

Plaintiffs' Request for Production

No. 7: Plaintiffs seek correspondence and documents regarding the government's knowledge of any obligations it had under the CVRA to notify the victims about the non-prosecution agreement and any related state court plea agreement. I understand there were discussions between the Child Exploitation and Obscenity Section (CEOS) and the S.D.Fla. regarding whether the CVRA applied to the NPA, and whether notification should be made to the victims. This would include letters, memos, and e-mail traffic.

No. 8: Plaintiffs seek documents relating to Epstein's efforts, after the execution of the NPA in September 2007, to appeal to Main Justice to obtain a more favorable outcome. I understand he first appealed to CEOS, which found the S.D.Fla. had acted within its discretion. Epstein's attorneys next sought review at the DAG level, which resulted in then Deputy Attorney General Mark Filip finding that the S.D.Fla. had appropriated exercised its prosecutorial discretion. The documents sought include letters from Epstein's attorneys seeking review of the S.D.Fla.'s actions in the case, as well as possible letters of support from former [REDACTED]

No. 17: Plaintiffs seek documents pertaining to the OPR inquiry into Cassell's allegations of misconduct by the U.S. Attorney's Office, contained in a December 10, 2010 letter delivered to the ~~United States Attorney Wilfredo Ferrer~~. Plaintiffs seek eight (8) categories of information. OPR sent Cassell a letter on May 6, 2011, advising him that most of his allegations were currently being litigated in the CVRA lawsuit, and OPR's policy was to refrain from investigating issues or allegations that were, are being, are could have been addressed in the

course of litigation, unless a court has made a specific finding of misconduct by a DOJ attorney or law enforcement personnel, or there are present other extraordinary circumstances. Since there was no finding of misconduct, or extraordinary circumstances, OPR declined to commence an investigation.

No. 19: Plaintiffs seek documents pertaining to former U.S. Attorney Alex Acosta's March 2011 statement to the news media that Epstein's attorneys launched "a yearlong assault on the prosecution and the prosecutors" when the U.S. Attorney's Office began investigating Epstein, and Roy Black's response that they merely pointed out misconduct and over-reaching by certain people involved in the Epstein investigation. Potentially responsive documents would include complaints lodged by Epstein's attorneys with DOJ OPR or OIG regarding alleged misconduct by employees of the U.S. Attorney's Office, S.D.Fla. This would also include documents supporting Epstein's attorney's claims of misconduct and overreaching, and documents showing whether the allegations were supported or contradicted.

No. 21: Plaintiffs seek correspondence and communications between government prosecutors working on the case and Epstein's attorneys, and agents acting on Epstein's behalf, regarding seven (7) subject-matter areas.

No. 22: Plaintiffs contend that Epstein offered consideration to the government as an inducement to obtaining favorable concessions on his plea negotiations. They seeks five (5) categories of documents, including offers to donate to funds or services to any person or entity; offers to assist in business opportunities; offers to assist the government or law enforcement

agencies in the investigation or prosecution of any federal or state criminal offense; consideration that Epstein has provided to the government or law enforcement agencies in the past; and any other consideration that Epstein offered to provide or had provided in the past that could provide a basis for the government extending Epstein a more generous or lenient plea bargain or non-prosecution agreement that would be received by any other similarly situated child abuse suspect.

No. 23: Plaintiffs request all documents, correspondence, and other information that will assist the victims in protecting their rights under the CVRA. During the litigation, the victims claimed the government had an obligation to provide information helpful to their case, just as the government is obligated under Brady v. Maryland to provide exculpatory information in its possession. I view this request as covering any documents which would assist the victims, and hurt the government.

No. 24: Plaintiffs seek documents, correspondence, and information the government shared with persons outside the federal government, including state and local prosecuting and law enforcement agencies, law enforcement agencies in other countries, legal counsel for crime victims, and other entities. This would cover communications sent by a DOJ component, regarding the Epstein investigation, to entities and persons outside the federal government.