

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]  
January 24, 2007

DELIVERY BY HAND

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

Re: Federal Grand Jury Subpoena

Dear Jim:

A new grand jury has been empaneled and I have enclosed a new subpoena for [REDACTED]. As I mentioned earlier, [REDACTED] is not a target of this investigation and the United States seeks her testimony solely as a victim/witness. During our last conversation regarding [REDACTED], you indicated that she was unwilling to speak with us pursuant to a *Kastigar* letter and that she also was unwilling to speak with the grand jury and intends to invoke the Fifth Amendment if questioned. Please confer with her to confirm whether this remains her position. If it is, please advise in writing. Even if [REDACTED] is inclined to invoke her Fifth Amendment rights, she must still appear pursuant to the subpoena so that I may ask her questions that would not require the invocation of the Fifth Amendment. If she still invokes, I intend to move to compel her answers. If you or your client is unavailable on February 6, 2007, please let me know of another Tuesday when you are available.

I also am concerned about a potential conflict of interest in your representation of [REDACTED]. In case of future litigation regarding this issue, please provide me with information regarding who is paying (directly or indirectly) for your services on behalf of [REDACTED], the scope of your representation, and whether you are taking direction on this matter from anyone other than [REDACTED]. If any formal or informal joint defense agreements exist, whether in writing or otherwise, please provide a copy of such agreements. If the agreement is purely oral, please provide a written summary of its terms.

JAMES EISENBERG, ESQ.

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I look forward to your response.

Sincerely,  
R. Alexander Acosta  
United States Attorney

By:

[REDACTED]  
[REDACTED]