From: [redacted]. (USAFLS)
Sent: Wednesday, June 30, 2010 1:56 PM
To: [redacted]. (USAFLS); [redacted] (USAFLS); [redacted] (USAFLS); [redacted] (USAFLS); [redacted] (USAFLS); [redacted] (USAFLS); [redacted] (USAFLS); [redacted] (USAFLS); [redacted]. (USAFLS); [redacted] (USAFLS)
Subject: Epstein -- Rule 6(e) issue

Good afternoon, everyone.

Well, I still have not received everything that Epstein intends to produce, but I have reviewed about 60 pages worth of documents. Most are letters and emails related to the negotiation of the non-prosecution agreement and Epstein's post-agreement efforts to have the office or the Justice Department set aside the non-prosecution agreement and let him walk without any punishment (by alleging misconduct by myself, [redacted], the Palm Beach Police Department, etc.). [redacted].

There are copies of grand jury subpoenas and letters related to grand jury subpoenas that were send to some of Epstein's employees who were represented by attorneys who also represented Epstein. There are some cases that say that grand jury subpoenas themselves, and the identities of grand jury witnesses are confidential as per Rule 6(e). However, Rule 6(e)'s confidentiality requirements do not extend to the witnesses/subpoenaed party. Thus, the subpoenaed party could have made the subpoena and correspondence available to Epstein and, now that it is in Epstein's custody, the civil plaintiff can obtain the documents from Epstein also without running afoul of Rule 6(e).

If you would like me to file an emergency pleading with the Court seeking to stop the production of the 6(e) material, I can do so, but I don't think it will succeed. [redacted] **– Can one of you advise?** Epstein's counsel is producing the documents at the close of business today.

Thank you.

[redacted]
Assistant U.S. Attorney
[redacted]