

JAN 20 2004

GARY M. BLAIR, Executive Officer  
BY *Carrie L. Wagner*  
CARRIE L. WAGNER, Deputy Clerk

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7 Attorneys for Plaintiff

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 FOR THE COUNTY OF SANTA BARBARA  
11 SANTA MARIA DIVISION  
12

13 THE PEOPLE OF THE STATE OF CALIFORNIA,  
14 Plaintiff,  
15 v.  
16 MICHAEL JOE JACKSON,  
17 Defendant.

No. 1133603

PLAINTIFF'S PROPOSED  
"SAFE HARBOR" ADDENDUM  
TO REQUESTED PROTECTIVE  
ORDER

(Submitted on January 20, 2004)

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19  
20 Plaintiff respectfully submits the following language as a proposed "safe harbor"  
21 addendum to the Protective Order issued by the Court on January 16, 2004.

22 "Notwithstanding the above restrictions on statements by the Prosecutor and Defense  
23 Counsel and those under their supervision or control, a statement by either the Prosecutor or  
24 Defense Counsel, or by them jointly, may be made to address questions or issues that may have  
25 been raised in the media concerning the case, the parties, their counsel, or witnesses in the  
26 matter, under the following limited circumstances:

27 ////

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1 "1. The premise of the question or issue is false or mistaken and, unless promptly  
2 rebutted, poses a reasonable likelihood of prejudice that would make difficult the impaneling of  
3 an impartial jury and would tend to prevent a fair trial;

4 "2. The response is limited to what is necessary to succinctly address and rebut the  
5 factual premise of the question or issue, and shall be in writing;

6 "3. Counsel for the parties shall first confer, in person or by other means of  
7 communication and submit to each other a proposed response to the question or issue with a  
8 view to reaching an agreed-upon response. The response to a complaint of the aggrieved  
9 party's counsel by opposing counsel shall be made within 24 hours of his receipt thereof;

10 "4. If counsel are agreed on the wording of a response to the question or issue, that  
11 response may be made public in the form of a written press release without an order of the  
12 court, but a true copy of the press release shall be lodged with the court;

13 "5. If the parties cannot agree on the wording of an appropriate response, or if a  
14 party does not believe that a written statement in rebuttal is required in the circumstances, then  
15 either or both parties, as appropriate, will promptly submit to the Court, either jointly or with  
16 facsimile notice to the other, a statement of the question or issue and a copy of the proposed  
17 response or responses to that issue for the Court's determination of the necessity of a rebuttal  
18 statement and the appropriate wording thereof."

19 DATED: January 20, 2004

20 Respectfully submitted,

21 THOMAS W. SNEDDON, JR., DISTRICT ATTORNEY  
22 County of Santa Barbara

23   
24 Thomas W. Sneddon, Jr.

25 Attorney for Plaintiff

1  
2 **PROOF OF SERVICE**

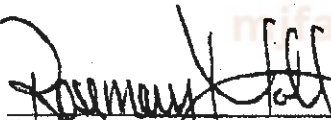
3 STATE OF CALIFORNIA  
4 COUNTY OF SANTA BARBARA } SS  
5

6 I am a citizen of the United States and a resident of the County aforesaid; I am  
7 over the age of eighteen years and I am not a party to the within-entitled action. My business  
8 address is: District Attorney's Office; Courthouse; 1105 Santa Barbara Street, Santa Barbara,  
9 California 93101.

10 On January 20, 2004, I served the within PLAINTIFF'S PROPOSED "SAFE  
11 HARBOR" ADDENDUM TO PROTECTIVE ORDER on Defendant, by MARK JOHN  
12 GERAGOS, his counsel in this action, and on associated counsel, by faxing a true copy to  
13 counsel at the facsimile number shown with the address of each on the attached Service List,  
14 and then by causing to be mailed a true copy (two true copies, to Attorney Geragos) to counsel  
15 at that address.

16 I declare under penalty of perjury that the foregoing is true and correct.

17 Executed at Santa Barbara, California on this 20th day of January, 2004.

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**SERVICE LIST**

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