

# EXHIBIT

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U.S. Department of Justice

*United States Attorney  
Southern District of Florida*

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*500 S. Australian Ave, Ste 400  
West Palm Beach, FL 33401  
(561) 820-8711  
Facsimile: (561) 820-8777*

August 13, 2008

DELIVERY BY FACSIMILE

Jay P. Lefkowitz, Esq.  
Kirkland & Ellis LLP  
Citigroup Center  
153 East 53rd Street  
New York, New York 10022-4675

Re: Jeffrey Epstein

Dear Jay:

As per your request, I am attaching several documents related to Mr. Epstein's performance of the Non-Prosecution Agreement.

The first document attached hereto is the June 30, 2008 proposed Notification, which was hand-delivered to Jack Goldberger and Michael Tein shortly after Mr. Epstein entered his guilty plea.

Following that, I have attached the July 9, 2008 response from Mr. Goldberger. I have highlighted two portions. The first is where Mr. Goldberger (presumably with the approval of Mr. Tein) approves of the portion of my proposed Notification that quotes directly from the U.S. Attorney's December letter to Lilly Ann Sanchez. The second portion is where Mr. Goldberger provides his interpretation of the Agreement, and nowhere mentions that he does not believe that the December letter is operative. I note that Mr. Goldberger's letter contains a notation showing that Mr. Epstein was provided with a copy.

The third document I have attached is a copy of one of the notifications that was provided directly to a victim. Copies of all of the notifications have been provided to Mr. Goldberger, and neither he nor any other attorney for Mr. Epstein has ever stated that the letter misrepresents the Agreement between the parties or the benefit that the Agreement bestows upon the victims.

The fourth document I have attached is a copy of a Declaration that I have filed in connection with the victims' lawsuit filed against the United States. This Declaration sets forth our understanding of the Agreement and again quotes from the U.S. Attorney's December letter. Messrs. Goldberger and Tein are aware of this Declaration and have filed copies of it in connection with their

JAY P. LEFKOWITZ, ESQ.  
AUGUST 13, 2008  
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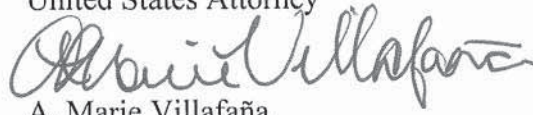
efforts to stay all of the civil litigation. Again, neither of them ever expressed to me – or to the Court – that it inaccurately describes the Agreement between the United States and Mr. Epstein.

Please contact me tomorrow morning so that we can resolve this issue.

Sincerely,

R. Alexander Acosta  
United States Attorney

By:



A. Marie Villafaña  
Assistant United States Attorney

cc: Karen Atkinson, Chief, Northern Division



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June 30, 2008

**NOTIFICATION OF IDENTIFIED VICTIMS**

**NOTICE: IN ACCORDANCE WITH TITLE 18, UNITED STATES CODE, SECTION 3509(d) AND FLORIDA LAW, THE ATTACHED DOCUMENT IS TO BE TREATED AS CONFIDENTIAL AND SHALL NOT BE DISCLOSED EXCEPT IN CONNECTION WITH A LEGAL PROCEEDING.**



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June 30, 2008

**NOTIFICATION OF IDENTIFIED VICTIMS**

On June 30, 2008, Jeffrey Epstein (hereinafter referred to as "Epstein) entered a plea of guilty to violations of Florida Statutes Sections 796.07 (felony solicitation of prostitution) and 796.03 (procurement of minors to engage in prostitution), in the 15th Judicial Circuit in and for Palm Beach County (Case Nos. 2006-cf-009454AXXXMB and 2008-cf-009381AXXXMB) and was sentenced to a term of twelve months' imprisonment to be followed by an additional six months' imprisonment, followed by twelve months of Community Control 1, with conditions of community confinement imposed by the Court.

In light of the entry of the guilty plea and sentence, the United States has agreed to defer federal prosecution in favor of this state plea and sentence, subject to certain conditions.

One such condition to which Epstein has agreed is the following:

"Any person, who while a minor, was a victim of a violation of an offense enumerated in Title 18, United States Code, Section 2255, will have the same rights to proceed under Section 2255 as she would have had, if Mr. Epstein had been tried federally and convicted of an enumerated offense. For purposes of implementing this paragraph, the United States shall provide Mr. Epstein's attorneys with a list of individuals whom it was prepared to name in an Indictment as victims of an enumerated offense by Mr. Epstein. Any judicial authority interpreting this provision, including any authority determining which evidentiary burdens if any a plaintiff must meet, shall consider that it is the intent of the parties to place these identified victims in the same position as they would have been had Mr. Epstein been convicted at trial. No more; no less."

Initials of Jeffrey Epstein \_\_\_\_\_ Initials of Jack Goldberger \_\_\_\_\_

NOTIFICATION OF IDENTIFIED VICTIMS  
JUNE 30, 2008  
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Through this letter, this Office hereby provides Notice that the individuals identified below are individuals whom the United States was prepared to name as a victim of an enumerated offense.

**Identified Individuals**



R. ALEXANDER ACOSTA  
UNITED STATES ATTORNEY

Dated: \_\_\_\_\_

By:

A. MARIE VILLAFANA  
ASSISTANT U.S. ATTORNEY

**ACKNOWLEDGMENT**

I have received this Notification from my attorney, Jack Goldberger, Esquire, have read it and discussed it with my attorney, and I hereby acknowledge that it accurately sets forth my understanding and agreement with the Office of the United States Attorney for the Southern District of Florida regarding the notification and rights of identified victims. I

Initials of Jeffrey Epstein \_\_\_\_\_ Initials of Jack Goldberger \_\_\_\_\_

NOTIFICATION OF IDENTIFIED VICTIMS  
JUNE 30, 2008  
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understand that an exact copy of this Notification will be provided to each identified individual, except that the names of all other identified individuals will be redacted, and I hereby waive any evidentiary challenges to the introduction of a copy of this document—even in redacted form—in any judicial proceeding between any identified individual and myself.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Jeffrey Epstein

Witnessed by:

\_\_\_\_\_  
Jack Goldberger, Esquire