

From: "[REDACTED]. (USAFLS)" </O=USA/OU=FLS/CN=RECIPIENTS/CN=[REDACTED]>

To: "[REDACTED] (USAFLS)" <[REDACTED]>

Subject: RE: Jane Does [REDACTED] U.S.

Date: Tue, 06 Jan 2009 22:18:16 +0000

Importance: Normal

Thanks, [REDACTED]



From: [REDACTED] (USAFLS)

Sent: Tuesday, January 06, 2009 5:17 PM

To: [REDACTED]. (USAFLS)

Subject: RE: Jane Does [REDACTED] U.S.

[REDACTED]

We have not argued that the petitioners in our case are not victims, but only that the right provided in 18 U.S.C. 3771(a) which petitioners invoke, 3771(a)(5), does not apply since there is no "case." The Eleventh Circuit case dealt with the invocation of 3771(a)(4), the right to be reasonably heard at any public proceeding. There was a case against the defendants, and a proceeding at which the victims could be heard. The government claimed the petitioners were not victims, and therefore, had no rights under 3771(a). The appellate court found otherwise.

In our case, we agree that petitioners are victims, but cannot invoke 3771(a)(5) since there never has been a "case" in federal court.

[REDACTED]

From: [REDACTED]. (USAFLS)

Sent: Tuesday, January 06, 2009 5:03 PM

To: [REDACTED] (USAFLS)

Subject: Jane Does [REDACTED] U.S.

Hi [REDACTED] – Do you think this new case has any impact on our Jane Doe case? It involves an indicted case, which distinguishes it from Epstein, but it still raises concerns, especially the last sentence. Thanks.

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