

Brad Karp
Paul Weiss
April 22, 2010
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Stephen D. Susman
Direct Dial [REDACTED]

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April 22, 2010

FOR SETTLEMENT PURPOSES ONLY

Via E-mail & First Class Mail

Brad S. Karp
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, NY 10019

Re: Jeepers, Inc., Financial Trust Company, Inc., and Jeffrey Epstein vs. D.B. Zwirn Special Opportunities Fund, L.P. k/n/a Fortress Value Recovery Fund I LLC, et. al.

Dear Brad:

I am writing in an effort to move our settlement dialogue along. Based on your response to our request for information (which we were disappointed in), it appears the Fund is willing to offer my clients the same deal that we cancelled in January 2010. Obviously, that offer is not acceptable.

As a counter-offer, we are willing to settle the dispute for \$140 million plus \$35 million in prejudgment interest. While this represents the full value of my clients' claim, accepting this offer would allow the Fund to avoid the cost of litigation. To help you evaluate our claims, I

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have enclosed an affidavit of Glenn Dubin. This affidavit should be treated as confidential under the terms of our March 26, 2010 letter agreement.

We are willing to entertain further negotiations. To facilitate these discussions, I propose that the parties enter into a tolling agreement. I have taken the liberty of attaching a draft agreement, which is enclosed.

Let me know your response as soon as possible—particularly with regard to the tolling agreement. Thank you.

Sincerely,

Stephen D. Susman
Enclosures

cc: Jeffrey Epstein

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Bcc: Darren Indyke