

Rich Kahn

From: Carolyn Cohen [REDACTED]
Sent: Tuesday, October 21, 2008 9:44 PM
To: Rich Kahn
Subject: Dershowitz payment to lawyers

Dear Rich –

Alan has asked me to go back through the files to summarize payments made to other lawyers from the Iolta account. Here's what I have found so far.

In 2005 on 12/7/05 \$20,000 was sent to Jean Baker.

In 2006 the following amounts were sent:

To Dershowitz and Eiger:

2/7/06	\$25,000
6/19/06	\$9,545
10/20/06	\$11,690
11/14/06	\$26,836
11/28/06	\$29,622
12/22/06	\$11,801
TOTAL:	\$114,494

To James Greene:

8/06	\$20,000
10/06	\$6,395
TOTAL:	\$26,395

To Mitch Webber:

3/1/06	\$933
4/5/06	\$410
5/16/06	\$385
8/8/06	\$10,000

10/25/06 \$10,000

TOTAL: \$21,728

To Marty Weinberg:

8/30/06 \$4,901.14

TOTAL: \$4,901.14

In 2007 the following amounts were sent:

To Dershowitz and Eiger:

2/1/07 \$19,540.18

5/10/07 \$100,000

6/12/07 \$19,440.20

7/14/07 \$39,797.33

9/13/07 \$38,281.86

1/16/07 \$26,548.16

TOTAL: \$243,606.

In 2008 the following amounts were sent:

Dershowitz and Eiger:

1/9/08 \$10,38.78

4/8/08 \$58,800.95

TOTAL: \$69,338

This comes to a total of \$480,462.14 paid out to other lawyers that I have found so far. If you need any further information, please let me know and I will look for it.

Sincerely,

Carolyn Cohen

ALAN M. DERSHOWITZ
1575 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS, 02138



October 16, 2007

VIA EMAIL

Judge Herbert J. Stern
Stern & Kilcullen, LLC
75 Livingston Avenue
Roseland, New Jersey 07068

Re: Jeffrey Epstein

Dear Herb:

As you and I discussed on Friday, I would like to retain you to provide an expert opinion with regard to the propriety or impropriety of certain conduct of the Office of the United States Attorney for the Southern District of Florida with respect to its handling of the Jeffrey Epstein matter.

As the press has reported, the matter became a subject of federal interest when a disgruntled detective from the Palm Beach Police Department – unhappy with the State's proposed resolution of the matter – turned investigatory materials over to the press. The matter was then picked up by the United States Attorney's Office. That Office then threatened Mr. Epstein – a prominent supporter of the Democratic Party – with prosecution under a number of federal statutes notwithstanding the fact that the federal statutes had never been used to prosecute the kind of conduct at issue.

The conduct at issue was Epstein's receiving massages from various young women at his Palm Beach, Florida home. Some of the massages, for which the women were paid, had a consensual sexual component. Mr. Epstein made efforts to insure that all of the women involved were over 18 but, it appears, a few of them lied about their age. Several whose statements were taken were 17, and one appears to have been under 16 but, with her, the conduct was limited to touching; there was no penetration. The notion that Mr. Epstein went to Florida for purposes of engaging in illicit sexual conduct is, farfetched. Mr. Epstein went to Florida because he has a home there. Since he also has a home in New York, where the age of consent is 17, there would be no reason for him to go to Florida to engage in conduct that would have been legal had it occurred in

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New York but proscribed by State law in Florida. In any event, that which occurred in Palm Beach was "local, local, local," and thus there was no legitimate federal interest in the matter.

The government now claims that there were 40 girls "identified" as being underage, but, even now, the prosecutors have only spoken to 20 or so of them, and they have indicated an intention to make a smaller subset (approximately 12 - 17 of them) the subject of federal charges.

We did extensive submissions on the inapplicability of the federal criminal statutes which the prosecutors had mentioned as a basis of their investigation – specifically 18 U.S.C. §§ 2422(b) and 2423(b) – and the government itself came to the preliminary conclusion that some or all of the statutes were inapplicable. Nevertheless, they subsequently threatened prosecution under federal criminal laws, including the money laundering statute, knowing that these statutes were at best of questionable applicability in order to pressure Mr. Epstein to plead to state offenses carrying higher penalties than those the state prosecutor had determined appropriate. The federal prosecutors are also insisting that Mr. Epstein be subject to Megan's Law registration requirements, though the State prosecutors believed that was unnecessary and inappropriate given the circumstances.

The principal questions on which we would like your views is whether a responsible federal prosecutor would have brought charges for the conduct at issue and, if not, is it appropriate for a federal prosecutor to threaten to prosecute Mr. Epstein on federal charges in order to get him to plead to a more serious state law offense. There is other prosecutorial conduct that we believe overstepped ethical bounds. For example, the prosecutors have insisted that, to resolve the matter, Mr. Epstein must write 40 checks, each in the amount of \$150,000, to compensate the "victims" though it will not identify to whom the checks will go.

It is on these, and related questions, that we seek your views, in part, so that we may determine whether, and how, to approach Assistant Attorney General Alice Fisher or others in the Department of Justice, with our concerns.

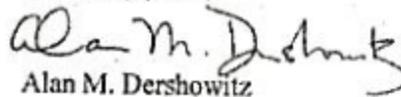
As we discussed, I will provide a retainer in the amount of \$100,000, against which you would charge your time. For purposes of full disclosure, although I am retaining you, you should understand that it is Mr. Epstein, who is providing the money to pay your fee.

As you know, Victoria Eiger has been part of the defense team, and she will be available to provide you with factual and legal materials that we have, and to assist you in any other way you might deem useful. We are hoping that you can complete your review and provide an opinion within two to three weeks.

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I look forward to hearing your views.

Very truly yours,


Alan M. Dershowitz

AMD:iba

cc: Mr. Jeffrey Epstein
Victoria B. Eiger, Esq.