

1 WILLIAM DICKERMAN, ESQ. #76237
2 DICKERMAN & ASSOCIATES
3 11355 W. Olympic Blvd., Suite 100
4 Los Angeles, CA 90064
5 310-268-6666

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

FEB - 1 2005

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

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7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SANTA BARBARA

10
11 THE PEOPLE OF THE STATE OF) CASE NO. 1133603
12 CALIFORNIA,)
13 Plaintiff,)
14 vs.) ~~OBJECTIONS BY WILLIAM~~
15 MICHAEL JACKSON,) ~~DICKERMAN TO SUBPOENA~~
16 Defendant.) ~~DUCES TECUM (for February~~
17) ~~8, 2005)~~
18)
19)
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28)

20 William Dickerman, who was previously an attorney for the
21 complainants and certain family members, is the subject of a
22 subpoena duces tecum from defendant Michael Jackson, calling for a
23 personal appearance in Dept. SM-2 of the above-entitled court, on
24 ~~February 8, 2005~~. Mr. Dickerman objects to the subpoena on the
25 following grounds:

27 1. The subpoena is invalid because it was not personally
28 served on Mr. Dickerman, in violation of Cal. Code of Civil

1 Procedure §1987, which requires that a subpoena be served "by
2 delivering a copy...to the witness personally." As the attached
3 declaration shows, service was not effected since the subpoena was
4 not served personally but rather placed by an anonymous person in
5 Mr. Dickerman's mailbox.

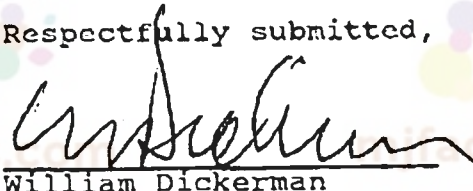
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7 2. To the extent the subpoena calls for documents that
8 concern the "COMPLAINT," it is unintelligible since Mr. Dickerman
9 has never seen the "COMPLAINT" in this case. See attached
10 declaration.

11
12 3. The subpoena calls for numerous documents privileged from
13 discovery by the attorney-client and work product doctrines. Mr.
14 Dickerman represented the "COMPLAINANTS" for a considerable
15 period of time, and all of their correspondence, notes of
16 meetings and conversations, phone records, and other documents
17 concerning that representation are privileged. Notes of meetings
18 and conversations with other individuals contacted by Mr.
19 Dickerman in the course of his representation, for the benefit of
20 the "COMPLAINANTS," are similarly privileged. Such individuals
21 include but are not limited to other counsel consulted about the
22 representation.

23
24 4. The subpoena is intolerably overbroad. For instance, item
25 5(c) calls for all documents having anything whatever to do with
26 this case, either "directly or indirectly." It is impossible to
27 know what "directly or indirectly" means. It is also oppressive
28 and burdensome to require production of every document in Mr.

1 Dickerman's possession, custody, or control having to do with the
2 Michael Jackson case, whether or not generated by Mr. Dickerman.
3 It is defendant's burden, not a third party witness's
4 responsibility, to obtain documents about the case, other than
5 those that Mr. Dickerman would have special reason to have. For
6 example, if Mr. Dickerman maintained a scrapbook of press
7 clippings about the case for his own interest, it would be
8 preposterous to expect him to supply those materials to
9 defendant, so that defendant would not have to do his own
10 research.

11 Respectfully submitted,

12 
13 William Dickerman

14 Dated: January 31, 2005

1 DECLARATION OF WILLIAM DICKERMAN IN SUPPORT OF
2 OBJECTIONS TO SUBPOENA DUCES TECUM

3
4 I, WILLIAM DICKERMAN, declare as follows:

5
6 1. I am an active member of the California State Bar. I
7 know the following facts of my own personal knowledge, and if
8 called as a witness I could and would competently testify thereto
9 under oath.

10
11 2. I served as an attorney for the alleged molestation
12 victim of defendant Michael Jackson, as well as the victim's
13 mother and certain other family members, from about February 2003
14 until about October 2003.

15
16 3. On January 27, 2005, I found in my mailbox, across from
17 my office, 22 pages and two envelopes. The pages included a
18 subpoena duces tecum, calling for me to deliver documents to the
19 court on February 8, 2005; an application for the subpoena, a
20 protective order dated July 9, 2004; a letter to me from Brian
21 Oxman; a declaration of custodian of records for me to complete;
22 and a copy of those documents.

23
24 2. I have never been personally served with any of these
25 documents, nor have I ever authorized anyone to accept them on my
26 behalf.

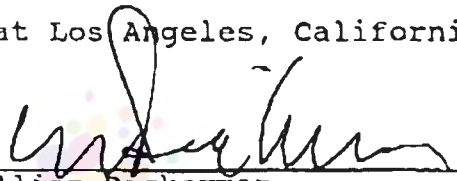
27
28 3. This is the second time that defendant Jackson has failed

1 to serve a subpoena on me. The first one was with regard to a
2 court hearing last summer at which my attendance was required.
3 Although service was improper, as noted in the motion to quash
4 filed on behalf of me and the complainant mother, I did appear at
5 the hearing.

6
7 4. The current subpoena is invalid because in that it
8 violates CCP §1987, which defines "service" of a subpoena as
9 "delivering a copy...to the witness personally...." As noted,
10 the subpoena and all other documents were placed in my mailbox
11 (apparently by the mailroom personnel), not given to me
12 personally.

13
14 5. I have never seen a "complaint" in the current case, nor
15 am I aware of what is alleged, except generally as stated in
16 various cursory media accounts.

17
18 I declare under penalty of perjury under the laws of
19 the State of California that the foregoing is true and correct.
20 Executed January 31, 2005, at Los Angeles, California.

21
22 
23 _____
William Dickerman

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is: 11355 W. Olympic Blvd., Suite 100, Los Angeles, California 90064.

On January 31, 2005 I served the foregoing document described as OBJECTIONS BY WILLIAM DICKERMAN TO SUBPOENA DUCES TECUM, etc., on the parties in this action by faxing a true copy thereof to defendant's counsel, Brian Oxman, 562-921-2298, and plaintiff's counsel, Gerald McC. Franklin, 805-568-2398, and by mailing a copy, by first-class mail, of the same document as follows:

R. Brian Oxman, Esq.
Oxman & Jaroscak
14126 East Rosecrans Blvd.
Santa Fe Springs, CA 90670

Gerald McC. Franklin, Esq.
Senior Deputy District Attorney
1112 Santa Barbara Street
Santa Barbara, CA 93101

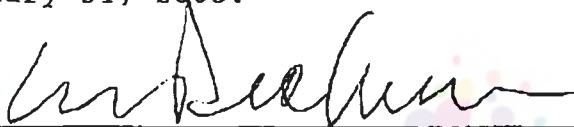
(check applicable paragraphs)

[x] BY FAX (see above)

[x] BY MAIL - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[X] (State) I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 31, 2005.


(Signature of Declarant)



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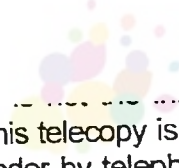
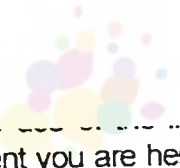
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SC-1020 [Rev. Sept. 16, 2002]



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