

**From:** Darren Indyke <[REDACTED]>  
**To:** Lesley Groff <[REDACTED]>  
**Subject:** Fwd: Privileged and Confidential - Bear Stearns  
**Date:** Wed, 18 May 2011 16:43:16 +0000  
**Attachments:** mime\_part\_1.pdf

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Print the email and the attachment for me please. Thanks.

Darren K. Indyke  
Darren K. Indyke, PLLC  
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Telephone: [REDACTED]  
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Begin forwarded message:

**From:** Darren Indyke <[REDACTED]>  
**Date:** September 16, 2010 3:58:45 PM EDT  
**To:** Jeevacation Epstein <[jeevacation@gmail.com](mailto:jeevacation@gmail.com)>  
**Subject:** Fwd: Privileged and Confidential - Bear Stearns

Shall I delete the provisions providing for withdrawal of the MDL action? Or do you want to increase the settlement amount and keep the withdrawal provisions in? Please advise.

Darren

Begin forwarded message:

**From:** "Harry Susman" <[REDACTED]>  
**Date:** September 16, 2010 3:53:19 PM EDT  
**To:** "Darren Indyke" <[REDACTED]>  
**Subject:** RE: Privileged and Confidential - Bear Stearns

Attached is the most recent class action complaint. Now, it can be amended and presumably will be. But the class is defined as purchasers between Dec 14, 2006 and March 14, 2008. Not us.

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**From:** Darren Indyke [mailto: [REDACTED]]  
**Sent:** Thursday, September 16, 2010 1:05 PM  
**To:** Harry Susman  
**Subject:** Re: Privileged and Confidential - Bear Stearns

Is there another class action that relates to us? If so, what is it?

Darren

On Sep 16, 2010, at 2:00 PM, Harry Susman wrote:

I will check but I'm confident we aren't in the class which will include only purchasers of BS stock during two years before the meltdown of BS. Holders won't be included.

Harry Susman  
[REDACTED] (w)  
[REDACTED] (c)

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**From:** Darren Indyke < [REDACTED] >  
**To:** Harry Susman  
**Sent:** Thu Sep 16 12:32:56 2010  
**Subject:** Privileged and Confidential - Bear Stearns

Harry,

As part of the proposed settlement, we are being asked with withdraw the MDL Action in the Southern District relating to the Bear Stearns Stock and to refrain from refiling or commencing any other litigation relating to the same, but we are not precluded from participating in what Bear Stearns is referring to the Securities Class Action, provided that we cannot opt out and cannot oppose any settlement reached in that Class Action. In the settlement agreement, the Securities Class Action is defined as follows:

WHEREAS, a putative securities class action against The Bear Stearns Companies, Inc. and related defendants is currently pending in the United States District Court for the Southern District of New York, captioned *In re Bear Stearns Companies, Inc. Securities, Derivative, and ERISA Litigation*, Master File No. 08 MDL 1963 (RWS), Securities Action, No. 08 Civ. 2793 (RWS) (the "Securities Class Action"), alleging misrepresentations in connection with Bear Stearns Securities;

My question to you is are we still entitled to participate in this class action. Did we lose the right by filing our action? Was there any deadline for us to be file anything to participate in this action? Etc. I don't want to give up the right to sue re the stock if we have already lost the ability to participate in the Securities Class Action. Also, I want to make certain that the Securities Class Action listed in the settlement agreement is in

fact the right class action. I don't want to state that we are not precluded from participating in this particular class action if it is not the right one and we should have referenced a different one in the Settlement Agreement. This is obviously time sensitive, so please let me know asap. Thanks.

Darren

On Sep 16, 2010, at 9:28 AM, Harry Susman wrote:

Do you want me to tell their lawyers that we don't have a deal so let's resume discovery? Might inflame your buddy at Chase but also might send a signal you are serious and if we aren't going to get a deal, we need to get moving if we have any hope of keeping our hearing date.

Harry Susman

[REDACTED] (w)  
[REDACTED] (c)

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**From:** Jeffrey Epstein <[jeevacation@gmail.com](mailto:jeevacation@gmail.com)>  
**To:** Jes Staley <[REDACTED]>  
**Cc:** Darren Indyke <[REDACTED]>; Harry Susman  
**Sent:** Thu Sep 16 07:16:00 2010  
**Subject:**

I am having my attorneys now prepare my version of settlement. documents . 16 million dollars. (35 % 46m) --releases , that are clear and delineate the issues.

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