

Dear Attorney General Thomas-Jacobs:

We represent Mr. Jeffrey Epstein, who is registered on the U.S. Virgin Islands sex offender registry. We have received a copy of your March 14, 2019 letter regarding substantial additional requirements that you now seek to impose on Mr. Epstein in connection with his future travel notification to your office, and I have several questions regarding those requirements that I would like to discuss with you in person. In addition, I think it is important that you be made aware of recent events relating to Mr. Epstein's efforts, prior to the issuance of your March 14, 2019 letter, to notify your office regarding his international and domestic travel.

In accordance with the procedures authorized by Attorney General Frazer in August 2012, Mr. Epstein gave proper email notice on February 16, 2019 to Ms. Shani Pinney, the Territorial Sexual Offender Registry Program Manager, of his intended to travel for a day trip to the Dominican Republic on February 19, 2019. Mr. Epstein's attorney, Darren Indyke, was copied on that email notice, and received the email at the same time Mr. Epstein sent it to Ms. Pinney. See Exhibit 1 attached. That notice included all international travel information that Ms. Pinney previously advised was necessary in order for her to give international jurisdictions the required advance notice of Mr. Epstein's arrival.

Mr. Epstein also emailed Ms. Pinney on February 18, 2019 reminding her of his obligation to annually renew his registration on March 5 and advising that after leaving at noon on February 19, 2019, Mr. Epstein anticipated being outside of the Territory until March 20, 2019. He inquired in his email as to whether Ms. Pinney preferred for Mr. Epstein to renew his registration before he left the next day or after he returned on March 20, 2019. Attorney Indyke was also copied on that email, and also received it when Mr. Epstein emailed it to Ms. Pinney. See Exhibit 2 attached. Ms. Pinney did not respond to either of these emails, although Mr. Epstein specifically requested in each email that she do so.

Despite Mr. Epstein's timely and proper notice to Ms. Pinney of his travel to the Dominican Republic, Ms. Pinney failed to provide the Dominican Republic with advance notice of Mr. Epstein's travel. As result, upon Mr. Epstein's arrival at the Dominican Republic on February 19, 2019, he was detained for several hours and ultimately denied entry. Having been refused entry, Mr. Epstein then traveled to his vacation home in Palm Beach, Florida, as his February 16, 2019 email notice advised he would do.

On February 21, 2019 at 9:57PM (EST), Attorney Indyke, notified Ms. Pinney of a modification to Mr. Epstein's travel plans. As authorized by the travel notification procedures in effect prior to your March 14, 2019 letter, because Mr. Epstein was traveling and no longer in the Territory at that time, Attorney Indyke provided the changes to Mr. Epstein's itinerary by email to Ms. Pinney. See Exhibit 3 attached. All of the required information, including the required information for international travel, was included in that email, along with a request that Ms. Pinney confirm receipt of the same. Ms. Pinney did not respond to this request.

Six days after Mr. Epstein's February 16, 2019 email travel notice to Ms. Pinney, and well after Mr. Epstein had been detained and refused entry to the Dominican Republic, Ms. Pinney

responded for the first time. By email on February 22, 2019 at 9:11AM (AST), Ms. Pinney first advised that:

I am only now responding because I have been out of the office. Please note that an appointment is not needed to fulfill your registration obligation. In the future, report in person to DOJ to register and there will be Investigators that can assist in my absence.

Also, I have not received your travel details. As you are aware these details must be provided prior to your departure. Please provide by the end of business day.

See Exhibit 4 attached. Five minutes later, at 9:16AM (EST), Mr. Epstein re-sent to Ms. Pinney the email travel notice that he sent to Ms. Pinney on February 16, 2019 and copied Attorney Indyke on the email he re-sent to Ms. Pinney. See Exhibit 5. Ms. Pinney responded at 9:43AM (EST), claiming that she searched her emails and could not find Mr. Epstein's original February 16, 2019 email travel notice. See Exhibit 6 attached. Somehow, however, Ms. Pinney did receive Mr. Epstein's February 18, 2019 email and Mr. Epstein's 9:16AM (EST) email on February 22, 2019. See the email chains in Exhibits 4 and 6 attached. Ms. Pinney also stated that:

In the future, cc SOR Investigator Augustin to assure that the travel details are received. Agent Augustin has been cc'd in this email. Also, you are required to report on March 11th after your return to the USVI on March 9th to complete your yearly registration.

See Exhibit 6 attached.

In light of Ms. Pinney's claim that she had not received Mr. Epstein's emails, Mr. Epstein inquired as to whether Ms. Pinney had received Attorney Indyke's February 21, 2019 email regarding the changes to Mr. Epstein's travel itinerary. Mr. Epstein sent Ms. Pinney four separate emails on February 22, 2019 asking Ms. Pinney to confirm receipt of Attorney Indyke's February 21, 2019 email. Both Attorney Indyke and Agent Augustin were copied on all of them. See Exhibits 7, 8, 9 and 10 attached. Attorney Indyke received each of these emails at the time they were sent to Ms. Pinney. However, Ms. Pinney did not respond to any of the emails. Attorney Indyke also sent emails to both Ms. Pinney and Agent Augustin on February 22, 2019, which included a copy of the February 21, 2019 email Attorney Indyke sent to Ms. Pinney. See Exhibits 11 and 12. Attorney Indyke received no response to these emails. Three days later, Ms. Pinney finally responded to Mr. Epstein, but not to Attorney Indyke. On February 25, 2019, Ms. Pinney emailed Mr. Epstein that she had not received any notices from Attorney Indyke. See Exhibit 13 attached.

After receiving Ms. Pinney's response, on February 25, 2019, Mr. Epstein spoke with Ms. Pinney to determine why she did not confirm receipt of his emails. To aid in this determination, Mr. Epstein also sent four emails to Ms. Pinney on February 25, 2019, which consisted of two test emails, a copy of Attorney Indyke's February 22, 2019 email to Agent Augustin and notice of Attorney Indyke's new email address. See Exhibits 14, 15, 16, and 17 attached. Based on information provided by Ms. Pinney, Mr. Epstein emailed Ms. Pinney on February 28, 2019 that

the DOJ's email filter appeared to be filtering [and blocking] her receipt from him and Attorney Indyke of any emails that include the word "sex". See Exhibit 18 attached.

As is evident from the attached Exhibits, during the period in question, Mr. Epstein and Attorney Indyke timely provided Ms. Pinney with proper notices containing all travel information then required of Mr. Epstein. Although Ms. Pinney claims not to have received the February 16, 2019 travel notice from Mr. Epstein, Attorney Indyke, who was copied on all of Mr. Epstein's email notifications to Ms. Pinney, received Mr. Epstein's February 16, 2019 travel notice by email at the same time Mr. Epstein emailed it to Ms. Pinney. In fact, Attorney Indyke received copies of each one of Mr. Epstein's emails to Ms. Pinney at the same time Mr. Epstein emailed each of them to Ms. Pinney. Ms. Pinney also claimed that she did not receive Attorney Indyke's email travel notice, but as discussed below, it is difficult to understand why she did not.

Mr. Epstein and Attorney Indyke sent their email notifications to Ms. Pinney at the same email addresses that they have been using for Ms. Pinney for years without incident or objection from Ms. Pinney. And Ms. Pinney's emails demonstrate that during this period she did actually receive some emails from Mr. Epstein at both of the email addresses currently in use for her at the Department of Justice. In some cases, Ms. Pinney actually responded (albeit several days later) to the text contained in Mr. Epstein's emails to her.

Previously, in the very few cases of which we are aware when there was any issue regarding Mr. Pinney's receipt of email travel notices, the DOJ's email server returned those emails to Mr. Epstein and Attorney Indyke as undelivered. In each of those cases, the email notices were delivered through other means. None of the emails sent to Ms. Pinney by either Mr. Epstein or Attorney Indyke during the February 16, 2019 to February 28, 2019 period were returned as undelivered by the DOJ's email server. Curiously, the problems identified by Ms. Pinney appear only to have arisen after Mr. Epstein was refused entry when he traveled to the Dominican Republic. And the suggestion that the DOJ's email server is filtering emails by Mr. Epstein and Attorney Indyke that include the word "sex" would mean that every email previously directed to Ms. Pinney, whose very title is Territorial Sexual Offender Registry Program Manager, would have been blocked. In fact, Ms. Pinney's February 25, 2019, 9:43AM (EST) email to Mr. Epstein included in its email chain Mr. Epstein's February 16, 2019 email travel notice addressed to Ms. Pinney, as the Territorial Sexual Offender Registry Program Manager, so obviously that suggestion cannot be accurate.

Please contact me after you have had an opportunity to review these materials so that we can set a date and time to meet and discuss them, as well as your March 14, 2019 letter to Mr. Epstein. I look forward to hearing from you.

Respectfully,

Erika Kellerhals