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JUSTJOBS

Attorneys Say Miami Prosecutors Violated Crime Victims' Rights Act

Stephanie Woodrow | March 22, 2011 11:52 am

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Two attorneys for two girls who contend they were assaulted by billionaire and convicted sex offender Jeffrey Epstein filed court papers on Monday claiming the U.S. Attorney's office violated the Crime Victims' Rights Act by signing a nonprosecution agreement with Epstein without notifying them, the Palm Beach Daily News reported.



Jeffrey Epstein (gov)

Epstein served 13 months in jail from June 2008 to July 2009 for one state count of soliciting an underage girl for prostitution. As a result, he is required to register as a sex offender. While he wasn't prosecuted for additional charges, more than 40 girls under the age of 16 say they came to his home and gave him massages. During the massages, they say, he masturbated and sexually assaulted them.

Brad Edwards and Paul Cessell, attorneys representing two of his alleged victims, say in the filing that the U.S. Attorney's office for the Southern District of Florida deliberately misled the victims by telling them there was an ongoing investigation into their claims. However, they say, the office was concealing the fact that they already had signed a nonprosecution deal with Epstein.

In a motion filed Monday, the U.S. Attorney's office in January 2008 and May 2008 sent "false notification" letters to the girls' alleged victims saying "(t)his case is currently under investigation." However, the office had signed the agreement with Epstein in September 2007.

The attorneys want a court hearing during which they will ask that the agreement be invalidated because it violated the girls' rights. In the motion, the attorneys claim the agreement is illegal because the government did not protect the professionally mandated rights of victims before it entered this agreement.

If the court grants the request, Epstein could be charged by the U.S. Attorney's office. If he were charged and convicted on all charges, he could be sentenced to 10 years to life for each charge.

In a motion filed Monday, "The only reason that the (U.S. Attorney's office) concealed the existence of the non-prosecution agreement from the victims was not to comply with some legal restriction, but rather to avoid a firestorm of public outcry that would have erupted if the sweetheart plea deal with a politically connected billionaire had been revealed."

John Valle, special counsel for the U.S. Attorney's Office Southern District of Florida, in an email to the newspaper that the Attorney's office will respond in court filings.

However, as we stated more than two years ago in July 2008 in our response to the plaintiffs' then-emergency petition for enforcement of the Crime Victim Rights Act, the CVRA was not violated because no federal charges were ever filed in the Southern District of Florida," Valle said. "Because the matter remains pending in court, it would be inappropriate at this time to provide additional comment on the merits of the current motion."

STEPH WOODROW

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Attorneys want Jeffrey Epstein agreement thrown out

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By MICHELE DARGAN
 DAILY NEWS STAFF WRITER
 Updated: 9:41 a.m. Wednesday, March 23, 2011
 Posted: 7:21 p.m. Monday, March 21, 2011

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Court papers filed Monday say the U.S. Attorney's Office violated the Crime Victims' Rights Act by signing a nonprosecution agreement with sex offender Jeffrey Epstein without notifying his victims.

Attorneys Brad Edwards and Paul Cassell, representing Jane Doe #1 and Jane Doe #2, want a court hearing, where they will ask that the agreement be invalidated because, they say, the victims' rights were violated. If that happens, it could open up the 56-year-old Palm Beach billionaire to a slew of federal charges involving sex crimes with minors that were set aside by the agreement.

The motion, filed Monday in federal court in West Palm Beach, accuses the U.S. Attorney's Office of deliberately misleading the victims by telling them the investigation was ongoing, while concealing they had already signed a deal with Epstein.

According to the motion, the U.S. Attorney's Office sent "false notification" letters in January 2008 and May 2008 to the victims saying "(t)his case is currently under investigation" after the government had signed the agreement with Epstein in September 2007.

"The only reason that the (U.S. Attorney's Office) concealed the existence of the non-prosecution agreement from the victims was not to comply with some legal restriction, but rather to avoid a firestorm of public controversy that would have erupted if the sweetheart plea deal with a politically connected billionaire had been revealed," the motion says.

If Epstein were found guilty on federal charges, statutory penalties ranged from 10 years to life.

Instead, the sealed pact was part and parcel of Epstein's acceptance of a state plea deal, where he received an 18-month sentence for soliciting a minor for prostitution and soliciting prostitution. He served 13 months segregated in a vacant wing of the county stockade and was let out on work release six days a week for up to 16 hours a day.

Edwards and other attorneys fought in court for a year before successfully getting the agreement unsealed in September 2009. More than 30 minor girls were identified as Epstein's victims in the pact.

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Doe 1 and 2, who were 14 and 13, respectively, at the time of the incidents, received monetary settlements in civil cases. They are among more than two-dozen underage girls who filed lawsuits or settled claims against Epstein, alleging they were lured to his Palm Beach mansion to give him sexually charged massages and/or sex in exchange for money.

The motion filed Monday says the agreement is illegal because the government did not protect the "Congressionally mandated rights of victims before it entered this agreement."

Alicia Valle, special counsel for the U.S. Attorney's Office Southern District of Florida, said in an e-mail that the U.S. Attorney's Office will respond in court filings.

"However, as we stated more than two years ago in July 2008 in our response to the plaintiffs' then-emergency petition for enforcement of the Crime Victim Rights Act, the CVRA was not violated because no federal charges were ever filed in the Southern District of Florida," Valle said. "Because the matter remains pending in court, it would be inappropriate at this time to provide additional comment on the merits of the current motion."

The attorneys reference e-mails and letters from the federal office to Epstein's lawyers acknowledging the government's legal obligation to inform victims about the pact. The e-mails are redacted in the motion because they are under seal. The attorneys filed a separate motion Monday to unseal the correspondence.

"The reasonable inference from the evidence is that the U.S. Attorney's Office wanted to keep the agreement a secret to avoid intense criticism that would surely ensue had the victims and the public learned that a billionaire sex offender with political connections had arranged to avoid federal prosecution for numerous felony sex offenses against minor girls," the motion says. "As part of this pattern of deception, the U.S. Attorney's Office discussed victim notification with the defendant sex offender and, after he raised objections, stopped making notifications."

Epstein sought "a higher level of review" within the Department of Justice, the motion says. "A reasonable inference from the evidence is that Epstein used his significant political and social connections to lobby the Justice Department to avoid significant federal prosecution," the motion states.

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News Reports about Billionaire Pedophile Jeffrey Epstein Highlight the Importance of Victims Rights

Hundreds of news articles have reported billionaire pedophile Jeffrey Epstein's close relationship with Britain's Prince Andrew. Attorney Brad Edwards has pursued victim rights cases on behalf of ten women who were sexually molested by Epstein.

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Fort Lauderdale, FL -- In the last week, hundreds of news articles have reported billionaire pedophile Jeffrey Epstein's close relationship with Britain's Prince Andrew. Attorney Brad Edwards has pursued victim rights cases on behalf of ten women who, between 12 and 15 years of age, were sexually molested and abused by Epstein. The stories of their abuse have all the trappings of a Hollywood movie, including posh settings

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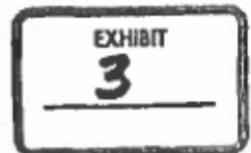
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at Epstein's Palm Beach Mansion, private Caribbean island and his jet. But Epstein's heinous sexual abuse of these victims is no fiction.

Edwards successfully represented these women, obtaining justice for each of them, by proving that Epstein and his international sex trafficking criminal enterprise exploited them and hundreds of other underage girls.

This recent wave of news coverage highlights the importance of the victims' rights work that Attorney Edwards does on behalf of victims of sexual molestation and other sexual abuse. Edwards conducts extensive investigations and pursues civil lawsuits against sexual predators to protect the rights of his victim clients and to hold sexual predators, like Epstein, accountable.

Many sexual predators, like Epstein, are wealthy and powerful and able to focus vast resources and high profile legal teams in an attempt to deflect attention, avoid criminal liability, and deny justice to their victims. Speaking of his work on the Epstein cases, Edwards says "we took on powerful people and sought to level the playing field to protect victims."

Representing these women has made Edwards aware that child sexual abuse is extremely prevalent. According to a U.S. Health and Human Services study, more than 83,000 substantiated reports of sexually abused children were made in 2005 alone. The actual number of incidents of sexual abuse is likely much higher because it is believed that sexual abuse, especially amongst children, is significantly underreported.

Edwards hopes that the media attention focused on Epstein's sexual abuse will "inspire victims to report these crimes" and will convey his belief "that victims' rights cases can effectively protect their rights, maintain their anonymity, and hold predators accountable."

Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, [REDACTED], a Fort Lauderdale litigation firm, focuses on Consumer Class Actions, Sexual Abuse Cases as well as other significant Personal Injury, Wrongful Death, and Whistleblower Suits (qui tam). The firm is headquartered at 425 N. Andrews Avenue, Suite 2, Fort

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Palm Beach Daily News (FL)

JUDGE RECEIVES EPSTEIN TAPE RULING PENDING

MICHELE DARGAN, Daily News Staff Writer Published: May 5, 2010

NEW YORK -- A Manhattan federal judge Tuesday took into custody a tape-recorded conversation between veteran newspaper reporter George Rush and convicted sex offender Jeffrey Epstein. But U.S. District Judge Lawrence M. McKenna reserved ruling on whether the recording will be released to attorneys representing young women who were sexually abused by Epstein as minors. McKenna didn't listen to the recording during the hearing. Fort Lauderdale attorney Brad Edwards and Utah attorney and law professor Paul Cassell are fighting to obtain the 22-minute tape on behalf of Epstein victim Jane Doe. She has filed one of a dozen pending civil cases in federal court in West Palm Beach against Epstein. A status check is set for Thursday in those cases before U.S. District Judge Kenneth Marra. Doe could have settled the lawsuit for \$50,000 but is asking for \$50 million in damages, Cassell said Tuesday. "Jane Doe was repeatedly sexually assaulted over a lengthy period of time by this wealthy and powerful man," Cassell said.

Epstein, 57, is currently under house arrest in his Palm Beach home after serving 13 months of an 18-month state sentence for soliciting a minor for prostitution and soliciting prostitution. Nearly two dozen young women have filed lawsuits against the billionaire money manager -- some already settled -- all alleging Epstein sexually abused them as minors at his El Brillo Way home.

Cites reporter's protected privilege

Rush, of the New York Daily News, was present in the courtroom, but did not have to testify Tuesday. Neither did Fort Lauderdale private investigator Michael Fisten, also in the courtroom. Working on behalf of Epstein victims, Fisten discovered the existence of the tape and had a conversation with Rush about its contents.

Representing Rush and the newspaper, Washington attorney Laura Handman and New York Daily News attorney Anne Carroll argued the tape should not be released under any circumstances, citing reporter's protected privilege. Rush told Epstein the conversation was "off the record" and has never published any portion of that conversation. But even if portions had been printed, the unpublished portions would still be protected, Handman said.

Handman cited cases where interviews were conducted in the presence of other people and privilege was not waived.

In addition, Handman argued that Rush should not have to testify in court.

The ability for reporter's privilege to be protected is crucial in culling sources and gathering information for news stories, Handman said. Reporting is all about give and take between the reporter and the source; that's what reporters have to do, Handman said.

"This is so critical to news gathering," Handman said. "Mr. Rush could find himself testifying in [many] cases just because he had the temerity to do some reporting on a very important story."

There is nothing helpful to Doe's case on the tape and "Jane Doe is not referred to once in that tape," Handman said.

Cassell argued that the tape is "critical in showing Epstein's lack of remorse."

Cassell described Epstein as a pitiless sexual abuser to Jane Doe and at least 30 other minor girls. Even though Jane Doe is not referred to by name on the tape, Epstein refers to his victims as "the girls" and makes disparaging remarks about them on the tape, Cassell said.

Tape played for others

Cassell said privilege does not apply because it was waived when Rush played the tape for three people and verbally divulged its contents to two others, including Fisten and Edwards, who also represents two other victims. But even if there is "qualified privilege," Cassell says, it is outweighed by Doe's inability to obtain the information anywhere else and the jury's need to hear Epstein's own words about his lack of remorse.

Since Epstein has exercised his Fifth Amendment right during questioning by victims' attorneys, the jury

THE INSIDER BLOG

by Shannon Donnelly



will have no other way to hear Epstein's words in his own voice, Cassell said.
Deadline for discovery in the Doe case is May 31, with the trial set for July 14.
-- mdargan@pbdailynews.com

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Palm Beach Daily News (FL)

LAWYER: EPSTEIN MADE ADMISSIONS ON TAPE

MICHELE DARGAN, Daily News Staff Writer

Published: April 29, 2010

A tape recorded interview between a reporter and convicted sex offender Jeffrey Epstein contains "damning admissions by Epstein," which includes Epstein saying he had come "close to crossing a line" concerning sex with underage girls. Those and other revelations about the 22-minute interview by New York Daily News reporter George Rush with Epstein are contained in a 24-page court filing by attorneys Brad Edwards and Paul Cassell on behalf of Jane Doe. Edwards represents Doe and two other Epstein victims. Edwards and Cassell are fighting to obtain the tape to further their case of sexual abuse by Epstein when Doe was a minor. Epstein, 57, was released from jail in July after serving 13 months of an 18-month state sentence for soliciting a minor for prostitution and soliciting prostitution. Nearly two dozen young women have filed lawsuits against Epstein -- some already settled -- all alleging Epstein sexually abused them as minors at his El Brillo Way home, where he is now serving house arrest. The New York Daily News is seeking to keep the tape confidential, citing reporter's protected privilege. In response, Cassell says the newspaper waived its protected privilege when Rush played the recording for three people and described its contents to two others, including Edwards. In addition, Cassell writes that privilege can't be applied in this situation because it doesn't involve an issue related to a confidential source. The person on the tape is Epstein. Even if there is "qualified privilege," Cassell maintains it is outweighed by Doe's inability to obtain the information anywhere else and her "compelling need to obtain Jeffrey Epstein's own words about his sexual abuse and lack of remorse." When reached by phone Wednesday, Anne Carroll, attorney for the New York Daily News, said she will answer Cassell in a court filing. Both the New York Daily News and Doe have asked a federal court judge in Manhattan to listen to the tape in chambers to help determine whether privilege applies. Epstein and others who helped him procure minor girls for massages and sex acts have taken the Fifth Amendment in their depositions, stymieing Doe and the other victims suing Epstein, the documents say. Michael Fisten, an investigator working for Doe, discovered the existence of the tape in fall 2009. An author who had listened to the tape told Fisten that Rush had a tape recording of Epstein "discussing the sexual abuse of minor girls." According to a sworn affidavit by Fisten, he called Rush, who confirmed he interviewed Epstein and made a tape. According to Fisten, Rush told him that he compiled negative information from Epstein about his exploits with underage girls and how he eluded the justice system. But Fisten said that Rush told him that his publisher, who knows Epstein, killed it after receiving a call from Epstein. Fisten said Rush told him, among other things, that the following information was contained on the tape: That Epstein said he went to jail in Florida for no reason and if the sexual abuse of minors had happened in New York, he would have only received a \$200 fine. That [redacted], one of Edwards' clients who sued Epstein for sexual abuse as a minor, came to him as a prostitute and a drug user (meaning she came to him for sex, rather than him pursuing her). That all the girls suing him are only trying to get a meal ticket. That the only thing he might have done wrong was to maybe cross the line a little too closely. In a sworn deposition, Edwards states that Rush disclosed much of the information contained on the tape to him in a conversation. Edwards said in his statement that the Rush interview is "unique and not otherwise obtainable from other witnesses because it can be used to prove perjury -- a federal crime. Edwards said Epstein testified in a deposition that he did not recognize the name George Rush from the New York Daily News "despite the fact that he gave a personal interview that we all now know to have been tape recorded." -- mdargan@pbdailynews.com

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Epstein
Has 'come close to crossing a line.'

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Palm Beach Daily News

September 20, 2009 Sunday
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SECTION: A SECTION; Pg. A.1

LENGTH: 1126 words

HEADLINE: ATTORNEY FOR EPSTEIN VICTIMS: 'I HAVE NEVER SEEN A STRANGER CASE'

BYLINE: MICHELE DARGAN, MICHELE DARGAN, Daily News Staff Writer

BODY:

Sex offender Jeffrey Epstein could have been charged with multiple counts of five federal offenses involving sex acts with minors and faced a life sentence, but, instead, the government agreed not to prosecute him or his procurers if he spent 18 months in the county jail on two state charges.

Those were the details unsealed Friday in a nine-page federal non-prosecution agreement that lets Epstein and co-conspirators [REDACTED], [REDACTED], [REDACTED] and [REDACTED] off the hook for any of those past crimes.

"He could have gone to prison for life and somehow he's getting immunity in exchange for nothing?" said Fort Lauderdale attorney Brad Edwards, who represents three Epstein victims. "I have never seen a stranger case. To me, it's more spectacular what's not in it. It's the U.S. Attorney's Office saying we'll do everything in our power to see he doesn't get punished."

Edwards has been fighting for a year in federal and state court to unseal the agreement.

"The non-prosecution agreement raises more questions than it answers," said Miami attorney Adam Horowitz, who represents seven victims. "Why did all the co-conspirators receive immunity? Why were the victims not consulted regarding the sentence? Why did he receive such a minimal sentence?"

The federal deal has remained sealed in Epstein's state court file since he pleaded guilty in June 2008 to state charges of procuring a minor for prostitution and soliciting prostitution.

U.S. Attorney's Office does not comment

The federal charges he could have faced were: conspiracy to persuade minor females to engage in prostitution, conspiracy to travel to engage in illicit sexual conduct with minor females, persuading minor females to engage in prostitution, traveling to engage in illicit sexual conduct with minor females and causing a person under 18 years to engage in sex for money while knowing they are underage.

The charges carry various statutory penalties ranging from 10 years to life, with a minimum mandatory of at least 10 years.

Alicia Valle, spokeswoman for the U.S. Attorney's Office in Miami, declined comment.

Expert: Feds take few sex-assault cases

ATTORNEY FOR EPSTEIN VICTIMS: 'I HAVE NEVER SEEN A STRANGER CASE' Palm Beach Daily News
September 20, 2009 Sunday

North Palm Beach criminal defense attorney Barry Maxwell said he is not surprised that federal charges weren't filed.

"My experience has been that the federal government does not intervene in sex-assault cases, except if we're dealing with a serial rapist or it crosses jurisdictional lines," Maxwell said. "It's either not a big enough case or not atrocious enough for them."

Epstein, 56, served 13 months of his 18-month sentence at the Palm Beach County Stockade and received liberal work-release privileges while in jail. He was able to go to his West Palm Beach office six days a week for up to 16 hours a day.

He is now serving one year of probation at his Palm Beach mansion and is registered as a lifelong sex offender.

Epstein 'fully abided' by deal, says defense

Epstein's attorney Jack Goldberger released the following statement: "This document relates to allegations that were made many years ago. It was by its provisions and agreement of the parties to remain confidential in part to protect the identities of collateral third parties.

"Mr. Epstein has fully abided by all of its terms and conditions. He is looking forward to putting this difficult period of his life behind him. He is continuing his longstanding history of science philanthropy both here in South Florida and nationwide."

Goldberger had blocked the unsealing by filing court papers asking that the documents stay sealed "to prevent a serious imminent threat to the fair, impartial and orderly administration of justice; to protect a compelling government interest; to avoid substantial injury to innocent third parties; and to avoid substantial injury to a party by disclosure of matters protected by a common law and privacy right, not generally inherent in these specific type of proceedings, sought to be closed."

Circuit Judge Jeffrey Colbath ordered the agreement to be unsealed in June, but Epstein's attorneys appealed the ruling to the Fourth District Court of Appeals, which affirmed Colbath's ruling. Colbath had ruled that the federal agreement -- sealed in state court -- was improperly sealed.

'I felt it was my fault'

More than a dozen lawsuits against the billionaire money manager have been filed in federal and state court, all with similar allegations: that a minor girl was taken to Epstein's mansion on El Brillo Way and led upstairs to a spa room by one of Epstein's assistants, where he would ask the girl to perform massages and/or various sex acts, for which he would pay her.

One victim, who is known as Jane Doe #5 in a federal court lawsuit against Epstein, said she didn't find out about the deal until after it was finalized. She was 15 at the time one of her schoolmates told her she could make \$200 by giving a massage to a man in Palm Beach.

She says she was "nervous and scared and wanted to leave" once she got to Epstein's spa room.

"I thought, 'I can't call my dad or my mom because I'm stuck in this situation and didn't know what to do,'" she said. "I really didn't know what this man was capable of. For a long time, I felt like it was my fault and that's exactly what he wanted me to feel."

Epstein has curfew

While he is serving the 12 months of house arrest at his Palm Beach home, Epstein must observe a 10 p.m. to 6 a.m. curfew, have no unsupervised contact with anyone younger than 18 and not view, own or possess pornographic or sexual materials.

The indictment followed an 11-month investigation by Palm Beach police, who said Epstein paid five underage girls for massages and sometimes sex at his El Brillo Way home. Then-State Attorney Barry Krischer declined to prosecute Epstein on multiple charges involving unlawful sex acts with minors. Instead, he brought the case to a grand jury, which charged Epstein on the lesser charge of soliciting prostitution.

Then-Palm Beach Police Chief Michael Reiter wrote Krischer a letter asking him to recuse himself from the case. When that didn't happen, Reiter requested an FBI investigation to determine if any federal laws were broken.

ATTORNEY FOR EPSTEIN VICTIMS: 'I HAVE NEVER SEEN A STRANGER CASE' Palm Beach Daily News
September 20, 2009 Sunday

'Out of the ordinary'

West Palm Beach criminal defense attorney Gregg Lerman said several aspects of the Epstein case are unusual.

"I don't understand why it would be a federal case in this circumstance, and why was there anything in writing at all and why did they seal the agreement?" Lerman said. "Why did it go to the grand jury instead of through the state filing lewd assault charges? That's unusual. And it's very unusual that they structure a plea to get county time rather than prison time. That's definitely out of the ordinary. Nobody goes to county jail as a state criminal punishment."

-- mdargan

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GRAPHIC: Caption: Epstein Deal does not allow prosecution of co- conspirators.

LOAD-DATE: September 1, 2010

The Palm Beach Post NEWS

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Local News Greater Palm Beaches and Treasure Coast

Palm Beach sex offender's secret plea deal: Possible co-conspirators not charged, presses victims to settle civil suits

By SUSAN SPENCER-WENDEL

Palm Beach Post Staff Writer

Friday, September 18, 2009

WEST PALM BEACH — Billionaire financier sex offender Jeffrey Epstein's secret non-prosecution agreement he struck with federal prosecutors was unsealed Friday, offering the first public look at the deal Epstein's high-powered legal counsel brokered on his behalf.

According to the agreement, the Federal Bureau of Investigation and the U.S. Attorney's Office investigated Epstein for various federal crimes, including prostitution, some punishable by a minimum of 10 years up to life in prison.

But federal prosecutors backed down and agreed to recall grand jury subpoenas, if Epstein pleaded guilty to prostitution-related felonies in state court, which he ultimately did. He received an 18-month jail sentence, of which he served 13.

A former federal prosecutor of 15 years, Mark Johnson of Stuart, said the disparity in the potential sentences was unusual.

The United States Attorney's Office also agreed not to charge any of Epstein's possible co-conspirators - [REDACTED] and [REDACTED].

The agreement was negotiated in part by New York heavyweight criminal defense attorney Gerald Lefcourt.

On its first draft in September 2007, it required that Epstein pay an attorney - tapped by the U.S. Attorney's Office and approved by Epstein - to represent some of the victims in civil suits they had filed against Epstein. That attorney is prominent Miami lawyer Bob Joselsberg.

Former prosecutor Johnson said he has never seen a provision like that before.

But an addendum to the agreement signed the following month struck Epstein's duty to pay Joselsberg if he and the victims did not accept a settlement and instead pursued litigation.

The agreement, signed by Assistant U.S. Attorney Maria Villafana, does not expressly state whether any victims were contacted or consulted before the deal was made.

Attorney Brad Edwards of Fort Lauderdale, who represents three of the young women, believes that none of the between 30 and 40 women identified as victims in the federal investigation were told of the deal. Edwards said his clients were still receiving letters in the mail months afterwards saying the U.S. Attorney's Office assuring them Epstein would be prosecuted.

"Never consulting the victims is probably the most outrageous aspect of it..." Edwards said. "It taught them that someone with money can buy his way out of anything. It's outrageous and embarrassing for United States Attorney's Office and the State Attorneys Office."

Epstein now faces many civil lawsuits filed by the women, who are represented by a variety attorneys. In many, the facts alleged are the same: that Epstein had a predilection for teenage girls, identified poor, vulnerable ones and lured them to his home via other young women. The teens describe ascending a staircase lined with nude photographs of young girls and to the spa room where Epstein would appear in a small towel.

Former Circuit Judge Bill Berger, who represents one of the victims, and The Palm Beach Post sought the unsealing of the agreement. Berger refers to it as a "sweetheart deal."

"Why was it so important for the government to make this deal?" Berger asked rhetorically. "We have not yet had honest explanation by any public official as to why it was made ... and why the victim's were sold down the river."

Former federal prosecutor Ryon McCabe described the agreement as "very unorthodox." Such agreements, he said, are usually reserved for corporations, not individuals.

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"It's very, very rare. I've never seen or heard of the procedure that was set up here," said McCabe, who has no involvement in any Epstein litigation and is now a securities litigation attorney.

"He's essentially avoiding federal prosecution because he can afford to pay that many lawyers to help those victims review their cases.... If a person has no money he couldn't be able to strike a deal like this and avoid federal prosecution."

The back-room deal with federal prosecutors all the more interesting in light of the legal heavyweights who have worked for Epstein, including Harvard professor Alan Dershowitz and Kenneth Starr of Clinton impeachment fame. Lefcourt is a past president of the National Association of Criminal Defense Lawyers.

Epstein's local defense attorney, Jack Goldberger, issued a statement Friday saying he had fought the release of the sealed agreement to protect the third parties named there. "Mr. Epstein has fully abided by all of its terms and conditions. He is looking forward to putting this difficult period in his life behind him. He is continuing his long standing history of science philanthropy..."

Epstein ended up avoiding federal charges, and pleaded guilty in state court to felony solicitation of prostitution and procuring a person under the age of 18 for prostitution. In July 2008, he was sentenced to 18 months in jail, and later allowed out up to six days a week on work release.

Epstein left the jail in late July 2009 after serving not quite 13 months of the sentence, having earned gain time for good behavior.

Palm Beach Police began investigating the "international moneyman of mystery," as the New York magazine dubbed him, after they received a complaint from a relative of a 14-year-old girl who had given Epstein a naked massage at his home on the Intracoastal Waterway.

Police sought and found in poor neighborhoods a variety of tall, thin, model-like young women, who told stories of begin recruiting, then going to Epstein's home and massaging and stimulating him. They walked away with between \$200 and \$1,000.

The investigation triggered tensions between police and prosecutors, with then-Chief Michael Reiter saying in a May 2006 letter to then-State Attorney Barry Krischer that the chief prosecutor should disqualify himself.

"I continue to find your office's treatment of these cases highly unusual," Reiter wrote. He then asked for and got the federal investigation that ended in the sealed deal.

"The Jeffrey Epstein matter was an experience of what a many-million-dollar defense can accomplish," Reiter told the Palm Beach Daily News upon his retirement.



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Palm Beach Daily News

June 25, 2009 Thursday
Final Edition

SECTION: A SECTION; Pg. A.1

LENGTH: 557 words

HEADLINE: JUDGE TO RULE ON SEALED PLEA-DEAL PAPERS TODAY

BYLINE: MICHELE DARGAN, MICHELE DARGAN, Daily News Staff Writer

BODY:

A circuit judge will decide today whether the public will be privy to the federal government's non-prosecution deal with Jeffrey Epstein, which was sealed when the convicted sex offender pleaded guilty in June 2008 to two felony counts.

Epstein, of Palm Beach, will be released from the Palm Beach County Stockade July 22, after serving less than 13 months of his 18-month sentence for procuring a minor for prostitution and solicitation of prostitution.

Teri Barbera, spokeswoman for the Palm Beach County Sheriff's Office, confirmed his release date Tuesday.

Epstein's projected release date had been Sept. 24, but gain time -- which includes his participation in a work-release program -- moves the date up to July 22, Barbera said.

Epstein, 56, has been in the work-release program since Oct. 10, in which he is allowed out of the stockade six days a week, from 10 a.m. to 10 p.m., to go to his West Palm Beach office, the Florida Science Foundation, monitored by an ankle bracelet and accompanied by a deputy.

As part of Epstein's state plea agreement, the U.S. Attorney's Office agreed not to prosecute Epstein on federal charges as long as he fulfills all requirements of his sentence and probation. The federal non-prosecution agreement has been under seal in state court.

Epstein's attorney Jack Goldberger filed court papers asking that the documents stay sealed for the following reasons: "to prevent a serious imminent threat to the fair, impartial and orderly administration of justice; to protect a compelling government interest; to avoid substantial injury to innocent third parties and to avoid substantial injury to a party by disclosure of matters protected by a common law and privacy right, not generally inherent in these specific type of proceedings, sought to be closed."

Fort Lauderdale-based attorney Brad Edwards represents three Epstein victims and has asked Circuit Judge Jeffrey Colbath to unseal the federal agreement to the public. An attorney for The Palm Beach Post also has asked that the records be unsealed.

Edwards and his clients have seen the agreement after a federal judge ruled that they are allowed to see it. But that ruling bars Edwards and anyone else who sees the document from disclosing the terms to anyone else.

Edwards said he wants to use that document "in the deposition of various material witnesses" relative to his cases.

JUDGE TO RULE ON SEALED PLEA-DEAL PAPERS TODAY Palm Beach Daily News June 25, 2009 Thursday

Radaronline.com has reported that Epstein has "secretly been helping the feds unravel a Ponzi scheme" related to the June 2008 indictment of two former managers of Bear Stearns Mortgage Investment Fund.

Epstein's rep, Howard Rubenstein, confirmed last year that Epstein is "Major Investor No. 1" in the indictment, which says he lost about \$57 million.

Goldberger could not be reached for comment.

The Manhattan money manager has been incarcerated since June 30, when he pleaded guilty to the two felony counts. As part of the plea agreement, Epstein must serve one year of house arrest after his release and register as a life-long sex offender.

In addition to the criminal case, there are more than a dozen civil lawsuits -- both state and federal -- pending against Epstein. All contain similar allegations: Epstein, through his employees and assistants, brought minor girls to his Palm Beach home on El Brillo Way for erotic massages and sometimes sex.

-- mdargan@pbdailynews.com

GRAPHIC: Caption: Epstein To be released from jail July 22.

LOAD-DATE: September 1, 2010



9 of 13 DOCUMENTS

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Sun-Sentinel (Fort Lauderdale, Florida)

June 15, 2009 Monday
Palm Beach Edition

SECTION: LOCAL; Pg. 3B

LENGTH: 348 words

HEADLINE: HEARING SET TO CONSIDER SECRECY OF PLEA BARGAIN

BYLINE: Susan Spencer-Wendell The Palm Beach Post

BODY:

A Palm Beach Circuit Court judge will not immediately unseal a deal that wealthy Palm Beach money manager Jeffrey Epstein made with federal prosecutors to avoid charges.

Circuit Judge Jeff Colbath acknowledged, though, at a hearing last week that Epstein's deal was not sealed in accordance with state and local court rules.

"I don't see where any of the procedures were ever followed to begin with," Colbath said.

Colbath also set a full hearing on the matter for June 25.

Attorneys for young women now suing Epstein, together with The Palm Beach Post, are asking Colbath to unseal the deal that Epstein made with federal prosecutors.

"It's a secret agreement, a secret sweetheart agreement," said former Circuit Judge Bill Berger, who represents some of the women. "Everybody was in on this deal except the victims and the public. The public should be outraged it has gone as far as it has."

Brad Edwards, a second attorney representing the women, has seen the sealed deal after a federal judge allowed him and his clients to view it, but would not discuss its contents.

Edwards would say only that the women were "outraged" that it had been negotiated behind their backs.

A reporter asked Edwards whether he thought Epstein received special treatment by federal prosecutors.

"Are you kidding? It's transparent. Certainly, no one else gets treated like that," Edwards said.

Epstein, 56, a reported money manager of billionaires, is serving an 18-month sentence in the Palm Beach County Stockade after pleading guilty almost a year ago in state court to felony solicitation of prostitution and procuring teenagers for prostitution. Epstein is allowed out, though, each day from 7 a.m. to 11 p.m., a Sheriff's Office spokesman said.

Displeased with the way the State Attorney's Office handled the case, Palm Beach police forwarded information to the FBI.

INFORMATIONAL BOX:

Young women have sued

HEARING SET TO CONSIDER SECRECY OF PLEA BARGAIN Sun-Sentinel (Fort Lauderdale, Florida) June 15,
2009 Monday

Money manager Jeffrey Epstein made a deal and is serving an 18-month sentence in jail. Attorneys for young women suing Epstein are asking a judge to unseal the deal that Epstein made with federal prosecutors.

NOTES: < Informational box at end of text. {TOPIC} Prostitution solicitation case

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