

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

500 S. Australian Ave, Ste 400

West Palm Beach, FL 33401  
[REDACTED]

Facsimile: (5 [REDACTED])  
September 17, 2008

DELIVERY BY ELECTRONIC MAIL

Jay P. Lefkowitz, Esq.  
Kirkland & Ellis LLP  
Citigroup Center  
153 East 53rd Street  
New York, New York 10022-4675  
Roy Black, Esq.  
Black Srebnick Kornspan & Stumpf P.A.  
201 S. Biscayne Blvd, Suite 1300  
Miami, FL 33131  
Jack A. Goldberger, Esq.  
Atterbury, Goldberger & Weiss, P.A.  
One Clearlake Centre, Suite 1400  
250 Australian Ave S.  
West Palm Beach, FL 33401-5015

Re: Jeffrey Epstein

Dear Jay, Roy, and Jack:

On today's date, our Office received an inquiry from State Attorney Barry Krischer related to the Non-Prosecution Agreement. In accordance with the terms of that Agreement, I am notifying you of this development. State Attorney Krischer has been contacted by counsel for the Palm Beach Daily News asking why the Non-Prosecution Agreement is under seal in order to determine whether to file suit asking that it be unsealed. I have informed State Attorney Krischer that the Agreement contains a confidentiality clause requiring us to provide Mr. Epstein's counsel with notice prior to making any disclosure (compulsory or otherwise). Since Mr. Epstein is a party to that criminal case, he has standing to contest any unsealing, while we do not. Accordingly, I ask that you confer with Mr. Krischer regarding how you would like to proceed with the matter.

I also want to reiterate the concern I raised in my letter of August 15, 2008, that the complete Non-Prosecution Agreement, which includes the October Addendum, has not been filed with the Court in accordance with the Judge's order. Please advise that this issue has been resolved.

Thank you for your attention to these matters.

Sincerely,  
R. Alexander Acosta  
United States Attorney

By:

[REDACTED]  
Assistant United States Attorney

cc: Barry Krischer, State Attorney  
[REDACTED] Chief, Northern Division