

EXHIBIT

12



"Villafana, Ann Marie C."

To <lefkowitz@kirkland.com>

cc "

bcc

09/12/2007 03:44 PM

Subject Jeffrey Epstein

History

This message has been replied to

Jay – It was nice seeing you again. Andy and I talked with Alex and Jeff. We are all satisfied in principle with the agreement, but the Office is uncomfortable with the recommended federal charge. Specifically, we are concerned about the effect of taking the position that Mr. Epstein's house is in the special maritime and territorial jurisdiction of the United States, and we have no evidence of any assaults occurring either on Mr. Epstein's plane or offshore from his residence.

We are hoping that you can find an alternative federal statute that can be used. I also will wait to hear from Jack Goldberger to discuss logistics.

Thank you.

A. Marie Villafana

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