

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

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June 12, 2009

DELIVERY BY HAND

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 Mr. Goldberger:

Pursuant to the terms of the Non-Prosecution Agreement, the United States Attorney's Office for the Southern District of Florida hereby provides you with notice that the United States Attorney has determined, based on reliable evidence, that Jeffrey Epstein has willfully violated one of the conditions of the Non-Prosecution Agreement. Specifically, on May 26, 2009, Jeffrey Epstein, through his counsel, filed a "Motion to Dismiss the First Amended Complaint or, in the Alternative, for a More Definite Statement," in the matter of *Jane Doe No. 101* ■ *Jeffrey Epstein*, Court File No. 09-CV-80591-KAM. "Jane Doe No. 101" was on the list provided to Mr. Epstein's attorneys of individuals whom the United States had identified as victims, as defined in 18 U.S.C. § 2255, and "Jane Doe No. 101" has elected to proceed exclusively under 18 U.S.C. § 2255. By filing the Motion to Dismiss, Mr. Epstein is contesting liability and, therefore, has violated Term 8 of the Non-Prosecution Agreement.

Based upon Mr. Epstein's breach of that term, the U.S. Attorney's Office will pursue its remedies. The U.S. Attorney's Office also is continuing its review of Mr. Epstein's filings in the civil suits to determine whether additional breaches have occurred. If any are identified, they will be communicated to you in accordance with the terms of the Non-Prosecution Agreement.

Sincerely,
Jeffrey H. Sloman
Acting United States Attorney

By:

A. Marie Villafaña
Assistant United States Attorney

cc: Karen Atkinson, Chief, Northern Division
Roy Black, Esq.