

# **EXHIBIT**

# **137**

## HERMAN & MERMELSTEIN PA

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September 16, 2008

**Via Fax and Regular Mail**

A. Marie Villafañá, Esq.  
Assistant U.S. Attorney  
500 Australian Ave., Fourth Floor  
West Palm Beach, FL 33401

Re: *Jeffrey Epstein*

Dear Ms. Villafañá:

This concerns your letters to us and to sexual assault victims of Mr. Epstein dated September 2, 2008. Please be advised that we strenuously object to your letters on various grounds, and believe that they are in violation of the Florida Bar Rules.

First, your letters attempt to steer the victims to a particular attorney, Mr. Josefsberg, and advise them that Mr. Josefsberg will be making an unsolicited contact to them in the next two weeks. This contact with prospective clients and solicitation reflected in your letters is contrary to Fla. Bar. Rule 4-7.4. Additionally, your letters are misleading in the following respects: (1) the action advocated to the victims in paragraph 2 refers generally to the victims' waiver of "any other claim for damages", failing to advise them that this waiver may include a valuable claim to punitive damages against an alleged billionaire; and (2) the letters imply in paragraph 3 that Mr. Epstein's agreement to pay attorney fees is a significant concession, when in fact a victim is entitled to reasonable attorneys' fees under the Statute upon proof of a violation, irrespective of Mr. Epstein's agreement.

We accordingly demand that the U.S. Attorneys' office immediately cease and desist from directing unrepresented victims into unsolicited attorney contacts and misleading them about their rights in claims against Mr. Epstein. We demand that you instruct Mr. Josefsberg not to solicit victims, and to send letters to unrepresented victims correcting the misleading statements contained in your September 2, 2008 letters.

305-9312200

Herman & Mermelstein, P

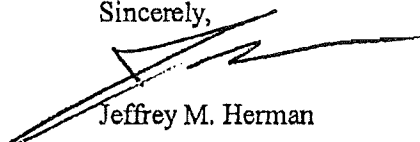
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Finally, we demand that you make no contact with our clients directly, and contact them only through our office. Our clients inclu:

Sincerely,

A handwritten signature in black ink, appearing to be "Jeffrey M. Herman", written over a horizontal line.

Jeffrey M. Herman

JMH/lr