

**From:** Paul Cassell [REDACTED]

**To:** [REDACTED]

**Cc:** Brad Edwards [REDACTED]

**Subject:** RE: Proposed Pleading to File - right to confer

**Date:** Wed, 27 Oct 2010 21:00:39 +0000

**Importance:** Normal

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Dear [REDACTED],

1. As you know, crime victims have the right to "confer" with the prosecutor on the case -- we respectfully request a chance to confer with the decisionmaker on this matter -- apparently the Acting U.S. Attorney. We would like to know why our very reasonable proposal has been turned down and why you are unwilling to work with us further.

2. We respectfully request that you explain how you have been prejudiced and therefore will not stipulate to lack of prejudice.

3. We respectfully request that you carry through on your commitment to us to review our statement of facts and indicate which facts you are objecting to and which you are not. As you know, we have to file today -- so please get back to me quickly. Thanks. Paul Cassell [REDACTED]

Paul G. Cassell

Ronald N. Boyce Presidential Professor of Criminal Law

[REDACTED]  
Salt Lake City, UT 84112-0730  
[REDACTED]

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

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

From: [REDACTED] (USAFLS) [mailto:[REDACTED]]

Sent: Wednesday, October 27, 2010 2:51 PM

To: Paul Cassell

Cc: Brad Edwards; [REDACTED]

Subject: RE: Proposed Pleading to File - fixed a couple of sentences

Paul,

Thank you for sending the revised document. I have spoken with the Acting U.S. Attorney on this matter. We believe that if the victims simply filed a response to the order to show cause, and deferred filing any motion for summary judgment, it would promote the process for the parties to meet and address mutual concerns. However,

EFTA00214016

we will not stipulate that the government has not been prejudiced by the passage of time in this case from its initial filing in July 2008.

██████████

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

From: Paul Cassell [mailto:██████████]  
Sent: Wednesday, October 27, 2010 4:10 PM  
To: Paul Cassell; ██████████  
Cc: Brad Edwards; ██████████  
Subject: RE: Proposed Pleading to File - fixed a couple of sentences

██████████

I noticed that I missed a couple of sentences in the pleading I sent to you that made reference to the simultaneously filed declaration of Brad Edwards. This revision fixes those couple of sentences, making reference only to a soon-to-be filed declaration. Paul

Paul G. Cassell  
Ronald N. Boyce Presidential Professor of Criminal Law ██████████

██████████  
Salt Lake City, UT 84112-0730  
██████████

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

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

From: Paul Cassell  
Sent: Wednesday, October 27, 2010 1:50 PM  
To: ██████████ (USAFLS)  
Cc: 'Brad Edwards'; ██████████  
Subject: RE: Proposed Pleading to File

THE FOLLOWING COMMUNICATION IS A SETTLEMENT OFFER WITHIN THE MEANING OF FEDERAL RULE OF EVIDENCE 408

Dear ██████████ (and ██████████),

Attached is proposed pleading that we would file, reflecting your request that we delay and reflecting your stipulation that the passage of time to this point has not prejudiced the U.S. Attorney's Office.

I want to continue to remind your office of its obligation to use its "best efforts" to protect the rights of crime victims. 19 USC 3771(c)(1). I trust that as you review our proposed pleading you will bear that requirement in mind.

I can be reached on my cell at ██████████. As you know, we have to file today and are prepared to do so if we

can't work something out. At the same time, we would like to work cooperatively with your office to bring Epstein to justice -- our revised pleadings are a step in that direction, while hopefully responding to the concerns that your Office has raised.

Paul Cassell  
Counsel for Jane Doe #1 and Jane Doe #2

Paul G. Cassell  
Ronald N. Boyce Presidential Professor of Criminal Law

Salt Lake City, UT 84112-0730

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

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

From [REDACTED] (USAFLS) [mailto:[REDACTED]]  
Sent: Monday, October 25, 2010 10:16 AM  
To: Paul Cassell  
Subject: Out of Office AutoReply: Conferring on Statement of Facts Before Wednesday's Filing

I will be on government travel from October 25-26, 2010. If you need to reach me, please call me at [REDACTED]  
[REDACTED] Thanks.