

DARREN K. INDYKE
DARREN K. INDYKE, PLLC
301 East 66th Street, 10B
New York, New York 10065
Telephone: [REDACTED]
Telecopier: [REDACTED]
email: [REDACTED]

July 29, 2010

WITHOUT PREJUDICE – FOR SETTLEMENT PURPOSES ONLY

VIA EMAIL

David A. Berger, Esq.
Allegaert Berger and Vogel LLP
111 Broadway, 20th Floor
New York, NY 10006

Re: Robert Couturier, Inc. adv. Jeffrey Epstein

Dear Mr. Berger:

In response to your letter dated July 28, 2010, I must direct you to the express provisions of RCI's proposal relating to Mr. Epstein's \$50,000 retainer, which plainly state:

"RETAINER – We charge a one-time fee of \$50,000, which \$25,000 will be progressively credited against the *future fees*. The other \$25,000 **will cover the cost of developing the interior package**; i.e. the considerable time and effort which is necessary to create the total design/decoration concepts. This includes, the preliminary working drawings, furniture & custom furniture selection, furniture plans, custom built-ins, antiques, fabrics, carpeting, window treatments, etc."

The plain language and obvious meaning of these provisions can not be clearer. \$25,000 was to cover the cost of developing the interior package and the other \$25,000 was to be credited to future fees. The interior package was not delivered. No future fees were earned. It was Mr. Couturier's decision, through no fault of Mr. Epstein, to unilaterally terminate before RCI was able to perform its obligations under its agreement or earn any fees. Under the circumstances, there is simply no legal basis for withholding repayment of Mr. Epstein's \$50,000. Mr. Epstein's claims are valid and completely justified, your empty threat of sanctions

David A. Berger, Esq.
July 29, 2010
Page 2

notwithstanding. Before this matter unnecessarily escalates further, therefore, we suggest that your clients reconsider their position and return Mr. Epstein's \$50,000 deposit, less the \$6,324.59 of travel related expenses, which Mr. Epstein has offered to pay in order to resolve this matter.

Sincerely,

/s/ Darren K. Indyke

Darren K. Indyke