

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA

JANE DOE 1 AND JANE DOE 2,

Petitioners,

vs.

UNITED STATES OF AMERICA,

Respondent.

_____ /

JEFFREY EPSTEIN,

Intervenor.

_____ /

**INTERVENOR JEFFREY EPSTEIN'S SUBMISSION REGARDING
THE PROCEDURE TO DETERMINE REMEDY**

INTERVENOR JEFFREY EPSTEIN, through undersigned counsel, respectfully submits this response to the Court's Order of February 21, 2019 (DE 435), as clarified by the Court's Order entered the following day (DE 437), and by the Court's Order regarding the government's request for an enlargement of time. (DE 438).

On February 13, 2014, this Court entered an Order permitting Mr. Epstein "to intervene with regard to any remedy issue concerning the non-prosecution agreement in this case." (DE 246). It is clear from the submissions made today by the government (DE 451) and the Petitioners (DE 452), that they have not been able to agree on the mechanism for determining the remedy as a result of this Court's finding that the government violated Petitioners' right to conferral under the Crime Victims' Rights Act, 18 U.S.C. §3771. As a

result of today's filing by the Petitioners that went far beyond process to begin to make substantive arguments, (DE 452:18), Mr. Epstein intends to file a more substantive response to Petitioners' submission by next week.

Regarding the mechanism for determining remedy, neither party disputes that Mr. Epstein has a right to be heard and to participate in any court-ordered mediation. Mr. Epstein respectfully submits that he should be given an opportunity to file a response to the substantive legal briefs of the parties on the issue of remedy within 30 days after Petitioners' brief is filed, before the Court permits the taking of any evidence in this matter.¹ Moreover, if the Court accepts the parties' proposal for mandatory mediation (DE 451:4), Mr. Epstein requests that the court-ordered mediation include him.

Respectfully submitted,

/s/ Roy Black

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¹ In this respect, Mr. Epstein differs from the government's proposal, which suggests that intervenors be permitted to file a brief only after the Petitioners and the government have both *fully briefed* the matter. (DE 451:2-3).

/s/Martin G. Weinberg

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CERTIFICATE OF SERVICE

I CERTIFY that on May 10, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. According to the Court's website, counsel for all parties and intervenors are able to receive notice via the CM/ECF system.

/s/Jackie Perczek

Jackie Perczek