

From: Brendan White [REDACTED]

To: [REDACTED]

Subject: Re: Grand Jury Appearance

Date: Thu, 26 Jun 2008 18:59:32 +0000

Importance: Normal

I've learned from Mr. Epstein's attorney that the plea is scheduled to take place on Monday morning. In understand, of course, that you need confirmation of this before withdrawing the subpoena, but it might make logistical sense to consider putting the contingent appearance off for another week at this point, to avoid our having to make an unnecessary trip to Florida. Although I am confident that things will proceed as scheduled, should there be a problem, we would then be able to appear at a later date.

Brendan White

----- Original Message -----

From: [REDACTED]

To: [Brendan White](#)

Sent: Thursday, June 26, 2008 10:55 AM

Subject: RE: Grand Jury Appearance

Dear Mr. White:

If Mr. Epstein enters a guilty plea in accordance with that agreement on Monday, then the subpoena will be withdrawn. At this point, I have not received confirmation that the change of plea is going to occur, nor have I received information confirming that the plea will be in conformance with our agreement. As such, at this time, I still intend to present [REDACTED] testimony to the grand jury on Tuesday. With respect to the immunity question, I refer you to my e-mail of June 23rd, which is shown below.

If the situation changes, I will contact you.

Thank you.

[REDACTED]
Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401
[REDACTED]

From: Brendan White [REDACTED]

Sent: Thursday, June 26, 2008 10:38 AM

To: [REDACTED]

Subject: Re: Grand Jury Appearance

Dear [REDACTED],

I understand that there has been a recent development with respect to Mr. Epstein in that he intends to plead guilty in Florida state court on Monday pursuant to a deferred prosecution agreement with your office that has already been executed. Since this would seem to obviate any need for [REDACTED] to testify, please let me know what is going on with respect to this Tuesday. Do we still need to come down there and, if so, will she receive court-ordered immunity? Thanks.

Brendan White

| ----- Original Message -----

EFTA00209925

From: [REDACTED]
To: [Brendan White](#)
Sent: Monday, June 23, 2008 2:09 PM
Subject: RE: Grand Jury Appearance

Dear Mr. White:

Please feel free to make your own travel arrangements, but if you would like [REDACTED] travel costs to be reimbursed, they must be made through the government's approved agency on the approved carriers.

Regarding the immunity, at this point, without a written proffer from you regarding the substance of her anticipated testimony, I believe that the more prudent course will be to question [REDACTED] to determine the limits of her Fifth Amendment exposure and, if necessary, to apply to the Court at that time. If you provide me with a written proffer that summarizes her anticipated testimony and explains how she will be exposed to criminal liability, then I can make the motion ahead of time. Your written statement would be treated as an attorney statement made in the course of confidential plea discussions and related negotiations, and would be governed by Fed. R. Crim. P. 11(f) and Fed. R. Evid. 410.

[REDACTED]
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401

From: Brendan White [REDACTED]
Sent: Monday, June 23, 2008 1:45 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Grand Jury Appearance

We will be there, and I will make the travel arrangements. I am assuming that this will be done in connection with an order of immunity. Please let me know if that is correct so I can advise [REDACTED]. Thanks.

Brendan White

----- Original Message -----

From: [REDACTED]
To: [Brendan White](#)
Cc: [REDACTED]
Sent: Monday, June 23, 2008 11:27 AM
Subject: Grand Jury Appearance

Dear Mr. White:

Ms. Lacerda will need to appear before the grand jury on July 1st to give testimony. Please contact my assistant, [REDACTED] at [REDACTED], to make travel arrangements. I expect that [REDACTED] testimony will begin either in the late morning or early afternoon, but she should be available for the whole day.

Thank you.

[REDACTED]
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

