



U.S. Department of Justice

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July 9, 2008

VIA FACSIMILE

Jack A. Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A.
One Clearlake Centre, Suite 1400
250 Australian Ave S.
West Palm Beach, FL 33401-5015

Re: Jeffrey Epstein

Dear Mr. Goldberger:

Thank you for your letter of today's date regarding the proposed Victim Notification. Let me address some of the items in your letter.

We have no objection to doing individual mailings. The Notification was drafted in that way in order to minimize the number of documents that Mr. Epstein would sign. Now that you have raised an objection to signing the Acknowledgment, each notification will list only the victim who is being notified.

In light of Mr. Epstein's refusal to sign the Acknowledgment, the Acknowledgment portion has been deleted and the notification has been slightly modified in order to provide more complete information and it has been formatted as a letter rather than a more formal "Notification" document.

We will not be including any statement that the U.S. Attorney's Office is not vouching for the veracity of any claim. As you know, the U.S. Attorney's modification of the 2255 portion of the Agreement now limits our victim list to those persons whom the United States

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was prepared to include in an indictment. This means that, pursuant to Justice Department policy, these are individuals for whom the United States believes it has proof beyond a reasonable doubt that each of them was a victim of an enumerated offense. There will be no statement one way or the other regarding the validity of any claim.

You have asked for an explanation of why I believe the Acknowledgment portion is required by the terms of the Agreement. Under a strict reading of the Agreement, it is not required, other than to Acknowledge that the United States has performed its obligation of providing Mr. Epstein with a list of identified victims following his guilty plea and sentencing. The purpose of the Acknowledgment was to create one single document incorporating the parties' agreement on the single topic of the right to proceed under 18 U.S.C. § 2255. This would avoid litigation regarding the victims' rights to have access to the original Non-Prosecution Agreement. Without such an express Acknowledgment by Mr. Epstein that the Notice contains the substance of that Agreement, I believe that the victims will have a justification to petition for the entire agreement, which is contrary to the confidentiality clause that the parties have signed. If you believe that particular words are objectionable, I am happy to consider a modification.

As I mentioned to you last week, I will provide you with the names of the attorneys currently representing the victims when we have compiled all of that information. Some of the victims are represented by attorneys from the South Carolina Victim Assistance Network and the Maryland Crime Victims Resource Center, both of which were recommended by a victims' rights organization that receives grants from the Justice Department.

If you have any suggestions for a modification of the Acknowledgment, please let me know.

Sincerely,

R. Alexander Acosta
United States Attorney

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