

From: "Martin Weinberg" <[REDACTED]>
To: "Jeffrey Epstein" <[REDACTED]>
Cc: "[REDACTED]" <[REDACTED]>
Subject: ATTORNEY-CLIENT PRIVILEGE
Date: Wed, 27 Jan 2010 15:06:25 +0000

1. PSB = no outside surety
2. Ordinary to seal indictment - or in this case an information - from its filing until date of arraignment even if the defendant is summonsed to court for first appearance i.e. no arrest warrant (in fact an arrest warrant was issued for Rodriguez even if he was given a short period to come to court rather than be arrested)
3. 1512(c) - two parts (1) corruptly conceals or destroys a document with intent to impair its availability for official proceeding (2) otherwise obstructs or impedes an official proceeding. An official proceeding need not be pending at time.
4. 18 USC 1519 was not charged - specifically covers concealment of recs with intent to impede FBI investigation
5. Key paragraphs are paragraph 4 where they reference an FBI interview in 1-07 (the starting point for dates of information) - no representations whether asked for docs/denied possession - would ordinarily be predicate for a federal obstruction (all the other conduct related to state investigation, civil proceedings) and subsequent paragraph 9 in which it is alleged that Rodriguez admitted he knew the docs were called for and relevant to FBI investigation during undercover call - improbable this fed case could have been brought absent such a taped admission unless FBI had subpoena in 1-07 or expressly told him they intended to subpoena him/records to later gj
6. Later entries on dkt sheet reflect arrest on 12-8 and a long postponment of arraignment until 2-1 probably so he can get a private lawyer who will be partially paid for by court rather than fed public defender:

Notice of Assignment of Assistant Federal Public Defender as to Alfredo Rodriguez. Attorney Dave Lee Brannon added. (Brannon, Dave) (Entered: 12/21/2009)	
12/21/2009	9 Invocation of Right to Silence and Counsel by Alfredo Rodriguez (Brannon, Dave) Modified on 12/22/2009 (ls). (Entered: 12/21/2009)
12/21/2009	10 DEMAND for Disclosure of Expert Witness Summaries as to Alfredo Rodriguez (Brannon, Dave) Modified on 12/22/2009 (ls). (Entered: 12/21/2009)
12/21/2009	11 Minute Entry for proceedings held before Magistrate Judge Ann E. Vitunac: Report Re: Counsel Hearing as to Alfredo Rodriguez held on 12/21/2009, (Arraignment reset for 2/1/2010 10:00 AM in West Palm Beach Division before Magistrate Judge Ann E.

		Vitunac.) (Digital 10:17:33.) (Tape #AEV-09-100(790-998).) (kza) (Entered: 12/22/2009)
12/28/2009	12	Report Commencing Criminal Action as to Alfredo Rodriguez - YOB: **/**/1954 Prisoner #: 73608-004. (kza) (Entered: 12/28/2009)
12/28/2009	13	Arrest Warrant returned executed on 12/08/2009 as to Alfredo Rodriguez re 4 Arrest Warrant Issued. (kza) (Entered: 12/28/2009)
01/25/2010	14	Order on Partial Indigency for Appointment of Counsel and Distribution of Available Funds as to Alfredo Rodriguez Directing Funds in the amount of \$5,000 be deposited with the Clerk of Court. Pretrial Services shall determine a payment schedule for Defendant's reimbursement. Signed by Magistrate Judge Ann E. Vitunac on 1/25/2010. (kza) (Entered: 01/25/2010)

----- Original Message -----

From: [Jeffrey Epstein](#)

To: [Jack Goldberger](#) ; [Martin Weinberg](#)

Sent: Wednesday, January 27, 2010 6:16 AM

if the govt is going to use brad in the rothstein or alfredo matter, what happens when we depose him in our case. scarola has demaded that they take my depo the day before brads. jack , did you move both? if we ask him questions that the govt prefers he not answer , what happens? how can alfredo be chargedwith obstruction if he was not subpoenaed in the fed criminal case?

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