

From: [REDACTED]

To: "Ocariz, Humberto H. (SHB)" [REDACTED]

Subject: RE: Contact Information for the agents

Date: Thu, 27 Sep 2007 14:59:08 +0000

Importance: Normal

Jay is going to talk to Mr. Epstein today. He thinks he will be available for a conference call at around 4:00, but he is going to contact me with an exact time.

[REDACTED]

From: Ocariz, Humberto H. (SHB) [mailto:[REDACTED]]

Sent: Thursday, September 27, 2007 10:23 AM

To: [REDACTED]

Subject: RE: Contact Information for the agents

[REDACTED]

Thanks for the update and the info. In going through the process of getting final approval for this matter, I received a few follow-up questions from the powers that be at my firm:

1. Can we get a copy of the indictment (or can you tell me the nature of the crimes against the girls)?
2. When will it be possible to see the plea agreement so that we understand exactly what Epstein concedes to in the civil case?
3. Is there any cap or other limitation on attorney's fees that the defendant will pay in the civil case?
4. What is the contemplated procedure for, and timing of, the payment of attorney's fees and costs?
5. Depending on the nature of the crime/injury, the expectation from this end is that there will be a battle regarding the damages, including punitive damages, that will be demanded and that defense counsel will try to leverage payment of fees against a smaller demand from the girls or even seek a "haircut" on fees, effectively putting the firm in a position where it must choose whether to "contribute" to a settlement in order to resolve the case.

Given any of the possible scenarios regarding the payment of fees that the defendant could create (particularly given the strength and creativity of his legal team), my firm could be put in a position which arguably creates a conflict of interest with the clients. Is there a way to structure a payment by the defendant of a lump sum for costs and then my firm would simply handle the case on a contingency? And, this should also make it easier for us to comply with issues under the Bar's rules governing aggregate settlements with multiple clients. If the case is that strong, this may be the best solution to avoid any conflict of issue and/or independence arguments that could be raised by defendants while litigating the case.

Thanks,

Bert

From: [REDACTED]

Sent: Wednesday, September 26, 2007 12:47 PM

To: Ocariz, Humberto H. (SHB)

Subject: Contact Information for the agents

Hi Bert – As per my voicemail, here is the contact info for the agents in the case. Their names are [REDACTED]
[REDACTED] Both are Special Agents with
the FBI and can be reached at [REDACTED]

They will be sending you the list of all the girls with their contact info in the next few days (probably by Monday). Mr. Epstein and his attorneys are barred from learning their names until after he enters his guilty plea on October 29th, so you will have a month to talk to them before you have to deal with defense counsel. As I mentioned in my voicemail, if you have a retainer agreement covering a situation where a client's representation is paid for by someone else, I would appreciate if you could send it to me. I will get Mr. Epstein or his lawyers to sign it so you know you will be paid. Having worked at a big firm I know that this is a difficult request but, because of the sensitive nature of the case, and the high profile nature of the defendant and his lawyers, I would appreciate it if you could select one very hard-nosed associate to stay with the case.

Thank you.



Mail Gate made the following annotations on Thu Sep 27 2007 09:23:52

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