



Sent: Tuesday, January 20, 2015 7:29 PM



Subject: Doe 3 US



I just read your Response to our Motion to Join Doe 3 and 4. I need some immediate clarification on one argument you make. You cite to an interview conducted by [REDACTED] for the proposition that Doe 3 was contacted by the FBI in 2007 and refused to cooperate. However, you recently produced all 302's and did not produce anything from 2007. In fact, the first evidence of any contact made by the FBI was 2011, other than the victim letters sent to her subsequent to Epstein's plea.

Our understanding is that it was Epstein's investigator posing as an "FBI agent" on the telephone in "2007" (although Jane Doe No. 3 makes clear that she is uncertain about the date). Jane Doe 3 did not believe it was a real agent, and that consequently she did not provide any information. If you have information suggesting that the FBI or any law enforcement agency actually reached out to Jane Doe NO. 3 in 2007, and that she actually declined cooperation, then we would appreciate receiving that information immediately – there should be a confirming 302 of her statement. If, on the other hand, you are relying exclusively on the interview with [REDACTED] and in fact Doe 3 was not actually contacted in 2007, then we are requesting that you correct that portion of your motion since it would be entirely misleading as-is.

The misleading nature of the Government's representation becomes particularly apparent given the fact that we know that the Government has another 302 from Jane Doe No. 3 taken in 2011. As you know, that 302 is so heavily redacted as to make it very difficult to use. But at page 11 of the 302, it is apparent that she is telling the FBI about the same contact from the purported "FBI agent" that Scarola is discussing – and doing so in a way that makes it clear that she had considerable doubt about whether he really was from the FBI.

Presumably the Government knows for sure whether an FBI agent contacted Jane Doe No. 3 in 2007 and could document that contact in an appropriate way – a 302 or something along those lines. That is one of the reasons we requested the 302s months ago.

Please clarify this quickly. We would like to hear from you on this as soon as possible.

Sincerely,

