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December 22, 2020

**VIA ECF**

The Honorable Debra C. Freeman  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, NY 10007

**Re: *Jane Doe v. Darren K. Indyke and Richard D. Kahn, in their capacities as executors of the Estate of Jefferey E. Epstein, and Ghislaine Maxwell*,  
No. 1:20-cv-00484-JGK-DCF**

Dear Judge Freeman:

We represent Defendants Darren K. Indyke and Richard D. Kahn, as Co-Executors of the Estate of Jeffrey E. Epstein (the "Co-Executors"), in the above-referenced matter. We write in response to the December 21, 2020 letter from Plaintiff's counsel [Doc 87], to clarify the record.

The Co-Executors have no objection to Plaintiff's request that the Court dismiss this action following her decision to accept the Epstein Victims' Compensation Program's (the "Program") independent Administrator's compensation determination. Accordingly, and as Plaintiff's counsel accurately notes, our clients have already executed the Joint Stipulation for Dismissal of Entire Action With Prejudice

In his letter, however, Plaintiff's counsel inaccurately states: "The Epstein Estate and Ghislaine Maxwell mandated that Ms. Maxwell be included in the Program settlement release (presumably because when she committed her tortious and criminal conduct against the victims she was doing so as an agent and/or employee in the scope of her agency and/or employment with Mr. Epstein)." Neither Ms. Maxwell nor her counsel had any say whatsoever regarding the Program, including the scope of the Program release. Only the Estate, various plaintiffs' counsel and the U.S.V.I. Attorney General provided input on the Program.

It is not surprising that, in the interest of finality and as expressly explained in the Program Protocol -- a document drafted over several months with the assistance of claimants' counsel, and in which neither Ms. Maxwell nor her counsel had any involvement -- a claimant who elects to accept the offer of compensation from the

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Program must release her claims against the Estate and anyone who would potentially implead the Co-Executors. (Ms. Maxwell has already sued the Estate in the U.S.V.I. seeking indemnification of her legal expenses, including in this case. It is a matter of public record that the Estate has refused to indemnify Ms. Maxwell, and has moved to dismiss her claims for such relief.) All claimants remain free to pursue claims against others and are in no way prohibited from communicating their experiences (if they wish) to law enforcement, the press or the public.

Respectfully submitted,

/s/ Bennet J. Moskowitz  
Bennet J. Moskowitz, Esq.