IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
****

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	)	
Deceased.	)	**PROBATE NO. ST-19-PB-80**

CLAIMANTS' MOTION TO INTERVENE

COMES NOW the undersigned counsel on behalf of numerous victims of Jeffrey Epstein ("claimants") and hereby files this Claimants' Motion to Intervene in the Petition for Probate and for Letters Testamentary filed by the Executors of the Estate of Jeffrey Epstein ("Estate") on August 15, 2019. In addition to the dozens of unidentified claimants represented by the undersigned in this motion who have not yet filed claims, the following cases have been filed in the Southern District of New York seeking damages against the Estate: VE v. Nine East 71s1Street et al., No. 19-cv-07625 (S.D.N.Y.) (Nathan, J.) Katlyn Doe v. Darren K. lndyke et al., No. 19-cv-07771 (S.D.N.Y.) (Castel, J.) Pricilla Doe v. Darren K. lndyke et al.., No. 19-cv-07772 (S.D.N.Y.) (Carter, J.) Lisa Doe v. Darren K. lndyke et al., No. 19-cv-07773 (S.D.N.Y.) (Ramos, J.) Anastasia Doe v. Darren K. Indyke, et al., No. 19-cv-11869 (S.D.N.Y.) (Nathan, J.). Pursuant to the Virgin Islands Rules of Civil Procedure Rule 24, these claimants have authority to intervene as a matter of right in the underlying action to protect their claims against the Estate.

I. BACKGROUND

On August 10, 2019, Jeffrey Epstein died while in custody in New York facing charges of sexual trafficking and sex trafficking conspiracy. *See* Indictment attached as **Exhibit A.** The Estate of Jeffrey E. Epstein was subsequently filed the Petition for Probate and for Letters Testamentary in the Probate Division of the Superior Court of the Virgin Islands on August 15,

2019. *See* **Exhibit B.** On September 13, 2019, the Executors of the Estate, Darren Indyke and Richard Kahn, posted a Notice to Creditors, setting a six month deadline for creditors to file claims against the Estate. *See* **Exhibit C.** Shortly thereafter, on November 4, 2019, the undersigned counsel filed a Motion to Proceed Anonymously in Filing Notices of Claim as required pursuant to Virgin Islands Probate and Fiduciary Rule 11 titled *Notice to Creditors and Persons Indebted to the Estate* on behalf of dozens of victims who have claims to be made against the Estate of Jeffrey E. Epstein.[1] *See* **Exhibit D.**

On November 14, 2019, the Executors of the Estate filed their Expedited Motion for Establishment of a Voluntary Claims Resolution Program to establish an independent, voluntary claims resolution program run by Program Administrators Jordana Feldman, Kenneth Feinberg, and Camille Biros, to resolve claims of sexual abuse against Jeffrey Epstein. *See* **Exhibit E.** Two months later, on January 15, 2020, the Government of the United States Virgin Islands ("the Government") filed a Twenty Two Count Complaint for damages against the Estate of Jeffrey E. Epstein in the Superior Court of the Virgin Islands. *See* **Exhibit F.** The Government of the Virgin Islands further filed the Government's Opposition to Estate's Motion for Establishment of a Voluntary Claims Resolution Program, which is the pleading that gives rise to the claimants need to intervene in this matter. *See* **Exhibit G.**

II. RELEVANT LAW

Virgin Islands Rule of Civil Procedure Rule 24(a) titled Intervention of Right states in relevant part, "[o]n timely motion, the court must permit anyone to intervene who . . . claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to

[1] Claimants Motion to Proceed Anonymously remains pending and is set to be heard by the Court on February 4, 2020.

protect its interest, unless existing parties adequately represent that interest." Rule 24(c) further requires that, "[a] motion to intervene must be served on the parties as provided in Rule 5. The motion must state the grounds for intervention and be accompanied by a pleading that sets out the claim or defense for which intervention is sought."

"The purpose of the rule governing intervention is to enable one not named as a party who has a direct, substantial, and legally protectable interest in the subject matter of litigation to protect himself from an action that might be detrimental to [her]." *Hendricks v. Clyne,* No. ST-16-CV-147, 2019 WL 918607, at *2 (V.I. Super. Feb. 20, 2019); *see also Stiles v. Yob,* No. 2016-0036, 2016 WL 3884506, at *4 (V.I. July 13, 2016). "Rule 24(a)(2) of the Virgin Islands Rules of Civil Procedure requires the Court to permit intervention by one who, by timely motion, 'claims an interest relating to the [property or] transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest.'" *Id.* The right to intervene under Rule 24(a)(2) exists when the potential intervener meets three elements: "(1) a sufficient interest in the subject matter of the pending litigation, (2) a substantial risk that the disposition of the litigation will impair the interest, and (3) the existing parties do not adequately protect that interest." *Hendricks,* 2019 WL 918607, at *2. Each element is met by the claimants represented in this motion.

III. LEGAL ANALYSIS

The claimants represented herein move to intervene to protect their interests in the property that is the subject of this action, to which the Government has now asserted a claim. Compounding the claimants unequivocal need to intervene in this action, the Government additionally lodged an objection to the voluntary claims resolution program ("the Fund") that the Estate seeks to establish to compensate claimants, and others, for the abuse that they endured. In objecting to the Fund

being established for the claimants, the Government claims that: 1) the Epstein fund does not protect the Government's interest in the Estate of Jeffrey Epstein, 2) the Fund does not set aside funds for future claimants, 3) the evidence requirement could potentially exclude deserving claimants, 4) the range of compensation must be available to claimants before filing, 5) the waiver requirement is unjust, 6) the Fund presents unavoidable conflicts of interest, and 7) undisclosed costs of the Epstein Fund Administration may diminish funds available to victims. While the claimants represented herein take issue with each of these points, this motion to intervene is not the appropriate place to retort these assertions. Rather, claimants move to intervene in this action as they each respectively have an interest relating to the property that is the subject of this Estate action by way of the claim for damages that each has against the Estate as a result of the sexual abuse that she endured at the hands of Jeffrey Epstein.

Finally, pursuant to Rule 24 subsection (a), each claimant has a right to intervene in the present action as she is so situated that decisions made in this action may impair or impede each claimants ability to protect her interest. *See Hendricks,* 2019 WL 918607, at *2. Based on the Complaint filed by the Government and the objection lodged by the Government to the Fund, the decisions made by this honorable Court will have a substantial bearing on the interests of the claimants. Consequently, the claimants wish to intervene to protect their interests in this matter.

IV. CONCLUSION

For the foregoing reasons, the claimants represented by the undersigned counsel request permission to intervene in this action as intervention is the only vehicle available to assure that these victims of Jeffrey Epstein will not suffer detrimental harm by the intervention and objection asserted by the Government. Therefore, the claimants respectfully request that this Court **grant** Claimant's Motion to Intervene.

DATED: January 31, 2020

Respectfully Submitted:

Sean Foster

Sean Foster, Esq.

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	:	SEALED INDICTMENT
- v. -	:	19 Cr.
JEFFREY EPSTEIN,	:	19 CRIM 490
Defendant.	:	

COUNT ONE
(Sex Trafficking Conspiracy)

The Grand Jury charges:

OVERVIEW

1. As set forth herein, over the course of many years, JEFFREY EPSTEIN, the defendant, sexually exploited and abused dozens of minor girls at his homes in Manhattan, New York, and Palm Beach, Florida, among other locations.

2. In particular, from at least in or about 2002, up to and including at least in or about 2005, JEFFREY EPSTEIN, the defendant, enticed and recruited, and caused to be enticed and recruited, minor girls to visit his mansion in Manhattan, New York (the "New York Residence") and his estate in Palm Beach, Florida (the "Palm Beach Residence") to engage in sex acts with him, after which he would give the victims hundreds of dollars in cash. Moreover, and in order to maintain and increase his supply of victims, EPSTEIN also paid certain of his victims to recruit additional girls to be similarly abused by EPSTEIN. In

this way, EPSTEIN created a vast network of underage victims for him to sexually exploit in locations including New York and Palm Beach.

3. The victims described herein were as young as 14 years old at the time they were abused by JEFFREY EPSTEIN, the defendant, and were, for various reasons, often particularly vulnerable to exploitation. EPSTEIN intentionally sought out minors and knew that many of his victims were in fact under the age of 18, including because, in some instances, minor victims expressly told him their age.

4. In creating and maintaining this network of minor victims in multiple states to sexually abuse and exploit, JEFFREY EPSTEIN, the defendant, worked and conspired with others, including employees and associates who facilitated his conduct by, among other things, contacting victims and scheduling their sexual encounters with EPSTEIN at the New York Residence and at the Palm Beach Residence.

FACTUAL BACKGROUND

5. During all time periods charged in this Indictment, JEFFREY EPSTEIN, the defendant, was a financier with multiple residences in the continental United States, including the New York Residence and the Palm Beach Residence.

6. Beginning in at least 2002, JEFFREY EPSTEIN, the defendant, enticed and recruited, and caused to be enticed and

recruited, dozens of minor girls to engage in sex acts with him, after which EPSTEIN paid the victims hundreds of dollars in cash, at the New York Residence and the Palm Beach Residence.

7. In both New York and Florida, JEFFREY EPSTEIN, the defendant, perpetuated this abuse in similar ways. Victims were initially recruited to provide "massages" to EPSTEIN, which would be performed nude or partially nude, would become increasingly sexual in nature, and would typically include one or more sex acts. EPSTEIN paid his victims hundreds of dollars in cash for each encounter. Moreover, EPSTEIN actively encouraged certain of his victims to recruit additional girls to be similarly sexually abused. EPSTEIN incentivized his victims to become recruiters by paying these victim-recruiters hundreds of dollars for each girl that they brought to EPSTEIN. In so doing, EPSTEIN maintained a steady supply of new victims to exploit.

The New York Residence

8. At all times relevant to this Indictment, JEFFREY EPSTEIN, the defendant, possessed and controlled a multi-story private residence on the Upper East Side of Manhattan, New York, *i.e.*, the New York Residence. Between at least in or about 2002 and in or about 2005, EPSTEIN abused numerous minor victims at the New York Residence by causing these victims to be recruited to engage in paid sex acts with him.

9. When a victim arrived at the New York Residence, she typically would be escorted to a room with a massage table, where she would perform a massage on JEFFREY EPSTEIN, the defendant. The victims, who were as young as 14 years of age, were told by EPSTEIN or other individuals to partially or fully undress before beginning the "massage." During the encounter, EPSTEIN would escalate the nature and scope of physical contact with his victim to include, among other things, sex acts such as groping and direct and indirect contact with the victim's genitals. EPSTEIN typically would also masturbate during these sexualized encounters, ask victims to touch him while he masturbated, and touch victims' genitals with his hands or with sex toys.

10. In connection with each sexual encounter, JEFFREY EPSTEIN, the defendant, or one of his employees or associates, paid the victim in cash. Victims typically were paid hundreds of dollars in cash for each encounter.

11. JEFFREY EPSTEIN, the defendant, knew that many of his New York victims were underage, including because certain victims told him their age. Further, once these minor victims were recruited, many were abused by EPSTEIN on multiple subsequent occasions at the New York Residence. EPSTEIN sometimes personally contacted victims to schedule appointments at the New York Residence. In other instances, EPSTEIN directed

employees and associates, including a New York-based employee ("Employee-1"), to communicate with victims via phone to arrange for these victims to return to the New York Residence for additional sexual encounters with EPSTEIN.

12. Additionally, and to further facilitate his ability to abuse minor girls in New York, JEFFREY EPSTEIN, the defendant, asked and enticed certain of his victims to recruit additional girls to perform "massages" and similarly engage in sex acts with EPSTEIN. When a victim would recruit another girl for EPSTEIN, he paid both the victim-recruiter and the new victim hundreds of dollars in cash. Through these victim-recruiters, EPSTEIN gained access to and was able to abuse dozens of additional minor girls.

13. In particular, certain recruiters brought dozens of additional minor girls to the New York Residence to give massages to and engage in sex acts with JEFFREY EPSTEIN, the defendant. EPSTEIN encouraged victims to recruit additional girls by offering to pay these victim-recruiters for every additional girl they brought to EPSTEIN. When a victim-recruiter accompanied a new minor victim to the New York Residence, both the victim-recruiter and the new minor victim were paid hundreds of dollars by EPSTEIN for each encounter. In addition, certain victim-recruiters routinely scheduled these

encounters through Employee-1, who sometimes asked the recruiters to bring a specific minor girl for EPSTEIN.

The Palm Beach Residence

14. In addition to recruiting and abusing minor girls in New York, JEFFREY EPSTEIN, the defendant, created a similar network of minor girls to victimize in Palm Beach, Florida, where EPSTEIN owned, possessed and controlled another large residence, *i.e.*, the Palm Beach Residence. EPSTEIN frequently traveled from New York to Palm Beach by private jet, before which an employee or associate would ensure that minor victims were available for encounters upon his arrival in Florida.

15. At the Palm Beach Residence, JEFFREY EPSTEIN, the defendant, engaged in a similar course of abusive conduct. When a victim initially arrived at the Palm Beach Residence, she would be escorted to a room, sometimes by an employee of EPSTEIN's, including, at times, two assistants ("Employee-2" and "Employee-3") who, as described herein, were also responsible for scheduling sexual encounters with minor victims. Once inside, the victim would provide a nude or semi-nude massage for EPSTEIN, who would himself typically be naked. During these encounters, EPSTEIN would escalate the nature and scope of the physical contact to include sex acts such as groping and direct and indirect contact with the victim's genitals. EPSTEIN would also typically masturbate during these encounters, ask victims

to touch him while he masturbated, and touch victims' genitals with his hands or with sex toys.

16. In connection with each sexual encounter, JEFFREY EPSTEIN, the defendant, or one of his employees or associates, paid the victim in cash. Victims typically were paid hundreds of dollars for each encounter.

17. JEFFREY EPSTEIN, the defendant, knew that certain of his victims were underage, including because certain victims told him their age. In addition, as with New York-based victims, many Florida victims, once recruited, were abused by JEFFREY EPSTEIN, the defendant, on multiple additional occasions.

18. JEFFREY EPSTEIN, the defendant, who during the relevant time period was frequently in New York, would arrange for Employee-2 or other employees to contact victims by phone in advance of EPSTEIN's travel to Florida to ensure appointments were scheduled for when he arrived. In particular, in certain instances, Employee-2 placed phone calls to minor victims in Florida to schedule encounters at the Palm Beach Residence. At the time of certain of those phone calls, EPSTEIN and Employee-2 were in New York, New York. Additionally, certain of the individuals victimized at the Palm Beach Residence were contacted by phone by Employee-3 to schedule these encounters.

19. Moreover, as in New York, to ensure a steady stream of minor victims, JEFFREY EPSTEIN, the defendant, asked and enticed certain victims in Florida to recruit other girls to engage in sex acts. EPSTEIN paid hundreds of dollars to victim-recruiters for each additional girl they brought to the Palm Beach Residence.

STATUTORY ALLEGATIONS

20. From at least in or about 2002, up to and including in or about 2005, in the Southern District of New York and elsewhere, JEFFREY EPSTEIN, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, sex trafficking of minors, in violation of Title 18, United States Code, Section 1591(a) and (b).

21. It was a part and object of the conspiracy that JEFFREY EPSTEIN, the defendant, and others known and unknown, would and did, in and affecting interstate and foreign commerce, recruit, entice, harbor, transport, provide, and obtain, by any means a person, and to benefit, financially and by receiving anything of value, from participation in a venture which has engaged in any such act, knowing that the person had not attained the age of 18 years and would be caused to engage in a

commercial sex act, in violation of Title 18, United States Code, Sections 1591(a) and (b)(2).

Overt Acts

22. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about 2004, JEFFREY EPSTEIN, the defendant, enticed and recruited multiple minor victims, including minor victims identified herein as Minor Victim-1, Minor Victim-2, and Minor Victim-3, to engage in sex acts with EPSTEIN at his residences in Manhattan, New York, and Palm Beach, Florida, after which he provided them with hundreds of dollars in cash for each encounter.

b. In or about 2002, Minor Victim-1 was recruited to engage in sex acts with EPSTEIN and was repeatedly sexually abused by EPSTEIN at the New York Residence over a period of years and was paid hundreds of dollars for each encounter. EPSTEIN also encouraged and enticed Minor Victim-1 to recruit other girls to engage in paid sex acts, which she did. EPSTEIN asked Minor Victim-1 how old she was, and Minor Victim-1 answered truthfully.

c. In or about 2004, Employee-1, located in the Southern District of New York, and on behalf of EPSTEIN, placed

a telephone call to Minor Victim-1 in order to schedule an appointment for Minor Victim-1 to engage in paid sex acts with EPSTEIN.

d. In or about 2004, Minor Victim-2 was recruited to engage in sex acts with EPSTEIN and was repeatedly sexually abused by EPSTEIN at the Palm Beach Residence over a period of years and was paid hundreds of dollars after each encounter. EPSTEIN also encouraged and enticed Minor Victim-2 to recruit other girls to engage in paid sex acts, which she did.

e. In or about 2005, Employee-2, located in the Southern District of New York, and on behalf of EPSTEIN, placed a telephone call to Minor Victim-2 in order to schedule an appointment for Minor Victim-2 to engage in paid sex acts with EPSTEIN.

f. In or about 2005, Minor Victim-3 was recruited to engage in sex acts with EPSTEIN and was repeatedly sexually abused by EPSTEIN at the Palm Beach Residence over a period of years and was paid hundreds of dollars for each encounter. EPSTEIN also encouraged and enticed Minor Victim-3 to recruit other girls to engage in paid sex acts, which she did. EPSTEIN asked Minor Victim-3 how old she was, and Minor Victim-3 answered truthfully.

g. In or about 2005, Employee-2, located in the Southern District of New York, and on behalf of EPSTEIN, placed a telephone call to Minor Victim-3 in Florida in order to schedule an appointment for Minor Victim-3 to engage in paid sex acts with EPSTEIN.

h. In or about 2004, Employee-3 placed a telephone call to Minor Victim-3 in order to schedule an appointment for Minor Victim-3 to engage in paid sex acts with EPSTEIN.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Sex Trafficking)

The Grand Jury further charges:

23. The allegations contained in paragraphs 1 through 19 and 22 of this Indictment are repeated and realleged as if fully set forth within.

24. From at least in or about 2002, up to and including in or about 2005, in the Southern District of New York, JEFFREY EPSTEIN, the defendant, willfully and knowingly, in and affecting interstate and foreign commerce, did recruit, entice, harbor, transport, provide, and obtain by any means a person, knowing that the person had not attained the age of 18 years and would be caused to engage in a commercial sex act, and did aid and abet the same, to wit, EPSTEIN recruited, enticed, harbored, transported, provided, and obtained numerous

individuals who were less than 18 years old, including but not limited to Minor Victim-1, as described above, and who were then caused to engage in at least one commercial sex act in Manhattan, New York.

(Title 18, United States Code, Sections 1591(a), (b)(2), and 2.)

FORFEITURE ALLEGATIONS

25. As a result of committing the offense alleged in Count Two of this Indictment, JEFFREY EPSTEIN, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1594(c)(1), any property, real and personal, that was used or intended to be used to commit or to facilitate the commission of the offense alleged in Count Two, and any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of the offense alleged in Count Two, or any property traceable to such property, and the following specific property:

a. The lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 9 East 71st Street, New York, New York, with block number 1386 and lot number 10, owned by Maple, Inc.

Substitute Asset Provision

26. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1594; Title 21, United States Code, Section 853(p); and Title 28, United States Code, Section 2461.)

FOREPERSON

GEOFFREY S. BERMAN
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JEFFREY EPSTEIN,

Defendant.

INDICTMENT

(18 U.S.C. §§ 371, 1591(a), (b)(2), and 2)

GEOFFREY S. BERMAN
United States Attorney

Foreperson

EXHIBIT B

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN	)	**PROBATE NO. ST-19-PB-____**
Deceased.	)	**ACTION FOR TESTATE ADMINISTRATION**

PETITION FOR PROBATE AND FOR LETTERS TESTAMENTARY

COME NOW Petitioners **DARREN K. INDYKE and RICHARD D. KAHN**, Executors of the Estate of Jeffrey E. Epstein, by and through KELLERHALS FERGUSON KROBLIN PLLC, and petition this Honorable Court to grant the instant petition pursuant to V.I. CODE ANN. tit. 15, § 161 and Rule 3 of the Virgin Islands Rules for Probate and Fiduciary Proceedings. In support thereof, Petitioners state the following:

1) That Petitioners Darren K. Indyke and Richard D. Kahn ("Petitioners") are citizens of the United States of America and residents of Florida and New York, respectively.

2) The original Last Will and Testament of Decedent, dated August 8, 2019, which is attached hereto, appoints Petitioners as Executors of the Estate.

3) The Decedent, Jeffrey E. Epstein, died testate on August 10, 2019 in New York, New York, and was domiciled in and a resident of St. Thomas, Virgin Islands at the time of his death, as supported by the copy of Certificate of Death attached hereto.[1]

4) Decedent left certain assets in trust.

5) The Decedent died possessed of certain property within the Territory of the U.S. Virgin Islands and within the jurisdiction of the Court as herein described:

[1] The original death certificate, or a certified copy thereof, will be filed with the Court upon Counsel's receipt of the same.

PERSONAL PROPERTY[2]	VALUE
Cash	$ 56,547,773.00
Fixed Income Investments	$ 14,304,679.00
Equities	$ 112,679,138.00
Aviation Assets, Automobiles and Boats	$ 18,551,700.00
Fine Arts, Antiques, Collectibles, Valuables & Other Personal Property	TBD subject to appraisal/valuation
Hedge Funds & Private Equity Investments	$ 194,986,301.00
10,000 shares of Maple, Inc., a U.S. Virgin Islands corporation which holds title to 9 East 71st Street New York, NY 10021	$ 55,931,000.00
10,000 shares of Cypress, Inc., a U.S. Virgin Islands Corporation, which holds title to 49 Zorro Ranch Road Stanley, New Mexico 87056	$ 17,246,208.00
10,000 shares of Laurel, Inc., a U.S. Virgin Islands Corporation, which holds title to 358 El Brillo Way Palm Beach, Florida 33480	$ 12,380,209.00
999 shares of SCI JEP, a French Company which holds title to units 47 with mezzanine, 48 and 81 on the 2nd floor, units 63 and 74 on the 5th floor and units 5 and 22 (cellars) in the basement 22 Avenue Foch Paris, France 75116	$ 8,672,823.00
10,000 shares of Poplar, Inc., a U.S. Virgin Islands Corporation, which holds title to Great St. James Island No. 6A Red Hook Quarter St. Thomas, Virgin Islands	$ 22,498,600.00
10,000 shares of Nautilus, Inc., a U.S. Virgin Islands Corporation, which holds title to Little St. James Island No. 6B Red Hook Quarter Parcels A, B & C St. Thomas, Virgin Islands	$ 63,874,223.00
TOTAL PERSONAL PROPERTY:	**$ 577,672,654.00**
TOTAL ESTATE PROPERTY:	**$ 577,672,654.00**

[2] Values are subject to appraisal and/or update to their date of death valuation, which will be confirmed in verified inventory to be filed with the Court.

6) Petitioners are investigating potential debts and claims of the Estate and at this time they are unknown.

7) That the names and addresses, insofar as known to Petitioners, of the heirs and next of kin of the deceased, who would be entitled to share the estate if he had left no will; the relation of each such person to him; the proportion due each such person, and whether each of them is an adult or an infant are as follows:

NAMES	RELATIONSHIP	CAPACITY	SHARE
Mark Epstein	Brother	Adult	100%

8) That Petitioners Darren K. Indyke and Richard D. Kahn be appointed Executors. They are adults of sound mind, are not convicted of any crime involving moral turpitude, and are not judicial officers of this Honorable Court.

9) Although Petitioners are not residents of the Virgin Islands, they are qualified to serve as Executors pursuant to 15 V.I.C. § 235(c) because they otherwise qualify under 15 V.I.C. § 235(a) and they have appointed the law firm of Kellerhals Ferguson Kroblin PLLC, which has offices on St. Thomas, Virgin Islands, to accept service of all papers for purposes of the probate of Decedent's estate.

10) The Decedent's Last Will and Testament provides that "No bond or other security shall be required of any Executor in any jurisdiction." *See* original Last Will and Testament attached hereto at Article THIRD, subsection B on page 2. Accordingly, Petitioners pray that the bond be waived pursuant to V.I. R. Prob. 3.

WHEREFORE, Petitioners pray:

A. That the Estate of Jeffrey E. Epstein be entered into Probate;

B. That a citation be issued to any heir or next of kin who has not signed a Waiver;

C. That this Honorable Court order the issuance of a notice to creditors and claims procedure order in substantial form of that which will be separately proposed to the court forthwith;

D. That the Last Will and Testament of Jeffrey E. Epstein, attached hereto, be admitted to Probate;

E. That Darren K. Indyke and Richard D. Kahn be appointed Executors and Letters Testamentary be issued to them;

F. That the bond be waived; and

G. That the Petition be granted.

Respectfully,

DATED: August 15, 2019

WILLIAM BLUM, ESQ., Of Counsel
V.I. Bar No. 136
KELLERHALS FERGUSON KROBLIN PLLC
Royal Palms Professional Building
9053 Estate Thomas, Suite 101
St. Thomas, V.I. 00802-3602
Telephone: (340) 779-2564
Facsimile: (888) 316-9269
Email: wblum@solblum.com

VERIFICATION OF PETITION

I, Darren K. Indyke, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records show.

DATED: August 15, 2019

Darren K. Indyke

SUBSCRIBED AND SWORN to before me

this 15 day of August, 2019.

Notary Public State of Florida
Elie Mackie
My Commission GG 137817
Expires 08/04/2021

Estate of Jeffrey Epstein
Petition for Probate and Letters Testamentary

Probate No. ST-19-PB-____

VERIFICATION OF PETITION

I, Richard D. Kahn, Executor of the Last Will and Testament of Jeffrey E. Epstein, hereby verify I have read and do hereby certify that the statements contained in the Petition for Probate and for Letters Testamentary are accurate in so far as my knowledge and insofar as my own records show.

DATED: August 15th, 2019

Richard D Kahn
Richard D. Kahn

SUBSCRIBED AND SWORN to before me
this 15th day of August, 2019.

Marianne Barnett

MARIANNE BARNETT
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01BA6276845
Qualified in Suffolk County
Term expires February 25, 2021

EXHIBIT C

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & ST. JOHN
****

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	)	**PROBATE NO. ST-19-PB-80**
Deceased.	)	**ACTION FOR TESTATE**

NOTICE TO CREDITORS AND DEBTORS

PLEASE TAKE NOTICE that **DARREN K. INDYKE** and **RICHARD D. KAHN** have been duly appointed as Executors of the **ESTATE OF JEFFREY E. EPSTEIN**, Deceased (the "Estate"). All persons with claims against the Estate are required to present their claims within six months from the date of this Notice, verified by affidavit and accompanied by vouchers or other documentary proof justifying their claims, and all persons indebted to the Estate are required to promptly make payment to the Executors at the offices of the attorneys for the Estate set forth below or to the Clerk of the Court at the Alexander A. Farrelly Justice Center, St. Thomas, U.S. Virgin Islands.

ATTORNEYS FOR THE ESTATE

Dated: September 13, 2019

WILLIAM L. BLUM, ESQ.
CHRISTOPHER ALLEN KROBLIN, ESQ.
SHARI N. D'ANDRADE, ESQ.
MARJORIE WHALEN, ESQ.
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EXHIBIT D

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF	)	
	)	PROBATE NO. ST-19-PB-80
JEFFREY E. EPSTEIN,	)	
Deceased.	)	
	)	
	)	

NOTICE OF FILING
MOTION TO PROCEED ANONYMOUSLY
IN FILING NOTICES OF CLAIM

COMES NOW, the undersigned counsel on behalf of numerous victims of the Estate of Jeffrey E. Epstein and submits for the consideration of the Court the attached Motion to Proceed Anonymously in Filing Notices of Claim.

DATED: 11/4/2019

Respectfully Submitted,

SEAN E. FOSTER, ESQ.
Marjorie Rawls Roberts, P.C.
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St. Thomas, U.S. Virgin Islands 00802
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IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

IN THE MATTER OF THE ESTATE OF	)	
	)	PROBATE NO. ST-19-PB-80
JEFFREY E. EPSTEIN,	)	
Deceased.	)	
	)	
	)	

MOTION TO PROCEED ANONYMOUSLY IN FILING NOTICES OF CLAIM

COMES NOW, the undersigned counsel on behalf of numerous victims of the Estate of Jeffrey E. Epstein, and files this Motion to Proceed Anonymously in Filing Notices of Claim, and in support thereof states as follows:

Pursuant to Virgin Islands Probate and Fiduciary Rule 11 titled *Notice to Creditors and Persons Indebted to the Estate*, "[a]ll persons having claims against the estate are required to present all claims within six months from the date of this notice, verified by affidavit;" *see also 15 V.I.C.* § 391 Publication of Notice of Administration.

The undersigned currently represents fifteen victims who have claims to be made against the Estate of Jeffrey E. Epstein. To date, the following cases have been filed in the Southern District of New York—*VE v. Nine East 71st Street et al.*, No. 19-cv-07625 (S.D.N.Y.) (Nathan, J.); *Doe v. Darren K. Indyke and Richard D. Kahn et al.*, No. 19-cv-07771 (S.D.N.Y.) (Castel, J.); *Doe v. Darren K. Indyke and Richard D. Kahn* et al., No. 19-cv-07772 (S.D.N.Y.) (Carter, J.); *Doe v. Darren K. Indyke and Richard D. Kahn et al.*, No. 19-cv-07773 (S.D.N.Y.) (Ramos, J.). All of the foregoing cases were filed anonymously, and it is anticipated that all future cases will be filed anonymously, in an effort to protect the identity and privacy of Mr. Epstein's victims.

On September 12, 2019, Federal United States District Court Southern District of New York Judge P. Kevin Castel entered an Order granting Plaintiff Katlyn Doe's Motion to Proceed Anonymously in her Federal Court action. *See* Exhibit A [DE 28], Case 1:19-cv-07771-PKC. Likewise, undersigned counsel respectfully requests that this Court grant each Claimant under its representation the ability to present her Notice of Claim anonymously under pseudonym.

Allowing Plaintiff to proceed anonymously will protect her highly sensitive personal information that will remain the focus of this litigation. There is no prejudice to the Estate in allowing each Claimant to proceed anonymously in filing her claim, nor is there any significant public interest in the disclosure of each claimant's identity. In fact, the public interest in this case weighs in favor of granting Claimants' respective requests to proceed anonymously for their protection. *See Doe. No. 2 v. Kolko*, 242 F.R.D. 193, 196 (EDNY 2006), "courts have granted anonymity to protect against disclosure of a wide range of issues involving matters of the utmost intimacy, including sexual assault;" *see also* 1991 McKinney's Sessions Laws of N.Y. at 2211-2212 ("sexual assault victims have unfortunately had to endure a terrible invasion of their physical privacy. They have a right to expect that this violation will not be compounded by a further invasion of their privacy").

The undersigned does not dispute that the Estate of Jeffrey E. Epstein is statutorily entitled to know the true identity of each Claimant asserting a claim against the Estate. For that reason, each Claimant will cooperate with the Court and counsel for the Estate of Jeffrey E. Epstein to provide her true identity for the purposes of complying with her statutory requirement to present her claim, by affidavit, to the Estate. However, each Claimant represented by undersigned counsel respectfully requests that she be permitted to remain anonymous and proceed only by way of pseudonym in any publicly filed document associated with the probate

matter before this Court. For the foregoing reasons, Claimants respectfully request that the Court grant this Motion to Proceed Anonymously.

Consistent with United States District Judge Castel's Order in the Southern District of New York, the undersigned will disclose the identity of each Claimant to counsel for the Estate of Jeffrey E. Epstein in a document to be submitted to the Court for sealing with the understanding that counsel for the Estate of Jeffrey E. Epstein shall not disclose the identity of any Claimant to any person other than counsel for the Estate of Jeffrey E. Epstein without further order of this Court.

Dated: November 4, 2019

Respectfully Submitted,

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

KATLYN DOE,

Plaintiff,

19-cv-7771 (PKC)

-against-

ORDER

DARREN K. INDYKE, et al..,

Defendant.

----------x

CASTEL, U.S.D.J.

Plaintiff seeks leave to proceed in this action without disclosing her identity using instead a pseudonym. She alleges that Jeffrey Epstein, with the assistance of associates and entities, engaged in "manipulate[ion]," "control," "sexual exploitation," "sexual assault[]," "sexual abuse," and "forced. . . intercourse" of or with plaintiff; she was seventeen when the course of conduct began. (Complaint ¶¶ 58-68.) At this juncture, no defendant has been served.

Rule 10(a), Fed. R. Civ. P., provides that "[t]he title of [a] complaint must name all the parties." The Second Circuit has recognized that the use of a pseudonym is, however, appropriate in limited circumstances where the reasons for anonymity outweigh the public's right of access to judicial proceedings and any prejudice to a defendant. Sealed Plaintiff v. Sealed Defendant, 537 F.3d 185, 189 (2d Cir. 2008). The Circuit's opinion in Sealed Plaintiff lays out ten non-exhaustive factors to be considered in determining whether to allow a case to proceed on an anonymous basis. Id. at 190. The Court analyzes the Complaint in light of these factors.

(1) whether the litigation involves matters that are highly sensitive and of a personal nature.

The Complaint alleges an on-going pattern of sexual assault and abuse beginning when plaintiff was seventeen years-old and asserts that she has and is continuing to suffer psychological injury as a result. (Complaint ¶¶ 52-65.) These are highly sensitive allegations of a personal nature.

(2) whether identification of the plaintiff poses a risk of physical or mental retaliation to the plaintiff or to a third party.

No risk of retaliation is alleged. Jeffrey Epstein is dead and there is no credible evidence of a risk of retaliation from others. There is an allegation of threats of retaliation in the past if she did not comply with demands for sex acts that she would suffer financial, psychological, and reputational harm (Id. ¶ 84) but no facts are alleged that those threats are likely to continue after the death of Epstein.

(3) whether identification of plaintiff poses the risk of other harms, their likely severity and whether they are of the type that the litigation seeks to redress.

The nature of the allegations make it logical to conclude at this early stage that disclosure of plaintiff's identity would cause further psychological harm to plaintiff which is the precise harm the litigation seeks, in part, to redress.

(4) whether there are other factors that make the plaintiff particularly vulnerable to harm of disclosure, for example, because of her age.

By the Court's calculation, the plaintiff is 29 or 30. She is described in the complaint as having physical conditions that make her particularly vulnerable. (Id. ¶¶ 54-55.) She alleges that she has incurred and will continue to incur "medical and psychological expenses" as a result of the conduct alleged. (Id. ¶ 132.)

(5) whether the action challenges the actions of government or government actors, or merely private parties.

The actions alleged are not the actions of a government actor or instrumentality but rather those of private parties.

(6) the nature of any prejudice to a defendant from allowing the plaintiff to proceed anonymously and whether any prejudice can be mitigated by the court.

The Complaint alleges that the representatives of the estate of Epstein have liability for his actions. It also alleges that various non-natural persons are liable for acts and omissions causing plaintiff harm. In such circumstances it is critical that the accused defendants know the identity of the plaintiff in order to investigate and defend against the claim. The Court can mitigate the prejudice to defendants by requiring the disclosure of the actual name of the plaintiff in a document to be served on defendants and also filed under seal with the Court. Plaintiff does not object to disclosure "for discovery purposes on the condition that Defendants do not disclose Plaintiff's name to the general public." (P. Mem. 6; Doc 3-1.)

(7) whether the plaintiff's identity has thus far been kept confidential.

Insofar as the Court is aware, the identity of the plaintiff is not widely known.

(8) whether there is a legitimate public interest or benefit in requiring the plaintiff to disclose her identity.

There is public interest in the litigation because of the notoriety of Epstein and those with whom he associated, but disclosure of the identity of the plaintiff is not likely to be of a legitimate importance or benefit to the public.

(9) Whether the issues in the action are predominately or purely legal nature suggesting that the public interest in the plaintiff's identity may be weak.

The issues in the case are not purely or predominately of a legal nature. This case turns principally on its facts.

(10) whether there are any alternative mechanisms for protecting the confidentiality of the plaintiff.

It is the disclosure of her identity that would exacerbate any preexisting harm to plaintiff and hence there is not alternative mechanism for protecting her confidentiality.

CONCLUSION

Factors 1 and 3 tilt strongly in favor of permitting plaintiff to proceed anonymously and are supported by factors 4, 6, 7, 8 and 10. Factors 2, 5, 9 are either neutral or

weakly support denying the motion. The Court concludes that, at this juncture, the public right to know is substantially outweighed by the plaintiff's legitimate need for anonymity and that prejudice to a defendant can be mitigated by orders of the Court. The Court reserves the right to modify this Order as the case progresses.

Plaintiff's motion (Doc 3) is GRANTED. Within seven days of the appearance of a defendant, plaintiff shall disclose her identity to the appearing defendant in a document to be submitted to the Court for sealing. No defendant may disclose the identity of plaintiff to any person other than counsel without further order of this Court.

SO ORDERED.

P. Kevin Castel
United States District Judge

Dated: New York, New York
September 11, 2019

EXHIBIT E

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
****

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	)	**PROBATE NO. ST-19-PB-80**
Deceased.	)	**ACTION FOR TESTATE ADMINISTRATION**

***EXPEDITED* MOTION FOR ESTABLISHMENT OF A VOLUNTARY CLAIMS RESOLUTION PROGRAM**

COME NOW the Co-Executors of the Estate of Jeffrey E. Epstein (the "Estate"), **DARREN K. INDYKE and RICHARD D. KAHN,** and move this Honorable Court for an expedited order to establish an independent and voluntary claims resolution program (the "Program") for purposes of resolving sexual abuse claims against Jeffrey E. Epstein, deceased, as more fully described *infra*. As contemplated by the Co-Executors, the Program would provide all eligible claimants an opportunity to receive compensation and voluntarily resolve their claims of sexual abuse against Mr. Epstein through a confidential, non-adversarial alternative to litigation. To be designed and implemented by independent, nationally recognized claims administration experts, with input from interested parties including claimants and their representatives, the Program would seek to timely resolve these claims through a process that is sensitive to the experiences and concerns of claimants and treats them with compassion, dignity and respect.

I. BACKGROUND

As widely reported in the news media, multiple individuals have asserted or expressed their intent to assert claims of sexual abuse by Mr. Epstein (collectively, the "Sexual Abuse Claims"). To date, twelve lawsuits involving Sexual Abuse Claims have been filed in the state and federal courts of the State of New York, where claimants assert some of the complained-of conduct occurred, and which recently amended its statute of limitations to permit such claims. These

lawsuits name as defendants the Estate, the Co-Executors, and various entities owned or controlled by Mr. Epstein prior to his death, as well as purported agents and employees of Mr. Epstein or those entities.

Pursuant to this Court's order, Notice to Creditors was duly first published on September 18, 2019. However, only one Sexual Abuse Claim has so far been filed in the Virgin Islands. As noted above, claimants have named the Estate and others in various lawsuits in jurisdictions outside the Virgin Islands and, based on media reports and statements by various counsel for plaintiffs, the Co-Executors anticipate that more Sexual Abuse Claims may be filed in various jurisdictions including New York, Florida, New Mexico and France.

Purpose of the Motion

- The Co-Executors believe that the interests of justice require the Estate to fairly address and timely resolve the Sexual Abuse Claims, no matter where filed, as a matter of national and international importance. As much of the value to claimants lies in the fair and timely resolution of their claims, the Co-Executors request that this Court grant the instant Motion expeditiously.
- Guided by independent, nationally recognized claims administration experts, the Co-Executors have worked diligently to begin formulating a comprehensive process for determination and resolution of the Sexual Abuse Claims. If approved by the Court, the Program would provide, to the fullest extent possible, victims of sexual abuse access to a confidential claims resolution process that does not entail the rigors and publicity of litigation. To our knowledge, this Court is the first probate court that has been called upon to approve the establishment of a mass tort-type program for achieving the fair,

independent determination and resolutions of sexual abuse claims filed by multiple claimants against a decedent's estate. As a matter of public policy alone, the urgency of this matter cannot be overstated.

Development of the Program for evaluation and resolution of the Sexual Abuse Claims, in a manner designed to evaluate those claims in a confidential manner and to streamline their determination by the country's most experienced claims administrators — individuals who have designed, implemented and administered extensive mass tort programs including the September 11th Victim Compensation Fund, the Roman Catholic Church sex-abuse scandal, the BP Deepwater Horizon oil spill in the Gulf of Mexico, the Agent Orange toxic chemical matter, and others — would be in the best interests of claimants, the Estate, its creditors and its beneficiaries. Accordingly, in order to create a mechanism for the just and efficient resolution of the Sexual Abuse Claims that will attract the voluntary participation of claimants, the Co-Executors request the Court's authorization to use the Estate's funds to retain the services of the claims administration experts described below, so that they may properly proceed with preparation of the Program and design of an appropriate protocol to establish a fair, independent claims resolution process.

II. PROPOSED EPSTEIN VICTIMS' COMPENSATION PROGRAM

As contemplated by the Co-Executors, the proposed Epstein Victims' Compensation Program would ultimately function as follows:

Participation in the Program by claimants would be entirely voluntary, and would not affect any rights a claimant has, unless and until the claimant accepts the Program's compensation determination and executes a release. All claimants would be afforded an opportunity to meet with the Program Administrator (described below) if they so desire, and will be treated with compassion, dignity and respect. The planned situs of the Program would be in New York, where

the majority of the Sexual Abuse Claims thus far have been filed, in order to alleviate the burden of requiring claimants to travel to the Virgin Islands. Proceeding in that forum would also provide claimants and their counsel with easier access to the Program Administrator, who is highly qualified and experienced with this type of claims process, and is therefore likely to reduce the overall costs of Program administration. The Program would be open to claimants wherever they are located, and would use an electronic filing system to make the process available regardless of the claimant's location.

A. PROPOSED MECHANICS AND ADMINISTRATION OF THE PROGRAM

If this Court authorizes the Co-Executors to proceed with development of the proposed Program, a detailed Program protocol (the "Protocol") would be designed by the claims administration experts, with input from the Co-Executors and those with an interest in resolution of the Sexual Abuse Claims (including claimants and their representatives), and submitted to the Court for its approval.

A ten-point summary of the contemplated Program follows:

1. Participation in the Program would be entirely voluntary.

2. The Program would be available to all claimants with sexual abuse claims against Mr. Epstein who satisfy certain eligibility criteria, as defined in the Protocol.

3. While strict confidentiality will be required of the Program Administrator and the Estate, each claimant would be free to disclose any and all information concerning her participation in the Program, at claimant's sole discretion, including information concerning the mechanics of the Program and the resolution of her claim.

4. Claimants who elect to file a claim with the Program would be invited to provide documentation identified in a claim form to be developed by the claims administration experts, and any additional corroborating or supporting information to help substantiate their claim.

5. All claimants would be afforded a voluntary, confidential opportunity to meet with the Program Administrator to provide additional information that may bear upon evaluation of their claims.

6. Claims would be processed promptly and efficiently. Claimants would be notified of any deficiency that prevents processing of their claim and provided an opportunity to cure that deficiency.

7. Once a completed claim has been submitted, the Program Administrator would evaluate that claim based on all available information and would determine whether the claimant is eligible to receive compensation and the amount of compensation to be paid. This independent, individual determination will be based on factors and criteria identified in the Protocol. The Estate will have no authority to reject or modify the independent determination of the Program Administrator.

8. Upon issuance of a compensation determination by the Program Administrator, the claimant would have complete freedom to accept or reject that determination. If the claimant elects to accept the determination, the claimant would execute a release waiving her right to litigate any claims she may have against any person or entity arising from or related to Mr. Epstein's conduct, as set forth in the Protocol. Upon the Program Administrator's receipt of the claimant's acceptance of the compensation determination and an executed release, the Program Administrator would approve payment. The approval of any claim by the Program Administrator will be deemed to have the effect of a claim "examined and approved" within the meaning of 15 V.I.C. § 394, and, as already indicated, the Co-Executors would have no authority to reject or modify the Program Administrator's determination of any compensatory award made in accordance with the Protocol.

9. The Program Administrator will submit status reports to the Court on a quarterly basis to provide updated information regarding the progress of the Program, including the number of claims received, the number of claims reviewed, the number of claims approved for payment, the aggregate value of determinations issued, the aggregate value of determinations accepted, and the aggregate value of determinations issued.

10. Following conclusion of the Program, the Program Administrator would issue a Final Report to the Court and the Co-Executors summarizing the Program.

B. PROPOSED CLAIMS PROCESS FOR PROGRAM PARTICIPATION

With respect to the timing and notice of claims, the Program would, if approved by the Court, establish an effective commencement date and deadline for submission of all claims. A claim form would be developed by the Program Administrator and disseminated to all known claimants identified in a confidential database. Instructions for completing the form would be included along with the form. The Program would operate and maintain a website that provides general information about the Program, including the Protocol, Frequently Asked Questions, and information about filing deadlines. Contact information for the Program would also be available on the Program website. That website would also allow claimants, directly or through their representatives, to register a new claim and/or upload their claim form or supporting documents to facilitate submission and processing of individual claims.

C. PROPOSED DESIGN, IMPLEMENTATION AND ADMINISTRATION OF THE PROGRAM

To establish the Program and design and implement the Protocol, the Co-Executors propose engaging the services of independent, nationally recognized experts in this field: Jordana H. Feldman, Kenneth R. Feinberg and Camille S. Biros, whose credentials are discussed in Section D below. The Protocol developed by these experts, with input from the Co-Executors and those with an interest in resolution of the Sexual Abuse Claims (including claimants and their representatives), would include eligibility criteria, the methodology for determining compensatory damages, proof requirements and claims procedures, and timing, as follows:

- ***Eligibility.*** Identifying the criteria to determine whether a claimant is eligible to receive compensation under the Program.
- ***Determination Methodology.*** Defining the factors and considerations to be used to determine the amount of compensation to be offered to any eligible claimant.

- ***Proof Requirements and Claims Procedures.*** Determining what types of supporting documentation or other evidence each individual may be required to submit to substantiate the claim, satisfy Protocol requirements, and allow the Program Administrator to review, process and evaluate the claim.

- ***Timing.*** Expressly stating the timeframe of the Program, including an effective commencement date and deadline for submission of all claims.

In addition to leading the design and implementation of the Program, Ms. Feldman would serve as the Program Administrator and would administer the Program and process all claims. The Program Administrator would have final decision-making authority relating to the administration, evaluation and valuation of claims. As noted above, the approval of any claim by the Program Administrator will be deemed to have the effect of a claim "examined and approved" within the meaning of 15 V.I.C. § 394.

D. CREDENTIALS OF PROGRAM ADMINISTRATOR AND DESIGNERS

The Program Administrator and Program Designers' qualifications for participation in the Program are set forth below.

1. Jordana H. Feldman (Program Administrator & Designer)

   - Ms. Feldman has spent her career engaged in the design, implementation and administration of mass tort claims programs and complex settlements as effective and creative alternatives to litigation.

   - Until recently, Ms. Feldman served as the Deputy Special Master and Director of the New York Office of the September 11th Victim Compensation Fund ("VCF"), the litigation-alternative program established in 2001 and reopened in 2011 to compensate individuals who have become sick or died as a result of their September 11th-related exposure, and administered by the United States Department of Justice. She has worked on the VCF for over ten years, playing a key role in developing guidelines for eligibility and the valuation of losses, and adjudicating thousands of claims, valued in the aggregate over $12 billion. In that position, she has extensive experience interviewing victims of the September 11 tragedy.

- Before joining the Justice Department to work on the VCF, Ms. Feldman worked in the complex dispute resolution practice at the law firm Dickstein Shapiro, LLP, where she represented clients in the design, implementation and administration of complex settlements and mass claims resolution programs arising out of class actions, legislation and Chapter 11 bankruptcy reorganizations. Before working at Dickstein Shapiro, LLP, Feldman worked as a litigation associate at Fried, Frank, Harris, Shriver & Jacobson.

- Ms. Feldman is the co-author of the *Master Guide to Mass Claims Resolution Facilities* (2011) and graduated in 2000 from the University of Pennsylvania Law School. She received her undergraduate degree *magna cum laude* in 1997 from the University of Pennsylvania.

2. Kenneth R. Feinberg (Program Designer)

- Mr. Feinberg is the nation's leading expert in mediation and alternative dispute resolution, and the founder of the Law Offices of Kenneth R. Feinberg, PC. He has been appointed to administer numerous high-profile compensation programs, having served as special master of the September 11th Victim Compensation Fund, the Troubled Asset Relief Program ("TARP") Executive Compensation Program, and the Agent Orange Victim Compensation Program.

- Mr. Feinberg and his colleague Camille Biros have designed and implemented the New York Archdiocese Independent Reconciliation and Compensation Program for resolution of claims of sexual abuse of minors by members of the clergy, as well as similar compensation funds for the Dioceses of Brooklyn and Rockville Centre, New York and for Dioceses in the states of California, Colorado, New Jersey and Pennsylvania.

- Mr. Feinberg has served as adjunct professor of law at Harvard Law School, Columbia Law School, University of Pennsylvania School of Law, Georgetown University Law Center, New York University School of Law, University of Virginia School of Law, and Benjamin N. Cardozo School of Law. Before his academic career, he served as an Assistant U.S. Attorney for the Southern District of New York, special counsel for the U.S. Senate Committee on the Judiciary, and founding partner of the Washington office of the law firm Kaye Scholer LLP, among other positions.

- Mr. Feinberg graduated from New York University School of Law in 1970 and received his undergraduate degree in 1967 from the University of Massachusetts.

3. Camille S. Biros (Program Designer)

- Ms. Biros is a nationally recognized expert in the design, implementation and administration of public and private compensation programs. She currently serves as Director, Claims Administration, at the Law Offices of Kenneth R. Feinberg, P.C.

- Ms. Biros and Mr. Feinberg have designed and implemented the New York Archdiocese Independent Reconciliation and Compensation Program for resolution of claims of sexual abuse of minors by members of the clergy, as well as similar compensation funds for the Dioceses of Brooklyn and Rockville Centre, New York and for Dioceses in the states of California, Colorado, New Jersey and Pennsylvania. Ms. Biros has served as the primary Administrator of these various funds.

- Ms. Biros has also served as Administrator of the DuPont Medical Monitoring Program, Deputy Administrator of the Gulf Coast Claims Facility after the BP Deepwater Horizon oil spill, Deputy Administrator of the GM Ignition Switch Compensation Program and Deputy Special Master of the September 11th Victim Compensation Fund.

III. REQUEST FOR RELIEF

In their fiduciary capacity, the Co-Executors have engaged in discussions with relevant parties in interest regarding the independent, fair and timely resolution of the Sexual Abuse Claims. It is their understanding that many existing and potential claimants would prefer to participate in the Program, if fairly and expeditiously administered, rather than proceeding with litigation. Furthermore, although there would be significant expense in developing and administering the Program, the Co-Executors anticipate that the Program would substantially reduce the expenses to the Estate of litigating multiple lawsuits in numerous jurisdictions, and thus would ultimately reduce expenses to the benefit of all parties with an interest in the Estate,

including claimants and creditors.[1] The expedited nature of the planned Program would also ensure resolution and compensation to claimants in a far more timely manner than through litigation. Additionally, the Protocol associated with the Program would be designed to ensure the proportionate restitution of approved claims for all claimants, in a manner that would provide similar compensation to similarly situated claimants. The Co-Executors submit that such a Program is in the best interests of both the claimants and the Estate because, among other things, it avoids the potential of disproportionate and inconsistent awards and should help to reduce the time, expense and burden of handling claims through the courts, which could involve years of litigation and appeals and consume enormous resources, along with inflicting costs attendant to delay and uncertainty on all affected parties.

Rule 1 of the Virgin Islands Probate and Fiduciary Rules states that, "[w]here no procedural provision is included herein, procedures set forth in the Virgin Islands Rules of Civil Procedure may be adapted by the court as appropriate." In this regard, Rule 90 of the Virgin Islands Rules of Civil Procedure evinces a clear intent in favor of the use of alternative dispute resolution to resolve civil disputes. Thus, it is respectfully submitted that the establishment here of a voluntary claims resolution program is within the Court's authority and would serve the interests of justice. Furthermore, development and implementation of the Program, and the claims process contemplated therein, is within the Court's sound discretion to establish a process by which the rights of claimants will be fairly and efficiently ascertained and administered. *See* 5 V.I.C. § 1264

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1. Such lawsuits have already begun to generate substantial costs and fees for both the Estate and claimants. The expenses of litigation are expected to ratchet up significantly in coming months, absent implementation of the Program as an alternative path for resolution of the Sexual Abuse Claims.

(allowing the court to declare rights, status and other legal relations of various classes of creditors or other interested parties of a trust or estate).

At this juncture, the Co-Executors seek the Court's authorization to use Estate funds to retain the services of the proposed Program Administrator and Program Designers — Ms. Feldman, Mr. Feinberg and Ms. Biros — so that they may promptly proceed with preparation of the Program and design of the Protocol to establish a fair, independent claims resolution process. Once the Protocol is developed and finalized, the Co-Executors would submit it to the Court for approval and would seek an order to formally commence claims resolution proceedings under the Program.

Finally, the Co-Executors seek the Court's approval to submit under seal the proposed engagement agreement of the Program Administrator and Program Designers, as it is proprietary to the extent it establishes a methodology and formula for their compensation. Given the very small group of people sufficiently qualified to design, implement and administer the proposed Program and contemplated Protocol, the terms under which they are engaged would be subject to intense scrutiny and may have the unintended effect of distracting from the Program. The Co-Executors will of course disclose the fees for services rendered by the Program Administrator and Program Designers as they are accounted for by the Estate.

WHEREFORE, the Co-Executors request the expedited entry of an Order granting the relief requested herein substantially in the form of the attached proposed order.

Respectfully,

Dated: November 14, 2019

CHRISTOPHER ALLEN KROBLIN, ESQ.
ANDREW W. HEYMANN, ESQ.
WILLIAM L. BLUM, ESQ.
SHARI N. D'ANDRADE, ESQ.
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IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & ST. JOHN
****

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	)	**PROBATE NO. ST-19-PB-80**
Deceased.	)	**ACTION FOR TESTATE ADMINISTRATION**

ORDER

THIS MATTER is before the Court on the Co-Executors' Expedited Motion for Establishment of a Voluntary Claims Resolution Program. Having reviewed the motion, the Court will grant the same.

Accordingly, it is hereby:

ORDERED that the Co-Executors' Motion is **GRANTED**; and it is further

ORDERED that the Co-Executors shall submit to the Court, under seal, the proposed engagement agreement for the Program Administrator and Designers (as defined in the Motion) for approval and authorization; and it is further

ORDERED that a copy of this Order shall be directed to counsel of record.

Dated: _____

CAROLYN P. HERMON-PERCELL
Magistrate Judge of the Superior Court
of the Virgin Islands

ATTEST: ESTRELLA H. GEORGE
Clerk of the Court

BY: _____

Court Clerk Supervisor _____/_____/_____

EXHIBIT F

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS,

PLAINTIFF,

V.

ESTATE OF JEFFREY E. EPSTEIN, THE 1953 TRUST, PLAN D, LLC; GREAT ST. JIM, LLC; NAUTILUS, INC.; HYPERION AIR, LLC; POPLAR, INC., JOHN AND JANE DOES

DEFENDANTS,

Case No.:

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

COMPLAINT

COMES NOW, the Government of the United States Virgin Islands ("Government") and files this Complaint against the above-named Defendants and in support thereof, would show unto the Court as follows:

JURISDICTION AND PARTIES

1. The Attorney General of the United States Virgin Islands (herein after "Virgin Islands") brings this action on behalf of the Plaintiff, Government of the Virgin Islands, pursuant to 3 V.I.C. § 114 and her statutory authority to enforce the laws of the Virgin Islands, and advocate for the public interest, safety, health and well-being of persons in the Virgin Islands.

2. This Court has subject matter jurisdiction over this civil matter pursuant to 4 V.I.C. § 76 and 14 V.I.C. § 607.

3. This Court has personal jurisdiction over the parties pursuant to 5 V.I.C. § 4903.

4. The Virgin Islands is an unincorporated territory of the United States. It consists of St. Thomas, St. Croix, St. John, and Water Island, and more than 40 surrounding islands and Cays, some of which are privately owned. Among these privately owned islands are Little St. James and Great St. James.

5. Jeffrey E. Epstein ("Epstein") was a resident of the Virgin Islands and he maintained a residence on Little St. James, which he acquired in 1998 and in 2016 he also purchased Great St. James.

6. Epstein registered as a sex offender in the Virgin Islands in 2010. He was a Tier I offender under Virgin Islands law based upon his Florida conviction of procuring a minor for prostitution. As a Tier I offender, Epstein was required to register annually with the Virgin Islands Department of Justice ("VIDOJ") and give advance notice of his travel to and from the Virgin Islands. Epstein was also subject to random address verification by VIDOJ.

7. Epstein was found dead on August 10, 2019 while in custody in New York for sex crimes.

8. Defendant, Estate of Jeffrey E. Epstein ("The Estate"), created upon Epstein's death, is domiciled in the Virgin Islands. On August 15, 2019, the Executors of The Estate, Darren K. Indyke and Richard D. Kahn, filed a Petition for Probate and Letters Testamentary which included Epstein's last will and testament with the Probate Division of the Superior Court of the Virgin Islands.

9. The Petition reports the value of the real and personal property in The Estate located in the Virgin Islands at $577,672,654.00 dollars.

10. According to the Petition, the assets in the Virgin Islands thus far includes:

a. $56.5 million in cash;

b. $127 million in fixed income and equity investments;

c. $195 million in hedge fund and private equity investments; and

d. $18.5 million in planes, boats, and automobiles.

The Estate has not yet valued his fine arts, antiques, and other valuables.

11. The Estate also includes shares of various corporate entities which hold residences and real property used by Epstein, namely:

a. Brownstone in New York City valued at $56 million;

b. Ranch in New Mexico valued at $72 million;

c. Gated home in Palm Beach, Florida, valued at $12 million;

d. Seven units in an apartment building in Paris, valued at $8 million; and

e. Great St. James and Little St. James, collectively valued at $86 million.

12. The Estate is responsible to pay damages for the acts committed by Epstein and the Epstein Enterprise described below.

13. Defendant, The 1953 Trust ("The Trust") was created by Epstein, who "amended and restated" its terms only two days before his suicide. That same day, Epstein revised his Last Will and Testament, transferring all of his "property, real and personal, wherever situated" to The Trust.

14. The Trust also contains Epstein's financial assets and is also responsible to pay damages for the acts committed by Epstein and the Epstein Enterprise described below. The Trust's administrators, Darren K. Indyke and Richard D. Kahn, filed a Certificate of Trust in the Superior Court of the Virgin Islands for The Trust on August 26, 2019.

15. Epstein maintained a deliberately complex web of Virgin Islands corporations, limited liability companies, foundations, and other entities, not all of which are yet known to the

Government of the Virgin Islands, through which he carried out and concealed his criminal conduct.

16. Epstein regularly created new entities in the territory and transferred properties and funds between them in order to preserve and shield Epstein's assets and to facilitate and conceal the unlawful acts described in this Complaint.

17. These entities held properties, including Little St. James and Great St. James, at which Epstein trafficked and sexually abused women and underage girls. Epstein owned and arranged for private planes, helicopters, boat and automobiles to transport victims to, from, and within the Virgin Islands, and provided money to pay these young women and underage girls.

18. Epstein sat at the hub of this web, serving as president, member, manager, or director of each of the entities and, upon information and belief, directing their activities.

19. Defendant, Nautilus, Inc., is a corporation established and organized under the laws of the Virgin Islands. It was incorporated on November 22, 2011.

20. According to records of the Virgin Islands Recorder of Deeds, Nautilus, Inc. owns Little St. James, a/k/a Parcel Number 109803010100, a parcel of 3.1 million square feet valued at $3.2 million, with buildings and improvements valued at $4 million.

21. Epstein was president and director of Nautilus, Inc., which corporate filings describe as "holding property for personal use." Darren Indyke and Richard Kahn, Executors of the Estate, are the secretary and treasurer of Nautilus, Inc., respectively. The Estate values Epstein's holdings of Nautilus, Inc., which holds title to Little St. James at $63.9 million.

22. A deed recorded with the Virgin Islands Recorder of Deeds on December 30, 2011 reflects that the property was transferred from a Delaware entity, L.S.J., LLC, to Nautilus, Inc. for "TEN DOLLARS ($10.00) and other good and valuable consideration." The quitclaim deed lists

Jeffrey Epstein as the sole member of L.S.J., LLC, which it acquired Little Saint James via a warranty deed dated April 27, 1998.

23. As described below, Epstein engaged in a pattern and practice of trafficking and sexually abusing young women and female children on this private, secluded island of Little St. James where Epstein and his associates could avoid detection of their illegal activity from Virgin Islands and federal law enforcement and prevent these young women and underage girls from leaving freely and escaping the abuse.

24. Thus, Nautilus, Inc. participated in carrying out, facilitating and concealing Epstein's crimes, hence Little St. James became an instrumentality of those crimes.

25. Defendant, Great St. Jim, LLC, is a limited liability company established and organized under the laws of the Virgin Islands. Great St. Jim, LLC was organized on October 26, 2015. Great St. Jim, LLC, according to records of the Virgin Islands Recorder of Deeds, owns at least three properties that make up Great St. James acquired on January 28, 2016: Parcel Number 109801010100, consisting of 3.5 million square feet and valued at $17.5 million; Parcel Number 109801010200, consisting of 450,000 square feet of land, valued at $2.8 million; and Parcel Number 109801010300, 1.2 million square feet of land, valued at $2.7 million. According to a warranty deed filed with the Virgin Islands Recorder of Deeds, Epstein, through Great St. Jim, LLC, acquired the last two parcels for $5 million.

26. Epstein is listed as manager and a member of Great St. Jim, LLC and the nature of its business is described as "holding assets."

27. Upon information and belief, Epstein purchased these Great St. James properties—the island with closest proximity to Little St. James—to further shield his conduct on Little St. James from view, prevent his detection by law enforcement or the public, and allow him to

continue and conceal his criminal enterprise. Epstein's significant investment in the purchase of Great St. James demonstrates his intent to expand his illegal operation in the Virgin Islands for years to come. Thus, Great St. Jim, LLC participated in carrying out, concealing, facilitating and continuing Epstein's crimes, and Great St. James became an instrumentality of those crimes.

28. Defendant, Poplar, Inc., is a corporation established and organized under the laws of the Virgin Islands. Poplar, Inc. was incorporated on November 22, 2011. Epstein was president and director of Poplar, Inc., and its purpose was described in corporate filings as "holding property for personal use." Darren Indyke and Richard Kahn, Executors of the Estate, are secretary and treasurer of Poplar, Inc., respectively.

29. A certificate of incumbency provided to the Department of Planning and Natural Resources ("DPNR") also lists Epstein as president of Poplar, Inc. and expressly authorizes the incorporators to conduct "transactions related to permitting matters submitted on behalf of Great St. Jim, LLC."

30. Poplar, Inc. is listed as the signatory for the 2017 Annual Report for Great St. Jim, LLC, and the signature appears to be Epstein's. The Petition for Probate and Letters Testamentary filed by The Estate lists Poplar, Inc. as holding title to Great St. James. Thus, Poplar, Inc. participated in carrying out, concealing, facilitating and continuing Epstein's crimes.

31. Defendant, Plan D, LLC is a limited liability company established and organized under the laws of the Virgin Islands. In its original Articles of Organization, filed October 19, 2012, and Annual Report filings, Epstein's pilot, Larry Visoski, was listed as Plan D, LLC's sole manager/member. However, the July 31, 2019 Annual Report revealed Epstein as the principal behind Plan D, LLC.

32. Upon information and belief, Plan D, LLC owns one or more of the airplanes and helicopters that Epstein used to transport young women and children to and from the Virgin Islands to carry out the criminal pattern of activity described below. Among the airplanes owned by Plan D, LLC is a Gulfstream with N-number N212JE. Flight logs and travel notices indicate that Epstein used this plane to traffic and transport and young women and underage girls to the Virgin Islands.

33. Defendant, Hyperion Air, LLC is a limited liability company established and organized under the laws of the Virgin Islands on October 19, 2012. Jeffrey Epstein is a manager/member of Hyperion Air, LLC, along with his pilot, Larry Visoski. The purpose of Hyperion Air, LLC is listed in its Annual Report as "holding assets."

34. Hyperion Air, LLC is the registered owner of a Bell helicopter with N-number N331JE and a Keystone helicopter with N-number N722JE. Upon information and belief, Epstein used these helicopters to transport young women and underage girls between St. Thomas and Little St. James.

35. John and Jane Does represent individuals and entities whose identities or involvement with Epstein are currently unknown. The Government of the Virgin Islands will amend the Complaint to add these individuals and entities when discovered.

36. The Attorney General brings this action to seek all remedies available to the Government of the Virgin Islands in enforcing its laws and protecting the public interest and public safety. These claims are distinct from, and are not intended to supplant, the claims of victims who were unconscionably harmed by Jeffrey Epstein and his associates.

FACTUAL ALLEGATIONS

A. The Conduct of the "Epstein Enterprise" in the Virgin Islands

37. Epstein and his associates, including Defendants, identified and recruited female victims, including children, and transported them to the Virgin Islands where they were abused and injured. Epstein, through and in association with Defendants, trafficked, raped, sexually assaulted and held captive underage girls and young women at his properties in the Virgin Islands.

38. Epstein created a network of companies and individuals who participated in and conspired with him in a pattern of criminal activity related to the sex trafficking, forced labor, sexual assault, child abuse, and sexual servitude of these young women and children. Epstein and his associates trafficked underage girls to the Virgin Islands, held them captive, and sexually abused them, causing them grave physical, mental, and emotional injury.

39. To accomplish his illegal ends, Epstein formed an association in fact with multiple Defendants and others (both companies and individuals) who were willing to participate in, facilitate, and conceal Epstein's criminal activity in exchange for Epstein's bestowal of financial and other benefits, including sexual services and forced labor from victims.

40. This illicit association of Epstein, Defendants, and his associates constitutes what is referred to herein as the "Epstein Enterprise." Epstein's associates in the Epstein Enterprise, including, but not limited to, those named as Defendants knowingly facilitated, participated in, and concealed Epstein's illegal conduct.

41. Epstein used his wealth and power to create the Epstein Enterprise which engaged in a pattern of criminal activity in the Virgin Islands by repeatedly procuring and subjecting underage girls and young women to unlawful sexual conduct, sex trafficking, and forced labor.

42. The Epstein Enterprise engaged in a pattern of criminal activity in the Virgin Islands (and elsewhere) with the criminal purpose and goal of placing a steady supply of vulnerable female children and young women into sexual servitude in service of Epstein's desires, and those of his associates. The Epstein Enterprise maintained and made available young women and underage girls for the purpose of engaging them in forced labor and sexual activities and used coercion and deception to procure, abuse, and harbor its victims.

43. Flight logs and other sources establish that between 2001 and 2019 the Epstein Enterprise transported underage girls and young women to the Virgin Islands, who were then taken via helicopter or private vessel to Little St. James where they were then deceptively subjected to sexual servitude, forced to engage in sexual acts and coerced into commercial sexual activity and forced labor.

44. In furtherance of its criminal activities, the Epstein Enterprise used its aircrafts to transport the young women and underage girls to the Virgin Islands for purposes of sexual abuse and exploitation.

45. The Epstein Enterprise facilitated and participated in the sexual molestation and exploitation of numerous girls between the age of 12 and 17 years old.

46. On the pretext of providing modeling opportunities, careers and contracts, associates of the Epstein Enterprise, funded by the Epstein Enterprise, lured and recruited young women and underage girls to travel to locations including the Virgin Islands where, upon information and belief, based on the pattern and practice of the Epstein Enterprise, they were sexually abused and exploited.

47. Associates in the Epstein Enterprise recruited both victims and abusers into the Epstein Enterprise, participated in sexual acts of rape and abuse of minors and witnessed Epstein and others engage in sexual acts with children.

48. As recent as 2018, air traffic controllers and other airport personnel reported seeing Epstein leave his plane with young girls some of whom appeared to be between the age of 11 and 18 years.

49. Upon information and belief, based on Epstein's pattern of trafficking and sexually abusing young girls, the Epstein Enterprise trafficked and abused these girls, and others, in the Virgin Islands through 2018.

50. When sued in civil court for committing sex trafficking and sex crimes, Epstein never denied engaging in sexual acts with underage females and procuring underage females for prostitution, but instead consistently invoked his Fifth Amendment privilege against self-incrimination.

51. Upon information and belief, the Epstein Enterprise kept a computerized list of underage girls who were in or proximate to the Virgin Islands, and able to be transported to Epstein's residence at Little St. James in the Virgin Islands.

52. The Epstein Enterprise engaged in a pattern of criminal conduct by trafficking children and young women and placing them in sexual servitude and forced labor in the Virgin Islands. The Epstein Enterprise repeatedly violated 14 V.I.C. §§ 133 to 138, which prohibit trafficking and sexual abuse. The Epstein Enterprise also repeatedly violated laws against child abuse and neglect, including 14 V.I.C. § 505, which defines the crime of child abuse as knowingly or recklessly causing "a child to suffer physical, mental, or emotional injury," or causing a child to be placed in a situation where such injury is foreseeable, and 14 V.I.C. § 506, which applies, as

here, where the child suffers serious physical, mental, or emotional injury as a result of that abuse. The harm to Epstein's victims was both fully foreseeable and deeply damaging.

53. The Epstein Enterprise knowingly recruited, transported, transferred, harbored, received, procured, obtained, isolated, maintained, and enticed young women and girls to engage in forced labor (such as providing massages) and, ultimately, sexual servitude at his little St. James residence.

54. A 15 year old victim was forced into sexual acts with Epstein and others and then attempted to escape by swimming off the Little St. James island. Epstein and others organized a search party that located her and kept her captive by, among other things, confiscating her passport.

55. Another victim, who was first engaged in provide massages to Epstein, was then forced to perform sexual acts at Little St. James in the Virgin Islands. When she attempted to escape from the "private island," Epstein and a search party found her, returned her to his house, and suggested physical restraint or harm if she failed to cooperate.

56. The Epstein Enterprise deceptively lured underage girls and women into its sex trafficking ring with money and promises of employment, career opportunities and school assistance. The Epstein Enterprise preyed on their financial and other vulnerabilities, and promised victims money, shelter, gifts, employment, tuition and other items of value. For example, participants in the Epstein Enterprise targeted young and underage females under the pretext that they would be paid substantially merely to provide massages to him and others. However, once drawn in, victims were then pressured and coerced to engage in sexual acts.

57. The Epstein Enterprise forced underage victims to recruit others to perform services and engage in sexual acts—a trafficking pyramid scheme.

58. The Epstein Enterprise paid girls for each "meeting," with additional money if they brought additional girls. Epstein reportedly required three meetings per day.

59. The Epstein Enterprise used the term "work" as a code for sexual abuse, and, upon information and belief, reportedly kept computer records of the contact information for the victims.

60. Consistent with his creation and use of a complex web of entities to carry out and conceal the criminal trafficking enterprise in the Virgin Islands, the Epstein Enterprise sometimes paid young women and underage girls he exploited and trafficked through his charitable foundations.

61. Once the girls and women were recruited, participants in the Epstein Enterprise enforced their sexual servitude of victims by coercion, including but not limited to, confiscating passports, controlling and extinguishing external communications, and threatening violence. They also made fraudulent statements to family members of victims, claiming victims were being well cared for and supported financially in college and other educational opportunities.

62. The Epstein Enterprise transported, held, sexually abused, trafficked, and concealed women and children at his property in the Virgin Islands dozens of times over nearly two decades.

B. The "Epstein Enterprise" Abused Privileges of Residency to Carry out its Criminal Scheme

63. The Epstein Enterprise in 1998 acquired Little St. James in the Virgin Islands as the perfect hideaway and haven for trafficking young women and underage girls for sexual servitude, child abuse and sexual assault. Little St. James is a secluded, private island, nearly two miles from St. Thomas with no other residents. It can be visited only by private boat or helicopter; no public or commercial transportation is available to carry persons on or off the island, and no

bridge connects the island to St. Thomas. Epstein had easy access to Little St. James from the private airfield on St. Thomas, only 10 minutes away by his private helicopter, but the women and children he trafficked, abused, and held there were not able to leave without his permission and assistance, as it was too far and dangerous to swim to St. Thomas.

64. In 2016, upon information and belief, using a straw purchaser to hide Epstein's identity, the Epstein Enterprise acquired Great St. James, the nearest island to Little St. James. By then, Epstein was a convicted sex offender. Upon information and belief, the Epstein Enterprise purchased the island for more than $20 million because its participants wanted to ensure that the island did not become a base from which others could view their activities or visitors. By acquiring ownership and control of Great St. James to the exclusion of others, the Epstein Enterprise created additional barriers to prevent those held involuntarily on Little St. James from escaping or obtaining help from others.

65. Great St. James and Little St. James are environmentally sensitive locations, with native coral and wildlife protected by federal and territorial law and enforcement authorities. The Department of Planning and Natural Resources ("DPNR") regulates and monitors construction in the Coastal Zone to protect, maintain and manage the precious natural resources of the Virgin Islands. Under its authority, DPNR repeatedly issued citations and assessed thousands of dollars of fines for violations of the Virgin Islands construction code and environmental protection laws on both Little St. James and Great St. James—significant penalties to the agency and to the average resident of the Virgin Islands. But because of Epstein's enormous wealth, these fines had little effect in curbing or stopping the Epstein Enterprise's unlawful conduct or conforming its activities to the law.

66. As a result of illegal construction activity of the Epstein Enterprise, the Virgin Islands has incurred, and will incur, significant expenses to remove the illegal construction or remediate its effects on natural resources in and around Little St. James and Great St. James. The extent of the potential environmental damage is unknown at this time as the illegal construction has not been removed or remediated.

67. The Epstein Enterprise continues to attempt to prevent or limit DPNR authorities from conducting random inspections on the Little St. James and Great St. James necessary to comply with Virgin Islands law.

68. The Epstein Enterprise's violation of the construction and environmental laws was part of a pattern of behavior in flouting the laws of the Virgin Islands and holding itself above the law. Upon information and belief, as described above, the Epstein Enterprise undertook construction at Great St. James after 2016 to continue the scheme to carry out and conceal his trafficking and sexual abuse of young women and children in the Virgin Islands. These actions are also indicative of the Epstein Enterprise's disregard for Virgin Islands' law. The Epstein Enterprise used the Virgin Islands' land, resources, people, and laws for its illicit purposes. Rather than participating lawfully in this community, the Epstein Enterprise took advantage of the secluded nature of the islands in furtherance of its crimes.

69. As a result of its deplorable and unlawful conduct, the Epstein Enterprise has subjected the Virgin Islands to public portrayals as a hiding place for human trafficking and sex crimes.

C. The "Epstein Enterprise" Fraudulently Concealed its Conduct

70. The Epstein Enterprise fraudulently concealed its actions to prevent detection by the Government of the Virgin Islands.

71. The secluded properties at Little St. James and Great St. James were repeatedly used by the Epstein Enterprise as the locations for unlawfully soliciting, transporting, transferring, harboring, receiving, providing, isolating, patronizing, maintaining, deceiving, coercing, and sexually abusing young women and children and concealing these crimes.

72. The Epstein Enterprise was able to hide the trafficking ring from law enforcement, despite the fact that Epstein was a registered sex offender. Given the isolation of the Little St. James and Great St. James and the nature of the crimes and of the victims targeted by the Epstein Enterprise, the activities of the Epstein Enterprise were not readily detectable. Moreover, Epstein's great wealth and power likely made witnesses reluctant to report their observations to the local law enforcement.

73. Upon information and belief, the Epstein Enterprise prevented its employees from cooperating with law enforcement. Employees and others were required to sign confidentiality agreements that prohibited them from speaking to or sharing information with law enforcement. If they were contacted by law enforcement they were to notify the Epstein Enterprise and be represented by Epstein's counsel.

74. The employees were directed not to communicate or interact with guests visiting Little St. James and were also directed not to disclose to anyone events that occurred on the island.

75. Monitoring a sex offender with his own private islands and the resources to fly victims in and out on private planes and helicopters presented unique challenges and allowed the Epstein Enterprise to limit scrutiny by the Government of the Virgin Islands.

76. Sexual Offender Registration and Community Protection Act ("SORCPA") 14 V.I.C. § 1721, *et. seq.* requires sex offenders registered in the Virgin Islands to make periodic in-person appearances to verify and update their registration information.

77. Epstein renewed his registration each year in the Virgin Islands. In addition, beyond this statutory requirement, the Virgin Islands periodically visited—or attempted to visit—Little St. James to conduct additional address verifications.

78. At his last verification in July 2018, Epstein refused to permit Virgin Islands Department of Justice Investigators, assisted by United States Marshals, to enter Little St. James beyond its dock, claiming that the dock was his "front door." Instead, Epstein arranged to be met at his office on St. Thomas.

79. Epstein also misled the Government regarding his travel plans. On March 19, 2019, the Virgin Islands was notified that Epstein would be traveling to France for 10 days on the private plane owned by Plan D, LLC. His notification form did not disclose travel to any other countries. It was later discovered by law enforcement authorities that Epstein also travelled to Vienna and Monaco during that trip.

80. Similarly, the Epstein Enterprise sought to prevent DPNR from conducting routine site visits to inspect unpermitted and potentially damaging construction activity on Great St. James. The Epstein Enterprise repeatedly objected to DPNR's inspections referring to them as "invasions" of Epstein's constitutional right to privacy in his home, which he described defined as the entire island. These DPNR inspections are required for all construction and Virgin Islands residents are

required to cooperate with the inspections to assure compliance with the law throughout the construction phases.

81. These efforts represent Epstein Enterprise's intent to conceal its unlawful activity on Little St. James and Great St. James.

82. The Epstein Enterprise also created numerous corporations and limited liability companies in the Virgin Islands to help conceal its unlawful activity. Most of these companies were created in 2011 and 2012, soon after Epstein registered as a sex offender in the Virgin Islands.

83. Epstein's pilot, Larry Visoski is identified as member or co-member in companies that serviced and maintained the planes that the Epstein Enterprise used to traffick young women and children – Freedom Air Petroleum, LLC (registered November 28, 2011 to hold assets); and JEGE, LLC (registered October 19, 2012 to hold assets).

84. Other Epstein entities include LSJ Employees, LLC (registered October 27, 2011 to provide services); Southern Financial, LLC (registered February 25, 2013 to provide services) and LSJ Emergency, LLC (registered December 2, 2015 to provide services).

85. Some of these companies held considerable assets: Financial Informatics, Inc. (incorporated November 18, 2011, also known as Southern Trust Company, Inc.) had assets of approximately $391 million in 2015; and Financial Trust Company, Inc. (incorporated November 6, 1998) had assets of $212 million when it publicly filed its last balance sheet in 2012.

86. Though often absent in the original incorporation or registration documents or annual filings, Epstein ultimately appeared as president, director, manager, or sole member of each of these companies. Upon information and belief, the purpose of this complex array of corporate entities—some of which may still be discovered—was to allow Epstein to shelter his assets in order to fund, carry out, and conceal his identity and pattern of criminal conduct.

87. The Estate continues to engage in a course of conduct aimed at concealing the criminal activities of the Epstein Enterprise. On November 24, 2019, Epstein's Estate filed an Expedited Motion for Establishment of a Voluntary Claims Resolution Program in the Superior Court of the Virgin Islands. ("Motion"). According to the Motion, the proposed program was to be designed to "establish an independent and voluntary claims resolution program for purposes of resolving sexual abuse claims against Jeffrey E. Epstein." (Motion, at 1).

88. The program proposed by the Estate, whose executors are trustees of The 1953 Trust and officers in at least two Epstein entities, imposes confidentiality requirements and requires any claimant accepting an award under the program to sacrifice any other claims against "any person or entity arising from or related to Mr. Epstein's conduct." (Motion, at 5). It acts to conceal the criminal activities of the Epstein Enterprise and shield its participants from liability and accountability for the injury they caused to the victims.

89. Two days before his death, Epstein amended The Trust and his Last Will and Testament. Upon information and belief, he did so, as part of a pattern and ongoing effort to conceal and shield his assets from potential recovery by claimants.

D. The "Epstein Enterprise" Violated Numerous Virgin Islands Laws

90. The pattern of criminal activity engaged in by Epstein and other participants in the Epstein Enterprise violated 14 V.I.C. §§ 605 and 607 of the Criminally Influenced and Corrupt Organizations Act ("CICO").

91. The Epstein Enterprise also violated Title 14, Chapter 3A, The Virgin Islands Uniform Prevention of and Remedies for Human Trafficking Act relating to Trafficking of Persons; Title 14, Chapter 24, relating to Child Protection and Child Abuse and Neglect; Title 14,

Chapter 81, relating to Prostitution and Related Offenses; Title 18, Chapter 85, relating to Rape and Sexual Assault and other related offenses, as well as other Virgin Islands laws.

92. The Epstein Enterprise violated Virgin Islands laws by engaging in the human trafficking of underage girls and young women and commercial sex with young women and underage girls by force, fraud, enticement, or coercion, which serve as predicates to the Epstein Enterprise's violations of CICO.

93. Certain participants who recruited young women and underage girls to be trafficked and forced into sexual servitude themselves were sexually trafficked and abused by the Epstein Enterprise and may be afforded the protections of 14 V.I.C. § 145.

94. Specifically, Plan D, LLC knowingly and intentionally facilitated the trafficking scheme by flying underage girls and young women into the Virgin Islands to be delivered into sexual servitude. Plan D, LLC repeatedly made flights from the mainland to St. Thomas with Epstein and underage girls and young women for the purpose of engaging in sexual activity on Little St. James. On some occasions, they would transport Epstein and female children by helicopter to Little St. James. On other occasions, Epstein and the young women and girls would be transported by boat.

95. Great St. Jim, LLC and Nautilus, Inc. knowingly participated in the Epstein Enterprise and facilitated the trafficking and sexual servitude of young women and underage girls by providing the secluded properties at, from, or to which Epstein and his associates were able to transport, transfer, receive, maintain, isolate, harbor, provide, entice, deceive, coerce, and sexually abuse underage girls and young women.

96. The Epstein Enterprise engaged in a continuing course of unlawful conduct.

97. After Epstein's suicide, the Epstein Enterprise continued to exist as each of the participants continued to conspire to prevent detection of the breadth and scope of the Epstein Enterprise's criminal wrongdoing and to prevent accountability. These conspiratorial acts are ongoing.

98. The conduct of the Epstein Enterprise offends the core purpose of the Virgin Islands Uniform Prevention of and Remedies for Human Trafficking Act, 14 V.I.C. §131 *et seq*, and violates CICO, enacted to "curtail criminal activity and lessen its economic and political power in the Territory of the Virgin Islands by establishing new penal prohibitions and providing to law enforcement and the victims of criminal activity new civil sanctions and remedies." 14 V.I.C. § 601.

99. The Epstein Enterprise is an illicit enterprise within the meaning of 14 V.I.C. §§ 604 and 605.

100. The Government is entitled to recover civil penalties, damages and other remedies and to extinguish and recoup from the Epstein Enterprise any and all financial and other benefits, and any personal and real property that was used during the course of, or intended for use in the course of the conduct or criminal activity in violation of the laws of the Virgin Islands. The Government is entitled to obtain through divestiture, forfeiture, or other equitable relief all properties and instrumentalities used by the Epstein Enterprise in the criminal pattern of trafficking and sexual abuse in the Virgin Islands, including but not limited to, Great St. James and Little St. James, and all other remedies and penalties permitted by law in the interest of justice.

COUNT ONE
Human Trafficking – Trafficking an Individual
Violation of the Criminally Influenced and Corrupt Organizations Act ("CICO"), 14 V.I.C. § 600 *et seq.*; and 14 V.I.C §133

101. The Government restates and realleges paragraphs 1 to 100 of this Complaint as if fully set forth herein.

102. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

103. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, knowingly recruiting, transporting, transferring, harboring, receiving, providing, obtaining, isolating, maintaining, or enticing female children and young women in the furtherance and performance of forced labor, sexual servitude and commercial sexual activity in violation of Virgin Islands laws codified in 14 V.I.C. §§ 133-138.

104. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

105. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

106. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq*.

COUNT TWO
Human Trafficking – Trafficking an Individual
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act
14 V.I.C. § 600 *et seq.* and 14 V.I.C §133

107. The Government restates and realleges paragraphs 1-106 of this Complaint as if fully set forth herein.

108. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting human trafficking.

109. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy by recruiting, transporting, transferring, harboring, receiving, providing, obtaining, isolating, maintaining or enticing female children and young women in the furtherance and performance of forced labor, sexual servitude and commercial sexual activity in violation of Virgin Islands laws codified in 14 V.I.C. § 133 -138.

110. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

111. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

112. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT THREE
Human Trafficking – Forced Labor
Violation of the Criminally Influenced and Corrupt Organizations Act ("CICO"), 14 V.I.C. § 600 *et seq.*; and 14 V.I.C §134

113. The Government restates and realleges paragraphs 1-112 of this Complaint as if fully set forth herein,

114. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

115. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, knowingly using coercion to compel underage girls and young women to provide labor or services by forced labor in violation of 14 V.I.C. § 134.

116. The Epstein Enterprise knowingly provided or obtained the labor services of individuals by means of force, threats of force, physical restraint, and/or threats of physical restraint; by means of serious harm or threats of serious harm; by means of abuse or threatened abuse of law or legal processes; and by means of the Epstein Enterprise with the intent to cause individuals to believe that, if individuals did not perform such labor or services, individuals would suffer serious harm or physical restraint.

117. Defendants through a pattern of criminal activity directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

118. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

119. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

120. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT FOUR
Human Trafficking – Forced Labor
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act, 14 V.I.C. § 600 *et seq.*; and 14 V.I.C §134

121. The Government restates and realleges paragraphs 1-120 of this Complaint as if fully set forth herein.

122. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting human trafficking.

123. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy by knowingly using coercion to compel underage girls and young women to provide labor or services by forced labor in violation of 14 V.I.C. § 134.

124. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

125. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

126. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT FIVE
Human Trafficking – Sexual Servitude
Violation of the Criminally Influenced and Corrupt Organizations Act ("CICO"), 14 V.I.C. § 600 *et seq.*; 14 V.I.C §135

127. The Government restates and realleges paragraphs 1-126 of this Complaint as if fully set forth herein.

128. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

129. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, knowingly maintaining or making available minors for the purpose of engaging the minors in commercial sexual activities or using coercion or deception to force young women to engage in commercial sexual activity in violation of 14 V.I.C. § 135.

130. On the pretext of providing modeling opportunities, careers and contracts, Defendants facilitated the transporting or recruiting of young women and girls or lured and recruited young women and underage girls to travel to the Virgin Islands where they engaged in sexual acts with Epstein and others. In some instances, young women and underage girls were given scholarships, money, gifts or other items of value in exchange for engaging in sexual acts with Epstein and others.

131. Defendants through a pattern of criminal activity directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

132. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

133. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

134. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq*.

COUNT SIX
Human Trafficking – Sexual Servitude
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act
14 V.I.C. § 600 *et seq*.; 14 V.I.C §135

135. The Government restates and realleges paragraphs 1-134 of this Complaint as if fully set forth herein.

136. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting human trafficking.

137. Each Defendant engaged in acts that revealed its intent to join the criminal conspiracy by knowingly maintaining or making available minors for the purpose of engaging the minors in commercial sexual activities or using coercion or deception to force young women to engage in commercial sexual activity in violation of 14 V.I.C. § 135.

138. On the pretext of providing modeling opportunities, careers and contracts, Defendants facilitated the transporting or recruiting of young women and girls or lured and recruited young women and underage girls to travel to the Virgin Islands where they engaged in sexual acts with Epstein and others. In some instances, young women and underage girls were

given scholarships, money, gifts or other items of value in exchange for engaging in sexual acts with Epstein and others.

139. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

140. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

141. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq*.

COUNT SEVEN
Human Trafficking – Patronizing Minors and Victims of Sexual Servitude
Violation of the Criminally Influenced and Corrupt Organizations Act ("CICO"), 14 V.I.C. § 600 *et seq*.; 14 V.I.C §§ 136-37

142. The Government restates and realleges paragraphs 1-141 of this Complaint as if fully set forth herein.

143. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

144. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, knowingly giving, agreeing to give, or offering to give items of value to young women and minors so that the

young women and minors would engage in commercial sexual activity with Epstein, other Defendants, and other individuals in violation of 14 V.I.C. §§ 136-137.

145. In some instances, young women and underage girls were given scholarships, money, gifts or other items of value in exchange for engaging in sexual acts with Epstein and others.

146. Defendants through a pattern of criminal activity directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

147. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

148. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

149. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO 14 V.I.C. §600 *et seq.*

COUNT EIGHT
Human Trafficking – Patronizing Minors and Victims of Sexual Servitude
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act
14 V.I.C. § 600 *et seq.*; 14 V.I.C §§ 136-37

150. The Government restates and realleges paragraphs 1-149 of this Complaint as if fully set forth herein.

151. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting human trafficking.

152. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy by knowingly giving, agreeing to give, or offering to give items of value to young women and minors so that the young women and minors would engage in commercial sexual activity with Epstein, other Defendants, and other individuals in violation of 14 V.I.C. §§ 136-137.

153. In some instances, young women and underage girls were given scholarships, money, gifts or other items of value in exchange for engaging in sexual acts with Epstein and others.

154. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

155. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise; human trafficking, forced labor, and sexual servitude.

156. At all times material herein, Defendants engaged in said pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO 14 V.I.C. §600 *et seq*.

COUNT NINE
Child Abuse and Neglect
Violation of the Criminally Influenced and Corrupt Organization Act ("CICO"), 14 V.I.C. § 600 *et seq*.; 14 V.I.C §§ 505, 506 and 507

157. The Government restates and realleges paragraphs 1-156 of this Complaint as if fully set forth herein.

158. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

159. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, knowingly or recklessly causing a child to suffer physical, mental or emotional injury, or knowingly or recklessly causing a child to be placed in a situation where it is reasonably foreseeable that such child may suffer physical, mental or emotional injury, in violation Virgin Islands criminal laws prohibiting Child Abuse and Neglect in Title 14 V.I.C. § 500 et. seq.

160. As a result of the Epstein Enterprise's actions numerous young girls suffered serious physical, mental and emotional injury.

161. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

162. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

163. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq*.

COUNT TEN
Child Abuse and Neglect
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act,
14 V.I.C. § 600 *et seq*.; 14 V.I.C §§ 505, 506 and 507

164. The Government restates and realleges paragraphs 1-163 of this Complaint as if fully set forth herein.

165. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting child abuse and neglect.

166. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy as they knowingly or recklessly caused a child to suffer physical, mental or emotional injury, or knowingly or recklessly caused a child to be placed in a situation where it is reasonably foreseeable that such child may suffer physical, mental or emotional injury, in violation Virgin Islands criminal laws prohibiting Child Abuse and Neglect in Title 14 V.I.C. § 500 *et seq*.

167. As a result of Defendants' actions, numerous young girls suffered serious physical, mental and emotional injury.

168. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

169. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

170. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq*.

COUNT ELEVEN
Aggravated Rape
Violation of the Criminally Influenced and Corrupt Organization Act ("CICO"), 14 V.I.C. § 600 *et seq.*; 14 V.I.C § 1700a

171. The Government restates and realleges paragraphs 1-170 of this Complaint as if fully set forth herein.

172. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

173. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, conduct that constituted or facilitated the rape of minors by force, intimidation, or the perpetrator's position of authority over the victim.

174. Epstein and others, using force or intimidation, engaged in sexual intercourse with underage girls without their consent in violation of 14 V.I.C. § 1700a.

175. As a result of the Epstein Enterprise's actions, numerous underage girls suffered serious physical, mental and emotional injury.

176. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

177. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

178. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT TWELVE
Aggravated Rape
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act, 14 V.I.C. § 600 *et seq.*; 14 V.I.C § 1700a

179. The Government restates and realleges paragraphs 1-178 of this Complaint as if fully set forth herein.

180. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting aggravated rape.

181. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy by engaging in conduct that constituted or facilitated the rape of minors by force, intimidation, or the perpetrator's position of authority over the victim.

182. Epstein and others, using force or intimidation, engaged in sexual intercourse with underage girls without their consent in violation of 14 V.I.C. § 1700a.

183. As a result of Defendants' actions, numerous underage girls suffered serious physical, mental and emotional injury.

184. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

185. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

186. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT THIRTEEN
Rape in the Second Degree
Violation of the Criminally Influenced and Corrupt Organization Act ("CICO"), 14 V.I.C. § 600 *et seq.*; 14 V.I.C § 1702

187. The Government restates and realleges paragraphs 1- 186 of this Complaint as if fully set forth herein.

188. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

189. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, conduct that constituted or facilitated the rape of girls under 18 years of age.

190. Epstein and others who engaged in rape were over 18 years old at the time of the incidents.

191. As a result of the Epstein Enterprise's actions, numerous minors suffered serious physical, mental and emotional injury.

192. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

193. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

194. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT FOURTEEN
Rape in the Second Degree
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act, 14 V.I.C. § 600 *et seq.*; 14 V.I.C § 1702

195. The Government restates and realleges paragraphs 1-194 of this Complaint as if fully set forth herein.

196. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting rape in the second degree.

197. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy by engaging in conduct that constituted or facilitated the rape of girls under 18 years of age.

198. Epstein and others who engaged in rape were over 18 years old at the time of the incidents.

199. As a result of Defendants' actions, numerous minors suffered serious physical, mental and emotional injury.

200. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

201. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

202. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT FIFTEEN
Unlawful Sexual Contact in the First or Second Degree
Violation of the Criminally Influenced and Corrupt Organization Act ("CICO"),
14 V.I.C. § 600 *et seq.*; 14 V.I.C §§ 1708 and 1709

203. The Government restates and realleges paragraphs 1- 202 of this Complaint as if as if fully set forth herein.

204. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

205. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to, using or facilitating the use of force or coercion to accomplish sexual contact or engaging in sexual contact with a minor between 13 and 16 years of age.

206. Epstein and others who engaged in the sexual contact were over 18 years old at the time of the incidents.

207. As a result of the Epstein Enterprise's actions numerous young women and minors suffered serious physical, mental and emotional injury.

208. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

209. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

210. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO 14 V.I.C. §600 *et seq.*

COUNT SIXTEEN
Unlawful Sexual Contact in the First or Second Degree
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act,
14 V.I.C. § 600 *et seq.*; 14 V.I.C §§ 1708 and 1709

211. The Government restates and realleges paragraphs 1 - 210 of this Complaint as if as if fully set forth herein.

212. At all times material herein, each Defendant joined in a conspiracy to violate laws prohibiting unlawful sexual contact.

213. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy by using or facilitating the use of force or coercion to accomplish sexual contact or engaging in sexual contact with a minor between 13 and 16 years of age.

214. Epstein and others who engaged in the sexual contact were over 18 years old at the time of the incidents.

215. As a result of Defendants' actions, numerous young women and minors suffered serious physical, mental and emotional injury.

216. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of minor girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

217. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

218. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO 14 V.I.C. §600 *et seq.*

COUNT SEVENTEEN
Prostitution and Keeping House of Prostitution
Violation of the Criminally Influenced and Corrupt Organizations Act ("CICO"), 14 V.I.C. § 600 *et seq.*: 14 V.I.C. §§ 1622, 1624

219. The Government restates and realleges paragraphs 1 - 218 of this Complaint as if fully set forth herein.

220. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

221. The Epstein Enterprise engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including the engaging in or facilitating the knowing and/or reckless abuse of minors through the acts alleged herein.

222. The Epstein Enterprise knowingly persuaded, induced, enticed, and/or coerced young women and children to travel to the Virgin Islands to engage in prostitution and/or sexual activity, and/or attempted to do the same.

223. The Epstein Enterprise kept, maintained, and/or permitted his property at Little St. James to be used for the purpose of prostitution, lewdness or assignation with knowledge or reasonable cause to know the same.

224. The Epstein Enterprise received or offered or agreed to receive women and children at his property at Little St. James for the purposes of prostitution, lewdness or assignation, and/or permitted young women and children to remain there for such purposes.

225. The Epstein Enterprise directed, took, transported, and or offered or agreed to take or transport young women and children to Little St. James with the knowledge or reasonable cause to know that the purpose of such directing, taking or transporting was prostitution, lewdness or assignation.

226. The Epstein Enterprise knew or should reasonably have known that some of the individuals that were the subjects of the actions described in this Count were minors.

227. As a result of Defendants' actions, numerous young women and minors suffered serious physical, mental and emotional injury.

228. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

229. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

230. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT EIGHTEEN
Prostitution and Keeping House of Prostitution
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act, 14 V.I.C. § 600 *et seq.*: 14 V.I.C. §§ 1622, 1624.

231. The Government restates and realleges paragraph 1 - 230 of this Complaint as if fully set forth herein.

232. At all times material herein, each Defendant joined a conspiracy to laws against prostitution.

233. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy by engaging in or facilitating the persuasion, inducement, enticement or coercion of young women and children to travel to the Virgin Islands to engage in prostitution and/or sexual activity, and/or attempted to do the same; keeping, maintaining, and/or permitting Epstein's property at Little St. James, to be used for the purpose of prostitution, lewdness or assignation with knowledge or reasonable cause to know the same; receiving, offering, or agreeing to receive individuals at his property at Little St. James for the purposes of prostitution, lewdness or assignation, and/or permitted young women and children to remain there for such purposes; and directing, taking, transporting, and/or offering or agreeing to take or transport young women and children to Little St. James with the knowledge or reasonable cause to know that the purpose of such directing, taking or transporting was prostitution, lewdness or assignation, in violation of 14 V.I.C. §§ 1622 and 1624.

234. Defendants knew or should reasonably have known that some of the individuals that were the subjects of the actions described in this Count were minors.

235. As a result of Defendants' actions numerous young women and minors suffered serious physical, mental and emotional injury.

236. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

237. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

238. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT NINETEEN
Sex Offender Registry
Violation of the Criminally Influenced and Corrupt Organizations Act ("CICO"), 14 V.I.C. § 600 *et seq.*: 14 V.I.C. § 1721 *et seq.*

239. The Government restates and realleges paragraphs 1- 238 of this Complaint as if fully set forth herein.

240. Epstein was required to, and did, register under the Virgin Islands Sexual Offender Registration and Community Protection Act ("SORCPA") codified at 14 V.I.C. § 1721 *et seq.*

241. SORCPA requires registered offenders to provide information relating to intended travel in foreign commerce.

242. On at least two occasions, Epstein traveled to Vienna and Monaco without disclosing that travel to the Virgin Islands sex offender registry.

243. Epstein's failure to disclose this travel before, during, or even after his travel was knowing.

244. Epstein's violation SORPCA was part of a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise. 14 V.I.C. §604(j).

COUNT TWENTY
Fraudulent Conveyance
Violation of the Criminally Influenced and Corrupt Organizations Act ("CICO"), 14 V.I.C. § 600 *et seq.*: 14 V.I.C. §§ 832-833

245. The Government restates and realleges paragraphs 1- 244 of this Complaint as if fully set forth herein.

246. At all times material herein, each Defendant directly and indirectly participated in or associated with the Epstein Enterprise, an illicit enterprise.

247. Each Defendant engaged in two or more occasions of conduct that constitutes criminal predicate acts as defined by CICO, including, but not limited to transferring assets to and between various entities controlled by Epstein and the Epstein Enterprise to avoid, defeat, hinder or delay claims against them.

248. Upon information and belief, in an effort to defeat the claims of creditors and avoid the oversight of the court probating his estate, Epstein, days before his death, transferred significant assets, including assets held by other Defendants, into The 1953 Trust.

249. At the time of these transfers, Epstein had numerous actions pending against him related to his trafficking and sexual assaults seeking financial judgments.

250. Through these transfers, Epstein and the Epstein Enterprise fraudulently removed property and effects beyond the jurisdiction of the probate court.

251. Epstein and the Epstein Enterprise were parties to the fraudulent conveyance of the property, real or personal, and/or the interests or rights arising out of property, contracts, or conveyances of Epstein and the Epstein Enterprise.

252. Epstein and the Epstein Enterprise acted with the intent to defeat, hinder, or delay creditors and claimants, including the Government of the Virgin Islands, in collecting on their judgements, debts and demands.

253. Defendants through a pattern of criminal activity acquired and maintained, directly or indirectly, an interest in or control of the Epstein Enterprise or real property.

254. Defendants benefited, directly and indirectly, from the pattern of criminal activity conducted by the Epstein Enterprise.

255. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT TWENTY-ONE
Fraudulent Conveyance
Conspiracy to Violate the Criminally Influenced and Corrupt Organizations Act, 14 V.I.C. § 600 *et seq.*: 14 V.I.C. §§ 832-833

256. The Government restates and realleges paragraphs 1 to 255 of this Complaint as if fully set forth herein.

257. At all times material herein, each Defendant joined in a conspiracy to commit fraudulent conveyances.

258. Each Defendant engaged in acts that revealed its intent to join and participate in the criminal conspiracy, including, but not limited to, transferring assets to and between various entities controlled by Epstein and the Epstein Enterprise to avoid, defeat, hinder or delay claims against them.

259. Upon information and belief, in an effort to defeat the claims of creditors and avoid the oversight of the court probating his estate, Epstein, days before his death, transferred significant assets, including assets held by other Defendants, into The 1953 Trust.

260. At the time of this transfer, Epstein had numerous actions pending against him related to his trafficking and sexual assaults seeking financial judgments.

261. Through this transfer, Epstein and the Epstein Enterprise fraudulently removed property and effects beyond the jurisdiction of the probate court.

262. Epstein and the Epstein Enterprise were parties to the fraudulent conveyance of the property, real or personal, and/or the interests or rights arising out of property, contracts, or conveyances of Epstein and the Epstein Enterprise.

263. Epstein and the Epstein Enterprise acted with the intent to defeat, hinder, or delay the Government of the Virgin Islands and other creditors and claimants to collect on their judgements, debts and demands.

264. Defendants knowingly benefited financially and/or obtained other non-financial value from participation in the Epstein Enterprise, which has engaged in human trafficking, forced labor, sexual servitude and commercial sexual activity of girls and young women in knowing or reckless disregard of the laws of the U.S. Virgin Islands.

265. At all times material herein, each Defendant conspired with Epstein and other Defendants to fulfill the primary criminal purposes of the Epstein Enterprise: human trafficking, forced labor, and sexual servitude. 14 V.I.C. §604(j).

266. At all times material herein, Defendants engaged in a pattern of criminal activity that was not isolated but was related to the affairs of the Epstein Enterprise in violation of CICO. 14 V.I.C. §600 *et seq.*

COUNT TWENTY-TWO
Civil Conspiracy

267. The Government restates and realleges paragraphs 1 - 266 of this Complaint as if fully set forth herein.

268. Defendants acted in concert and joined with others to perform the wrongful acts identified in Counts 1 to 13, among others, concealing the sexual abuse of minor females by unlawful means.

269. Each co-conspirator knew, or in the exercise of reasonable care should have known, about the conduct of the others and about the common unlawful scheme.

270. These unlawful acts could not have been carried to the length and extent accomplished without the common understanding shared by Epstein and the Epstein Enterprise Defendants.

271. Each of the Defendants had a duty to report, stop or terminate the wrongful conduct, but instead each Defendant concealed, assisted and furthered the wrongful acts by use of civil conspiracy.

272. As a direct and proximate result of Defendants' conspiracy, the Virgin Island has been injured.

273. Each co-conspirator is jointly and severally liable for the acts alleged herein.

Notice of Allegation of
PUNITIVE DAMAGES

274. The purpose of punitive damages in the common law is to punish the defendant for outrageous conduct that is reckless or intentional and to deter others from engaging in such conduct in the future.

275. This Complaint describes intentional conduct so egregious, persistent, and injurious that it shocks the conscience and offends a civilized society.

276. Punitive damages are especially important in the case of persons or companies that have money, assets, and power that mere fines, penalties, and economic damages are simply not sufficient.

277. At all times material herein, Epstein and the Epstein Enterprise engaged repeatedly in wrongful acts which were intentional and outrageous. The Government gives notice that it intends to pursue the possibility of punitive damages in any jury verdict.

PRAYER FOR RELIEF

WHEREFORE, the Government respectfully requests that the Court:

A. Enter a judgment in favor of the Government and against Defendants on all counts;

B. Declare that Defendants, through the Epstein Enterprise, have engaged in a pattern of criminal activity in the Virgin Islands including but not limited to human trafficking, forced labor and sexual servitude of female children and young women, unlawful sexual contact, child sexual abuse, child abuse and neglect, rape, prostitution and other offenses related offenses, and civil conspiracy.;

C. Pursuant to 14 V.I.C. § 610, enforce and maintain the criminal activity liens the Government is filing contemporaneously with this lawsuit, or shall file in connection with this action;

D. Pursuant to 14 V.I.C. § 607(a)(1) and 14 V.I.C. § 141, issue an order forfeiting and divesting in favor of the Government of the Virgin Islands all of Defendants' interests in any real and personal property within the territory of the U.S. Virgin Islands used to facilitate the criminal enterprise carried out by the Epstein Enterprise, including but not limited to Little St. James Island and Greater St. James Island .

E. Issue an order forfeiting to the Government of the Virgin Islands any proceeds or funds obtained by Defendants, whether directly or indirectly, during the course of the criminal activity of the Epstein Enterprise;

F. Pursuant to 14 V.I.C. § 607(a)(1), require Defendants to divest themselves of any real property or other interests in favor of the Government of the Virgin Islands used to further the goals of the Epstein Enterprise;

G. Pursuant to 14 V.I.C. § 607(a)(3) and (5), order the dissolution of the Epstein Enterprise, including but not limited to, order the dissolution of the corporate Defendants;

H. Pursuant to 14 V.I.C. § 607(a)(2) enter an injunction to prevent the further criminal conduct, and concealment of the criminal conduct, by the Epstein Enterprise;

I. Pursuant to 14 V.I.C. § 607(a)(4), order the revocation of any and all licenses, permits and approvals that had been granted by any agency of the Territory, and require the repayment of any tax benefits that had been bestowed on any Defendant;

J. Pursuant to 14 V.I.C. § 607(a)(6)(e), award the Government the maximum civil penalty for each and every violation of law committed by the Epstein Enterprise;

K. Pursuant to 14 V.I.C. § 607, award treble damages and all other available remedies, including attorneys' fees and costs;

L. Award compensatory and punitive damages for Defendants' civil conspiracy;

M. Void the transfer of assets as fraudulently conveyed to the The 1953 Trust;

N. Award such equitable relief, including disgorgement of all ill-gotten gains, as may be just and proper and appropriate, pursuant to 14 14 V.I.C. § 608(c)(4), to protect the rights of victims and innocent persons in the interest of justice and consistent with the purposes of CICO;

O. Assess and award a judgment in favor of the Government and against the Defendants for attorneys' fees and costs and pre- and post-judgment interest; and

P. Award any and all other relief this Court deems appropriate.

The Government demands a jury trial on all issues so triable.

RESPECTFULLY SUBMITTED,

Dated: January 15, 2020

GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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EXHIBIT G

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
****

IN THE MATTER OF THE ESTATE OF:	)	
	)	
JEFFREY E. EPSTEIN,	)	**PROBATE NO. ST-19-PB-80**
	)	
Deceased.	)	
	)	

GOVERNMENT'S OPPOSITION TO ESTATE'S MOTION FOR ESTABLISHMENT OF A VOLUNTARY CLAIMS RESOLUTION PROGRAM

COMES NOW the Government of the Virgin Islands ("Government"), and files this *Opposition* to the Estate's Expedited Motion for Establishment of a Voluntary Claims Resolution Program. The Government opposes the program proposed by the Executors because the program does not secure the Government's substantial and legally protectable interest in the appropriate and supervised distribution of the Estate's assets. Protecting these interests requires the Government to intervene in the present action. The Government's Motion to Intervene is filed separately, and concurrently with this Motion.

I. BACKGROUND

Jeffrey Epstein was found dead on August 10, 2019, while in custody in New York for sex crimes. *U.S. Virgin Islands v. Estate of Jeffrey Epstein, et al.*, No. ST-2020-CV-14, ¶ 7 (Super Ct. Civ. Jan. 15, 2020), Exhibit 1. On August 15, 2019, the Estate of Jeffrey Epstein ("the Estate") was created. The Executors, Darren Indyke and Richard Kahn, filed a Petition for Probate and Letters Testamentary with the Probate Division of the Superior Court of the Virgin Islands on August 15, 2019. *Id.* ¶ 8. The Petition for Probate included Mr. Epstein's Last Will and Testament.[1] *Id.* Two days before his death, Mr. Epstein amended his previous trust, named "The

[1] The Petition for Probate and Letters Testamentary and the Last Will and Testament of Jeffrey Epstein are collectively attached as Exhibit 2.

Jeffrey E. Epstein 2019 Trust" dated January 18, 2019, which was later amended and restated on February 4, 2019. On August 8, 2019, Epstein again amended and restated his trust, which was renamed "The 1953 Trust," and Epstein's Last Will and Testament, so that all his "property, real and personal, wherever situated" was bequeathed to the acting Trustees of The 1953 Trust.

On November 14, 2019, the Executors of the Estate filed an *Expedited* Motion for Establishment of a Voluntary Claims Resolution Program ("Epstein Fund" or "Fund"). Ex'r Expedited Mot. at 3 (Nov. 14, 2019), Exhibit 3. The Motion asks this Court to "establish an independent and voluntary claims resolution program for purposes of resolving sexual abuse claims against Jeffrey E. Epstein." *Id.* at 1. The Motion proposes engaging Jordana Feldman, Kenneth Feinberg and Camille Biros as Program Administrators for the Epstein Fund. *Id.* at 6. The Executors also propose that the situs of the Program Administrators be New York. *Id.* at 3.

On January 15, 2020, the Government filed a lawsuit against the Estate, The 1953 Trust, and Epstein's affiliates and associates for violation of the Criminally Influenced and Corrupt Organization Act ("CICO"), 14 V.I.C. § 600 *et seq.*, and civil conspiracy, seeking forfeiture and divestment of assets in favor of the Government, as well as civil penalties, damages, and other remedies. As the Plaintiff in that litigation, the Government has an interest in the assets of the Estate, as well as an interest in ensuring that the laws of the Virgin Islands are enforced for the benefit of the Government and the victims of Epstein's crimes. The Executor's responded to the United States Virgin Islands' Complaint via a letter from the proposed co-designer and administrator of the proposed fund, Jordana Feldman on January 16, 2020. Letter from Jordana Feldman to Attorney General Denise N. George (Jan. 16, 2020), Exhibit 4.

II. ARGUMENT

a. The Epstein Fund Does Not Protect the Government's Interest in the Estate

With a Government civil CICO action pending in the Superior Court against the Estate and Epstein's business associates and affiliates, the Government has a substantial interest in the property held by the Estate. *In re the Estate of Small*, 57 V.I. 416, 423 (2012) ("when an individual has 'an unsecured claim, a cause of action against the estate,' then little doubt remains that such an intangible interest is property protected by the Fourteenth Amendment."). The Government's Complaint seeks to require the Estate to forfeit or divest itself of certain assets, including the two islands it owns, Little St. James and Great St. James, in favor of the Government. Compl. pp. 46-48. The lawsuit also seeks civil penalties, damages, and equitable disgorgement, including funds for victims who were trafficked and abused by Epstein in the Virgin Islands. *Id.*

The Government has filed a Criminal Activity Lien against the Estate pursuant to 14 V.I.C. § 610. Criminal Activity Lien (Jan. 16, 2020), Exhibit 5. This Government's Criminal Activity Lien was statutorily "created in favor of the Government of the Territory of the Virgin Islands shall be superior to and prior to the interest of any other person in the personal or real property or beneficial interest in it." 14 V.I.C. § 610(f). The disposition of the Estate's assets, including through the Epstein Fund and the uncapped expenses of a Program Administrator, threatens to dissipate assets subject to the Government's claims and Criminal Activity Lien. To be clear, the Government does not seek to supplant funds that victims might receive through the Epstein Fund or otherwise, but is entitled to ensure its own legally enforceable interests in the Estate are protected.

In addition, the Government has a substantial interest in ensuring that the Estate is administered subject to, and consistent with, the laws of the Virgin Islands. The Virgin Islands Victim's and Witness' Bill of Rights, 34 V.I.C. § 203, entitles victims of crimes to be treated with dignity and compassion, to be protected from intimidation, to be informed of their legal rights, and to receive reparations for physical or emotional injuries suffered as a result of being a victim of a

violent, bodily crime, as determined by the Virgin Islands Criminal Victims Compensation Commission.

Under the framework of the Fund, there is no obligation that the *Program Administrator be subject to the legal constraints imposed by the Virgin Islands Probate Law or the supervision or approval of this Court*, and provides no assurances that the Government's substantial and legally protectable interest in the Estate's assets will be protected. Indeed, while the Motion purports to invoke Rule 90 of the Virgin Islands Rules of Procedure as its basis, its failure to conform to that Rule demonstrates its deficiencies. V.I. R. CIV. P. Rule 90 requires that a mediator be a "neutral third person." Here, the Program Administrators were chosen solely by the Executors, and has decision-making authority beyond that of any mediator. Rule 90(a). Local civil procedure rules provide for communications among parties, and participation in discovery—none of which have to be followed by the Fund.

b. The Epstein Fund Does Not Set Aside Funds for Future Claimants

As structured, the Epstein Fund is fundamentally flawed and is not designed to achieve justice for the victims of Epstein and his associates and affiliated entities. For example, the Epstein Fund's design would be, in part, determined by an undefined group of "those with an interest in resolution of the Sexual Abuse Claims." Ex'r Expedited Mot. at 4-5. This group could include any number of individuals and entities, including defendants in the various lawsuits that have an interest clearly in conflict with those of potential claimants. The Fund also fails to specify what constitutes as sexual assault and who qualifies as a Claimant. Thus, for example, children who were sexually abused by Epstein may mistakenly believe that they consented to his assault, and may not recognize their eligibility for compensation. *See,* 14 V.I.C. §§ 133-137; 14 V.I.C. § 600 *et seq.*; 14 V.I.C. §§ 505-507; 14 V.I.C. § 500 *et seq.;* 14 V.I.C. §§ 1700a, 1702, 1708-1709.

Additionally, the Epstein Fund covers only those who have already made claims or will make claims immediately following notification of its creation. The program provides no set-aside for later claimants. This structure is unduly coercive, and jeopardizes the potential recovery available to victims unless they immediately avail themselves of the Fund. As the Court is undoubtedly aware, many of the claims in this matter are and will be made by those who were minors at the time of Epstein's abuse. Therefore, any program proposed to compensate Epstein's victims should account for the psychological trauma of minors, who often repress memories of their abuse, by allowing them additional time for filing a claim instead of limiting the time for filing. The blatant intimidation tactics employed by Defendants in the Government's CICO action further cements the need for such a window. This is another reason, the Court should deny the Estate's request.

c. The Eligibility Criteria is Flawed and Subjects Claimants to Re-Victimization.

i. The Evidence Requirement Could Potentially Exclude Deserving Claimants

The framework proposed for each Claim raises serious concerns that the Fund will exclude victim/claimants who may be unable to document their claims, without additional time for discovery. Many of the victims will have no documentation or "any additional corroborating or supporting information required to help substantiate their claim." Ex'r Expedited Mot. at 4-5. Outside of flight records, messages, and records of cash transfers – none of which are in the possession of the Claimants – such information may not exist. In fact, this predicament is created in part by Defendants own design, as Epstein's computer servers are alleged to have been purposefully destroyed in 2008. Indeed, as the Government's CICO complaint lays out in detail, Epstein and his associates went to great length to conceal their conduct. Compl. ¶¶ 70-89.

Additionally, the Program implicitly assumes that Claimants have access to materials and information that is in some cases is over a decade old. Even if Epstein and business affiliates and associates did not destroy the evidence, the likelihood that victims maintained evidence of their own abuse is slim. Thus, the process should allow for the open examination of records available to Epstein's Estate, and the discovery of others via the assistance of Epstein's many employees, to assist potential claimants in substantiating claims.

The ability of Claimants to fairly make their case is further prejudiced by the invitation to meet with the Program Administrator. This invitation asks Claimants to travel to New York to provide additional information "that may bear upon evaluation" of the Claim. Ex'r Expedited Mot. at 5. Such a request seems designed to prejudice Claimants, many of whom may not have the means to travel to New York. Additionally, the Epstein Fund's language suggests that the absence of either "corroborating evidence" or the ability to travel to the Program Administrator, by design, will ensure the Claimant's claim will fail to qualify, potentially deterring eligible Claimants from coming forward.

The Epstein Fund is also silent as to the outcome of Claims that are dismissed, either by Claimants or the Program Administrator. The Fund contains no assurances that the information submitted by a Claimant cannot be later used against her if she thereafter decides to file suit against the Estate or any other co-defendant. Likewise, the Epstein Fund provides no protection to Claimants who voluntarily provide information that may later be used to defend the Estate from claims or provide evidence against other victims. Without these necessary protections, claimants are vulnerable to re-victimization.

The absence of clear and precise parameters for inclusion or exclusion in the Fund and those with an "interest in resolution" fails to provide appropriate guidance to ensure potential Claimants will not be left out. Ex'r Expedited Mot. at 5. Specifically, without clear criteria,

potential claimants may not have the information or confidence to approach the Fund, with the effect that legitimate claimants (including those who may not have the means or desire to pursue their own litigation) will be left out.

ii. The Range of Compensation Must be Available to Claimants Before Filing

The parameters for the potential awards available through the Epstein Fund are too vague, and thus unacceptable. While the Government agrees that each Claimant's claim should undergo an individualized analysis, the potential range of compensation available for each claim should be provided in advance. As stated herein, the abuse suffered by each Claimant caused significant physical and emotional injury, and, before a potential Claimant chooses to revisit those painful episodes, they should know the potential range of compensation.

Moreover, the Program Administrator should not be permitted to subjectively award compensation to Claimants in a vacuum without oversight. This *carte blanche* authority has the potential to impact not only the Estate's ability to satisfy other liabilities for which it must be held accountable, but makes it less likely that each Claimant receives the compensation to which she is fairly and impartially entitled. With no right to do this, or court oversight to approve or disapprove compensation under the Epstein Fund, Epstein's Estate essentially requests this Court blindly approve a subjective determination that may detrimentally affect the very individuals it was allegedly proposed to compensate. Ex'r Expedited Mot. at 4-6.Moreover, the Fund should disclose any limits on the amounts of compensation, individually or collectively, and be required to develop a plan to effectively communicate its availability to any potential Claimant.

d. The Waiver Requirement is Unjust

Currently, acceptance of the Program Administrator's determination under the Epstein Fund requires Claimants to release "any claims she may have against any person or entity arising

from or related to Mr. Epstein's conduct. as set forth in the Protocol." Ex'r Expedited Mot. at 5. This is improper, impermissible and deceptive. It effectively precludes victims from filing claims against persons or entities and other perpetrators, who are not part of the estate, subjecting them to re-victimization. The scheme as proposed by the Executors further protects these perpetrators from liability and accountability for their criminal acts. Any Epstein Fund – were it to be approved – must be limited to only claims against Jeffrey Epstein for the further reason that the Estate itself is limited to only his assets. The Program also does not specify whether the Administrator is permitted or required to share evidence with law enforcement, thus positioning the Fund as a potential means to conceal criminal activity.

e. The Epstein Fund Presents Unavoidable Conflicts of Interest

The Motion fails to disclose inherent potential conflicts of interest between the Executors and the Fund. The Executors of Epstein's Estate, and also the movants for the *Expedited* Motion to establish the Epstein Fund, Darren K. Indyke and Rickard D. Kahn, were and are involved in various Epstein business entities that are alleged to share liability in Epstein's civil and criminal violations in the Virgin Islands. Both Indyke and Kahn are the Trustees of the 1953 Trust, which holds almost all of Epstein's assets. *See* Compl. ☐ 13. Furthermore, the Executors are also officers of at least two of Epstein's entities, Poplar, Inc. and Nautilus, Inc., alleged to be intricately involved in carrying out Epstein's illegal enterprise. *Id.* at ☐☐ 19-22; 28-30. The Executors appear to be close allies of Epstein who are to be compensated for administration of the Estate and are tainted by obvious conflicts of interest. As officers, the Executors could be held potentially liable for the alleged conduct of the companies, creating an inescapable conflict of interest in recommending a program that proposes to compensate any individual or entity making such allegations requiring in return for overly broad releases. The Fund does not delineate the role, if any, of the Estate in approving the program criteria or administration, including the scope or timing of the Fund. The

lack of clarity in the Estate's role creates uncertainty in the fairness and integrity of this critical process. The Executors should be expressly precluded from having any role in setting the criteria or the process for or evaluating or approving potential claims. Furthermore, disclosure of conflicts is critical to allow the Court to evaluate the ability of the Program to engage in fair and impartial arms-length negotiations or resolution.

f. Undisclosed Costs of the Epstein Fund Administration May Diminish Funds Available to Victims

Any settlement fund of this magnitude and scope must have, at the outset, clear limitations on costs to be expended in maintenance of the program. No such limitations exist here, yet the Petition admits the "significant expense in developing and administering the Program." Epstein Fund Petition, at III. The Petition for Probate and Letters Testamentary provides in detail the extent of the Estate's holdings. *See* Ex. 2. While the Estate is substantial, it is not unlimited. Administrative costs of the Epstein Fund have the potential to rapidly deplete the funds available to compensate Claimants under the Epstein Fund.

Furthermore, the Fund as proposed offers no reconciliation or accountability. There is no disclosure of Epstein's conduct (which can be done while protecting individual Claimants' privacy), the number of victims, or the amount or awards paid. Instead, it treats the Fund as a private settlement without transparency to the Court, the Government and the victims of Epstein's criminal activity. .

III. CONCLUSION

The Government opposes the creation of the Epstein Fund for the foregoing reasons. The Government therefore respectfully requests that the Court DENY the Executors' Motion for the Establishment of a Voluntary Claims Resolution Program.

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN
****

IN THE MATTER OF THE ESTATE OF JEFFREY E. EPSTEIN,	)	
	)	
Deceased.	)	**PROBATE NO. ST-19-PB-80**
	)	

ORDER

THIS MATTER is before the Court on the ____ Motion to Intervene in the Matter of the Estate of Jeffrey E. Epstein. Having reviewed the motion, the Court finds that the Claimants are entitled to intervene in this action pursuant to Virgin Islands Rule of Civil Procedure Rule 24.

Accordingly, it is hereby:

ORDERED that the Claimants' Motion to Intervene is GRANTED; and it is further

ORDERED that the Claimants shall be made Claimant Interveners: and it is further

ORDERED that counsel shall be added as counsel of record; and it is further

ORDERED that a copy of this Order shall be directed and served to counsel of record.

Dated:

_____

_____
CAROLYN P. HERMON PERCELL
Magistrate Judge of the Superior
Court of the Virgin Islands

ATTEST: ESTRELLA H. GEORGE
Clerk of the Court

BY: _____

Court Clerk Supervisor _____