

U.S. Department of Justice  
United States Attorney  
Southern District of Florida

500 South Australian Ave., Suite 400

West Palm Beach, FL 33401  
[REDACTED]

Facsimile: (5 [REDACTED])  
August 3, 2007

VIA FACSIMILE

Lilly Ann Sanchez, Esq.  
Fowler White Burnett  
1395 Brickell Ave Fl 14  
Miami Florida 33131-3300

Re: Jeffrey Epstein

Dear Lilly:

Thank you for your letter of August 2<sup>nd</sup> regarding your proposal on how to resolve the Epstein matter.

As we explained at our meeting on July 31, 2007, the Office believes that the federal interest will not be vindicated in the absence of a two-year term of state imprisonment for Mr. Epstein. That offer was not meant as a starting point for negotiations, it is the minimum term of imprisonment that will obviate the need for federal prosecution. The Office has never agreed that a state prison sentence is not appropriate for Mr. Epstein. Rather we simply stated that if Mr. Epstein preferred to serve his sentence in a federal penitentiary, we would be willing to explore a federal conviction that may allow that in lieu of any state resolution. Further, as I made clear in our follow up telephone conversation after the meeting, a plea to two federal misdemeanors was never extended or meant as an offer.

After researching this further, there appears to be no federal felony offense that would enable Mr. Epstein to receive a maximum of two years' imprisonment. This office is willing, however, to allow Mr. Epstein to plead to a federal felony charge that would carry a statutory maximum of 5 years' imprisonment, with a Rule 11 plea agreement containing a joint, binding recommendation for a two-year term of imprisonment.

We also would reiterate that the agreement to Section 2255 liability applies to all of the minor girls identified during the federal investigation, not just the 12 that form the basis of an initial planned charging instrument.

As you know, the ability to engage in flexible plea negotiations is dramatically changed upon the return of an indictment. Once an indictment is returned, the Office does not intend to file a Superseding Information containing a lesser charge or to dismiss the case in favor of state prosecution.

Please let us know your client's decision by no later than \_\_\_\_\_. I have conferred with U.S. Attorney Acosta who has asked me to communicate that the two-year term of incarceration is non-negotiable, and, at this time, he is not inclined to meet with counsel for Mr. Epstein.

Sincerely,

R. Alexander Acosta  
United States Attorney

By:

[REDACTED]  
Assistant U.S. Attorney

cc: R. Alexander Acosta

[REDACTED]  
[REDACTED]  
[REDACTED]