** Sloman, Jeff (USAFLS)  
**Subject:** Epstein settlement agreement

Jeff,

Good evening. I am the ASA with the Epstein case in Palm Beach County. The negotiated settlement is a definite go. A difficulty arose last week at a conference with the judge on the case. She wants the plea and sentence to occur concurrently; not a plea with a sentencing at a later date. Therefore, the case was set for the first week of January, but the plea and sentence will definitely occur before the January 4th date that was agreed on by all for the sentencing.

If you have any questions, please contact me at 561-355-7376 or [lbelohla@sa15.state.fl.us](mailto:lbelohla@sa15.state.fl.us).

Lanna Belohlavek

Tracking:

2143

08-80736-CV-MARRA

P-014460

EFTA00189248

**Villafana, Ann Marie C. (USAFLS)**

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Lanna Belohlavek

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**From:** Villafana, Ann Marie C. (USAFLS)  
**Sent:** Thursday, December 20, 2007 8:35 AM  
**To:** Sloman, Jeff (USAFLS)  
**Subject:** Epstein thought

Hi Jeff – Only one obsessive thought last night. When you talk to Lanna, you might want to convince her that (assuming she agrees with my analysis) the evidence in the state case is enough to support the charge, especially the taped statement of [REDACTED] [REDACTED] and others who talked about recruiting other girls. I definitely do not want Epstein's camp to use this as an excuse to view all of our evidence, then withdraw from the plea, and then go to trial.

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

Tracking:

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