

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

500 South Australian Ave., Suite 400

West Palm Beach, FL 33401  
[REDACTED]

Facsimile: [REDACTED]  
September 14, 2006

DELIVERY BY ELECTRONIC MAIL

James L. Eisenberg, Esq.  
[REDACTED]  
[REDACTED]

Re: Federal Grand Jury Subpoena

Dear Jim:

I write to follow up on our discussions regarding the grand jury subpoena for your client, [REDACTED]. If Ms. [REDACTED] would prefer to proceed before the grand jury, I would like to schedule her testimony for September 22 or 29, 2006. Lay witness testimony normally is taken in the afternoon, but the grand jury coordinator will set the time a day or two prior to the grand jury session.

During our last conversation, you mentioned that Ms. [REDACTED] may want to be debriefed rather than appear before the grand jury. In that vein, I have enclosed a *Kastigar* letter for your review. If we proceed in that fashion and Ms. [REDACTED] gives full and complete answers to the questions asked, then we can determine whether to withdraw the grand jury subpoena.

I also have to apologize, yet again, for the grand jury mixup on September 1st. Special Agent [REDACTED] reminded me that we did find out about the cancellation during the afternoon of August 31st, and I had asked Special Agent [REDACTED] to try to reach Ms. [REDACTED] via one of the cell phone numbers that we had for her, but none of the numbers was current. So, all of this could have been avoided if I had checked my voicemail Thursday afternoon, and I really do apologize.

Please let me know how Ms. [REDACTED] would like to proceed and when you are available to meet. We will, of course, accommodate your schedules.

Sincerely,  
R. Alexander Acosta  
United States Attorney

By: /s/

[REDACTED]  
Assistant United States Attorney