

**From:** "Acosta, Alex (USAFLS)" [REDACTED]

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** FW:

**Date:** Mon, 17 Dec 2007 22:28:27 +0000

**Importance:** Normal

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FYI

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

**From:** Jay Lefkowitz [REDACTED]  
**Sent:** Monday, December 17, 2007 7:11 AM  
**To:** Acosta, Alex (USAFLS)  
**Subject:**

Dear Alex:

I want to thank you and your Office for meeting with Mr. Epstein's defense team last Friday to discuss our concerns with respect to the investigation, negotiation and settlement of this matter. I apologize for my absence at the meeting, which was due to an unavoidable conflict.

Although we will address in a separate letter the issues outstanding from last Friday's meeting, I want to address one concern that I understand you raised at the meeting regarding our communications about obtaining oversight from Washington, D.C. in this matter. As you know from our numerous conversations, we have continually expressed our interest in seeking a dialogue with senior DOJ officials in Washington, DC.

In one of my first discussions with you regarding this issue, in late July, you agreed to extend our initial deadline for accepting a state plea or being indicted from mid-August to a date 14 days after you would respond to our presentation made at your Office on September 7. As it turned out, you responded to our presentation that same day and thus our deadline to speak with AAG Fisher before you would issue an indictment was set for September 21. At no time, however, did you tell us that we could not appeal to Washington at that time or later. On the contrary, what you made clear was that you would not hold open a potential indictment beyond mid-September, so that if we wanted to appeal to Washington before had either an indictment or an agreement, it would have to take place by mid-September.

Indeed, when I mentioned the possibility of an appeal to DC during our meeting in October and again during our meeting the day before Thanksgiving (when I told you that Ken had put in a call to Assistant Attorney General Fisher), you responded that you understood this was something we might feel compelled to do and that you took no offense.

I appreciate that, and I certainly hope that you do not take any offense, because we do not bear any personal animus toward you in this matter. I know you well enough to know that you are carrying out your public duties in the most honorable way you can, and that your objective is faithfully to carry out the law. It is with this understanding that I tell you that I truly hope we are able to resolve this matter in the next day or two so that we may all move forward. I trust, however, that if we reach the point where we believe we have no alternative but to seek review in Washington, you will understand that we are only carrying out what we believe is our duty and obligation to try to achieve a just result for our client.

Thank you for all of your time and attention to the important and novel issues raised by this matter.

Best,

Jay

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