

# **EXHIBIT**

# **54**

"Ann Marie  
Villafana"

To "Jay Lefkowitz" <JLefkowitz@kirkland.com>

cc

bcc

09/16/2007 11:41  
AM

Subject Re: JE negotiations

History This message has been replied to  
and forwarded.

Hi Jay -- I looked up some 11th Circuit cases on simple assault and found some good language. I also learned that, every moment that one is aboard an enclosed civil airplane, they are in the "special aircraft jurisdiction of the United States," so the assault charge is really a violation of 49 USC 46506, which doesn't change the penalties.

I have drafted up a factual proffer that I would use at the change of plea based upon our brief conversation and the agents' interaction with Ms. [REDACTED] at her home. The agents and I would need to speak with Ms. [REDACTED] if briefly to confirm that these facts are true. Feel free to make suggestions.

On an "avoid the press" note, I believe that Mr. Epstein's airplane was in Miami on the day of the [REDACTED] telephone call. If he was in Miami-Dade County at the time, then I can file the charge in the District Court in Miami, which will hopefully cut the press coverage significantly. Do you want to check that out?

I will talk to you later. Thanks.

<<< Attachment 'Epstein Plea Proffer.doc' has been archived by user 'CommonStore/IT/Kirkland-Ellis' on '11/26/2007 01:08:17'. >>>