

U.S. Department of Justice
United States Attorney
Southern District of Florida

500 South Australian Ave., Suite 400

West Palm Beach, FL 33401

Facsimile: [REDACTED]
August 21, 2008

VIA FACSIMILE AND U.S. MAIL

Michael E. Dutko, Esq.
Bogenschutz & Dutko
600 S. Andrews Ave, Suite 500
Fort Lauderdale, FL 33301-2802

Re: Jeffrey Epstein [REDACTED] AMENDED NOTIFICATION OF IDENTIFIED VICTIM

Dear Mr. Dutko:

By virtue of this letter, the United States Attorney's Office for the Southern District of Florida asks that you provide the following notice to your client, [REDACTED]. Some of the information contained in the July 20, 2008 letter to [REDACTED] was inaccurate, so please advise her of the following changes.

As you were previously advised, on June 30, 2008, Jeffrey Epstein (hereinafter referred to as "Epstein") entered a plea of guilty to violations of Florida Statutes Sections 796.07 (felony solicitation of prostitution) and 796.03 (procurement of minors to engage in prostitution), in the 15th Judicial Circuit in and for Palm Beach County (Case Nos. 2006-cf-009454AXXXMB and 2008-cf-009381AXXXMB) and was sentenced to a term of twelve months' imprisonment to be followed by an additional six months' imprisonment, followed by twelve months of Community Control 1, with conditions of community confinement imposed by the Court.

In light of the entry of the guilty plea and sentence, the United States has agreed to defer federal prosecution in favor of this state plea and sentence, subject to certain conditions, including the following:

1. An independent Special Master was assigned the task of selecting an attorney representative to represent the victims in connection with civil litigation between the victims and Mr. Epstein. The Special Master selected Robert Josefsberg, Esq. of the firm Podhurst Orseck, P.A., a highly-respected and experienced attorney. You are not obligated to use Mr. Josefsberg as your attorney, but, as explained in greater detail below, Mr. Josefsberg's services will be provided at no cost to you because Mr. Epstein is obligated to pay the costs and fees of the attorney-representative. Also, Mr. Epstein and his attorneys can only contact you via Mr. Josefsberg, assuming that you would like Mr. Josefsberg to serve as your attorney.

2. If you elect to file suit against Mr. Epstein pursuant to Title 18, United States Code, Section 2255, Mr. Epstein will not contest the jurisdiction of the United States District Court for the Southern District of Florida over his person and/or the subject matter, and Mr. Epstein waives his right to contest liability and also waives his right to contest damages up to an amount as agreed to between you and Mr. Epstein, so long as you elect to proceed exclusively under 18 U.S.C. § 2255, and you waive any other claim for damages, whether pursuant to state, federal, or common law. Notwithstanding this waiver, Epstein's agreement with the United States, his waivers and failure to contest liability and such damages in any suit are not to be construed as an admission of any criminal or civil liability.

2. Epstein has agreed to pay the fees of the attorney representative selected by the independent third party. This provision, however, shall not obligate Epstein to pay the fees and

costs of contested litigation filed against him. Thus, if after consideration of potential settlements, an attorney representative elects to file a contested lawsuit pursuant to 18 U.S.C. § 2255 of elects to pursue any other contested remedy, the

“Any person, who while a minor, was a victim of a violation of an offense enumerated in Title 18, United States Code, Section 2255, will have the same rights to proceed under Section 2255 as she would have had, if Mr. Epstein had been tried federally and convicted of an enumerated offense. For purposes of implementing this paragraph, the United States shall provide Mr. Epstein’s attorneys with a list of individuals whom it was prepared to name in an Indictment as victims of an enumerated offense by Mr. Epstein. Any judicial authority interpreting this provision, including any authority determining which evidentiary burdens if any a plaintiff must meet, shall consider that it is the intent of the parties to place these identified victims in the same position as they would have been had Mr. Epstein been convicted at trial. No more; no less.”

Through this letter, this Office hereby provides Notice that your client, [REDACTED] is an individual whom the United States was prepared to name as a victim of an enumerated offense.

Should your client decide to file a claim against Jeffrey Epstein, his attorney, Jack Goldberger, asks that you contact him at Atterbury Goldberger and Weiss, 250 Australian Avenue South, Suite 1400, West Palm Beach, FL 33401.

Please understand that neither the U.S. Attorney’s Office nor the Federal Bureau of Investigation can take part in or otherwise assist in civil litigation; however, if you do file a claim under 18 U.S.C. § 2255 and Mr. Epstein denies that your client is a victim of an enumerated offense, please provide written documentation of that denial to the undersigned.

Please thank your client for all of her assistance during the course of this investigation and express the heartfelt regards of myself and Special Agents [REDACTED] and [REDACTED] for the health and well-being of [REDACTED]

[REDACTED]
UNITED STATES ATTORNEY

By:

[REDACTED]
ASSISTANT U.S. ATTORNEY

cc: Jack Goldberger, Esq.