

EXHIBIT

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Villafana, Ann Marie C. (USAFLS)

From: Villafana, Ann Marie C. (USAFLS)
Sent: Thursday, September 20, 2007 6:42 PM
To: 'Jay Lefkowitz'
Subject: RE: Plea Agreement -- EPSTEIN

Jay -- The 18 and 12 has already been agreed to by our office, so that is not a problem.

On the issue about 18 USC 2255, we seem to be miles apart. Your most recent version not only had me binding the girls to a trust fund administered by the state court, but also promising that they will give up their 2255 rights.

I reviewed the e-mail that I sent you on Sunday with the comments on some of your other changes. In the context of a non-prosecution agreement, the office may be more willing to be specific about not pursuing charges against others. However, as I stated on Sunday, the Office cannot and will not bind Immigration.

Also, your timetable will need to move up significantly. As Barry said in our meeting last week, his office can put together a plea agreement, information, and get you all before the judge on a change of plea within a day.

I am headed out now, but you can get me on my cell or call me tomorrow in the office. Thank you.

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From: Jay Lefkowitz [mailto:JLefkowitz@kirkland.com]
Sent: Thursday, September 20, 2007 6:12 PM
To: Villafana, Ann Marie C. (USAFLS)
Subject: Plea Agreement -- EPSTEIN

Marie - Still looking it over and I may have some questions in the morning, but I have a few now regarding the state resolution

In your last draft, you put in 20 and 10, and I thought that we had agreed to 18 and 12. I assume this is not a serious issue, but wanted to call it to your attention. I also wonder if you have any flexibility on the language in the 2255 paragraphs. I don't think we are very far apart on this language. I had also suggested some language, to be included in the agreement on finality, provided that Jeffrey abided by all the terms of the agreement.

Please let me know your thoughts on these. I will continue to review the document and speak with you tomorrow.

Thanks -- Jay

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