

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA/MATTHEWMAN

JANE DOE 1 and JANE DOE 2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

_____ /

SETTLEMENT AGREEMENT

WHEREAS, Jane Doe 1 and Jane Doe 2 (“Petitioners”) and the United States of America (“Respondent”) (jointly referred to as “the parties”) have agreed that a fair, efficient, and cost effective resolution of this dispute would avoid the unnecessary expenditure of substantial resources to litigate the dispute and hereby stipulate to the adequacy of consideration exchanged; and

WHEREAS, the parties have negotiated in good faith and agreed that the best interests of all parties will be served by a settlement of this proceeding;

NOW, THEREFORE, in consideration of the mutual promises and recitals herein, the parties intending to be legally bound, agree as follows:

1. The parties have agreed to settle the above-captioned lawsuit upon the following terms and conditions. For purposes of this Agreement, the parties agree that the terms “Victim” and “Victims” refer to the persons whom the U.S. Attorney’s Office for the Southern District of Florida (“the USAO-SDFL”) has previously disclosed as persons whom it was prepared to name as victims in an indictment of Jeffrey Epstein (“Epstein”). That list of all Victims is attached

hereto in Sealed Appendix "A."

2. Petitioners agree to enter into a Stipulation of Dismissal with Respondent. The case shall be dismissed with prejudice, with each party bearing its own costs, fees, and expenses. Petitioners agree that dismissal with prejudice of their claims is a final judgment on the merits.

3. Respondent agrees that the United States Department of Justice ("the Justice Department"), including the Federal Bureau of Investigation ("FBI"), will maintain the USAO-SDFL's and the FBI's files and original evidence related to the investigation of Jeffrey Epstein and his co-conspirators until December 31, 2018, notwithstanding any general rule or regulation regarding maintaining and destroying evidence in closed matters. Should the USAO-SDFL or the FBI's Miami Field Office receive any properly served federal grand jury subpoena, other appropriate law enforcement request, or federal court order for such evidence, that evidence will be made available in accordance with governing federal laws and regulations.

4. If any Victim files an appropriate FOIA or Privacy Act request upon the FBI seeking access to information related to her victimization by Epstein, Respondent agrees to respond promptly and will work with the Victim's counsel to address issues of privacy and privilege in an attempt to avoid unnecessary litigation.

5. Following the filing of the stipulation of dismissal and the Court's entry of an order of dismissal, Petitioners and any Victim will have the opportunity to attend a joint meeting with the current U.S. Attorney for the Southern District of Florida to express their concerns about the Epstein investigation and its resolution.

6. Respondent agrees not to oppose a motion filed by Petitioners seeking a hearing

before United States District Judge Kenneth A. Marra in which Petitioners and any Victim may address the Court. Should any Petitioner or Victim wish to submit a written statement to be read into the record by Petitioners' counsel at such hearing, Respondent agrees not to object to the use of a written statement in lieu of live testimony before the Court. Respondent agrees not to oppose motions to file such written statements with the Victims' names redacted and to redact from the hearing transcript the names of any Victims who may elect to address the Court in person, so long as an unredacted transcript is filed under seal.

7. Respondent agrees to forward Petitioners' written proposed amendments to the "Attorney General Guidelines for Victim and Witness Assistance," the "U.S. Attorney's Manual," and the procedures for filing complaints with the Justice Department's Crime Victims' Rights Ombudsman to the individuals charged with revising and updating those documents and procedures. [INSERT TITLES OF THESE PARTIES]

8. Respondent agrees that, if, within one year of the execution of this Settlement Agreement, any Victim decides to file a claim application with Florida's Bureau of Victim Compensation ("BVC") and that claim is rejected because the victim does not have a police report, the Victim can contact the victim-witness coordinator for the FBI Palm Beach Resident Agency who will assist the Victim in procuring documentation that the crime was reported to the FBI. Petitioners understand that, although BVC receives federal funds, it is not governed by Respondent and Respondent cannot insure that a claim filed by any victim will be accepted or paid by BVC. [THIS PARAGRAPH WILL NOT WORK. I AM TRYING TO DETERMINE ANOTHER SOLUTION.]

9. The parties will file a joint motion to unseal the pleadings listed in Appendix B to this Agreement and a joint motion asking the Court to return to Respondent all documents submitted for *in camera* review.

10. Petitioners agree to release and hold harmless Respondent and its agents, employers, representatives and other persons acting in or on its behalf, from any and all claims, actions, demands, damages, causes of action, suits and proceedings of whatever kind or description, that might now or hereafter exist on account of and in connection with any matters relating directly or indirectly to the Petition and above-captioned litigation. Each party shall bear its own costs fees and expenses incurred at all stages of these proceedings.

11. This Settlement Agreement is not, is in no way intended to be, and should not be construed as, an admission of liability or fault on the part of the United States, its agents, servants, or employees, and it is specifically denied that they are liable to Petitioners.

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12. This is the entire agreement and understanding between Petitioners and Respondent. There are no other agreements, promises, representations, or understandings. This Agreement may not be amended except in writing.

EXECUTED this ____ day of May, 2016.

FOR PETITIONERS:

FARMER, JAFFE, WEISSING,
EDWARDS, FISTOS & LEHRMAN, P.L.

Bradley J. Edwards, Esq.
425 North Andrews Avenue, Suite 2



Paul G. Cassell
S.J. Quinney College of Law at the



C.W., Individually
Petitioner Jane Doe 1

T.M., Individually
Petitioner Jane Doe 2

FOR RESPONDENT:

WIFREDO A. FERRER
UNITED STATES ATTORNEY

By: _____

