

From: "[REDACTED]" <[REDACTED]>
To: Andrew Patel <[REDACTED]>
Cc: Jill Shellow <[REDACTED]>, Don Yannella <[REDACTED]>, "[REDACTED]" <[REDACTED]>, "[REDACTED]" <[REDACTED]>
Subject: Re: [REDACTED]/Epstein
Date: Thu, 26 Dec 2019 13:37:54 +0000

Andy,

Three issues:

1. We plan to produce the redacted notes to the defense pursuant to the protective order, and the name on an AEO basis to defense counsel. Your letter states that both will be provided on an AEO, which misstates our intention.
2. When we discussed this, we understood that this would not be submitted to defense counsel prior to Judge Torres ruling on your request. There is no language in the letter to that effect, and it seems appropriate to add it.
3. Please add "to the defense" in the first letter to make clear to the Court that you are intervening in our production of discovery to defense counsel in this matter (and not, for instance, in a disclosure to the public or any other entity).

Thanks.

On Dec 25, 2019, at 10:25 AM, Andrew Patel <[REDACTED]> wrote:

[REDACTED],

We have attached a copy (draft) of our letter to Judge Torres. Please let me know your thoughts. We would like to get this to Judge Torres or if she is not available, the Part I Judge, tomorrow.

Sorry to bother you during a holiday,

Andy

Andrew G. Patel
Attorney at Law

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: Friday, December 20, 2019 6:36 PM
To: Andrew Patel <[REDACTED]>
Cc: Jill Shellow <[REDACTED]>; Don Yannella <[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: RE: [REDACTED]/Epstein

Andy,

We cannot agree to these redactions, and think it would be appropriate for you to file a motion before Judge Torres, under seal and copying the Government (but ex parte as to the defense). Could you please send us a copy of the letter before you file it, so that we can ensure that our position is accurately represented? Thanks very much.

-----Original Message-----

From: Andrew Patel <[REDACTED]>

Sent: Friday, December 20, 2019 5:14 PM

To: [REDACTED] <[REDACTED]>

Cc: Jill Shellow <[REDACTED]>; Don Yannella <[REDACTED]>; [REDACTED]

<[REDACTED]>; [REDACTED] <[REDACTED]>; Andrew Patel

<[REDACTED]>

Subject: RE: [REDACTED]/Epstein

[REDACTED]

We have attached a proposed disclosure cover letter that is modeled on a letter sent by the Government in United States v. Madonna, 17 Cr. 89 (CS). We have also attached proposed redacted disclosures. As you and I discussed, we offer this as a means to ensure our client's safety while permitting the Government to comply with what you believe are your disclosure obligations.

As an alternative, we are willing to apply under seal to Judge Torres for a Protective Order to preclude the disclosure. Our client is not a witness, and so this is not 3500 material, nor is it Rule 16 material. We do not believe that this is in fact Brady material, but rather is an error made by our client that we understand is contradicted by the surveillance video evidence. While we applaud your efforts, we have an obligation to make sure that our client is not harmed by the possible release of the fact that he met with your Office.

We understand that you have time constraints. Please let us know how you want to proceed so that we can file a motion before Judge Torres promptly if that is necessary.

Andy

Andrew G. Patel

Attorney at Law

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]]

Sent: Friday, December 20, 2019 10:01 AM

To: Andrew Patel

Cc: Jill Shellow; Don Yannella; [REDACTED]; [REDACTED]

Subject: RE: [REDACTED]/Epstein

EFTA00030149

Andy,

Attached are unredacted and redacted copies of the notes. As discussed, we intend to produce redacted copies of the notes pursuant to the protective order, and produce Mr. [REDACTED] name and your contact information to defense counsel on an AEO basis. The file name will be changed to the bates number so it will not include his name.

I'm also copying my co-counsel [REDACTED] please include them on emails going forward. Finally, Justina is aware that we are providing these notes to you.

Thanks, and please feel free to give us a call to discuss.

-----Original Message-----

From: Andrew Patel <[REDACTED]>

Sent: Friday, December 20, 2019 8:15 AM

To: [REDACTED] <[REDACTED]>

Cc: Andrew Patel <[REDACTED]>; Jill Shellow <[REDACTED]>; Don Yannella

<[REDACTED]>

Subject: [REDACTED]/Epstein

[REDACTED],

Please send us a copy of the disclosure that you are considering as to Mr. [REDACTED]. Seeing the planned disclosure about our client will help us fashion a means of addressing the concerns we discussed last night.

Many thanks,

Andy

Andrew G. Patel

Attorney at Law

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my phone

<Judge Torres Brady preclusion letter Draft.pdf>