

PRODUCTION REQUESTS 1-5

Response and Objections to Request Number 1: Defendant is asserting specific legal objections including but not limited to relying on certain U.S. constitutional privileges in declining at present to respond to this request for production based on advice from my counsel that I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth Amendment and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable and would therefore violate the Constitution.

Responding to the above financial request would require Epstein to identify information regarding the offenses that were the prior subject of a federal investigation as set forth in more detail in a supplementary response available to be provided to the court in camera and ex parte to the extent the good faith assertion of the privilege is in question. The Fifth Amendment is a safe harbor for all citizens, including those who are innocent of any underlying offense, however responding to this and other relating inquiries have the potential to provide a link in a chain of information that would be protected. More specifically, the act of producing the above information may implicitly communicate statements of fact in that they would implicitly authenticate the requested information, require Epstein to admit that the requested information exists and admit that same were in his possession, custody and control. The very act of production itself may therefore provide a link in the chain of evidence adverse to Epstein, see generally *United States v Hubbell* 520 US 27, 36 (2000)

In addition to and without waiving his constitutional privileges, Defendant also objects as the request for production as unreasonable, overbroad, confidential, proprietary in nature and seeks information that is neither relevant to the subject matter of the pending action nor does it appear to be reasonably calculated to lead to the discovery of admissible evidence. The specific information requested as to tax returns also seeks information that is confidential and protected by federal law, 26 USC 6103. Further, Plaintiff's Complaint alleges a time period of "in or about 2004-2005." Plaintiff's request seeks information for a time period from 2003-2008.

NEED TO DECIDE WHETHER TO INCLUDE - To the extent this court rules that some or all of the requested information be produced, it should not be produced without limitations (including confidentiality), and should only be produced at the very end of litigation but before trial in order for Plaintiff to establish her burden making it apparent that punitive damages can be awarded.

AS TO REQUESTS 2-5, SAME ANSWER EXCEPT OMIT THE SENTENCE IN LAST PAR RELATING SPECIFICALLY TO TAX RETURNS

SUPPLEMENTAL IN CAMERA EX PARTE PROFFER IF DEMANDED:

, Epstein was the subject of a federal criminal investigation conducted by the FBI and United States Attorney's Office for the Southern District of Florida and a subsequent grand jury investigation by the same United States Attorney's in 2006-2007. Some of the target offenses in that investigation included offenses under 18 U.S.C. 1956, Laundering of Monetary Instruments, 18 U.S.C. 1960, Prohibition of Unlicensed Money Transmitting Business, and 18 USC 1952 Travel Act Offenses. The United States Attorney's Office sent various "target letters" to individuals including a specific target letter dated August 31, 2007 which identified several target offenses including, but not limited to, offenses under 18 U.S.C. 1956, Laundering of Monetary Instruments, 18 U.S.C. 1960, Prohibition of Unlicensed Money Transmitting Business, and 18 USC 1952 Travel Act. In addition, several subpoenas were sent to certain companies as part of the investigation, and those subpoenas sought financial information including, but not limited to, the transfer of funds made by certain companies to any accounts associated with Jeffrey Epstein, his affiliates and/or any of his related companies from January 2003 through the July 2007 date of the grand jury subpoena. A letter to Epstein's counsel in late June of 2007 also indicated that a scheduled conference between the United States Attorney's Office and Epstein's counsel would address target offenses including alleged offenses involving money laundering (18 USC 1956) and the conducting of an unlicensed money transmitting business (18 USC 1960). Furthermore, Epstein's federal tax returns were requested by the United States Attorney's Office through his then counsel, Guy Lewis. Epstein's attorneys submitted to the United States Attorney's Office letters and memoranda raising and rebutting the alleged violations of 18 U.S.C. 1956 and 18 U.S.C. 1960 i.e. Epstein's criminal law counsel responded to the Government's identification of target offenses including financial offenses and attempted to dissuade the prosecutors from pursuing their ongoing federal grand jury investigations into this subject matter. On September 24, 2007 the federal grand jury investigation was deferred and Epstein entered into a Non-Prosecution Agreement with the United States Attorney Office (the "NPA"). The NPA only restricts prosecution in the Southern District of Florida, but not other districts. Accordingly, the fact that the NPA exists does not mean that Epstein is free from future criminal prosecution, and thus the threat of future prosecution is real, substantial and present as it relates to the target offenses outlined by the United States Attorney's Office. Given that Epstein's financial life extends beyond the Southern District of Florida, and is centered instead in New

York and the Virgin Islands, his potential liability for the target offenses remains real and unabated by the NPA. Further, the NPA does not end Epstein's potential criminal liability within the Southern District of Florida, it only defers it pending the Government's determination that he has fulfilled all the conditions and obligations outlined within the confidential NPA.

INTERROG ON NET WORTH:

Response and Objections to Interrogatory Number 1: Defendant is asserting specific legal objections including but not limited to relying on certain U.S. constitutional privileges in declining at present to respond to this request for production based on advice from my counsel that I cannot provide answers/responses to questions relating to my financial history and condition without waiving my Fifth Amendment and I must accept this advice or risk losing my Sixth Amendment right to effective representation. Accordingly, I assert my federal constitutional rights under the Fifth, Sixth, and Fourteenth Amendments as guaranteed by the United States Constitution. Drawing an adverse inference under these circumstances would unconstitutionally burden my exercise of my constitutional rights, would be unreasonable and would therefore violate the Constitution.

In addition to and without waiving his constitutional privileges, Defendant also objects as the interrogatory is unreasonable, overbroad, confidential, proprietary in nature and seeks information that is neither relevant to the subject matter of the pending action nor does it appear to be reasonably calculated to lead to the discovery of admissible evidence. Plaintiff's Complaint alleges a time period of "in or about 2004-2005." Plaintiff's interrogatory seeks information for a time period from January 1, 2002 until present.

Responding to the above financial request would require Epstein to identify information regarding the offenses that were the prior subject of a federal investigation as set forth in more detail in a supplementary response available to be provided to the court in camera and ex parte to the extent the good faith assertion of the privilege is in question. The Fifth Amendment is a safe harbor for all citizens, including those who are innocent of any underlying offense. This interrogatory, if answered, would require testimonial communications from Epstein regarding his financial status and history and would require him to waive his right to decline to respond to other inquiries related to the same subject matter. Responding to this and other relating inquiries would have the potential to provide a link in a chain of information and/or leads to other evidence or witnesses that would have the specific risk of furthering an investigation against him and therefore are protected from compulsion by Epstein's constitutional privilege.

NEED TO DECIDE WHETHER TO INCLUDE To the extent this court rules that some or all of the requested information be produced, it should not be produced without limitations (including confidentiality), and should only be produced at the very end of litigation but before trial in order for Plaintiff to establish her burden making it apparent that punitive damages can be awarded.

DO YOU WANT TO INCLUDE THIS? As such, the information sought is privileged and confidential, and inadmissible pursuant to the terms of the NPA and, Fed. Rule of Evidence 410 and 408, and Fla. Stat. 90.410.