

Lilly Sanchez
FULL ADDRESS FOWLER WHITE - MIAMI

Lilly

I am in receipt of your email to Mr. Epstein with copies to myself, Jay Lefkowitz, and Roy Black and others at your firm dated Sunday August 14, 2011. Several assertions require a response.

First, I always understood that Mr. Epstein's primary litigation purpose in agreeing to civil litigation against Mr. Edwards was to respond, in court, through a legal action approved by his experienced civil counsel, to what was perceived as improper, intrusive, and excessive legal and investigatory tactics employed by Mr. Edwards, his investigators, and others at the RRA firm that Mr. Epstein believed to be in furtherance of improper objectives other than relating to good faith representation of his three litigation clients. For you to write that his "real goal in this case was to get documents involving the federal government" for extrinsic purposes is simply not consistent with what I understood to be either Mr. Epstein *or your firm's* litigation objective. I do not know whether Chris and Joe share your vision of the dominant purpose of the previously filed Amended Complaint, but I cannot continue to work in even a limited supportive capacity if your firm's position is that the litigation you filed (and have strongly recommended re-filing) is for purposes such as that described on page 3 par one of your letter.

Second, I want you to be clear about my limited role in this case. Regardless of the content of any threats by Mr. Scarola – which as to me should absolutely not be considered by Mr. Epstein, the client, in any decision as to how to proceed from here - my role before Judge Carney and, thereafter, when the case was transitioned, before Judge Crow, was to help Joe litigate the privilege issues. In late February or early March of 2011 I was asked to help Joe with litigation then pending before Judge Carney resulting from a subpoena issued for records that were part of a Bankruptcy proceeding before Judge Ray. I agreed to help Joe with the attorney-client privilege issues relating to these documents. My office sent Joe a legal memorandum regarding certain threshold issues and, as a result, we exchanged emails on March 8, 2011 in which I asked Joe to arrange for "my appearance...for limited purposes" to help him "litigate the privilege log issue" before Judge Carney on March 14 or 15, 2011. Most important, I believed in March and I believe up to August 14, 2011 that the primary goal of discovery of the documents to which Mr. Edwards asserted a privilege was to prove the validity of the underlying lawsuit i.e. that, in the words of a recently discovered email, that the goal of Mr. Edwards' litigation and investigation against Mr. Epstein was to go after Mr. Epstein's family and friends and that the tactics he and his firm approved went beyond any litigation privilege.

I neither drafted nor even reviewed (to my recollection) the Amended Complaint until after it was filed nor was it within my limited role in this state civil case to research the merits or shortcomings of the cause of action chosen by your firm. Like Mr. Epstein, I relied on your firm's expertise in selecting a viable cause of action as a condition precedent to filing litigation. I will leave to Mr. Epstein a full response to your recommendations. I will also not address whatever communications I had with Bob Critton at such times as he represented Mr. Epstein civilly. I did not, however, feel comfortable not expressing what appears to be a significant conflict between your view of the goal of the lawsuit your firm undertook on Mr. Epstein's behalf and my assumptions until receiving your communication of August 14, 2011 that it was brought by your firm for a very different goal.

Sincerely
MGW