

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 08-80736-Civ-Marra/Johnson

IN RE: JANE DOE,

Petitioner.

SUPPLEMENTAL DECLARATION OF A. MARIE VILLAFANA

1. I, A. Marie Villafaña, do hereby declare that I am currently employed as an Assistant United States Attorney (“AUSA”) in the Southern District of Florida and was so employed during all of the events described herein, and that I was the AUSA assigned to the investigation of Jeffrey Epstein.

2. This Declaration is meant to supplement the information provided in the Declaration that was filed on July 9, 2008, and to correct some statements in that Declaration based upon events that occurred after the filing of the July 9 Declaration.

3. As explained in the July 9 Declaration and in Court presentations related to this matter, the resolution of the federal investigation of Jeffrey Epstein included a series of documents: (1) a September 2007 Non-Prosecution Agreement (“Part 1”); (2) an October 2007 Addendum (“Part 2”); and (3) a letter dated December 19, 2007, from the U.S. Attorney to Attorney Lilly Ann Sanchez, counsel to Jeffrey Epstein (“Part 3”).

4. On July 9, 2008, your Affiant sent a victim notification letter to Jane Doe #1, which contained pertinent language from “Part 3” of the Agreement (Ex. 6 to the July 9 Decl.).

5. Prior to preparing and sending that letter, your Affiant sent a draft of the letter to counsel for Jeffrey Epstein. On July 9, 2008, Mr. Epstein’s attorney wrote to your Affiant objecting to parts of the draft, but accepting the part of the draft letter that contained the language from “Part 3” of the Agreement. Based upon that communication, your Affiant sent the victim notification letter to Jane Doe #1 and attached it to your Affiant’s July 9, 2008 Declaration.

6. Although copies of all of the victim notification letters, including the one addressed to Jane Doe #1, were provided to Mr. Epstein’s attorney, and despite the fact that counsel for Mr. Epstein filed a copy of your Affiant’s July 9, 2008 Declaration in some of the civil suits filed against Mr. Epstein, none of Mr. Epstein’s attorneys ever informed your Affiant that they considered the language in the letters and the Declaration to be inaccurate.

7. In August 2008, in anticipation that the Court might order the United States to make the Agreement available to the victims, the United States sought to confirm that counsel for Mr. Epstein had filed the complete Agreement under seal with the State Court at the time of the entry of his guilty plea to the State charges, to insure that an exact copy of that Agreement would be provided in this case, should the Court order its production.

8. On August 14, 2008, Mr. Epstein's counsel communicated to your Affiant that Mr. Epstein did not consider the modification contained in "Part 3" to be operative. This was confirmed on August 18, 2008.

9. Following that date, your Affiant prepared a corrected victim notification letter and worked with Mr. Epstein's counsel to resolve certain issues related to the implementation of the Agreement comprised only of "Parts 1 and 2." Those issues were resolved on September 2, 2008, and on September 3, 2008, your Affiant sent the corrected victim notification letter to Jane Doe #1 via her attorney, Brad Edwards, Esq.

10. As explained in the July 9, 2008 Declaration, at the time that the Agreement was negotiated, Jane Doe #2 was represented by an attorney paid for by Mr. Epstein, and, accordingly, all contact with Jane Doe #2 was made through that attorney.

11. At the time that all portions of the Agreement were signed, Jane Doe #2 was openly hostile to the prosecution of Mr. Epstein and had provided a statement denying that she was a victim. Thus, she was not included in the list of victims provided to Mr. Epstein's counsel and did not receive either of the victim notification letters. She is, however, represented by Attorney Edwards who was informed of these developments and who received both the initial and corrected victim notification letters that were sent to Jane Doe #1.

12. In accordance with the Court's instructions at the status conference of August 14, 2008 and the terms of the Protective Order entered by the Court on August 21, 2008,

beginning on September 2, 2008, I sent corrected Victim Notifications to all victims whom I knew to be represented by counsel. In those letters, I advised counsel of the Court's Protective Order and the procedure for obtaining a copy of the Non-Prosecution Agreement. Since that time, I have provided the Non-Prosecution Agreement to several attorneys, who represent twelve identified victims, and have received Protective Orders counter-signed by those attorneys and their clients. Two attorneys for other victims have not requested the opportunity to review the Non-Prosecution Agreement. Victims whom I believe are unrepresented have also received corrected Victim Notification letters that advise them of the existence of the Protective Order. No one has expressed to me any concerns regarding their access to the Non-Prosecution Agreement.

13. I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 22nd day of December, 2008.


A. Marie Villafañe, Esq.