

EXHIBIT

123

Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, August 07, 2008 3:58 PM
To: Roy BLACK
Cc: Atkinson, Karen (USAFLS); Lee, Dexter (USAFLS)
Subject: Notification of Possible Compelled Disclosure of the Non-Prosecution Agreement

Dear Roy:

In accordance with paragraph 13 of the Non-Prosecution Agreement, I am providing notice of possible compulsory process commanding the disclosure of the Agreement. As I'm sure you know, two of Mr. Epstein's victims have filed suit against the United States alleging that the government violated their rights as victims by not consulting them prior to entering into the Non-Prosecution Agreement.

As part of their response to one of the government's filings, the victims asked the Court to order the production of the Non-Prosecution Agreement. The deadline for the government to respond is August 15th and we intend to oppose the motion based upon the confidentiality provision. I have attached a copy of the victims' pleading for your review.

In connection with this, we want to make certain that we are making consistent representations to the judiciary regarding the contents of the Agreement. I know that Jack Goldberger filed the Agreement under seal in the state court in accordance with the state judge's order. Can you provide us with a copy of what Jack filed, so that, if we are ordered by the federal court to disclose the agreement, it is exactly the same as what has been filed in the state court?

Thank you again for your assistance.

Regards,
Marie



DE19_080801_Vi
tims' Resp to N..

A. Marie Villafana
Assistant U.S. Attorney
500 S. Australian Ave, Suite 400
West Palm Beach, FL 33401

Tracking:

Z96