

ROY BLACK  
HOWARD M. SREBNICK  
SCOTT A. KORNSPAN  
LARRY A. STUMPF  
MARIA NEYRA  
JACKIE PERCZEK  
MARK A.J. SHAPIRO  
JARED LOPEZ

==  
**BLACK  
SREBNICK  
KORNSPAN  
& STUMPF**  
==P.A.==

JESSICA FONSECA-NADER  
KATHLEEN P. PHILLIPS  
AARON ANTHON  
MARCOS BEATON, JR.  
MATTHEW P. O'BRIEN  
JENIFER J. SOULIKIAS  
NOAH FOX

[REDACTED]

February 8, 2010

[REDACTED]  
United States Attorney  
99 N.E. 4<sup>th</sup> Street  
Miami, FL 33132

RE: Jeffrey Epstein

Dear [REDACTED]:

First, thank you for meeting with us on Wednesday and providing us with an opportunity to address a wide range of concerns with you. At the conclusion of the meeting we discussed Mr Epstein's eligibility for a modification, or termination of his one-year community control sentence under either of two provisions of state law, FSA §948.05 and FSA §948.10(4). You asked what our position would be in the event an application for such relief was made regarding notification of those persons determined by you to be federal rather than just state victims. We believe that such notification would not be required by 18 USC §3771. Your office has come to a similar conclusion, see AUSA Alex Acosta's December 19, 2007 letter to Lilly Sanchez, pg 2. We are sensitive, however, to the adversarial litigation previously filed regarding other §3771 issues. Accordingly, we propose the following:

1. That if Mr Epstein applies for a termination of community control sentence that seeks an early release from all probation, that your office would (a) not oppose this request under state law, i.e., you would permit the state to make its own discretionary decision on the application without taking a position one way or the other, (b) not consider it a breach of the NPA for Epstein to either so apply or, if the application is allowed, to accept the reduction, and (c) notify the federal victims that such an application has been made, and the date, if any, when the matter would be heard. We further propose, however, that the victim notification letter neither request nor encourage the attendance of the federal victims at any scheduled hearing nor request nor encourage that the federal victims make filings in state court as to their position since those rights, to our understanding, are at most limited under state law to state victims. Those on the

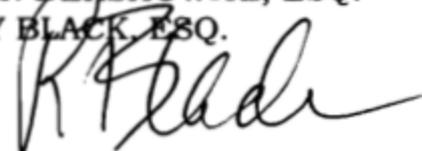
Jeffrey Sloman, Esq.  
February 8, 2010  
Page 2

federal victim notification list, of course, once notified, would have the non-statutory right at their own election to attend any hearing,

2. That if Mr Epstein applies for a modification of community control that only converts it, pursuant to FSA §948.10(4) into a normal probation with no shortening of the terms of supervision that you would neither oppose nor support the request nor would either the request nor any acceptance of any subsequent order converting the community control to some other form of probation be considered a breach of the NPA, however, given that Mr Epstein would remain under state supervision for the remainder of the 12-month sentence, no prior notification to federal victims would be provided.

Respectfully submitted,

MARTIN WEINBERG, ESQ.  
ALAN DERSHOWITZ, ESQ.  
ROY BLACK, ESQ.

By   
\_\_\_\_\_

/wg

cc: Robert Senior, Esq.  
Marie Villafana, Esq.