

[REDACTED]
To: "Paul Cassell" <cassellp@law.utah.edu>, [REDACTED]
"Brad Edwards" <brad@pathtojustice.com>

Cc: [REDACTED] "Maria Kelljchian"
<maria@pathtojustice.com>

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

Date: Thu, 18 Jul 2013 15:39:35 +0000

Importance: Normal

Inline-Images: image001.jpg

Dear Paul:

All matters dealing with the Eleventh Circuit are handled by the Appellate Division. Your inquiry has been forwarded and we will respond when we have an answer. In the meantime, we are busy addressing the District Court's Friday deadline.

Take care.

[REDACTED]

From: Paul Cassell [mailto:cassellp@law.utah.edu]

Sent: Thursday, July 18, 2013 2:03 AM

[REDACTED]
Cc: Sanchez, Eduardo (USAFLS); Maria Kelljchian

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

[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

EFTA00209891

[REDACTED]

You can access my publications on <http://ssrn.com/author=30160>

CONFIDENTIAL: This electronic message - along with any/all attachments - is confidential. This message is intended only for the use of the addressee. If you are not the intended recipient, you may not use, disseminate, distribute or copy this communication. If you have received this message in error, please immediately notify the sender by reply electronic mail and delete the original message. Professor Cassell is admitted to the Utah State Bar, but not the bars of other states. Thank you.

From: Paul Cassell

Sent: Wednesday, July 17, 2013 1:26 AM

[REDACTED]
cc: Sanchez, Eduardo (USARLS); Maria Kenjarian

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

[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

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

[REDACTED]

You can access my publications on <http://ssrn.com/author=30160>

CONFIDENTIAL: This electronic message - along with any/all attachments - is confidential. This message is intended only for the use of the addressee. If you are not the intended recipient, you may not use, disseminate, distribute or copy this communication. If you have received this message in error, please immediately notify the sender by reply electronic mail and delete the original message. Professor Cassell is admitted to the Utah State Bar, but not the bars of other states. Thank you.

[REDACTED]

Sent: Tuesday, July 16, 2013 6:46 AM

[REDACTED]

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.

[REDACTED]

From: Paul Cassell [mailto:cassellp@law.utah.edu]

Sent: Tuesday, July 16, 2013 2:12 AM

[REDACTED]

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

[REDACTED]

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)

EFTA00209892

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
332 S. 1400 E., Room 101
Salt Lake City, UT 84112-0730

You can access my publications on <http://ssrn.com/author=30160>

CONFIDENTIAL: This electronic message - along with any/all attachments - is confidential. This message is intended only for the use of the addressee. If you are not the intended recipient, you may not use, disseminate, distribute or copy this communication. If you have received this message in error, please immediately notify the sender by reply electronic mail and delete the original message. Professor Cassell is admitted to the Utah State Bar, but not the bars of other states. Thank you.

Sent: Thursday, July 11, 2013 11:46 AM

Subject: RE: Epstein's Motion for Limited Intervention

Brad,

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

Dexter

Sent: Thursday, July 11, 2013 1:22 PM

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.
425 North Andrews Avenue, Suite 2
Fort Lauderdale, Florida 33301
Telephone: 954-524-2820
Facsimile: 954-524-2822

Toll-free: 1-800-400-1098

brad@pathtojustice.com

www.pathtojustice.com



Become our fan on Facebook



Please consider the environment before printing this e-mail.

IRS Circular 230 Disclosure: Please note that the views expressed herein or in any attachments hereto are not intended to constitute a "reliance opinion" under applicable Treasury Regulations, and accordingly are not intended or written to be used, and may not be used or relied upon, for the purpose of (i) avoiding tax-related penalties that may be imposed by the Internal Revenue Service, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

NOTICE: THE INFORMATION CONTAINED IN THIS TRANSMISSION IS ATTORNEY PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TOLL FREE (800) 400-1098 AND DELETE THE MATERIAL FROM ANY COMPUTER. THANK YOU.

Sent: Thursday, July 11, 2013 1:11 PM

To: Brad Edwards; [REDACTED]

Cc: [REDACTED] (cassellp@law.utah.edu)

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.

[REDACTED]

From: Brad Edwards [<mailto:brad@pathtojustice.com>]

Sent: Thursday, July 11, 2013 11:43 AM

Cc: [REDACTED]; Maria Kelljchian; Paul Cassell (cassellp@law.utah.edu)

Subject: Epstein's Motion for Limited Intervention

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

Fort Lauderdale, Florida 33301

Telephone: 954-524-2820

Facsimile: 954-524-2822

Toll-free: 1-800-400-1098

brad@pathtojustice.com

www.pathtojustice.com

EFTA00209894



Become our fan on Facebook



Please consider the environment before printing this e-mail.

IRS Circular 230 Disclosure: Please note that the views expressed herein or in any attachments hereto are not intended to constitute a "reliance opinion" under applicable Treasury Regulations, and accordingly are not intended or written to be used, and may not be used or relied upon, for the purpose of (i) avoiding tax-related penalties that may be imposed by the Internal Revenue Service, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

NOTICE: THE INFORMATION CONTAINED IN THIS TRANSMISSION IS ATTORNEY PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TOLL FREE (800) 400-1098 AND DELETE THE MATERIAL FROM ANY COMPUTER. THANK YOU.