

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. _____**

UNITED STATES OF AMERICA

vs.

**JEFFREY EPSTEIN,
Defendant.**

PLEA AGREEMENT

The United States Attorney for the Southern District of Florida (“the United States”), Jeffrey Epstein (hereinafter referred to as the “defendant”), and counsel for the defendant, subject to approval by the Court, have agreed upon a negotiated plea pursuant to Rule 11 of the Federal Rules of Criminal Procedure and governed in part by Rule 11(c)(1)(C), the terms of which are as follows:

1. The defendant agrees to plead guilty to a two-count Information, which charges as follows. Count 1 charges that the defendant did knowingly and willfully combine, conspire, confederate and agree with persons known and unknown to commit an offense against the United States, that is, to use a facility or means of interstate or foreign commerce to knowingly persuade, induce, and entice individuals who had not attained the age of 18 years to engage in prostitution, in violation of Title 18, United States Code, Section 2422(b); all in violation of Title 18, United States Code, Section 371. Count 2 charges that the defendant did knowingly and willfully conspire with persons known and unknown to violate Title 18, United States Code, Section 2423(b), that is, to travel in interstate commerce or to travel into the United States, for the purpose of engaging in any illicit sexual conduct with another person; all in violation of Title 18, United States Code, Section 2423(e).

2. The defendant and his counsel agree that, if this case had proceeded to trial, the United States would have proven beyond a reasonable doubt the facts set forth in the “Background” and “Overt Acts” sections of the Information, and that those facts are true and correct and are sufficient to support a plea of guilty .

3. The defendant is aware that the statutory maximum sentence for Count 1 of the Information is five (5) years’ imprisonment, to be followed by up to three years’ supervised release. In addition to terms of imprisonment and supervised release, the Court may impose a fine of up to \$250,000 as to Count 1. As to Count 2, the defendant is aware that the statutory maximum sentence is thirty (30) years’ imprisonment, to be followed by up to lifetime supervised release. In addition to terms of imprisonment and supervised release, the Court may impose a fine of up to \$250,000 as to Count 2.

4. The defendant also has been advised and understands that under the Sex Offender Registration and Notification Act, he must register as a sex offender and keep the registration current in each of the following jurisdictions: where he resides; where he is an employee; and where he is a student. The defendant understands and acknowledges that the requirements for registration include providing his name, his residence address, and the names and addresses of any places where he is or will be an employee or a student, among other information. The defendant further understands that, not later than three business days after any change of name, residence, employment, or student status, he must inform at least one jurisdiction in which he resides, is an employee, or is a student of such change. The defendant has been advised, and understands, that failure to comply with these obligations subjects him to prosecution for failure to register under federal law, 18 U.S.C. § 2250, which is punishable by a fine or imprisonment, or both.

5. The defendant further understands and acknowledges that, in addition to any sentence imposed under paragraph 3 of this Agreement, a special assessment in the amount of \$200 will be imposed on the defendant, which must be paid at or before the time of sentencing.

6. The defendant understands that the Court will order that he must pay full restitution to all victims of the offenses to which he is pleading guilty. The defendant understands that the amount of restitution owed to each victim will be determined at or before sentencing.

7. This Plea Agreement is governed, in part, by Federal Rule of Criminal Procedure 11(c)(1)(C). The parties have agreed that the defendant's sentence imposed by the Court shall be eighteen (18) months' imprisonment to be followed by three (3) years' supervised release, and a \$250,000 fine. The parties further agree that the first twelve (12) months of supervised release shall be served in home confinement with electronic monitoring. If the Court accepts and imposes the agreed term of imprisonment, the defendant may not withdraw this plea.

8. The United States reserves the right to inform the Court and the probation office of all facts pertinent to the sentencing process, including all relevant information concerning the offenses committed, whether charged or not, as well as concerning the defendant and the defendant's background, and to respond to any questions from the Court and the Probation Office and to any misstatements of fact or law.

9. The defendant understands and agrees that time is of the essence and that he will enter his guilty plea not later than Friday, January 25, 2008. The defendant understands and agrees that federal

law mandates that he be taken into federal custody upon the entry of his guilty plea.

10. WAIVER OF RIGHT TO APPEAL AND COLLATERALLY ATTACK THE SENTENCE. The defendant is aware that Title 18, United States Code, Section 3742 affords the defendant the right to appeal the sentence imposed in this case. Acknowledging this, in exchange for the undertakings made by the United States in this plea agreement, the defendant hereby waives all rights conferred by Section 3742 to appeal any sentence imposed, including any restitution order, or to appeal the manner in which the sentence was imposed, unless the sentence exceeds the maximum permitted by statute or is the result of an upward departure or upward variance from the guideline range that the Court establishes at sentencing. The defendant further voluntarily and expressly waives, to the maximum extent permitted by federal law, the right to collaterally attack his sentence in any post-conviction proceeding, including a motion on any ground brought under 28 U.S.C. § 2254, 28 U.S.C. § 2255, 18 U.S.C. § 3572, or 18 U.S.C. § 3771. The defendant further understands that nothing in this agreement shall affect the government's right and/or duty to appeal as set forth in Title 18, United States Code, Section 3742(b). However, if the United States appeals the defendant's sentence pursuant to Section 3742(b), the defendant shall be released from the above waiver of appellate rights. By signing this agreement, the defendant acknowledges that he has discussed the appeal waiver set forth in this agreement with his attorney.

11. If the defendant fails in any way to fulfill each one of his obligations under this Plea Agreement, the United States, and only the United States, may elect to be released from its commitments under this Plea Agreement. If the United States elects to void the Plea Agreement because of a breach by the defendant, then the United States agrees not to use the defendant's guilty plea against him. However, the defendant understands and acknowledges that the United States may prosecute the defendant for any and all Federal crimes that he and others have committed related to this case and may seek any sentence for such crimes up to and including the statutory maximums. The defendant expressly waives the right to be indicted by a grand jury, any statute of limitations defense, and any constitutional or statutory speedy trial defense to such a prosecution, except to the extent that such defense or defenses existed as of September 24, 2007. Finally, the defendant understands that his violation of the terms of this Plea Agreement would not entitle him to withdraw his guilty plea.

12. This is the entire agreement and understanding between the United States and the defendant. There are no other agreements, promises, representations, or understandings.

R. ALEXANDER ACOSTA

UNITED STATES ATTORNEY

Date: _____ By: _____



ASSISTANT UNITED STATES ATTORNEY

Date: _____ By: _____

JEFFREY EPSTEIN, DEFENDANT

Date: _____ By: _____

ROY BLACK, ESQ.
ATTORNEY FOR DEFENDANT