

FILED

February 04, 2021
ST-2019-PB-00080
TAMARA CHARLES
CLERK OF THE COURT

**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.)	
)	

**EMERGENCY MOTION TO IMMEDIATELY FREEZE
ALL ESTATE ASSETS AND CASH ON HAND**

Movant the Government of the United States Virgin Islands (the “Government”), Plaintiff in *Government of the United States Virgin Islands v. Darren K. Indyke et al.*, in his capacity as the Executor of the Estate of Jeffrey E. Epstein, et al., Case No. ST-20-CV-14, hereby moves this Court pursuant to 15 V.I.C. §§ 1-302(b) and 161(c), V.I. Prob. R. 1, and V.I. R. Civ. P. 77 for an emergency order to immediately freeze all of the assets, including cash on hand, of the Estate of Jeffrey E. Epstein. The Government states in support of its motion as follows.

The Estate has breached its commitment to fund the Epstein Victims’ Compensation Program established by this Court’s Order of June 2, 2020. The Estate is required to provide funds to maintain a minimum Program operating fund. This is not disputed. The Estate, however, has failed to make its currently-owed payment to maintain funding of the Program, or even to commit to the timing of its next payment. The Estate’s failure to make its required payment without any prior warning seems designed to precipitate a crisis, which it has inasmuch as the Program’s Administrator, Jordana Feldman, has announced that she is suspending claim awards from the Program. See Exhibit A (Press Release, Epstein Victims’ Compensation Program to Temporarily Suspend Compensation Offers Due to Funding Uncertainty, dated

February 4, 2021). As a result, Epstein's victims who have submitted claims to the Program will not receive awards or payments from the Program for the indefinite future.

To be clear, this failure to provide promised compensation for Epstein's victims is one entirely of the Estate's and its Co-Executors' making. Consistent with its own commitment, the Government has promptly released its Criminal Activity Lien to permit the Estate's currently-owed payment to the Program, just as it has done since the outset of the Program. This is not disputed. If the Co-Executors had properly managed the Estate's assets and its expenditures, or even promptly communicated any liquidity issues, the Estate's assets and obligations could have been managed in a way that would have avoided this default at the expense of Epstein's victims.

But that has not occurred. Instead, the Co-Executors have mismanaged the Estate's assets by making payments:

- for its own lawyers' fees;
- for the lawyers' fees and litigation expenses of persons alleged to be involved in and/or to have knowledge of the alleged criminal trafficking and sexual abuse conduct of Epstein and his associates;
- for landscaping the Estate's unused properties; and
- for maintenance of the Estate's unused aircraft;¹

while failing to pay for the claims of Epstein's trafficking and sexual abuse victims.

Moreover, in the not even 18 months that the Estate has been open, its value has dropped by hundreds of millions of dollars, including with substantial revaluations of Estate assets.²

Emergency intervention by this Court thus is necessary. Given the demonstrated mismanagement of the Estate by the Co-Executors, the Government respectfully moves the

¹ See Estate's Fifth Quarterly Accounting, filed Feb. 1, 2021.

² See *id.*

Court to freeze the Estate’s remaining assets--for satisfaction of Epstein’s victims’ claims and the Government’s Criminally Influenced and Corrupt Organizations Act (CICO) claims against the Estate—while the Court, with the Government’s and victims’ input, determines an appropriate plan for proceeding to protect the Estate’s assets and to ensure that its commitments are met. This includes enjoining the Co-Executors from paying any additional expenses or disposing of any asset of the Estate. As set forth in the attached Proposed Order, the *only* expense by the Estate that should be permitted is its satisfaction of amounts owed to the Epstein Victims’ Compensation Program.

Respectfully submitted,

DENISE N. GEORGE, ESQUIRE
ATTORNEY GENERAL
VIRGIN ISLANDS DEPARTMENT OF JUSTICE

Dated: February 4, 2021

By: /s/ Carol Thomas-Jacobs
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that the foregoing Motion complies with the word and page requirements of V.I.R. Civ. P. 6-1(e) and a true and correct copy of the Motion was served via regular mail, postage prepaid, with a courtesy copy sent by email to counsel of record on February 4, 2021 to:

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