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December 10, 2009

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**Sent By E-mail Only**

Jeffrey Epstein

Re: **Epstein v. Rothstein, et al.**  
**Case No. 50 2009CA 040800MB AG**

Dear Jeffrey:

We have now filed the above-referenced lawsuit. It represents the work not only of my office but as well the input from you, Darren, Marty and Roy. You and I discussed in detail the substance of the lawsuit, the allegations, and the factual basis directed to many potential defendants. Jack Goldberger and I interviewed Bill Scherer and as well reviewed multiple documents and media stories. You and I have a good grasp of the litigation which has been conducted by and through the RRA and the ridiculous scope of some of the discovery. We now understand much better why it occurred, based on the information on Rothstein.

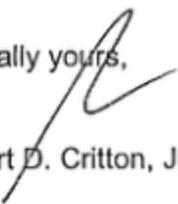
One of the more difficult aspects of this case is damages to you. I believe the additional costs which you have incurred, which should exceed \$100,000, were as a result of the abusive litigation tactics which were not done to further the litigation but now, very clearly, were done to help Rothstein and his co-conspirators sell your cases to investors. Other individuals, including lawyers, may well become involved. At this time, we do not have a basis to add any additional defendants. Discovery will provide us substantial additional information and as well identify other defendants who need to be added to the lawsuit.

While you specifically requested that I file this lawsuit on your behalf, based on your own knowledge and conversations that you had with your other lawyers, I also am comfortable with the content of the existing lawsuit and those defendants we have chosen to pursue at this time. Other individuals who were initially included as defendants in early drafts of the complaint, at least at this time, have not been included in the lawsuit in that I did not believe sufficient information existed to include them.

As with any lawsuit, there is always a potential for a defendant turning around and filing a suit against you, me or my law firm. I would also anticipate that we will be served with notices pursuant to §57.105, F.S. claiming that there is no legal or factual basis for the lawsuit. That puts both you, me and my law firm at risk for fees, costs and potential other damages.

You indicated to me, and your signing this letter will confirm, that you have agreed to provide full and complete indemnification to me, other lawyers in my law firm and my law firm for pursuing the above-styled litigation. Indemnification will include any damages, as well as attorneys fees and costs that are incurred in defending a potential lawsuit against us through final disposition, including any appeals. I am sending a copy of this letter to Jack Goldberger so that you can discuss it with him and receive independent counsel.

Cordially yours,

  
Robert D. Critton, Jr.

RDC/clz

cc: Jack Goldberger, Esq.  
Darren Indyke, Esq.

I, Jeffrey Epstein, have read the above. I hereby agree to provide indemnification to Robert D. Critton, Jr., and any lawyers and/or his law firm in any litigation that is brought by any current or subsequent defendants whom I have agreed should be added to the above-styled lawsuit. Said indemnification is to include costs to include attorneys' fees, associated with any lawsuit up through appeal. Said indemnification shall include any damages that are awarded against Robert D. Critton, Jr., any lawyers in the law firm and the law firm of Burman, Critton, Luttier & Coleman, LLP.

\_\_\_\_\_  
Jeffrey Epstein

Dated: \_\_\_\_\_