

would then be asking for a TOTAL declination. (If he talks about appeal, waivers, I think that is a non-starter but, does he want to send you a proposed set of facts, to which we would have to stipulate.). I realize that emotions are running high on both of our sides. But if You take a step back, which I again strongly urge you to do. I think you'll agree that our current proposal, while not what we, would ultimately want, nor what you would have preferred- is currently the best overall solution, for both of us. I think it is fair and just. Id like you to think about it, and I suggest we postpone setting up any firm meeting date until tomorrow, after you have had ample time to review the current situation and circumstances and reconsider, the possibility of getting this, complex matter firmly and totally, behind us.

Alex, I wanted to have a one on one conversation re yesterdays call. I wanted to give you time to confirm for yourself what Lily had represented regarding the New York Times. I'm sure you now realize that contrary to the characterization of David weinstein's actions as merely third party hearsay, I wanted you to know that we have proof positive of what transpired. Proof positive of a breach of the U.S. attorneys manual, proof positive of a breach of the local rules of conduct, I can't represent to you we have proof beyond a reasonable doubt of a 6 e violation, but clearly enough facts that would support a charge. Alex, David discussed details of our plea negotiations, (personal security and house arrest), after repeatedly voicing the offices concern with the Palm beach post editorial. He discussed the theory of the case, and talked about the multiple charging statutes, even including the 1591 statute, of sex trafficking- that is patently unfair- both in his religion and his unwavering belief in the system of justice. He is a man of great faith- both in his religion and his unwavering belief in the system of justice. He has two bibles, the king james version and the us attorneys manual. He believes in the system, and in this case he believes it has failed miserably. His fear is that the Bob Seniors review, is merely designed to be a rubber stamp for the office. Regarding our proposal, I believe we have taken a highly principled position. Yesterday, I appreciated you telling me of, as you put it, your thought process. You looked at the case. And said, what would we get if we achieved a conviction. We would have registration, we would have a jail sentence and the victims would be allowed to sue under 2255. I recognize that would be your very thought process, with every plea negotiation. Had you had the statutes that were clearly in the heartland of prosecution, Had Epstein had trafficked in women, had Epstein been caught in the most common of stings. You would have asked the same questions. However, the new facts in this case, facts unknown to you at the time of that thought process, have dramatically changed that landscape. At the time, you were unaware of Maries misrepresentations, you were unaware of Maries disregard for published procedures, you were unaware of the wildly exaggerated list of victims. You were unaware of the missing Brady info. You were certainly unaware of the most troubling breach of prosecutorial conduct -weinsteins interactions with the new York times. That aside, BASED ON THE NEW FACTS, AND THE LAW We have researched every case previously brought... there are none that comes close. this isn't the case in which attempt such a stretch- the initial decision needs to be revisited WE don't need to debate whether or not the petite policy actually applies, and its prominent appearance and than disappearance in the documents. I would encourage you however to seriously reconsider our proposal. Not only as an advocate but as a colleague, I strongly urge you to accept it. You have my word that, if it is accepted this will bring total closure to all outstanding and extremely problematic ancillary issues-- I'm sure you understand. I have not sent you a letter as I'd prefer not to begin creating a record, that might lead to months and months of contentious argument. That being said, I fully realize that you will have to explain such a big change to your two main constituents --The FBI and the people whose back you have to protect. The people that worked on this case. They could be assured that You would be getting much more than the state is still willing to accept. -The victims would be made whole. I'm confident that our proposal is both principled and fair. The conduct is state conduct, you recognize that the fed statutes would have to be tortured to fit. I fear that, if this is not resolved quickly, the recent issues re misconduct with the press will draw us into a tornado of trouble. And frankly I don't think that would be in either of our interests. (I think this is a middle ground, if Alan Dershowitz, and Ken, are able to convince either Bob Senior or Washington- I have more confidence in Washingtons openness that the fed statutes don't apply, we

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