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U.S. Department of Justice

*United States Attorney
Southern District of Florida*

500 South Australian Avenue, Suite 400
West Palm Beach, Florida 33401-6235
Tel: (561) 820-8711
Fax: (561) 820-8777

May 14, 2007

VIA HAND DELIVERY

Jack A. Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A.
One Clearlake Centre, Suite 1400
250 Australian Avenue South
West Palm Beach, FL 33401-5015

Dear Mr. Goldberger:

Thank you for your letter of May 10, 2007, and the documents attached thereto. I have enclosed another copy of the grand jury subpoenas that were provided to Bruce Lyons, former counsel for Hyperion and JEGE, on April 25, 2007. The time for responding has passed, so please provide the requested documents as soon as possible. Please also have the Custodians of Records of the Corporations complete the Business Records Certifications and Inventory Forms and return everything to Special Agent Kuyrkendall at the Federal Bureau of Investigation, 505 South Flagler Drive, Suite 500, West Palm Beach, FL 33401-5933.

Thank you for your assistance with this matter.

Sincerely,

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

B [REDACTED]
Assistant United States Attorney

Enclosures

cc: Special Agent [REDACTED] FBI

06605

EFTA00289758

United States District Court
SOUTHERN DISTRICT OF FLORIDA

TO: Custodian of Records
Hyperion Air, Inc.

**SUBPOENA TO TESTIFY
BEFORE GRAND JURY**

FGJ 07-103(WPB)-Tues./No. OLY-46

SUBPOENA FOR:

PERSON

DOCUMENTS OR OBJECT[S]

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date and time specified below.

PLACE: United States District Courthouse 701 Clematis Street West Palm Beach, Florida 33401	ROOM: Grand Jury Room
	DATE AND TIME: May 8, 2007 1:00 pm*

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

All income tax returns, balance sheets, regulatory filings, minutes of board of directors meetings, and documents required by or filed with the Internal Revenue Service and/or the State of Delaware referring or relating to the period of 1/1/2003 to 12/31/2005.

For the period 1/1/2003 to the present, the names of all employees, copies of all W-2s for all employees, and the names of all corporate directors, board members, and shareholders.

*Please coordinate your compliance with this subpoena and confirm the date and time, and location of your appearance with Special Agent [REDACTED] Federal Bureau of Investigation, Telephone: [REDACTED]

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK (BY) DEPUTY CLERK		DATE: April 24, 2007
--------------------------------	--	-------------------------

This subpoena is issued upon application

o [REDACTED]

Name, Address and Phone Number of Assistant U.S. Attorney
 [REDACTED] Assistant U.S. Attorney
 500 So. Australian Avenue, Suite 400
 West Palm Beach, FL 33401-6235
 Tel: [REDACTED]
 Fax: [REDACTED]

*If not applicable, enter "none."

To be used in lieu of AD110

FORM ORD-227
JAN.86

06606



U.S. Department of Justice

*United States Attorney
Southern District of Florida*

500 S. Australian Ave., Suite 400
West Palm Beach, FL 33401-6235
(561) 820-8711

APPEARANCE NOTICE

The attached subpoena requires the production of the records specified to a Federal Grand Jury/Trial in the Southern District of Florida.

A new provision of the Federal Rules of Evidence provides that routine business records may be admitted at trial through the declaration of a custodian, if they are provided sufficiently in advance of trial to allow an opportunity for any challenges to their authenticity. Therefore, you may be able to avoid appearing personally at the grand jury/trial at the time and place specified by completely filling out the attached Certification and Inventory and immediately returning it with the records to **Special Agent [REDACTED]** **[REDACTED]** FBI at the following address:

**Federal Bureau of Investigation
505 South Flagler Drive, Ste. 500
West Palm Beach, Florida 33401-5923**

EARLY VOLUNTARY TURNOVER

Please note that we are requesting an early voluntary turnover of the materials subpoenaed. The early voluntary turnover date is prior to May 8, 2007.

Sincerely,

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

BY: [REDACTED]

ASSISTANT UNITED STATES ATTORNEY

06607

EFTA00289760

CERTIFICATION OF BUSINESS RECORDS

I, the undersigned, _____, declare that I am:
employed by/associated with _____ in the
position of _____ and by reason of my
position am authorized and qualified to make this declaration.

In my employment with the above-named bank/company I am familiar with the
business records it maintains. The above-named bank/company maintains records of its
business which are:

1. made at or near the time of the occurrence of the matters set forth therein, by,
or from information transmitted by, a person with knowledge of those matters;
2. kept in the course of regularly conducted business activity; and
3. made by the regularly conducted activity as a regular practice.

Among the records so maintained are the attached records itemized in Appendix A,
Inventory of Documents.

I declare under penalty of perjury that the foregoing is true and correct.

Date of execution: _____

Place of execution: _____

Signature: _____

United States District Court
SOUTHERN DISTRICT OF FLORIDA

TO: Custodian of Records
JEGE, Inc.

**SUBPOENA TO TESTIFY
BEFORE GRAND JURY**

FGJ 07-103(WPB)-Tues./No. OLY-47

SUBPOENA FOR:

PERSON

DOCUMENTS OR OBJECT[S]

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YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

All income tax returns, balance sheets, regulatory filings, minutes of board of directors meetings, and documents required by or filed with the Internal Revenue Service and/or the State of Delaware referring or relating to the period of 1/1/2003 to 12/31/2005.

For the period 1/1/2003 to the present, the names of all employees, copies of all W-2s for all employees, and the names of all corporate directors, board members, and shareholders.

*Please coordinate your compliance with this subpoena and confirm the date and time, and location of your appearance with Special Agent [REDACTED] Federal Bureau of Investigation, Telephone: [REDACTED]

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK		DATE:
(BY) DEPUTY CLERK		April 24, 2007

This subpoena is issued upon application of the United States of America [REDACTED]

Name, Address and Phone Number of Assistant U.S. Attorney
[REDACTED] Assistant U.S. Attorney
500 So. Australian Avenue, Suite 400
West Palm Beach, FL 33401-6235
Tel: [REDACTED]
Fax: [REDACTED]

*If not applicable, enter "none."



U.S. Department of Justice

*United States Attorney
Southern District of Florida*

500 S. Australian Ave., Suite 400
West Palm Beach, FL 33401-6235
(561) 820-8711

APPEARANCE NOTICE

The attached subpoena requires the production of the records specified to a Federal Grand Jury/Trial in the Southern District of Florida.

A new provision of the Federal Rules of Evidence provides that routine business records may be admitted at trial through the declaration of a custodian, if they are provided sufficiently in advance of trial to allow an opportunity for any challenges to their authenticity. Therefore, you may be able to avoid appearing personally at the grand jury/trial at the time and place specified by completely filling out the attached Certification and Inventory and immediately returning it with the records to **Special Agent [REDACTED]** **[REDACTED]** FBI at the following address:

**Federal Bureau of Investigation
505 South Flagler Drive, Ste. 500
West Palm Beach, Florida 33401-5923**

EARLY VOLUNTARY TURNOVER

Please note that we are requesting an early voluntary turnover of the materials subpoenaed. The early voluntary turnover date is prior to May 8, 2007.

Sincerely,

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

BY: [REDACTED]

[REDACTED]
ASSISTANT UNITED STATES ATTORNEY

06611

EFTA00289764

CERTIFICATION OF BUSINESS RECORDS

I, the undersigned, _____, declare that I am:
employed by/associated with _____ in the
position of _____ and by reason of my
position am authorized and qualified to make this declaration.

In my employment with the above-named bank/company I am familiar with the
business records it maintains. The above-named bank/company maintains records of its
business which are:

1. made at or near the time of the occurrence of the matters set forth therein, by,
or from information transmitted by, a person with knowledge of those matters;
2. kept in the course of regularly conducted business activity; and
3. made by the regularly conducted activity as a regular practice.

Among the records so maintained are the attached records itemized in Appendix A,
Inventory of Documents.

I declare under penalty of perjury that the foregoing is true and correct.

Date of execution: _____

Place of execution: _____

Signature: _____



U.S. Department of Justice

United States Attorney
Southern District of Florida

500 South Australian Ave., Suite 400
West Palm Beach, FL 33401
(561) 820-8711
Facsimile: (561) 820-8777

May 15, 2007

VIA FACSIMILE

Jack A. Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A.
One Clearlake Centre, Suite 1400
250 Australian Ave S.
West Palm Beach, FL 33401-5015

Re: Subpoenas to JEGE, Inc. and Hyperion Air, Inc.

Dear Mr. Goldberger:

It was a pleasure speaking with you today. As we discussed, the deadlines for complying with the subpoenas to JEGE, Inc. and Hyperion Air, Inc. have been extended to May 29, 2007. If there are any categories for which no documents exist, please ask the Custodian of Records to provide a certificate of nonexistence of records.

Also, following our conversation I received a voicemail from Lilly Ann Sanchez addressing the subpoenas. Since you have provided a written statement that you represent JEGE and Hyperion, I will assume that you alone serve as their counsel unless you tell me otherwise. With that in mind, pursuant to Rule 6(e), I do not intend to discuss matters related to these subpoenas with other attorneys.

Thank you again for your assistance.

Sincerely,

R. Alexander Acosta
United States Attorney

By: [Redacted]
Assistant United States Attorney

cc: [Redacted]



U.S. Department of Justice

United States Attorney
Southern District of Florida

500 South Australian Avenue, Suite 400
West Palm Beach, Florida 33401-6255
Tel: (561) 820-8711
Fax: (561) 820-8777

June 19, 2007

Jack Alan Goldberger, Esq.
Atterbury Goldberger et al
250 South Australian Ave.
Suite 1400
West Palm Beach, FL 334015-5015

Re: Subpoenas to JEGE, Inc. and Hyperion Air, Inc.

Dear Mr. Goldberger:

Thank you for your response to the subpoenas issued to JEGE, Inc. and Hyperion Air, Inc.

In the responses from each company, there are no lists of the corporate directors, board members, and shareholders (with the exception of the JEGE IRS Form 2553 and Hyperion Share Certificate). Please ask the Custodian of Records to provide a list of all corporate directors, board members, and shareholders from January 1, 2003 to the present. Please also ask the Custodian of Records to confirm that there are no records of any board of directors meetings that occurred between January 1, 2003 and December 31, 2005.

Thank you again for your assistance.

Sincerely,

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

By: 
Assistant United States Attorney

Jack Goldberger

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: [REDACTED]

Read carefully the GJ suspension portion of the non pros agreement. It says upon signing the non pros agreement and A PLEA AGREEMENT with SAO all pending GJ subpoenas will be held in abeyance. Doesn't that imply that when we sign plea agreement with state this week the new GJ subpoenas that are out now go into abeyance status also

From: [REDACTED] (USAFLS) [REDACTED]
Sent: Tuesday, June 24, 2008 4:16 PM
To: Roy BLACK; Jack Goldberger
Cc: [REDACTED]
Subject: Jeffrey Epstein Agreement

Dear Roy and Jack:

I am just writing to re-state that it is the Government's position that we have a signed, binding agreement and that there is no need for further modification.

Please keep us informed of the date and time of the change of plea and sentencing.

Thank you.

[REDACTED]

Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401

[REDACTED]

[REDACTED]



U.S. Department of Justice

United States Attorney
Southern District of Florida

500 South Australian Ave., Suite 400
West Palm Beach, FL 33401
(561) 820-8711
Facsimile: (561) 820-8777

June 27, 2008

VIA FACSIMILE

Jack A. Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A.
One Clearlake Centre, Suite 1400
250 Australian Ave S.
West Palm Beach, FL 33401-5015

Roy Black, Esq.
Black Srebnick Kornspan & Stumpf P.A.
201 S. Biscayne Blvd, Suite 1300
Miami, FL 33131

Re: Jeffrey Epstein

Dear Messrs. Goldberger and Black:

I write to follow up on my e-mail correspondence of June 24 and June 26, and my message this morning. As of 3:15 p.m., Friday, June 27, 2008, the Office still has not received a copy of a proposed plea agreement between Mr. Epstein and the State Attorney's Office, nor has the Office received notice of a date and time for a change of plea.

As you know, the Non-Prosecution Agreement between Mr. Epstein and the Office called for Mr. Epstein to plead, be sentenced, and begin serving his sentence not later than January 4, 2008—almost six months ago. The Office has continued that deadline to allow Mr. Epstein to raise various issues with the Department of Justice, but repeatedly advised that, once those appeals were completed, Mr. Epstein would need to perform the terms of the agreement within a short window thereafter. Now that those appeals have been exhausted, we promptly informed counsel for Mr. Epstein that he must enter his plea, be sentenced, and begin serving his sentence by 5:00 on Monday, June 30, 2008.

This week I have sent two e-mails and left a message with Mr. Black's receptionist asking for the date and time of the change of plea and for a copy of the proposed plea agreement between Mr. Epstein and the State Attorney's Office in accordance with the terms of the Non-Prosecution Agreement. I have received no response to any of those requests.

JACK GOLDBERGER, ESQ.
ROY BLACK, ESQ.
JUNE 27, 2008
PAGE 2 OF 2

I have received correspondence from counsel for a witness asking to cancel or continue the witness's appearance because he "understand[s] that there has been a recent development with respect to Mr. Epstein in that he intends to plead guilty in Florida state court on Monday pursuant to a deferred prosecution agreement with your office that has already been executed" and that he has "learned from Mr. Epstein's attorney that the plea is scheduled to take place on Monday morning." I also understand that there is an entry on Judge McSorley's docket that a hearing is scheduled for 8:30 a.m. on Monday.

Both parties have agreed that it is a material term of the Non-Prosecution Agreement that the United States shall have the right to review the terms of any agreements between Epstein and the State Attorney's Office prior to entering into those agreements. If, indeed, the change of plea is set for 8:30 Monday morning, the agreement with the State Attorney's Office must be provided to the Office by 4:30 today to allow adequate time to review and comment. Failure to provide this opportunity shall be deemed a breach of the Agreement.

Accordingly, I again ask that you provide me with a copy of the Plea Agreement with the State Attorney's Office and notification of the date and time of the change of plea.

Thank you.

Sincerely,

R. Alexander Acosta
United States Attorney

By:

[Redacted Signature] ✓
Assistant United States Attorney

cc: [Redacted], AUSA



U.S. Department of Justice

United States Attorney
Southern District of Florida

500 South Australian Ave., Suite 400
West Palm Beach, FL 33401
(561) 820-8711
Facsimile: (561) 820-8777

June 27, 2008

VIA FACSIMILE AND ELECTRONIC MAIL

Jack A. Goldberger, Esq.
Atterbury, Goldberger & Weiss, P.A.
One Clearlake Centre, Suite 1400
250 Australian Ave S.
West Palm Beach, FL 33401-5015

Roy Black, Esq.
Black Srebnick Kornspan & Stumpf P.A.
201 S. Biscayne Blvd, Suite 1300
Miami, FL 33131

Re: Jeffrey Epstein

Dear Messrs. Goldberger and Black:

Thank you for providing me with the proposed plea agreement between Mr. Epstein and the State Attorney's Office. **The U.S. Attorney's Office hereby provides Notice that the proposed sentencing provision does not comply with the terms of the Non-Prosecution Agreement.**

The second sentencing paragraph of the proposed plea agreement reads:

On 08CF009381AMB, the Defendant is sentenced to 18 months Community Control 1 (one). As a special condition of this Community Control, the Defendant must serve the first 6 months in the Palm Beach County Detention Facility . . .

The Non-Prosecution Agreement specifically provides:

Epstein shall be sentenced to consecutive terms of twelve (12) months and six (6) months in county jail for all charges, . . . without probation or community control in lieu of imprisonment.

Thus, the proposed plea agreement with the State Attorney's Office does not comply with the terms of the Non-Prosecution Agreement. To comply with the Agreement, Mr. Epstein must make a binding recommendation of eighteen months imprisonment, which means confinement twenty-four

JACK GOLDBERGER, ESQ.
ROY BLACK, ESQ.
JUNE 27, 2008
PAGE 2 OF 2

hours a day at the County Jail, and the judge must accept that recommendation. Community control must follow that term of incarceration.

Secondly, we have not been provided with a copy of the Information filed in case number 08CF009381AMB. I want to confirm that Mr. Epstein is being charged with the substantive offense of procuring minors to engage in prostitution, not attempted procurement. Accordingly, please provide me with a copy of the Information at your earliest opportunity. I will be available via e-mail throughout the weekend or you may reach me on my cell phone at [REDACTED].

Thank you.

Sincerely,

R. Alexander Acosta
United States Attorney

By:

[REDACTED]

[REDACTED]

Assistant United States Attorney

cc: [REDACTED], AUSA

Jack Goldberger

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED], (USAFLS) [REDACTED]
Sent: Fri 6/27/2008 5:45 PM
To: Jack Goldberger; Roy BLACK
Cc: [REDACTED]
Subject: Notice of Non-Compliance

Dear Messrs. Goldberger and Black:

Please see the attached Notification Letter.

<<080627 Goldberger Black notification ltr.pdf>>

[REDACTED]

Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401

[REDACTED]

[REDACTED]

Jack Goldberger

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: [REDACTED]

[REDACTED]
not a problem.

From: [REDACTED], (USAFLS) [mailto:[REDACTED]]
Sent: Sat 6/28/2008 11:31 AM
To: Jack Goldberger
Cc: [REDACTED]; [REDACTED]
Subject: Re: Notice of Non-Compliance

Dear Jack:

I have conferred with a state court practitioner who stated that there is nothing that prohibits you from agreeing to a consecutive six-month sentence of incarceration followed by one year of community control as specified in the non-prosecution agreement.

If you elect to proceed with the plea agreement as currently drafted, we ask that you insert the word "imprisoned" following the words "six months" in the second sentencing paragraph.

Please confirm that this change is acceptable. Thank you.

[REDACTED]

----- Original Message -----

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED], (USAFLS) [mailto:[REDACTED]]
Sent: Fri 6/27/2008 5:45 PM
To: Jack Goldberger; Roy BLACK
Cc: [REDACTED]
Subject: Notice of Non-Compliance

Dear Messrs. Goldberger and Black:

Please see the attached Notification Letter.

<<080627 Goldberger Black notification ltr.pdf>>

[REDACTED]

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

[REDACTED]

[REDACTED]

Jack Goldberger

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Subject: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

On Jun 30, 2008, at 5:16 PM, "[REDACTED] (USAFLS)" <[REDACTED]> wrote:

Jack:

The FBI has received several calls regarding the Non-Prosecution Agreement. I do not know whether the title of the document was disclosed when the Agreement was filed under seal, but the FBI and our office are declining comment if asked.

[REDACTED]

Assistant U.S. Attorney

500 S. Australian Ave, Suite 400

West Palm Beach, FL 33401

[REDACTED]



U.S. Department of Justice

*United States Attorney
Southern District of Florida*

*500 South Australian Ave., Suite 400
West Palm Beach, FL 33401
(561) 820-8711
Facsimile: (561) 820-8777*

June 30, 2008

NOTIFICATION OF IDENTIFIED VICTIMS

NOTICE: IN ACCORDANCE WITH TITLE 18, UNITED STATES CODE, SECTION 3509(d) AND FLORIDA LAW, THE ATTACHED DOCUMENT IS TO BE TREATED AS CONFIDENTIAL AND SHALL NOT BE DISCLOSED EXCEPT IN CONNECTION WITH A LEGAL PROCEEDING.



U.S. Department of Justice

United States Attorney
Southern District of Florida

500 South Australian Ave., Suite 400
West Palm Beach, FL 33401
(561) 820-8711
Facsimile: (561) 820-8777

June 30, 2008

NOTIFICATION OF IDENTIFIED VICTIMS

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 eighteen months' of Community Control 1, the first six months of which must be served imprisoned at the Palm Beach County Detention Facility.

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.

One such condition to which Epstein has agreed is the following:

Handwritten signature

"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."

Initials of Jeffrey Epstein _____ Initials of Jack Goldberger _____

Through this letter, this Office hereby provides Notice that the individuals identified below are individuals whom the United States was prepared to name as a victim of an enumerated offense.

Identified Individuals

[REDACTED]

[REDACTED]

[REDACTED]

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

Dated: _____

By:

[REDACTED]
ASSISTANT U.S. ATTORNEY

ACKNOWLEDGMENT

I have received this Notification from my attorney, Jack Goldberger, Esquire, have read it and discussed it with my attorney, and I hereby acknowledge that it accurately sets forth my understanding and agreement with the Office of the United States Attorney for the Southern District of Florida regarding the notification and rights of identified victims. I

Initials of Jeffrey Epstein _____ Initials of Jack Goldberger _____

understand that an exact copy of this Notification will be provided to each identified individual, except that the names of all other identified individuals will be redacted, and I hereby waive any evidentiary challenges to the introduction of a copy of this document—even in redacted form—in any judicial proceeding between any identified individual and myself.

Dated: _____

Jeffrey Epstein

Witnessed by:

Jack Goldberger Esquire