

**From:** Paul Cassell <[REDACTED]>

**To:** "[REDACTED]. (USAFLS)" <[REDACTED]>, "Brad Edwards" <[REDACTED]>

**Cc:** "[REDACTED] (USAFLS)" <[REDACTED]>, "[REDACTED] (USAFLS)" <[REDACTED]>

**Subject:** RE: Can We Talk Sooner? And Resolve Our Factual Differences?

**Date:** Thu, 24 Feb 2011 22:57:11 +0000

**Importance:** Normal

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Dear [REDACTED],

Thank you for getting back to us. We have to say, however, that we were surprised to see nothing substantive in your e-mail, but rather a proposal that we wait yet another two weeks before doing anything ... and in two weeks we would have another call with no promise of any resolution of this case.

We also were surprised by your statement that asking you to step aside will somehow have repercussions "for every U.S. Attorney's Office throughout the country." Why? If you take no position, that can hardly be viewed as somehow setting policy. Indeed, it is probably only by taking a position that you could be doing something that has broader ramifications.

You also mentioned that you are trying to balance your obligations to [REDACTED] "without our obligations to the other identified victims in the Epstein matter." With all respect, we're not sure what sort of "balance" you are undertaking. As you know, we represent not only [REDACTED], but also [REDACTED] and [REDACTED]. We can tell you that all of three of these victims are aligned in their position. And it is our belief that many (if not all) of the other victims concur in our proposed plan of attack.

We want to work with your Office. But for several years now – stretching back to our attempts in the summer of 2008 to reach a stipulated set of facts with you and our renewed attempts to do the same thing in October 2010 – we haven't gotten anything specific from your Office about what you agree actually happened and what you are disputing.

Accordingly, we would like to propose that: (1) on the morning of March 1 or March 2, we have conference call where you update us on what is happening with regard to our proposal. For instance, we understand that you are still waiting for further guidance from Washington. But you could at least update us on your Office's position on our proposal – is your Office even supporting it? If not, there is no reason to wait to hear back from Washington on whether they will approve something that your Office isn't asking for. (2) On that morning, we sit down and got through our proposed statement of facts to see which facts of ours are even in dispute – we are going to be filing something in the near future, and we should work together to narrow our differences now so that our filing can proceed without delay once your Office has decided what it is going to do. (3) We set a hard deadline for when we will file something. As you know from the full draft we gave you back in October, we're ready to file today – but we have delayed as an accommodation to your office. We have really gotten nothing in return for the delay. Surely in exchange for waiting, we should at least get clarity from you on when we will have an answer from the Department.

Thanks in advance for considering this alternative proposal. As you know, at every juncture in this case, we have tried to work with you rather than against you. We truly don't understand why your Office can't just proceed in the same way – or, at least, not get in our way.

Sincerely,

Paul Cassell

EFTA00207867

Co-Counsel for Jane Doe #1 and Jane Doe #2

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**From:** ██████████. (USAFLS) [mailto:██████████]  
**Sent:** Thursday, February 24, 2011 2:58 PM  
**To:** Paul Cassell; Brad Edwards  
**Cc:** ██████████ (USAFLS); ██████████ (USAFLS)  
**Subject:** FW: Proposed email to Paul Cassell and Brad Edwards

Dear Paul and Brad:

As I promised, since returning to work on Tuesday, I have been working diligently on trying to provide you with the answers that you have requested in connection with the Jane Doe v. United States lawsuit. Both the referral of your allegations to the Office of Professional Responsibility and the request for our Office to “step aside” in the Jane Doe litigation are not insignificant matters. As you doubtless are aware, the position that you are asking us to adopt, simply by “stepping aside,” will have repercussions for every U.S. Attorney’s Office throughout the country, and, therefore, requires approval from the Department in Washington, D.C. We also are trying to balance our obligations to ██████████ with our obligations to the other identified victims in the Epstein matter.

Dexter and I are doing our due diligence, both within and outside our Office. My recommendation is that we schedule a conference call for the afternoon of Thursday, March 10<sup>th</sup>. If, by that time, we still have no definitive answer, then we can tell you that and discuss how best to proceed. If we receive an answer prior to the 10<sup>th</sup>, of course, I will let you know right away.

What time are you all available on the 10<sup>th</sup>? I will set up an AT&T conference call, as I have done in the past.

Thank you.

██████████  
Assistant U.S. Attorney

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