JUDGE RICHARD BERMAN: VICTIMS VICTIMS VICTIMS

There are two main thrusts of Judge Richard Berman's opinion refusing the government's stunt request to unseal the Jeffrey Epstein grand jury materials.

First, he emphasized the victims' rights and explicitly said DOJ had not given them enough notice of their request.

> There is another compelling reason not to unseal the *Epstein* grand jury materials at this time, namely possible threats to victims' safety and privacy. The Court received a very compelling letter, dated August 5, 2025, from three leading victims' rights attorneys, who have stated: "[A]ny disclosure of grand jury material—especially material that could expose or help identify victims in any way—directly affects the CVRA's [18 U.S.C. §3771] fairness, privacy, conferral, and protection guarantees." [citation omitted] These attorneys represent "numerous survivors of Jeffrey Epstein, including several individuals whose names and identifying information appear in the subject materials." *Id*. at 1. Whether victims do or do not favor unsealing, it is imperative that victims have adequate notice of unsealing and adequate timem to respond in advance of disclosure. *See id.* at 2.
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> Victims did not have sufficient notice before the Government filed the instant motions to unseal.

His opinion continued to focus on the victims, quoting several Jane Does and Annie Farmer. He twice recalled the powerful testimony from the victims after Epstein's death in 2019. He

insinuated that DOJ would not — and probably is not — protecting the victims as they share information with Congress.

Against that background, Berman noted that the government said it would, itself, release the files.

> A significant and compelling reason to reject the Government's position in this litigation is that the Government has already undertaken a comprehensive investigation into the *Epstein* case and, not surprisingly, has assembled a "trove" of Epstein documents, interviews, and exhibits. And the Government committed that it would share its Epstein investigation materials with the public.
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> [snip]
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> The Government's "Epstein Files" are *sui generis*. They are investigatory and not subject to Federal Rule of Criminal Procedure 6(e).
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> The Government is the logical party to make comprehensive disclosure to the public of the Epstein Files. By comparison, the instant grand jury motion appears to be a "diversion" from the breadth and scope of the Epstein files in the Government's possession. [citing Engelmayer] The grand jury testimony is merely a hearsay snippet of Jeffrey Epstein's alleged conduct.

Berman actually went easier on DOJ than I thought he might. As noted, DOJ violated the CVPA in its approach to this. He seems worried they're doing the same in sharing documents with Congress.

But the answer remains: Todd Blanche can't get his "hearsay snippet" released through Berman.