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# Attorney General Asks Court to Lift Stay and Order Discovery of Defendants as Protracted Battle Over Epstein Estate Continues

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**Little St. James, part of the Epstein estate on the east coast of St. Thomas**

V.I. Attorney General Denise George in a V.I. Superior Court filing on Friday asked the court to lift a stay that halted legal proceedings on Defendants Darren K. Indyke and Richard D. Kahn — co-executors of the Epstein Estate — and allow pre-trial discovery to move forward.

Discovery is important, the attorney general said, as it would allow the government of the Virgin Islands to make a "full and fair record" of the defendants motion to vacate criminal activity liens placed on the estate, which the court has agreed to hear.

The criminal activity liens on the estate, according to the government, is to protect the assets from dissipation. However, because Defendants Indyke and Kahn's raised fact-based arguments as part of their motion to vacate the lien, the government in its emergency filing on Friday asked the court to order pre-trial discovery.

"The Government's criminal activity liens ensure the preservation of assets or value with which a Defendant, here the Epstein Estate, can satisfy a judgment under the Criminally Influenced and Corrupt Organizations (CICO) Act," reads the [emergency motion](#). "This is why the liens may be released only by the Attorney General and only "upon such terms and conditions as [she] may determine," 14 V.I.C. § 610(r), so long as this action is pending."

The motion says the V.I. government now seeks discovery to develop its record "that the liens are not only authorized but necessary – contrary to the Estate's contention – and that releasing the liens would damage the Government by freeing the Co-Executors to further dissipate assets. The Court cannot assess this fact-laden argument, and the Government would be prejudiced, without discovery and a full factual record on the Estate and the individual and personal interests of its Co-Executors in their administrative and personal capacities."

The attorney general's motion says the Epstein Estate, located just off the east coast of St. Thomas, has lost 75 percent of its value in two years, and that despite repeated requests, Indyke and Khan — who the A.G. says made a combined \$37 million from Jeffrey Epstein in nine years — have refused to disclose the documents or principals in trusts related to Epstein.

The motion also accuses the co-executors of being "deeply involved in the financial activities of the Epstein-owned entities, including defrauding the Government of \$80.5 million in unearned tax benefits through Defendant Southern Trust Company."

Citing "substantial evidence," the A.G. further alleged that Indyke and Kahn "directed, approved, enabled, and justified millions of dollars in payments that fueled the Epstein Enterprise's sex trafficking, including their direct involvement in payments to women who were forced to have sex with Epstein and/or recruited others to be victimized, and facilitating and maintaining forced marriages between sex trafficking victims to obtain immigration status for foreign victims so Epstein could continue to abuse them."

The A.G. also pointed to a trust created by Epstein in 2013 that had received a \$13 million wire transfer in April 2020 and transferred funds to three newly created trusts in September of the same year.

"Indyke, Kahn, and their spouses were the ultimate beneficiaries for two of the three trusts," the A.G.'s motion claims. "The investment advisor for the 2013 Butterfly Trust in written disclosures to financial institutions explained that the decision "to decant the assets of the 2013 Trust was based in large measure on the fact that the assets . . . would be insulated from claims and demands of the beneficiaries of, and third-party claimants against, of the other new trusts," which would include the Government's claims."

The A.G. says the information obtained by the government "provides good cause for discovery of Defendants Indyke and Kahn on the handling of assets subject to the Government's liens before the hearing on the Defendants' motion to vacate the criminal activity liens."

"For all of the reasons set forth, and in the interest of fairness and justice, the Government's Emergency Motion for Lifting of Stay and to Take Discovery of Defendants Indyke and Kahn should be granted," concluded the motion.

