

From: Jeffrey Epstein <jeevacation@gmail.com>
To: Martin Weinberg <[REDACTED]>
Subject: Re: ATTORNEY-CLIENT PRIVILEGE
Date: Mon, 15 Jun 2009 15:10:34 +0000

ok for me would you send me the numbers for the two of you

On Mon, Jun 15, 2009 at 11:07 AM, Martin Weinberg <[REDACTED]> wrote:

I would add two other points to Alan's analysis which I agree fully with:

- 1) If you file a Decl Judg and lose any significant portion on the merits you will provide a roadmap to every plaintiff - and the remaining complainants in Bob J bullpen - about how to waive every other claim but 2255 and sue you from a position of great strength - clarity may not be in your interest civilly
- 2) You have options - the option to seek a partial stay when an issue that implicates the NPA would require a defensive response from you that you reasonably fear would trigger an erroneous construction of NPA from USAO (the unit of liability issue in terms of waiver is one) or to ask the court to rule on that specific issue not as a plaintiff seeking broad declaratory judgment jurisdiction but as a civil defendant attempting to litigate a specific focused right that results from an action of the plaintiff

Like Alan, we need to know from Bob C and the civil team what are the risks of such a defensive position where you let the plaintiffs create the issues-

ALAN AND I CAN DO C/F CALL WITH YOU AT 11:15 IF YOU ARE AVAILABLE

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