



U.S. Department of Justice

United States Attorney
Southern District of Florida

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY



VIA FACSIMILE

Lilly Ann Sanchez, Esq.
Fowler White Burnett
1395 Brickell Ave Fl 14
Miami Florida 33131-3300

Re: Jeffrey Epstein

Dear Lilly:

Thank you for your letter of August 2nd regarding your proposal on how to resolve the Epstein matter.

As we explained at our meeting on July 31, 2007, the Office believes that the federal interest will not be vindicated in the absence of a two-year term of state imprisonment for Mr. Epstein. That offer was not meant as a starting point for negotiations, it is the minimum term of imprisonment that will obviate the need for federal prosecution. The Office has never agreed that a state prison sentence is not appropriate for Mr. Epstein. Rather we simply stated that if Mr. Epstein preferred to serve his sentence in a federal penitentiary, we would be willing to explore a federal conviction that may allow that in lieu of any state resolution. Further, as I made clear in our follow up telephone conversation after the meeting, a plea to two federal misdemeanors was never extended or meant as an offer.

We also would reiterate that the agreement to Section 2255 liability applies to all of the minor girls identified during the federal investigation, not just the 12 that form the basis of an initial planned charging instrument.

As you know, the ability to engage in flexible plea negotiations is dramatically changed upon the return of an indictment. Once an indictment is returned, the Office does not intend to file a Superseding Information containing a lesser charge or to dismiss the case in favor of state prosecution.

Exhibit 41

LILLY ANN SANCHEZ, ESQ.
AUGUST 3, 2007
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Please let us know your client's decision by no later than August 17. I have conferred with U.S. Attorney Acosta who has asked me to communicate that the two-year term of incarceration is a non-negotiable minimum to vindicate a federal interest, and, at this time, he is not inclined to meet with counsel for Mr. Epstein.

Sincerely,

R. Alexander Acosta
United States Attorney



cc: Roy Black
Gerald B. Lefcourt
R. Alexander Acosta



Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Friday, August 03, 2007 10:12 AM
To: Menchel, Matthew (USAFLS); Lourie, Andrew (USAFLS); Sloman, Jeff (USAFLS)
Cc: Atkinson, Karen (USAFLS)
Subject: Epstein Letter

Hi all – I just noticed one typo in the letter (2nd paragraph, 2nd to last line – telephone). With respect to setting the deadline for the response, here is the timing that I would like to suggest.

If they are going to accept the deal, we would need to know by August 15th. (Since they are likely to ask for an extension, we might want to give them a soft deadline of the 10th so we can give an extension until the 15th.)

Assuming that the deal is not accepted, the agents and I will go to New York on August 20-21, to try to serve target letters on two of the assistants (the third is already represented) and to do two or three witness interviews. The target letters would invite the targets to appear before the grand jury on August 28th, and we will plan to indict on September 4th. This schedule also should give us enough time to resolve the computer issue with Judge Marra.

Let me know what you think. Thanks.

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401
Phone 561 209-1047
Fax 561 820-8777

Tracking:

Recipient

Menchel, Matthew (USAFLS)

Lourie, Andrew (USAFLS)

Sloman, Jeff (USAFLS)

Atkinson, Karen (USAFLS)

Read

Read: 8/3/2007 11:08 AM

Read: 8/3/2007 10:17 AM