

**From:** "██████████)" <████████>  
**To:** "Weinstein, Marc A." <████████>, Andrew Tomback  
<████████>  
**Cc:** "████████)" <████████>, "████████)"  
<████████>

**Subject:** RE: SDNY investigation, re: estate

**Date:** Fri, 17 Jul 2020 22:26:45 +0000

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Marc, Andy,

Following up on our conversation yesterday, we wanted to briefly confirm a few things we discussed and also respond to your question. To reiterate, we agree that your plan with respect to the materials you have identified in the New York residence makes sense, i.e., to have the photographs scanned and then produced to us in electronic format. To the extent we need any originals of materials initially produced electronically in that fashion, we will of course follow up. Additionally, and related, to the extent there are materials that are more conducive to being produced in their original format, such as the photo book you mentioned specifically, we can receive those in hard copy. As a general matter, I think those would only be materials that cannot be individually scanned or copied without removing them from some relevant contextual placement or arrangement; that said, if you or your vendor believes individual items require a judgment call, please feel free to check in with us on any specific questions.

Regarding loose, unlabeled discs, we are not requesting their production at this time. If there are discs that are labeled in some way that indicates or suggests they contain photos in particular, please let us know, as we likely would request production of those items. For discs that do not fit that description, we assume those will be retained by the estate in any event, but please let us know if that is incorrect, or if at some subsequent point that status is expected to change.

Finally, I know we raised the issue of privilege for the first time on our call, so I just want to reiterate that the Government is in no way requesting any waiver, but rather advising you and your clients that we may at some point in the coming weeks seek a formal position on whether the estate intends to waive, on behalf of Jeffrey Epstein, any attorney-client privilege for purposes of discovery review and production in connection with *United States v. Maxwell*, 20 Cr. 330 (AJN). Prior to the Government seeking and obtaining the estate's position on such a question, we will assume that the privilege remains applicable and in effect, and we will proceed with our usual practices in review and production of discovery in that case, including producing materials obtained in connection with the Epstein investigation following any necessary taint / privilege review.

Thank you again for speaking with us, and we will continue to be in touch with any other relevant issues or questions.

best,

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████████  
Assistant U.S. Attorney  
Southern District of New York  
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