

From: Jeffrey Epstein <jeevacation@gmail.com>

To: Boris Nikolic <[REDACTED]>

Subject: Fwd: Privileged and Confidential

Date: Mon, 09 Sep 2013 16:18:21 +0000

Attachments: 9-9-13_Revision_of_Agreement.docx; 9-9-13_Comparewrite_Version.docx

----- Forwarded message -----

From: Darren Indyke <[REDACTED]>

Date: Mon, Sep 9, 2013 at 11:52 AM

Subject: Privileged and Confidential

To: Jeffrey Epstein <jeevacation@gmail.com>

Revised Boris Agreement attached. I have attached clean and redlined version. The only remaining information to be inserted is Boris's address. I included the ability of Boris to make an election in his sole discretion to take payment in kind of all or a portion of the payment he is entitled to receive when there is a third party purchase of 100% of Foundation Medicine or ResearchGate. I have specified that if Boris elects in-kind, the in-kind payment will be the securities distributed by the third party purchaser as consideration in connection with the transaction. Since we are making a 100% acquisition a trigger of payment, upon reflection, I did not see what additional harm allowing Boris to take payment of all or a portion of the amounts due to him in-kind. If you disagree, I will remove the provision. The provision is in the last paragraph of the Investment Entity Payment Demands Section. I made changes to confidentiality and releases and indemnification as we discussed, as well. The changes that I made from the draft we received from Larry are marked on a separate attached document for your convenience.

DARREN K. INDYKE
DARREN K. INDYKE, PLLC

[REDACTED]
New York, New York 10022

Telephone: [REDACTED]

Telecopier: [REDACTED]

Mobile: [REDACTED]

email: [REDACTED]

The information contained in this communication is confidential, may be attorney-client privileged, and is intended only for the use of the addressee. It is the property of Darren K. Indyke, PLLC. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail, and destroy this communication and all copies thereof, including all attachments.
Copyright of Darren K. Indyke, PLLC - © 2011 Darren K. Indyke, PLLC – All rights reserved.

--

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of Jeffrey Epstein

Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return e-mail or by e-mail to jeevacation@gmail.com, and destroy this communication and all copies thereof, including all attachments. copyright -all rights reserved