



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 31, 2019

CONFIDENTIAL

[REDACTED]
[REDACTED]
Boston, MA 02116

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
New York, NY 10036

[REDACTED]
[REDACTED]
New York, NY 10019

Re: *United States v. Jeffrey Epstein, 19 Cr. 490 (RMB)*

Dear Counsel:

Please note that the Government is designating this letter as Confidential pursuant to the Protective Order in the above-referenced case. This letter provides discovery pursuant to Rule 16(a) of the Federal Rules of Criminal Procedure ("Fed. R. Crim. P."), and seeks reciprocal discovery.¹

Disclosure by the Government

Based on your request for discovery in this case, enclosed please find copies of the materials listed in the index below, which materials are stamped with control numbers USAO_000001 through USAO_004518:

¹ In addition to the information provided herein, please note that this Office periodically posts content on social media platforms including Twitter, Facebook, and YouTube. Members of the public may post comments in response to the Office's postings. We do not control these user-generated comments, nor do we monitor or regularly review such comments. You may directly access these social media platforms in the event you believe someone may have posted information relevant to this case.

Description	Bates Range
American Express Records	USAO_000001-USAO_000041
Apple Records	USAO_000042-USAO_000043
Database Searches & Property Records	USAO_000044-USAO_000964
Deutsche Bank Records	USAO_000965-USAO_002252
Epstein Arrest	USAO_002253-USAO_002278
Florida Search Warrant Photos	USAO_002279-USAO_002643 ²
Florida Search Warrant Walkthrough Video	USAO_002644-USAO_002652 ³
Google Records	USAO_002653-USAO_002660
Microsoft Records	USAO_002661
2019.07.06 & 2019.07.07 Search Photos	USAO_002662-USAO_003499 ⁴
2019.07.11 Inventory Search Photos	USAO_003500-USAO_003509
2019.07.11 Search Photos	USAO_003510-USAO_004175 ⁵
Applications & Warrants	USAO_004176-USAO_004380
Reports & Logs	USAO_004381-USAO_004445
SORNA materials	USAO_004446-USAO_004505
Travel Records	USAO_004506-USAO_004518

As noted in footnotes 2 through 5, the Government is designating certain of portions of these materials as Confidential pursuant to the Protective Order in this case.

² Please note that the Government is designating the pages of these materials stamped with the following control numbers as Confidential under the Protective Order: USAO_002416, USAO_2451, USAO_002452, USA_002509, USAO_002530, USAO_002531, USAO_002532, USAO_002533, USAO_002535, USAO_002536, USAO_002541, USAO_002542, USAO_002543, USAO_002547, USAO_002548, USAO_002566, USAO_002575, USAO_002578, USAO_002579, USAO_002580, USAO_002581, and USAO_002624.

³ Please note that the Government is designating the pages of these materials stamped with the following control numbers as Confidential under the Protective Order: USAO_002650 and USAO_002651.

⁴Please note that the Government is designating the pages of these materials stamped with the following control numbers as Confidential under the Protective Order: USAO_002817, USAO_002822, USAO_002824, USAO_002826, USAO_002827, USAO_002833, USAO_002848, USAO_002849, USAO_002858, USAO_002859, USAO_002933, USAO_002934, USAO_003142, USAO_003148, USAO_003153, USAO_003154, USAO_003155, USAO_003156, USAO_003157, USAO_003177, USAO_003179, USAO_003192, USAO_003193, USAO_003276, USAO_003300, and USAO_003327.

⁵ Please note that the Government is designating the pages of these materials stamped with the following control numbers as Confidential under the Protective Order: USAO_003729, USAO_003742, USAO_004029, and USAO_004092.

If you wish to inspect any of the physical evidence referenced in these materials, including items listed on search inventories, please let us know, and we will make arrangements for you to do so.

The defendant also made oral statements when he was arrested on or about July 6, 2019. Notes memorializing those statements are included in this production and are marked with control number USAO_002273.

The Government recognizes its obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny. Pursuant to those obligations, we are disclosing the information below. This disclosure should not be taken to indicate that the Government believes the enclosed information constitutes *Brady* material. Rather, we make this disclosure in an abundance of caution. Specifically, the Government discloses the following:

- The victim identified in the Indictment as “Victim-1” received a grand jury subpoena from the Southern District of Florida (“SDFL”) in or about 2008. However, Victim-1 was never interviewed by law enforcement, including the West Palm Beach Police Department, Federal Bureau of investigation (“FBI”), or SDFL in connection with their investigation, and Victim-1 did not testify before the grand jury in SDFL. Victim-1 was first interviewed by law enforcement regarding the defendant in or about 2019, after FBI agents from the New York Field Office working with this Office approached Victim-1. The victims identified in the Indictment as “Victim-2” and “Victim-3” were both interviewed by law enforcement in connection with the SDFL investigation on multiple occasions between in or around 2006 and in or around 2008. Victim-2 and Victim-3 were both identified as victims in the July 10, 2008 letter from SDFL to counsel for the defendant. Victim-1 was not included on that list. Please note that all three of these victims are currently represented by counsel.
- During an interview with FBI agents in West Palm Beach, Florida in or around 2007, the victim identified in the Indictment as “Victim-2” stated that during her first contact with the defendant, she told the defendant that she had just turned eighteen, when in fact she was younger than eighteen at the time. In subsequent interviews, Victim-2 has told law enforcement that the first time she met the defendant, she told him that she was 16, when in fact she was younger than sixteen. Victim-2 further stated that she brought other victims to the defendant’s residence for sexualized massages. She initially told these victims that they should tell the defendant that they were older than they in fact were. Over time, however, Victim-2 stopped telling other victims this because she came to understand that the defendant had a specific preference for underage girls.
- During the Palm Beach Police Department’s investigation of the defendant in 2005, a witness (“Witness-1”) disclosed to detectives that the defendant had paid Witness-1 to bring girls for sexualized massages, and that the defendant told her: “the younger the better.” Witness-1 described bringing multiple girls who were under the age of eighteen to the defendant’s residence in Florida. Witness-1 recalled bringing a girl who was over eighteen, and that the defendant told Witness-1 that this girl was too old. Witness-1

remarked of the defendant: "He likes the girls that are between the ages of 18 and 20." Please note that Witness-1 is also represented by counsel, Rita Glavin, [REDACTED].

The Government will provide material under *Giglio v. United States*, 405 U.S. 150, 154 (1972), and its progeny, in a timely manner prior to trial and consistent with the schedule agreed upon by the parties or set by the Court.

Disclosure by the Defendant

In light of your request for discovery in this case, the Government hereby requests reciprocal discovery under Fed. R. Crim. P. 16(b). Specifically, we request that you allow inspection and copying of: (1) any books, or copies or portions thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial; and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, which are in the defendant's possession or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial or which were prepared by a witness whom the defendant intends to call at trial.

The Government also requests that the defendant disclose prior statements of witnesses he will call to testify. See Fed. R. Crim. P. 26.2; *United States v. Nobles*, 422 U.S. 225 (1975). We request that such material be provided on the same basis upon which we agree to supply the defendant with 3500 material relating to Government witnesses.

Sentence Reduction for Acceptance of Responsibility

This Office will oppose the additional one-point reduction under the Sentencing Guidelines available for defendants who plead prior to the Government's initiation of trial preparations pursuant to U.S.S.G. § 3E1.1(b), in the event your client has not entered a plea of guilty six weeks prior to trial. We will follow this policy whether or not suppression or other pretrial motions remain outstanding after this date and even if the trial date has not been announced by the Court six weeks in advance of the trial.

Finally, please be advised that pursuant to the policy of this Office concerning plea offers, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, discussions regarding the pretrial disposition of a matter that are not reduced to writing and signed by authorized representatives of the Office cannot and do not constitute a "formal offer" or a "plea offer," as those terms are used in *Lafler v. Cooper*, 132 S. Ct. 1376 (2012); *Missouri v. Frye*, 132 S. Ct. 1399 (2012).

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney

by:



[REDACTED]

[REDACTED]

[REDACTED]

Assistant United States Attorneys

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Enclosure