

From: [REDACTED]

To: [REDACTED] "Sloman, Jeff (USAFLS)"

Subject: RE: Review of Jay Lefkowitz's Tome re Epstein

Date: Wed, 24 Jun 2009 14:41:12 +0000

Importance: Normal

"I wish to reiterate our firm belief that the NPA allowed Mr. Epstein the right to contest litigation whenever an express waiver of all other state, federal or common law claims or the right to bring contested litigation in the future was not sufficiently or correctly pleaded. . . . More is required of a plaintiff than to simply allege, as did Jane Doe 101, that she 'exclusively seeks civil remedies pursuant to 18 USC 2255.' Such an averment satisfies only the exclusivity portion of the twin conditions set forth in the NPA. Jane Doe 101 did no more than restate that her complaint . . . was only for 2255 damages. She never affirmatively waived all future claims in state or federal court, as required by the NPA."

[REDACTED]
Assistant U.S. Attorney
Southern District of Florida
500 East Broward Boulevard, 7th Floor
Ft. Lauderdale, FL 33394
[REDACTED]

From: [REDACTED]
Sent: Wednesday, June 24, 2009 10:25 AM
To: [REDACTED] Sloman, Jeff (USAFLS); [REDACTED]
Subject: RE: Review of Jay Lefkowitz's Tome re Epstein

Well, we certainly aren't going to start having meetings about what constitutes a breach. To get a flavor, can you tell me what he says about the last breach. I'm quite sure Alex didn't send him a letter on that issue.

From: [REDACTED]
Sent: Wednesday, June 24, 2009 10:06 AM
To: [REDACTED] Sloman, Jeff (USAFLS); [REDACTED]
Subject: Review of Jay Lefkowitz's Tome re Epstein

Hi all – I went through Jay's tome. It is mostly a rebuttal of our earlier letter listing all of the prior breaches. He then attaches all of Alex's ameliorating letters as "proof" that there were no breaches because we never indicted him earlier. I do not know if a point-by-point response is required, but I am inclined to send a letter saying that he has misconstrued our efforts to act in good faith and to bend over backwards to alleviate any possible perception by Mr. Epstein that he was being singled out for harsh treatment.

Jay's cover letter again asks to have a discussion regarding what does and does not breach the Non-Pros Agreement. The two issues he seems especially concerned with are: (1) wanting to raise a statute of limitations defense; and (2) being able to litigate the plaintiffs' claims that they are entitled to a floor of \$50,000 or \$150,000

for each “occurrence.” You know that I am disinclined to talk to him because anything we say will be misquoted and used against us, but I also know that not talking to him will also be twisted and used against us.

So, how would you like me to proceed?

[REDACTED]
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