

From: Paul Cassell <[REDACTED]>
To: "[REDACTED], [REDACTED] (USAFLS)" <[REDACTED]>, Brad Edwards
<[REDACTED]>, "[REDACTED], [REDACTED] [REDACTED] (USAFLS)"
<[REDACTED]>
Cc: "[REDACTED], [REDACTED] (USAFLS)" <[REDACTED]>, "Maria Kelljchian"
<[REDACTED]>

Subject: RE: Correcting False Representation in Epstein's Response to our Motion to Dismiss

Date: Thu, 18 Jul 2013 06:02:56 +0000

Importance: Normal

Attachments: Epstein-response-mtd.pdf

Inline-Images: image001.jpg

Hi [REDACTED]

What is the Government doing to correct the false impression? We contacted you on Monday about this and, as you know, we are hoping for a ruling from the Eleventh Circuit quickly.

If you do not have time to correct this false impression, please just send us a one-sentence email and Brad and I will provide it to the Eleventh Circuit.

Thanks for your prompt attention to this. We do not believe it is fair for Epstein to falsely represent the Government's position and then have the Government, through silence, allow that false representation to be the potential basis of Eleventh Circuit action.

Paul Cassell and Brad Edwards for Jane Doe #1 and Jane Doe #2

Paul G. Cassell
Ronald N. Boyce Presidential Professor of Criminal Law
S.J. Quinney College of Law at the University of Utah
332 S. 1400 E., Room 101
Salt Lake City, UT 84112-0730
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You can access my publications on <http://ssrn.com/author=30160>

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From: Paul Cassell
Sent: Wednesday, July 17, 2013 1:26 AM
To: [REDACTED], [REDACTED] (USAFLS); Brad Edwards; [REDACTED], [REDACTED] [REDACTED] (USAFLS)
Cc: [REDACTED], [REDACTED] (USAFLS); Maria Kelljchian
Subject: RE: Representation in Epstein's Response to our Motion to Dismiss

Hi [REDACTED]

Here is Epstein's response to the motion to dismiss. With the Government not filing anything on the motion to dismiss, it is allowing Epstein to represent to the CA11 that the Government agrees with his position -- the Government needs to correct that false impression. Thanks for your quick attention to this.

Paul Cassell and Brad Edwards for Jane Doe #1 and Jane Doe #2

EFTA00209461

Paul G. Cassell
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S.J. Quinney College of Law at the University of Utah
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You can access my publications on <http://ssrn.com/author=30160>

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From: ██████████, ██████████ (USAFLS) [██████████]
Sent: Tuesday, July 16, 2013 6:46 AM
To: Paul Cassell; Brad Edwards; ██████████, ██████████, ██████████. (USAFLS)
Cc: ██████████, ██████████ (USAFLS); Maria Kelljchian
Subject: RE: Representation in Epstein's Response to our Motion to Dismiss

Paul,

I have not seen Mr. Epstein's response to your motion to dismiss in the Eleventh Circuit. When was it filed? Could you provide me with a copy? Thank you.

██████████

From: Paul Cassell [mailto:██████████]
Sent: Tuesday, July 16, 2013 2:12 AM
To: ██████████, ██████████ (USAFLS); Brad Edwards; ██████████, ██████████, ██████████. (USAFLS)
Cc: ██████████, ██████████ (USAFLS); Maria Kelljchian
Subject: RE: Representation in Epstein's Response to our Motion to Dismiss

Dear ██████████,

You will have seen Epstein's response to our motion to dismiss, in which he states: "Intervenors have also contended that the correspondence was privileged and confidential, a position with which the government agrees." (p. 18)

I have not seen anything in the record to support that statement. To the contrary, the only thing I have seen from the Government is its statement in doc. #98: "Movant Epstein bears the burden of establishing that the communications he seeks to withhold from disclosure fall within the attorney-client or other privilege." (Doc. #98 at 4).

Can you confirm that Epstein's statement that the Government agrees on privilege and confidentiality is false? And, if so, is the Government planning to do anything to correct the incorrect representation that Epstein has made to the Eleventh Circuit?

Thanks in advance for your rapid response on this issue. It would be very unfortunate if the Eleventh Circuit were to take action in this case based on false information about the Government's position.

Paul Cassell and Brad Edwards for Jane Doe No. 1 and Jane Doe No. 2

Paul G. Cassell
Ronald N. Boyce Presidential Professor of Criminal Law
S.J. Quinney College of Law at the University of Utah
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You can access my publications on <http://ssrn.com/author=30160>

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From: [REDACTED], [REDACTED] (USAFLS) [mailto:[REDACTED]]
Sent: Thursday, July 11, 2013 11:46 AM
To: Brad Edwards; [REDACTED], [REDACTED] (USAFLS)
Cc: [REDACTED], [REDACTED] (USAFLS); Maria Kelljchian; Paul Cassell
Subject: RE: Epstein's Motion for Limited Intervention

Brad,

Can you call me at [REDACTED] at 5:00 p.m.? Thanks.

[REDACTED]

From: Brad Edwards [mailto:[REDACTED]]
Sent: Thursday, July 11, 2013 1:22 PM
To: [REDACTED], [REDACTED] (USAFLS); [REDACTED], [REDACTED] (USAFLS)
Cc: [REDACTED], [REDACTED] (USAFLS); Maria Kelljchian; Paul Cassell ([REDACTED])
Subject: RE: Epstein's Motion for Limited Intervention

That's fine. Do you have a conference call number you want us to call in on, or just a number you want me to call at 5:00? Send me that info, and we'll talk at 5:00. Thanks

Brad Edwards
Civil Justice Attorney
**Farmer, Jaffe, Weissing,
Edwards, Fistos & Lehrman, P.L.**
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From: [REDACTED], [REDACTED] (USAFLS) [mailto:[REDACTED]]
Sent: Thursday, July 11, 2013 1:11 PM

To: Brad Edwards; [REDACTED], [REDACTED] [REDACTED] (USAFLS)
Cc: [REDACTED], [REDACTED] (USAFLS); Maria Kelljchian; Paul Cassell ([REDACTED])
Subject: RE: Epstein's Motion for Limited Intervention

Brad,

I have not been able to speak with my colleagues on a good time. Can we try for 5:00 p.m. Eastern time? Thanks.

From: Brad Edwards [mailto:[REDACTED]]
Sent: Thursday, July 11, 2013 11:43 AM
To: [REDACTED], [REDACTED] [REDACTED] (USAFLS); [REDACTED], [REDACTED] (USAFLS)
Cc: [REDACTED], [REDACTED] (USAFLS); Maria Kelljchian; Paul Cassell ([REDACTED])
Subject: Epstein's Motion for Limited Intervention

[REDACTED] / [REDACTED],

What time today can you discuss Epstein's recently filed motion for limited intervention? We can make ourselves available any time other than between 3-4. Please let us know what number to call you on and we will call at precisely that time so as not to inconvenience you any longer than necessary. Thank you.

Sincerely,

Brad Edwards
Civil Justice Attorney
**Farmer, Jaffe, Weissing,
Edwards, Fistos & Lehrman, P.L.**
425 North Andrews Avenue, Suite 2
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