

From: Paul Cassell <[REDACTED]>

To: [REDACTED]

Cc: [REDACTED]

Subject: follow up today's filing

Date: Thu, 28 Oct 2010 00:38:41 +0000

Importance: Normal

Dear [REDACTED]

1. Via PACER, you will have seen the pleading that we have filed today. We are saddened that the U.S. Attorney's Office has not seen fit to make *any* concession to us, while at the same time asking us to delay filing our pleadings. Nonetheless, as a show of good faith, we are delaying filing our motion so that we can continue discussions with your Office.
2. As noted in our pleading – and as this e-mail will serve to confirm – while we are willing to continue discussions with you, we respectfully request that you immediately begin preparing your response to our motion so that if it becomes necessary for us to file it, your response can be filed quickly as well without any delay.
3. You have previously promised to review our statement of facts and tell us which facts are being disputed – and to work with us to narrow the range of disputes. As you know, we would like to work with you quickly on that effort. Could you get back to us by Friday, October 29, 2010, on that point and then have a telephone conference call with us on that date to work out the disputed facts?
4. This e-mail will also serve to confirm our request, previously raised in our October 22, 2010, letter to you, for access to correspondence relevant to Jane Doe #1 and Jane Doe #2's claims. We have not heard back from you on whether you intend to give us access to this information and, if not, what is the basis for withholding that information.
5. Our October 22, 2010, letter also indicated our surprise at the suggestion that we need to file some sort of civil complaint to resolve this matter. We explained why such an approach was, to our knowledge, not standard procedure in CVRA cases. Could you please advise as to what mechanism you think we need to deploy to bring this matter to a conclusion.
6. Your e-mail today takes the position that this CVRA case is a "civil" case and therefore that CVRA rights (like the right to confer) need not be provided to Jane Doe #1 and Jane Doe #2. We don't understand this position. In 2007-08, Jane Doe #1 and Jane Doe #2 were advised by your office that they had CVRA rights in the Epstein case. Our CVRA motion is clearly filed in connection with that case. Do you think we need to re-docket our case so that it links directly to the CVRA case that you were providing notices about. If so, could you let us know what you think is the proper procedure for making that linkage.
7. While we would like to resolve these particular items with you quickly, in addition we would like to meet with the U.S. Attorney to discuss how to best move forward on this case on the morning of November 8, 2010 – if that is a convenient date for the U.S. Attorney.

Thanks for your prompt attention to these issues. We look forward to working with you and others in the office to try and resolve this matter in a way that is fair to all concerned.

Sincerely,

Paul Cassell
Co-Counsel for Jane Doe #1 and Jane Doe #2
Paul G. Cassell
Ronald N. Boyce Presidential Professor of Criminal Law
[REDACTED]

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[REDACTED]

EFTA00214014



<http://www.law.utah.edu/profiles/default.asp?PersonID=57&name=Cassell,Paul>

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